



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

March 2, 2022

The Honorable Kumar P. Barve, Chair
Environment and Transportation Committee
House Office Building, Room 251
Annapolis, Maryland 21401

Re: House Bill 1068 - Local Health Departments, Environmental Health Specialists, and On-Site Sewage Disposal Systems – Systems Standards, Regulations, Applications, and Funding

Dear Chair Barve and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed HB 1068, entitled *Local Health Departments, Environmental Health Specialists, and On-Site Sewage Disposal Systems – Systems Standards, Regulations, Applications, and Funding*, and would like to share some information and a concern regarding this legislation.

Although HB 1068 is listed as cross-filed with SB 113, they are substantially different bills. HB 1068 requires MDE to create an online tracking system for on-site sewage system applications, develop standardized permit forms, and requires the Department to adopt regulations that would extend the requirement of 10,000 square feet for subsurface disposal for dwelling units to detached dwellings by October 1, 2023. HB 1068 also requires the promotion of professional standards for private environmental health specialists, and the holding of monthly information meetings on associated regulations. Finally, HB 1068 contains a \$5 million annual appropriation to the Maryland Department of Health (MDH) to address “wage disparities and staffing shortages” of environmental health specialists licensed by the Board of Environmental Health Specialists.

HB 1068 would create the same or similar database that is currently being evaluated by MDH to link MDH, MDE, and local health department permitting. MDE and MDH both believe that it would be best to amend the bill to have MDH own the database and oversee development with coordination from MDE.

The proposed legislation directs MDE to adopt regulations relating to subsurface disposal of sewage for detached dwellings under COMAR 26.04.03 Water Supply and Sewerage Systems in the Subdivision of Land in Maryland. In accordance with COMAR, each dwelling unit requires a minimum of 10,000 square feet for subsurface disposal of sewage regardless of if the dwelling is attached or detached. Also, the application of the 10,000 square feet to detached dwellings (such as garage apartments) may effectively expand the minimum area requirements in COMAR 2.604.03.03A, essentially enlarging the minimum lot sizes for such dwellings.

Thank you for considering the MDE’s concerns regarding this legislation. We will continue to monitor HB 1068 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 tyler.abbott@maryland.gov.

Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Abbott". The signature is written in a cursive style with a long horizontal line extending to the left.

Tyler Abbott

cc: The Honorable Dana Stein
Lee Currey, Director, Water and Science Administration