

SENATE BILL 189

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8lr0127

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)**
Introduced and read first time: January 18, 2008
Rules suspended
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Surface Water Discharge Permits – Contested Case Hearings – Standing**

3 FOR the purpose of authorizing a person that meets certain requirements of federal
4 law to request a certain hearing on a certain water discharge permit; and
5 generally relating to water discharge permits issued by the Department of the
6 Environment.

7 BY repealing and reenacting, with amendments,
8 Article – Environment
9 Section 9–324
10 Annotated Code of Maryland
11 (2007 Replacement Volume and 2007 Supplement)

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

14 **Article – Environment**

15 9–324.

16 (a) Subject to the provisions of this section, the Department may issue a
17 discharge permit if the Department finds that the discharge meets:

18 (1) All applicable State and federal water quality standards and
19 effluent limitations; and

20 (2) All other requirements of this subtitle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (b) **(1)** Before issuing a discharge permit, the Department shall comply
2 with the provisions of Title 1, Subtitle 6 of this article.

3 **(2) A PERSON THAT MEETS THE THRESHOLD STANDING**
4 **REQUIREMENTS UNDER FEDERAL LAW MAY REQUEST A CONTESTED CASE**
5 **HEARING ON A PERMIT TO DISCHARGE TO THE SURFACE WATERS OF THE**
6 **STATE.**

7 (c) The information meeting required by Title 1, Subtitle 6 of this article
8 shall be held in the geographical area that will be most directly affected if the
9 discharge permit is issued.

10 (d) The Department shall give public notice of each application for a
11 discharge permit as required by Title 1, Subtitle 6 of this article, and by making
12 available to the public appropriate documents, permit applications, supporting
13 material, plans, and other relevant information.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2008.