

**HB146.FAVORABLE. ShoreRivers.pdf**

Uploaded by: Annie Richards

Position: FAV



**Testimony in Support of House Bill 146 - Environment - Environment - On-Site Wastewater Systems - Requirements for Inspection and Pumping Services and Implementation Dates**

February 4, 2026

Dear Chair Korman and Members of the Committee:

**Thank you for the opportunity to submit testimony in support of HB146 on behalf of ShoreRivers.** ShoreRivers is a river protection organization serving Maryland's Eastern Shore, with more than 2,700 members. Our mission is to protect our waterways through science-based advocacy, restoration, education, and engagement

In 17 of Maryland's 24 counties, nitrogen pollution from septic systems exceeds nitrogen pollution from municipal wastewater treatment plants. Failing septic systems contribute excessive nitrogen, phosphorus, and bacterial pollution to both groundwater and surface waters, threatening natural resources and public health. Public health research from the University of Maryland has also found significant positive associations between high concentrations of septic systems in floodplains and increased infections from *Campylobacter* and *Salmonella*. Septic system failures can result from aging infrastructure, changing soil conditions, compromised drain fields, flooding, and other factors. Other research confirms that that improper design, maintenance, or location of private wells and septic systems contributed to 67% of reported outbreaks from groundwater contamination from 1971 and 2008". (Wallender et al., 2014)<sup>1</sup> **Without regular inspections, failing systems can go undetected for decades, increasing nutrient pollution in local waterways and contaminating nearby drinking water wells. SB165/HB146 is designed to protect public health and the environment by ensuring septic systems are properly maintained, inspected, and monitored.**

As the Chester Riverkeeper, work with residents of Kent and Queen Anne's counties — because of the area's rural character, a large percentage of residents rely on septic systems. Many homeowners have never had their systems inspected, leaving both current and future residents vulnerable to exposure from coliform bacteria and elevated nitrate and phosphate pollution. In many cases, this pollution poses a direct human health risk not only to homeowners and tenants, but to the broader community and our rivers.

Years of water quality testing show that the Chester River suffers from elevated fecal enterococci levels —likely from failing septic systems — that prevent waterways from meeting clean water standards and limits recreational use. Establishing regular septic inspection protocols will provide Maryland residents with assurance that their systems are functioning properly and will help ensure cleaner, safer, and more swimmable rivers for future generations. **We thank Vice Chair Guyton for this legislation, and ShoreRivers respectfully urges the committee to adopt House Bill 146.**

Sincerely,  
**Annie Richards, Chester Riverkeeper** on behalf of **ShoreRivers:**

<sup>1</sup> <https://api.drum.lib.umd.edu/server/api/core/bitstreams/5522cf74-e903-4959-83f6-d3c4cd28597d/content>

**ShoreRivers**

Scott Budden, Executive Director

Annie Richards, Chester Riverkeeper | Matt Pluta, Choptank Riverkeeper

Ben Ford, Miles Wye Riverkeeper | Zack Kelleher, Sassafras Riverkeeper

# **ArundelRiversFAVHB146.pdf**

Uploaded by: Elle Bassett

Position: FAV



PO Box 760 Edgewater, MD  
21037

410-224-3802  
[www.arundelrivers.org](http://www.arundelrivers.org)

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## Testimony in SUPPORT of HB146 – Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates

Environment & Transportation Committee  
February 4, 2026

Dear Chair Korman and members of the Committee,

Thank you for the opportunity to submit testimony in **SUPPORT OF HB146**, on behalf of Arundel Rivers Federation. Deeply rooted in the South, West, and Rhode Rivers, Arundel Rivers Federation heals and protects our waterways and champions clean water across Maryland. Our vision is healthy waterways for all, and we achieve our mission through restoration, education and outreach, and Riverkeeper programs.

HB146 will ensure that septic systems are properly inspected and pumped out prior to property transfer or when a new tenant occupies the property. Inspecting and pumping out septic systems is crucial for maintaining their functionality, preventing environmental hazards, and avoiding costly repairs. Inspections and regular pump outs will prevent system failures, protect public health, better protect our local environment, save costs and extend the lifespan of the septic system, and maintain property values.

Maryland has over 420,000 septic systems and Anne Arundel County has the largest pollution from septic systems among all counties in Maryland. And while Anne Arundel County makes up just 9% of the population, it contributes 17% of the septic pollution to the Chesapeake Bay. **Ensuring these systems are functioning properly is critical to maintaining community health and meeting our clean water goals.**

If a septic system is not functioning correctly, it can cause groundwater pollution. Contaminated water from a failing system can seep into local rivers and nearby wells, impacting local ecosystems, wildlife, and human health. Regular pumping and inspections help safeguard the surrounding environment, preventing the spread of harmful contaminants. Arundel Rivers conducts testing at local community swimming beaches throughout the summer months and we often see high bacteria counts regardless of rainfall.<sup>1</sup> This could indicate E coli bacteria contamination from nearby failing septic systems. This is a proven problem across the state. **According to Maryland Department of the Environment's 2024 Integrated Report of Surface Water Quality, there were 52 new fecal bacteria impairments in the state added to list, specifically impacting shellfish harvesting and swimming beaches.**<sup>2</sup> Both the Department of the Environment and the Department of Natural Resources have listed failing septic systems as a potential source of fecal bacteria impairments.

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<sup>1</sup> <https://sites.google.com/view/aaccecoperationclearwater>

<sup>2</sup> [https://mde.maryland.gov/programs/water/TMDL/Integrated303dReports/Documents/Integrated\\_Report\\_Section\\_PDFs/IR\\_2024/MD%202024%20Final%20IR%209\\_4\\_24.pdf](https://mde.maryland.gov/programs/water/TMDL/Integrated303dReports/Documents/Integrated_Report_Section_PDFs/IR_2024/MD%202024%20Final%20IR%209_4_24.pdf)

In 2024, there was an E coli outbreak in Lake Anna in Virginia, likely from nearby septic systems.<sup>3</sup> A study from the University of Maryland in 2014 found that “improper design, maintenance, or location of private wells and septic systems contributed to 67% of reported outbreaks from groundwater contamination from 1971 and 2008” (Wallender et al., 2014).<sup>4</sup> Many homeowners may not even realize that their systems aren’t functioning properly. The best way to identify failures is through inspection.

Inspection of systems is a proven method in identifying problems and failures. In the first six years of implementing their ordinance requiring inspection at property transfer, two Michigan counties found 1,000 failed septic tanks and 300 homes without any septic system at all.<sup>5</sup> This bill takes a reasonable, inexpensive, and proactive step towards identifying problem systems and properly maintaining systems to prevent future problems.

Many chose to live in Maryland because of the Chesapeake Bay – the opportunity to swim, fish, play, and work on local waterways. It’s critical that we ensure we are protecting these resources and our own human health. HB146 reflects the amendments added to Delegate Guyton’s HB747 last year and includes an adequate list of exceptions to when inspections would not be required. We are grateful to Vice Chair Guyton for introducing this important legislation, and we respectfully request a FAVORABLE REPORT on HB146.

Sincerely,



Elle Bassett  
South, West, and Rhode Riverkeeper  
Arundel Rivers Federation

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<sup>3</sup> <https://wjla.com/news/health/lake-anna-water-sickness-e-coli-likely-source-health-outbreak-sick-children-adults-virginia-shiga-producing-stomach-cramps-multi-agency-environment-pollution-sick-boats-septic-swimmers-memorial-day-cause>

<sup>4</sup> <https://api.drum.lib.umd.edu/server/api/core/bitstreams/5522cf74-e903-4959-83f6-d3c4cd28597d/content>

<sup>5</sup> <https://forloveofwater.org/michigan-septic-code/>

# **HB146\_CleanWaterAction\_FAV - copy.pdf**

Uploaded by: Emily Ranson

Position: FAV



**HB146-**

**Environment - On-Site Wastewater Systems - Requirements for Inspection and Pumping  
Services and Implementation Dates**

**February 4, 2025**

Position: Favorable

Dear Chair Korman and Members of the Committee,

Clean Water Action supports HB146 to establish requirements for inspecting and pumping septic systems during property transfer. Clean Water Action is a national environmental and drinking water advocacy organization with an office in Baltimore since 1980. We have worked on the issues surrounding septic systems for a decade and have been grateful for the legislative advances the General Assembly has made over those intervening years. Maryland has come a long way forward in how it addresses septic systems and pollution.

Pollution from septic systems is an issue for many parts of the state outside the critical area – or 1000 feet around tidal waters of the Chesapeake Bay. As an organization very focused on drinking water quality, protecting the freshwater drinking water sources that we use is absolutely vital.

