

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 302 (The Speaker, *et al.*) (Administration)
Environmental Matters

Drinking Water - State Primary Drinking Water Regulations

This Administration bill repeals the provision of current law that prohibits the Secretary of the Environment from adopting and enforcing State primary drinking water regulations that are more stringent than the complete interim or revised national primary drinking water regulations in effect at the time.

Fiscal Summary

State Effect: The bill's changes could be handled with existing budgeted resources.

Local Effect: If the Maryland Department of the Environment (MDE) proposes regulations in the future that impose more stringent drinking water standards than federal standards, those regulations could impose significant costs on local governments that own and operate public water systems.

Small Business Effect: A small business impact statement was not provided by the Administration in time for inclusion in this fiscal note. A revised fiscal note will be issued when the Administration's assessment becomes available.

Analysis

Current Law: The Secretary of the Environment must adopt and enforce State primary drinking water regulations and adopt and implement adequate procedures for enforcing the State primary drinking water regulations. The regulations may not be more stringent than the complete interim or revised national primary drinking water regulations in effect at the time.

Background: MDE is responsible for the primary enforcement of the federal Safe Drinking Water Act. Among other things, MDE ensures that public water systems (water systems that serve 25 or more people per day) meet strict drinking water standards. Currently, MDE regulates 478 public water systems that are owned and operated by local governments. According to MDE, the quality of water provided by Maryland's public drinking water systems is very good.

MDE advises that it has no specific plans at this time to propose regulations that would impose drinking water standards more stringent than federal standards. However, recent concern relating to the federal arsenic standard as well as concern relating to other pollutants, such as methyl tertiary butyl ether (a gasoline additive for which no federal standard yet exists), has highlighted MDE's inability under current law to adopt more stringent standards when necessary in order to protect the public health.

Additional Information

Prior Introductions: None.

Cross File: SB 246 (The President, *et al.*) (Administration) – Education, Health, and Environmental Affairs.

Information Source(s): Maryland Department of the Environment, Garrett County, Prince George's County, Department of Legislative Services

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