

HOUSE BILL 347

M3

1lr1479
CF SB 372

By: **Delegate Lafferty**

Introduced and read first time: February 2, 2011

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2011

CHAPTER _____

1 AN ACT concerning

2 **Environment – Nitrogen Removal Technology – Evaluation and Ranking**

3 FOR the purpose of requiring the Department of the Environment to evaluate and
4 rank certain nitrogen removal technologies for on–site sewage disposal systems
5 for certain purposes; requiring the Department to make available a certain
6 evaluation and ranking on the Department’s Web site; requiring the
7 Department to provide a certain evaluation and ranking to a county,
8 municipality, or resident of the State under certain circumstances; requiring the
9 Department to request certain information from certain vendors for certain
10 purposes; defining certain terms; and generally relating to nitrogen removal
11 technology for on–site sewage disposal systems.

12 BY adding to

13 Article – Environment

14 Section 9–1108.1

15 Annotated Code of Maryland

16 (2007 Replacement Volume and 2010 Supplement)

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

19 **Article – Environment**

20 **9–1108.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
2 MEANINGS INDICATED.

3 (2) "NITROGEN REMOVAL TECHNOLOGY" HAS THE MEANING
4 STATED IN § 9-1108 OF THIS SUBTITLE.

5 (3) "ON-SITE SEWAGE DISPOSAL SYSTEM" HAS THE MEANING
6 STATED IN § 9-1108 OF THIS SUBTITLE.

7 (4) "VENDOR" MEANS A PERSON THAT SELLS, OFFERS FOR SALE,
8 OR DISTRIBUTES ON-SITE SEWAGE DISPOSAL SYSTEMS THAT UTILIZE NITROGEN
9 REMOVAL TECHNOLOGY.

10 (B) (1) IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION,
11 THE DEPARTMENT SHALL EVALUATE AND RANK ALL BEST AVAILABLE
12 NITROGEN REMOVAL TECHNOLOGIES FOR ON-SITE SEWAGE DISPOSAL SYSTEMS
13 TO ADVISE LOCAL GOVERNMENTS AND CITIZENS OF THE STATE OF APPROVED
14 TECHNOLOGIES THAT QUALIFY FOR FUNDING UNDER § 9-1605.2(H)(2) OF THIS
15 TITLE.

16 (2) THE DEPARTMENT SHALL:

17 (I) MAKE AVAILABLE THE EVALUATION AND RANKING OF
18 ALL BEST AVAILABLE NITROGEN REMOVAL TECHNOLOGIES REQUIRED UNDER
19 THIS SECTION ON THE DEPARTMENT'S WEB SITE; AND

20 (II) PROVIDE THE EVALUATION AND RANKING OF ALL BEST
21 AVAILABLE NITROGEN REMOVAL TECHNOLOGIES TO A COUNTY, MUNICIPALITY,
22 OR RESIDENT OF THE STATE IN ANY CORRESPONDENCE RELATING TO
23 APPROVED TECHNOLOGIES THAT QUALIFY FOR FUNDING UNDER §
24 9-1605.2(H)(2) OF THIS TITLE.

25 (C) THE DEPARTMENT SHALL EVALUATE AND RANK ALL BEST
26 AVAILABLE NITROGEN REMOVAL TECHNOLOGIES FOR ON-SITE SEWAGE
27 DISPOSAL SYSTEMS BASED ON:

28 (1) THE TOTAL AMOUNT OF NITROGEN REDUCTION THE
29 TECHNOLOGY CAN ACHIEVE;

30 (2) THE TOTAL COST OF THE TECHNOLOGY, INCLUDING THE
31 ESTIMATED ANNUAL COST OF OPERATION AND MAINTENANCE, INCLUDING
32 ELECTRICITY COSTS;

33 (3) THE COST PER POUND OF THE NITROGEN REDUCTION; AND

1 **(4) ANY OTHER INFORMATION THE DEPARTMENT DETERMINES IS**
2 **NECESSARY.**

3 **(D) BEGINNING JUNE 1, 2011, AND ~~BIANNUALLY~~ EVERY 2 YEARS**
4 **THEREAFTER, THE DEPARTMENT SHALL REQUEST INFORMATION FROM**
5 **VENDORS NECESSARY TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 June 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.