



Maryland Association of Municipal Wastewater Agencies, Inc.

Washington Suburban Sanitary Commission

14501 Sweitzer Lane, 7th Floor

Laurel, MD 20707

Tel: 301-206-7008

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March 12, 2026

The Honorable Marc Korman
Chair, Environment and Transportation Committee
250 Taylor House Office Building
Annapolis, MD 21401

Re: OPPOSE-- HB 1621 (Wastewater Treatment Plants – Discharges – Monitoring, Reporting, and Requirements))

Dear Chair Korman:

On behalf of the Maryland Association of Municipal Wastewater Agencies (MAMWA), I am writing to **OPPOSE HB 1621**, which would apply expensive, burdensome, and unnecessary requirements on wastewater treatment plants across the State and on the Maryland Department of the Environment (MDE).

MAMWA is a statewide association of local governments and wastewater treatment agencies that serve approximately 95% of the State's sewer population.

MAMWA objects to the bill for the following reasons:

(1) HB 1621's Requirements for Large Plants Are Unnecessary and Unworkable (p. 2, l. 13 – p. 3, l. 14)

HB 1621 would mandate that any wastewater treatment plant that discharges 50,000,000 gallons of effluent per day (50 MGD) stand up a public website, with daily reports on total bacteria discharges; an explanation of any bypass, overflow, or treatment failure; and an explanation for how long the event will occur, which waterways are affected, and potential public health impacts. If an event requires testing, the plant would be required to post testing results on its website within 24 hours and additional details within 14 days. The bill would demand physical enclosures for sewage sludge and capture and treatment of any vapors emitted from the plant that may impact the public.

These requirements are completely unnecessary. The State's wastewater treatment plants are already required to report any bypasses and overflows and that information is publicly available on the MDE's website. MD Code §9-331.1(a).

Regarding the two most expensive requirements, physically enclosing biosolids storage would be extraordinarily expensive, with little benefit. MAMWA is not aware of any evidence that biosolids storage at a plant has any impact on the public. Regarding the requirement to capture and treat vapors from the plant, wastewater plants typically have

CONSULTANT MEMBERS

Black & Veatch
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odor control measures in place. HB 1621 provides no details on why this current approach does not work, or how much “vapor” treatment would drive up sewage rates.

If HB 1621 passes, any plant impacted by the new law would have to pass costs along to **your constituents and our customers**. MAMWA does not want to do so given the financial burdens our customers are already carrying.

Lastly, HB 1621 requires that within 24 hours of a bypass, overflow, or treatment failure that requires testing for biochemical oxygen demand (BOD), total suspended solids, bacteria, nutrients, or whole effluent toxicity (WET) the plant post the results on its website. Several of these tests, including BOD and WET, take much longer than 24 hours. Testing for BOD takes 5 days, and depending on the WET type, WET testing can take 24 hours, 48 hours, or longer. Static renewal tests run a week and require time to ship large volumes of effluent to a lab. HB 1621 creates an impossible and unworkable compliance standard given these lab realities.

(2) HB 1621’s Requirements for Smaller Plants Are Vague and Burdensome (p. 3, l. 15-20)

HB 1621 would direct all plants that discharge less than 50 MGD to report annually to the General Assembly on its staffing and management plan (undefined). This would be a costly proposition for the State’s smallest wastewater plants. MAMWA does not see the point in having nearly every wastewater plant in the State go through this exercise each year.

(3) Having MDE Monitor Wastewater Effluent Would Waste State Funds (p. 2, l. 4 – 10)

HB 1621 tasks MDE with monitoring effluent from wastewater plants for hormones (undefined, and upon belief, there are no EPA-approved testing methods for hormones in wastewater), PFAS (undefined, there are thousands of distinct PFAS substances), and bacteria and determining whether those discharges exceed permit limits. If bacterial action levels are exceeded, MDE would be required to develop a real-time public alert system. MAMWA is confused about the requirement for MDE to set “bacterial action levels.” All discharge permits already include bacteria limits.

HB 1621 fundamentally misunderstands how wastewater treatment plant discharge permits work. Permittees are required to monitor and report monthly on effluent pollutant levels pursuant to their discharge permits. Plants must also notify MDE within 24 hours of non-compliance. A plant that fails to report on effluent pollutant levels or that misrepresents those levels is subject to potentially severe federal and State civil and criminal penalties.

HB 1621 would require that the State spend money to repeat work that is already occurring at each wastewater plant. MAMWA opposes this wasteful aspect of HB 1621.

(4) Pretreatment Requirements Would Also Waste State Funds (p. 6, l. 1 – 11)

HB 1621 directs MDE to establish a publicly available and searchable database with information on industrial users that hold a pretreatment permit, which pollutants are being discharged under those permits, whether permittees are complying with their permits, and which enforcement actions are being taken if a permittee is not complying with its pretreatment permit.

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Consistent with the comment above, HB 1621 suggests a misconception of how the State's pretreatment program works. MDE is responsible for very few pretreatment permits; the majority of pretreatment permitting, regulation, and enforcement happen at the local level.

To comply with HB 1621, MDE would have to reach out to each of those local programs to ask for information to post on the database. HB 1621 would create a constant communications loop between MDE and local wastewater plants (for example, each time there is a change in an enforcement action, presumably MDE would need to update the database) that would be confusing and expensive. Again, HB 1621 would drive costs up for MDE for no clear reason.

For the reasons above, MAMWA urges the Committee to **Vote NO** on HB 1621.

Please feel free to contact me with any questions at Lisa@AquaLaw.com or 804-716-9021.

Sincerely,



Lisa M. Ochsenhirt
MAMWA Deputy General Counsel

cc: Environment and Transportation Committee Members, HB 1621 Sponsor