

# **SB392 testimony favorable.pdf**

Uploaded by: Alice Volpitta

Position: FAV



February 14, 2023

**Wastewater Facility Supplemental Operations and Maintenance Grant Program – Establishment (SB 392)**  
**Position: FAVORABLE**

Dear Chairman Feldman and Members of the Education, Energy, and the Environment Committee:

Blue Water Baltimore is a nonprofit organization with a mission to restore the quality of Baltimore's rivers, streams, and Harbor to foster a healthy environment, a strong economy, and thriving communities. **We write today in support of Wastewater Facility Supplemental Operations and Maintenance Grant Program – Establishment (SB 392).**

Blue Water Baltimore is home to the Baltimore Harbor Waterkeeper, and our licensed jurisdiction through the international Waterkeeper Alliance includes the entirety of the Patapsco and the Back River watersheds. This means that we are uniquely positioned among environmental NGOs in the region to focus on the health and prosperity of these waterways, and the people who live, work, and recreate around them. These rivers accept the effluent from two of Maryland's largest wastewater treatment plants, the Patapsco and Back River WWTPs. **The health of the entire Chesapeake Bay hinges upon the performance of these two facilities, but when there are problems that cause these plants to discharge too much pollution into the rivers, it is our members and our local communities who are most severely impacted and pay the highest price.**

These wastewater treatment facilities are equipped with some of the most cutting-edge technologies available, giving the plants the ability to produce effluent that meets and even exceeds the standards for Enhanced Nutrient Removal systems. When properly maintained and operated, the Patapsco and Back River wastewater treatment plants have the capacity to function as world-class facilities. This is due in large part to the local, state, and federal investments that have been made over the years, particularly the Bay Restoration Fund. **However, there is a gap in available state and federal funding needed to adequately staff these plants with qualified operators and to perform the maintenance needed to keep them running properly.** Instead, these costs fall directly upon the water system's ratepayers, many of whom are already financially overburdened and inequitably impacted. Yet even as the financial burden falls largely upon Baltimore City and Baltimore County residents, the entire Chesapeake Bay community suffers the negative impacts of deferred WWTP maintenance in the form of sick waterways that are neither fishable nor swimmable, two central tenets of the Clean Water Act that was passed more than fifty years ago.

The creation of the Wastewater Facility Supplemental Operations and Maintenance Grant Program would help address this inequitable financial burden by directing new funding specifically to the municipal owners of wastewater treatment plants that serve "low income" communities. **Ultimately, more resources flowing into these facilities will mean cleaner waterways and healthier communities in Baltimore City, Baltimore County, and Anne Arundel County.**

For these reasons, Blue Water Baltimore strongly supports SB 392 and we urge a favorable report.

Sincerely,

A handwritten signature in black ink that reads "Alice Volpitta". The signature is fluid and cursive.

Alice Volpitta  
Baltimore Harbor Waterkeeper  
avolpitta@bluewaterbaltimore.org

# **SB 392-Wastewater Facility Supplemental Operations**

Uploaded by: Destiny Bell

Position: FAV

CORY V. McCRAY  
Legislative District 45  
Baltimore City

DEPUTY MAJORITY WHIP

Budget and Taxation Committee

*Subcommittees*

Vice Chair, Capital Budget

Pensions

Chair, Public Safety, Transportation,  
and Environment



James Senate Office Building  
11 Bladen Street, Room 221  
Annapolis, Maryland 21401  
410-841-3165 · 301-858-3165  
800-492-7122 Ext. 3165  
Cory.Mccray@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

## **Vote Yes on Senate Bill 392**

**Bill Title: Wastewater Facility Supplemental Operations and Maintenance Grant Program – Establishment**

**Hearing Date: February 15, 2023, Education, Energy, and the Environment**

**Greetings, Chair Feldman, Madame Vice Chair, and all members of the Committee**

I write to urge you to support Senate Bill 392. Senate Bill 392 will establish the Wastewater Facility Supplemental Operations and Maintenance Grant Program for the purpose of providing competitive grants. Wastewater facilities owned by the State, a political subdivision, a municipal corporation, or another public entity will be eligible to apply for grants to enhance the facility's nutrient removal technology. Approving SB392 allows for the State of Maryland to assist the wastewater treatment facilities to prevent further damages in the future.

