

Department of Legislative Services  
Maryland General Assembly  
2008 Session

FISCAL AND POLICY NOTE

House Bill 836

(Delegate Hucker, *et al.*)

Environmental Matters

Education, Health, and Environmental Affairs

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Environment - Task Force to Study the Regulation of Swimming Pools

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This bill establishes a Task Force to Study the Regulation of Swimming Pools, jointly staffed by the Maryland Department of the Environment and the Department of Legislative Services. The bill specifies the duties of the task force and establishes a reporting requirement.

The bill takes effect June 1, 2008 and terminates December 31, 2008.

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Fiscal Summary

**State Effect:** Although MDE advises that it would need additional resources to staff the task force, including a part-time contractual employee, Legislative Services assumes that because the task force is to be jointly staffed by MDE and DLS, any expense reimbursements for task force members and staffing costs would be minimal and absorbable within the existing resources of both agencies.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** The task force is required to study • the State and local statutory and regulatory environmental framework that governs swimming pools and the disposal of water from swimming pools; • environmental impacts; • how other states govern swimming pools and the disposal of water from swimming pools, as well as issues other states have faced; • different methods for the disposal of water from swimming pools and

the effectiveness of any treatment of disposed water; • enforcement actions taken by State or local governments; and • any relevant court cases.

**Current Law/Background:** Public swimming pools (generally, pools that serve communities, parks, and any residential areas of more than four families) not connected to public sewerage must have an MDE discharge permit. This permit covers discharges of filter backwash, cleaning water, overflow, and drainage from lowering or emptying a pool or spa to surface or ground water. The permit includes requirements for registering, sampling, reporting, discharging, and enforcement. Swimming pools may discharge backwash water to storm drains or streams if there is no chlorine in the water and may discharge pool cleaning water if the pH is not too low (acidic) and if the turbidity is not too high. Private pools (generally, pools that are not open to the public and serve no more than four private residences) are not required to register or file a notice of intent to discharge, but may only discharge in accordance with the permit.

According to MDE, there are more than 2,000 public pools and thousands of private pools in the State. Many public pools discharge wastewater to sanitary sewers. Currently, 858 pools in the State are permitted. Educational materials for permitted and nonpermitted pools are distributed with the help of local jurisdictions who perform annual safety inspections at pools and issue annual operating licenses. All permitted pools receive a copy of the permit including discharge and reporting requirements. MDE investigates complaints and tracks discharge monitoring reports; however, MDE does not perform routine inspections of swimming pools. MDE receives complaints about pools several times a year, usually regarding unlawful chlorine discharges resulting from pool dewatering or cleaning operations in the spring and fall. MDE advises that it has taken enforcement action for these types of discharges and assessed penalties as appropriate.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of the Environment, Department of Legislative Services

**Fiscal Note History:** First Reader - March 3, 2008  
mll/jr

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