



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners for St. Mary's County will hold a Public Hearing on August 19, 2014 at 9:45 a.m. in the Chesapeake Building located at 41770 Baldrige Street in Leonardtown, Maryland to consider amendment of the Comprehensive Solid Waste Management and Recycling Plan by adoption of Appendix H: Apartment Building and Condominium Recycling (ABCR) Program. Citizens are encouraged to attend and participate in the public hearing.

Note that as a result of the evidence and comments made at the public hearing, amendments may be made to the proposed amendment.

Written comments, questions and suggestions may be submitted on or before August 29, 2014, to: Board of County Commissioners for St. Mary's County, P.O. Box 653, Leonardtown, MD 20650.

Copies of the proposed amendment are available in the Public Information Office, Governmental Center, 41770 Baldrige Street, Leonardtown, Maryland 20650, and each of the three public libraries in St. Mary's County during regular business hours. The Commissioners invite public comments and participation.

BOARD OF COUNTY COMMISSIONERS
FOR ST. MARY'S COUNTY, MARYLAND

By: **George A. Erichsen, P.E., Director**

Please publish as a legal notice in The Enterprise on August 1 and August 8, 2014

Subject: Environment - Amendment of St. Mary's County Comprehensive Solid Waste Management and Recycling Plan to Include Apartment Building and Condominium Recycling (ABCR)

Page 1 of 2

ORDINANCE

TO AMEND THE ST. MARY'S COUNTY COMPREHENSIVE SOLID WASTE MANAGEMENT AND RECYCLING PLAN TO INCLUDE APARTMENT BUILDING AND CONDOMINIUM RECYCLING (ABCR) PROGRAM

WHEREAS, the St. Mary's County Comprehensive Solid Waste Management Plan was adopted by Ordinance No. 2006-09; and

WHEREAS, §9-1703(b)(12) of the *Environment Article* of the *Annotated Code of Maryland* requires St. Mary's County to amend its Solid Waste Management and Recycling Plan by adoption of the Apartment Building and Condominium Recycling (ABCR) Program by October 1, 2014; and

WHEREAS, the Maryland Department of the Environment has determined that proposed Appendix H: Apartment Building and Condominium Recycling (ABCR) Program meets the requirements of Sections 9-1703(b)(12) and (13) of the *Environment Article* of the *Annotated Code of Maryland*; and

WHEREAS, a public informational meeting was held by the Commission on the Environment on _____, after due notice was given; and

WHEREAS, a notice of the public hearing was advertised on _____ and _____ in *The Enterprise*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on _____ to receive public comment and consider amendment of the Comprehensive Solid Waste Management and Recycling Plan by adoption of Appendix H: Apartment Building and Condominium Recycling (ABCR) Program; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, finds that it is in the best interest of the health, safety and welfare of the citizens of St. Mary's County to amend the Comprehensive Solid Waste Management and Recycling Plan by adoption of Appendix H: Apartment Building and Condominium Recycling (ABCR) Program,

Subject: Environment - Amendment of St. Mary's County Comprehensive Solid Waste Management and Recycling Plan to Include Apartment Building and Condominium Recycling (ABCR)

Page 2 of 2

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of St. Mary's County, pursuant to §9-1703(b)(12) of the *Environment Article* of the *Annotated Code of Maryland*, that the St. Mary's County Comprehensive Solid Waste and Recycling Management Plan be amended by adoption of Appendix H: Apartment Building and Condominium Recycling (ABCR) Program.

BE IT FURTHER ORDAINED, by the Commissioners of St. Mary's County that this Ordinance shall be effective upon the date written below.

