

REVISOR'S NOTE: This section is new language derived without substantive change from former HE §§ 9-201(b) and 9-202.

In subsection (b) of this section, the reference to "municipal corporation" is substituted for the former reference to "municipalities" to conform to the language used in Md. Constitution, Art. XI-E.

Also in subsection (b) of this section, the reference to "lateral or collector pipes" is substituted for the former reference to "lateral or collector sewers", for consistency.

The General Assembly may wish to clarify the term "sanitary facilities" in subsection (c)(2) of this section. It is not clear whether "sanitary facilities" is meant to include water supply systems and refuse disposal systems, as well as sewerage systems, since subsections (a), (b), and (c)(1) of this section relate only to sewerage systems.

9-208. SECRETARY TO ADVISE PERSONS AND BUSINESSES.

(A) IN GENERAL.

ON REQUEST, THE SECRETARY SHALL CONSULT WITH AND ADVISE THE OWNER, OPERATOR, PROSPECTIVE OWNER, OR PROSPECTIVE OPERATOR OF AN EXISTING OR PLANNED WATER SUPPLY SYSTEM, DRAINAGE SYSTEM, SEWERAGE SYSTEM, OR REFUSE DISPOSAL SYSTEM WITH RESPECT TO THE EXISTING AND FUTURE NEEDS OF ALL PERSONS AND COMMUNITIES THAT MAY BE AFFECTED ON ANY OF THE FOLLOWING ASPECTS OF THE SYSTEM:

- (1) THE BEST MOST APPROPRIATE SOURCE OF WATER;
- (2) THE BEST METHOD OF ASSURING THE PURITY OF THE WATER; AND
- (3) THE BEST METHOD OF DISPOSING OF DRAINAGE, SEWAGE, OR REFUSE.

~~(B)--CONSIDERATION-OF-NEEDS-OF-PERSONS-AND-COMMUNITIES-~~

~~IN--GIVING--ADVICE-UNDER-SUBSECTION-(A)-OF-THIS-SECTION, THE SECRETARY SHALL CONSIDER THE EXISTING AND FUTURE NEEDS OF ALL PERSONS AND COMMUNITIES THAT MAY BE AFFECTED.~~

(e) (B) BUSINESSES THAT MAY POLLUTE.

ON REQUEST, THE SECRETARY SHALL CONSULT WITH AND ADVISE THE OWNER, OPERATOR, PROSPECTIVE OWNER, OR PROSPECTIVE OPERATOR OF ANY BUSINESS THAT PRODUCES SEWAGE THAT MAY POLLUTE THE WATERS OF THIS STATE.