

WHEREAS, Current technology makes it possible to fuel a cement kiln or lightweight aggregate kiln by the incineration of various wastes, including ~~hazardous materials~~ controlled hazardous substances; and

~~WHEREAS, The use of this technology has not yet been sufficiently assessed for its health impact on residents living in the vicinity of the kiln, and many key questions likewise remain unanswered regarding the environmental impacts of this incineration on air and water quality; and~~

~~WHEREAS, Kilns operating elsewhere have seldom, if ever, met designed conditions; and~~

~~WHEREAS, Maryland has a cancer related death rate that is among the highest in the nation; and~~

~~WHEREAS, Because the amount of waste that is necessary to maintain a kiln at its effective temperature likely exceeds the amount of waste that is produced in the State, manufacturers will secure waste fuel from out of State sources, resulting in Maryland becoming the recipient for hazardous materials rejected elsewhere; and~~

~~WHEREAS, Few objective safeguards exist to determine or restrict the nature of the hazardous wastes that may be incinerated~~

~~WHEREAS, The incineration of hazardous materials in cement kilns raises issues previously not addressed in the State and which require evaluation; now, therefore,~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That ~~the Department of the Environment:~~

(1) ~~May not issue a permit under § 2-404 of the Environment Article for the incineration of hazardous waste as a cofuel in a cement kiln or a lightweight aggregate kiln; In addition to any other authority which the Department of the Environment may have, the Department may delay or suspend the issuance of permits for the treatment or disposal of controlled hazardous substances in cement kilns until the Department makes recommendations and the Department has considered and acted upon those recommendations; and studied issues related to the treatment or disposal of controlled hazardous substances in cement kilns including:~~

~~(i) the use of appropriate fuels and appropriate controlled hazardous substances that may be used in a cement kiln, incinerator technologies, transport requirements, and monitoring protocols necessary to safeguard public health and the environment from the burning of controlled hazardous substances in a cement kiln; and~~

~~(ii) the content of cement produced during and the content of ash or dust resulting from the burning of controlled hazardous substances in a cement kiln.~~

~~(2) By July 1, 1992, the Secretary of the Environment shall convene a Controlled Hazardous Substances Task Force to develop, in cooperation with the Department, a comprehensive strategy for the future reduction, treatment, reuse, management, and disposal of controlled hazardous substances in Maryland. The Task Force shall include:~~