

SB0407/823422/1

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO SENATE BILL 407
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Ready” and substitute “Senators Ready and Hester”; in line 2, strike “**Innovative**” and substitute “**Indirect**”; in lines 3 and 8, in each instance, strike “Innovative” and substitute “Indirect”; in line 7, after “permits;” insert “authorizing the Department to renew a potable reuse permit on or after a certain date under certain circumstances;”; and in line 21, after “9–303.2” insert “and 9–303.3”.

AMENDMENT NO. 2

On page 3, in line 7, strike “**CONFINED AQUIFER,**”; in the same line, after “**AREA**” insert “ABOVE GROUND”; in lines 10 and 17, in each instance, strike “**INNOVATIVE**” and substitute “**INDIRECT**”; in line 22, after “**(D)**” insert “**(1)**”; in lines 25 and 28, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in line 29, strike “**UP TO 90**” and substitute “AT LEAST 180”; and in lines 29 and 30, strike “, **AS DETERMINED BY THE DEPARTMENT,**”.

On page 4, in lines 1, 3, 8, 11, 12, 13, 14, 19, 21, 22, 23, 25, and 28, strike “**(3)**”, “**(I)**”, “**(II)**”, “**1.**”, “**2.**”, “**3.**”, “**(III)**”, “**(4)**”, “**(5)**”, “**(I)**”, “**(II)**”, “**(6)**”, and “**(7)**”, respectively, and substitute “(III)”, “1.”, “2.”, “A.”, “B.”, “C.”, “3.”, “(IV)”, “(V)”, “1.”, “2.”, “(VI)”, and “(VII)”, respectively; in line 14, strike “**MAXIMUM**” and substitute “CONTROLS FOR MAXIMUM”; in line 15, after “**DEPARTMENT,**” insert “NOTWITHSTANDING §§ 9–406(C) OR 9–407(B) OF THIS TITLE,”; strike beginning with “**MAXIMUM**” in line 15 down through “**LEVELS**” in line 16 and substitute “PRIMARY DRINKING WATER REGULATIONS”; in line 20, strike “**ITEM (3) OF THIS SUBSECTION**” and substitute “ITEM (III) OF THIS PARAGRAPH”; strike beginning with “**AT**” in line 23 down through “**FACILITY**” in line 24; and after line 30, insert:

“(VIII) THE APPLICANT DEMONSTRATES TO THE SATISFACTION OF THE DEPARTMENT THAT, AT ALL TIMES AND UNDER ALL OPERATING CONDITIONS, THE VOLUME OF RECLAIMED WATER ENTERING THE DRINKING WATER TREATMENT FACILITY CONTAINS NOT MORE THAN 10% BY VOLUME OF RECLAIMED WATER THAT WAS DELIVERED TO THE ENVIRONMENTAL BUFFER DURING ANY 24-HOUR PERIOD;”.

On page 5, in lines 1 and 3, strike “(8)” and “(9)”, respectively, and substitute “(IX)” and “(X)”, respectively; and after line 4, insert:

“(2) NOTWITHSTANDING SUBSECTION (D)(1)(II) OF THIS SECTION, AN APPLICANT MAY REQUEST THAT RECLAIMED WATER BE STORED IN AN ENVIRONMENTAL BUFFER FOR LESS THAN 180 DAYS, BUT NOT LESS THAN 60 DAYS, BEFORE INTAKE INTO A DRINKING WATER TREATMENT FACILITY IF:

(i) THE PROCESS RELIABLY AND CONSISTENTLY MEETS THE REQUIREMENTS OF THE POTABLE REUSE PERMIT UNDER VARYING OPERATING CONDITIONS TO THE SATISFACTION OF THE DEPARTMENT; AND

(ii) THE APPLICANT DEMONSTRATES TO THE SATISFACTION OF THE DEPARTMENT THAT A LOWER RESIDENCE TIME SUFFICIENTLY PROTECTS PUBLIC HEALTH.”.

On page 6, in lines 15 and 16, strike “OR UNTIL TERMINATION OF THE PILOT PROGRAM, WHICHEVER OCCURS FIRST”.

On page 7, after line 16, insert:

“(N) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PUBLIC WATER SYSTEM OPERATING UNDER A POTABLE REUSE PERMIT SHALL BE SUBJECT TO REQUIREMENTS FOR PUBLIC WATER SYSTEMS THAT USE SURFACE WATER UNDER COMAR 26.04.01.”;

and in lines 17 and 27, strike “(N)” and “(O)”, respectively, and substitute “(O)” and “(P)”, respectively.

AMENDMENT NO. 3

On page 8, after line 10, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the laws of Maryland read as follows:

Article – Environment

9-303.3.

(A) ON OR AFTER JULY 1, 2028, THE DEPARTMENT MAY RENEW A POTABLE REUSE PERMIT IF:

(1) THE RENEWAL OCCURS BEFORE THE POTABLE REUSE PERMIT EXPIRES; AND

(2) THE DEPARTMENT ISSUED THE ORIGINAL POTABLE REUSE PERMIT ON OR BEFORE JUNE 30, 2028.

(B) IF THE DEPARTMENT RENEWS A POTABLE REUSE PERMIT IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT SHALL RENEW THE PERMIT:

(Over)

(1) AFTER ADMINISTRATIVE REVIEW IN ACCORDANCE WITH REGULATIONS THAT THE DEPARTMENT ADOPTS; AND

(2) IN ACCORDANCE WITH TITLE 1, SUBTITLE 6 OF THIS ARTICLE.”;

in line 11, strike “2.” and substitute “3.”; in line 15, strike “It” and substitute “Section 1 of this Act”; and in the same line, after the second “2028,” insert “Section 1 of”.