

CHAPTER 102

(Senate Bill 191)

AN ACT concerning

Landfills - Financial Security Requirements

FOR the purpose of increasing the dollar amount of a surety bond, cash deposit, or securities required of certain permit applicants to install a landfill refuse disposal system.

BY repealing and reenacting, with amendments,

Article - Health - Environmental
Section 9-213(c)
Annotated Code of Maryland
(1982 Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - Environmental

9-213.

(c) Before a permit for a landfill refuse disposal system is issued to any nonmunicipal corporation or to any other private organization or person, the applicant for the permit shall file with the Department a bond on a form prescribed and furnished by the Department. The bond shall be payable to the governing body of the political subdivision in which the landfill is to be located, and the obligation of the bond shall be conditioned upon the closing and covering of the landfill in a manner that prevents erosion, health and safety hazards, nuisances, and pollution. The bond shall be in the amount of ~~[\$1,000]~~ \$5,000 for each acre of land for which the permit is to be applied, but in no event less than ~~[\$25,000]~~ \$125,000. Liability under the bond shall be for the duration of the actual operation of the landfill and for a period of 5 years after that unless released earlier by the Department upon receipt of assurance that the landfill has been closed and covered in the required manner. The bond shall be executed by the applicant and by a corporate surety licensed to do business in this State. In lieu of having a bond executed by a corporate surety, the applicant may elect to deposit, with the local governing body, cash or negotiable bonds of the federal government or of this State or any other securities acceptable to the Department. The amount of the cash deposit or the market value of any securities shall be at least equal to the required sum of the bond. The local governing body shall receive and hold any such cash or securities in the name of the appropriate subdivision, in trust, for the purposes for which the deposit is posted. The obligation of the applicant and of any