HB831_ShoreRivers_Favorable_AR.pdf

Uploaded by: Annie Richards

Position: FAV

Testimony in Support of House Bill 831 – Environment—Septic Systems—Database

February 27, 2023

Dear Chairman Barve and Members of the Committee,

Thank you for this opportunity to submit testimony **in support of HB831** on behalf of ShoreRivers. ShoreRivers is a river protection group on Maryland's Eastern Shore with more than 2,000 members. Our mission is to protect and restore our Eastern Shore waterways through science-based advocacy, restoration, and education. The unique sandy soils and high water tables on the Eastern Shore leave the waters of this region particularly susceptible to pollution from failing septic systems. Nutrient and bacterial pollution can case algal blooms, dead zones, or areas hazardous to swimming or shellfish harvest. **The establishment of a public database populated with standardized information from counties and local jurisdictions on septic systems will help advocacy organizations to more fully understand and track pollution coming into our waterways from these systems.**

As a Riverkeeper, I research and collect water quality data including nitrogen, phosphorus, and fecal enterococci bacteria levels and communicate my findings to communities within my watershed. I am committed to providing this information so that individuals and families can make informed decisions about swimming or recreating in their local waterways. On the Chester, of the 13 sites I monitor for fecal enterococci pollution, three failed to meet the threshold for safe water contact ***more than half of the times they were tested, and another nine failed between 10–40% of the time.*** ShoreRivers has begun tracking the sources of this bacteria pollution by utilizing DNA testing to identify specific animal sources of this bacterial pollution—whether it be human, poultry, canine, or swine. **Results from 2022 testing indicate the overwhelming majority of DNA present in the Chester is human, making shoreline septic systems a key source to monitor in the years ahead**.

Even Best Available Technology Systems do not guarantee protection from nutrient pollution in our rivers—many systems have a function where the homeowner can switch off the aeration features to reduce noise, an energy consumption. When that feature is disabled, the system has zero capacity to remove nitrogen from the waste water as it moves into drain fields, often within the Critical Area of our rivers.

By the end of 2022 it became clear that nutrient reductions required under the Chesapeake Bay's Pollution Diet, known as Total Maximum Daily Load requirements, would not be met by 2025—a huge disappointment for clean water advocates after a 30-year effort. **On the Eastern Shore, a distinct challenge we face in meeting clean-up efforts is the large number of non-point source polluters—such as septic systems—that impact our waters and are unregulated by laws like the Clean Water Act.** ShoreRivers is a strong proponent for more policies that help to address pollution coming from septic systems. For this reason and others stated above, **we request a favorable report for HB831.**

 Sincerely,
Annie Richards, Chester Riverkeeper on behalf of ShoreRivers

ShoreRivers
Isabel Hardesty, Executive Director
Annie Richards, Chester Riverkeeper | Matt Pluta, Choptank Riverkeeper | Zack Kelleher Sassafras Riverkeeper

shorerivers.org | 443.385.0511| info@shorerivers.org

Stein Testimony HB 831.pdf

Uploaded by: Dana Stein

Position: FAV

DANA M. STEIN
Legislative District 11
Baltimore County

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Vice Chair
Environment and Transportation
Committee

Subcommittees

Chair, Environment

Natural Resources,
Agriculture and Open Space

The Maryland House of Delegates
ANNAPOLIS, MARYLAND 21401

Delegate Dana Stein Testimony in Support of
HB831 Environment – Septic Systems – Online Database

The goal of this bill is to create a statewide database of all septic systems in Maryland. Such a database will enable faster and more accurate information on the type, location, age, and major repairs of septic systems on individual properties. This data is needed for property owners needing to make repairs to their systems, buyers deciding whether to purchase a property with septic, and health departments charged with regulating and inspecting septic systems. The information in the proposed database would also be valuable for determining whether a system poses any environmental risks to drinking wells and nearby waterways.

Currently, the collection and access to septic information varies widely from county to county. Some counties have recently created their own electronic databases. Unfortunately, in other locations, the information is filed in boxes and filing cabinets, making it time consuming to locate and share information in a timely way.

