

BY: Education, Health, and Environmental Affairs Committee

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

AMENDMENT NO. 1

On page 1, in line 2, strike “Water Pollution Control -”; strike beginning with “establishing” in line 3 down through “Assembly” in line 21 and substitute “requiring certain upgrades to certain sewage treatment plants in the Patuxent River watershed on or before certain dates under certain circumstances; repealing certain obsolete provisions of law”; in line 22, strike “water pollution control within”; and strike in their entirety lines 23 through 26, inclusive.

On page 2, strike in their entirety lines 1 through 6, inclusive; after line 16, insert:

“Preamble

WHEREAS, In December 1981 a consensus, called the Patuxent Charette Agreement, was reached for reversing declining water quality in the Patuxent River; and

WHEREAS, This consensus was reached between the State and the seven Patuxent River counties to substantially reduce the flow of phosphorus and nitrogen from sewage treatment plants to the Patuxent River; and

WHEREAS, The nutrient control policy under the Patuxent Charette Agreement provided that all facilities discharging over 500,000 gallons a day of wastewater must remove phosphorus to 1.0 mg/l of wastewater and plan for a possible 0.3 mg/l phosphorus limit; and

WHEREAS, The nutrient control policy under the Patuxent Charette Agreement provided that all facilities plan for nitrogen removal to a limit of no more than 3.0 mg/l; and

WHEREAS, After 25 years, several of the sewage treatment plants covered by the policy are not meeting the standards envisioned by the Patuxent Charette Agreement; and

(Over)

WHEREAS, The living resources of the Patuxent River have yet to be restored due in part to the failure to meet the standards of the Patuxent Charette Agreement; and

WHEREAS, There is new technology, called “enhanced nutrient removal,” that can reduce phosphorus and nitrogen from sewage treatment plants to levels of 0.3 mg/l of phosphorus and 3.0 mg/l of nitrogen; and

WHEREAS, In 2004, the Bay Restoration Fund was created for the purpose of paying the costs of upgrading sewage treatment plants in the State to achieve “enhanced nutrient removal”; and

WHEREAS, The technology and funding now exist to make the restoration of the Patuxent River a priority; now, therefore,”;

and strike in their entirety lines 20 through 35, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 6, inclusive.

On page 4, strike beginning with “FOR” in line 2 down through “(B)” in line 5; in line 5, strike “2011” and substitute “2012, IF FUNDING IS AVAILABLE FROM THE BAY RESTORATION FUND”; in the same line, after “A” insert “NONFEDERAL, PUBLICLY OWNED”; strike beginning with “DISCHARGES” in line 6 down through “REMOVE:” in line 7 and substitute “HAS A DESIGN CAPACITY OF AT LEAST 500,000 GALLONS PER DAY SHALL UPGRADE TO ENHANCED NUTRIENT REMOVAL, AS DEFINED UNDER § 9-1601 OF THIS ARTICLE.”; and strike in their entirety lines 8 through 32, inclusive, and substitute:

“(B) ON OR BEFORE JANUARY 1, 2016, IF FUNDING IS AVAILABLE FROM THE BAY RESTORATION FUND, A NONFEDERAL WASTEWATER TREATMENT PLANT THAT HAS A DESIGN CAPACITY OF AT LEAST 50,000 GALLONS PER DAY SHALL UPGRADE TO ENHANCED NUTRIENT REMOVAL, AS DEFINED UNDER § 9-1601 OF THIS ARTICLE.

(C) ON OR BEFORE JANUARY 1, 2020, IF FUNDING IS AVAILABLE FROM THE BAY RESTORATION FUND, A NONFEDERAL WASTEWATER TREATMENT PLANT THAT HAS A DESIGN CAPACITY THAT IS LESS THAN 50,000 GALLONS PER DAY SHALL UPGRADE TO ENHANCED NUTRIENT REMOVAL, AS DEFINED UNDER § 9-1601 OF THIS ARTICLE.”.