

clarity.

The only other changes are in style.

(L) WATERS OF THIS STATE.

"WATERS OF THIS STATE" INCLUDES:

(1) BOTH SURFACE AND UNDERGROUND WATERS WITHIN THE BOUNDARIES OF THIS STATE SUBJECT TO ITS JURISDICTION, INCLUDING THAT PART OF THE ATLANTIC OCEAN WITHIN THE BOUNDARIES OF THIS STATE, THE CHESAPEAKE BAY AND ITS TRIBUTARIES, AND ALL PONDS, LAKES, RIVERS, STREAMS, PUBLIC DITCHES, TAX DITCHES, AND PUBLIC DRAINAGE SYSTEMS WITHIN THIS STATE, OTHER THAN THOSE DESIGNED AND USED TO COLLECT, CONVEY, OR DISPOSE OF SANITARY SEWAGE; AND

(2) THE FLOOD PLAIN OF FREE-FLOWING WATERS DETERMINED BY THE DEPARTMENT OF NATURAL RESOURCES ON THE BASIS OF THE 100-YEAR FLOOD FREQUENCY.

REVISOR'S NOTE: This subsection is new language patterned after NR § 8-101(k).

On the advice of the Department, the first sentence of former Article 43, § 387, which defined "waters of the State", is deleted and the definition in this section is made applicable throughout this title. The definition in former Article 43, § 387 was added to the Code in 1914 and was never amended from 1914 through 1981. On the other hand, the definition of "waters of the State" in NR § 8-101(k) -- after which this subsection is patterned -- has been amended as recently as 1976, and, in practice, is the definition that the Department uses.

9-102. DUTIES OF HEALTH OFFICER.

IN ADDITION TO THE DUTIES SET FORTH ELSEWHERE, THE HEALTH OFFICER FOR EACH COUNTY SHALL INSPECT AND REPORT ON THE SANITARY CONDITIONS OF STREAMS, SOURCES OF PUBLIC WATER SUPPLY, AND SEWERAGE FACILITIES IN THE COUNTY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 51E(a) and (h), as that subsection related to streams, sources of water supply, and sewerage facilities.

9-103. CONTENTS OF ORDER PROHIBITING USE OF EXISTING SEPTIC TANK.

EVERY ORDER ISSUED BY THE DEPARTMENT PROHIBITING THE USE OF AN EXISTING SEPTIC TANK SANITARY FACILITY SHALL