The purpose of the program is to support the State's Water Quality goals by providing competitive grants for publicly owned wastewater facilities facing staffing shortages, maintenance backlogs, and other hardships that threaten the functioning of enhanced nutrient removal technology. Over time our wastewater treatment facilities have gained attention due to the challenges we've faced. It is evident that there are discolorations, raw sewage, and poor conditions in our Chesapeake Bay. If the proper precautions are not taken, it could result in a negative effect on our children, the cleanliness of our water, and the safety of our community.

In the event of Senate Bill 392 being approved, each proposal shall include the following:

- A description of the operations and maintenance challenges facing the wastewater facility
- An explanation of the measures the facility intends to implement to address operations and maintenance challenges
- Demographic information regarding the users served by the facility.
- Any other information required by the Administration.

If approved, implementation begins in the fiscal year of 2025 and each fiscal year thereafter. The governor shall include the annual budget bill with an appropriation of 10,000,000 for the program. If enacted Senate Bill 392 will ensure safer water systems and grant the proper technology for our community.

For years we have applied temporary fixes that have led to more damage in our system. It is imperative to protect our residents and our future civilization by making the proper adjustments to enhance our water quality. For these reasons I respectfully request your support with the progression of Senate Bill 392.

Respectfully,



Cory V. McCray  
State Senator

**SB0392-EEE\_MACo\_SUP.pdf**

Uploaded by: Dominic Butchko

Position: FAV



## **Senate Bill 392**

### *Wastewater Facility Supplemental Operations and Maintenance Grant Program – Establishment*

MACo Position: **SUPPORT**

To: Education, Energy, and Environment and  
Budget & Taxation Committees

Date: February 15, 2023

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 392. This bill would provide additional resources for counties that operate wastewater treatment facilities.

Counties bear a central role to manage the delivery and sanitation of water both before and after its consumption or use. This responsibility strikes at the very purpose of government: to provide for the betterment of public health. Local governments operate nearly all the wastewater infrastructure within Maryland, a responsibility local leaders accept with care.

SB 392 establishes and provides funding for the Wastewater Facility Supplemental Operations and Maintenance Grant Program. This program seeks to provide local governments and operators with additional resources to help with the maintenance and operations of wastewater facilities. Similarly to nearly all segments of public service, the recruitment and retention of qualified staff have been significant challenges for many roles in the wastewater field, and public works generally. The additional investment provided by SB 392 would help to target this worrisome and prevalent concern.

SB 392 provides sorely needed additional resources for counties that operate wastewater facilities. Accordingly, MACo requests a **FAVORABLE** report on SB 392.

# **Arundel Rivers Testimony in SUPPORT of SB392 WW Op**

Uploaded by: Elle Bassett

Position: FAV





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**Testimony in SUPPORT of Senate Bill 392 – Wastewater Facility Supplemental Operations and Maintenance Grant Program – Establishment**

Education, Energy, and the Environment Committee  
February 15, 2023

Dear Chair Feldman and Members of the Committee,

Thank you for this opportunity to submit testimony in **SUPPORT of SB392** on behalf of Arundel Rivers Federation. Arundel Rivers is a non-profit organization dedicated to the protection, preservation, and restoration of the South, West and Rhode Rivers with over 3,500 supporters. Our mission is to work with local communities to achieve clean, fishable, and swimmable waterways for present and future generations.

