

SENATE BILL 719

M3

6lr2034
CF HB 925

By: **Senators Love and Hester**

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Sewage Sludge – Per- and Polyfluoroalkyl Substances – Regulation**

3 FOR the purpose of establishing restrictions on the land application, on or after a certain
4 date, of sewage sludge or products containing sewage sludge with total
5 concentrations of certain regulated per- and polyfluoroalkyl substances equal to or
6 greater than certain levels; authorizing, on or before a certain date, a person to blend
7 sewage sludge from multiple sources for a certain purpose and subject to certain
8 regulations and requirements; establishing monitoring protocols for certain per- and
9 polyfluoroalkyl substances in certain sewage sludge or products containing sewage
10 sludge; authorizing the establishment of pretreatment standards for certain
11 industrial users that discharge certain per- and polyfluoroalkyl substances at levels
12 that exceed certain action levels; authorizing certain local jurisdictions and
13 pretreatment authorities to set certain rates and fees for certain industrial users;
14 encouraging sewage sludge generators to take certain actions with respect to certain
15 per- and polyfluoroalkyl substances; and generally relating to per- and
16 polyfluoroalkyl substances and sewage sludge.

17 BY repealing and reenacting, without amendments,

18 Article – Environment

19 Section 9–201(a), (l), and (m) and 9–230

20 Annotated Code of Maryland

21 (2014 Replacement Volume and 2025 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article – Environment

24 Section 9–201(k)

25 Annotated Code of Maryland

26 (2014 Replacement Volume and 2025 Supplement)

27 BY adding to

28 Article – Environment

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 9–250
2 Annotated Code of Maryland
3 (2014 Replacement Volume and 2025 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

5 That the Laws of Maryland read as follows:

6 **Article – Environment**

7 9–201.

8 (a) In this subtitle the following words have the meanings indicated.

9 (k) “Sewage” means[:

10 (1) Any human or animal excretion or water–carried domestic waste; or

11 (2) A mixture of industrial waste and any of the things in item (1) of this
12 subsection] **THE WATER–CARRIED DOMESTIC WASTE FROM RESIDENCES, BUILDINGS,**
13 **INDUSTRIAL ESTABLISHMENTS, OR OTHER PLACES.**

14 (l) “Sewage sludge” means any thickened liquid, suspension, settled solid, or
15 dried residue that a sewage treatment plant extracts from sewage.

16 (m) (1) “Sewage sludge generator” means a person who owns or operates a
17 facility that receives and processes sewage in this State or produces sewage sludge to be
18 utilized in this State.

19 (2) “Sewage sludge generator” includes:

20 (i) The Washington Suburban Sanitary Commission; and

21 (ii) The Maryland Environmental Service.

22 (3) “Sewage sludge generator” does not include the owner or operator of a
23 septic system.

24 9–230.

25 (a) (1) The Department of the Environment shall adopt regulations to carry
26 out this Part III of this subtitle.

27 (2) The Department of the Environment may not adopt a regulation or part
28 of a regulation that deals with the land application of sewage sludge without the approval
29 of the Department of Agriculture.

3 (1) Alternative utilization methods;

4 (2) Pathogen control;

5 (3) Advertising requirements for public hearings and public information
6 meetings;

7 (4) Performance bonds, liability insurance, or other forms of security;

8 (5) Procedures for notifying units of local government and other interested
9 parties; and

10 (6) Adequate standards for transporting sewage sludge, including
11 requirements for enclosing or covering sewage sludge during transportation.

12 (c) In addition to the considerations under subsection (b) of this section, in
13 adopting regulations for the land application of sewage sludge, the Department of the
14 Environment shall consider:

15 (1) Methods for calculating loading rates that:

16 (i) Will assure nondegradation of the groundwater supply; and

17 (ii) For agricultural land, shall be limited by the nutrient
18 requirements of crop or cover vegetation, as recommended by the Department of
19 Agriculture;

20 (2) The crops that are to be grown on land on which sewage sludge may be
21 applied;

22 (3) The nature of any nearby surface water or groundwater;

23 (4) The character of any affected area;

24 (5) The character of nearby existing or planned land uses and transport
25 routes;

(6) The nearness of the land on which sewage sludge may be applied to sensitive areas, including flood plains, wetlands, and areas of critical concern;

28 (7) The definitions of:

29 (i) Sewage sludge that is unsuitable for application to agricultural
30 land;

- (ii) Agricultural land;
- (iii) Marginal land; and
- (iv) Compost;

Acceptable cumulative loading rates, including rates for nitrogen and

Special requirements of land used for producing tobacco; and

Reasonable buffer areas to separate any home or other property from
age sludge may be applied.

