

STATE OF MARYLAND

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Robert M. Summers, Ph.D., Acting Secretary**

**BILL NO:** House Bill 57

**COMMITTEE:** Environmental Matters

**POSITION:** Support

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**TITLE:** Environment - Bay Restoration Fund - Authorized Uses

**BILL ANALYSIS:** This bill would allow Bay Restoration Funds (BRF) to be used to connect properties using individual onsite sewage disposal systems (septic system) to an existing municipal wastewater facility that is also achieving enhanced nutrient removal level treatment.

Funding for connection to a wastewater facility may only be provided if:

- The environmental impact of the septic system is documented, and
- It can be demonstrated that connection to the wastewater facility is more cost effective for nitrogen removal than upgrading the septic system or replacement of the septic system is not feasible, and
- The project is consistent with the county's comprehensive plan and water and sewer master plan, and
- The septic system was installed prior to October 1, 2008 and the property it serves is located in a priority funding area (PFA).

This bill limits the amount of BRF funding that could be provided to offset the cost of connecting an individual property to an existing wastewater treatment plant to no more than the cost of upgrading an individual septic system to nitrogen removing technology.

**POSITION AND RATIONALE:** The Maryland Department of the Environment supports House Bill 57. The Chesapeake Bay Program estimates that approximately 7% percent of the nitrogen load to the Chesapeake Bay from Maryland comes from onsite sewage disposal

systems (septic) systems. In the effort to accelerate Bay restoration, reducing the nitrogen load from septic systems is critical. Maryland's Watershed Implementation Plan requires nutrient removal technology to be in place for all existing, new and replacement systems in the Critical Area in order for Maryland to meet its nutrient reduction goals for the Bay.

MDE administers a grant program that can pay the homeowner's cost of upgrading an onsite sewage disposal system with best available technology (BAT) to remove nitrogen. Revenue in the BRF for this purpose results from the \$30 annual fee levied by Counties on septic system owners. The revenue from this fund is sufficient to upgrade approximately 600 systems per year based on current costs.

The Department believes that, in certain circumstances, the discharge of nitrogen into the Chesapeake Bay and its tributaries from communities with septic systems can be more cost effectively addressed by replacing on-site sewage disposal systems with sewer service to existing wastewater treatment facilities that have enhanced nutrient removal technology in place.

The Department, therefore, supports HB 57 as a measure that will increase the cost-effectiveness of the BRF program and potentially accelerate the restoration of the Chesapeake Bay.

**FOR MORE INFORMATION,**  
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