

Department of Legislative Services  
Maryland General Assembly  
2015 Session

FISCAL AND POLICY NOTE

House Bill 555 (Anne Arundel County Delegation)  
Health and Government Operations

Finance

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Anne Arundel County - Semipermanent Food Service Facilities - Wastewater Disposal

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This bill expands the scope of certain wastewater disposal requirements for operators of semipermanent food service facilities in Anne Arundel County to include all semipermanent food service facilities operated in Anne Arundel County and licensed on or before December 1, 2010, regardless of whether the facility was sold or transferred to another operator after December 1, 2010.

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Fiscal Summary

**State Effect:** None. The bill only affects local government operations.

**Local Effect:** The Anne Arundel County Department of Health already inspects semipermanent food service facilities in the county and can use existing resources to enforce the bill's requirements, particularly given that the bill is likely to apply to relatively few facilities.

**Small Business Effect:** Potential meaningful increase in expenditures for semipermanent food service facilities that must comply with statutory wastewater disposal requirements.

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Analysis

**Bill Summary/Current Law:** Chapter 648 of 2012 established that an operator of a semipermanent food service facility in Anne Arundel County must (1) pump out the onboard wastewater holding tank as frequently as required by the county to avoid creating a public health nuisance; (2) remove wastewater by either disposing of it at a county-approved wastewater disposal facility or hiring a licensed liquid waste hauler to

dispose of it; (3) use a food grade hose and an adequate backflow prevention device to maintain a potable water supply; and (4) demonstrate compliance with the bill's wastewater removal requirements by quarterly submitting a record of receipts to the issuer of the license.

A "semipermanent food facility" is a food service facility that is built at a location other than where it operates; is transported as a complete unit that does not require a building permit to install on the location at which it operates; has no indoor seating for patrons; and, when serving cooked food, serves only foods cooked for immediate service. A "semipermanent food facility" does not include a food service facility that is a propelled vehicle that moves as part of its routine operation to change location for sales, obtain food and supplies, fill potable water supply holding tanks, empty wastewater holding tanks, or clean and sanitize equipment and utensils.

Under current law, these requirements apply to a semipermanent food service facility that (1) operates in Anne Arundel County; (2) was licensed on or before December 1, 2010; and (3) was not sold or transferred to another operator after December 1, 2010. Under the bill, the requirements apply to all semipermanent food service facilities operated in Anne Arundel County, and licensed on or before December 1, 2010, regardless of whether the facility was sold or transferred to another operator after December 1, 2010.

**Small Business Effect:** The number of small businesses that must comply with existing statutory requirements for wastewater disposal under the bill is unknown. However, there is a potential significant increase in expenditures for those small businesses that must now comply with statutory provisions. Costs to pump out the onboard wastewater holding tank and to remove wastewater at a county-approved wastewater disposal facility or by hiring a liquid waste hauler vary depending on the size of the wastewater holding tank and the frequency with which these facilities are required to remove the wastewater. *For illustrative purposes only*, the costs to empty a 1,000 gallon wastewater holding tank on a weekly basis would likely be approximately \$14,000 annually. This includes wastewater disposal costs and the cost to haul the wastewater from a holding tank to a county wastewater disposal facility.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Anne Arundel County, Maryland Department of the Environment, Maryland Association of County Health Officers, Department of Legislative Services

**Fiscal Note History:** First Reader - March 11, 2015  
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Analysis by: Kathleen P. Kennedy

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510