



Maryland

Department of the Environment

Larry Hogan
Governor

Boyd Rutherford
Lieutenant Governor

Ben Grumbles
Secretary

March 16, 2020

The Honorable Paul G. Pinsky, Chair
Education, Health, and Environmental Affairs Committee
Miller Senate Building, 2W
Annapolis, Maryland 21401

Re: House Bill 177 – Environment – Water Infrastructure Assets – Authorization of Emergency Actions and Establishment of Emergency Reserve

Dear Chairman Pinsky and Members of the Committee:

The Maryland Department of the Environment (MDE) has reviewed House Bill 177, entitled *Environment – Water Infrastructure Assets – Authorization of Emergency Actions and Establishment of Emergency Reserve* and would like to offer further information in support of the legislation.

The proposed legislation authorizes the Maryland Department of the Environment (“the Department”) to take emergency action necessary to protect life, property or the environment if the Department determines that a dam, reservoir or other water infrastructure asset is in imminent danger of failure and the owner has been issued a notice to repair the water infrastructure asset and has not completed the work within the time prescribed. The actions taken by the Department may include taking control of the water infrastructure asset, lowering the water level, or performing necessary remedial or protective work. The Department may obtain equipment, personnel and other resources to perform these emergency actions and the cost incurred by the Department are to be reimbursed by the asset owner.

The proposed legislation will provide authority for repair or removal of dams that are determined by the Department to be in imminent danger of failure. While the Department has the ability to order a dam to be repaired or removed, often the dam owner does not have the funds to do so. This is particularly a concern when the dam is on the brink of failure and there are residents, businesses, or other Maryland citizens in harm’s way should the dam fail. This bill would provide the authority necessary in the most extreme and emergency-related situations for the Department to act in protection of the public’s health.

Thank you for your consideration. We will continue to monitor House Bill 177 during the Committee’s deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or by email at tyler.abbott@maryland.gov.

Sincerely,

Tyler Abbott