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Testimony in SUPPORT of SENATE BILL 117 WITH AMENDMENTS – Environment – Bay Restoration Fund – Septic System Upgrade Program

Education, Energy, and the Environment
January 28, 2025

Dear Chair Feldman and Members of the Committee,

Thank you for the opportunity to submit testimony in **SUPPORT OF SB117 with amendments**, 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 4,500 supporters. Our mission is to work with local communities to achieve clean, fishable, and swimmable waterways for present and future generations.

Senate Bill 117 will better address nitrogen pollution coming from septic systems by expanding the priority of Bay Restoration Funding (BRF) to including addressing failing systems within nitrogen-impaired watersheds.

The Comprehensive Evaluation of System Response (CESR) report has highlighted the need to address non-point source pollution in our waterways. A conventional septic system does not remove much nitrogen, instead delivering about 23.2 pounds of nitrogen per year to groundwater. Even Best Available Technology (BAT) systems, only reduce nitrogen loading to about half that of a conventional system. Comparatively, wastewater treatment plants with enhanced nutrient removal can discharge effluent containing only 3milligrams per liter of nitrogen. **Pollution from septic systems now exceeds nitrogen pollution from our wastewater treatment plants in 17 counties**, including: Caroline, Caroll, Calvert, Cecil, Charles, Dorchester, Fredrick, Garrett, Harford, Kent, Queen Annes, Somerset, St. Mary's, Talbot, Washington, Wicomico, and Worcester County. Even in counties where wastewater treatment plants are contributing more nitrogen, septic systems are still having a large impact at the local subwatershed level. For example, **16% of Anne Arundel County's nitrogen loading is coming from septic systems.** This is likely higher in waterways such as the South, West, and Rhode River where there are no large wastewater treatment plants discharging.

Now that we have addressed the larger wastewater treatment plants through Bay Restoration Funds, it is time we begin addressing septic systems as part of the battle to address nitrogen pollution to meet our water quality goals. According to MDE, Maryland has approximately 420,000 septic systems in the Chesapeake Bay watershed, 52,000 of which are located in the critical area. **This bill will make BRF funding for septic upgrades more equitable** by expanding the priority funding area beyond critical areas, which is an affluent housing area. Currently, the BRF is prioritizing funding to only about 12% of septic systems in the state.

We respectfully request the committee consider the following amendments to SB117:

1. Adding “FREQUENCY OF REQUIRED PUMP OUT, AND REPAIR FREQUENCY AND COST” to 9-1108.1(c)(2). The Department should consider these costs when evaluating and ranking all BATs as they are critical to the function of the system. This information should be easily collectable with industry support.
2. Defining the size of the nitrogen-impaired body of water.
3. Adding “FAILING SYSTEMS THAT ARE LOCATED WITHIN THE 500 YEAR FLOODPLAIN” as a priority for BRF funding. These regions are the most likely to be impacted by sea level rise and flood inundation. As such, this is an opportunity for the state to ensure that septic systems within these areas are the most efficient and functional to lessen human health and environmental impacts in the face of climate change.

Arundel Rivers Federation strongly supports addressing nitrogen pollution from septics to improve our local water quality and address human health concerns and we respectfully request a **FAVORABLE WITH AMENDMENTS REPORT on SB117.**

Sincerely,

Elle Bassett

Elle Bassett
South, West and Rhode Riverkeeper
Arundel Rivers Federation