
By: **Senators Stoltzfus and Frosh**

Introduced and read first time: February 1, 2002

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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; authorizing the Department to establish certain buffer and setback
8 requirements for the use of reclaimed water for irrigation purposes; defining a
9 certain term; and generally relating to the use of reclaimed water.

10 BY repealing and reenacting, with amendments,
11 Article - Environment
12 Section 9-301 and 9-302
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 2001 Supplement)

15 BY adding to
16 Article - Environment
17 Section 9-303.1
18 Annotated Code of Maryland
19 (1996 Replacement Volume and 2001 Supplement)

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

22 **Article - Environment**

23 9-301.

- 24 (a) In this subtitle the following words have the meanings indicated.
- 25 (b) "Board" means the Water Science Advisory Board.
- 26 (c) "Discharge permit" means a permit issued by the Department for the
27 discharge of any pollutant or combination of pollutants into the waters of this State.

1 (d) "Person" includes the federal government, this State, any county,
2 municipal corporation, or other political subdivision of this State, or any of their
3 units.

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

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

7 (2) HAS A CONCENTRATION OF LESS THAN:

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

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

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

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

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

15 (i) The channels used or intended to be used to collect and dispose
16 of sewage; and

17 (ii) Any structure and appurtenance used or intended to be used to
18 collect or prepare sewage for discharge into the waters of this State.

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

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

22 9-302.

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

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

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

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

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

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

10 (5) TO PROMOTE AND ENCOURAGE THE USE OF RECLAIMED WATER IN
11 ORDER TO CONSERVE WATER SUPPLIES, FACILITATE THE INDIRECT RECHARGE OF
12 GROUNDWATER, AND DEVELOP AN ALTERNATIVE TO DISCHARGING WASTEWATER
13 EFFLUENT TO SURFACE WATERS, THUS PURSUING THE GOAL OF THE CLEAN WATER
14 ACT TO END THE DISCHARGE OF POLLUTANTS AND MEET THE NUTRIENT
15 REDUCTION GOALS OF THE CHESAPEAKE BAY AGREEMENT.

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

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

22 9-303.1.

23 (A) THE DEPARTMENT SHALL ENCOURAGE THE USE OF RECLAIMED WATER
24 AS AN ALTERNATIVE TO DISCHARGING WASTEWATER EFFLUENT INTO THE SURFACE
25 WATERS OF THE STATE.

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

27 (1) FARMLAND;

28 (2) GOLF COURSES;

29 (3) ATHLETIC FIELDS;

30 (4) TURF;

31 (5) LANDSCAPING; AND

32 (6) ANY OTHER USE THAT THE DEPARTMENT CONSIDERS APPROPRIATE.

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

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

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

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

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