Maryland has approximately 420,000 septic systems across the state, and when they fail they release untreated or improperly treated waste into the surrounding area. This is a major concern for certain bodies of water, where surrounding failing septic systems pose health concerns. A 2014 analysis by Wallender et al of the CDC's Waterborne Disease and Outbreak Surveillance System found that the improper design, maintenance, or location of private wells and septic systems contributed to 67% of the reported outbreaks from groundwater contamination between 1971 and 2008, underscoring the public health need to proactively identify failing systems.<sup>1</sup>

If a septic system can be inspected before it fails, the homeowner can take action to prolong the life of the system – either fixing a part or changing behavior (like ceasing use of a garbage disposal, flushing inappropriate items, or increasing pump out frequency). Unfortunately,

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<sup>1</sup> Wallender et al. 2014. "Contributing factors to disease outbreaks associated with untreated groundwater." Ground Water. <https://pubmed.ncbi.nlm.nih.gov/24116713/>

septic systems frequently suffer from “flush and forget” - residents assume that as long as they can flush their toilet, everything is working fine.

HB146 provides the safeguard of having septic systems inspected at time of home sale or when a new renter moves in. This enables a glimpse into the system and provides the opportunity for repairs or changes to be made before the system poses a public health risk.

This approach works. In the first six years of implementing their ordinances requiring inspection at property transfer, two Michigan counties found 1,000 failed septic systems and 300 homes without any septic system.<sup>2</sup> Every failed or missing septic system is a threat to public health and the environment.

To avoid redundant inspections, the bill allows an inspection to be valid for three years, although a mortgage lender would likely require its own current inspection. This both mirrors the well inspection requirement but also reflects the input from industry who felt like three years appropriately balanced the need to catch problems with avoiding redundancy. The general feeling was that a problem is unlikely to become a crisis in three years, although possible depending on use.

HB146 reflects the amendments added to Delegate Guyton’s HB747 last year and includes a list of exceptions when a property transfer would not need an inspection. We feel like these exceptions reasonably balance the intent of the legislation – to prevent and fix failing septic systems – with flexibility for certain property transfer situations. The amendments also require that a failing system be reported to the delegated authority and that when the system is fixed, they are notified.

Thank you,



Emily Ranson  
Chesapeake Regional Director, Clean Water Action

[eranson@cleanwater.org](mailto:eranson@cleanwater.org)

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<sup>2</sup> “Why does Michigan need a statewide code for septic systems?” Flow Water Advocates. September 20, 2023. <https://flowwateradvocates.org/michigan-septic-code/>

## **How does HB146 fit within what Maryland has already done on septic systems?**

In 2021, the General Assembly passed [SB22/HB407](#) to license the people conducting property transfer inspections of septic systems. Before this law, inspectors were certified by the state but not licensed, which led to new homeowners dealing with failed systems after inadequate inspections.

In 2022, the General Assembly passed [HB11/SB483](#) to require inspections of drinking water wells at property transfer or every three years for rental properties.

SB165/HB146 builds on this legacy by requiring, at the time a property changes hands, an inspection of the septic system by a licensed septic property transfer inspector and this must include a pump out of the system. This is required when the home is sold or when a new tenant occupies a property, but no more frequently than every three years.

Summary of the bill:

- When a property is transferred to a new owner or renter, an inspection must occur if one has not occurred in the last three years
- In certain family transfer situations, an inspection must occur in the last five years
- The law does not preclude a mortgage lender from requiring a new inspection
- Failing systems must be reported to the delegated authority overseeing septic systems, and when the system is fixed it must be reported to the delegated authority

**Why only at property transfer/turnover?** Advocates opted to tie inspections to property transfer because it is a logical time to check in on a septic system's health and to mirror the well inspection bill. While this bill will not identify failing systems with a single long term property owner or renter, we felt this was a move in the right direction.

**Why use three years?** In consulting with the realtors and Maryland Onsite Wastewater Professionals Association, we decided that three years was a sweet spot for inspections at property transfer. The industry felt comfortable that most systems could survive three years of abuse without catastrophic failure, and we wanted to be sensitive to realtor concerns about unnecessary inspections.

**Aren't inspections already required at property transfer?** Not by law. Most mortgage lenders will require an inspection, but not all lenders do. Homebuyers not purchasing the home with a mortgage are also not required to get an inspection under the existing system.

**Why have exemptions?** We modeled these exemptions on what Massachusetts uses for their inspection requirements, with the addition of still requiring an inspection within the last five years to give family-transfers a couple more years of a valid inspection. Advocates were balancing our desire to protect the environment and human health from failing septic systems with concerns – with more flexibility for family properties.

**Do home inspections inspect the septic system?** No, a septic system inspection is a different type of inspection and requires someone licensed to perform septic system inspections in the state.

**How much does a septic inspection cost?** The cost of inspections varies somewhat depending on size and location but generally in the \$300 - \$600 range.

**MDE HB 146 SUP.pdf**

Uploaded by: Jeremy D Baker

Position: FAV



**The Maryland Department of the Environment  
Secretary Serena McIlwain**

***House Bill 146  
Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping  
Services and Implementation Dates***

**Position:** Support  
**Committee:** Environment and Transportation  
**Date:** February 4, 2026  
**From:** Alex Butler, Deputy Director of Government Relations

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The Maryland Department of the Environment (MDE) **SUPPORTS** HB 146.

**Bill Summary**

House Bill 146 proposes new inspection and pump-out requirements for septic systems during certain property transfers or rental tenant changes. These inspections and pump-outs are good for 3 years and do not have to be repeated again within that time frame.

The bill also extends the time period for MDE to adopt regulations relating to licensing requirements for individuals who provide on-site wastewater services (septic installers, designers, haulers, *etc.*) to 2027 and for the State Board of On-Site Water Professionals (Board) to license individuals who provide on-site wastewater services to 2028.

**Position Rationale**

A septic system is typically the most expensive appliance in a home. The bill's inspection and pumping requirements are a reasonable and practical way to protect homebuyers and renters, ensure on-site wastewater systems are functioning properly, and protect water quality.

Regarding the regulation and licensing extensions, the Board was created by HB 318 of 2022, which also required: (1) MDE, in consultation with the Board, to adopt licensing requirements for individuals who perform on-site wastewater services by July 1, 2025; and (2) for individuals who perform on-site wastewater services to be licensed by the Board by July 1, 2026. However, the Board was not fully seated until 2024 due to legislation revising the Board's membership in 2023 (HB 30/SB 7) and need for Senate confirmation for many of the members, which occurred during the 2024 Session. Given the two year delay in seating the Board, MDE believes an equivalent 2 year extension for the regulations and licensing is appropriate.

For the reasons detailed above MDE asks for a **FAVORABLE** report for HB 146.

**Contact:** Alex Butler, Deputy Director of Government Relations  
Phone: 443-695-7478, Email: [alex.butler@maryland.gov](mailto:alex.butler@maryland.gov)

# **FAV\_HB146 - On-Site Wastewater Systems Inspections**

Uploaded by: Martinna Parham

Position: FAV



February 2, 2026

## **HB146 – Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates**

Hearing Date: February 4, 2025

Position: **FAVORABLE**

Dear Chair Korman and members of the Environment and Transportation Committee:

Waterkeepers Chesapeake respectfully requests a **FAVORABLE report on HB146**. Waterkeepers Chesapeake is a network of Waterkeeper programs across the Chesapeake and coastal bays region, with 12 Waterkeeper members located in Maryland. Waterkeepers are local advocates working with their communities to protect access to clean water and to restore waterways. These Waterkeepers represent thousands of Maryland residents who rely on on-site wastewater (septic) systems.

HB146 will ensure that septic systems are properly inspected and pumped out prior to property transfer or when a new tenant occupies the property. Inspecting and pumping out septic systems is crucial for maintaining their functionality, preventing environmental hazards, and avoiding costly repairs. Inspections and regular pump outs will prevent system failures, protect public health, better protect our local environment, save costs and extend the lifespan of the septic system, and maintain property values.

Maryland has over 420,000 septic systems. In 17 of Maryland's 24 counties, nitrogen pollution from septic systems exceeds nitrogen pollution from municipal wastewater treatment plants. Failing septic systems contribute excessive nitrogen, phosphorus, and bacterial pollution to both groundwater and surface waters, threatening natural resources and public health. Public health research from the University of Maryland has also found significant positive associations between high concentrations of septic systems in floodplains and increased infections from *Campylobacter* and *Salmonella*. Septic system failures can result from aging infrastructure, changing soil conditions, compromised drain fields, flooding, and other factors. Other research confirms that improper design, maintenance, or location of private wells and septic systems contributed to 67% of reported outbreaks from groundwater contamination from 1971 and 2008". (Wallender et al., 2014)<sup>1</sup> Without regular inspections, failing systems can go undetected for decades, increasing nutrient pollution in local waterways and contaminating nearby drinking water wells.

Years of water quality testing by the Waterkeepers throughout Maryland show that many waterways, especially in rural areas, suffer from elevated bacteria levels — likely from failing

septic systems — that prevent waterways from meeting clean water standards and limits recreational use. Many homeowners may not even realize that their systems aren't functioning properly. Establishing regular septic inspection protocols will provide Maryland residents with assurance that their systems are functioning properly and will help ensure cleaner, safer, and more swimmable rivers for future generations.

Waterkeepers Chesapeake requests a FAVORABLE report on HB146 which will protect public health and the environment by ensuring septic systems are properly maintained, inspected, and monitored.

