

SENATE BILL 246

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2002 Regular Session
2lr0138
CF 2lr0155

By: **The President (Administration) and Senators Dyson, Forehand, Frosh,
Pinsky, and Van Hollen**

Introduced and read first time: January 18, 2002
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted with floor amendments
Read second time: March 12, 2002

CHAPTER _____

1 AN ACT concerning

2 **Drinking Water - State Primary Drinking Water Regulations**

3 FOR the purpose of ~~removing the prohibition against~~ prohibiting the Secretary of the
4 Environment from adopting and enforcing State primary drinking water
5 regulations that are more stringent than certain national drinking water
6 regulations ~~unless the Secretary makes a certain finding; prohibiting the State~~
7 primary drinking water regulations from being less stringent than certain
8 national drinking water regulations in effect during a certain period; and
9 generally relating to State primary drinking water regulations.

10 BY repealing and reenacting, with amendments,
11 Article - Environment
12 Section 9-407
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 2001 Supplement)

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

17 **Article - Environment**

18 9-407.

19 (a) The Secretary shall:

20 (1) Adopt and enforce State primary drinking water regulations; and

1 (2) Adopt and implement adequate procedures for enforcing the State
2 primary drinking water regulations.

3 (b) (1) The State primary drinking water regulations may not:

4 (1) Be more stringent than the complete interim or revised national
5 primary drinking water regulations in effect at the time; ~~UNLESS THE SECRETARY~~
6 ~~FINDS THAT THE MORE STRINGENT REGULATIONS ARE NECESSARY TO PROTECT~~
7 ~~PUBLIC HEALTH~~; or

8 (2) Require ~~REQUIRE~~ the addition of any substance for preventive
9 health care purposes unrelated to contamination of drinking water.

10 (2) ~~NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE~~
11 ~~STATE PRIMARY DRINKING WATER REGULATIONS MAY NOT BE LESS STRINGENT~~
12 ~~THAN THE COMPLETE INTERIM OR REVISED NATIONAL PRIMARY DRINKING WATER~~
13 ~~REGULATIONS IN EFFECT IN JANUARY 2002.~~

14 (c) The enforcement procedures shall:

15 (1) Include monitoring and inspection procedures; and

16 (2) Comply with all rules and regulations adopted by the Administrator
17 under the Federal Act.

18 (d) As the Administrator requires by rules or regulations adopted under the
19 Federal Act, the Secretary shall keep records and make reports with respect to the
20 Secretary's activities under this section.

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