

HOUSE BILL 924

M3, Q1
HB 621/22 – ENT

3lr2789

By: **Delegate Grammer**

Introduced and read first time: February 10, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Sewage Treatment Plants – Effluent Discharges, Discharge Permits, and**
3 **Property Tax Credit for Impacted Dwellings**

4 FOR the purpose of requiring the Department of the Environment to monitor effluent
5 discharged from certain sewage treatment plants, evaluate whether certain effluent
6 impacts certain midge populations, and place an inspector at certain sewage
7 treatment plants under certain circumstances; requiring certain discharge permits
8 to limit nitrogen, phosphorus, and bacterial discharge under certain circumstances;
9 requiring the Department to post on its website certain status updates and steps
10 taken to address certain deficiencies; authorizing the Mayor and City Council of
11 Baltimore City or the governing body of a county or municipal corporation to grant,
12 by law, a property tax credit against the county or municipal corporation property
13 tax imposed on a certain dwelling; and generally relating to sewage treatment plants
14 and property tax credits.

15 BY adding to
16 Article – Environment
17 Section 9–321.3
18 Annotated Code of Maryland
19 (2014 Replacement Volume and 2022 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Environment
22 Section 9–324
23 Annotated Code of Maryland
24 (2014 Replacement Volume and 2022 Supplement)

25 BY adding to
26 Article – Tax – Property
27 Section 9–268
28 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2019 Replacement Volume and 2022 Supplement)

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

Article – Environment

9–321.3.

(A) THE DEPARTMENT SHALL:

**(1) MONITOR EFFLUENT DISCHARGED FROM SEWAGE TREATMENT
PLANTS THAT HAVE A DISCHARGE PERMIT TO PROCESS AT LEAST 50,000,000
GALLONS OF EFFLUENT PER DAY;**

**(2) EVALUATE WHETHER THE EFFLUENT AND ANY NUTRIENTS IN THE
EFFLUENT IMPACT MIDGE POPULATIONS IN THE SURROUNDING LAND AND WATER
AREAS, INCLUDING WHETHER THE EFFLUENT CONTRIBUTES TO THE GROWTH OF
PHYTOPLANKTON; AND**

**(3) PLACE AN INSPECTOR AT A SEWAGE TREATMENT PLANT THAT
THE DEPARTMENT FINDS HAS, WITHIN THE LAST 24 MONTHS:**

**(i) RELEASED EFFLUENT OR BACTERIA BEYOND THE LIMITS
OF THE SEWAGE TREATMENT PLANT’S DISCHARGE PERMIT;**

**(ii) FAILED TO MAINTAIN BASIC OPERATION AND
MAINTENANCE OF THE SEWAGE TREATMENT PLANT; OR**

**(iii) FOR A SEWAGE TREATMENT PLANT FOR WHICH THE
DEPARTMENT REQUIRES A WASTEWATER CAPACITY PLAN, FAILED TO SUBMIT AN
UPDATED WASTEWATER CAPACITY PLAN TO THE DEPARTMENT.**

**(B) IF AN INSPECTOR IS PLACED AT A SEWAGE TREATMENT PLANT IN
ACCORDANCE WITH SUBSECTION (A)(3) OF THIS SECTION, THE INSPECTOR SHALL
REMAIN ON SITE AT THAT PLANT UNTIL:**

**(1) DISCHARGE MONITORING REPORTS SHOW THAT THE EFFLUENT
RELEASE FROM THE SEWAGE TREATMENT PLANT HAS BEEN WITHIN THE SCOPE OF
THE SEWAGE TREATMENT PLANT’S DISCHARGE PERMIT FOR 180 DAYS;**

**(2) THE SEWAGE TREATMENT PLANT IS IN COMPLIANCE WITH BASIC
OPERATION AND MAINTENANCE REQUIREMENTS; AND**

1 **(3) IF A WASTEWATER CAPACITY PLAN IS REQUIRED BY THE**
2 **DEPARTMENT, AN UPDATED WASTEWATER CAPACITY PLAN HAS BEEN SUBMITTED**
3 **TO THE DEPARTMENT.**

