



Affiliate of The Maryland Association of Counties, Inc.

January 29, 2026

TO: Members, House Environment and Transportation Committee
Members, Senate Education, Energy and the Environment Committee
FROM: Maryland Conference of Local Environmental Health Directors
RE: **HB146 and SB165– Environment – on-site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates**

The Maryland Conference of Local Environmental Health Directors (Conference) provides this **Letter of Support with Amendments** for HB146 in their capacities as the State’s twenty-four Environmental Health Directors who carry out delegated authorities from both the Maryland Department of the Environment (MDE) and Maryland Department of Health (MDH).

The Conference supports the bill's intent to create increased requirements for onsite water disposal systems (OSDS) maintenance during property sales and for rental properties, however, agree that amendments to the language need to occur. As proposed, the Conference has concerns with the impact on OSDS determinations by implying that pump outs and OSDS inspections can occur separately. There needs to be clarification that each jurisdiction has a means for OSDS failures to be reported that need to be followed and that most repairs and all installations would require Local Health Department oversight and permitting. Additionally, OSDS that are proposed to be abandoned as part of a property transfer should not be subject to the pumping and inspection of the OSDS. The Conference highly recommends the following **BOLDED** amendments:

8-122 (Page 3)

Line 12: Replace OR with AND

(B) OF THIS SECTION, A PROPERTY TRANSFER INSPECTION ~~OR~~ **AND** PUMPING SERVICE

Lines 13-14: Include proposed language

PERFORMED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION IS VALID FOR 3 YEARS. **The Property Transfer Inspection and Pump Out of the OSDS must occur concurrently.**

Lines 16-19: Amend with proposed language

WASTEWATER SYSTEM, THE LANDLORD OF THE PROPERTY SHALL: ~~NOTIFY THE DELEGATED APPROVAL AUTHORITY:~~

(1) ~~ABOUT THE FAILURE;~~ **AND Notify the Delegated Authority in accordance with their process, policy or ordinance AND**

(2) ~~WHEN THE SYSTEM IS FIXED.~~ **Obtain any and all necessary permits to correct the failure**

10-716 (Page 4)

After Line 12: Include proposed exemption of this Section if OSDS is to be abandoned as part of the property transfer,

(III) The On-Site Wastewater System is to be abandoned in conjunction with the property transfer.

10-716 (Page 5)

Line 4: Replace OR with AND

~~OR~~ **AND** PUMPING SERVICE PERFORMED IN ACCORDANCE WITH SUBSECTION (C)(1) OF

Line 5: Include Proposed language

THIS SECTION IS VALID FOR 3 YEARS. The Property Transfer Inspection and Pump Out of the OSDS must occur concurrently

Line 7-10: Amend with proposed language

WASTEWATER SYSTEM, THE OWNER OF THE PROPERTY SHALL: ~~NOTIFY THE DELEGATED APPROVAL AUTHORITY:~~

(1) ~~ABOUT THE FAILURE; AND~~ **Notify the Delegated Authority in accordance with their process, policy or ordinance AND**

(2) ~~WHEN THE SYSTEM IS FIXED.~~ **Obtain all necessary permits to correct the failure**

The Conference recommends the bill be revised to include the above amendments; however, concerns related to the oversight, enforcement and management of this proposal remain. As the intent is to further protect public health through increased maintenance of an OSDS the **Conference Supports with Amendments** HB 146 and SB 165.

For more information:

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