

responsible persons involved in commercial earth moving activity this program shall be expanded and made mandatory; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Natural Resources

8-1103.1.

~~(A) IN THIS SECTION, "OPERATING PERSONNEL" MEANS ANY OPERATOR OF HEAVY CONSTRUCTION EQUIPMENT UTILIZED IN CLEARING, GRUBBING, AND GRADING ANY PHASE OF A CONSTRUCTION PROJECT UNDER THIS SUBTITLE.~~

(A) IN THIS SECTION, "RESPONSIBLE PERSONNEL" MEANS ANY FOREMAN, SUPERINTENDENT, OR PROJECT ENGINEER WHO IS IN CHARGE OF ON-SITE CLEARING AND GRADING OPERATIONS OR SEDIMENT CONTROL ASSOCIATED WITH A CONSTRUCTION PROJECT.

(B) AFTER JULY 1, 1980, ANY APPLICANT FOR SEDIMENT AND EROSION CONTROL PLAN APPROVAL SHALL CERTIFY TO THE APPROPRIATE JURISDICTION THAT ANY CONTRACTOR, SUBCONTRACTOR, OR OPERATING RESPONSIBLE PERSONNEL INVOLVED IN THE CONSTRUCTION PROJECT WILL HAVE A CERTIFICATE OF ATTENDANCE AT A DEPARTMENT OF NATURAL RESOURCES APPROVED TRAINING PROGRAM FOR THE CONTROL OF SEDIMENT AND EROSION BEFORE BEGINNING THE PROJECT. A CERTIFICATE SHALL BE VALID FOR A 3-YEAR PERIOD. A CERTIFICATE SHALL BE AUTOMATICALLY RENEWED UNLESS THE DEPARTMENT NOTIFIES THE CERTIFICATE HOLDER THAT ADDITIONAL TRAINING IS REQUIRED.

(C) THE APPROPRIATE SOIL CONSERVATION DISTRICT MAY WAIVE THE REQUIREMENT OF THIS SECTION FOR THE RESPONSIBLE PERSONNEL ON ANY PROJECT INVOLVING FOUR OR FEWER RESIDENTIAL UNITS.

~~(C)~~(D) A SOIL CONSERVATION DISTRICT MAY CONDUCT A TRAINING PROGRAM FOR THE CONTROL OF SEDIMENT AND EROSION PROVIDING IT MEETS THE REQUIREMENTS SET BY THE DEPARTMENT OF NATURAL RESOURCES.

~~(C) AFTER JULY 1, 1980, A STATE-FUNDED PROJECT MAY NOT BE AWARDED TO ANY CONTRACTOR OR SUBCONTRACTOR WHOSE OPERATING PERSONNEL DO NOT HOLD CERTIFICATES OF ATTENDANCE AT A DEPARTMENT OF NATURAL RESOURCES APPROVED TRAINING PROGRAM FOR THE CONTROL OF SEDIMENT AND EROSION.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved May 2, 1978.