

SENATE BILL 710

Unofficial Copy  
M3

2001 Regular Session  
11r2055

---

By: ~~Senator Stoltzfus~~ **Senators Stoltzfus and Frosh**  
Introduced and read first time: February 2, 2001  
Assigned to: Economic and Environmental Affairs

---

Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 19, 2001

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Reclaimed Water**

3 FOR the purpose of declaring certain State policy requiring the Department of  
4 Environment to encourage the use of reclaimed water for certain purposes;  
5 authorizing the Department to consult with the State Plumbing Board on  
6 certain matters; authorizing the use of reclaimed water for certain irrigation  
7 purposes; ~~providing that certain setback requirements do not apply to the use of~~  
8 ~~reclaimed water for certain irrigation purposes~~ authorizing the Department to  
9 establish certain buffer and setback requirements for the use of reclaimed water  
10 for irrigation purposes; defining a certain term; and generally relating to the use  
11 of reclaimed water.

12 BY repealing and reenacting, with amendments,  
13 Article - Environment  
14 Section 9-301 and 9-302  
15 Annotated Code of Maryland  
16 (1996 Replacement Volume and 2000 Supplement)

17 BY adding to  
18 Article - Environment  
19 Section 9-303.1  
20 Annotated Code of Maryland  
21 (1996 Replacement Volume and 2000 Supplement)

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

1 **Article - Environment**

2 9-301.

3 (a) In this subtitle the following words have the meanings indicated.

4 (b) "Board" means the Water Science Advisory Board.

5 (c) "Discharge permit" means a permit issued by the Department for the  
6 discharge of any pollutant or combination of pollutants into the waters of this State.7 (d) "Person" includes the federal government, this State, any county,  
8 municipal corporation, or other political subdivision of this State, or any of their  
9 units.

10 (E) "RECLAIMED WATER" MEANS SEWAGE THAT:

11 (1) HAS BEEN TREATED TO A HIGH QUALITY SUITABLE FOR VARIOUS  
12 REUSES; AND

13 (2) HAS A CONCENTRATION OF LESS THAN:

14 (I) 3 FECAL COLIFORM COLONIES PER 100 MILLILITERS;

15 (II) 10 MILLIGRAMS PER LITER OF 5-DAY BIOLOGICAL OXYGEN  
16 DEMAND; AND

17 (III) 10 MILLIGRAMS PER LITER OF TOTAL SUSPENDED SOLIDS.

18 [(e)] (F) "Sewage" means any human or animal excretion, domestic waste, or  
19 industrial waste.

20 [(f)] (G) (1) "Sewerage system" means:

21 (i) The channels used or intended to be used to collect and dispose  
22 of sewage; and23 (ii) Any structure and appurtenance used or intended to be used to  
24 collect or prepare sewage for discharge into the waters of this State.

25 (2) "Sewerage system" includes any sewer of any size.

26 (3) "Sewerage system" does not include the plumbing system inside any  
27 building served by the sewerage system.

28 9-302.

29 (a) The purpose of this subtitle is to establish effective programs and to  
30 provide additional and cumulative remedies to prevent, abate, and control pollution of  
31 the waters of this State.

1 (b) Because the quality of the waters of this State is vital to the interests of  
2 the citizens of this State, because pollution is a menace to public health and welfare,  
3 creates public nuisances, harms wildlife, fish, and aquatic life, and impairs domestic,  
4 agricultural, industrial, recreational, and other legitimate beneficial uses of water,  
5 and because the problem of water pollution in this State is closely related to the  
6 problem of water pollution in adjoining states, it is the policy of this State:

7 (1) To improve, conserve, and manage the quality of the waters of this  
8 State;

9 (2) To protect, maintain, and improve the quality of water for public  
10 supplies, propagation of wildlife, fish, and aquatic life, and domestic, agricultural,  
11 industrial, recreational, and other legitimate beneficial uses;

12 (3) To provide that no waste is discharged into any waters of this State  
13 without first receiving necessary treatment or other corrective action to protect the  
14 legitimate beneficial uses of the waters of this State; [and]

15 (4) Through innovative and alternative methods of waste and  
16 wastewater treatment, to provide and promote prevention, abatement, and control of  
17 new or existing water pollution; AND

18 (5) TO PROMOTE AND ENCOURAGE THE USE OF RECLAIMED WATER IN  
19 ORDER TO CONSERVE WATER SUPPLIES, FACILITATE THE INDIRECT RECHARGE OF  
20 GROUNDWATER, AND AS AN ALTERNATIVE TO DISCHARGING WASTEWATER  
21 EFFLUENT TO SURFACE WATERS, THUS PURSUING THE GOAL OF THE CLEAN WATER  
22 ACT TO END THE DISCHARGE OF POLLUTANTS AND MEET THE NUTRIENT  
23 REDUCTION GOALS OF THE CHESAPEAKE BAY AGREEMENT.

24 (c) (1) The Department shall cooperate with local governments, agencies of  
25 other states, and the federal government in carrying out the objectives of subsection  
26 (b) of this section.

27 (2) THE DEPARTMENT MAY CONSULT WITH THE STATE PLUMBING  
28 BOARD, AS APPROPRIATE, ON MATTERS RELATING TO THE OBJECTIVES OF  
29 SUBSECTION (B)(5) OF THIS SECTION.

30 9-303.1.

31 (A) THE DEPARTMENT SHALL ENCOURAGE THE USE OF RECLAIMED WATER  
32 AS AN ALTERNATIVE TO DISCHARGING WASTEWATER EFFLUENT INTO THE SURFACE  
33 WATERS OF THE STATE.

34 (B) RECLAIMED WATER MAY BE USED FOR IRRIGATION OF:

35 (1) FARMLAND;

36 (2) GOLF COURSES;

37 (3) ATHLETIC FIELDS;

- 1 (4) TURF;
- 2 (5) LANDSCAPING; AND
- 3 (6) ANY OTHER USE THAT THE DEPARTMENT CONSIDERS APPROPRIATE.

4 ~~(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, A~~  
5 ~~REQUIREMENT FOR A SETBACK FROM A PROPERTY LINE OR ROAD DOES NOT APPLY~~  
6 ~~TO THE USE OF RECLAIMED WATER UNDER SUBSECTION (B) OF THIS SECTION.~~

7 (C) THE DEPARTMENT MAY ESTABLISH BUFFER AND SETBACK  
8 REQUIREMENTS FOR THE USE OF RECLAIMED WATER UNDER SUBSECTION (B) OF  
9 THIS SECTION AS FOLLOWS:

10 (1) FROM POTABLE WELLS AND SURFACE WATER INTAKES, UP TO 100  
11 FEET;

12 (2) FROM INTERMITTENT AND PERENNIAL STREAMS AND RESIDENTIAL  
13 STRUCTURES, UP TO 25 FEET; AND

14 (3) FROM SCHOOLS AND PLAYGROUNDS, UP TO 50 FEET.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2001.