

HOUSE BILL 1621

M3

6lr3572

By: ~~Delegate Grammer~~ **Delegates Grammer, Behler, and Guyton**

Introduced and read first time: February 21, 2026

Assigned to: Rules and Executive Nominations

Re-referred to: Environment and Transportation, February 26, 2026

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2026

CHAPTER _____

1 AN ACT concerning

2 **Wastewater Treatment Plants – Discharges – ~~Monitoring, Reporting, and~~**
3 **Requirements**

4 FOR the purpose of ~~requiring the Department of the Environment to monitor and evaluate~~
5 ~~effluent discharged from wastewater treatment plants for certain substances;~~
6 ~~establishing certain requirements for certain wastewater treatment plants;~~
7 ~~requiring the Department to establish certain bacterial action levels; prohibiting~~
8 ~~certain wastewater treatment plants from taking part in the Water Quality Trading~~
9 ~~Program; authorizing the Department to deny, suspend, or revoke the approval or~~
10 ~~certification of certain credits under certain circumstances; requiring certain~~
11 ~~notification to be provided immediately; requiring the Department to establish a~~
12 ~~certain database~~ requiring certain wastewater treatment plants to maintain a
13 publicly accessible website on which certain information relating to certain
14 discharges is required to be published in a certain manner; requiring certain
15 wastewater treatment plants to begin certain testing within a certain period of time
16 after a certain discharge; and generally relating to wastewater treatment plants.

17 BY adding to

18 Article – Environment

19 Section 9–321.3

20 Annotated Code of Maryland

21 (2014 Replacement Volume and 2025 Supplement)

22 ~~BY repealing and reenacting, with amendments,~~

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.



~~Article – Environment~~
~~Section 9–331.1 and 9–332~~
~~Annotated Code of Maryland~~
~~(2014 Replacement Volume and 2025 Supplement)~~

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

Article – Environment

9–321.3.

(A) THIS SECTION APPLIES ONLY TO A WASTEWATER TREATMENT PLANT THAT HAS A DISCHARGE PERMIT TO PROCESS AN ANNUAL AVERAGE FLOW OF AT LEAST 50,000,000 GALLONS OF EFFLUENT PER DAY.

(B) A WASTEWATER TREATMENT PLANT SHALL:

(1) (I) MAINTAIN A WEBSITE THAT IS ACCESSIBLE TO THE PUBLIC;

AND

(II) PUBLISH ON THE WEBSITE THE FOLLOWING INFORMATION:

1. ON A MONTHLY BASIS, AFTER REPORTING TO THE DEPARTMENT ON ANY TOTAL BACTERIA RESULTS REQUIRED UNDER THE WASTEWATER TREATMENT PLANT'S DISCHARGE PERMIT, THE TOTAL BACTERIA RESULTS REPORTED TO THE DEPARTMENT;

2. WITHIN 5 DAYS AFTER ANY BYPASS, OVERFLOW, OR TREATMENT FAILURE, THE TOTAL VOLUME OF WASTEWATER DISCHARGED DURING THE BYPASS, OVERFLOW, OR TREATMENT FAILURE;

3. WITHIN 5 DAYS AFTER ANY BYPASS, OVERFLOW, OR TREATMENT FAILURE, AN EXPLANATION, IN PLAIN LANGUAGE, OF:

A. THE BYPASS, OVERFLOW, OR TREATMENT FAILURE;

AND

B. TO THE EXTENT POSSIBLE, ANY ACTION TAKEN CONSISTENT WITH THE REQUIREMENTS UNDER § 9–331.1 OF THIS SUBTITLE; AND

4. WITHIN 24 HOURS AFTER RECEIVING THE RESULTS OF A TEST CONDUCTED IN ACCORDANCE WITH ITEM (2) OF THIS SUBSECTION, THE RESULTS OF THE TEST; AND

1 **(2) WITHIN 24 HOURS AFTER A BYPASS, OVERFLOW, OR TREATMENT**
2 **FAILURE THAT REQUIRES TESTING FOR BIOCHEMICAL OXYGEN DEMAND, TOTAL**
3 **SUSPENDED SOLIDS, BACTERIA, INCLUDING FECAL COLIFORM, ENTEROCOCCI, AND**
4 **E. COLI, NUTRIENTS, INCLUDING NITROGEN AND PHOSPHORUS, OR WHOLE**
5 **EFFLUENT TOXICITY, BEGIN THE REQUIRED TESTING.**

6 ~~(A) IN THIS SECTION, "PFAS" MEANS PER AND POLYFLUOROALKYL~~
7 ~~SUBSTANCES.~~

8 ~~(B) THE DEPARTMENT SHALL:~~

9 ~~(1) MONITOR EFFLUENT DISCHARGED FROM WASTEWATER~~
10 ~~TREATMENT PLANTS FOR HORMONES, PFAS, AND BACTERIA; AND~~

11 ~~(2) EVALUATE WHETHER THE EFFLUENT DISCHARGED FROM~~
12 ~~WASTEWATER TREATMENT PLANTS CONTAINS HORMONES, PFAS, OR BACTERIA~~
13 ~~BEYOND THE LIMITS OF THE WASTEWATER TREATMENT PLANT'S DISCHARGE~~
14 ~~PERMIT.~~

