

HB1200/543329/1

BY: Delegate Long

AMENDMENT TO HOUSE BILL 1200
(First Reading File Bill)

On page 1, in line 2, strike “- **Environmental Justice Screening**” and substitute “**and Water Quality Testing**”; in line 11, after the semicolon insert “**requiring an independent third party to oversee all water quality testing conducted at a facility with a permit to discharge pollutants to the waters of the State; requiring the Department to select the independent third party; specifying the duties of the independent third party; establishing certain notification requirements for sewage overflows and breaks in certain sewage pipelines at a facility with a permit to discharge pollutants to the waters of the State;**”; and after line 22, insert:

“BY adding to

Article – Environment

Section 9–255.1 and 9–331.2

Annotated Code of Maryland

(2014 Replacement Volume and 2021 Supplement)”.

On page 5, after line 15, insert:

“**9–255.1.**

(A) (1) BEGINNING JULY 1, 2022, AN INDEPENDENT THIRD PARTY SHALL OVERSEE ALL WATER QUALITY TESTING CONDUCTED AT A FACILITY WITH A PERMIT TO DISCHARGE POLLUTANTS TO THE WATERS OF THE STATE ISSUED IN ACCORDANCE WITH § 9–323 OF THIS TITLE THAT IS NOT COMPLIANT WITH THE PERMIT.

(2) THE INDEPENDENT THIRD PARTY SHALL:

(1) BE SELECTED BY THE DEPARTMENT; AND

(II) HAVE ALL STATE AND FEDERAL CERTIFICATIONS THE DEPARTMENT DETERMINES ARE NECESSARY FOR OVERSEEING TESTING AT A FACILITY WITH A PERMIT TO DISCHARGE POLLUTANTS TO THE WATERS OF THE STATE ISSUED PURSUANT TO § 9-323 OF THIS TITLE.

(B) THE INDEPENDENT THIRD PARTY SHALL:

(1) OVERSEE ALL WATER QUALITY TESTS CONDUCTED AT THE PERMITTED FACILITY;

(2) VERIFY THE LABORATORY RESULTS FOR ALL WATER QUALITY TESTS CONDUCTED AT THE PERMITTED FACILITY;

(3) IMPLEMENT PROCEDURES AND PROTOCOLS AT THE PERMITTED FACILITY TO TEST FOR MIDGE LARVAE AND PREVENT THE DISCHARGE OF MIDGE LARVAE; AND

(4) CONTINUE OVERSIGHT UNTIL THE PERMITTED FACILITY COMES INTO COMPLIANCE WITH THE DISCHARGE PERMIT.

(C) EACH LABORATORY REPORT CREATED FOR A WATER QUALITY TEST CONDUCTED AT A PERMITTED FACILITY SHALL BE POSTED ON THE DEPARTMENT'S WEBSITE AS SOON AS PRACTICABLE.

9-331.2.

THE OWNER OR OPERATOR OF A FACILITY WITH A PERMIT TO DISCHARGE POLLUTANTS TO THE WATERS OF THE STATE ISSUED IN ACCORDANCE WITH § 9-323 OF THIS SUBTITLE SHALL:

(1) IN ADDITION TO THE NOTIFICATION REQUIREMENTS UNDER § 9-331.1 OF THIS SUBTITLE, ON NOTIFICATION OF AN OVERFLOW:

(I) IMMEDIATELY NOTIFY THE DEPARTMENT OF THE OVERFLOW; AND

(II) AS SOON AS PRACTICABLE, NOTIFY LOCAL NEWS MEDIA AND EACH STATE AND COUNTY LEGISLATOR REPRESENTING THE AREA IN WHICH THE OVERFLOW WILL OCCUR OF THE OVERFLOW AND POTENTIAL HEALTH RISKS; AND

(2) ON NOTIFICATION OF A BREAK IN A SEWAGE PIPELINE THAT DISCHARGES INTO THE WATERS OF THE STATE, AS SOON AS PRACTICABLE, NOTIFY LOCAL NEWS MEDIA AND EACH STATE AND COUNTY LEGISLATOR REPRESENTING THE AREA IN WHICH THE DISCHARGE WILL OCCUR OF THE BREAK IN THE SEWAGE PIPELINE AND POTENTIAL HEALTH RISKS.”;

and in line 17, strike “October” and substitute “June”.