Those voting Aye: _____
Those voting Nay: _____
Those Abstaining: _____
Date of Adoption: _____
Effective Date: _____

ATTEST:

COMMISSIONERS OF ST. MARY'S COUNTY

Rebecca B. Bridgett
County Administrator

Francis Jack Russell, President

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Lawrence D. Jarboe, Commissioner

Cynthia L. Jones, Commissioner

George R. Sparling
County Attorney

Todd B. Morgan, Commissioner

Daniel L. Morris, Commissioner

Comprehensive Solid Waste Management and Recycling Plan

DRAFT Appendix H 2014 Amendment Apartment Building and Condominium Recycling (ABCR) Program

Comprehensive Solid Waste Management and Recycling Plan

Appendix H: 2014 Amendment Apartment Building and Condominium Recycling (ABCR) Program

Table of Contents

Add APPENDIX H: 2014 TEXT AMENDMENTS
APARTMENT BUILDING AND CONDOMINIUM
RECYCLING (ABCR) PROGRAM

Table I-2 Summary of State Requirements

Refer to Page I-21. Insert the following:

Legislation	Main Provisions	County Government Responsibility
Apartment Building and Condominium Recycling (ABCR)	In April 2012, the Maryland General Assembly passed House Bill 1 (Environmental-Recycling- Apartment Building and Condominiums, which requires all apartment buildings and condominiums that contain 10 (ten) or more dwelling units to recycle.	For additional information, see Appendix H.

Long Term Recommended Actions (Five-Ten Years and Longer)

Refer to Page V-30. Insert the following:

7) Implement an Apartment Building & Condominium Recycling (ABCR) Program in accordance with Appendix H.

Table V-1A Solid Waste Management Plan Implementation Schedule (Continued)

Refer to Page V-35. Insert the following:

Function	Schedule	Management Plan
	FY 15	◆ Implement an Apartment Building & Condominium Recycling (ABCR) Program in accordance with Appendix H.

Comprehensive Solid Waste Management and Recycling Plan

Appendix H

Apartment Building & Condominium Recycling (ABCR) Program

In April 2012, the Maryland General Assembly passed House Bill 1 (Environmental-Recycling- Apartment Building and Condominiums, which requires all apartment buildings and condominiums that contain 10 (ten) or more dwelling units to recycle. The law became effective on October 1, 2012 (amending Section 9-1703 of the Environment Article, Annotated Code of Maryland). Section 9-1703 (b) (12) of the Environment Article, Annotated Code of Maryland requires St. Mary's County to revise its Solid Waste Management and Recycling Plan to include the ABCR Program. Apartment buildings and condominiums containing 10 (ten) or more dwelling units must implement a recycling plan by October 1, 2014.

Apartment Building & Condominium Recycling Program

Through the cooperation of the St. Mary's County's Department of Public Works Solid Waste/Recycling Division and owners or managers of apartment buildings or councils of unit owners of condominiums ("apartment and condominium officials"), and other stake holders involved in the implementation of this law, the County has identified 26 (twenty-six) apartment buildings and 12 (twelve) condominiums that fall under the scope of the law. The Solid Waste/Recycling Division has contacted the apartment and condominium officials outlining the requirements of the law including the materials that must be recycled.

It is the responsibility of the apartment and condominium officials to identify how the recyclable materials will be stored, collected, and transported to the recycling market. Apartment and condominium officials must report to the County on an annual basis, details regarding their recycling activities.

Materials Included In ABCR Program

Apartment and condominium officials must recycle (at a minimum) the following:

- Plastic
- Metal containers
- Glass containers
- Paper products

Collection of Materials

Apartment and condominium officials are responsible (directly or through a contracted collection vendor) for providing all containers, labor, and equipment necessary to fulfill recycling requirements throughout their buildings. Distinctive colors and/or markings of the recycling containers should be provided to avoid cross contamination. The apartment and condominium officials must ensure collection and transportation of recyclable materials from apartment and condominium locations to markets. Suitable recycling container(s) are to be used for the collection of a building's recyclable materials.

Drafted 5-30-2014 (updated 6-11-2014)

Comprehensive Solid Waste Management and Recycling Plan

Residents will be responsible for placing the recycling material in the recycling collection container(s) prior to the scheduled pick-up day

Marketing of Materials

Apartment and condominium officials are responsible for the marketing of their recyclables. The apartment and condominium officials shall submit annual reports detailing the recycling tonnage removed from the apartments and condominiums and the market destination.