Senate Bill 392 is critical to protecting and restoring our local water quality and will provide much needed support to struggling municipally owned wastewater infrastructure. Specifically, this grant opportunity will provide funding for public wastewater facilities facing staff shortages, maintenance backlogs, and other operations and maintenance challenges that threaten the proper function of a facility, which ultimately threatens the Chesapeake Bay and the state’s water quality goals. Additionally, the grant program will prioritize facilities that face these issues in underserved and overburdened communities, relieving fiscal burdens the facility may face and improving the health of the waterways and environment of that community.

Our state has recognized that upgrading wastewater treatment plants is an efficient and effective way to reduce pollution and make gains towards our water quality goals. This bill will directly support that initiative by providing support for Maryland’s overburdened and underserved communities that may need additional support in operating wastewater facilities.

Maryland is currently “off course” in meeting our 2025 Watershed Implementation Plan (WIP) Outcome goals in nutrient, phosphorus, and sediment.<sup>1</sup> This indicates that pollution control measures are not strong enough and more resources need to be devoted to addressing point source pollution facilities. Senate Bill 392 will help our state in taking a step closer towards achieving our target goals.

**For these reasons, Arundel Rivers respectfully requests a favorable report on Senate Bill 392.**

Sincerely,

A handwritten signature in cursive script that reads "Elle Bassett".

Elle Bassett  
South, West and Rhode Riverkeeper  
Arundel Rivers Federation

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<sup>1</sup> 2025 Watershed Implementation Plans (WIPs). CAST19. <https://www.chesapeakeprogress.com/clean-water/watershed-implementation-plans>

**BaltimoreCounty\_FAV\_SB0392.pdf**

Uploaded by: Joshua Greenberg

Position: FAV



JOHN A. OLSZEWSKI, JR.  
*County Executive*

JENNIFER AIOSA  
*Director of Government Affairs*

AMANDA KONTZ CARR  
*Legislative Officer*

JOSHUA M. GREENBERG  
*Associate Director of Government Affairs*

**BILL NO.:**            **SB 392**

**TITLE:**                **Wastewater Facility Supplemental Operations and Maintenance Grant Program – Establishment**

**SPONSOR:**           **Senator McCray**

**COMMITTEE:**        **Education, Energy, and the Environment**

**POSITION:**          **SUPPORT**

**DATE:**                **February 15, 2023**

Baltimore County **SUPPORTS** Senate Bill 392 – Wastewater Facility Supplemental Operations and Maintenance Grant Program – Establishment. This legislation would establish the Wastewater Facility Supplemental Operations and Maintenance Grant Program to provide financial assistance to large wastewater treatment facilities throughout the state.

For almost 2 decades, Maryland’s Bay Restoration Fund (BRF) has been successfully deployed to upgrade the largest wastewater treatment facilities in the State to Enhanced Nutrient Removal (ENR) to reduce pollution to the Chesapeake Bay and its tributaries. These ENR facilities often utilize state-of-the-art technology that requires appropriately trained, certified, and compensated staff to operate, maintain, and troubleshoot potential problems and ensure the plants operate as intended. Recognizing that operation and management for these advanced systems is paramount to their operation, the BRF currently authorizes grants to certain WWTPs with ENR to help offset associated costs.

SB 392 builds on these offsets by providing assistance to large WWTPs across the state, giving local jurisdictions support for meeting ongoing, increasingly challenging, and often complex O&M challenges. If passed, this legislation would protect water quality and ensure State and local infrastructure investments meet the needs of residents.

Accordingly, Baltimore County requests a **FAVORABLE** report on SB 392. For more information, please contact Jenn Aiosa, Director of Government Affairs at [jaiosa@baltimorecountymd.gov](mailto:jaiosa@baltimorecountymd.gov).