One county reports it needs a full-time staff person doing nothing but pulling 50 – 80 records each day to provide homebuyers, inspectors, repair companies, or builders with the information needed regarding a septic system. Another county files its septic permits under the original homeowner's name—even when that owner has died and the property resold numerous times over a period of years. Imagine trying to find this information so a septic inspection can occur for a potential homebuyer 30 – 50 years later? The search would begin by tracing the property owners back over decades. Another county just shreds its septic permits after seven years, so there is no information available about the location or status of a property's septic system.

The intent of this bill is threefold:

1. Help local health departments save time by having this information online. These departments have a huge workload and searching old file folders should not take them away from other urgent needs.
2. Make it easier for inspectors, builders, and property owners to have information readily available when needed.
3. Help Maryland Department of the Environment better understand the age, location, and conditions of these systems.

Getting this database set up and populated will not be easy. It will require considerable support especially at the local level, so their already burdened workload is not made worse. The bill includes a workgroup to oversee the process and decide how best to get the needed information online in the most efficient way.

This bill also phases in the work to capture the many years of records. Records of systems installed since 2000 will be done first—by July 1, 2026—and then all records prior to that by July 1, 2033—ten years from now.

This database would track the following information:

- Location – address and location on the property
- Permit number
- Date of installation
- History of soil evaluation tests
- Name of designer and installers
- Type of system installed
- Type of property – residential, commercial, industrial
- Location of backup drain field if needed
- Repair history requiring a permit

For local governments that already have an accessible online database the state can provide a link to its information, or the county can choose to migrate their data to the state system. Local databases should have similar fields of data.

It is important that when a family buys a new house, they can get a prompt and accurate septic inspection, or, when there is a system sudden fails, a septic professional can get information about the system quickly so the repair can be done. Now it can take days or even weeks to get this information. That is too long.

I urge you to pass this legislation.

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Dana.Stein@house.state.md.us

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Uploaded by: Dana Stein

Position: FAV

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Stein Testimony HB 831.pdf

Uploaded by: Dana Stein

Position: FAV

DANA M. STEIN
Legislative District 11
Baltimore County

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I urge you to pass this legislation.

HB 831_CBF_FAV.pdf

Uploaded by: Doug Myers

Position: FAV

CHESAPEAKE BAY FOUNDATION

Environmental Protection and Restoration
Environmental Education

House Bill 831

Environment – Septic Systems – Online Database

Date: March 1, 2023   Position: Support
To: House Environment and Transportation Committee   From: Doug Myers
                                                                                Maryland Senior Scientist

Chesapeake Bay Foundation (CBF) **SUPPORTS** HB 831 which establishes an online database for reporting certain data on septic systems throughout the state.

Septic systems continue to be a source of water pollution in some parts of the state, especially when failing. The State's Bay Restoration Fund has money set aside for sewer hookups for failing septic systems as well as upgrades to better functioning systems. An online database could be a useful tool for identifying the highest priority investments for septic upgrades and connections so that limited money can get the biggest load reductions of nitrogen and bacteria.

CBF urges the Committee's FAVORABLE report on HB 831.

For more information, please contact Matt Stegman, Maryland Staff Attorney at mstegman@cbf.org.

HB 831 Geckle Back River FAV.pdf
Uploaded by: Dru Schmidt-Perkins
Position: FAV

BACK RIVER PRE-CAST, LLC
PO BOX 329
GLYNDON, MD 21071
410-833-3394

HB 831 Environment – Septic Systems – Online Database
House Environment and Transportation Committee

March 1, 2023

Mathew Geckle
Vice-President

Favorable

The lack of readily available information about the location type, design and history of septic systems cause many problems.

As a septic professional I should not have to wait for days or sometimes weeks to get the information on a system that I have been called out to repair. Not knowing the design or having access to the drawings of a system makes doing repair difficult. The homeowner should not have sewage backing up into the building or yard or have alarms going off for days because of the lack of this information. But this is what happens now.

Every county is different which is fine if every county could get me the information quickly. Sadly, only a few can provide quick answers. With an online database I could pull up the records from my truck and be able to better understand the problems almost immediately not days or weeks later. Weekends and holidays would no longer slow things down even more.

I do recognize that changing files boxes and cabinets fill of dusty files into digital form can be daunting and expensive. Local governments should get the support they not just add it onto already burdened staff. Nor should the counties have to have a dedicated staff doing nothing but pulling records all day like now. We need these offices do other important work.

