

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2019 Legislative Session

Resolution No. CR-64-2019

Proposed by The Chair (by request – County Executive)

Introduced by Council Members Turner, Davis, Glaros, Harrison & Taveras

Co-Sponsors _____

Date of Introduction July 12, 2019

RESOLUTION

1 A RESOLUTION concerning

2 The 2018 Water and Sewer Plan

3 For the purpose of adopting the 2018 Water and Sewer Plan and the 2018 Water and
4 Sewer Category Maps, revising the fee schedule for administering Water and Sewer Plan
5 amendments, and the purchase of maps and related materials.

6 WHEREAS, Title 9, Subtitle 5 of the Environment Article of the Annotated Code of
7 Maryland requires the County to adopt a comprehensive plan dealing with water supply
8 and sewerage systems, establishes the procedures governing the preparation and adoption
9 of said plan, and provides for amendments and revisions thereto; and

10 WHEREAS, pursuant to said procedures, the County Executive submitted to the
11 County Council her recommendations on the 2018 Water and Sewer Plan; and

12 WHEREAS, the County Council received testimony through an advertised public
13 hearing on the 2018 Water and Sewer Plan; and

14 WHEREAS, the County Council notified the Washington Suburban Sanitary
15 Commission, the Maryland-National Capital Park and Planning Commission, the State
16 and County Health Departments, the Maryland Department of Planning and the Maryland
17 Department of the Environment of the public hearing and provided each agency with
18 copies of the 2018 Water and Sewer Plan.

19 SECTION 1. NOW, THEREFORE, BE IT RESOLVED by the County Council of
20 Prince George's County, Maryland, that the Prince George's County 2008 Water and
21 Sewer Plan, as adopted by CR-91-2008, and amended by CR-17-2009, CR-52-2009, CR-
22 5-2010, CR-19-2010,

1 CR-82-2010, CR-20-2011, CR-4-2012, CR-19-2012, CR-27-2012, CR-71-2012, CR-20-
2 2013, CR-50-2013, CR-92-2013, CR-11-2014, CR-57-2014, CR-16-2015, CR-45-2015,
3 CR-43-2016, CR-62-2016, CR-23-2017, CR-58-2017, CR-03-2018, CR-06-2018, CR-34-
4 2018, CR-018-2019, and CR-044-2019 is hereby amended and replaced by the 2018
5 Water and Sewer Plan as shown in Attachment A, attached hereto and made a part
6 hereof.

7 SECTION 2. BE IT FURTHER RESOLVED that maps identified as the “Prince
8 George’s County, Maryland, 2008 Water Map” and “Prince George’s County, Maryland,
9 2008 Sewer Map”, are hereby amended and replaced by the “Prince George’s County,
10 Maryland, 2018 Water Map” and “Prince George’s County, Maryland 2018 Sewer Map”
11 located in Appendices C and D of the 2018 Water and Sewer Plan as shown in
12 Attachment A, attached hereto and made a part thereof.

13 SECTION 3. BE IT FURTHER RESOLVED that the Fee Schedule is hereby
14 adopted as shown in Appendix 6-2 of the 2018 Water and Sewer Plan as shown in
15 Attachment A, attached hereto and made a part hereof.

16 SECTION 4. BE IT FURTHER RESOLVED that the County Executive and the
17 County Council shall determine that all proposed amendments to the Plan are in
18 accordance with the Category Change Policies and Criteria as adopted in Section 2.1.4 of
19 the 2018 Water and Sewer Plan as shown in Attachment A, attached hereto and made a
20 part hereof; and, any application may be rejected if the policies and criteria are not met.

21 SECTION 5. BE IT FURTHER ENACTED that the provisions of this Resolution
22 are hereby declared to be severable; and, in the event that any section, subsection,
23 paragraph, subparagraph, sentence, clause, phrase, or word of this Resolution is declared
24 invalid or unconstitutional by a court of competent jurisdiction, such invalidity or
25 unconstitutionality shall not affect the remaining words, phrases, clauses, sentences,
26 subparagraphs, paragraphs, subsections, or sections of this Resolution, since the same
27 would have been adopted without the incorporation in this Resolution of any such invalid
28 or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
29 or section.