Responsible Stakeholders Involved in Implementing the Law

(A) St. Mary's County Commissioners:

- Responsible for adopting the MDE approved language of the ABCR Program for the Solid Waste/Recycling Plan amendment

(B) St. Mary's County DPW&T (Solid Waste/Recycling Division)

- Provide the ABCR Program information and requirements received from the State to the apartment and condominium officials whose buildings fall under the scope of the law and assist in developing a recycling program.
- Monitor the progress and performance of the ABCR program.
- Update the County's Solid Waste/Recycling Plan to include ABCR Program.
- Update the list of participating apartment buildings and condominiums in the ABCR Program every 3 (three) years.
- Provide a copy of the annual MRA recycling report form to be used by apartment and condominium officials in reporting their year-end recycling activities.

(C) Owner or Manager of the Apartment Building or Councils of the unit Owners of the Condominium

- Responsible for providing recycling services to the residents of each apartment building and/or condominium by October 1, 2014.
- Secure and manage recycling contract(s) with contractor to provide recycling collection and marketing service.
- Provide suitable recycling collection/storage container(s) that residents can use for their recyclable materials. Also designate specific location(s) on site where recyclables are to be collected and transferred to market.
- Perform record keeping and submit annual report form (MRA recycling report) to the County

Schedule for the Development and Implementation of the Program

- October 31, 2013-January 31, 2014, the County will distribute approved language of the ABCR Program to the apartment and condominium officials for implementation.
- April 1, 2014, the apartment and condominium officials will educate their residents and discuss the requirements.
- July 1, 2014, apartment and condominium officials will provide training/assistance

Comprehensive Solid Waste Management and Recycling Plan

to their residents and advise of start-up date.

- August 1, 2014, apartment and condominium officials finalize and secure recycling service contract(s) with private contractors.
- October 1, 2014 (on or before) participating apartment and condominium complexes can begin recycling.

Program Monitoring

The County's Solid Waste/Recycling Division of the Department of Public Works and Transportation will oversee the progress, performance, and compliance of the ABCR Program.

The apartment and condominium officials will conduct inspections, review service levels, investigate complaints, and take such action to correct any deficiencies and maintain compliance with the ABCR Program.

The apartment and condominium officials will be responsible to keep residents current on new regulations, laws, and mandates affecting recycling and provide new practices, procedures, and educational material as needed.

Program Enforcement

The County's Solid Waste/Recycling Division will ensure that the recycling at participating apartments and condominiums will be implemented in accordance with the Sections 9-1703 and 9-1711 of the Environment Article, Annotated Code of Maryland.

Upon receiving a report of non-compliance (recycling or reporting requirements), an investigation may be conducted by the County's Solid Waste/Recycling Division. If a violation exists, a written notice may be issued to the responsible party detailing the deficiency with corrective action required to be completed within 90 (ninety) days. A citation for a civil infraction may be issued with a fine of not more than \$50.00 (fifty) dollars per day (beginning on the 31st day of the written notice and continuing daily until compliance is reached), payable to the St. Mary's County Government.

New apartment buildings and/or condominiums that meet the requirements of the Maryland ABCR Program shall begin participating in the program within 3 (three) months of being notified by the County's Solid Waste/Recycling Division.

