

HOUSE BILL 1621

M3

6lr3572

By: **Delegate Grammer**

Introduced and read first time: February 21, 2026

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Wastewater Treatment Plants – Discharges – Monitoring, Reporting, and**
3 **Requirements**

4 FOR the purpose of requiring the Department of the Environment to monitor and evaluate
5 effluent discharged from wastewater treatment plants for certain substances;
6 establishing certain requirements for certain wastewater treatment plants;
7 requiring the Department to establish certain bacterial action levels; prohibiting
8 certain wastewater treatment plants from taking part in the Water Quality Trading
9 Program; authorizing the Department to deny, suspend, or revoke the approval or
10 certification of certain credits under certain circumstances; requiring certain
11 notification to be provided immediately; requiring the Department to establish a
12 certain database; and generally relating to wastewater treatment plants.

13 BY adding to

14 Article – Environment

15 Section 9–321.3

16 Annotated Code of Maryland

17 (2014 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Environment

20 Section 9–331.1 and 9–332

21 Annotated Code of Maryland

22 (2014 Replacement Volume and 2025 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25 **Article – Environment**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **9-321.3.**

2 (A) IN THIS SECTION, "PFAS" MEANS PER- AND POLYFLUOROALKYL
3 SUBSTANCES.

4 (B) THE DEPARTMENT SHALL:

5 (1) MONITOR EFFLUENT DISCHARGED FROM WASTEWATER
6 TREATMENT PLANTS FOR HORMONES, PFAS, AND BACTERIA; AND

7 (2) EVALUATE WHETHER THE EFFLUENT DISCHARGED FROM
8 WASTEWATER TREATMENT PLANTS CONTAINS HORMONES, PFAS, OR BACTERIA
9 BEYOND THE LIMITS OF THE WASTEWATER TREATMENT PLANT'S DISCHARGE
10 PERMIT.

11 (C) EACH WASTEWATER TREATMENT PLANT THAT HAS A DISCHARGE
12 PERMIT TO PROCESS AT LEAST 50,000,000 GALLONS OF EFFLUENT PER DAY SHALL:

13 (1) ON OR BEFORE JUNE 30, 2027, AND EACH 6 MONTHS
14 THEREAFTER, REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH §
15 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE WASTEWATER TREATMENT
16 PLANT'S STAFFING AND MANAGEMENT PLAN;

17 (2) MAINTAIN A WEBSITE THAT IS ACCESSIBLE TO THE PUBLIC;

18 (3) REPORT DAILY ON THE TOTAL BACTERIA DISCHARGED FROM THE
19 WASTEWATER TREATMENT PLANT ON THE WASTEWATER TREATMENT PLANT'S
20 WEBSITE;

21 (4) PROVIDE AN EXPLANATION, IN PLAIN LANGUAGE, ON THE
22 WASTEWATER TREATMENT PLANT'S WEBSITE:

23 (I) OF ANY BYPASS, OVERFLOW, OR TREATMENT FAILURE; AND

24 (II) TO THE EXTENT POSSIBLE, THE ESTIMATED DURATION,
25 AFFECTED WATERWAYS, AND POTENTIAL PUBLIC HEALTH AND ENVIRONMENTAL
26 IMPACTS OF THE BYPASS, OVERFLOW, OR TREATMENT FAILURE;

27 (5) WITHIN 24 HOURS OF A BYPASS, OVERFLOW, OR TREATMENT
28 FAILURE THAT REQUIRES TESTING FOR BIOCHEMICAL OXYGEN DEMAND, TOTAL
29 SUSPENDED SOLIDS, BACTERIA, INCLUDING FECAL COLIFORM, ENTEROCOCCI, AND
30 E. COLI, NUTRIENTS INCLUDING NITROGEN AND PHOSPHORUS, OR WHOLE