Thank you for your time and consideration.

Sincerely,

Martinna Patham, Program Associate  
Waterkeepers Chesapeake  
martinna@waterkeeperschesapeake.org

# **HB146 BackRiver FAV.pdf**

Uploaded by: Mathew Geckle

Position: FAV



BACK RIVER PRE-CAST, LLC  
PO BOX 329  
GLYNDON, MD 21071  
410-833-3394

HB146 Environment – Onsite Wastewater Systems – Requirement for Inspection  
and Pumping Services

February 4, 2026

Back River Precast supports SB 164 to require a limited number of inspections of septic systems in Maryland. More frequent inspections can identify problems early when a repair can be relatively inexpensive. When a system fails it is very expensive to replace it in both time and money.

But a failed system is also costly for our environment. A failing system is putting sewage into our groundwater, nearby waterways and sometimes graphically bubbling up in our yards or into our basement.

This bill simply ensures that septic systems are inspected to protect both renters and new homeowners.

Matthew Geckle

Vice-President

**HB 146 - CBF - FAV.pdf**

Uploaded by: Matt Stegman

Position: FAV



# CHESAPEAKE BAY FOUNDATION

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## House Bill 146

### Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates

**Date:** February 4, 2026

**To:** Environment & Transportation Committee

**Position:** FAVORABLE

**From:** Alan Girard,  
Director of Advocacy

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The Chesapeake Bay Foundation (CBF) **SUPPORTS House Bill 146**, which requires a licensed onsite wastewater systems professional to conduct an inspection when a property with such a system is sold or made available for rent. Nonpoint source pollution to the Chesapeake Bay – including pollution from onsite wastewater (also known as septic) systems – is not well managed. The Chesapeake Bay Program’s Comprehensive Evaluation of System Response (CESR) report finds that addressing pollution from septic systems and other nonpoint pollution sources remains a significant obstacle to restoration efforts, and that existing pollution control programs are insufficient to achieve the nonpoint source pollution reductions required by the Total Maximum Daily Load (TMDL) Bay clean-up program that Maryland supports.

Pollution from septic systems now exceeds nitrogen pollution from centralized wastewater treatment plants in 17 Maryland counties. Poor maintenance, old age, changing site conditions, flooding, and inadequate management significantly compromise septic system performance, threatening water quality and public health. When the condition of Maryland’s 420,000 septic systems is not evaluated to identify any need for corrective action, residents and the environment are vulnerable to nutrient pollution, as well as an increase in bacterial infections, which the University of Maryland finds associated with high concentrations of septic systems in flood plains. More than 12 percent of septic systems in Maryland are located within 1,000 feet of tidal water.

The requirement in the bill to ensure a septic system is inspected and pumped as a condition of sale or when a tenant occupies a rental property is responsive to Maryland’s commitments to protect public and environmental health. The measure supports MDE efforts to track, manage, and modernize records for septic systems in the state. It also compliments drinking water well requirements adopted under the Maryland Private Well Safety Act of 2023 (*Ch. 587, Md. Laws, 2023*). HB 146 as introduced can help Maryland, as a signatory, implement the 2025 Chesapeake Bay Watershed Agreement, and achieve the goal in the agreement of reducing excess nitrogen, phosphorus, and sediment to meet state water quality standards.

**CBF urges the Committee’s FAVORABLE report on HB 146.** For more information, please contact Matt Stegman, Maryland Staff Attorney, at [mstegman@cbf.org](mailto:mstegman@cbf.org).

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403

The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.

# **HB 146 - Favorable - Guyton.pdf**

Uploaded by: Michele Guyton

Position: FAV

MICHELE GUYTON  
Legislative District 42B  
Baltimore County

*Vice Chair*  
Environment and Transportation  
Committee



The Maryland House of Delegates  
6 Bladen Street, Room 251  
Annapolis, Maryland 21401  
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Michele.Guyton@house.maryland.gov

THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

February 4, 2026

**Favorable - HB 146 – Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates**

Dear Chair Korman and Members of the Environment and Transportation Committee,

Thank you for your thoughtful consideration of HB 146 which addresses environmental contamination associated with neglected wastewater systems. This legislation requires that septic systems be inspected and pumped at the time of a property transfer if these services have not been performed in the past three years. The three-year timeline was suggested by the Maryland On-site Wastewater Association. This legislation does provide exceptions for certain transfers such as those between family members if there was an inspection in the previous five years, when the transfer was through a refinancing but with no change in ownership. There is additionally a requirement to report a failed septic system and its repair to the local health department, modeled after the well inspection legislation that this body passed three years ago.

There is clear evidence that failing septic systems contribute to water contamination, particularly E. Coli, but there are currently no requirements to inspect or repair them. This bill formalizes best practices and protects both homeowners, renters and our environment.

I respectfully ask for a favorable report on HB 146.

Sincerely,

A handwritten signature in cursive script that reads "Delegate Michele Guyton".

Delegate Michele Guyton

**2026 HB146 Bob Zillig Testimony.pdf**

Uploaded by: Robert Zillig

Position: FAV

**Testimony in Support of HB146  
On–Site Wastewater Systems – Requirements for Inspection and Pumping Services and  
Extension of Sunset and Implementation Dates**

**House Environment and Transportation Committee HEARING 2/4/2026  
Submitted on Monday 2/2/2026**

To Chair Korman and Committee Members,

**My name is Bob Zillig. I live in Grasonville, MD, on the Chester river and I urge a favorable report on HB146.**

I am passionate about this bill because I know the damage a leaking septic system can do to our river systems. My parents built our family home on the Chester River in 1967 and initially relied upon a septic system. The system's drainage tile was a mere 50 feet away from the river shoreline. I remember as a child asking my Dad why the grass always grew so thick and heavy in a stripe in our yard. He was a Sanitary Engineer and explained that the "green stripe" was the nitrogen leaching from our septic drainage system. We were fortunate in that our county was able to link our community to the public sewage treatment plant in 1992 insuring our home's waste was environmentally processed. Understandably, many existing homes in our county still must rely upon septic systems. SB165 addresses the environmental risk of these potentially leaking systems by requiring an inspection upon real estate transfer.

SB165/HB146 is designed to:

- Protect public health and the environment by ensuring septic systems are properly maintained, inspected, and monitored.
- Reduce nitrate, phosphate, and bacteria contamination in both well water and local rivers.
- Increase state tools to identify and remediate undiagnosed failing septic systems throughout Maryland.

This is a fair ask given that it protects the potential buyer and our Maryland waterways. It is not unreasonable to require an inspection of a septic system upon title transfer. Many buyers' home inspections already request this inspection to be undertaken. A leaking septic system is the last thing a new buyer wants to be surprised with after purchase. Please support this reasonable bill to improve the **health of our community and our rivers.**

Thank you for your consideration, and I look to this committee giving HB146 a **favorable** report.

Sincerely,

Bob Zillig  
[bczillig@gmail.com](mailto:bczillig@gmail.com)  
(630)-408-3075

**HB146 letter Jones PS.pdf**

Uploaded by: Dwayne Jones

Position: FWA

Dwayne C. Jones Contracting, Inc.  
T/A Jones Pump Service  
4213 Madonna Road  
Jarrettsville, MD 21084  
Office: 410-836-9206  
www.jonespumpservice.com

January 30, 2026

**In Favor of HB146 with Amendments -  
Department of the Environment – Fees, Penalties, Funding, and  
Regulation**

Our company is based in Harford County Maryland. We have been in business since 1983. Our company employees 7 full time employees. Septic system installation, repairs, BAT operation and maintenance, septic system designs, pumping and septic inspections are services we offer.

There is legislation being introduced that will require that septic pumping be required for septic inspections. We feel very strongly that septic pumping should be performed at the time of a septic inspection and that a certified septic inspector should be present when the pumping procedures are performed. Septic pumping before an inspection does not allow a certified septic inspector to properly evaluate the entire septic system and how it is functioning.

Septic systems that are pumped before the certified inspection may not allow for entire inspection of the structural integrity of the septic tank. Pumping may also mask other operations of the septic system that are not functioning properly. As certified inspectors our technicians are looking for signs of a previous back-up, levels in the septic tank that may be low or high, effluent levels in the soil based discharge of the system and run back into the septic tank when the septic tank is pumped. The structural integrity of the septic tank is on our MDE approved form for inspectors to fill out during an inspection and as certified inspectors we may not be able to inspect the septic tank as required. In addition, a hydraulic load test may be compromised if certain components of the septic system are pumped in advance.

Please see attached inspection form that our certified inspectors are required to fill out by MDE and sign.

