

HB0190/950911/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 190
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Lafferty” and substitute “Delegates Lafferty and Qi”; strike beginning with “requiring” in line 4 down through the semicolon in line 6 and substitute “providing that this Act may not be construed to preempt or prevail over any county ordinance, law, or rule that provides a more stringent definition of the term “failing on-site sewage disposal system”; providing that this Act may not be construed to alter a certain enforcement referral method established under a delegation agreement between the Department of the Environment and a local health department except under certain circumstances;”; and in line 14, strike “and 9–1113”.

AMENDMENT NO. 2

On page 1, in lines 22 and 23, strike “**THE CONDITION OF**”.

On page 2, in line 1, strike “**THREATENS OR IMPACTS**” and substitute “**THAT IS A THREAT TO**”; strike line 3 in its entirety; in line 4, strike “**(II)**” and substitute “**(I)**”; in the same line, strike “**OR INDIRECT**”; in line 5, after “**PUBLIC**” insert “**;**”

(I) A FAILURE TO PREVENT:

1. SEWAGE FROM REACHING THE SURFACE OF THE GROUND;

2. SEWAGE FROM BACKING UP INTO A STRUCTURE DUE TO SLOW SOIL ABSORPTION OF SEWAGE EFFLUENT;

(Over)

3. SEWAGE FROM LEAKING FROM A SEWAGE TANK OR COLLECTION SYSTEM;

4. UNLESS SPECIFICALLY AUTHORIZED BY A GROUNDWATER PROTECTION REPORT APPROVED BY THE DEPARTMENT BEFORE JANUARY 1, 2019, GROUNDWATER DEGRADATION; OR

5. SURFACE WATER DEGRADATION; OR

(III) FOR A PERMITTED ON-SITE SEWAGE DISPOSAL SYSTEM, SIGNIFICANT NONCOMPLIANCE WITH THE STANDARDS AND CONDITIONS OF THE ON-SITE SEWAGE DISPOSAL SYSTEM PERMIT”;

in line 6, strike “AN” and substitute “A CESSPOOL.”; and strike in their entirety lines 7 through 25, inclusive.

AMENDMENT NO. 3

On page 2, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to:

(1) preempt or prevail over any county ordinance, resolution, law, or rule that provides a definition of the term “failing on-site sewage disposal system” that is more stringent than the definition of the term “failing on-site sewage disposal system” under § 9-101 of the Environment Article, as enacted by Section 1 of this Act; or

(2) alter an existing enforcement referral method established under a delegation agreement between the Department of the Environment and a local health department, unless the county in which a local health department is located has adopted a definition of the term “failing on-site sewage disposal system” that is more stringent

HB0190/950911/1 Environment and Transportation Committee
Amendments to HB 190
Page 3 of 3

than the definition of the term “failing on–site sewage disposal system” under § 9–101 of the Environment Article, as enacted by Section 1 of this Act.”;

and in line 26, strike “2.” and substitute “3.”.