



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

Senate Bill 354

Bay Restoration Fund – Intended Use Plans and Privately Owned Wastewater Facilities

Date: March 30, 2022

Position: **Support**

To: Environment and Transportation

From: Doug Myers, Maryland Senior Scientist

Chesapeake Bay Foundation (CBF) **SUPPORTS** SB 354 which clarifies conditions by which Maryland Department of Environment may support state water quality funding for privately-owned wastewater treatment plants and requires reporting to the General Assembly on Intended Use plans submitted to EPA for approval seeking federal capitalization grants.

This bill sets forth parameters and criteria for when public assistance should be offered to privately owned wastewater facilities to implement upgrades that will improve water quality. These updates to the law add clarity in line with the purpose of the Bay Restoration Fund. The bill's reporting provisions will provide a helpful record to account for the uses of the Fund and measure progress toward water-quality goals.

The bill clarifies that a private facility must provide wastewater service to homes, and not just be disposing of its own industrial discharges, to qualify for funding. It also states that a facility that is out of compliance with its permit may not receive funding unless the ownership of the facility demonstrates financial need.

CBF sits on the Bay Restoration Fund Advisory Committee and in the past has expressed caution to the Maryland Department of Environment (MDE) about extending state grants to privately-owned facilities, especially for those facilities who do not serve residential homes, or with a history of permit violations. CBF has further suggested that it would be more appropriate for those private facilities to receive loans while reserving grant funding for municipally owned wastewater treatment plants.

The change in policy set forth by SB 354 will protect the integrity of the Bay Restoration Fund's purpose of upgrading the state's public wastewater treatment facilities. Upgrades include enhanced nutrient removal, retrofitting failing septic systems, and other water quality goals. This work is critical to the State's progress toward the 2025 deadline under the Chesapeake Bay Blueprint.

CBF urges the Committee's FAVORABLE report on SB 354. For more information, please contact Robin Jessica Clark, Maryland Staff Attorney at rclark@cbf.org and 443.995.8753.

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The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.