

STATE OF MARYLAND

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Shari T. Wilson, Secretary**

**BILL NO:** Senate Bill 8

**COMMITTEE:** Education, Health, and Environmental Affairs

**POSITION:** Oppose

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**TITLE:** Bay Restoration Fund – Payments to Contractors

**BILL ANALYSIS:**

This Bill would require the Comptroller or local governments to disburse moneys awarded to upgrade septic systems through the Bay Restoration Fund directly to the contractor that incurs the cost eligible for reimbursement. .

**POSITION AND RATIONALE:**

MDE opposes SB 8 since the Department's current procedure complies with the law as proposed in this bill and the Department will require the Counties to do the same per new grant agreements.

The Department has revised procedures such that vendors are directly reimbursed from the Department for eligible costs for upgrading septic systems through the Bay Restoration Fund. The following procedure is now followed:

- The property agrees to allow direct payment to the vendor;
- A grant is awarded to the property owner;
- The property owner enters into a contract with the vendor of their choice;
- The completion of the upgrade is verified by the property owner and the approving authority; and
- Reimbursement is sent to the vendor.

The Department prefers to work with the twelve vendors who are marketing nitrogen removal upgrades rather than the greater than 100 contractors who are installing the upgrades. The vendors are held responsible for ensuring appropriate installation, operation and maintenance of the system.

The funds for the Bay Restoration Fund are maintained and administered by the Department of the Environment as the Department is the paying agent; however the Comptroller actually issues the check.

**FOR MORE INFORMATION,**  
**CONTACT LISA NISSLEY**  
**410-260-6301 ANNAPOLIS**  
**410-537-3812 BALTIMORE**