



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

January 27, 2021

The Kumar Barve, Chair
Environment and Transportation Committee
House Office Building
Annapolis, Maryland 21401

Re: House Bill 407 – On-Site Sewage Disposal Systems – Inspection – Licensing

Dear Chairman Barve and Members of the Committee:

The Maryland Department of the Environment (MDE) has reviewed House Bill 407, entitled On-Site Sewage Disposal Systems- Inspection - Licensing and would like to offer a letter of information about this legislation.

House Bill 407 proposes to amend Title 9 of the Environment Article by creating “on-site wastewater property transfer inspection” licenses issued by MDE. Specifically, HB 407 proposes to replace the existing § 9-217.1, which requires persons who inspect on-site sewage disposal systems to complete a Department-approved course of instruction, with a new § 9-217.1. The proposed new language would require licenses to be obtained from MDE before a person inspects on-site sewage disposal systems. The new language would require the Department to establish both a format for septic system inspections, and regulations governing eligibility criteria and minimum training standards for inspection licenses. The minimum training requirements would include whether the septic system: 1) needs to be replaced or repaired, and 2) is inconsistent with statutory or regulatory requirements. HB 407 would make violations of § 9-217.1, or any regulations adopted under it, subject to an administrative penalty, which would be paid into an account within the Bay Restoration Fund.

At present, the On-Site Systems Division at MDE only has four (4) PINs (one is vacant) to cover the entire State of Maryland. Given the scope of this legislation, the Department would need at minimum four (4) additional positions (PINs). The legislation as proposed does not provide any funding or positions to implement the new process. If this legislation were to pass, the employees currently in the On-Site Division would have to cease their current statutorily mandated work in order to create and implement the new licensing process in the allotted time period.

Thank you for your consideration. We will continue to monitor House Bill 407 during the Committee’s deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or by e-mail at tyler.abbott@maryland.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Abbott", written over a horizontal line.

Tyler Abbott