

An Affiliate of
the Maryland Association
of Counties, Inc.



DATE: March 8, 2023
TO: Members, House Environment and Transportation Committee
FROM: Maryland Conference of Local Environmental Health Directors
Maryland Association of County Health Officers (MACHO)

RE: HB 1170 - Graywater Systems - Public and Private Buildings – Authorization
POSITION: Letter of Opposition

The Maryland Conference of Local Environmental Health Directors (the Conference) and the Maryland Association of County Health Officers (MACHO) **OPPOSE HB 1170** regarding Graywater Systems.

This bill introduces an entirely new definition of graywater that contradicts the current statute found in Article-Environment §9-1112. The Conference and MACHO believe the existing definition of graywater in statute provides the appropriate level of protection of the environment and the public's health while the proposed definition decreases the scope of protection unnecessarily and creates significant conflict with current statutes regarding reuse. Under 9-1112.1(A)(3), the bill's proposed definition of "Graywater System" means a holding tank connected to a hand washing sink or a three-compartment sink and directly conflicts with existing graywater statute. Pursuant to COMAR 26.04.02, a holding tank cannot be utilized for an increase in wastewater flow; HB 1170 proposes to allow this use. The bill defines graywater systems as holding tanks with no clear manner of final disposal or **beneficial reuse**. This definition is essentially just describing sewage holding tanks, not a graywater system. To allow creation or expansion of businesses utilizing sewage holding tanks as a means of wastewater disposal would set a **dangerous precedent** for the State of Maryland threatening our environment and the public's health.

This bill appears to intend to allow a carve-out for a specific business to be able to operate without complying with current regulations and laws. It is important to understand the impact that this legislation would have on the way that graywater, allowable uses utilizing sewage holding tanks, potable water, and food service facilities, are safely regulated under the current statutes and regulations in place in Maryland. Approval of this bill would open the door for food service facilities and bars to essentially open anywhere in the state (including made land consisting of dredge spoils) and utilize sewage holding tanks and cisterns for potable water use, which would lead to significantly higher risk of waterborne and foodborne illness in our communities.

For these reasons, the Conference and MACHO request the Committee give HB 1170 an **UNFAVORABLE** report.

A handwritten signature in blue ink that reads "Matt Cumers".

Matt Cumers, President
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A handwritten signature in black ink that reads "Ruth Maiorana".

Ruth Maiorana, Executive Director
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