**SB 392\_CBF\_FAV.pdf**

Uploaded by: Matt Stegman

Position: FAV



# CHESAPEAKE BAY FOUNDATION

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*Environmental Protection and Restoration  
Environmental Education*

## **Senate Bill 392**

Wastewater Facility Supplemental Operations and Maintenance Grant Program – Establishment

Date: February 15, 2023	Position: Support
To: Education, Energy, and the Environment Committee	From: Matt Stegman
Budget & Tax Committee	Maryland Staff Attorney

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Chesapeake Bay Foundation (CBF) **SUPPORTS** SB 392 which establishes the Wastewater Facility Supplemental Operations and Maintenance Grant Program to provide competitive grants for publicly owned wastewater facilities facing operations and maintenance challenges. The bill directs the Governor to include an annual \$10 million appropriation for the program beginning in Fiscal Year 2025.

The recent failures of the state's two largest wastewater treatment plants have demonstrated the tremendous need for additional investment in our wastewater infrastructure. Resources for staff training and retention, coupled with adequate maintenance funding are necessary to bring these systems back to 21st century operations. Further, the bill prioritizes equity by ensuring plants with the greatest need and those serving the highest proportion of low-income user receive preferential consideration.

Critically, this bill specifies that any grants and grant funding provided under this program are above and beyond any operations and maintenance grants made through the Bay Restoration Fund (BRF). This is a recognition both of the acute needs at our largest wastewater treatment plants and a general concern to not oversubscribe the BRF.

**CBF urges the Committee's FAVORABLE report on SB 392.**

For more information, please contact Matt Stegman, Maryland Staff Attorney, at [mstegman@cbf.org](mailto:mstegman@cbf.org).

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403

*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.*

**SB0392-EEE-FAV.pdf**

Uploaded by: Nina Themelis

Position: FAV



**BRANDON M. SCOTT**  
MAYOR

*Office of Government Relations  
88 State Circle  
Annapolis, Maryland 21401*

**SB 392**

February 15, 2023

**TO:** Members of the Education, Energy & the Environment Committee and Members of the Budget & Taxation Committee

**FROM:** Nina Themelis, Interim Director of Mayor's Office of Government Relations

**RE:** Senate Bill 392 – Wastewater Facility Supplemental Operations & Maintenance Grant Program – Establishment

**POSITION: LETTER OF SUPPORT**

Chair Feldman, Vice Chair Kagan, Chair Guzzone, Vice Chair Rosapepe and Members of the Committees, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill 392.

Senate Bill 392 would establish a Wastewater Facility Supplemental Operations and Maintenance Grant Program that would provide competitive grants for publicly owned wastewater treatment plants (POTWs) facing operations and maintenance challenges that threaten the proper functioning of a facility's enhanced nutrient removal (ENR) technology; require the Maryland Water Infrastructure Financing Administration in the Department of the Environment (MDE) to administer the Program; and generally relating to the establishment of the Wastewater Facility Supplemental Operations and Maintenance Grant Program.

The City of Baltimore owns and operates two of the largest wastewater treatment plants in the State. The Back River Wastewater Treatment Plant is located in Essex, Maryland, has been in operation since 1911, and is rated to treat up to 180 million gallons/day (mgd) of wastewater. The Patapsco Wastewater Treatment Plant is located in the Curtis Bay area of Baltimore City, has been in operation since 1940, and is rated to treat up to 73 mgd of wastewater. Both of these POTWs are operating recently constructed ENR facilities. Baltimore's wastewater system provides regional service to more than 1.6 million customers. Anne Arundel, Baltimore, and Howard counties receive wastewater treatment services at these facilities under terms provided for in City/County agreements. In general, the counties that receive these wastewater services support the operating and capital costs based on their proportionate use of the underground collection infrastructure and the wastewater treatment facilities.

Over the past decade and more, both the Back River and Patapsco plants have undergone ever-increasing upgrades, and are now providing state-of-the-art ENR treatment. These added facilities have driven the need for more skilled maintenance personnel and operators, more power and chemicals usage, to maintain compliance with the plants' strict NPDES permit limits. The operations and maintenance costs for the Back River and Patapsco plants have increased over the past five full fiscal years, as shown below.

