

An Affiliate of  
the Maryland Association  
of Counties, Inc.



Reply to:

DATE: March 2, 2022  
TO: Members, House Environment and Transportation Committee  
FROM: Maryland Conference of Local Environmental Health Directors  
RE: HB 1126- Graywater systems- Public and Private Buildings- Authorization

The Maryland Conference of Local Environmental Health Directors (the Conference) **OPPOSES HB 1126** regarding Graywater Systems.

First and foremost, this bill introduces an entirely new definition of graywater that contradicts the current statute located in Article-Environment §9-1112. The conference believes that the existing definition of graywater in statute is protective of the environment and public health where the proposed definition seems to decrease the scope of what graywater is unnecessarily. Additionally, the definition of “Graywater System” means a holding tank from a three-compartment sink which is, without question, a kitchen sink and directly conflicts with the definition of graywater provided indicating that graywater does not include a kitchen sink. Additionally, the definition of “Graywater system” further includes a holding tank used to collect and store potable water. A holding tank used to collect and store potable water is also referred to as a cistern and cisterns are not safe and adequate water supplies, not to mention that they are not part of a graywater system by anyone’s definition. The conference also takes issue with the way that this bill does not address reuse in any way. The bill defines graywater systems as holding tanks with no clear manner of disposal or **beneficial reuse**. This definition is essentially just describing sewage holding tanks and cisterns, not a graywater system at all.

It is obvious to the conference that this bill represents a carve-out for a specific business to be able to operate without complying with current regulations and laws. It is important to understand the impact that this legislation would have on the way that graywater, allowable uses utilizing sewage holding tanks, potable water and food service facilities are safely regulated under the current statutes and regulations in place in Maryland. Approval of this bill would open the door for food service facilities and bars to essentially open anywhere in the state (including made land consisting of dredge spoils) utilizing sewage holding tanks and cisterns for potable water use, which leads to significantly higher risk of waterborne illness.

For these reasons, we ask that the committee given an **UNFAVORABLE** report.

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