A statewide database will streamline my work and the local health office's. While getting the database set up and fully populated is challenging for sure the benefits will be a huge time saving for everyone.

Please give HB831 a favorable report   .

Matthew Geckle

Vice-President

Arundel Rivers Testimony FAV for HB831.pdf
Uploaded by: Elle Bassett
Position: FAV

Testimony encouraging a FAVORABLE report on House Bill 831 – Septic Systems – Online Database

Environment and Transportation Committee
March 1, 2023

Dear Chair Barve and Members of the Committee,

Thank you for the opportunity to submit testimony in **SUPPORT** of HB831, 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.

House Bill 831 will phase in a statewide database for all septic systems in the state. This will address multiple gaps and issues both the general public and our environment faces, including:
- Providing homebuyers with timely and accurate information on a property's septic system,
- Ensuring septic professionals provide the best maintenance possible to septics after reviewing system information on the database,
- Local governments having a more organized and time-manageable process of locating information on septic systems, saving them time and money, and
- Providing our state much need information about where old or failing systems may be located, better protecting our wells, waterways, and the shellfish industry.

Septic systems can be a significant source of pollution to the Chesapeake Bay, especially as you travel upstream in smaller rivers and streams. Similar to many river environmental non-profits in the region, Arundel Rivers runs a bacteria water quality monitoring program during the summer to provide those who swim and recreate on our wateways the data to make an educated decision on whether it is safe to swim or not. High levels of bacteria or E. coli, which can come from sources such as non-functioning septic systems can cause humans interacting with our waterways to become ill. It is imperative that the systems in our watershed are maintained and tracked in a transparent way to ensure both human and environmental health. This bill will modernize our septic system industry, providing an easier way to learn about one's own septic system.

Arundel Rivers Federation supports properly tracking, understanding, and maintaining septic systems to better protect our waterways and we respectfully requests a **FAVORABLE REPORT on HB831.**

Sincerely,

Elle Bassett

Elle Bassett
South, West and Rhode Riverkeeper
Arundel Rivers Federation

HB 831 von Gunten FAV.pdf

Uploaded by: Gene von Gunten

Position: FAV

Gene von Gunten

TESTIMONY

House Bill 831- Environment – Septic Systems – Online Database

In Favor

My name is Gene von Gunten. I live near Westminster, MD; and I am retired after 38 years as a Registered Sanitarian with the Frederick County Health Department and the Montgomery County Department of Permitting Services. I would like to testify in favor of House Bill 831, Septic Systems Database.

At Montgomery County, I presided over the project to image all existing septic and water well records; and make that data available to the public via the internet.

These records are public, and they must be readily available to the homeowner, septic service companies, and real estate professionals. However, only three Maryland counties (Montgomery, Howard, Baltimore) have imaged their records; and only two counties (Montgomery, Howard) have made these records accessible. In addition, this data is critical for environmental planning and assessment.

Most Maryland County Health Departments recognize the need to make these records digital and accessible. None of these counties have the resources to complete this mission. This legislation will bring the resources and expertise of the State of MD (MDE) and a workgroup of septic professionals to bear on this task.

Without the direction and support of the Maryland Legislature this critical task will never be furfilled.

HB 831 - Septic - FAV - REALTORS.pdf

Uploaded by: Lisa May

Position: FAV

House Bill 831 – Environment - Septic Systems - Online Database

Position: Support

Maryland REALTORS® supports HB 831, to establish a statewide database for septic permits and to establish a work group on septic issues.

The septic approval process and operations of local health departments regarding septic inspections are a growing concern for real estate professionals and their clients. Delays in receiving necessary permits and inspections, as well as changing standards, have led to delays in real estate transactions and even cancellations of contracts to purchase.

In our discussions with these local departments, MDE, and elected officials, one impediment to better operations is a lack of a shared system which tracks all septic activities in the state. It is difficult to determine whether current timeframes are occurring statewide or if they are regional anomalies. HB 831 is a necessary first step to developing that system and providing accountability for timely processing of permit applications and inspections.