30 SECTION 6. BE IT FURTHER RESOLVED that within five working days of the
31 adoption of this Resolution, it shall be transmitted to the County Executive by the Clerk


1 of the Council.

2 SECTION 7. BE IT FURTHER RESOLVED that this Resolution shall take effect
3 on the day following the first regularly scheduled Council meeting day which occurs after
4 the County Executive transmits her comments on the Resolution, or on the day that the
5 County Executive indicates she has no comments, or ten working days following the
6 transmittal of this Resolution to the County Executive, whichever shall occur first. Prior
7 to the effective date of this Resolution, the Council may reconsider its action based upon
8 any recommendation received from the County Executive.

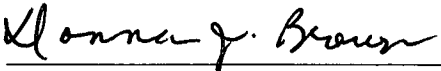
9 SECTION 8. BE IT FURTHER RESOLVED that upon the effective date of this
10 Resolution, it shall be transmitted by the Clerk of the Council to the Secretary of the
11 Maryland Department of the Environment.

Adopted this 8th day of October , 2019.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: 
Todd M. Turner
Chair

ATTEST:



Donna J. Brown
Acting Clerk of the Council

Category Exceptions to the Sewer Envelope

I. Category 6 Designations inside the Sewer Envelope

1. Greenbelt Park
2. U.S. Department of Agriculture, College Park
3. U.S. Department of the Interior, Greenbelt
4. Fort Lincoln Cemetery, Port Towns
5. Belt Woods, Bowie/Mitchellville
6. Nash Woods, Bowie
7. National Harmony Cemetery, Landover
8. Lincoln Memorial Cemetery, Suitland
9. Oxon Hill Farm
10. Rosaryville State Park, Upper Marlboro
11. Louise M. Cosca Park, Clinton
12. Duval Woods, Upper Marlboro. Water and Sewer Category 6. Approved by CR-15-2004. Tax Map 128 C-1/2 & D-1. Parcels 48, 49 & 54.
13. Magruder Tract West, Upper Marlboro. Sewer Category 6. Approved by CR-64-2006. Tax Map 118 E-2. Part of Parcel 10.
14. Woodyard Estates, Upper Marlboro. Sewer Category 6. Approved by CR-17-2009. Tax Map 109 B-3. Lots 7 – 12 & 43 – 49

II. Category 3 Designations outside the Sewer Envelope

(Descriptions of the referenced properties reflect proposals at the time of approval)

Group A – Properties are currently served or will be served by public water and/or sewer facilities

1. Federally owned property:
 - U.S. Department of the Interior – Patuxent Research Refuge, Laurel. Selected areas. Water and Sewer Category 3.
 - U.S. Department of Agriculture – Beltsville Agricultural Research Center, Beltsville. Selected areas. Water and Sewer Category 3.
 - U.S. Air Force Communications Site, Brandywine. Tax Map 155 E-3. Parcel 5. Approved for Water and Sewer Category 3 – currently using well and septic facilities.
 - U.S. Department of Agriculture – College Park. Tax Map 19 A-4, Parcel 155; Developed; Amend to Water and Sewer Category 3. Tax Map 26 A-1, Parcel 6. Undeveloped. Water and Sewer Category 6.

2018 WATER AND SEWER PLAN – CR-064-2019 (DR-2)

Group A (*continued*) – Properties are currently served or will be served by public water and/or sewer facilities

