

HOUSE BILL 198

M3
HB 654/22 – ENT

3lr0382

By: **Delegate R. Long**

Introduced and read first time: January 20, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Wastewater Treatment Plants – Water Quality Testing and Sewage Overflow**
3 **and Pipeline Breakage Notification**
4 **(Environmental Accountability Act of 2023)**

5 FOR the purpose of requiring an independent third party to oversee all water quality
6 testing conducted at a wastewater treatment plant that falsifies or does not
7 accurately report water quality test results to the Department of the Environment
8 or is experiencing a catastrophic or continuing mechanical failure of operational
9 equipment; requiring the Department to select the independent third party;
10 specifying the duties of the independent third party; establishing certain notification
11 requirements for sewage overflows and breaks in certain sewage pipelines at a
12 wastewater treatment plant; and generally relating to water quality testing, sewage
13 overflows, and pipeline breakage at wastewater treatment plants.

14 BY adding to
15 Article – Environment
16 Section 9–255.1 and 9–331.2
17 Annotated Code of Maryland
18 (2014 Replacement Volume and 2022 Supplement)

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

21 **Article – Environment**

22 **9–255.1.**

23 **(A) (1) BEGINNING JULY 1, 2023, AN INDEPENDENT THIRD PARTY SHALL**
24 **OVERSEE ALL WATER QUALITY TESTING CONDUCTED AT A WASTEWATER**
25 **TREATMENT PLANT THAT:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (I) FALSIFIES OR DOES NOT ACCURATELY REPORT WATER
2 QUALITY RESULTS TO THE DEPARTMENT; OR

3 (II) IS EXPERIENCING A CATASTROPHIC OR CONTINUING
4 MECHANICAL FAILURE OF OPERATIONAL EQUIPMENT.

5 (2) THE INDEPENDENT THIRD PARTY SHALL:

6 (I) BE SELECTED BY THE DEPARTMENT; AND

7 (II) HAVE ALL STATE AND FEDERAL CERTIFICATIONS THE
8 DEPARTMENT DETERMINES ARE NECESSARY FOR OVERSEEING TESTING AT A
9 WASTEWATER TREATMENT PLANT.

10 (B) THE INDEPENDENT THIRD PARTY SELECTED UNDER SUBSECTION (A)(2)
11 OF THIS SECTION SHALL:

12 (1) OVERSEE ALL WATER QUALITY TESTS CONDUCTED AT THE
13 WASTEWATER TREATMENT PLANT;

14 (2) VERIFY THE LABORATORY RESULTS FOR ALL WATER QUALITY
15 TESTS CONDUCTED AT THE WASTEWATER TREATMENT PLANT; AND

16 (3) IMPLEMENT PROCEDURES AND PROTOCOLS AT THE WASTEWATER
17 TREATMENT PLANT TO TEST FOR MIDGE LARVAE AND PREVENT THE DISCHARGE OF
18 MIDGE LARVAE.

19 (C) EACH LABORATORY REPORT CREATED FOR A WATER QUALITY TEST
20 CONDUCTED AT A WASTEWATER TREATMENT PLANT UNDER THIS SECTION SHALL BE
21 POSTED ON THE WASTEWATER TREATMENT PLANT'S WEBSITE AS SOON AS
22 PRACTICABLE.

23 **9-331.2.**

24 THE OWNER OR OPERATOR OF A WASTEWATER TREATMENT PLANT SHALL:

25 (1) IN ADDITION TO THE NOTIFICATION REQUIREMENTS UNDER §
26 9-331.1 OF THIS SUBTITLE, ON NOTIFICATION OF A SEWAGE OVERFLOW:

27 (I) IMMEDIATELY POST A NOTIFICATION OF THE OVERFLOW ON
28 THE WASTEWATER TREATMENT PLANT'S WEBSITE; AND

1 **(II) AS SOON AS PRACTICABLE, NOTIFY LOCAL NEWS MEDIA OF**
2 **THE OVERFLOW AND POTENTIAL HEALTH RISKS; AND**

3 **(2) ON NOTIFICATION OF A BREAK IN A SEWAGE PIPELINE, NOTIFY**
4 **LOCAL NEWS MEDIA AND EACH STATE LEGISLATOR REPRESENTING THE AREA IN**
5 **WHICH A DISCHARGE WILL OCCUR OF THE BREAK IN THE SEWAGE PIPELINE AND**
6 **POTENTIAL HEALTH RISKS, AS SOON AS PRACTICABLE.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
8 1, 2023.