

SENATE BILL 569

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1999 Regular Session
9r1346
CF 9r2235

By: **Senators Pinsky, Frosh, Collins, and Van Hollen**
Introduced and read first time: February 5, 1999
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 17, 1999

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.

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

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