2. Normal School Road area, Bowie: Tax Map 29 D-1/2. Parcels 12, 16, 32, 34, 35, 44, 45, 46, 47, 133, 134, 135, 136, 175, 191, 230, 243, 254, 276, 279, 308, 321, 322, and Lot 1. Water Category 3.
3. State of Maryland property, Upper Marlboro. Tax Map 111 A-1. Parcel 48. Water and Sewer Category 3.
4. Old Indian Head Road area, Cheltenham: Maryland Department of Natural Resources – Tax Map 126 D-4. Parcel 65. Tax Map 127 B-4. Parcel 111. Water Category 3.
5. Broadcreek area, Fort Washington. Tax Map 122, F-3, P. 83. Developed. Water and Sewer Category 3. Harmony Hall Elementary School. 122, F-3, Parcel A. Developed. Amend to Sewer 3.
6. Ridges I & II, Piscataway. Tax Map 143 E-2. Water and Sewer Category 3.
7. Brandywine VFD, Brandywine. Tax Map 145 E-3. Parcels 76, 106 and 107. Water and Sewer Category 3.
8. Accolawn Road area of Accokeek:
 - Tax Map 151 A-4. Lots 1-4, Jamestowne Estates and Lots 29-36, Accolawn Estates. Water and Sewer Category 3.
 - Tax Map 151 A-4. Lots 7, 8, 11, 14-20, 25, 27, 28, and Parcel 94, Accokeek Lawn Subdivision. Water Category 3.
9. Hickory Hills Road, Accokeek. Tax Map 160 D-2, Lots 1 and 2. Water Category 3.
10. Cherry Hill Park, College Park. Tax Map 18 C-3/4. Parcels 103, 105, 106 and 186. Water and Sewer Category 4 approved by CR-64-2006; Water and Sewer Category 3, approved July 2011. Rural Tier, outside the Sewer Envelope.
11. Former WSSC Property, West Laurel Recreational Center (M-NCPPC). Tax Map 2, D/E-2, P/O Parcel 26. Developed. Amend to Water and Sewer Category 3.

Group B – Properties served by or approved for shared facilities or smaller community systems.

1. Forest Hills, Bowie. Tax Map 47 D-1. Lots 3-21. The property is served by the City of Bowie water system. Water Category 3. Tax Map 47 D-1. Lot 4. Delaney Property. (Formerly Sewer Category 3) Shared Septic.
2. Bragg Motel, Upper Marlboro. Tax Map 110 C-2. Parcel 10. (Formerly Water and Sewer Category 3) Private Community System.

2018 WATER AND SEWER PLAN – CR-064-2019 (DR-2)

Group B (*continued*) – Properties served by or approved for shared facilities or smaller community systems.

3. Croom Vocational School, Croom. Tax Map 120 A-1. Parcel A. (Formerly Sewer Category 3) Community System.
4. Brandywine Estates, Brandywine. (Formerly Sewer Category 3) Shared Septic Facility. Tax Map 165 B-2, C-2, Parcel 1 and Parcel 42.
5. Cedarville Mobile Home Park, Cedarville. (Formerly Sewer Category 3) Private Community Septic System. Tax Map 166 A-2. Parcel 91.
6. Danville Estates, Piscataway. Tax Map 143 D-4. Part of Lot 23. Shared Septic Facility.

III. Compliance in accordance to the Water and Sewer Plan

1. Albani Knolls and Marion Acres subdivisions; Category 3; CR-20-2013
2. Vistas at Laurel Lakes; Category 3; CR-16-2015
3. Greencastle Manor; Sewer 3; CR-16-2015
4. Glendale Subdivision; Category 3; CR-16-2015
5. Old Chapel Estates; Category 3; CR-16-2015
6. Cleary Lane & Romsey Drive; Category 3; CR-16-2015
7. Holmehurst Subdivision; Sewer 3; CR-16-2015
8. Cabin Branch/Pyles subdivisions; Category 3; CR-16-2015
9. Kings Council Condo/Villages of Marlborough; Category 3; CR-16-2015
10. Sunrise subdivision; Category 3; CR-16-2015
11. Temple Hills Acres; Sewer 3; CR-16-2015
12. Ridgevale subdivision; Sewer 3; CR-16-2015
13. Williamsburg Estates; Category 3; CR-16-2015
14. Marlton Town Center; Category 3; CR-16-2015
15. Clinton Grove/Hyde Field Estates; Sewer 3; CR-16-2015
16. Boniwood area; Category 3; CR-16-2015
17. Brandywine Heights/Early Haven area; Category 3; CR-16-2015
18. Shafer Lane; Sewer 3; CR-43-2016
19. Crescent Drive area; Sewer 3; CR-43-2106
20. Allentown Road & Webster Place; Sewer 3; CR-43-2016
21. Lanham Lane; Sewer 3; CR-43-2016
22. River Bend area; Category 3; CR-43-2016
23. Allentown Road area; Sewer 3; CR-43-2016
24. Riverview Road/Gates Drive area; Category 3; CR-43-2016
25. Old Fort Road; Sewer 3; CR-43-2016
26. Gallahan Road; Sewer 3; CR-43-2016
27. Allen Gayles Acres; Category 3; CR-43-2016
28. West Manning Road parcels; Category 3; CR-43-2016
29. Livingston Grove; Sewer 3; CR-43-2016
30. Marchegiani/Bellevue/Bealle Hill area; Sewer 3; CR-43-2016

