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Testimony in SUPPORT of SB165 – Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates

Energy, Education, and the Environment Committee
February 3, 2026

Dear Chair Feldman and members of the Committee,

Thank you for the opportunity to submit testimony in **SUPPORT OF SB165**, on behalf of Arundel Rivers Federation. Deeply rooted in the South, West, and Rhode Rivers, Arundel Rivers Federation heals and protects our waterways and champions clean water across Maryland. Our vision is healthy waterways for all, and we achieve our mission through restoration, education and outreach, and Riverkeeper programs.

SB165 will ensure that septic systems are properly inspected and pumped out prior to property transfer or when a new tenant occupies the property. Inspecting and pumping out septic systems is crucial for maintaining their functionality, preventing environmental hazards, and avoiding costly repairs. Inspections and regular pump outs will prevent system failures, protect public health, better protect our local environment, save costs and extend the lifespan of the septic system, and maintain property values.

Maryland has over 420,000 septic systems and Anne Arundel County has the largest pollution from septic systems among all counties in Maryland. And while Anne Arundel County makes up just 9% of the population, it contributes 17% of the septic pollution to the Chesapeake Bay. **Ensuring these systems are functioning properly is critical to maintaining community health and meeting our clean water goals.**

If a septic system is not functioning correctly, it can cause groundwater pollution. Contaminated water from a failing system can seep into local rivers and nearby wells, impacting local ecosystems, wildlife, and human health. Regular pumping and inspections help safeguard the surrounding environment, preventing the spread of harmful contaminants. Arundel Rivers conducts testing at local community swimming beaches throughout the summer months and we often see high bacteria counts regardless of rainfall.¹ This could indicate E coli bacteria contamination from nearby failing septic systems. This is a proven problem across the state. **According to Maryland Department of the Environment's 2024 Integrated Report of Surface Water Quality, there were 52 new fecal bacteria impairments in the state added to list, specifically impacting shellfish harvesting and swimming beaches.**² Both the Department of the Environment and the Department of Natural Resources have listed failing septic systems as a potential source of fecal bacteria impairments.

¹ <https://sites.google.com/view/aaccecoperationclearwater>

² https://mde.maryland.gov/programs/water/TMDL/Integrated303dReports/Documents/Integrated_Report_Section_PDFs/IR_2024/MD%202024%20Final%20IR%209_4_24.pdf

In 2024, there was an E coli outbreak in Lake Anna in Virginia, likely from nearby septic systems.³ A study from the University of Maryland in 2014 found that “improper design, maintenance, or location of private wells and septic systems contributed to 67% of reported outbreaks from groundwater contamination from 1971 and 2008” (Wallender et al., 2014).⁴ Many homeowners may not even realize that their systems aren’t functioning properly. The best way to identify failures is through inspection.

Inspection of systems is a proven method in identifying problems and failures. In the first six years of implementing their ordinance requiring inspection at property transfer, two Michigan counties found 1,000 failed septic tanks and 300 homes without any septic system at all.⁵ This bill takes a reasonable, inexpensive, and proactive step towards identifying problem systems and properly maintaining systems to prevent future problems.

Many chose to live in Maryland because of the Chesapeake Bay – the opportunity to swim, fish, play, and work on local waterways. It’s critical that we ensure we are protecting these resources and our own human health. SB165 reflects the amendments added to Delegate Guyton’s HB747 last year and includes an adequate list of exceptions to when inspections would not be required. We are grateful to Senator Brooks for introducing this important legislation, and we respectfully request a FAVORABLE REPORT on SB165.

Sincerely,



Elle Bassett
South, West, and Rhode Riverkeeper
Arundel Rivers Federation

³ <https://wjla.com/news/health/lake-anna-water-sickness-e-coli-likely-source-health-outbreak-sick-children-adults-virginia-shiga-producing-stomach-cramps-multi-agency-environment-pollution-sick-boats-septic-swimmers-memorial-day-cause>

⁴ <https://api.drum.lib.umd.edu/server/api/core/bitstreams/5522cf74-e903-4959-83f6-d3c4cd28597d/content>

⁵ <https://forloveofwater.org/michigan-septic-code/>