REALTORS® greatly appreciate the sponsor's inclusion of the industry into the work group. In addition, that group may find it helpful to either include as a member or routinely consult with those who have experience in designing and installing septic systems in the state.

Based upon the growing impacts that septic system approvals and inspections are having on the industry, we urge greater coordination and oversight of this process, and ask for your support of HB 831.

For more information contact
lisa.may@mdrealtor.org or christa.mcgee@mdrealtor.org

MBIA Letter of Support HB 831.pdf

Uploaded by: Lori Graf

Position: FAV

March 1, 2023

The Honorable Kumar P. Barve
Environment & Transportation Committee
House Office Building, Room 251,
6 Bladen St., Annapolis, MD, 21401

RE: MBIA Letter of Support HB 831 Environment - Septic Systems - Online Database

Dear Chairman Barve:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 831 Environment - Septic Systems - Online Database**. MBIA **Supports** the Act.

This bill would require the department of education to maintain and develop an online database of septic systems and require the Department of the Environment to establish a workgroup to oversee its development an population. MBIA supports this measure with amendments. As the largest representative of builders and developers that install these systems across the state we requires that this bill be amended so that a member of MBIA will be represented on the workgroup overseeing the database.

For these reasons, MBIA respectfully requests the Committee give this measure a favorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the House Environment & Transportation Committee

HB0831-ET_MACo_SWA.pdf

Uploaded by: Dominic Butchko

Position: FWA

House Bill 831

Environment – Septic Systems – Online Database

MACo Position: **SUPPORT** **WITH AMENDMENTS**	To: Environment and Transportation Committee
Date: March 1, 2023	From: Sarah Sample and Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** HB 831 **WITH AMENDMENTS.** This bill would require the Maryland Department of the Environment to establish an online database of all septic systems installed in the state in collaboration with local environmental health departments. While this legislation could help modernize septic management by creating a comprehensive archive of all statewide systems, amendments should clarify that it be implemented in a way that does not create any reporting redundancies or additional burden on the local offices who manage this process.

The vast majority of county environmental health departments are currently managing the care, condition, and installation of all new and existing septic systems within their jurisdictions by the use of an online database that is managed locally. This is a tool that helps environmental health specialists track information and process applications. While this is a valuable tool, many of these departments are currently understaffed and overburdened with their existing workload. As failing septic fields can pose a serious environmental hazard, it is imperative that these offices are not encumbered with extensive mandates that interfere with their safety mission.

Counties appreciate the value of a comprehensive system that is able to pool all the existing statewide data, currently strewn across multiple local systems. The ability to assess variables from county to county could certainly provide valuable insights for the current and future state of the trade. With these benefits in mind, counties urge amendments to ensure the potential of this legislation is realized while avoiding any unnecessary pitfalls for the local teams.

For any counties without an existing database, the Department of the Environment should accept and update information in the format that is decided by the local department to be the most expedient process. This will ensure the statewide database is able to provide the desired breadth of information without resulting in a great operational burden for the county divisions. The same should be true of the costs associated with the statewide database, where the onus is on the Maryland Department of the Environment to fund the development and management of its own database.

Additionally, since counties have taken such great initiative in establishing their own online programs, counties would request that they receive robust representation on the database development workgroup to maximize streamlining the transfer of data from the local systems to the statewide database. Once the statewide database is established, the State should be responsible for all future system updates.

Counties have taken the first important steps in modernizing the process of tracking and managing septic systems and appreciate HB 831's intent for the State to further this progress. Counties support this direction, provided the appropriate safeguards are in place to ensure the harmony of local teams and legacy systems in the implementation process. Accordingly, MACo urges the Committee to issue a **FAVORABLE WITH AMENDMENTS** report for HB 831.

HB831 FWA E Harrison .pdf

Uploaded by: Edward Harrison

Position: FWA

In Favor with Amendments of HB831 – Environment - Septic Systems - Online Database

To Environment and Transportation Committee Members,

My name is Eddie Harrison, I am the legislative liaison representing MOWPA (Maryland Onsite Wastewater Professionals Association).

The Amendments that MOWPA would like to add to HB831 is for Design plans and criteria, and as-built drawings to be included in the list of items within the database.

We also feel that this bill will not have any chance of moving forward without Capital investment from the State of Maryland.