1 EFFLUENT TOXICITY, POST THE RESULTS OF THE TEST ON THE WASTEWATER
2 TREATMENT PLANT'S WEBSITE;

3 (6) WITHIN 14 DAYS OF ANY EVENT OR OCCURRENCE THAT RESULTS
4 IN THE WASTEWATER TREATMENT PLANT DISCHARGING EFFLUENT CONTAINING
5 HORMONES, PFAS, OR BACTERIA BEYOND THE LIMITS OF THE WASTEWATER
6 TREATMENT PLANT'S DISCHARGE PERMIT, POST ON THE WASTEWATER TREATMENT
7 PLANT'S WEBSITE:

8 (I) THE CAUSE OF THE EVENT OR OCCURRENCE;

9 (II) CORRECTIVE ACTIONS TAKEN; AND

10 (III) MEASURES IMPLEMENTED TO PREVENT REOCCURRENCE;

11 (7) KEEP ANY SEWAGE SLUDGE OR DRY SOLID HOLDING AREA
12 PHYSICALLY ENCLOSED; AND

13 (8) CAPTURE OR TREAT ANY VAPORS EMITTED FROM THE
14 WASTEWATER TREATMENT PLANT THAT MAY AFFECT THE PUBLIC.

15 (D) EACH WASTEWATER TREATMENT PLANT THAT HAS A DISCHARGE
16 PERMIT TO PROCESS LESS THAN 50,000,000 GALLONS OF EFFLUENT PER DAY
17 SHALL, ON OR BEFORE DECEMBER 31, 2027, AND EACH DECEMBER 31
18 THEREAFTER, REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH §
19 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE WASTEWATER TREATMENT
20 PLANT'S STAFFING AND MANAGEMENT PLAN.

21 (E) (1) THE DEPARTMENT SHALL ESTABLISH:

22 (I) BACTERIAL ACTION LEVELS FOR EFFLUENT FROM
23 WASTEWATER TREATMENT PLANTS; AND

24 (II) A PROCESS FOR MEMBERS OF THE PUBLIC TO SUBSCRIBE
25 TO RECEIVE REAL-TIME ALERTS WHEN A BACTERIAL ACTION LEVEL ESTABLISHED
26 UNDER ITEM (I) OF THIS PARAGRAPH IS EXCEEDED.

27 (2) IF A WASTEWATER TREATMENT PLANT EXCEEDS THE BACTERIAL
28 ACTION LEVEL ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE
29 WASTEWATER TREATMENT PLANT SHALL IMMEDIATELY PROVIDE NOTICE ON THE
30 WASTEWATER TREATMENT PLANT'S WEBSITE.

1 **(F) (1) A WASTEWATER TREATMENT PLANT THAT FAILS TO MEET THE**
2 **REQUIREMENTS OF THIS SECTION OR IS FOUND TO HAVE DISCHARGED EFFLUENT**
3 **CONTAINING HORMONES, PFAS, OR BACTERIA BEYOND THE LIMITS OF THE**
4 **WASTEWATER TREATMENT PLANT'S DISCHARGE PERMIT FOR 2 CONSECUTIVE**
5 **MONTHS MAY NOT TAKE PART IN THE WATER QUALITY TRADING PROGRAM FOR**
6 **THE REMAINING PERIOD OF THAT WASTEWATER TREATMENT PLANT'S DISCHARGE**
7 **PERMIT.**

8 **(2) THE DEPARTMENT MAY DENY, SUSPEND, OR REVOKE THE**
9 **APPROVAL OR CERTIFICATION OF CREDITS APPLICABLE FOR THE WATER QUALITY**
10 **TRADING PROGRAM IF THE DEPARTMENT FINDS THAT A WASTEWATER TREATMENT**
11 **PLANT HAS A HISTORY OF DISCHARGING EFFLUENT CONTAINING HORMONES,**
12 **PFAS, OR BACTERIA BEYOND THE LIMITS OF THE WASTEWATER TREATMENT**
13 **PLANT'S DISCHARGE PERMIT.**

14 **(G) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE**
15 **PROVISIONS OF THIS SECTION.**

16 9-331.1.

