

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 575

(Senator Simonaire, *et al.*)

Education, Health, and Environmental Affairs

Environmental Matters

Environment - Maryland Clean Water Fund - Annual Report

This bill requires the Maryland Department of the Environment (MDE) to report to specified legislative committees by January 15 each year on the status of the Maryland Clean Water Fund, including a detailed description of all revenues and expenditures of the fund for the previous year.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law/Background: The Maryland Clean Water Fund consists of all application fees, permit fees, renewal fees, funds, and civil and administrative penalties collected under specified water pollution control laws. MDE must use the Maryland Clean Water Fund for activities that are related to:

- the identification, monitoring, and regulation of the proper discharge of effluent into State waters, including program development of these activities as provided by the State budget;
- the management, conservation, protection, and preservation of the State's groundwater and surface water, including program development of these activities as provided by the State budget;

- correcting to the extent possible the failure to implement or maintain erosion and sediment controls;
- administration of the sediment control program;
- emergency removal of sewage sludge or mitigation of the effect of any utilization of sewage sludge that MDE finds (1) endangers public health, safety, or welfare or (2) endangers or damages natural resources;
- activities that are conducted by MDE, by a local health official, or by the local health official's designee related to the inspection, monitoring, or enforcement of sewage sludge utilization, including program development; and
- providing supplemental inspections and monitoring of sewage sludge utilization sites by (1) contracting with a county on request of that county to provide supplemental inspections and monitoring and (2) limiting the value of services provided under the contract to no more than 45% of the generator fees for sludge utilized in that county that is generated outside of that county or service area.

In determining the use of money from the fund, priority must be given to activities relating to the water quality of the Chesapeake Bay and its tributaries. MDE advises that money in the Maryland Clean Water Fund is used where it is needed most, in accordance with operating procedures designed to achieve the greatest environmental benefit, and in compliance with State and federal laws. Because the fund is comprised in significant part of fees from applicants for federally required permits and from fines associated with violations of those permits, much of the money from the fund supports permit-related administration, inspection, and enforcement activities.

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 - February 21, 2013
 mc/lgc Revised - Senate Third Reader - March 19, 2013

Analysis by: Evan M. Isaacson

Direct Inquiries to:
 (410) 946-5510
 (301) 970-5510