HB831, as written, has little to no positive affect on the Onsite Wastewater Industry.

Onsite Wastewater System records are vital to have access to, by the property owners and many professionals that may associate themselves with a property:

The property owner – to know where their system is to be able to protect it from vehicle damage, utility interference (Communication lines, Electric lines, water lines, and other underground utilities). It helps the property owner plan for construction projects (Additions, pools, sheds, driveways, etc.). If property owners could have access to acquire their design plans/records from the convenience of their home, as they do for their SDAT and Deed information, it could avoid unintended damage to their Onsite System and they could make more informed plans for construction. Currently, the property owner finds out where their Onsite System is located after they damage the system or have hired a contractor, paid an architect to design their project, apply for the permit, and then be told by the local Health Department that they can't proceed.

MHIC contractors, pool contractors, shed retailers, fence contractors, etc. - could have access to the design plans for review BEFORE they start the planning. It can help to identify where structures and utilities can be placed and can't be placed. It would save the contractors and the property owners a lot of time and expense.

Property Transfer Inspectors – are required by MDE to obtain Onsite Wastewater records to include with their inspection report. This is to give the new owners a clear perspective of where the system is, and any history of issues the property might have. If there has been any repairs and if the property has any capacity restrictions and many other valuable information. Acquiring these records directly form the Count Health Department, today, is hit or miss, depending on the County. Some Counties inform us they have 30 days to provide these records (according to PIA guidelines)

Onsite Wastewater Pumpers and Installers – can access these design records to find the tank to pump it (If the tank has been buried or hidden) and an Installer can locate the components for a repair without digging all over the yard. (I, personally, have dug 4 or 5 holes all over the front yard, only to find out the system was in the back yard.)

February 25, 2023

An **Onsite Wastewater Service Provider** – which is primarily what my company does, we work on the Automated Onsite Wastewater Systems, including the BAT (Best Available Technology) systems. We also maintain and service mound systems, drip dispersal systems, peat filtration systems and any other Onsite Wastewater System that utilizes electricity and moving parts.

My typical scenario is, I will get a call from a customer that their alarm is going off or they have a backup into their home. I go out to the property and discover one of these automated dispersal systems, like a drip dispersal system. These drip systems are only in the ground about 6" and have access points at grade level and small diameter green boxes. The system will be anywhere from 10 to 20 years old and the grass has grown over these access points and we can't find them right off. Sometime we get lucky and can find them in an hour or two, but many times it takes hours. We don't know how many there are. We can guess from experience, the age of the system and the brand, but those are not dependable. I have spent 2 days poking and digging all over a customer's lawn to try and find these components. Luckily for me, none have eluded my tenacity. Not all professionals have the experience I have (and luck). All of this poking around is costing the customer.

Another common scenario is on a mound system or Low Pressure Dosing (LPD) system where each system is custom designed for each property. Based on the size of the absorption area, absorption rate of the soil, and the elevation difference, each system will have a specific brand and size of pump. And each system will have different pressures (known as "Head Pressure") which we measure from observation ports and the end of each lateral. On some of these older systems, the pump they utilized is no longer available, or has been deemed unreliable. Sometimes, especially in the early times of installing these types of systems, the installer would install the wrong size pump. For all of these reasons I, as a service provider, need the design drawings and design criteria to perform repairs to match what the system was designed to do.

Property owners almost never have these records in their possession. These types of records are not important to property owners until the system obtains some age on it, and starts to have component malfunctions. After 10, 15, 20 years, the property owner can't remember where they are, the property has changed hands, or they threw them away, because "If you don't use something in 5 years, you probably don't need it".

One issue my company has had to deal with in the past few years is incomplete information. Some Counties have taken the initiative to develop their own digital database. While this has improved the time it takes to acquire the information, the information that I require will be missing. Sometimes I can request a deeper dive into the records, and they will produce them. But, in some instances they are not produced. I believe, In some office settings, preserving these vital records are not deemed a priority. These systems, that I refer to, cost anywhere from $20K to $50K when they were installed. In most cases, these systems are the last hope for an Onsite Wastewater System for the property. The next step would be a "Pump and Haul" scenario, where all wastewater produce on the property would have to be hauled away in a tuck. When this is the case, the property value is essentially cut in half. I think these property owners deserve better service than this from their government.

