
By: **Delegate Zirkin**
Introduced and read first time: February 8, 2002
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Use of Chlorine in Wastewater Treatment Plants - Report**

3 FOR the purpose of requiring the Department of the Environment to prepare a report
4 on the feasibility of eliminating the use of chlorine in State and local wastewater
5 treatment plants; requiring the Department to include in the report findings
6 and recommendations on the feasibility of eliminating this use of chlorine within
7 a certain period of time; requiring the Department to submit the report to the
8 Governor and the General Assembly by a certain date; providing for the
9 termination of this Act; and generally relating to a report on the use of chlorine
10 in State and local wastewater treatment plants.

11 BY repealing and reenacting, without amendments,
12 Article - Environment
13 Section 9-329 through 9-329.2
14 Annotated Code of Maryland
15 (1996 Replacement Volume and 2001 Supplement)

16 BY adding to
17 Article - Environment
18 Section 9-329.3
19 Annotated Code of Maryland
20 (1996 Replacement Volume and 2001 Supplement)

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

23 **Article - Environment**

24 9-329.

25 (a) Except as otherwise prohibited in subsection (b) of this section, the
26 Department may issue a permit that allows the use of chlorine or chlorine compounds
27 in treatment of wastewaters discharged from any publicly or privately owned sewage

1 treatment plant to any surface waters of this State only if the treatment of the
2 wastewaters includes dechlorination.

3 (b) (1) This subsection is not effective unless matching federal funds are
4 available to implement the provisions of paragraph (4) of this subsection.

5 (2) This subsection does not apply to sewerage treatment facilities that
6 discharge an amount of treated sewage less than 1 percent of the 7-day, 10-year low
7 flow of the receiving stream.

8 (3) The Department may not issue a permit that allows the use of
9 chlorine or chlorine compounds in the treatment of wastewaters discharged into any
10 waters of this State that are designated by the Department as natural trout waters
11 and their tributaries.

12 (4) (i) This subsection applies to any local subdivision that owns or
13 operates an existing treatment system that is required to convert from use of
14 chlorination to another system in order to be permitted under this subtitle.

15 (ii) If the local subdivision applied for assistance from the
16 Environmental Protection Agency on or before September 30, 1981, the conversion
17 costs not funded by the Environmental Protection Agency may be covered with State
18 funds as provided in the State budget.

19 (iii) If the local subdivision failed to apply for assistance from the
20 Environmental Protection Agency on or before September 30, 1981, conversion costs
21 ordinarily met by the Environmental Protection Agency and this State shall be the
22 responsibility of the local subdivision.

23 9-329.1.

24 (a) This section does not apply to:

25 (1) A publicly or privately owned sewage treatment plant; or

26 (2) The discharge of any chlorine or chlorine products that are present
27 due to their occurrence as a natural constituent of saline water.

28 (b) A person who has a discharge permit may not discharge chlorine or
29 chlorine products into the Chesapeake Bay or its tributaries during April and May of
30 any year at a level that is greater than the chlorine discharge level that is applicable
31 to a publicly or privately owned sewage treatment plant under § 9-329 of this
32 subtitle.

33 9-329.2.

34 (a) Except as provided in this section and notwithstanding any other provision
35 of this article, on or after July 1, 1988 a person may not discharge any chlorine or
36 chlorine products into the Chesapeake Bay or its tributaries in excess of a
37 concentration that the Department of the Environment, in consultation with the

1 Department of Natural Resources, determines to be the lowest practicably attainable
2 concentration.

3 (b) To determine the allowable concentrations of chlorine or chlorine products
4 under this section, the Secretary of the Environment, in consultation with the
5 Secretary of Natural Resources, shall adopt regulations that:

6 (1) Use the best practicable management technologies; and

7 (2) Set forth approved monitoring technologies.

8 (c) (1) A person may apply to the Department of the Environment for an
9 exception under subsection (a) of this section.

10 (2) The Department of the Environment, in consultation with the
11 Department of Natural Resources, may grant an exception under subsection (a) of
12 this section to an applicant if the application sets forth compliance schedules
13 acceptable to the Department.

14 (d) An owner of a vessel that is equipped with a marine sanitation device that
15 meets the requirements of 33 CFR 159 shall automatically be excepted from the
16 provisions of subsection (a) of this section.

17 9-329.3.

18 ON OR BEFORE MARCH 31, 2003, THE DEPARTMENT SHALL PREPARE AND
19 SUBMIT A REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE
20 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, DETAILING ITS FINDINGS AND
21 RECOMMENDATIONS ON THE FEASIBILITY OF:

22 (1) ELIMINATING THE USE OF CHLORINE IN STATE AND LOCAL
23 WASTEWATER TREATMENT PLANTS; AND

24 (2) IMPLEMENTING THE ELIMINATION OF THIS USE OF CHLORINE
25 WITHIN 2 YEARS.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2002. It shall remain effective for a period of 1 year and, at the end of
28 September 30, 2003, with no further action required by the General Assembly, this
29 Act shall be abrogated and of no further force and effect.