

SENATE BILL 721

M3

(9lr2960)

ENROLLED BILL

—*Education, Health, and Environmental Affairs / Environmental Matters*—

Introduced by ~~Senator Pinsky~~ Senators Pinsky and Harris

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Private Wastewater Treatment Act of 2009**

3 FOR the purpose of prohibiting a person from installing a certain privately owned
4 ~~on-site wastewater treatment~~ individual sewerage system under certain
5 circumstances; defining a certain term; and generally relating to privately
6 owned on-site wastewater treatment systems.

7 BY adding to

8 Article – Environment

9 Section 9–1108

10 Annotated Code of Maryland

11 (2007 Replacement Volume and 2008 Supplement)

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

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.

Italics indicate opposite chamber / conference committee amendments.



1 Article - Environment

2 9-1108.

3 (A) IN THIS ~~SECTION,~~ SECTION:

4 ~~(1) "ON-SITE TREATMENT SYSTEM" MEANS A PRIVATELY OWNED~~
 5 ~~ON-SITE WASTEWATER TREATMENT SYSTEM THAT DISCHARGES INTO SURFACE~~
 6 ~~WATERS OF THE STATE~~ INDIVIDUAL SEWERAGE SYSTEM" MEANS A PRIVATELY
 7 OWNED SYSTEM OF SEWERS, PIPING AND TREATMENT TANKS OR OTHER
 8 FACILITIES THAT:

9 ~~(1)~~ (I) SERVES ONLY A SINGLE LOT FOR THE DISPOSAL OF
 10 SEWAGE; AND

11 ~~(2)~~ (II) DISCHARGES TO THE SURFACE WATERS OF THE STATE.

12 (2) "INDIVIDUAL SEWERAGE SYSTEM" DOES NOT INCLUDE A
 13 SEPTIC TANK DISPOSAL SYSTEM.

14 (B) ~~A~~ EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A
 15 PERSON MAY NOT INSTALL AN ~~ON-SITE TREATMENT SYSTEM~~ INDIVIDUAL
 16 SEWERAGE SYSTEM IN THE STATE. ~~IF:~~

17 ~~(1) THE LOT ON WHICH THE SYSTEM IS TO BE LOCATED:~~

18 ~~(i) FAILS A SOIL PERCOLATION TEST; AND~~

19 ~~(ii) IS NOT SERVED BY A PUBLICLY OWNED WASTEWATER~~
 20 ~~TREATMENT FACILITY; OR~~

21 ~~(2) THE ON-SITE TREATMENT SYSTEM IS INCONSISTENT WITH A~~
 22 ~~COUNTY WATER AND SEWER PLAN.~~

23 (C) SUBJECT TO THE DEPARTMENT'S APPROVAL, A PERSON MAY
 24 INSTALL AN INDIVIDUAL SEWERAGE SYSTEM IN THE STATE FOR RESIDENTIAL
 25 USE IF AN EXISTING ON-SITE SEWAGE DISPOSAL SYSTEM FAILS AND CANNOT BE
 26 REPAIRED OR REPLACED BY ANY MEANS.

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