Designers – if a current system fails and a designer would need to know what was already there to be able to design the new system and avoid the old one. Or, maybe, he might want to design something a little better.

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Not to mention all of the benefits to the local Health Departments – Not only for them to be able to lookup records quickly for in-house use, but it will save them time and resources to serve the public. Many Health Departments get 50 to 80 requests for records a day, from Property Transfer Inspectors, property owners, and service providers. Most Health Departments have one person that is exclusively dedicated to producing these records. With an online database the resources for this position could be utilized elsewhere.

We need to bring Septic records up to the 21st Century and have modern access to vital property records as we do with SDAT, Deeds, and every other important public information.

The environmentalists, also, have their own important reasons for moving this forward. I support their motives, but I am not speaking for them.

This concept has been floating around MOWPA for 10 years. "Team Septic" has been trying to find a way to get this initiative to move forward for the last 5 years. We all understand that this is a hard mountain to climb. But kicking it down the road only makes it harder.

"Team Septic" had a Zoom meeting with a contractor that does just this. He specializes in online databases for Onsite Wastewater. He sells programs to private contractors to keep track of their services records and has built statewide databases for 6 States, including Florida. He claims he can set up the hardware for work stations in each County and digitize all of the records for $1.50 per property. Maryland has 420,000 Onsite Wastewater Systems in the State. That would be $630,000. He was a salesman, so, in my opinion, I would think $1.5M could do it, if MDE would let a private contractor, with experience, do it.

This topic has been discussed many times in MOWPA Board meetings and MOWPA events, with advocates and naysayers. All will agree that it is needed, and would make our industry so much more efficient, but the naysayer balk at the work involved to get it started. "You can't eat an elephant all in one sitting, you have to eat him one bite at a time" But he will never be eaten if you just stare at him and say "He's too big".

One major hurdle is all of the local Health Departments have stored their own records in their own way. All of them have their own twist on their filing systems. This will be a huge endeavor, but it needs to be done for the public good and to help preserve property values. The cost savings down the road will outweigh the investment cost today. There will be savings in manpower to the public employed and savings in costs to the consumer.

"The Onsite Wastewater Disposal System is the most expensive appliance in the home!"

I represent MOWPA as an un-compensated Legislative Liaison, current Vice-President, and former Board President.

My day job is the owner of BAT Onsite, LLC. BAT Onsite, LLC., which is primarily an Operation and Maintenance Provider for automated Onsite Wastewater Systems. Including, but not limited to: Advanced Treatment Units (including BAT), Pump Systems, Mound Systems, Drip Dispersal Systems, and pretty much any Onsite Wastewater System that requires electrical/mechanical operation under 5,000 gallons per day. I am currently servicing over 600 units, covering the whole State of Maryland. I have been

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working in the Onsite Wastewater Industry as an installer, pumper, designer, property transfer inspector, and operation and maintenance provider since 1984

MOWPA represents all Maryland professionals in the Onsite Industry. We have in our membership: Installers, Pumpers, Engineers, Property Transfer Inspectors, Operation and Maintenance Providers, and Code Officials.

 [The Maryland Onsite Wastewater Professionals Association (MOWPA) is a 501 C(6) not-for-profit organization, chartered in September 2004 to provide education and training programs for individuals and companies working in the onsite sewage disposal system industry.

OUR MISSION….to promote and enhance the use of onsite wastewater treatment and disposal by providing a forum for education, development and information transfer in order to create viable treatment processes, design, construction, operation and maintenance capabilities within the onsite industry. www.mowpa.org]

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The Onsite Wastewater System (Septic System) is the most expensive appliance in the home.

I ask for **favorable** report with **Amendments** of **HB831 – Environment - Septic Systems - Online Database**

Thank you for your time,

Eddie Harrison Board Vice President and Legislative Liaison
410-952-4614
Email: rdsefe@aol.com

Maryland Onsite Wastewater Professionals Association
P.O. Box 2570, Ellicott City, MD 21041
Phone: 443-570-2029 Fax: 443-267-0098
Email: info@mowpa.org

February 25, 2023

HB831 Testimony.pdf

Uploaded by: Donald Curtian

Position: UNF

DATE: 03/01/2023

TO: Members, House Environment and Transportation Committee

FROM: Maryland Conference of Local Environmental Health Directors

RE: House Bill 831-Environment- Septic Systems- Online database

The Maryland Conference of Local Environmental Health Directors (Conference), an affiliate of the Maryland Association of Counties, **DOES NOT SUPPORT** House Bill 831.

