



**Committee:** T&E  
**Committee Review:** Completed  
**Staff:** Keith Levchenko, Senior Legislative Analyst  
**Purpose:** Final action – vote expected  
**Keywords:** #SolidWaste and Solid Waste Management Plan

AGENDA ITEM #5B  
October 12, 2021  
**Action**

## SUBJECT

**Action:** Comprehensive Solid Waste Management Plan 2020 - 2029

## DESCRIPTION/ISSUE

- Pursuant to Sections 9-503 and 9-515 of the Environment Article of the Annotated Code of Maryland, the County's Solid Waste Plan is required to be reviewed and updated every three years.
- The current plan (2012 – 2023) was approved by the Council in March 2015.
- The Department of Environmental Protection (DEP) requested and received an extension of time from the Maryland Department of the Environment (MDE) pending completion of the Aiming For Zero Waste planning effort and the development of a strategic plan to address food waste diversion and recycling/composting (as required by Bill 28-16; Strategic Plan to Advance Composting, Compost Use, and Food Waste Diversion). The current pandemic led to further delays in the development of this update.
- On February 8, 2021, the County Executive transmitted his recommended Comprehensive Solid Waste Management Plan 2020- 2029.
- Pursuant to Senate Bill 370, Environment – Recycling – Office Buildings signed into law in May 2019, the Department of Environmental Protection developed a Recycling Plan for Office Buildings. This is incorporated into the Comprehensive Solid Waste Management Plan 2020 – 2029 as Appendix F.
- A public hearing was held on March 16, 2021.
- The Transportation and Environment (T&E) Committee discussed the Plan on March 22, 2021, and July 19, 2021, and recommended approval of the Plan with changes.
- The Council discussed the Plan on September 21, 2021, and preliminarily approved the Plan as recommended by the T&E Committee.
- Council Staff worked with Executive branch staff to finalize the Plan (October 1, 2021 version) consistent with the Council's preliminary action.

## COUNCIL STAFF RECOMMENDATION

- Consistent with the Council's preliminary action on September 21, 2021, Council Staff recommends approval of the attached resolution and the [Comprehensive Solid Waste Management Plan 2020- 2029 \(October 1, 2021 version\)](#). After Council action, the Plan will be transmitted to the Maryland Department of the Environment for final approval.

### This report contains:

- Resolution

### Page #

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**For more information, please see the following links**

Council Staff Reports

- [T&E Committee: March 22, 2021](#)
- [T&E Committee: July 19, 2021](#)
- [County Council Worksession: September 21, 2021](#)

Comprehensive Solid Waste Management Plan

- [Approved 2012-2023](#)
- [CE Recommended 2020 – 2029](#)
- [Council Action Draft 2020 – 2029 \(October 1, 2021\)](#)

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Resolution No.: \_\_\_\_\_  
Introduced: February 23, 2021  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: County Council at the Request of the County Executive

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**SUBJECT:** Adoption of the Comprehensive Solid Waste Management Plan

**Background**

1. Pursuant to Sections 9-503 and 9-515 of the Environment Article of the Annotated Code of Maryland, the governing body of each County is required to adopt and submit to the Maryland Department of the Environment (MDE) a ten-year plan dealing with solid waste disposal systems, solid waste acceptance facilities, and the systematic collection and disposal of solid waste. The Environment Article further requires each County to review its solid waste management plan at least every three years.
2. On March 31, 2015, the County Council, by Resolution 18-86, adopted the current Ten Year Comprehensive Solid Waste Management Plan for Montgomery County (the Plan).
3. The Plan was due for submission to MDE on March 31, 2018. The Montgomery County Department of Environmental Protection (DEP) requested an extension to the deadline because the County had initiated several significant planning efforts that would impact the update to the Plan. Specifically, the Aiming for Zero Waste Master Plan and the Montgomery County Council mandate (Bill 28-16; Strategic Plan to Advance Composting, Compost Use, and Food Waste Diversion) that the County develop a strategic plan to address food waste diversion and recycling/composting.
4. On May 11, 2018, MDE granted the County's extension request, provided that the County submitted a draft Plan for MDE to review no later than January 30, 2020. In the meantime, the County would continue to operate under its currently approved 2012-2023 Plan.
5. The deliverables from the long-term planning efforts were used to prepare the Plan. On January 30, 2020, the draft of the revised Plan was sent to MDE for its review and tentative approval to MDE.

6. On March 13, 2020, MDE completed the review and determined that the Plan will meet the requirements outlined in Sections 9-503, 9-505, 9-1703 of the Environment Article, and COMAR 26.03.03 provided that DEP modified the Plan according to MDE's instructions.
7. On May 13, 2019, the Governor signed Senate Bill 370, Environment Recycling – Office Buildings into law. The law requires the County Recycling Plan to address by October 1, 2020, the collection and recycling of recyclable materials from office buildings that have 150,000 square feet or greater of office space.
8. On March 23, 2020, the County submitted a draft text of the office building recycling plan (OBR plan) to MDE for its review in response to the requirement of Senate Bill 370 which requires the County to include the OBR plan in the Plan by October 1, 2020.
9. On April 3, 2020, MDE completed the review and determined that the OBR plan will meet the requirements of Senate Bill 370 provided that the DEP modify the OBR plan in accordance with MDE's instructions.
10. A revised and adopted Plan and OBR should have been submitted to MDE for its review and approval no later than June 12, 2020.
11. On April 15, 2020, DEP informed MDE that the Plan could not be submitted for the County Council adoption due to the COVID-19 pandemic; thus, the County could not meet the June 12, 2020 deadline.
12. On February 8, 2021, the County Executive transmitted to the County Council a revised Ten Year Plan entitled "Montgomery County, Maryland Comprehensive Solid Waste Management Plan for the Years 2020 through 2029" responsive to the foregoing MDE preview comments, and new legislation, together with an Office Building Recycling Plan.
13. On March 16, 2021, a public hearing was held pursuant to Section 9-505 of the Environment Article.
14. On March 22, 2021 and July 19, 2021, the Transportation & Environment Committee discussed and recommended approval of the revised Ten Year Plan with changes.
15. On September 21, the County Council discussed the revised Ten Year Plan and the Transportation & Environment Committee's recommendations.

**Action**

The County Council for Montgomery County, Maryland, adopts the following resolution:

The Comprehensive Solid Waste Management Plan for the Years 2012 through 2023 is wholly superseded and replaced with the "Comprehensive Solid Waste Management Plan for the Years 2020 through 2029," dated October 1, 2021 as attached; and

The "Montgomery County Office Building Recycling Plan," dated October 1, 2020, is adopted and incorporated into Appendix F of the aforementioned Plan.

This is a correct copy of Council action.

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Selena Mendy Singleton, Esq.  
Clerk of the Council