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Education, Health, and
Environmental Affairs Committee

Chair, Joint Committee on
Cybersecurity, Information Technology
and Biotechnology



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony in Support of SB0113 - Environmental Health Specialists and On-Site Sewage Disposal Systems – Transfer of Responsibilities and Standards, Regulations, Applications, and Plans

February 2, 2022

Chairman Pinsky, Vice-Chair Kagan, and members of the Education, Health, and Environmental Affairs Committee:

Thank you for your consideration of Senate Bill 113, which will improve the efficiency and consistency of the manner by which our county health departments and environmental health staff are able to manage and approve or deny septic system permits. Septic system installations are an extremely complicated and costly part of the construction process for Maryland homeowners and small businesses - often reaching north of \$10,000 according to MDE. A major contributor to this cost is the wide degree of variation between even neighboring counties such as Howard and Frederick in interpreting and applying state regulation. In some cases, my constituents are waiting 8, 12, or 18 months before septic system permits are finally approved, and months between communications or updates from environmental health staff.

Over the course of the 2021 interim, MDE established a working group which engaged across the state through 6 listening sessions with industry practitioners, government employees and key stakeholders from the building industry and agri-tourism industry. They found that:

- the time it takes for approval varies dramatically from 1-18 months, often without adequate and consistent communication between our local health departments and permit applicants,
- there is significant confusion between the regulatory authorities of MDH and MDE, resulting in the two agencies pointing fingers at one another instead of solving the problem at hand,
- the state has not adequately supported our local environmental health specialists in terms of hiring staff, paying competitive salaries, and upgrading the necessary IT systems for the job, and
- that certain COMAR regulations are unclear, resulting in varying and haphazard interpretations.

The solution to improving this industry is multifold. Last year we passed Delegate Stein's bill to increase licensing requirements for septic system inspectors, and this year I am cross-filing his legislation to establish an industry board. However, in addition to this, we need to improve the public sector's customer service. In order to meet this goal, SB113 will do the following:

- Require MDE to establish an online tracking system for septic permits which will improve the efficiency and increase oversight from the state
- Hold monthly meetings to ensure consistent interpretation and application of state regulations
- Standardize permits and clarify confusing parts of comar related to septic systems
- Increase modestly the operational budget for staffing and equipment required by these environmental professionals to do an adequate job.

I am currently working with MACo, the environmental community, and subject matter experts on amendments that will resolve their opposition and will provide those to the committee as quickly as they're available.

- The first is already available on your Floor system and removes provisions that shift Environmental Health Specialists from MDH to MDE, as well as a provision that establishes rigid timelines for approval or denial of systems,
- The second invests funding to invest in high-quality staff, clarifies provisions related to the online tracking database, and directs additional COMAR clarifications.

Members of the committee, as we move toward an economic recovery from COVID-19 and attempt to build more affordable housing, this is incredibly important for parts of our state that are zoned for well and septic. Given the surplus in our state budget and the number of unfilled positions across the state, now is the time to invest in good government that works for the people of Maryland. By voting for this bill, you are voting to improve customer service and retain qualified environmental health staff, to protect the environment from faulty septic systems and help small businesses or first time home owners. For these reasons, I respectfully request a **favorable with amendment report on SB113**.

Sincerely,



Senator Katie Fry Hester
Carroll and Howard Counties