

SENATE BILL 115

M3

2lr0062

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)**

Introduced and read first time: January 18, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Waterworks and Wastewater Works Certified Operators**

3 FOR the purpose of authorizing certain waterworks, wastewater works, and industrial
4 wastewater works to be under the supervision of a certified operator instead of a
5 certified superintendent under certain circumstances; and generally relating to
6 the supervision of a waterworks, a wastewater works, and an industrial
7 wastewater works.

8 BY repealing and reenacting, with amendments,
9 Article – Environment
10 Section 12–402 and 12–501
11 Annotated Code of Maryland
12 (2007 Replacement Volume and 2011 Supplement)

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

15 **Article – Environment**

16 12–402.

17 (a) **[Each] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**
18 **EACH** waterworks, wastewater works, and industrial wastewater works shall be under
19 the supervision of a superintendent who is certified in the appropriate classification.

20 (b) **A WATERWORKS, A WASTEWATER WORKS, AND AN INDUSTRIAL**
21 **WASTEWATER WORKS MAY HAVE A CERTIFIED OPERATOR SERVE IN**
22 **RESPONSIBLE CHARGE INSTEAD OF A CERTIFIED SUPERINTENDENT IF**
23 **APPROVED BY THE DEPARTMENT AND IF THE FACILITY:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) SERVES FEWER THAN 500 PERSONS;**

2 **(2) HAS MINIMAL TREATMENT REQUIREMENTS AS DETERMINED**
3 **BY THE DEPARTMENT; AND**

4 **(3) EMPLOYS NO MORE THAN TWO OPERATORS.**

5 **(C)** The Department shall enforce this section.

6 12-501.

7 (a) A person or municipal or private corporation may not operate a
8 waterworks, wastewater works, or industrial wastewater works unless the facility is
9 under the responsible charge of a certified superintendent **OR CERTIFIED OPERATOR**
10 **AS PROVIDED UNDER § 12-402 OF THIS TITLE.**

11 (b) After July 1, 1982, a person or municipal or private corporation may not
12 operate a waterworks or wastewater works unless all operators in the waterworks or
13 wastewater works are certified operators.

14 (c) After July 1, 1982, a person or municipal or private corporation may not
15 operate an industrial wastewater works unless all industrial operators in the
16 industrial wastewater works are certified industrial operators.

17 (d) The Department shall enforce this section.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2012.