



February 21, 2024

The Honorable Marc Korman
Chair, Environment and Transportation Committee
Room 251, House Office Building
Annapolis, MD 21401

Re: Request for Amendments - HB 1055 (Environment-Highways-Salt Application)

Dear Chairman Korman:

On behalf of the Maryland Municipal Stormwater Association (MAMSA), I am writing to request **amendments** to HB 1055, which would require that a state agency or locality records and reports on each highway salt application over the winter season. To determine the amount of salt applied, the state agency or locality must include salt applied at schools and by private contractors.

MAMSA's local government members are interested in HB 1055 because they apply salt during the winter season and would be subject to the recording and reporting requirements in the bill.

Preliminarily, MAMSA questions whether the bill is necessary. All of the State's largest counties that own and operate municipal separate storm sewer systems (MS4s) have discharge permits issued by the Maryland Department of the Environment. These permits require development of a Salt Management Plan, with a tracking and reporting component. However, if HB 1055 moves forward, MAMSA asks for the following amendments:

- **Clarify That Only Records of State Agency or Locality Applications Must Be Kept.** HB 1055 states that each state agency or locality shall "maintain records of each highway salt application made for the winter weather season." (p. 1, l. 19-21). Please amend HB 1055 to state that a state agency or locality must only maintain records of "each **of its**" highway salt applications for the winter.
- **Clarify That Salt Applied Calculation Is Limited to Applications by the State Agency or Locality.** HB 1055 directs each State agency or locality to include schools and private contractors in calculating the amount of salt applied each winter. A locality can keep records of its own applications, even those performed by a locality contractor; however, a locality has no way to obtain records on applications made to private or state colleges, to federal or state parks, or to private property by a private contractor. Please amend HB 1055 to state that a state agency or locality must only include salt applications made by it or its contractor on property under its control.

Please feel free to contact me with any questions at Lisa@AquaLaw.com or 804-716-9021.

Sincerely,

Lisa M. Ochsenhirt, MAMSA Deputy General Counsel

cc: Environment and Transportation Committee Members, HB 1055 Sponsors