FY18	32,796,557.16
FY19	39,697,174.49
FY20	54,837,131.63
FY21	47,834,167.61
FY22	79,221,757.21

In addition, the arrival of the COVID-19 pandemic coincided with the retirement of some long-serving and experienced personnel, which in turn led to vacancies in key operating and maintenance positions. These positions have been difficult to fill, as many public and private facilities are experiencing similar staffing challenges, both regionally and nationally. It is also important to note that POTWs operate around the clock, providing no opportunity to pause or shut down operations due to staffing shortages. Currently, the Wastewater Facilities Division has 148 vacant positions, for a 25% vacancy rate.

The City has conducted multiple job fairs, established several programs to bring in young and under-employed people to learn about and enter the water and wastewater industry, and created internal training and apprenticeship opportunities to increase existing staff's skills to advance within the organization. These programs are showing great promise, but it will take time to stabilize the filling of these critical positions. As an interim measure, the City has engaged the services of several private contractors to supplement the current maintenance staff, totaling just under \$27 Million. In addition, the City has retained the services of a private firm to provide monitoring and recording of preventative and corrective maintenance and ongoing training modules to maintenance staff, at a cost of \$400,000. The proposed Wastewater Facility Supplemental Operations and Maintenance Grant Program embodied in Senate Bill 392 would provide much needed support to help offset some of these costs as the City works to stabilize its workforce.

It is for these reasons that the Baltimore City Administration supports Senate Bill 392.



# **SOL for MD SB392.pdf**

Uploaded by: Sara Ramotnik

Position: FAV



February 14, 2023

The Honorable Brian J. Feldman  
Chair, Senate Education, Energy and the Environment Committee  
2 West Miller Senate Office Building  
11 Bladen Street  
Annapolis, MD 21401

RE: SB 392- Support

Dear Chairman Feldman and Members of the Committee:

The undersigned members of the Choose Clean Water Coalition strongly support SB 392- "Wastewater Facility Supplemental Operations and Maintenance Grant Program – Establishment". The passage of this bill is critical to restoring water quality in the Chesapeake Bay and throughout Maryland, protects the many billions of dollars in local, state, and federal investments in Maryland's wastewater infrastructure, and restores a long tradition in the United States of ensuring adequate funding support for municipally owned wastewater infrastructure.

One of the central features of the Clean Water Act created by Congress just over 50 years ago was a massive new federal program of funding support designed to modernize the country's fleet of wastewater treatment plants. At the time, sewage received minimal treatment prior to discharging municipal pollution to our nation's waters. Unfortunately, after 15 years of robust capital grant funding, federal financial support of locally owned wastewater treatment plants began to decline significantly. Thus, for more than 30 years now, municipal wastewater treatment plants have been asked to continually upgrade their treatment technology with ever more sophisticated equipment while receiving much less federal support.

Maryland has taken a different path. Acknowledging that one of the simplest ways to reduce pollution to the Chesapeake Bay involves accelerating the capital upgrades of the more than 65 major wastewater treatment plants, the General Assembly responded by creating the Bay Restoration Fund almost 20 years ago. This fund has been essential to our state's Bay restoration efforts. And while the Bay Restoration Fund does offer Operations and Maintenance ("O&M") grant support to help these upgraded facilities operate the new enhanced nutrient removal technology installed under the BRF program, the value of those grants amount to a fraction of the overall cost of operating a wastewater treatment plant. In many jurisdictions in Maryland, the fiscal impact of operating a wastewater treatment plant is minimal relative to the overall budget of the jurisdiction. But in some of Maryland's municipal governments, the cost of operating wastewater treatment plants is being shouldered by diminishing populations and overburdened communities.

SB 392 extends the same type of support for a wastewater treatment plant's operations and maintenance needs as Maryland has already extended for those facilities' capital needs. We have long ago recognized the need to maximize capital funding support for Maryland's disadvantaged communities. This bill will harmonize that policy for operating fund support.

