

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1588
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “total” in line 3 down through “day;” in line 4 and substitute “maximum concentration level for nitrogen and phosphorus for certain discharges;”; strike beginning with “requiring” in line 6 down through “conditions;” in line 9; in the same line, strike “sewage” and substitute “wastewater”; strike beginning with “prohibiting” in line 11 down through “Watershed;” in line 14 and substitute “requiring the Department to adopt regulations to lower a certain nitrogen concentration level as technology improves beyond a certain nutrient removal technology; requiring the Department to conduct a certain review and submit a certain report by a certain date; requiring the Department to modify a certain permit under certain circumstances;”; and in line 24, strike “and 9-326”.

AMENDMENT NO. 2

On page 2, in line 29, strike “SEWAGE” and substitute “WASTEWATER”.

AMENDMENT NO. 3

On page 3, after line 27, insert:

“(A) FOR PURPOSES OF THIS SECTION, CONCENTRATIONS AND WEIGHTS OF PHOSPHORUS AND NITROGEN SHALL BE CALCULATED ON A DAILY BASIS FOR THE CALENDAR YEAR.

“(B) ON OR BEFORE JANUARY 1, 2011, A WASTEWATER TREATMENT PLANT THAT DISCHARGES WASTEWATER INTO THE PATUXENT RIVER OR ANY OF ITS TRIBUTARIES SHALL IMPLEMENT THE TECHNOLOGY NECESSARY TO REMOVE:

“(1) PHOSPHORUS TO A LEVEL OF NOT MORE THAN 0.3 MILLIGRAM PER LITER OF WASTEWATER EFFLUENT; AND

(Over)

(2) NITROGEN TO A LEVEL OF NOT MORE THAN 3.0 MILLIGRAMS PER LITER OF WASTEWATER EFFLUENT.

(C) AS TECHNOLOGY IMPROVES BEYOND ENHANCED NUTRIENT REMOVAL, THE DEPARTMENT SHALL ADOPT REGULATIONS THAT LOWER THE NITROGEN CONCENTRATION DESCRIBED IN SUBSECTION (B) OF THIS SECTION TO A LEVEL THE DEPARTMENT DETERMINES IS TECHNOLOGICALLY FEASIBLE.

(D) THE DEPARTMENT SHALL:

(1) REVIEW THE ANNUAL PROGRESS OF UPGRADES FOR WASTEWATER TREATMENT PLANTS IN THE PATUXENT RIVER WATERSHED; AND

(2) ON OR BEFORE DECEMBER 1 OF EACH YEAR, SUBMIT A REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY, AND TO THE GOVERNOR.

(E) (1) THIS SUBSECTION APPLIES TO A WASTEWATER TREATMENT PLANT WITHIN THE PATUXENT WATERSHED THAT EXPANDS BEYOND ITS CURRENT DESIGN CAPACITY AND CREATES ADDED FLOW INTO THE PATUXENT RIVER OR ITS TRIBUTARIES.

(2) IN KEEPING WITH THE INTENT OF THE 1981 PATUXENT CHARETTE AGREEMENT, THE DEPARTMENT SHALL MODIFY A DISCHARGE PERMIT THAT HAS BEEN ISSUED TO A WASTEWATER TREATMENT PLANT TO ENSURE THAT:

(I) EFFLUENT LIMITATIONS FOR NITROGEN FROM ALL POINT SOURCES ARE NOT EXCEEDED; AND

(II) TOTAL NITROGEN LOADS INTO THE PATUXENT RIVER CONTINUE TO BE REDUCED.”.

On pages 3 and 4, strike in their entirety the lines beginning with line 28 on page 3 through line 36 on page 4, inclusive.