



**The Maryland Department of the Environment
Secretary Serena McIlwain**

***Senate Bill 265
Environment – Reservoir Augmentation Permit – Establishment***

Position: Support with Amendments
Committee: Environment and Transportation Committee
Date: January 29, 2025
From: Jeremy D. Baker, Director of Government Relations

The Maryland Department of the Environment (MDE) **SUPPORTS SB 265 WITH AMENDMENTS.**

Senate Bill 265 grants the Maryland Department of the Environment (MDE) the authority to establish a Reservoir Augmentation Program, enabling MDE to permit and regulate water reuse systems for the planned placement of reclaimed water—treated wastewater—into surface water reservoirs that serve as sources for drinking water treatment. The bill is based on prior legislation (SB 407 of 2023) that established a pilot water reuse program for the City of Westminster.

The bill authorizes MDE to develop regulatory standards, issue permits, and oversee the reservoir augmentation process, which uses reclaimed water (treated wastewater) as source water for a drinking water treatment facility. Under the bill, the wastewater would be treated to drinking water standards and then sent to a surface water reservoir. The reservoir water would then be sent to a water treatment facility that treats the water to drinking water standards for a second time. This water is then distributed to the public. The bill would also transition MDE’s temporary innovative potable reuse (IPR) pilot program, which is set to expire in 2028, into the permanent Reservoir Augmentation Program, ensuring consistency and continuity. One application, for the City of Westminster has been received under this program.

The Reservoir Augmentation Program will incorporate the technical standards established under the IPR pilot program, including requirements that the reclaimed water must: (1) meet certain primary and secondary Maximum Contaminant Levels (MCL) before entering the distribution system; (2) be treated for pathogens; and (3) be tested for per- and polyfluoroalkyl substances (PFAS). The Reservoir Augmentation Program will align with other permitting programs and regulations for the system, such as the NPDES wastewater permit, the State Water Appropriation and Use Permit, the Safe Drinking Water Act and construction permits.

Three Key Points on Water Reuse/Reservoir Augmentation

- *More areas in Maryland are facing drinking water scarcity.* While Maryland has traditionally been a water rich state, it has always had local pockets, such as the City of

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Westminster, with drinking water scarcity. Population growth, changing weather patterns caused by climate change and salt water intrusion are putting more of the State's water supplies at risk. Senate Bill 265 makes the State more resilient and water secure.

- *Water Reuse/Reservoir Augmentation is beneficial to both the environment and economic development.* Water reuse can be very beneficial to the environment by reducing the need to uptake natural water, reducing stress on local waterways and aquifers. Water reuse also promotes growth and economic development in areas where water is a limiting factor.
- *Water Reuse/Reservoir Augmentation technology is well-established and safe.* Many other states, such as California and Texas, have been using water reuse technology safely for decades. The technology has also been implemented in various foreign countries as well. If you have traveled extensively, you have probably drank reclaimed water.

Senate Bill 265 exemplifies a forward-thinking approach to securing Maryland's water future amid the realities of a changing climate. MDE is offering two small technical amendments to the bill. Accordingly, MDE asks for a **FAVORABLE WITH AMENDMENTS** report for SB 265.

Amendments

AMENDMENT NO. 1

[Terminology change - changes an incorrect reference of “potable reuse permits” to the correct reference of “reservoir augmentation permits”]

On page 4, in line 30, strike “**POTABLE REUSE**” and substitute “**RESERVOIR AUGMENTATION**”.

AMENDMENT NO. 2

[Technical change - discharge permits or pretreatment regulations can come from sources other than the Department, including federal regulations and memoranda of understanding between permit holders and local governments]

On page 6, in line 14, strike “**ADOPTED BY THE DEPARTMENT**”.

AMENDMENT NO. 3

[Minor Typo - replaces incorrect word “designated” with correct word “designed”]

On page 6, in line 27, strike “**DESIGNATED**” and substitute “**DESIGNED**”.

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