

2.02 GROUND WATER DISCHARGE PERMIT FOR UNLINED RUBBLE LANDFILLS

- ❑ *Question: Do I own a closed, unlined rubble landfill that discharges leachate to groundwater?*

Why do I need this approval?

A groundwater discharge permit, along with a refuse disposal permit, includes limitations and requirements deemed necessary to protect public health and minimize groundwater pollution. Groundwater discharge permits for rubble landfills regulate the discharge of pollutants that may be generated as a result of rain water or groundwater passing through the rubble waste in an unlined disposal cell and seeping into groundwater beneath the landfill. Rubble waste consists primarily of waste resulting from construction and demolition activities and land clearing debris. All rubble landfills constructed after July 1, 2001 are required to have liners and leachate collection systems, so groundwater discharge permits are no longer needed for new rubble landfills. However, existing unlined rubble landfills are required to maintain these permits until such time as the Department determines that a regulated discharge is no longer occurring.

What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article, Title 9, Subtitle 3; COMAR 26.08.01 through 26.08.04 and COMAR 26.08.07.

What is the process to get this approval?

- 1) Submit a complete application form.
- 2) The Department prepares and publishes a notice of the application received and provides an opportunity to request an informational meeting in accordance with §1-601 of the Environment Article.
- 3) The Department holds an informational meeting, if requested.
- 4) After completion of the technical review:
 - a. The Department prepares and publishes a notice of tentative determination regarding the permit application, which may include a draft permit and provide an opportunity to request a public hearing or to schedule a public hearing.
 - b. The Department holds a public hearing, if requested.
 - c. After the close of the record, the Department provides written responses to the comments, makes a final determination on the application, and publishes a notice of final determination.

d. If a final determination is not required, the Department's tentative determination becomes a final decision. The issuance of a permit may be subject to a contested case proceeding pursuant to §1-605 of the Environment Article.

Before I apply for this approval, do I need to get any approvals from the local or federal government?

No.

Is this approval directly related or contingent on other approvals?

No.

Are there any other requirements?

PRE-APPLICATION REVIEW: No pre-application review is required.

POST-APPROVAL: The permittee must comply with the permit conditions to avoid enforcement actions.

How long should I expect it to take to get this approval once I submit a complete application?

6 months

An applicant can reduce this time frame by sending a complete application including chemical test results.

Once I get this approval, how long will it last?

Maximum of five years

How much will this approval cost?

Annual permit fee: \$100 to \$5,000 depending on the volume of the discharge.

Who do I contact with additional questions?

The Solid Waste Program Operations Division at 410-537-3315.

Related Link:

<https://mde.maryland.gov/programs/Permits/LandManagementPermits/Pages/index.aspx>