

February 22, 2023

The Honorable Kumar P. Barve
Environment & Transportation Committee
House Office Building, Room 251,
6 Bladen St., Annapolis, MD, 21401

RE: MBIA Letter of Support HB 635 Water Pollution Control - Discharges From Construction Sites - Limits on Liability

Dear Chairman Barve:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 365 Water Pollution Control - Discharges From Construction Sites - Limits on Liability**. **Supports** the Act in its current version.

This bill would limit the liability of stormwater discharges from the holder of a discharge permit. MBIA supports this bill. The bill would limit the civil penalties for discharge from a construction site to \$5000 for each violation and cap the total penalty at \$25,000. This bill draws a distinction between “Acts of God” outside the holder’s control and a willful discharge making the penalty narrower and only applying in situations where the holder acted with intent. MBIA supports this narrow application and the realistic and non-excessive cap on the penalties.

For these reasons, MBIA respectfully requests the Committee give this measure a favorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the House Environment & Transportation Committee