

HOUSE BILL 1289

M3

0lr3079

By: **Delegate Costa**

Introduced and read first time: February 18, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Well Drilling – Regulation of Water Supply – Public Hearing and Notice**

3 FOR the purpose of authorizing persons who reside in an affected hydrogeologic area
4 to request the Department of the Environment to hold a public hearing on
5 proposed regulations that affect a groundwater aquifer or well located in the
6 State; requiring, under certain circumstances, the Department to hold a public
7 hearing before adopting the regulations; requiring the public hearing to be held
8 at a location in the affected hydrogeologic area; requiring the Department to
9 publish certain notice of a certain public hearing; defining a certain term; and
10 generally relating to the regulation of the water supply in the State.

11 BY repealing and reenacting, with amendments,
12 Article – Environment
13 Section 9–1305(a)
14 Annotated Code of Maryland
15 (2007 Replacement Volume and 2009 Supplement)

16 BY adding to
17 Article – Environment
18 Section 9–1305(e)
19 Annotated Code of Maryland
20 (2007 Replacement Volume and 2009 Supplement)

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

23 **Article – Environment**

24 9–1305.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) [The] SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE
2 Department shall adopt rules and regulations for the construction of wells.

3 (E) (1) IN THIS SUBSECTION, "AFFECTED HYDROGEOLOGIC AREA"
4 MEANS A HYDROGEOLOGIC AREA OF THE STATE IN WHICH A GROUNDWATER
5 AQUIFER OR AN INDIVIDUAL WELL THAT IS AFFECTED BY A REGULATION
6 PROPOSED UNDER THIS SUBTITLE IS LOCATED.

7 (2) A PERSON THAT RESIDES IN AN AFFECTED HYDROGEOLOGIC
8 AREA MAY REQUEST THAT THE DEPARTMENT HOLD A PUBLIC HEARING ON A
9 REGULATION PROPOSED UNDER THIS SUBTITLE THAT AFFECTS A
10 GROUNDWATER AQUIFER OR AN INDIVIDUAL WELL LOCATED IN THE STATE.

11 (3) (I) IF THE DEPARTMENT RECEIVES A REQUEST UNDER
12 PARAGRAPH (2) OF THIS SUBSECTION, BEFORE ADOPTING A REGULATION THAT
13 AFFECTS A GROUNDWATER AQUIFER OR AN INDIVIDUAL WELL IN THE STATE,
14 THE DEPARTMENT SHALL:

15 1. HOLD A PUBLIC HEARING ON THE PROPOSED
16 REGULATION AT A LOCATION IN THE AFFECTED HYDROGEOLOGIC AREA; AND

17 2. PUBLISH NOTICE OF A PUBLIC HEARING IN A
18 DAILY OR WEEKLY NEWSPAPER OF GENERAL CIRCULATION IN THE AFFECTED
19 HYDROGEOLOGIC AREA.

20 (II) A NOTICE PUBLISHED UNDER SUBPARAGRAPH (I)2 OF
21 THIS PARAGRAPH SHALL SPECIFY THE DATE, TIME, AND LOCATION OF THE
22 PUBLIC HEARING.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2010.