I ask for favorable report of **HB146 Department of the Environment – Fees, Penalties, Funding, and Regulation**

Thank you,

Dwayne C Jones



# Maryland On-Site Sewage Disposal System Inspection Report



\*\* For this inspection to be considered a proper inspection, all sections must be completed\*\*

## Pre-Inspection Information

### Property Information

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: MD Zip Code: \_\_\_\_\_

Permitted # of Bedrooms: \_\_\_\_\_ Build Year: \_\_\_\_\_ Water Supply: Well

Property Type: Single Family Home If Other: \_\_\_\_\_

Comments: \_\_\_\_\_

### Owner Information/ Interview

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

Number of Occupants: \_\_\_\_\_ Number of Years Occupied: \_\_\_\_\_

If Vacant, Date Vacated (mm/dd/yyyy): \_\_\_\_\_

In-Home Business: \_\_\_\_\_ Type: \_\_\_\_\_

Has the Property Recently had a Septic Inspection: \_\_\_\_\_ Date: \_\_\_\_\_

Any Septic System Issues: \_\_\_\_\_ Type: \_\_\_\_\_

Comments: \_\_\_\_\_

### Document Search Information

Document Request Date: \_\_\_\_\_ Septic Permit Reviewed: \_\_\_\_\_

**Permitted Septic System Components:**

Septic Tank: \_\_\_\_\_ Install Year: \_\_\_\_\_ Size: \_\_\_\_\_ gal

BAT Unit: \_\_\_\_\_ Install Year: \_\_\_\_\_ Manufacturer: \_\_\_\_\_

Distribution Box: \_\_\_\_\_ Pumping Chamber: \_\_\_\_\_

Absorption Type: \_\_\_\_\_ Total Trench Length/ Width: \_\_\_\_\_ Ft

Bed Size (L/W): \_\_\_\_\_ Ft Absorption Component Depth: \_\_\_\_\_ Ft

Comments: \_\_\_\_\_

## On-site Inspection

Start Date:

Completion Date:

### Crawl Space/ Basement Evaluation

Number of Drain Pipes Exiting Foundation Wall

Describe Each Pipe and Source:

Does Plumbing Evaluation Confirm all Wastewater is Directed into the Septic System:

### Water Treatment

Does the House have any Water Treatment Devices:  If Yes, Number:

Describe each Water Treatment Device:

If any, where is the Water Treatment Discharge Directed:

### Sewer Line Outside of Foundation

Pipe Material:  Cracks/ Breaks:  Blockage:

Comments:

### Grease Trap

Grease Trap: No  Size:  (Gal) Construction:

Liquid Level:  Proper Baffle:

Comments:

### Septic Tank

Septic Tank:  Number of Tanks:  Total Size of Tank(s):  (Gal)

Type of Tank(s):  Construction:

Liquid Level:  Evidence of High Water Staining:  Effluent Filter:

Inlet Baffle:  Outlet Baffle:  Baffle Condition:

Access:  Evidence of Ground or Surface Water Intrusion:

Comments:

**Best Available Technology Unit (BAT)**

BAT Unit:  Manufacturer:  Model:

Power to Control Panel:  Control Panel:  Control Panel Alarm:

Last Service Date:  Was Last Service Date more than 365 days:

Comments:

**Distribution Box**

Distribution Box:  Number of Drainlines leaving Box:  Distribution Box Level:

Is there Equal Distribution to Drainlines:  Liquid Level:  Normal

Comments:

**Pumping Chamber**

Pumping Chamber:  Access:  Liquid Level:

High Water Alarm:  Alarm Properly Functioning:  Separate Float Tree:

Pump Elevated off the Bottom of the Tank:  Electrical Connections:

Comments:

**Soil Absorption System**

Absorption Type:  Observation Pipes (OP):  OP Water Depth:

Trenches Probed:  Describe Observation:

Evidence of Surfacing Effluent:  Describe:

Comments:

**Other On-Site Disposal Systems (OSDS) Components and Systems**

Detail all other OSDS components not covered in the above sections.

Comments:

## OSDS Testing

### Hydraulic Load Test

Hydraulic Load Test Performed:

Testing Volume:  Gal

Elapsed Time:  Min

Comments:

### Dye Test

Suspicious Liquid Discharge on or near the Property:

Dye Test Performed:

Reason:

Comments:

### Tank Pump Out

Tank(s) Pumped:

Number of Tanks Pumped:

Total Gallons Pumped:

Any Flow into Tank from Outlet Pipe:

Any Groundwater Entering the Tank:

Does the Tank Appear to be Watertight:

Comments:

## Summary/Conclusions

Wastewater Collection System Conveys all Wastewater to Sewer Line:	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
--	---

Sewer Line	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
------------	---

Grease Trap	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
-------------	---

Septic Tank	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
-------------	---

BAT Unit	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
----------	---

Distribution Box	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
------------------	---

Pumping Chamber	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
-----------------	---

Soil Absorption System	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
------------------------	---

All other OSDS components	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
---------------------------	---

Does any component of the OSDS need to be repaired or replaced:

Explain:

In my professional opinion this OSDS is properly functioning base on permitted capacity:

My Inspection verifies the OSDS is consistant with the septic permit:

If listed for sale, does the number of bedrooms advertised match what is legally permitted:

Comments:

\*\*Check with the Approving Authority for permitting requirements before any repair is performed to the septic system.\*\*

**\*\*ATTACH ALL DOCUMENTS PROVIDED BY THE APPROVING AUTHORITY**

**THIS INSPECTION REPORT DETAILS COMPONENTS AND THE PRESENT CONDITION OF THE ON-SITE SEWAGE DISPOSAL SYSTEM FOR THE ADDRESS LISTED IN THE PROPERTY INFORMATION SECTION OF THIS REPORT. THE CONCLUSIONS OF THIS REPORT DO NOT GUARANTEE OR WARRANT THIS OSDS WILL FUNCTION IN THE FUTURE.**

*This inspection of the septic system is an evaluation of function and is not an evaluation that the system meets current State regulations. The owner should not assume future expansion of the home is possible without additional evaluation completed by the Approving Authority.*

I attest that I have properly completed an inspection of the OSDS at this property. This inspection includes information obtained from the property owner, or representative, and a document search from the Approving Authority. I have completed all sections pertaining to components of this OSDS. The conclusions of this report are my professional opinions based on my training and experience inspecting OSDS.

First Name:

Last Name:

License Number:

Signature:

Date:

# **HB146 letter Jones PS.pdf**

Uploaded by: Edward Harrison

Position: FWA

Dwayne C. Jones Contracting, Inc.  
T/A Jones Pump Service  
4213 Madonna Road  
Jarrettsville, MD 21084  
Office: 410-836-9206  
www.jonespumpservice.com

January 30, 2026

**In Favor of HB146 with Amendments -  
Department of the Environment – Fees, Penalties, Funding, and  
Regulation**

Our company is based in Harford County Maryland. We have been in business since 1983. Our company employees 7 full time employees. Septic system installation, repairs, BAT operation and maintenance, septic system designs, pumping and septic inspections are services we offer.

There is legislation being introduced that will require that septic pumping be required for septic inspections. We feel very strongly that septic pumping should be performed at the time of a septic inspection and that a certified septic inspector should be present when the pumping procedures are performed. Septic pumping before an inspection does not allow a certified septic inspector to properly evaluate the entire septic system and how it is functioning.

Septic systems that are pumped before the certified inspection may not allow for entire inspection of the structural integrity of the septic tank. Pumping may also mask other operations of the septic system that are not functioning properly. As certified inspectors our technicians are looking for signs of a previous back-up, levels in the septic tank that may be low or high, effluent levels in the soil based discharge of the system and run back into the septic tank when the septic tank is pumped. The structural integrity of the septic tank is on our MDE approved form for inspectors to fill out during an inspection and as certified inspectors we may not be able to inspect the septic tank as required. In addition, a hydraulic load test may be compromised if certain components of the septic system are pumped in advance.

Please see attached inspection form that our certified inspectors are required to fill out by MDE and sign.

I ask for favorable report of **HB146 Department of the Environment – Fees, Penalties, Funding, and Regulation**

Thank you,

Dwayne C Jones



# Maryland On-Site Sewage Disposal System Inspection Report



\*\* For this inspection to be considered a proper inspection, all sections must be completed\*\*

## Pre-Inspection Information

### Property Information

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: MD Zip Code: \_\_\_\_\_

Permitted # of Bedrooms: \_\_\_\_\_ Build Year: \_\_\_\_\_ Water Supply: Well

Property Type: Single Family Home If Other: \_\_\_\_\_

Comments: \_\_\_\_\_

### Owner Information/ Interview

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

Number of Occupants: \_\_\_\_\_ Number of Years Occupied: \_\_\_\_\_

If Vacant, Date Vacated (mm/dd/yyyy): \_\_\_\_\_

In-Home Business: \_\_\_\_\_ Type: \_\_\_\_\_

Has the Property Recently had a Septic Inspection: \_\_\_\_\_ Date: \_\_\_\_\_

Any Septic System Issues: \_\_\_\_\_ Type: \_\_\_\_\_

Comments: \_\_\_\_\_

### Document Search Information

Document Request Date: \_\_\_\_\_ Septic Permit Reviewed: \_\_\_\_\_

**Permitted Septic System Components:**

Septic Tank: \_\_\_\_\_ Install Year: \_\_\_\_\_ Size: \_\_\_\_\_ gal

BAT Unit: \_\_\_\_\_ Install Year: \_\_\_\_\_ Manufacturer: \_\_\_\_\_

Distribution Box: \_\_\_\_\_ Pumping Chamber: \_\_\_\_\_

Absorption Type: \_\_\_\_\_ Total Trench Length/ Width: \_\_\_\_\_ Ft

Bed Size (L/W): \_\_\_\_\_ Ft Absorption Component Depth: \_\_\_\_\_ Ft

Comments: \_\_\_\_\_

## On-site Inspection

Start Date:

