



The Maryland Department of the Environment
Secretary Serena McIlwain

House Bill 1360
Environment - Road Salt - Outdoor Storage

Position: Support with Amendments
Committee: Environment and Transportation
Date: March 5, 2025
From: Alex Butler, Deputy Director of Government Relations

The Maryland Department of the Environment (MDE) **SUPPORTS HB 1360 WITH AMENDMENTS.**

Bill Summary

House Bill 1360 would prohibit a person from storing road salt uncovered outdoors. The bill also requires MDE to develop and implement regulations that establish appropriate outdoor storage practices for road salt, including penalties for noncompliance.

Position Rationale

Broadly, MDE supports the goal of preventing environmental contamination from salt or other deicing materials. However, MDE believes some of the bill's provisions are vague or overbroad and could lead to confusion or challenges in regulation enforcement.

The term "road salt" does not cover all relevant types of deicing materials currently being applied to roads. Additionally, the bill's reference to a "county stormwater management authority" creates uncertainty, as the term is not defined in the Environment Article, leaving it unclear which local entity would be responsible for enforcement and how they would coordinate with MDE. This ambiguity could lead to inconsistent enforcement across counties. Finally, the bill's penalty language is overbroad and envisions a new enforcement system rather than relying on existing penalties and enforcement processes.

MDE has provided the attached amendments to address these uncertainties, ensure effective and equitable implementation of the bill, and minimize fiscal and personnel costs. Accordingly, MDE asks for a **FAVORABLE WITH AMENDMENTS** report for HB 1360.

[Amendments on next page]

HOUSE BILL 1360

M3, R1

5lr1567

By: Delegates Qi, Acevero, Cardin, Fair, Guyton, Palakovich Carr, Ruth, Spiegel,
Vogel, Wims, and Woorman

Introduced and read first time: February 7, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

AN ACT concerning

Environment – ~~Road Salt or Deicing Material~~ – ~~Outdoor~~ Storage

FOR the purpose of prohibiting certain persons from storing ~~road salt uncovered outdoors or deicing material in an exposed location~~; requiring the Department of the Environment to adopt regulations to establish proper outdoor storage requirements for ~~road salt and~~ or deicing materials; establishing penalties for noncompliance; and generally relating to the ~~outdoor~~ storage of ~~road salt or deicing material~~.

BY adding to

Article – Environment

Section 9–2302

Annotated Code of Maryland

(2014 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

9–2302.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “DISCHARGE PERMIT” HAS THE MEANING STATED IN § 9-301 OF THIS ARTICLE.

(B) THIS SECTION DOES NOT APPLY TO AN ENTITY COVERED BY A SALT MANAGEMENT PLAN UNDER A FEDERAL PERMIT, A PERSON WHO HAS BEEN ISSUED PERMIT COVERAGE UNDER A MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT, A GENERAL PERMIT FOR DISCHARGES FROM STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITIES, OR ANY OTHER DISCHARGE PERMIT THAT SPECIFICALLY ADDRESSES SALT OR DEICING MATERIAL.

(C) A PERSON MAY NOT STORE ROAD SALT UNCOVERED OUTDOORS OR DEICING MATERIAL IN A LOCATION THAT IS EXPOSED TO PRECIPITATION OR RUNOFF.

(D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO ESTABLISH:

(1) PROPER OUTDOOR STORAGE REQUIREMENTS FOR ROAD SALT OR DEICING MATERIAL;
~~AND~~

~~(2) PENALTIES AND REMEDIATION REQUIREMENTS FOR FAILURE TO COMPLY WITH THE REGULATIONS.~~

~~(b) A PERSON WHO STORES ROAD SALT OUTDOORS SHALL ENSURE THE STORAGE IS COMPLIANT WITH THE REGULATIONS ADOPTED BY THE DEPARTMENT UNDER THIS SECTION.~~

~~(e) A COUNTY STORMWATER MANAGEMENT AUTHORITY IN COORDINATION WITH THE DEPARTMENT SHALL ENFORCE THIS SECTION~~
A PERSON WHO VIOLATES THE PROVISIONS OF THIS SUBTITLE, ANY REGULATION ADOPTED UNDER THIS SUBTITLE, OR ANY ORDER ISSUED UNDER THIS SUBTITLE SHALL BE SUBJECT TO THE PROVISIONS OF §§ 9-334 THROUGH 9-344 OF THIS TITLE.

~~(f) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALTER, PREEMPT, OR OTHERWISE RELIEVE LIABILITY FOR THE DISCHARGE OF ROAD SALT OR DEICING MATERIAL INTO WATERS OF THE STATE OR THE STATE'S DEPARTMENT'S ENFORCEMENT AUTHORITY UNDER THE FEDERAL CLEAN WATER ACT.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.