4 **(C) EVERY OTHER WEEK THE DEPARTMENT SHALL POST ON ITS WEBSITE:**

5 **(1) A STATUS UPDATE FOR EACH SEWAGE TREATMENT PLANT AT**
6 **WHICH AN INSPECTOR IS PLACED IN ACCORDANCE WITH SUBSECTION (A)(3) OF THIS**
7 **SECTION; AND**

8 **(2) STEPS TAKEN TO ADDRESS THE DEFICIENCIES THAT RESULTED IN**
9 **THE INSPECTOR BEING PLACED AT THE SEWAGE TREATMENT PLANT.**

10 **(D) ON OR BEFORE OCTOBER 1 EACH YEAR, BEGINNING IN 2024, THE**
11 **DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH**
12 **§ 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE ACTIVITIES CONDUCTED**
13 **IN ACCORDANCE WITH SUBSECTIONS (A) AND (B) OF THIS SECTION.**

14 9-324.

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

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

19 (2) All other requirements of this subtitle.

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

22 **(2) BEFORE ISSUING A DISCHARGED PERMIT TO A WASTEWATER**
23 **TREATMENT PLANT, THE DEPARTMENT SHALL CONDUCT AN ANALYSIS OF THE**
24 **AVAILABILITY AND VIABILITY OF NEW POLLUTION CONTROL TECHNOLOGIES THAT**
25 **MAY NOT HAVE BEEN AVAILABLE OR UTILIZED IN OTHER PLANTS SINCE A PREVIOUS**
26 **PERMIT WAS GRANTED.**

27 (c) The informational meeting required by Title 1, Subtitle 6 of this article shall
28 be held in accordance with Title 1, Subtitle 6 of this article.

29 **(D) A DISCHARGE PERMIT ISSUED BY THE DEPARTMENT TO A WASTEWATER**
30 **TREATMENT PLANT THAT HAS A DESIGN CAPACITY OF 50,000,000 GALLONS OR**
31 **GREATER SHALL LIMIT:**

32 **(1) TOTAL NITROGEN DISCHARGED FROM THE PLANT AT 3MG/L AND**

TOTAL PHOSPHORUS DISCHARGED FROM THE PLANT AT 0.3MG/L AS MEASURED ON AN ANNUAL AVERAGE BASIS; AND

(2) THE DAILY TOTAL BACTERIAL DISCHARGED FROM THE PLANT TO BELOW THE STATISTICAL THRESHOLD VALUES FOR ENTEROCOCCI AND E. COLI ESTABLISHED UNDER COMAR 26.08.02.03-3(A).

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

Article – Tax – Property

9-268.

(A) IN THIS SECTION, “DWELLING” HAS THE MEANING STATED IN § 9-104 OF THIS TITLE.

(B) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SECTION AGAINST THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON A DWELLING THAT IS:

(1) DETERMINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION TO HAVE BEEN ADVERSELY IMPACTED BY MIDGE POPULATIONS; AND

(2) LOCATED WITHIN 1 MILE OF A WASTEWATER TREATMENT PLANT.

(C) THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY OR THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY PROVIDE, BY LAW, FOR:

(1) THE DURATION OF THE TAX CREDIT UNDER THIS SECTION;

(2) ADDITIONAL ELIGIBILITY CRITERIA FOR THE TAX CREDIT; AND

(3) ANY OTHER PROVISION NECESSARY TO CARRY OUT THE TAX CREDIT UNDER THIS SECTION.

(D) THE AMOUNT OF THE TAX CREDIT GRANTED UNDER THIS SECTION SHALL EQUAL UP TO 100% OF ANY PROPERTY TAX IMPOSED ON THE DWELLING.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
2 1, 2023.