

HOUSE BILL 176

M3

9lr1232
CF 9lr1064

By: **Delegates Lafferty, Ali, Beidle, Bobo, Bromwell, Carr, Glenn, Healey, Holmes, Hucker, Malone, Niemann, Olszewski, Schuler, and Stein**

Introduced and read first time: January 26, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Bay Restoration Act of 2009**

3 FOR the purpose of prohibiting the installation of an on-site sewage disposal system
4 unless the system utilizes nitrogen removal technology; requiring the
5 Department of the Environment to assist homeowners in paying for certain
6 costs; establishing a certain penalty for a certain violation; defining certain
7 terms; and generally relating to on-site sewage disposal systems with nitrogen
8 removal technology.

9 BY adding to
10 Article – Environment
11 Section 9–1108
12 Annotated Code of Maryland
13 (2007 Replacement Volume and 2008 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 **9–1108.**

18 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
19 MEANINGS INDICATED.

20 (2) “NITROGEN REMOVAL TECHNOLOGY” MEANS THE BEST
21 AVAILABLE TECHNOLOGY FOR THE REMOVAL OF NITROGEN.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “ON-SITE SEWAGE DISPOSAL SYSTEM” MEANS A SEWAGE**
2 **TREATMENT UNIT, COLLECTION SYSTEM, DISPOSAL AREA, AND RELATED**
3 **APPURTENANCES.**

4 **(B) A PERSON MAY NOT INSTALL AN ON-SITE SEWAGE DISPOSAL**
5 **SYSTEM IN THE STATE UNLESS THE ON-SITE SEWAGE DISPOSAL SYSTEM**
6 **UTILIZES NITROGEN REMOVAL TECHNOLOGY.**

7 **(C) IN ACCORDANCE WITH § 9-1605.2(H) OF THIS TITLE, THE**
8 **DEPARTMENT SHALL ASSIST HOMEOWNERS IN PAYING THE COST DIFFERENCE**
9 **BETWEEN A CONVENTIONAL ON-SITE SEWAGE DISPOSAL SYSTEM AND A SYSTEM**
10 **THAT UTILIZES NITROGEN REMOVAL TECHNOLOGY WITH MONEY FROM THE BAY**
11 **RESTORATION FUND.**

12 **(D) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS**
13 **GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT**
14 **EXCEEDING \$1,000.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2009.