Completion Date:

**Crawl Space/ Basement Evaluation**

Number of Drain Pipes Exiting Foundation Wall

Describe Each Pipe and Source:

Does Plumbing Evaluation Confirm all Wastewater is Directed into the Septic System:

**Water Treatment**

Does the House have any Water Treatment Devices:  If Yes, Number:

Describe each Water Treatment Device:

If any, where is the Water Treatment Discharge Directed:

**Sewer Line Outside of Foundation**

Pipe Material:  Cracks/ Breaks:  Blockage:

Comments:

**Grease Trap**

Grease Trap: No  Size:  (Gal) Construction:

Liquid Level:  Proper Baffle:

Comments:

**Septic Tank**

Septic Tank:  Number of Tanks:  Total Size of Tank(s):  (Gal)

Type of Tank(s):  Construction:

Liquid Level:  Evidence of High Water Staining:  Effluent Filter:

Inlet Baffle:  Outlet Baffle:  Baffle Condition:

Access:  Evidence of Ground or Surface Water Intrusion:

Comments:

**Best Available Technology Unit (BAT)**

BAT Unit:  Manufacturer:  Model:

Power to Control Panel:  Control Panel:  Control Panel Alarm:

Last Service Date:  Was Last Service Date more than 365 days:

Comments:

**Distribution Box**

Distribution Box:  Number of Drainlines leaving Box:  Distribution Box Level:

Is there Equal Distribution to Drainlines:  Liquid Level:  Normal

Comments:

**Pumping Chamber**

Pumping Chamber:  Access:  Liquid Level:

High Water Alarm:  Alarm Properly Functioning:  Separate Float Tree:

Pump Elevated off the Bottom of the Tank:  Electrical Connections:

Comments:

**Soil Absorption System**

Absorption Type:  Observation Pipes (OP):  OP Water Depth:

Trenches Probed:  Describe Observation:

Evidence of Surfacing Effluent:  Describe:

Comments:

**Other On-Site Disposal Systems (OSDS) Components and Systems**

Detail all other OSDS components not covered in the above sections.

Comments:

## OSDS Testing

### Hydraulic Load Test

Hydraulic Load Test Performed:

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Does the Tank Appear to be Watertight:

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Sewer Line	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
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Grease Trap	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
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Septic Tank	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
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BAT Unit	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
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Distribution Box	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
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Pumping Chamber	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
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Soil Absorption System	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
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All other OSDS components	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Satisfactory with Concerns
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Comments:

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**\*\*ATTACH ALL DOCUMENTS PROVIDED BY THE APPROVING AUTHORITY**

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**This inspection of the septic system is an evaluation of function and is not an evaluation that the system meets current State regulations. The owner should not assume future expansion of the home is possible without additional evaluation completed by the Approving Authority.**

I attest that I have properly completed an inspection of the OSDS at this property. This inspection includes information obtained from the property owner, or representative, and a document search from the Approving Authority. I have completed all sections pertaining to components of this OSDS. The conclusions of this report are my professional opinions based on my training and experience inspecting OSDS.

First Name:

Last Name:

License Number:

Signature:

Date:

**MOWPA Submit Testimony HB146.pdf**

Uploaded by: Edward Harrison

Position: FWA

P.O. Box 2570  
Ellicott City, MD 21041-2570  
(443-570-2029)  
info@mowpa.org



## **HB 146 – Favorable with amendments**

### **Bay Restoration Fund - Disbursement and Use of Fund**

Chair and Members of the Environment and Transportation Committee:

My name is Eddie Harrison, and I serve as the Legislative Liaison for the Maryland Onsite Wastewater Professionals Association (MOWPA). MOWPA represents professionals across Maryland's onsite wastewater industry, including installers, pumpers, engineers, property transfer inspectors, operation and maintenance providers, and code officials.

I serve MOWPA in an uncompensated capacity as Legislative Liaison and am currently Vice President and a former Board President. Professionally, I am the owner of BAT Onsite, LLC, an operation and maintenance provider specializing in advanced onsite wastewater systems. Our work includes Advanced Treatment Units (BAT), pump systems, mound systems, drip dispersal systems, and other regulated onsite systems under 5,000 gallons per day. I currently maintain more than 500 systems statewide and have worked in this industry since 1984 in roles including installer, pumper, designer, inspector, and maintenance provider.

### **Support Statement**

MOWPA supports HB 146 because it provides meaningful protection for property owners purchasing homes or businesses served by onsite wastewater systems, while also strengthening safeguards for Maryland's waterways, environment, and public health. We believe, however, that the bill would be more effective if amended to better align with established industry standards and to reduce the risk of substandard inspections or intentional fraud.

We respectfully offer the following recommended amendments:

#### **1. Require a Pumpout as Part of the Property Transfer Inspection**

A pumpout is essential to conducting a complete and accurate inspection. Many indicators of system deficiencies can only be identified before, during, and after pumping. National industry standards require that a proper property transfer inspection include a pumpout. When inspections and pumpouts are performed separately, inspectors are unable to fully assess system conditions. MDE has historically resisted endorsing this practice.

#### **2. Clarify Treatment of Advanced Treatment Units (BAT Systems)**

Advanced Treatment Units, commonly referred to in Maryland as BAT systems, are significantly more complex than conventional septic tanks. Improper pumping can damage mechanical components or disrupt

P.O. Box 2570  
Ellicott City, MD 21041-2570  
(443-570-2029)  
info@mowpa.org



the biological treatment process. Current Maryland regulations already require annual servicing by a licensed operation and maintenance provider. When properly maintained, these systems may not require pumping for up to ten years. Revising statutory references from "septics" to "septic tanks and holding tanks" would provide the State Board of Onsite Wastewater Professionals clearer authority to address this distinction appropriately.

### **3. Exempt Properties Intended for Redevelopment or Demolition**

Properties being sold for redevelopment, repurposing, connection to public sewer, or demolition should be exempt from property transfer inspections. In these cases, inspections represent an unnecessary use of resources when the existing system will be abandoned or replaced.

For your reference, I have also provided a supporting statement from the National Onsite Wastewater Recycling Association (NOWRA). Although labeled as a draft, the statement reflects NOWRA's position on this issue and was developed by its volunteer board on short notice.

For these reasons, MOWPA respectfully requests a favorable report for HB 146 with the amendments outlined above.

Thank you for your consideration.

Respectfully submitted,

**Eddie Harrison**

Legislative Liaison, Maryland Onsite Wastewater Professionals Association (MOWPA)

9608B Fountain School Rd

Union Bridge, MD 21791

[rdsefe@aol.com](mailto:rdsefe@aol.com)

410-952-4614

January 30, 2026

Mr. Eddie Harrison, Vice-President  
Maryland Onsite Wastewater Professional Association (MOWPA)  
PO Box 2570  
Ellicott City, MD 21041-2570

RE: NOWRA Position on HB146 and SB 165

Dear Mr. Harrison,

The National Onsite Wastewater Association (NOWRA) has reviewed the proposed language in Maryland HB146 and SB165 and offers the attached draft position statement. The position statement was developed by the NOWRA Technical Practices Committee after reviewing the text of the legislation. NOWRA strongly believes that in order to do a proper inspection of a septic tank, the tank should only be pumped as part of the inspection with the inspector present. The position statement outlines our reasoning and justification for this position.

As the largest national organization focused on onsite wastewater treatment systems with over 5,500 members, NOWRA monitors, and if appropriate, provides comments on legislative activities that affect our industry. The two proposed Maryland legislative bills will potentially impact our industry, so NOWRA has provided the attached position.

Feel free to contact me or any of [NOWRA's Executive Committee or Board of Directors](#) if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. Groves".

Thomas W. Groves  
Executive Director

## **NOWRA Position Statement: When to Pump the Septic Tank for Real Estate Transactions**

### **Introduction**

When preparing to sell or purchase property with an onsite wastewater treatment system, a common question arises: should the septic tank be pumped before the real estate inspection is performed? This section reviews the arguments for and against pumping prior to inspection and provides a recommendation based on industry best practices.

### **Discussion**

Advocates of pumping the septic tank before an inspection argue that this step allows inspectors to thoroughly assess the internal structure of the tank. By emptying the tank, inspectors can look for issues such as cracks or malfunctioning baffles. Finding these problems ahead of time helps prevent unexpected and potentially costly repairs or replacements after the sale, providing reassurance to both sellers and buyers.