Participating Apartment Buildings and Condominiums

Comprehensive Solid Waste Management and Recycling Plan

PARTICIPATING APARTMENTS IN THE ABCR PROGRAM					
NAME OF PREMISES	PREMISES ADDRESS	NUMBER OF UNITS	APARTMENT OR COND	NAME OF OWNER	CONTACT MAILING ADDRESS
Victory Woods	22611 FDR Blvd, Lexington Park, MD 20653	75	APT	Immaculate Heart of Mary Church	c/o Victory Woods LLC, 11400 Rockville Pike, Ste 505, Rockville, MD 20852
Valley Drive Estates	22001 Valley Drive, Lexington Park, MD 20653	38	APT	Valley Drive Apartments	77 West Street, Ste 210, Annapolis, MD 21401-2458
Spyglass at Cedar Cove Apts	21602 Spyglass Way, Lexington Park, MD 20653	152	APT	St. Mary's Oxford Assoc. LP	Three Galleria Tower, 13155 Noel Rd, Ste. 100 LB 73, Dallas, TX 75240
Spring Valley Apartments	46528 Valley Court, Lexington Park, MD 20653	128	APT	Spring Valley Work Force Housing LP	7170 Riverwood Drive, Columbia, MD 21046
St. Mary's Landing Apartments	21540 Pacific Drive, Lexington Park, MD 20653	283	APT	Lexington West LLC	c/o JHP Dev Co. Inc., 751 PK of Commerce Dr, Ste 128, Boca Raton, FL 33487-3623
Queen Anne Park Apartments	21691 Eric Dr., Lexington Park, MD 20653	102	APT	Queen Anne Park LP, A Maryland Limited	101 Chestnut St., Ste 110, Gaithersburg, MD 20877-
The Park Villas Apartments	21295 Mayfaire Lane, Lexington Park, MD 20653	144	APT	Cove Property Management LLC	P O Box 6724, Annapolis, MD 21401
Lexington Village	21633 Liberty St, Lexington Park, MD 20653	36	APT	Lexington Village 779	77 West St., Ste 210, Annapolis, MD 21401-2458
Lexington Park Active Adult Community	21895 Pegg Road, Lexington Park, MD 20653	110	APT	Lexington Park Senior Housing LP, A Maryland LP	P O Box 160, 709 N Main St., Aynor, SC 29511-3109
Lexwoods Apartments	21284 Lexwood Drive, Lexington Park, MD 20653	78	APT	Lexwoods Too LP	c/o TM Assoc Management Inc., 15825 Shady Grove Rd, Ste 55, Rockville, MD 20850-4046
Greenview Village Apartments	45782 Church Dr., Great Mills, MD 20634	65	APT	Housing Authority of St. Mary's County	21155 Lexwood Drive, Lexington Park, MD 20653
Wilderridge Apartments	22760 Laurel Glen Rd, California, MD 20619	84	APT	Wilderridge Apartments	10705 Charter Dr., Ste 450, Columbia, MD 21044-2992
Indian Bridge Apartments	45910 Indian Way, Lexington Park, MD 20653	112	APT	Four Rivers Community Loan Fund Inc.	21155 Lexwood Dr., Ste C, Lexington Park, MD 20653
Joe Baker Village	21260 Joe Baker Court, Lexington Park, MD 20653	36	APT	Great Mills Elderly Assoc LP	c/o TMAM, 15825 Shady Grove Road, Ste 55, Rockville, MD 20650-4008
Hunting Meadows Apartments	44860 Hunting Meadows Ct, Callaway, MD 20620	32	APT	Patuxent LP	3423 Olney Laytonville Rd, Ste 7, Olney, MD 20632
Greens at Hilton Run Apts	46860 Hilton Drive, Lexington Park, MD 20653	328	APT	G&I Greens at Hilton Run LLC	c/o DRA Advisors, 220 E 42nd Street, FL27, New York, NY 10017-5819
Fox Chase Village	45970 Foxchase Drive, Great Mills, MD 20634	134	APT	Fox Chase Village Apartments LP, A MD LMTD Partnership	6851 Oak Hall Ln, Ste 100, Columbia, MD 21045-5815
Crossroads Apartments	21403 Great Mills Road, Lexington Park, MD 26053	21	APT	FDR Holdings LLC	43310 Pine Ridge Court, Hollywood, MD 20636
Chancellors Run Apartments	45882 Chancellors Run Ct., Great Mills, MD 20634	40	APT	Chancellors Run Assoc LP	15825 Shady Grove Rd, Ste 55, Rockville, MD 20850-4046
Aberly Crest Apartment Homes	46850 Aberly Crest Lane, Lexington Park, MD 20653	250	APT	Aberly Farms Lexington Park Phase 1 LP	c/o H H Hunt Corp, 800 Hethwood Blvd, Blacksburg, VA 24060-4207
Aberly Crest Apartment Homes	46900 Aberly Crest Lane, Lexington Park, MD 20653	492	APT	Aberly Crest Lexington Park Phase II LP	800 Hethwood Blvd, Blacksburg, VA 24060-4207

