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By: **Delegates Weir, Wood, McClenahan, and Bozman**

Introduced and read first time: February 12, 1999

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Natural Resources - Marine Sanitation**

3 FOR the purpose of requiring the Department of Natural Resources to survey certain  
4 waters and vessels for certain purposes by a certain date using certain criteria;  
5 requiring the Department to identify certain sensitive waters of the State by a  
6 certain date using certain criteria; requiring the Department to take certain  
7 steps to ensure that certain facilities relating to marine sanitation are  
8 reasonably available for use in certain areas; requiring a certain report by a  
9 certain date; requiring the Department to consult with the Department of the  
10 Environment on certain matters concerning the identification of sensitive  
11 waters; requiring the Department of Natural Resources to make certain  
12 recommendations to the Department of the Environment under certain  
13 circumstances; and generally relating to marine sanitation and waters of the  
14 State.

15 BY adding to  
16 Article - Natural Resources  
17 Section 8-742  
18 Annotated Code of Maryland  
19 (1990 Replacement Volume and 1998 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
21 MARYLAND, That the Laws of Maryland read as follows:

## 1 Article - Natural Resources

2 8-742.

3 (A) BASED ON CRITERIA INCLUDING THE PROTECTION OF NATURAL  
4 RESOURCES, HEALTH, AND THE ENVIRONMENT, ON OR BEFORE ~~DECEMBER 1, 1999~~  
5 APRIL 15, 2000, THE DEPARTMENT SHALL:

6 (1) CONDUCT AND COMPLETE, IN ACCORDANCE WITH THE FEDERAL  
7 WATER POLLUTION CONTROL ACT OF 1972 (33 U.S.C. § 1251 ET SEQ.) AND THE CLEAN  
8 VESSEL ACT OF 1992 (P.L. 102-587), A SURVEY OF:

9 (I) ~~THE NUMBER AND LOCATION~~ NUMBER, LOCATION, AND  
10 UTILIZATION OF OPERATIONAL PUMPOUT STATIONS AND WASTE RECEPTION  
11 FACILITIES AT PUBLIC AND PRIVATE MARINAS, MOORING AREAS, DOCKS, AND OTHER  
12 BOATING ACCESS FACILITIES IN THE STATE; AND

13 (II) THE NUMBER OF RECREATIONAL VESSELS OPERATING IN THE  
14 WATERS OF THE STATE INCLUDING TRANSIENT VESSELS EQUIPPED WITH TYPE I,  
15 TYPE II, OR TYPE III MARINE SANITATION DEVICES OR PORTABLE TOILETS, AND THE  
16 AREAS OF THE WATERS OF THE STATE IN WHICH THOSE VESSELS CONGREGATE  
17 INCLUDING AREAS OF OVERNIGHT ANCHORING AND MOORING; AND

18 (2) IDENTIFY WATERS OF THE STATE THAT SUPPORT LIVING  
19 RESOURCES THAT ARE PARTICULARLY SENSITIVE TO THE DISCHARGE OF SEWAGE  
20 FROM BOATS, SHIPS, AND OTHER VESSELS, USING CRITERIA ESTABLISHED UNDER  
21 THE FEDERAL WATER POLLUTION CONTROL ACT AND 40 C.F.R. § ~~140.4~~ 140.4.

22 (B) ON OR BEFORE ~~DECEMBER 1, 2000~~ APRIL 15, 2001, THE DEPARTMENT  
23 SHALL TAKE STEPS TO ENSURE THAT ADEQUATE FACILITIES FOR THE SAFE AND  
24 SANITARY REMOVAL AND TREATMENT OF SEWAGE FROM ALL VESSELS, AS  
25 DETERMINED UNDER THE FEDERAL WATER POLLUTION CONTROL ACT, ARE  
26 REASONABLY AVAILABLE FOR THE SENSITIVE AREAS IDENTIFIED UNDER  
27 SUBSECTION (A)(2) OF THIS SECTION.

28 (C) (1) THE DEPARTMENT SHALL CONSULT WITH THE DEPARTMENT OF THE  
29 ENVIRONMENT IN COMPLYING WITH SUBSECTIONS (A)(2) AND (B) OF THIS SECTION.

30 (2) THE DEPARTMENT SHALL MAKE RECOMMENDATIONS, IF  
31 APPROPRIATE, TO THE DEPARTMENT OF THE ENVIRONMENT ON ANY SUGGESTED  
32 CHANGES TO EXISTING WATER QUALITY STANDARDS.

33 SECTION 2. AND BE IT FURTHER ENACTED, That, subject to the provisions  
34 of § 2-1246 of the State Government Article, the Department of Natural Resources  
35 shall report on or before January 1, 2000 to the Senate Economic and Environmental  
36 Affairs and House Environmental Matters Committees on the Department's  
37 strategies, including cooperative efforts with the United States Coast Guard, to  
38 improve boater compliance with State and federal laws governing marine sanitation.

1 SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take  
2 effect June 1, 1999.