

Maryland General Assembly

Environment and Transportation Committee

February 6, 2020

Re: **HB 136: Environment-On-Site Wastewater Services- Regulation**

Position: Support

Dear Delegate Stein:

I would like to submit comments in **favor** of HB 136. I reside in Carroll County, and for over 28 years I was involved in local environmental health regulation- first as a Registered Environmental Health Specialist for Frederick County (16.5 years); and later in a similar capacity with the Montgomery County Department of Permitting Services (the delegated authority for on-site sewage disposal matters). I retired in 2018 as Manager of the Well & Septic Section at MCDPS. I have resided my entire life in homes that were (are) served by individual well and septic systems.

In Maryland, On-Site Sewage Disposal systems are highly regulated by the Maryland Department of the Environment and the individual counties- each under a specific delegation agreement with MDE. Unfortunately, MDE and most of the individual counties struggle under the workload and the lack of qualified and experienced personnel. Even the counties that have enhanced salary structures find great difficulty in hiring and retaining qualified individuals. To compound this problem, Maryland has chosen to reserve onto the government almost all functions involved with the evaluation, design, permitting, and construction of these systems. In many other States, these functions are “shared” with the private sector- and the government retains oversight to insure compliance.

Meanwhile, the consumer is feeling the effects of this lack of workforce and uncertain compliance. Unlicensed and, in some cases unscrupulous contractors flourish in a regulatory environment where penalties for bad behavior are few and poorly enforced. Any county that claims they have not witnessed unregulated septic system installations is being disingenuous-at best. So we have septic systems, potentially the most expensive, and important “appliance” owned by rural homeowners- subject to abuse. Careless and illegal septic contractors jeopardize the tremendous investment these homeowners have made. Homeowners rely heavily upon the government to insure all work is done in a professional manner.

In almost every other facet of home construction, the State has established a Board- populated by committed professionals, regulators, and consumers. These boards regulate well drillers; electricians; plumbers; and other trades. Licensed contractors who work in those trades are regulated and supported by their boards. They rely upon the board to maintain a level playing field and a minimum level of performance under the appropriate code(s). These professionals receive continuing education in their trade to maintain the quality of their work. Another benefit of these boards is that they assume some of the workload that would otherwise fall upon the regulators.

An On-Site Board would unburden the managers at MDE and the individual counties and a board would have more opportunity to examine program improvements and evaluate emerging

technologies. At present, MDE is barely able to react to issues after problems have been created. In many cases, MDE becomes the “referee” in disputes between county homeowners, contractors, and regulators. Maryland needs a professional **On-Site Board** to address many of these needs.

Sincerely,

Gene von Gunten

Westminster, MD