15 ~~(C) EACH WASTEWATER TREATMENT PLANT THAT HAS A DISCHARGE~~
16 ~~PERMIT TO PROCESS AT LEAST 50,000,000 GALLONS OF EFFLUENT PER DAY SHALL:~~

17 ~~(1) ON OR BEFORE JUNE 30, 2027, AND EACH 6 MONTHS~~
18 ~~THEREAFTER, REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH §~~
19 ~~2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE WASTEWATER TREATMENT~~
20 ~~PLANT'S STAFFING AND MANAGEMENT PLAN;~~

21 ~~(2) MAINTAIN A WEBSITE THAT IS ACCESSIBLE TO THE PUBLIC;~~

22 ~~(3) REPORT DAILY ON THE TOTAL BACTERIA DISCHARGED FROM THE~~
23 ~~WASTEWATER TREATMENT PLANT ON THE WASTEWATER TREATMENT PLANT'S~~
24 ~~WEBSITE;~~

25 ~~(4) PROVIDE AN EXPLANATION, IN PLAIN LANGUAGE, ON THE~~
26 ~~WASTEWATER TREATMENT PLANT'S WEBSITE:~~

27 ~~(I) OF ANY BYPASS, OVERFLOW, OR TREATMENT FAILURE; AND~~

28 ~~(H) TO THE EXTENT POSSIBLE, THE ESTIMATED DURATION,~~
29 ~~AFFECTED WATERWAYS, AND POTENTIAL PUBLIC HEALTH AND ENVIRONMENTAL~~
30 ~~IMPACTS OF THE BYPASS, OVERFLOW, OR TREATMENT FAILURE;~~

~~(5) WITHIN 24 HOURS OF A BYPASS, OVERFLOW, OR TREATMENT FAILURE THAT REQUIRES TESTING FOR BIOCHEMICAL OXYGEN DEMAND, TOTAL SUSPENDED SOLIDS, BACTERIA, INCLUDING FECAL COLIFORM, ENTEROCOCCI, AND E. COLI, NUTRIENTS INCLUDING NITROGEN AND PHOSPHORUS, OR WHOLE EFFLUENT TOXICITY, POST THE RESULTS OF THE TEST ON THE WASTEWATER TREATMENT PLANT'S WEBSITE;~~

~~(6) WITHIN 14 DAYS OF ANY EVENT OR OCCURRENCE THAT RESULTS IN THE WASTEWATER TREATMENT PLANT DISCHARGING EFFLUENT CONTAINING HORMONES, PFAS, OR BACTERIA BEYOND THE LIMITS OF THE WASTEWATER TREATMENT PLANT'S DISCHARGE PERMIT, POST ON THE WASTEWATER TREATMENT PLANT'S WEBSITE;~~

~~(I) THE CAUSE OF THE EVENT OR OCCURRENCE;~~

~~(II) CORRECTIVE ACTIONS TAKEN; AND~~

~~(III) MEASURES IMPLEMENTED TO PREVENT REOCCURRENCE;~~

~~(7) KEEP ANY SEWAGE SLUDGE OR DRY SOLID HOLDING AREA PHYSICALLY ENCLOSED; AND~~

~~(8) CAPTURE OR TREAT ANY VAPORS EMITTED FROM THE WASTEWATER TREATMENT PLANT THAT MAY AFFECT THE PUBLIC.~~

~~(D) EACH WASTEWATER TREATMENT PLANT THAT HAS A DISCHARGE PERMIT TO PROCESS LESS THAN 50,000,000 GALLONS OF EFFLUENT PER DAY SHALL, ON OR BEFORE DECEMBER 31, 2027, AND EACH DECEMBER 31 THEREAFTER, REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE WASTEWATER TREATMENT PLANT'S STAFFING AND MANAGEMENT PLAN.~~

~~(E) (1) THE DEPARTMENT SHALL ESTABLISH:~~

~~(I) BACTERIAL ACTION LEVELS FOR EFFLUENT FROM WASTEWATER TREATMENT PLANTS; AND~~

~~(II) A PROCESS FOR MEMBERS OF THE PUBLIC TO SUBSCRIBE TO RECEIVE REAL-TIME ALERTS WHEN A BACTERIAL ACTION LEVEL ESTABLISHED UNDER ITEM (I) OF THIS PARAGRAPH IS EXCEEDED.~~

~~(2) IF A WASTEWATER TREATMENT PLANT EXCEEDS THE BACTERIAL ACTION LEVEL ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE~~

