



CHESAPEAKE BAY FOUNDATION

Senate Bill 165

Environment – On-Site Wastewater Systems – Requirements for Inspection and Pumping Services and Implementation Dates

Date: February 3, 2026

To: Education, Energy, and the Environment Committee

Position: FAV

From: Alan Girard,
Director of Advocacy

The Chesapeake Bay Foundation (CBF) **SUPPORTS Senate Bill 165**, which requires a licensed onsite wastewater systems professional to conduct an inspection when a property with such a system is sold or made available for rent. Nonpoint source pollution to the Chesapeake Bay – including pollution from onsite wastewater (also known as septic) systems – is not well managed. The Chesapeake Bay Program’s Comprehensive Evaluation of System Response (CESR) report finds that addressing pollution from septic systems and other nonpoint pollution sources remains a significant obstacle to restoration efforts, and that existing pollution control programs are insufficient to achieve the nonpoint source pollution reductions required by the Total Maximum Daily Load (TMDL) Bay clean-up program that Maryland supports.

Pollution from septic systems now exceeds nitrogen pollution from centralized wastewater treatment plants in 17 Maryland counties. Poor maintenance, old age, changing site conditions, flooding, and inadequate management significantly compromise septic system performance, threatening water quality and public health. When the condition of Maryland’s 420,000 septic systems is not evaluated to identify any need for corrective action, residents and the environment are vulnerable to nutrient pollution, as well as an increase in bacterial infections, which the University of Maryland finds associated with high concentrations of septic systems in flood plains. More than 12 percent of septic systems in Maryland are located within 1,000 feet of tidal water.

The requirement in the bill to ensure a septic system is inspected and pumped as a condition of sale or when a tenant occupies a rental property is responsive to Maryland’s commitments to protect public and environmental health. The measure supports MDE efforts to track, manage, and modernize records for septic systems in the state. It also compliments drinking water well requirements adopted under the Maryland Private Well Safety Act of 2023 (*Ch. 587, Md. Laws, 2023*). SB 165 as introduced can help Maryland, as a signatory, implement the 2025 Chesapeake Bay Watershed Agreement, and achieve the goal in the agreement of reducing excess nitrogen, phosphorus, and sediment to meet state water quality standards.

CBF urges the Committee’s FAVORABLE report on SB 165. For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

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The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.