If enacted, SB 392 will accomplish the following:

1. **Increase Clean Water Funding in Maryland.** The bill calls for an annual \$10 million appropriation. This would not only represent a sizable increase in funding support for maximizing pollution

reductions from our wastewater treatment plants, but it does so without diverting the existing and limited pool of clean water funding within the Bay Restoration Fund. \$10 million is a fraction of what the Bay Restoration Fund provides each year, but for a few facilities will make the critical difference to ensuring these facilities can attract and retain the certified operators, maintenance technicians, and other staff needed to effectively maintain the facilities.

2. ***Assist Overburdened and Underserved Communities.*** The bill would direct new funding specifically to the municipal owners of wastewater treatment plants that serve “low income” communities. This not only helps relieve some degree of fiscal and financial pressure on these communities, but it also helps improve their health and wellbeing by minimizing pollution.
3. ***Enhances Transparency in Our Wastewater Treatment Plant Operation.*** The bill requires the Maryland Department of the Environment to establish metrics by which to evaluate the effectiveness of the operations and maintenance grants made under the bill. This will give the public greater confidence that these new grants and also the broader universe of state and federal funds received by wastewater treatment plants each year are achieving their intended purpose of reducing water pollution in Maryland and restoring the Chesapeake Bay and our other polluted waters.

For these reasons, the undersigned organizations **strongly support Senate Bill 392** and urge a favorable report.

Sincerely,

Alliance for the Chesapeake Bay  
American Rivers  
Beaverdam Creek Watershed Watch Group  
Blue Water Baltimore  
Chesapeake Legal Alliance  
Citizens to Conserve and Restore Indian Creek  
Crab Creek Conservancy  
Friends of Nanticoke River  
Interfaith Partners for the Chesapeake  
Nature Forward  
Phillips Wharf Environmental Center  
Potomac Conservancy  
Potomac Riverkeeper Network  
Susquehanna Greenway Partnership  
Waterkeepers Chesapeake

**MDE SB0392 LOI.pdf**

Uploaded by: Tyler Abbott

Position: INFO



# Maryland

## Department of the Environment

Wes Moore, Governor  
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary Designate  
Suzanne E. Dorsey, Deputy Secretary

February 15, 2023

The Honorable Brian J. Feldman, Chair  
Education, Energy, and the Environment Committee  
Miller Senate Office Building, 2W  
Annapolis, Maryland 21401

**Re: Senate Bill 392 - Wastewater Facility Supplemental Operations and Maintenance Grant Program -  
Establishment**

Dear Chair Feldman and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed Senate Bill 392 and would like to provide the following information.

SB 392 creates a new competitive grant program for publicly owned enhanced nutrient removal (ENR) wastewater treatment plants (WWTPs) that are facing staffing shortages, maintenance backlogs, and other operations and maintenance challenges. The grant program would be administered by MDE's Maryland Water Infrastructure Financing Administration (MWIFA). The bill would limit grant awards to not more than \$3,000,000. Each grant agreement must include conditions to ensure the grant funds are used for the purposes specified in the agreement and the effectiveness of the measures implemented must be evaluated.

MWIFA currently administers the Bay Restoration Fund (BRF) Operation & Maintenance (O&M) grant program. This program provides up to \$11M annually in funding to WWTPs that meet and exceed ENR levels of treatment. This new program would be similar to, but more involved than the existing BRF O&M program. It will have a somewhat different focus and would target a subset of the total ENR WWTPs statewide.

If the bill were to pass, MWIFA would award grants to qualifying WWTPs for any purpose related to staff hiring and retention and operations and maintenance, including: public outreach, apprenticeships, continuing education, training, salary adjustments, bonuses, preventative maintenance, predictive maintenance practices, and asset management systems.

Thank you for considering the Department's information regarding this legislation. We will continue to monitor SB 392 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 e-mail at [gabrielle.leach@maryland.gov](mailto:gabrielle.leach@maryland.gov).

Sincerely,

Gabrielle Leach  
cc: The Honorable Cory McCray