The Conference fully supports the concept of digitizing septic system records and making them readily available to the public. However, the way that this bill goes about accomplishing this goal is problematic for several reasons. First and foremost, there is no mention of if or how this initiative will be funded. The referenced records are all housed and managed by Local Environmental Health Departments (county governments in a few instances). The costs of this initiative will be in the **MILLIONS** and it will likely take decades to accomplish this work as described in this bill.

It is important for everyone to know that not all Local Health Departments keep records in the same manner. There are at least 5 Local Health Departments or county governments that have their residential septic system records completely digitized and 84% of Local Health Departments have a significant amount of digitization already underway. The way that this bill is crafted, many if not all of those records systems would not comply with (A) of 9-1114. Additionally, the timelines laid out are **completely unrealistic**. The systems that exist now with digitized septic records cost the taxpayers many hundreds of thousands of dollars and decades of time and resources to create. For the 18 remaining jurisdictions to accomplish the same tasks when we are already terribly under resourced and understaffed is completely outside the realm of possibilities.

The Conference recommends that the bill sponsor withdraw this bill and work with us and the Department of the Environment to determine the best path forward for the future. We are very much in favor of digitizing septic system records, however we believe that this would be best accomplished through individualized grants to Local Health Departments that allow us to secure digitization and database services unique to each jurisdiction's existing systems and needs. Additionally, these types of online databases are not a one-time investment and local health departments would need additional staffing to support upkeep of the databases.

The Conference recommends an **UNFAVORABLE** report.

Contact: Matt Cumers, President, Maryland Conference of Local Environmental Health Directors, Phone: 410-535-3922 x114
Matthew.cumers@maryland.gov

MDE HB0831 LOI.pdf

Uploaded by: Tyler Abbott

Position: INFO

Maryland
Department of the Environment

March 01, 2023

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

Re: House Bill 831 - Environment Septic Systems - Online Database

Dear Chair Barve and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed House Bill 831 and would like to provide the following information. First, the Department would like to thank the sponsor for their continued leadership and partnership on septic system issues. MDE has met with the sponsor and advocates regarding some of the Department's concerns.

MDE agrees on the importance of having a transparent and consistent method of accessing septic system information statewide. However, the Department has already moved forward with plans to create such a database and is concerned that the bill's provisions would actually limit us from continuing that effort and set us back to "square one."

MDE is required to follow the statewide Major IT Development Project Process for this database project because: (1) the estimated total cost of development equals or exceeds $1 million; and (2) the project is undertaken to support a critical business function associated with the public health, education, safety, or financial well being of the citizens of Maryland. *Attachment A* of this letter outlines key phases and actions that MDE currently plans to take under the Major IT Development Project Process. If HB 831 were to pass, it is likely the Department's current efforts would have to be reset in order to comply with the bill's provisions.
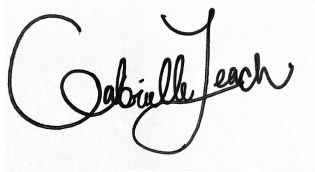
In lieu of the provisions of HB 831, the Department would like to commit to the following deliverables over the 2023 interim:
- MDE, in partnership with the Maryland Department of Health, will do an assessment on the number of septic records that are digital and that will need to be uploaded into the database. This will include consideration of those counties that have not yet transferred their records to a digital format and, to the extent practicable, an estimate of potential costs and labor requirements needed to scan these records;
- If a local jurisdiction has a link to their current septic system database, the Department will upload the link onto our website;
- MDE will create a timeline of when the database will be live along with resources needed; and

- The Department will share any additional information found during the process of pulling this assessment together.

Thank you again, and we look forward to continuing this conversation with you.

Best,

Gabrielle Leach
Deputy Director
Legislative and Intergovernmental Relations

Cc: The Honorable Dana Stein