

~~WHEREAS, The State of Maryland entered into the December, 1987 Chesapeake Bay Agreement with the Environmental Protection Agency, other states, and the Chesapeake Bay Commission and agreed that "The improvement and maintenance of water quality are the single most critical elements in the overall restoration of the Chesapeake Bay" and in order to improve the water quality, Maryland agreed to "... establish and enforce pollutant limitations to ensure compliance with water quality laws ..."; and~~

~~WHEREAS, The Inspector General of the Environmental Protection Agency published an audit in September, 1989 of the Bay programs of Maryland, Virginia, and Pennsylvania and found that Maryland and the other states "... did not effectively perform their responsibilities to enforce against dischargers who violated their National Pollutant Discharge Elimination System permit ...", and that the states were particularly lax in enforcing the Clean Water Act against municipal treatment plants; and~~

~~WHEREAS, The Inspector General found that despite all of the Bay cleanup efforts and the Bay Agreement commitments, enforcement actions against facilities violating their water quality permits were weak, resulting in millions of gallons of inadequately treated wastewater flowing into the Bay that could hinder the Bay cleanup and that even where the pollution violations were serious or long-standing, no penalties were assessed, or after several years only insignificant penalties were assessed; and~~

~~WHEREAS, In October, 1991, the Chesapeake Bay Foundation released a comprehensive report on Sewage Treatment Plant Performance that evaluated 47 major sewage treatment plants in Maryland and found that only 19% of Maryland plants reported full compliance with all pollutant parameters in 1989, lower than the compliance rates of the other Bay states of Virginia and Pennsylvania; and~~

~~WHEREAS, The Chesapeake Bay Foundation report found that 57% of sewage treatment plants examined in Maryland performed quite poorly violating permit limits for 4 or more months in 1989; and~~

~~WHEREAS, The General Assembly finds that it is imperative to the successful restoration of the Chesapeake Bay that sewage treatment plants in Maryland be required to meet their pollution discharge limitations; now, therefore,~~

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

Article - Environment

9-342.1.

(A) (1) IN THIS SECTION, "SEWAGE TREATMENT PLANT" MEANS ANY PUBLICLY OR PRIVATELY OWNED FACILITY THAT IS:

(I) CONSTRUCTED TO RECEIVE PRIMARILY AND TREAT HUMAN SEWAGE; AND

(II) SUBJECT TO A STATE DISCHARGE PERMIT.