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By: **Delegates Glassman, Benson, Boteler, Boutin, V. Clagett, DeBoy, Gaines, Gilleland, Hogan, Impallaria, James, Jennings, Kach, Love, McComas, McDonough, Montgomery, and Shewell**

Introduced and read first time: January 28, 2005

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Nontransient Noncommunity Water Systems - Methyl Tertiary Butyl Ether -**  
3 **Testing**

4 FOR the purpose of requiring certain water systems to test the water provided by the  
5 system for the presence of methyl tertiary butyl ether, report the findings to the  
6 Department of the Environment, and provide certain users with a certain notice  
7 under certain circumstances; authorizing the Department to adopt certain  
8 regulations; and generally relating to nontransient noncommunity water  
9 systems.

10 BY repealing and reenacting, without amendments,  
11 Article - Environment  
12 Section 9-401(a) and (i)  
13 Annotated Code of Maryland  
14 (1996 Replacement Volume and 2004 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article - Environment  
17 Section 9-417  
18 Annotated Code of Maryland  
19 (1996 Replacement Volume and 2004 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 9-401.

24 (a) In this subtitle the following words have the meanings indicated.

1 (i) "Nontransient noncommunity water system" means a public  
2 water system that is not a community system and that regularly serves at least 25 of  
3 the same individuals over 6 months per year.

4 9-417.

5 (A) Each new community and nontransient noncommunity water supply  
6 system that commences operation after October 1, 1999 shall demonstrate to the  
7 Department that it has the technical, managerial, and financial capacity to operate  
8 the proposed water system in accordance with the drinking water regulations in  
9 effect, or likely to be in effect, on the date of the commencement of operations.

10 (B) EACH NONTRANSIENT NONCOMMUNITY WATER SYSTEM, INCLUDING  
11 THOSE SYSTEMS THAT PRIMARILY PROVIDE BOTTLED WATER, SHALL:

12 (1) AT A FREQUENCY DETERMINED BY THE DEPARTMENT, BUT NOT  
13 LESS THAN ONCE PER YEAR, TEST THE WATER PROVIDED BY THE SYSTEM FOR THE  
14 PRESENCE OF METHYL TERTIARY BUTYL ETHER;

15 (2) REPORT THE FINDINGS TO THE DEPARTMENT; AND

16 (3) IF THE LEVEL OF METHYL TERTIARY BUTYL ETHER IN THE TESTING  
17 SAMPLE MEETS OR EXCEEDS 20 PARTS PER BILLION, NOTIFY THE PERSONS  
18 REGULARLY SERVED BY THE SYSTEM THAT THE SYSTEM HAS EXCEEDED THE STATE  
19 ACTION LEVEL FOR METHYL TERTIARY BUTYL ETHER.

20 (C) THE DEPARTMENT MAY ADOPT REGULATIONS NECESSARY FOR THE  
21 IMPLEMENTATION OF THIS SECTION.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2005.