



Senate Bill 580

Sewer Systems and Wastewater Treatment Plants - Water Pollution - Shellfish Harvester Restitution

MACo Position: **OPPOSE**

To: Education, Health, and Environmental
Affairs Committee

Date: March 1, 2022

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES** SB 580. This bill would establish mechanisms requiring municipal solid waste treatment plants to pay extraordinary damages to shellfish harvesters due to sewage overflows.

Maryland's seafood industry is a core part of the state's economy and a central piece to the state's collective identity. Ensuring that seafood is harvested out of the Chesapeake Bay watershed is not only a matter of public health and economic necessity, but it also speaks to the heart of what it means to be a Marylander. Maryland and her counties have been fighting for years to clean up the Bay and preserve its natural resources.

If enacted, SB 580 would empower costly litigation and an overly burdensome restitution structure that would place significant pressure on municipal solid waste treatment plants. There is a multitude of scenarios where it may not be entirely clear who is responsible for pollution in a specific area or where the cause of an overflow is due to circumstances entirely out of plant operators' control, i.e. natural disasters. While counties recognize that it is vital to maintain the health of the Bay, policy aimed at keeping actors responsible needs to be sensible. Targeting municipal solid waste treatment plants wrongly or when they are in the most critical need of resources is a recipe for ever-degrading policy outcomes.

The intent of SB 580 is noble, but the effect would be costly and take away the resources meant to solve the problem. Accordingly, MACo urges the Committee to issue an **UNFAVORABLE** report for SB 580.