On the other hand, some local regulations recommend not pumping the septic tank immediately before inspection. The main concern is that pumping could mask the true operation of the septic system. Inspectors need to observe liquid levels, check for backflow from the drain field, and assess the system's ability to process household waste under normal conditions. If the tank is emptied before the inspection, inspectors may not see signs of poor drainage or potential backups, which could mislead buyers and hide existing problems.

The best approach is to combine both schools of thought. The pump out should be scheduled on the same day and time as the system inspection. The initial assessment should be conducted with the septic system in its existing state and while the inspector is still present the tank is pumped and the inspector can check for the integrity and look for broken or missing baffles or tees. This process ensures that all parties have an accurate understanding of the property's condition and enables them to proceed with the transaction confidently.

### **Conclusion**

In the end, whether to pump a septic tank before an onsite wastewater treatment system inspection depends on the goals of the inspection and local regulations. The best approach involves clear communication between buyers, sellers, inspectors, and regulatory agencies to meet the goals of the inspection. By following best practices all parties can ensure a more accurate and transparent evaluation, ultimately protecting their investment and the environment.

*This position paper is a draft and has not been officially approved by NOWRA at this time.*

**Nancy HB146 SB 165 1-29-26.pdf**

Uploaded by: Edward Harrison

Position: FWA

Nancy J. Mayer Minahan

100 Sharp Rd. Denton, MD 21629

[Mb1959@yahoo.com](mailto:Mb1959@yahoo.com) 410-935-6801

## In Favor of SB 165 and HB 146 with Amendments -

### Environment – On-Site Wastewater Systems – Requirements for Inspections and Pumping Services and Implementation Dates

January 29, 2026

I have been involved with On-Site systems in Maryland for over 50 years. My family started Mayer Bros., Inc precast in Elkridge MD in 1959. I became president and started another company OSIS LLC (Onsite Septic Inspection & Service) about 15 years ago. I am recently retired but I still teach classes on Property transfer Inspection and Operations and Maintenance of Onsite Systems, the classes that are approved and required by MDE. I am unfortunately out of town at a conference next week and cannot attend your hearings in person. Please accept my written testimony for consideration.

#### **I fully support both SB 165 and HB146, With the following amendments/conditions:**

It should be clear that inspection precedes pumping of tanks, and ideally pumping should be done when the inspector is there. Often these are 2 different companies and need to work together to ensure the parties involved get a fair and accurate inspection. As we teach in the class, if a tank has been pumped before the inspector arrives, we would be suspicious of potential problems.

Sites where there are advanced treatment units (ATU's) and, or Maryland's BAT's (Best Available Technology) should defer to a licensed O/M provider for inspection and pump out. Currently Inspectors don't touch these units and rely on the O/M reports for details. Pump outs are only recommended when required so as to keep the biological function of these units intact.

Finally if a property is sold with the intent of the current onsite system to be abandoned, inspection would not be warranted and should be exempt.

Thank you for your consideration, by contact information is listed should you have any questions.

I ask for a favorable report of HB 146 and SB 165.

Respectfully,

**Nancy J. Mayer Minahan**

Nancy J. Mayer Minahan

**Powell HB 146, rev., 1-30-26.pdf**

Uploaded by: Edward Harrison

Position: FWA

James R. Powell, 421 Rockway Road, Catonsville, Maryland 21228

443-900-3169

IN FAVOR OF HB146 WITH AMENDMENTS –

ENVIRONMENT – ON-SITE WASTEWATER SYSTEMS – REQUIREMENTS FOR INSPECTION AND PUMPING SERVICES AND IMPLEMENTATION DATES

To Environment and Transportation Committee Members,

My name is Rob Powell and I have been involved in the onsite wastewater industry for the past 45 years. I am currently self-employed in the on-site waste water industry as an environmental consultant and have been so for the last 11 years. I offer services to property owners for designing engineered, pressure-dosed sewage disposal system repairs that are necessary to replace failing septic systems. Prior to that time, I worked as a supervisor of Soil Testing with Baltimore County Department of Environmental Protection and Sustainability for 37 years before retiring in November of 2014.

**I AM OFFERING THIS STATEMENT OF SUPPORT FOR HB146, WITH THE FOLLOWING AMENDMENTS:**

I support this bill as it will serve to further protect purchasers of properties served by onsite septic systems. During my tenure in the onsite industry for the past 48 years, I have seen too often the aftermath resulting from the purchase of a property served by a septic system that has failed within several months after the new owner moves it. On some properties, the required repairs are relatively simple with costs in the \$10,000 - \$15,000 range. However, there are numerous times where the repairs are more complicated and more costly; with installation costs ranging up to \$70,000 – a cost that few new homeowners can easily afford.

**THE AMENDMENTS I WOULD LIKE TO SEE ARE THE FOLLOWING:**

- **THE PROPERTY TRANSFER INSPECTION SHOULD INCLUDE A SEPTIC TANK CLEANING/PUMPOUT IN THE INSPECTION PROCESS AND BE COORDINATED BY THE PROPERTY TRANSFER INSPECTOR.** Failure to do so would seriously hamper an accurate and complete inspection of the entire system and may lead to missing key indicators of a failing system. It also opens up the possibility of a seller; knowing they have a septic system problem, having the septic tank pumped several days prior to the Property Transfer Inspection to deliberately mask key indicators of a system failure.

- **ADVANCED TREATMENT UNITS, AS DEFINED BY THE MARYLAND ONSITE WASTEATER PROFESSIONALS BOARD, ARE REQUIRED TO BE EVALUATED BY A LICENSED OPERATION AND MAINTENANCE PROVIDER WITHIN THE LAST 6 MONTHS.** If advanced treatment units are maintained properly, their pump out scheduled is governed by the Licensed Operation and Maintenance Provider. Pumping these units too frequently may upset the biological process within the tanks. Also, if the contractor performing the pump out is not properly trained in maintenance/pump out procedures for the specific manufacture of the advanced treatment unit; performing the pump out could damage the unit.
- **ANY PROPERTY THAT HAS BEEN DESIGNATED TO BE RE-DEVELOPED OR OTHERWISE ABANDON THE CURRENT ONSITE WASTEWATER SYSTEM MAY BE EXEMPT FROM THE PUMP OUT AND PROPERTY TRANSFER INSPECTION.** If a property is purchased for the purpose of razing the structure and either re-designing and installing a new onsite system or connecting to public sewer; the costs of having a Property Transfer Inspection and Pump Out would be an unnecessary expense.

**I ASK FOR A FAVORABLE REPORT ON HB146, EDUCATION, ENERGY AND THE ENVIRONMENT – ON-SITE WASTEWATER SYSTEMS – REQUIREMENTS FOR INSPECTION AND PUMPING SERVICES AND IMPLEMENTATION DATES**

Thank you for your time.

*Robert Powell*

James R. Powell

**Von Gunton HB146.pdf**

Uploaded by: Edward Harrison

Position: FWA

Eugene L. von Gunten, LEHS #0318

1707 Old Westminster Pike

Westminster, MD 21157

410-608-9508

**In favor of HB 146 with Amendments.**

Environment and Transportation Committee

Environment- On-Site Wastewater Systems- Requirements for Inspection and Pumping Services

My name is Gene von Gunten. I am retired after 38 years as a regulator for the On-Site systems sections at the Frederick County Health Department and the Montgomery County Department of Permitting Services. In 1996, I challenged State Delegate Brian Frosh to sponsor legislation to require private septic system inspectors to be trained and registered with the State of Maryland (MDE). The Frosh legislation was opposed by many parties both within and outside the government; but the net result was the first standardization of private septic inspectors and their work. Much later I was involved with the efforts to ratchet up these requirements. This brought these inspections into the daylight.

**STATEMENT**

I am in **support of HB 146**, with the following amendment.

The Bill is good because on-site systems are inspected when first installed; and then allowed to operate unchecked until they fail. No one should purchase or occupy a dwelling unless/until the on-site system is inspected by a competent person.

My suggested amendment would be to “**couple**” the inspection with the pump out and make the pump out mandatory. If the pump out is done before the inspector arrives, the inspection quality will be compromised. Watching the pump out is critical to helping the inspector judge the operation of the on-site system. The industry can and will handle the logistics to make this happen. No real estate transaction will fail as a result.

**I ask for a favorable report for HB 146- with this amendment.**

# **Von Gunton HB146.pdf**

Uploaded by: Eugene von Gunten

Position: FWA

Eugene L. von Gunten, LEHS #0318

1707 Old Westminster Pike

Westminster, MD 21157

410-608-9508

**In favor of HB 146 with Amendments.**

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**I ask for a favorable report for HB 146- with this amendment.**

**HB146 SB165 1-29-26 revised to Supp with Amend MJD**

Uploaded by: Heather Moritz

Position: FWA



**Affiliate of The Maryland Association of Counties, Inc.**

January 29, 2026

TO: Members, House Environment and Transportation Committee  
Members, Senate Education, Energy and the Environment Committee  
FROM: Maryland Conference of Local Environmental Health Directors  
RE: **HB146 and SB165– Environment – on-site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates**

The Maryland Conference of Local Environmental Health Directors (Conference) provides this **Letter of Support with Amendments** for HB146 in their capacities as the State’s twenty-four Environmental Health Directors who carry out delegated authorities from both the Maryland Department of the Environment (MDE) and Maryland Department of Health (MDH).

