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By: **Prince George's County Delegation and Montgomery County Delegation**

Introduced and read first time: February 6, 2002  
Assigned to: Environmental Matters

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 18, 2002

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Pretreatment Program -**  
3 **Citations and Complaints**  
4 **PG/MC 105-02**

5 FOR the purpose of authorizing the Washington Suburban Sanitary Commission to  
6 adopt regulations governing the WSSC Pretreatment Program; making  
7 violations of certain pretreatment standards by certain users a WSSC infraction  
8 under the jurisdiction of the District Court; altering a provision of law to  
9 authorize rather than require the Commission to issue a written complaint  
10 under certain circumstances; altering a certain definition; making a stylistic  
11 change; and generally relating to the Washington Suburban Sanitary  
12 Commission Pretreatment Program.

13 BY repealing and reenacting, with amendments,  
14 Article 29 - Washington Suburban Sanitary District  
15 Section 18-104.2(a) and (b) and 18-104.3(a) and (b)  
16 Annotated Code of Maryland  
17 (1997 Replacement Volume and 2001 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article - Courts and Judicial Proceedings  
20 Section 4-401(10)(iv)  
21 Annotated Code of Maryland  
22 (1998 Replacement Volume and 2001 Supplement)

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

3 **Article 29 - Washington Suburban Sanitary District**

4 18-104.2.

5 (a) In this section the following words have the meanings indicated.

6 (1) "Enforcement official" means an employee of WSSC authorized by  
7 WSSC to issue a citation for a WSSC infraction under this section.

8 (2) "Regulations" means the regulations of the Washington Suburban  
9 Sanitary Commission governing:

10 (i) Erosion and sediment control for utility construction in Prince  
11 George's and Montgomery counties;

12 (ii) Plumbing, gas fitting, and sewer cleaning in the Washington  
13 Suburban Sanitary District; [or]

14 (iii) Required permits for public utility construction in the sanitary  
15 district; OR

16 (IV) STATE PRETREATMENT REQUIREMENTS FOR INDUSTRIAL  
17 USERS.

18 (3) "Repeated infraction" means a recurring violation of the same  
19 provision of the regulations by the same person.

20 (4) "WSSC infraction" means a violation of the regulations.

21 (b) (1) The WSSC is authorized to adopt the regulations as follows:

22 (i) Regulations governing erosion and sediment control for utility  
23 construction, under authority of § 9-101 of this article and § 4-105 of the  
24 Environment Article, and after review and approval by the soil conservation districts  
25 of Prince George's and Montgomery counties and the Department of Natural  
26 Resources;

27 (ii) Regulations governing sewer cleaning, under authority of §  
28 3-301 of this article;

29 (iii) Regulations governing plumbing, under authority of §§ 8-104,  
30 9-101, 14-102, and 15-104 of this article;

31 (iv) Regulations governing gas fitting, under authority of § 9-102 of  
32 this article; [and]

33 (v) Regulations governing required permits for public utility  
34 construction, under authority of §§ 10-104 and 10-105 of this article; AND

1 (VI) REGULATIONS GOVERNING THE WSSC PRETREATMENT  
2 PROGRAM, UNDER AUTHORITY OF § 9-101 OF THIS ARTICLE AND § 9-332 OF THE  
3 ENVIRONMENT ARTICLE.

4 (2) The regulations shall be published as provided in § 9-101(b) of this  
5 article.

6 (3) The sworn certificate of any member of the WSSC of the publication  
7 under this section is prima facie evidence of publication.

8 18-104.3.

9 (a) In this [section] SECTION, "WSSC Pretreatment Program" means any  
10 program adopted under authority of § 9-332 of the Environment Article and § 9-101  
11 of this article to:

12 (1) Meet national pretreatment requirements;

13 (2) Meet local pretreatment requirements; and

14 (3) Eliminate the contribution of each pollutant discharged from an  
15 industrial user into a publicly owned treatment works that:

16 (i) Causes pass through or interference with the publicly owned  
17 treatment works; or

18 (ii) Contaminates sewage sludge.

19 (b) (1) The WSSC [shall] MAY issue a written complaint if the WSSC has  
20 reasonable grounds to believe that the person to whom the complaint is directed has  
21 violated any provision of the WSSC Pretreatment Program.

22 (2) A complaint issued under this subsection shall:

23 (i) Specify the provision of the WSSC Pretreatment Program that  
24 allegedly has been violated; and

25 (ii) State the alleged facts that constitute the violation.

26 **Article - Courts and Judicial Proceedings**

27 4-401.

28 Except as provided in § 4-402 of this subtitle, and subject to the venue  
29 provisions of Title 6 of this article, the District Court has exclusive original civil  
30 jurisdiction in:

31 (10) A proceeding for adjudication of:

32 (iv) A WSSC infraction as defined in Article 29, § 18-104.2 of the  
33 Code, concerning WSSC regulations governing:

**HOUSE BILL 767**

- 1                                   1.       Erosion and sediment control for utility construction;
- 2                                   2.       Plumbing, gas fitting, and sewer cleaning; [and]
- 3                                   3.       Required permits for utility construction; AND
- 4                                   4.       THE WSSC PRETREATMENT PROGRAM;

5       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6       October 1, 2002.