~~1 WASTEWATER TREATMENT PLANT SHALL IMMEDIATELY PROVIDE NOTICE ON THE
2 WASTEWATER TREATMENT PLANT'S WEBSITE.~~

~~3 (F) (1) A WASTEWATER TREATMENT PLANT THAT FAILS TO MEET THE
4 REQUIREMENTS OF THIS SECTION OR IS FOUND TO HAVE DISCHARGED EFFLUENT
5 CONTAINING HORMONES, PFAS, OR BACTERIA BEYOND THE LIMITS OF THE
6 WASTEWATER TREATMENT PLANT'S DISCHARGE PERMIT FOR 2 CONSECUTIVE
7 MONTHS MAY NOT TAKE PART IN THE WATER QUALITY TRADING PROGRAM FOR
8 THE REMAINING PERIOD OF THAT WASTEWATER TREATMENT PLANT'S DISCHARGE
9 PERMIT.~~

~~10 (2) THE DEPARTMENT MAY DENY, SUSPEND, OR REVOKE THE
11 APPROVAL OR CERTIFICATION OF CREDITS APPLICABLE FOR THE WATER QUALITY
12 TRADING PROGRAM IF THE DEPARTMENT FINDS THAT A WASTEWATER TREATMENT
13 PLANT HAS A HISTORY OF DISCHARGING EFFLUENT CONTAINING HORMONES,
14 PFAS, OR BACTERIA BEYOND THE LIMITS OF THE WASTEWATER TREATMENT
15 PLANT'S DISCHARGE PERMIT.~~

~~16 (G) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE
17 PROVISIONS OF THIS SECTION.~~

~~18 9-331.1.~~

~~19 (a) (1) The owner or operator of any sanitary sewer system, combined sewer
20 system, or wastewater treatment plant shall report to the Department any sewer overflow
21 or treatment plant bypass that results in the direct or potential discharge of raw or diluted
22 sewage into the surface waters or groundwaters of the State.~~

~~23 (2) The report shall be made as soon as practicable but no later than 24
24 hours after the time that the operator or owner became aware of the event.~~

~~25 (3) Within 5 calendar days after notification of the event, the owner or
26 operator shall provide the Department with a written report regarding the incident that
27 includes any information required by the Department.~~

~~28 (b) (1) Subject to paragraph (2) of this subsection, the Department, in
29 cooperation with the Maryland Department of Health, the local health departments, and
30 local environmental health directors, shall develop AUTOMATED procedures for requiring
31 the owner or operator of any sanitary sewer system, combined sewer system, or wastewater
32 treatment plant to provide public notification of a sewer overflow or treatment plant
33 bypass.~~

~~34 (2) The procedures developed under paragraph (1) of this subsection shall:~~

~~35 (i) Require that the notification be posted:~~

~~1. In Spanish and English at the location of the sewer overflow or treatment plant bypass;~~

~~2. On the website of the Department, the Maryland Department of Health, and the appropriate local health department; and~~

~~3. On any social media website on which the appropriate local health department regularly posts information; and~~

~~(ii) Require IMMEDIATE notification [within a reasonable time] to:~~

~~1. Appropriate downstream jurisdictions;~~

~~2. Appropriate county governments;~~

~~3. State parks impacted by the sewer overflow or treatment plant bypass;~~

~~4. The Department of Natural Resources; and~~

~~5. Any other local, State, or federal land manager impacted by the sewer overflow or treatment plant bypass.~~

~~(e) (1) The Maryland Department of Health and the local health departments shall make all decisions and determinations as to public health issues resulting from sewer overflows or treatment bypasses.~~

~~(2) The owner or operator of any sanitary sewer system, combined sewer system, or wastewater treatment plant is not responsible for making public health determinations regarding sewer overflow or treatment plant bypasses.~~

~~(d) The Department shall adopt regulations to implement the requirements of this section.~~

~~0-332.~~

~~(a) A person may not introduce any pollutant, either directly or indirectly, into a publicly owned treatment works, or into any conveyance leading to a publicly owned treatment works, in violation of any applicable pretreatment requirements including federal pretreatment standards, State requirements, local ordinances, or any pretreatment agreement.~~

~~(b) The Secretary may delegate to owners of publicly owned treatment works the authority to apply and enforce State pretreatment requirements against industrial users.~~

~~(e) The Secretary may determine which publicly owned treatment works are or may be adversely impacted by industrial users and may require the owners of those publicly owned treatment works to develop and maintain programs which meet State pretreatment requirements.~~

~~(d) THE DEPARTMENT SHALL ESTABLISH A PUBLICLY AVAILABLE AND SEARCHABLE DATABASE THAT INCLUDES:~~

~~(1) A LIST OF ALL THE INDUSTRIAL USERS THAT HOLD A PRETREATMENT PERMIT;~~

~~(2) WHICH POLLUTANTS ARE BEING DISCHARGED BY EACH PRETREATMENT PERMIT HOLDER;~~

~~(3) WHETHER EACH PRETREATMENT PERMIT HOLDER IS COMPLYING WITH THE PRETREATMENT PERMIT HOLDER'S PERMIT; AND~~

~~(4) WHICH ENFORCEMENT ACTIONS HAVE BEEN TAKEN AGAINST A PRETREATMENT PERMIT HOLDER THAT HAS VIOLATED THE PRETREATMENT PERMIT HOLDER'S PERMIT.~~

~~(E) This section shall not be construed to limit any other provision of law imposing any restriction or prohibition relating to the discharge or disposal of pollutants or controlled hazardous wastes.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.