The Conference supports the bill's intent to create increased requirements for onsite water disposal systems (OSDS) maintenance during property sales and for rental properties, however, agree that amendments to the language need to occur. As proposed, the Conference has concerns with the impact on OSDS determinations by implying that pump outs and OSDS inspections can occur separately. There needs to be clarification that each jurisdiction has a means for OSDS failures to be reported that need to be followed and that most repairs and all installations would require Local Health Department oversight and permitting. Additionally, OSDS that are proposed to be abandoned as part of a property transfer should not be subject to the pumping and inspection of the OSDS. The Conference highly recommends the following **BOLDED** amendments:

**8-122 (Page 3)**

Line 12: Replace OR with AND

(B) OF THIS SECTION, A PROPERTY TRANSFER INSPECTION ~~OR~~ **AND** PUMPING SERVICE

Lines 13-14: Include proposed language

PERFORMED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION IS VALID FOR 3 YEARS. **The Property Transfer Inspection and Pump Out of the OSDS must occur concurrently.**

Lines 16-19: Amend with proposed language

WASTEWATER SYSTEM, THE LANDLORD OF THE PROPERTY SHALL: ~~NOTIFY THE DELEGATED APPROVAL AUTHORITY:~~

(1) ~~ABOUT THE FAILURE;~~ **AND Notify the Delegated Authority in accordance with their process, policy or ordinance AND**

(2) ~~WHEN THE SYSTEM IS FIXED.~~ **Obtain any and all necessary permits to correct the failure**

**10-716 (Page 4)**

After Line 12: Include proposed exemption of this Section if OSDS is to be abandoned as part of the property transfer,

**(III) The On-Site Wastewater System is to be abandoned in conjunction with the property transfer.**

**10-716 (Page 5)**

Line 4: Replace OR with AND

~~OR~~ **AND** PUMPING SERVICE PERFORMED IN ACCORDANCE WITH SUBSECTION (C)(1) OF

Line 5: Include Proposed language

**THIS SECTION IS VALID FOR 3 YEARS. The Property Transfer Inspection and Pump Out of the OSDS must occur concurrently**

Line 7-10: Amend with proposed language

WASTEWATER SYSTEM, THE OWNER OF THE PROPERTY SHALL: ~~NOTIFY THE DELEGATED APPROVAL AUTHORITY:~~

(1) ~~ABOUT THE FAILURE; AND~~ **Notify the Delegated Authority in accordance with their process, policy or ordinance AND**

(2) ~~WHEN THE SYSTEM IS FIXED.~~ **Obtain all necessary permits to correct the failure**

The Conference recommends the bill be revised to include the above amendments; however, concerns related to the oversight, enforcement and management of this proposal remain. As the intent is to further protect public health through increased maintenance of an OSDS the **Conference Supports with Amendments** HB 146 and SB 165.

For more information:

Conference Contact:

Michael Davis, President

Maryland Conference of Local Environmental Health Directors

Email: [mjdavis@howardcountymd.gov](mailto:mjdavis@howardcountymd.gov)

**Powell HB 146, rev., 1-30-26.pdf**

Uploaded by: James Powell

Position: FWA

James R. Powell, 421 Rockway Road, Catonsville, Maryland 21228

443-900-3169

IN FAVOR OF HB146 WITH AMENDMENTS –

ENVIRONMENT – ON-SITE WASTEWATER SYSTEMS – REQUIREMENTS FOR INSPECTION AND PUMPING SERVICES AND IMPLEMENTATION DATES

To Environment and Transportation Committee Members,

My name is Rob Powell and I have been involved in the onsite wastewater industry for the past 45 years. I am currently self-employed in the on-site waste water industry as an environmental consultant and have been so for the last 11 years. I offer services to property owners for designing engineered, pressure-dosed sewage disposal system repairs that are necessary to replace failing septic systems. Prior to that time, I worked as a supervisor of Soil Testing with Baltimore County Department of Environmental Protection and Sustainability for 37 years before retiring in November of 2014.

**I AM OFFERING THIS STATEMENT OF SUPPORT FOR HB146, WITH THE FOLLOWING AMENDMENTS:**

I support this bill as it will serve to further protect purchasers of properties served by onsite septic systems. During my tenure in the onsite industry for the past 48 years, I have seen too often the aftermath resulting from the purchase of a property served by a septic system that has failed within several months after the new owner moves it. On some properties, the required repairs are relatively simple with costs in the \$10,000 - \$15,000 range. However, there are numerous times where the repairs are more complicated and more costly; with installation costs ranging up to \$70,000 – a cost that few new homeowners can easily afford.

**THE AMENDMENTS I WOULD LIKE TO SEE ARE THE FOLLOWING:**

- **THE PROPERTY TRANSFER INSPECTION SHOULD INCLUDE A SEPTIC TANK CLEANING/PUMPOUT IN THE INSPECTION PROCESS AND BE COORDINATED BY THE PROPERTY TRANSFER INSPECTOR.** Failure to do so would seriously hamper an accurate and complete inspection of the entire system and may lead to missing key indicators of a failing system. It also opens up the possibility of a seller; knowing they have a septic system problem, having the septic tank pumped several days prior to the Property Transfer Inspection to deliberately mask key indicators of a system failure.

- **ADVANCED TREATMENT UNITS, AS DEFINED BY THE MARYLAND ONSITE WASTEATER PROFESSIONALS BOARD, ARE REQUIRED TO BE EVALUATED BY A LICENSED OPERATION AND MAINTENANCE PROVIDER WITHIN THE LAST 6 MONTHS.** If advanced treatment units are maintained properly, their pump out scheduled is governed by the Licensed Operation and Maintenance Provider. Pumping these units too frequently may upset the biological process within the tanks. Also, if the contractor performing the pump out is not properly trained in maintenance/pump out procedures for the specific manufacture of the advanced treatment unit; performing the pump out could damage the unit.
- **ANY PROPERTY THAT HAS BEEN DESIGNATED TO BE RE-DEVELOPED OR OTHERWISE ABANDON THE CURRENT ONSITE WASTEWATER SYSTEM MAY BE EXEMPT FROM THE PUMP OUT AND PROPERTY TRANSFER INSPECTION.** If a property is purchased for the purpose of razing the structure and either re-designing and installing a new onsite system or connecting to public sewer; the costs of having a Property Transfer Inspection and Pump Out would be an unnecessary expense.

**I ASK FOR A FAVORABLE REPORT ON HB146, EDUCATION, ENERGY AND THE ENVIRONMENT – ON-SITE WASTEWATER SYSTEMS – REQUIREMENTS FOR INSPECTION AND PUMPING SERVICES AND IMPLEMENTATION DATES**

Thank you for your time.

*Robert Powell*

James R. Powell

**Nancy HB146 SB 165 1-29-26.pdf**

Uploaded by: Nancy Minahan

Position: FWA

Nancy J. Mayer Minahan

100 Sharp Rd. Denton, MD 21629

[Mb1959@yahoo.com](mailto:Mb1959@yahoo.com) 410-935-6801

## In Favor of SB 165 and HB 146 with Amendments -

### Environment – On-Site Wastewater Systems – Requirements for Inspections and Pumping Services and Implementation Dates

January 29, 2026

I have been involved with On-Site systems in Maryland for over 50 years. My family started Mayer Bros., Inc precast in Elkridge MD in 1959. I became president and started another company OSIS LLC (Onsite Septic Inspection & Service) about 15 years ago. I am recently retired but I still teach classes on Property transfer Inspection and Operations and Maintenance of Onsite Systems, the classes that are approved and required by MDE. I am unfortunately out of town at a conference next week and cannot attend your hearings in person. Please accept my written testimony for consideration.

#### **I fully support both SB 165 and HB146, With the following amendments/conditions:**

It should be clear that inspection precedes pumping of tanks, and ideally pumping should be done when the inspector is there. Often these are 2 different companies and need to work together to ensure the parties involved get a fair and accurate inspection. As we teach in the class, if a tank has been pumped before the inspector arrives, we would be suspicious of potential problems.

Sites where there are advanced treatment units (ATU's) and, or Maryland's BAT's (Best Available Technology) should defer to a licensed O/M provider for inspection and pump out. Currently Inspectors don't touch these units and rely on the O/M reports for details. Pump outs are only recommended when required so as to keep the biological function of these units intact.

Finally if a property is sold with the intent of the current onsite system to be abandoned, inspection would not be warranted and should be exempt.

Thank you for your consideration, by contact information is listed should you have any questions.

I ask for a favorable report of HB 146 and SB 165.

Respectfully,

**Nancy J. Mayer Minahan**

Nancy J. Mayer Minahan

**HB 146 \_ SB 265.pdf**

Uploaded by: Ryan Frick

Position: FWA

# Superior Septic Services, LLC

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## Written Testimony

HB 146/SB 165 - Favorable with Amendments  
Maryland General Assembly – 2026 Session

My name is Ryan Frick, and I am the owner of Superior Septic Services, LLC, with over 21 years of experience working on onsite wastewater systems throughout Maryland. I am submitting this testimony in support of HB 146 and SB 165, with technical amendments.

