



Affiliate of The Maryland Association of Counties, Inc.

Date: February 20, 2026
TO: Members of the Education, Energy, and the Environment Committee
FROM: Maryland Conference of Local Environmental Health Directors
RE: **SB 682–Anne Arundel County-Community Sewerage Systems-Homeowners Association Control**

The Maryland Conference of Local Environmental Health Directors (Conference) provide this letter of **Opposition** for SB 682 in their capacities as the state’s twenty-four Environmental Health Directors who carry out delegated authorities from both MDE and MDH. The Conference does not support allowing a Homeowners Association the authority to manage, operate, and maintain a shared facility or community sewerage system as a controlling authority. The concerns are as follows:

1. The only determination of “full operational compliance” needs to be the Maryland Department of the Environment. Shared facilities that are issued a Groundwater Discharge Permit have defined parameters outlined in the Permit that must be in full compliance.
2. A shared facility or a community sewerage system is a complex system usually including a package sewage treatment facility that are expensive to repair or replace. A Homeowners Association does not have enforcement authority to regulate the users of the shared facility nor the technical expertise to manage, operate and maintain a shared facility or community sewerage system.
3. Concern that a Homeowners Association has the existing or the ability to collect sufficient capital funds to repair the shared facility or community sewerage system in the case of emergency or equipment failure. If the funds do not exist to repair the shared facility, it would create a public health hazard possibly jeopardizing and contaminating drinking water wells, surface waters and the groundwater of the State. There is no requirement in this legislation that requires auditing a Homeowners Association finances to ensure they have the capability to assume the responsibility of a shared facility or have the available funds to repair a shared facility. Additionally, if the Maryland Department of the Environment had to take enforcement action and levy a fine, the Homeowners Association doesn’t have the assets or structure to pay a fine.
4. There are no assurances that the Maryland Department of the Environment can direct the Maryland Environmental Service to take charge of and operate a shared facility or community sewerage system that is transferred to a Homeowners Association as a Controlling Authority. In Anne Arundel County, a subdivision that was approved as a shared facility with the Maryland Environmental Service as the Controlling Authority being a governmental body empowered to manage, operate and maintain such shared facility, decided while under contract to no longer be the Controlling Authority. The Maryland Department of the Environment was not able to maintain the Maryland Environmental Service as the Controlling Authority. This left the individual homeowners with no Controlling Authority and with no ability to make changes to their individual properties. Therefore, there would be

- no guarantees that the Maryland Environmental Services would take the authority of a Controlling Authority.
5. Although this is specific to Anne Arundel County this could set a precedence to the other jurisdictions of the State leading to public health concerns.
 6. In Anne Arundel County the Department of Public Works does not have the ability to manage, operate, and maintain a shared facility or community sewerage system utilizing on-site sewage disposal systems as a Controlling Authority.

Accordingly, the Conference requests the Committee give SB 682 an **UNFAVORABLE** report.

Thank you for the opportunity to share our views on this matter. If you any further questions concerning this written testimony, please contact:

For more information:
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