Comprehensive Solid Waste Management and Recycling Plan

Elan Settlers Landing Apartments	45086 Voyage Path, California, MD 20619	240	APT	GS/TPRF II Settlers Landings LLC	750Bering Drive, Houston, TX 77057
Apartment at Londontowne	22030 Oxford Court, Lexington Park, MD 20653	36	APT	Londontowne Development Corporation	c/o Daniel J. Guenther, P O Box 623, Leonardtown, MD 20653
Great Mills Court Apartments	45990 Great Mills Court, Lexington Park, MD 20653	44	APT	New Great Mills 1 LTD Partnership, A Maryland Limited Partnership	15825 Shady Grove Road, Ste 25, Rockville, MD 20850-4033
The Apartments of Wildewood, Phase II	44755 Jeeter Way, California, MD 20619	136	APT	Saxon Woods LLC	P O Box 490, Joppa, MD 21085-0490
The Apartments of Wildewood	23239 Bond Cir, California, MD 20619	229	APT	Piney Point LLC	P O Box 490, Joppa, MD 21085-0490

Comprehensive Solid Waste Management and Recycling Plan

PARTICIPATING CONDO'S IN THE ABCR PROGRAM					
NAME OF PREMISES	PREMISES ADDRESS	NUMBER OF UNITS	APART MT OR COND	NAME OF OWNER	CONTACT MAILING ADDRESS
Wildewood Village Condo Assn	Cobblestone Lane, California, MD	48	Condo	Council of Owners	Wildewood Village Condo Assn., Box 100, 23140 Cobblestone Lane, California, MD 20619
Chestnut Oak Community of Wildewood	Chestnut Oak Court, California, MD 20619	72	Condo	Council of Owners	Chestnut Oak Condo Assn., 23250 Chesnut Oak Court, Unit 1073, California, MD 26019
The Gateway Condos	Lexwoods Drive, Lexington Park, MD 20653	34	Condo	St. Mary's County Housing Authority	Housing Authority of St. Mary's County, 21155 Lexwoods Drive, Lexington Park, MD 20653
White Birch Condo Assn.	White Birch Court, California, MD 20619	36	Condo	Council of Owners	White Birch Condo Assn., P O Box 836, California, MD 20619
Beechwood Condo Assn.	Elm Court, Lexington Park, MD 20653	36	Condo	Council of Owners	Beechwood Condo Assn., c/o Judith A. Burns, 45764 Elm Court, Lexington Park, MD 20653
White Oak Condo Assn.	White Oak Court, California, MD 20619	36	Condo	Council of Owners	White Oak Condo Assn., 45910 Church Drive, Great Mills, MD 20634
Wood Lake Condo Assn	Woodland Drive, California, MD 20619	60	Condo	Council of Owners	Wood Lake Condo Assn., P O Box 34, St. Inigoes, MD 20684
Rosewood Condo Assn.	Rosewood Court, California, MD	72	Condo	Council of Owners	Rosewood Condo Assn., 23239 Rosewood Court, California, MD 20619
Sugar Maple Condo Assn.	Sugar Maple Court, California, MD	36	Condo	Council of Owners	Sugar Maple Condo Assn., P O Box 1423, California, MD 20619
Residences of Wildewood, Bldg. 3	23460 FDR Blvd., California, MD 20619	30	Condo	Council of Owners	Community Association Professionals, 5348 Dunteachin Drive, Ellicott City, MD 21043
Residences of Wildewood, Bldg. 7	23520 FDR Blvd., California, MD 20619	30	Condo	Council of Owners	Community Association Professionals, 5348 Dunteachin Drive, Ellicott City, MD 21043
Residences of Wildewood, Bldg., 2	23580 FDR Blvd., California, MD 20619	30	Condo	Council of Owners	Sentry Management, 2200 Defense Highway, Suite 405, Crofton, MD 21114