I fully support the intent of this legislation to protect public health, groundwater, and consumers by requiring Property Transfer Inspections (PTIs) and septic pumpouts. These measures will significantly improve transparency and environmental protection across the State.

However, based on long-standing industry standards and field experience, three targeted amendments are necessary to ensure the bill functions as intended.

First, PTIs and septic pumpouts must be coordinated and performed together. The most critical amendment to HB 146 and SB 165 is the requirement that a septic tank pumpout and Property Transfer Inspection (PTI), when both are required, be performed together and coordinated by the Property Transfer Inspector.

Allowing these services to be performed separately creates a significant risk of missed diagnoses, incomplete inspections, and potential misrepresentation of onsite system conditions. If a septic tank is pumped prior to the inspector's arrival, many of the most important diagnostic indicators are permanently lost.

Under nationally accepted inspection protocols, and as taught in Maryland's PTI training programs, a proper inspection includes pumping the septic tank while the inspection is actively in progress. This sequencing is critical because it allows the inspector to:

- Observe evidence of backups or surcharging in the tank
- Evaluate the condition of internal tank components, including baffles, tees, and structural integrity
- Observe hydraulic behavior, including any flow returning from the dispersal system during pumpdown
- Identify signs of system overload, failure, or improper operation that would otherwise remain hidden

# Superior Septic Services, LLC

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When a tank has already been pumped days or even hours before an inspection, these indicators no longer exist. In those situations, an inspector is limited to a surface-level evaluation that may falsely suggest the system is functioning properly.

This separation also opens the door to intentional concealment. A knowledgeable or motivated property owner could have the system pumped shortly before inspection to temporarily mask chronic issues such as backups, ponding, or dispersal failure. That outcome directly undermines the consumer-protection and environmental goals of this legislation.

This amendment does not expand the scope of the bill or increase regulatory burden. Instead, it ensures that inspections required under this legislation are accurate, meaningful, resistant to manipulation, and protective of consumers, public health, and the environment.

Second, Advanced Treatment Units (ATUs/BAT systems) should not be subject to mandatory pumpouts. These systems are monitored, operated, and maintained by licensed Operation and Maintenance providers, and improper or unnecessary pumping can damage system performance. Evaluation by a licensed O&M provider within six months is a more appropriate requirement.

Third, properties purchased for redevelopment, demolition, or sewer connection should be exempt, as PTIs and pumpouts in these cases provide no public health benefit and unnecessarily consume resources.

These amendments do not weaken this bill, they strengthen it. I respectfully support these bills with Amendments.

Thank you for your consideration.

Respectfully submitted,  
Ryan Frick  
Superior Septic Services, LLC

# **HB 146 written testimony.pdf**

Uploaded by: Charlene Sharpe

Position: UNF



## House Bill 146

### *Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates*

Position: **OPPOSE**

To: Environment and Transportation Committee

Date: January 29, 2026

From: County Commissioners of Worcester County

Worcester County opposes House Bill 146, as it puts a substantial burden on property owners as well as the county departments tasked with overseeing septic systems.

Besides the property transfer requirements, this bill would require septic system pumping and inspection at every tenant change, which will drive costs onto renters. Those increased costs will come at a time when the state is already experiencing a housing and affordability crisis.

House Bill 146 would also add significantly to the workload of the local department tasked with monitoring septic inspections. While the bill lacks definitions of key terms, such as “landlord” and “rental property,” adding to its ambiguity, it is obvious that it would push a variety of additional reporting requirements onto local departments.

There also exists the implication in the bill that pumping and inspections can occur separately. If so, there is no acknowledgement that each jurisdiction in the state has a policy to handle reports of septic failures and most repairs and all system replacements require permitting and oversight from the local delegated agencies. The capacity to track and follow-up on rental property septic inspections and pump outs with respect to tenant changes is beyond the scope of local rental housing program, which is in a different agency than the local delegated authority for septic, like most counties across the state. This would place additional responsibility onto county staffs or third-party providers and will likely add to property owner, and subsequently tenant, costs.

We urge you to provide House Bill 146 with an unfavorable report. Thank you.

**MBIA Letter of Opposition HB 146.pdf**

Uploaded by: Lori Graf

Position: UNF

February 2<sup>nd</sup>, 2026

The Honorable Marc Korman  
Chair, House Environment and Transportation Committee  
250 Taylor House Office Building  
Annapolis, Maryland 21401

**RE: MBIA Letter of Opposition HB146 Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates**

Dear Chair Korman,

The Maryland Building Industry Association, representing 100,000 employees of the building industry across the State of Maryland, appreciates the opportunity to participate in the discussion surrounding **HB146 Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates**.

This bill requires septic systems to be inspected and pumped before new tenants move in and before most property sales. It also requires reporting of failing systems to local authorities. We are concerned that this will add more to the cost of housing and more steps to a process that is already complicated. These extra steps will particularly hurt our industry in rural parts of the State where access to licensed inspectors and pumpers is limited. The added requirements will create delays in the final stages of a property sale which will significantly hurt cash flow and disrupt the timing of a project. Homebuilders typically carry upfront costs for land, construction, labor, materials, and interest on construction loans. Settlement is when the builder is paid and the loan is paid off. If settlement is delayed, builders continue to take on interest, carrying costs, insurance, and taxes. All of these costs are taken on while the builder receives no payments from the homebuyer. This ultimately leads to higher home prices when there is already an affordability crisis in our State.

Although the bill exempts the initial transfer after construction, MBIA is concerned about expanded liability and uncertainty created by inspection reports generated close to settlement. Even the smallest findings may lead to demands for repairs, negotiations to lower the price of a home, or future claims, even though the septic systems were installed and approved by local health departments.

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

For more information about this position, please contact Lori Graf at 410-800-7327 or [lgraf@marylandbuilders.org](mailto:lgraf@marylandbuilders.org).

cc: Members of the House Environment and Transportation Committee

**HB 146\_realtors\_unf.pdf**

Uploaded by: William Castelli

Position: UNF



**House Bill 146** – Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates

**Position: Unfavorable**

The REALTORS® oppose HB 146 which seeks to require an inspection and pump out of a septic system before sale or lease of the property. The REALTORS® appreciate efforts last year to exempt certain transactions but believe the legislation should mandate disclosure and let the parties determine how to proceed.

HB 146 requires a single-family rental property to be subject to a septic inspection and pump out at least once every three years. The legislation also requires a buyer of single-family property to have a septic system inspected and pumped out as a condition of sale. Settlement may not occur until a report is issued verifying performance of the inspection and pump out. The “for sale” transfer inspection is also good for three years.

The REALTORS® believe that buyers have a responsibility to exercise due diligence in purchasing a property. If the condition of a septic system is important, the buyer has the right to request inspection of the system. This issue, like many others, becomes a point of negotiation between the seller and buyer. HB 146 forces a decision on both parties and potentially stops settlement until the inspection and the report of the inspection are finished. The REALTORS® believe most decisions regarding the property should remain negotiable by the parties.

As an alternative, the REALTORS® have submitted language which would create a disclosure for home sales rather than a mandate. The disclosure would require the seller to inform the buyer if an inspection had been conducted as well as give the buyer the EPA Septicsmart brochure. After disclosure, the parties would then determine whether an inspection would be conducted just as the parties negotiate other matters related to the property.

**For more information contact [lisa.may@mdrealtor.org](mailto:lisa.may@mdrealtor.org) or  
[christa.mcgee@mdrealtor.org](mailto:christa.mcgee@mdrealtor.org)**

**House Bill 146**  
**(First Reading File Bill)**

**Amendment 1:**

On page 3, after line 28, add:

**(1) THE REAL PROPERTY IS EXEMPT UNDER REAL PROPERTY 10-702 (B)(1)**

On page 3, line 29, strike “(1)” and insert “(2)”

On page 4, strike lines 11 and 12

**Amendment 2:**

On page 4, line 16, strike “ENSURE THAT THE SYSTEM HAS BEEN” and insert:  
**“IS PROVIDED WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY SEPTICSMART HOMEOWNER’S BROCHURE AND NOTIFIED WHETHER THE ON-SITE WASTEWATER SYSTEM HAS BEEN PUMPED AND INSPECTED WITHIN THE LAST 5 YEARS AND PROVIDED THE RESULTS OF THE INSPECTION.”**

On pages 4 and 5, strike lines 17 through 5 on page 5, and insert:

**“(2) IF A BUYER AND SELLER AGREE TO INSPECT AND PUMP OUT THE ON-SITE WASTEWATER SYSTEM, THE INSPECTION AND PUMP OUT SHALL BE CONDUCTED BY AN INDIVIDUAL WHO IS LICENSED UNDER TITLE 9, SUBTITLE 11A OF THE ENVIRONMENT ARTICLE.”**

On page 5, line 6, strike “(E)” and insert “(D)”