



Maryland

Department of the Environment

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

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

February 2, 2022

The Honorable Paul Pinsky, Chair
Senate Education, Health, and Environmental Affairs Committee
Miller Senate Office Building, 2W
Annapolis, Maryland 21401

**Re: Senate Bill 113 – Environmental Health Specialist and On-Site Sewage Disposal Systems-
Transfer of Responsibilities and Standards, Regulations, Applications, and Plans**

Dear Chair Pinsky and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed SB113, *Environmental Health Specialist and On-Site Sewage Disposal Systems - Transfer of Responsibilities and Standards, Regulations, Applications, and Plans*, and would like to offer a letter of information regarding the bill.

SB 113 proposes to transfer Title 21 of the Health Occupations Article to Title 11 of the Environment Article, transferring the Board of Environmental Health Specialists (Board) from the Maryland Department of Health to MDE. The legislation adds requirements to the Department for creating a statewide online tracking system for permits and installations of septic systems, development of standardized permit forms and a two month timeline for permit decisions. In addition the bill imposes a requirement on the Department to host monthly informational meetings for local government employees who work or work with Environmental Health Specialists (EHS).

The Department currently has adequate and sufficient staff and resources to conduct its mission effectively and efficiently. Any additional legislatively-mandated program or regulation, such as this, will likely hamper our efficiency, force us to divert resources away from current core competencies and likely disrupt customer service and/or diminish services. The legislation as proposed does not provide any funding or positions to manage the Board or implement the new requirements mandated in this bill.

The definition to practice as an EHS includes individuals employed in a host of positions related to control of a variety of public health issues. Wastewater disposal is a subset of categories an EHS addresses, including: manufacture, preparation, handling, distribution or sale of food; water supply and treatment; insect and rodent control; recreational sanitation; solid waste management and disposal; product safety; and vector control. These are specialized subject areas, the majority of which are outside the expertise and statutory jurisdiction of MDE.

The legislation requires a two month time period for processing applications for the installation of an on-site sewage disposal system. The decision authority for an on-site sewage disposal application is not a condition of the Board; instead the Secretary of the Department or his designee has this authority.

Thank you for your consideration. We will continue to monitor SB 113 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 tyler.abbott@maryland.gov.

Sincerely,

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

Tyler Abbott

cc: Senator Katie Fry Hester
Lee Currey, MDE, Director, Water and Science Administration