



Senate Bill 719

Sewage Sludge - Per- and Polyfluoroalkyl Substances - Regulation

MACo Position: **SUPPORT WITH
AMENDMENTS**

To: Education, Energy, and the Environment
Committee

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From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS SB 719 WITH AMENDMENTS**. This bill places new limitations on the use of certain wastewater treatment byproducts that exceed specified per- and polyfluoroalkyl substances (PFAS) thresholds. MACo would seek practical improvements to any such legislative plan, to ensure reasonable implementation.

Sewage sludge from wastewater treatment facilities is commonly repurposed for beneficial uses, most often in agriculture and land reclamation. Because it contains organic matter and nutrients such as nitrogen and phosphorus, treated sludge—often referred to as biosolids—can be applied as fertilizer to improve soil health and crop yields. In Maryland, approximately half of biosolids generated by wastewater treatment facilities are currently used in agriculture.

SB 719 would limit or prohibit the use of biosolids based on defined PFAS thresholds. As the primary operators of much of Maryland’s public water and wastewater infrastructure, counties are on the front lines of responding to PFAS contamination and protecting public health. A central policy challenge, however, is determining how compliance costs are allocated—between residential ratepayers and responsible parties. County concerns generally fall into two categories: ratepayer impacts and implementation feasibility.

Ratepayer Impacts

SB 719 could—whether intentionally or not—shift significant costs onto residential ratepayers at a time when Marylanders are already contending with rising energy bills and broader economic uncertainty. As drafted, the bill does not adequately address how utilities, which are primarily funded through user fees, would finance the upgrades necessary to reduce PFAS concentrations to acceptable levels. Baltimore City has estimated that, as drafted, the legislation could create an unfunded mandate approaching \$1 billion—costs that would likely translate into rate increases for Baltimore City and for customers in served areas of Anne Arundel, Baltimore, and Howard counties.

Implementation Feasibility

Beyond the overarching concerns about potential ratepayer impacts, counties also have technical questions about how the bill would be implemented in practice. Several of the bill’s timelines and compliance deadlines appear misaligned with the real-world sequence of work required, particularly where treatment upgrades and system modifications are involved. As a result, certain dates may be

technically infeasible or could impose significant unanticipated operational and staffing burdens on utilities that would be difficult or impossible to absorb.

MACo is currently in discussions with the sponsor, advocates, the Department of the Environment, and the Maryland Association of Municipal Wastewater Agencies on amendments to address county concerns and ease the pressures on local ratepayers.

Counties stand ready to partner with the Committee and stakeholders to confront PFAS challenges in a practical, enforceable manner that protects public health without creating unmanageable local fiscal impacts. While counties have identified a number of challenges with the legislation as drafted, none of these issues are insurmountable. For this reason, MACo urges the Committee to issue SB 719 with a **FAVORABLE WITH AMENDMENTS** report.