

SENATE BILL 721

M3

9lr2960
CF HB 1105

By: ~~Senator Pinsky~~ **Senators Pinsky and Harris**
Introduced and read first time: February 6, 2009
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted with floor amendments
Read second time: March 23, 2009

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:

14 **Article – Environment**

15 **9–1108.**

16 (A) IN THIS SECTION, ~~“ON-SITE TREATMENT SYSTEM” MEANS A~~
17 ~~PRIVATELY OWNED ON-SITE WASTEWATER TREATMENT SYSTEM THAT~~
18 ~~DISCHARGES INTO SURFACE WATERS OF THE STATE~~ INDIVIDUAL SEWERAGE
19 SYSTEM” MEANS A PRIVATELY OWNED SYSTEM OF SEWERS, PIPING AND
20 TREATMENT TANKS OR OTHER FACILITIES THAT:

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 **(1) SERVES ONLY A SINGLE LOT FOR THE DISPOSAL OF SEWAGE;**
2 **AND**

3 **(2) DISCHARGES TO THE SURFACE WATERS OF THE STATE.**

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

7 **(1) THE LOT ON WHICH THE SYSTEM IS TO BE LOCATED;**

8 **(I) FAILS A SOIL PERCOLATION TEST; AND**

9 **(II) IS NOT SERVED BY A PUBLICLY OWNED WASTEWATER**
10 **TREATMENT FACILITY; OR**

11 **(2) THE ON-SITE TREATMENT SYSTEM IS INCONSISTENT WITH A**
12 **COUNTY WATER AND SEWER PLAN.**

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.