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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

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2006

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CHAPTER \_\_\_\_\_

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;

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

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

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

6 (2) The notification shall:

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

9 (ii) Be mailed via certified mail; and

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

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

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

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

19 (D) FOR THE PURPOSES OF SUBSECTION (C)(2) OF THIS SECTION,  
20 REIMBURSEMENT IS LIMITED TO THE COSTS FOR CONDUCTING ONE TEST FOR EACH  
21 NOTICE RECEIVED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.

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