9 (d) (1) The Department shall adopt regulations to establish a mechanism for
10 determining annual generator's fees.

11 (2) The regulations shall provide for public input into the development of
12 fee schedules.

13 (3) The fee schedules shall take into account:

14 (i) The volume of sewage sludge generated by a sewage sludge
15 generator;

16 (ii) The method by which the sewage sludge is utilized;

(iii) The anticipated costs of monitoring and regulating sewage sludge utilization sites;

19 (iv) The anticipated needs of the State's sewage sludge regulation
20 program; and

(v) The potential hazard of the sewage sludge generator's activities to public health, safety, or welfare or to the environment.

23 9-250.

24 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

- 1 (I) PFOA;
- 2 (II) PFOS; OR
- 3 (III) A MIXTURE OF PFOA AND PFOS.

- 4 (3) "PFOS" MEANS PERFLUOROOCTANE SULFONIC ACID.
- 5 (4) "PFOA" MEANS PERFLUOROOCTANOIC ACID.

6 (B) THIS SECTION APPLIES ONLY TO SEWAGE SLUDGE AND PRODUCTS
7 CONTAINING SEWAGE SLUDGE THAT ARE INTENDED FOR LAND APPLICATION.

8 (C) ON OR AFTER OCTOBER 1, 2027:

9 (1) A PERSON MAY NOT APPLY SEWAGE SLUDGE OR A PRODUCT
10 CONTAINING SEWAGE SLUDGE TO AGRICULTURAL OR MARGINAL LAND IF THE
11 SEWAGE SLUDGE OR PRODUCT CONTAINING SEWAGE SLUDGE HAS A TOTAL
12 CONCENTRATION OF REGULATED PFAS EQUAL TO OR GREATER THAN 50 PARTS
13 PER BILLION; AND

14 (2) IF SEWAGE SLUDGE OR A PRODUCT CONTAINING SEWAGE SLUDGE
15 HAS A TOTAL CONCENTRATION OF REGULATED PFAS THAT IS EQUAL TO OR
16 GREATER THAN 25 PARTS PER BILLION BUT LESS THAN 50 PARTS PER BILLION, A
17 PERSON MAY APPLY THE SEWAGE SLUDGE OR PRODUCT CONTAINING SEWAGE
18 SLUDGE TO AGRICULTURAL OR MARGINAL LAND ONLY IN ACCORDANCE WITH
19 SUBSECTIONS (E) AND (F) OF THIS SECTION.

20 (D) (1) ON OR BEFORE SEPTEMBER 30, 2029, SUBJECT TO THE
21 REQUIREMENTS OF THIS SUBSECTION AND IN ACCORDANCE WITH DEPARTMENT
22 REGULATIONS:

23 (I) A PERSON MAY BLEND SEWAGE SLUDGE FROM MULTIPLE
24 SOURCES TO REDUCE THE TOTAL CONCENTRATION OF REGULATED PFAS IN THE
25 FINAL MATERIAL TO LEVELS BELOW 25 PARTS PER BILLION; AND

26 (II) SEWAGE SLUDGE OR A PRODUCT CONTAINING SEWAGE
27 SLUDGE BLENDED IN ACCORDANCE WITH ITEM (I) OF THIS PARAGRAPH MAY NOT BE
28 SUBJECT TO THE TEMPORARY ALTERNATIVE MANAGEMENT MEASURES SPECIFIED
29 IN SUBSECTION (E) OF THIS SECTION.

