

# SENATE BILL 254

M3

7lr1115  
CF HB 72

---

By: **Senator Conway**

Introduced and read first time: January 29, 2007

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 altering certain procedures for notification of certain property  
5 owners of certain groundwater contamination findings by the Department of the  
6 Environment and the local health department; altering certain reimbursement  
7 requirements for certain responsible persons; and generally relating to  
8 groundwater contamination.

9 BY repealing and reenacting, with amendments,  
10 Article – Environment  
11 Section 4–411.2  
12 Annotated Code of Maryland  
13 (1996 Replacement Volume and 2006 Supplement)

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

16 **Article – Environment**

17 4–411.2.

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

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1           (1) Methyl tertiary butyl ether at or in excess of 20 parts per billion;
- 2           (2) Benzene at or in excess of 5 parts per billion; or
- 3           (3) A combination of benzene, toluene, ethyl benzene, and xylene at or  
4 in excess of 100 parts per billion.

5           (b) (1) [The local health department] **EXCEPT AS PROVIDED IN**  
6 **PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT** shall notify each owner  
7 of property within one-half mile of the site from which the sample was taken.

8                       (2) **IF THE DEPARTMENT AND THE LOCAL HEALTH DEPARTMENT**  
9 **AGREE, THE LOCAL HEALTH DEPARTMENT SHALL GIVE THE NOTICE REQUIRED**  
10 **UNDER THIS SECTION.**

11           (3) The notification shall:

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

14                       (ii) Be mailed via certified mail; and

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

17           (c) The person responsible for the release that resulted in the groundwater  
18 contamination shall reimburse **THE DEPARTMENT OR** the local health department  
19 for the costs associated with providing the notice required under subsection (b) of this  
20 section.

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2007.