

(1996 Replacement Volume and 2001 Supplement)

BY repealing and reenacting, ~~with~~ without amendments,

Article – Environment

Section 9-407

Annotated Code of Maryland

(1996 Replacement Volume and 2001 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

9-406.

(C) (1) NOTWITHSTANDING § 9-407(B) OF THIS SUBTITLE, THE SECRETARY MAY ADOPT AND ENFORCE REGULATIONS FOR A CONTAMINANT IF THE SECRETARY DETERMINES THAT THE CONTAMINANT POSES A SIGNIFICANT RISK TO PUBLIC HEALTH AND FOR WHICH COMPLETE INTERIM OR REVISED NATIONAL PRIMARY DRINKING WATER REGULATIONS ARE NOT IN EFFECT.

(2) AS PART OF THE SECRETARY'S DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SECRETARY SHALL PREPARE A REPORT THAT INCLUDES:

(I) 1 YEAR OF STATEWIDE MONITORING DATA FOR THE CONTAMINANT, WHICH IDENTIFIES LOCATIONS IN THE STATE WHERE THE CONTAMINANT LEVEL MAY POSE A SIGNIFICANT RISK TO PUBLIC HEALTH;

(II) PEER REVIEWED ASSESSMENTS, METHODOLOGIES, AND DATA CONCERNING THE PARTICULAR CONTAMINANT; AND

(III) A COST/BENEFIT ANALYSIS OF IMPLEMENTING THE PROPOSED STANDARD FOR THE CONTAMINANT CONDUCTED BY THE DEPARTMENT THAT INCLUDES:

1. REVIEW AND COMMENT BY THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT; AND

2. AFTER THE DEPARTMENT PROVIDES NOTICE OF THE ANALYSIS AND A REASONABLE OPPORTUNITY TO COMMENT TO THE AFFECTED PUBLIC WATER SYSTEMS, ANY SUBMITTED WRITTEN STATEMENTS FROM PUBLIC WATER SYSTEMS AFFECTED BY THE PROPOSED STANDARD.

(3) NOTHING IN THIS SUBSECTION AFFECTS THE DEPARTMENT'S AUTHORITY TO ADOPT AND ENFORCE COMPLETE INTERIM OR REVISED NATIONAL PRIMARY DRINKING WATER REGULATIONS.

9-407.

(a) The Secretary shall:

(1) Adopt and enforce State primary drinking water regulations; and