

STATE OF MARYLAND

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Shari T. Wilson, Secretary

BILL NO: SB 513

COMMITTEE: Education, Health, and Environmental Affairs

POSITION: Support

TITLE: Natural Resources - Vessels - No-Discharge Designation for Maryland Waters

BILL ANALYSIS: This bill commits the State to begin no later than July 1, 2010 to work with EPA to designate all Maryland waters as No Discharge Zones. This will prohibit the discharge of sewage (excludes gray water) from vessels to waters of the state. Vessel sewage is regulated by the Maryland Natural Resources Police, other sworn law enforcement officers and the US Coast Guard. The federal EPA makes the final determination for approval of a no discharge zone based on whether adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available.

POSITION AND RATIONALE: MDE supports SB 513. Effluent from legal Type I and Type II systems contains nutrients and possibly toxic chemicals. Bacteria from sanitary wastes provide a significant public health hazard in any areas where shellfish may be harvested or where recreational bathing may take place, especially public beaches where many people may be exposed. Discharge of sanitary wastes from boats can create an unpredictable hazard that cannot be identified to prevent such exposure. There are numerous bacterial impairments in our estuarine waters that require development of TMDLs. This bill provides an excellent means to begin implementation of those TMDLs, by preventing the initial contamination. Prohibitions on vessels that currently are allowed to discharge directly into the Bay with little or no nutrient removal capability is appropriate and consistent with other ongoing efforts to reduce nutrient loadings to the Bay.

The Department has no estimate of the volume of nutrients released into the Chesapeake Bay from Type I or Type II systems. MDE is the delegated authority from EPA to issue federal National Pollution Discharge Elimination System (NPDES) discharge permits. However, discharges of sewage from vessels, as defined in the Clean Water Act section 502(6) and 40 C.F.R. 122.2, are not required to obtain NPDES permits. Instead, these discharges are regulated under section 312 of the Clean Water Act and 40 CFR Part 140 and 33 CFR Part 159.

FOR MORE INFORMATION,
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