
By: **Delegates Kach, Aumann, V. Clagett, Frank, Frush, Glassman,
Impallaria, Jennings, and McDonough**

Introduced and read first time: February 6, 2006

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Oil Discharge - Groundwater Contamination - Reimbursement for Costs**

3 FOR the purpose of requiring a person responsible for a certain release to reimburse
4 certain property owners for certain costs incurred for conducting certain tests,
5 under certain circumstances; and generally relating to groundwater
6 contamination.

7 BY repealing and reenacting, with amendments,
8 Article - Environment
9 Section 4-411.2
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 2005 Supplement)

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

14 **Article - Environment**

15 4-411.2.

16 (a) Within 14 days of the finding, the Department shall notify the appropriate
17 local health department of a finding that a groundwater monitoring well sample
18 taken from a high-risk groundwater use area, as defined by the Department,
19 contains:

20 (1) Methyl tertiary butyl ether at or in excess of 20 parts per billion;

21 (2) Benzene at or in excess of 5 parts per billion; or

22 (3) A combination of benzene, toluene, ethyl benzene, and xylene at or in
23 excess of 100 parts per billion.

24 (b) (1) The local health department shall notify each owner of property
25 within one-half mile of the site from which the sample was taken.

1 (2) The notification shall:

2 (i) Be mailed within 14 days of the receipt of a notice from the
3 Department under subsection (a) of this section;

4 (ii) Be mailed via certified mail; and

5 (iii) Provide the property owner with information regarding the
6 amount of contamination at the site.

7 (c) The person responsible for the release that resulted in the groundwater
8 contamination shall reimburse:

9 (1) [the] THE local health department for the costs associated with
10 providing the notice required under subsection (b) of this section; AND

11 (2) EACH OWNER OF PROPERTY, IF THE OWNER RECEIVED NOTICE IN
12 ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION, FOR THE OWNER'S COSTS
13 INCURRED, UP TO \$250, FOR TESTING FOR GROUNDWATER CONTAMINATION.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2006.