6 (II) IF THE TOTAL CONCENTRATION OF REGULATED PFAS IN
7 THE BLENDED PRODUCT IS EQUAL TO OR GREATER THAN 25 PARTS PER BILLION,
8 THE PERSON:

15 (E) (1) THIS SUBSECTION APPLIES ONLY TO THE LAND APPLICATION OF
16 SEWAGE SLUDGE OR PRODUCTS CONTAINING SEWAGE SLUDGE THAT HAVE A TOTAL
17 CONCENTRATION OF REGULATED PFAS THAT IS EQUAL TO OR GREATER THAN 25
18 PARTS PER BILLION BUT LESS THAN 50 PARTS PER BILLION.

23 (I) AT A RATE THAT DOES NOT EXCEED 3 DRY METRIC TONS
24 PER HECTARE; AND

25 (III) SUBJECT TO:

1 (F) (1) THIS SUBSECTION APPLIES ONLY TO A SEWAGE SLUDGE
2 GENERATOR THAT PRODUCES SEWAGE SLUDGE THAT IS INTENDED FOR LAND
3 APPLICATION.

9 (I) COMPLETE A SOURCE TRACKING STUDY IN ACCORDANCE
10 WITH PARAGRAPH (3) OF THIS SUBSECTION; AND

11 (II) DEVELOP A MITIGATION PLAN IN ACCORDANCE WITH
12 PARAGRAPH (4) OF THIS SUBSECTION.

19 (4) (I) A MITIGATION PLAN DEVELOPED UNDER THIS SUBSECTION
20 SHALL:

4 (7) A SEWAGE SLUDGE GENERATOR:

5 (I) SHALL COMPLY WITH THE PROVISIONS OF AN APPROVED
6 MITIGATION PLAN; AND

14 (G) (1) FOR THE PURPOSE OF ASSESSING COMPLIANCE WITH THE
15 REQUIREMENTS OF THIS SECTION, THE TOTAL CONCENTRATION OF REGULATED
16 PFAS IN SEWAGE SLUDGE OR A PRODUCT CONTAINING SEWAGE SLUDGE SHALL BE
17 DETERMINED BY TAKING THE AVERAGE OF SAMPLES TAKEN IN ACCORDANCE WITH
18 THIS SUBSECTION OVER THE IMMEDIATELY PRECEDING 12 MONTHS.

19 (2) EACH SAMPLE SHALL BE TAKEN:

20 (I) DURING NORMAL OPERATING CONDITIONS, AS SPECIFIED
21 IN DEPARTMENT REGULATIONS:

22 (II) AT THE POINT WHERE SEWAGE SLUDGE LEAVES THE
23 WASTEWATER TREATMENT FACILITY; AND

24 (III) AT A FREQUENCY SPECIFIED BY THE DEPARTMENT IN
25 REGULATION, BUT NOT LESS THAN QUARTERLY.

4 (H) (1) IN ACCORDANCE WITH THE FEDERAL CLEAN WATER ACT, THE
5 DEPARTMENT AND PRETREATMENT AUTHORITIES MAY ESTABLISH PRETREATMENT
6 STANDARDS FOR INDUSTRIAL USERS THAT DISCHARGE PER- AND
7 POLYFLUOROALKYL SUBSTANCES AT LEVELS THAT EXCEED ACTION LEVELS
8 ESTABLISHED BY THE DEPARTMENT OR THE PRETREATMENT AUTHORITY UNDER
9 AN INDUSTRIAL PRETREATMENT PROGRAM.

20 (3) THE DEPARTMENT SHALL:

21 (I) ISSUE GUIDANCE TO SUPPORT PUBLICLY OWNED
22 TREATMENT WORKS IN THE IMPLEMENTATION OF THIS SUBSECTION; AND

23 (II) PROVIDE REASONABLE TECHNICAL ASSISTANCE AS
24 REQUESTED BY LOCAL JURISDICTIONS IN THE EXERCISE OF LOCAL LIMITS
25 AUTHORITY UNDER THE FEDERAL CLEAN WATER ACT.

1 **(I) ALL SEWAGE SLUDGE GENERATORS ARE ENCOURAGED TO IDENTIFY**
2 **POTENTIAL SOURCES OF PFOA AND PFOS LOADING TO THEIR WASTEWATER**
3 **TREATMENT SYSTEMS AND TO TAKE STEPS TO REDUCE THE TOTAL CONCENTRATION**
4 **OF REGULATED PFAS IN THE SEWAGE SLUDGE PRODUCED BY THOSE SYSTEMS.**

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