17 (a) (1) The owner or operator of any sanitary sewer system, combined sewer
18 system, or wastewater treatment plant shall report to the Department any sewer overflow
19 or treatment plant bypass that results in the direct or potential discharge of raw or diluted
20 sewage into the surface waters or groundwaters of the State.

21 (2) The report shall be made as soon as practicable but no later than 24
22 hours after the time that the operator or owner became aware of the event.

23 (3) Within 5 calendar days after notification of the event, the owner or
24 operator shall provide the Department with a written report regarding the incident that
25 includes any information required by the Department.

26 (b) (1) Subject to paragraph (2) of this subsection, the Department, in
27 cooperation with the Maryland Department of Health, the local health departments, and
28 local environmental health directors, shall develop **AUTOMATED** procedures for requiring
29 the owner or operator of any sanitary sewer system, combined sewer system, or wastewater
30 treatment plant to provide public notification of a sewer overflow or treatment plant
31 bypass.

32 (2) The procedures developed under paragraph (1) of this subsection shall:

33 (i) Require that the notification be posted:

34 1. In Spanish and English at the location of the sewer
35 overflow or treatment plant bypass;

1 2. On the website of the Department, the Maryland
2 Department of Health, and the appropriate local health department; and

3 3. On any social media website on which the appropriate
4 local health department regularly posts information; and

5 (ii) Require **IMMEDIATE** notification [within a reasonable time] to:

6 1. Appropriate downstream jurisdictions;

7 2. Appropriate county governments;

8 3. State parks impacted by the sewer overflow or treatment
9 plant bypass;

10 4. The Department of Natural Resources; and

11 5. Any other local, State, or federal land manager impacted
12 by the sewer overflow or treatment plant bypass.

13 (c) (1) The Maryland Department of Health and the local health departments
14 shall make all decisions and determinations as to public health issues resulting from sewer
15 overflows or treatment bypasses.

16 (2) The owner or operator of any sanitary sewer system, combined sewer
17 system, or wastewater treatment plant is not responsible for making public health
18 determinations regarding sewer overflow or treatment plant bypasses.

19 (d) The Department shall adopt regulations to implement the requirements of
20 this section.

21 9–332.

22 (a) A person may not introduce any pollutant, either directly or indirectly, into a
23 publicly owned treatment works, or into any conveyance leading to a publicly owned
24 treatment works, in violation of any applicable pretreatment requirements including
25 federal pretreatment standards, State requirements, local ordinances, or any pretreatment
26 agreement.

27 (b) The Secretary may delegate to owners of publicly owned treatment works the
28 authority to apply and enforce State pretreatment requirements against industrial users.

29 (c) The Secretary may determine which publicly owned treatment works are or
30 may be adversely impacted by industrial users and may require the owners of those publicly
31 owned treatment works to develop and maintain programs which meet State pretreatment
32 requirements.

1 (d) THE DEPARTMENT SHALL ESTABLISH A PUBLICLY AVAILABLE AND
2 SEARCHABLE DATABASE THAT INCLUDES:

3 (1) A LIST OF ALL THE INDUSTRIAL USERS THAT HOLD A
4 PRETREATMENT PERMIT;

5 (2) WHICH POLLUTANTS ARE BEING DISCHARGED BY EACH
6 PRETREATMENT PERMIT HOLDER;

7 (3) WHETHER EACH PRETREATMENT PERMIT HOLDER IS COMPLYING
8 WITH THE PRETREATMENT PERMIT HOLDER'S PERMIT; AND

9 (4) WHICH ENFORCEMENT ACTIONS HAVE BEEN TAKEN AGAINST A
10 PRETREATMENT PERMIT HOLDER THAT HAS VIOLATED THE PRETREATMENT
11 PERMIT HOLDER'S PERMIT.

12 (E) This section shall not be construed to limit any other provision of law imposing
13 any restriction or prohibition relating to the discharge or disposal of pollutants or controlled
14 hazardous wastes.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2026.