
By: **Senators Conway, Dyson, and Pinsky**

Introduced and read first time: February 1, 2006

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Groundwater Contamination - Notification and**
3 **Reimbursement of Costs**

4 FOR the purpose of clarifying certain procedures for notification of certain
5 groundwater contamination findings by the Department of the Environment;
6 altering certain procedures for notification of certain property owners of certain
7 groundwater contamination findings by the Department and the county;
8 altering certain reimbursement requirements for certain responsible persons;
9 and generally relating to groundwater contamination.

10 BY repealing and reenacting, with amendments,

11 Article - Environment

12 Section 4-411.2

13 Annotated Code of Maryland

14 (1996 Replacement Volume and 2005 Supplement)

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

17 **Article - Environment**

18 4-411.2.

19 (a) Within 14 days of the finding, the Department shall notify the appropriate
20 COUNTY [local health department] of a finding that a groundwater monitoring well
21 sample taken from a high-risk groundwater use area, as defined by the Department,
22 contains:

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

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

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

1 (b) (1) [The local health department] UNLESS THE COUNTY AND THE
2 DEPARTMENT AGREE OTHERWISE, THE DEPARTMENT shall notify each owner of
3 property within one-half mile of the site from which the sample was taken.

4 (2) The notification shall:

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

7 (ii) Be mailed via certified mail; and

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

10 (c) The person responsible for the release that resulted in the groundwater
11 contamination shall reimburse EITHER the [local health department] THE
12 DEPARTMENT OR THE COUNTY for the costs associated with providing the notice
13 required under subsection (b) of this section.

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