



The Maryland Department of the Environment
Secretary Serena McIlwain

Senate Bill 483
Private Well Safety Act of 2023

Position: Favorable with Amendments
Committee: Environment & Transportation Committee
Date: March 29, 2023
From: Gabrielle Leach

The Maryland Department of the Environment (MDE or the Department) **SUPPORTS WITH AMENDMENTS** Senate Bill 483. The proposed amendments would generally conform SB 483 to the House cross-file, HB 11, which this Committee has already passed.

Currently, the bill would require MDE to:

1. Expand the existing Private Well Safety Program and set up a Private Well Safety Fund to make grants to households available to help cover the costs of well testing and well remediation;
2. Upload records of certificates of potability and water quality testing results to a portal accessible by the public; and
3. Annually report to the General Assembly the information and data collected pursuant to the Program.

Senate Bill 483 would require MDE to create a considerable new program, which has not been accounted for in the FY 2024 proposed budget. Given the significant constraints within the Department, existing staff can not absorb the workload associated with this legislation. It would cost the Department approximately \$500,000 to create and maintain a new program, hire and train staff, and develop the publicly accessible portal. Additionally, money would have to be allocated for the grant fund, which also has not been accounted for in the budget. At this time, the Department has no way of estimating how many individuals would apply for a grant to test their well, or how many wells would need to be remediated if contaminants were found.

Recommended Amendments:

- MDE would recommend the Senate version of this legislation to conform to the House language; although, MDE would be open to retaining the Senate uncodified study language in Section 2 of the bill.
- Additionally, MDE is supportive of the recent amendments, being offered by the House sponsor, including:
 - Giving MDE the authority to administer administrative penalties, not exceeding \$5,000;

- Allocating any penalties collected from the Department to go towards the Clean Water Fund; and
- Allowing a local authority to determine the validity of water testing samples within their County.

MDE agrees that enhancements could be made to provide for more robust testing of private wells in the State. The Department has broad statutory authority to protect drinking water and our most vulnerable populations. As such, MDE is committed to assisting in securing federal funding for a grant fund in the future.

MDE appreciates the willingness of the Senate sponsor to consider the referenced amendments. For the reasons detailed above, MDE urges a **FAVORABLE WITH AMENDMENTS** report for SB 483.