

SENATE BILL 254

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7lr1115
CF HB 72

By: **Senator Conway**

Introduced and read first time: January 29, 2007

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 28, 2007

CHAPTER _____

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

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

12 (2) **IF THE DEPARTMENT AND THE LOCAL HEALTH DEPARTMENT**
13 **AGREE, THE LOCAL HEALTH DEPARTMENT SHALL GIVE THE NOTICE REQUIRED**
14 **UNDER THIS SECTION.**

15 (3) The notification shall:

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

18 (ii) Be mailed via certified mail; and

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

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

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