III. Compliance in accordance to the Water and Sewer Plan (*continued*)

31. Simmons Acres; Category 3; CR-43-2016
32. Spring Grove; Category 3; CR-43-2016
33. Brock Hills subdivision; Sewer 3; CR-23-2017
34. Poplar/Oak Road area; Sewer 3; CR-23-2017
35. Old Allentown Road area; Category 3; CR-23-2017
36. Riverside Baptist Church/9111 Oxon Hill Road; Category 3; CR-23-2017
37. Littleworth subdivision; Category 3; CR-23-2017

**General Plan Compliance
Subregion Master Plan Changes
Water and Sewer Category Designations 5, 4, & 3
and Sewer Envelope Realignment**

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2018 WATER AND SEWER PLAN – CR-064-2019 (DR-2)

I. Compliance in accordance to the General Plan (and amendments)

During the drafting of this Plan, the following properties previously designated according to the 2002 General Plan, were redesignated within the Growth Boundary or within the Rural Agricultural area in accordance to the policies of the adopted General Plan. Consequently, the water and sewer categories are reversed or amended to reflect the appropriate servicing of the redesignation.

1. WSSC Property, Laurel. Tax Map 2 E-2. Parcel 26. Formerly Water and Sewer Category 5. Developed. Rural and Agricultural areas; outside the Sewer Envelope. Exception to the Sewer Envelope. Amend to Water and Sewer Category 3.
2. Patuxent Greens Golf Course area, Laurel. Tax Maps 6, F-3, E/F-4 & 10, E/F-1/2/3/4. Water and Sewer Category 6; within the Growth Boundary; inside the Sewer Envelope; Amend to Water and Sewer Category 5. Further advanced to Category 4, CR-6-2018, and ultimately Category 3, CR-44-2019.
3. U.S.DA south area, Beltsville. Tax Maps 25, B/C-1/2 & D-3/4. Water and Sewer Category 6; within the Growth Boundary; inside the Sewer Envelope; Amend to Water and Sewer Category 5.
4. City of Greenbelt, Crescent Road. Tax Maps 27, A/B-2/3. Water and Sewer Category 6; within the Growth Boundary; inside the Sewer Envelope; Amend to Water and Sewer Category 5.
5. Race Track Road/Bowie State University area, Bowie. Tax Maps 22, D/E-3/4. Water and Sewer Category 6; within the Growth Boundary; inside the Sewer Envelope; Amend to Water and Sewer Category 5.
6. City of Bowie, Public Works Road. Tax Maps 38, C/D-1. Water and Sewer Category 3 & 5; Rural and Agricultural areas; outside the Sewer Envelope; Reversed to Water and Sewer Category 6.
7. Prince George's Stadium and surrounding areas: Jesuits Property/Sacred Hearts Church area, Bowie. Tax Map 38 D/E-3. Parcels 55, 60 & p/o Lot 1-A. Growth Boundary; inside the Sewer Envelope. Water and Sewer Category 5. Zehner property, Bowie. Tax Map 48 A-4. Parcel 4. Water and Sewer Category 5 & 6. Not Developed. Rural and Agricultural areas; outside the Sewer Envelope. Reversed to Water and Sewer Category 6.
8. Broadcreek Area(s), Fort Washington. Tax Maps 113, E/F-4; 114, A-4; 122, E/F-1/2/3; 123, A-1/2/3. Water and Sewer Categories 5 & 6. Developed/Not Developed. Rural and Agricultural areas; outside the Sewer Envelope. Reversed/Retained as Water and Sewer Category 6.

II. Compliance in accordance to Sectional Map Amendments

Subregion 5

9. Robin Dale Golf Course. Brandywine. Tax Map 164, C-1, Parcel A. Water and Sewer Category 3. Rural and Agricultural areas; outside the Sewer Envelope. Reversed to Water and Sewer Category 6.
10. Thomas Property (Rubino). Accokeek. Tax Map 160, E-3, Parcel 77. Water and Sewer Category 4. Rural and Agricultural areas; outside the Sewer Envelope. Reversed to Water and Sewer Category 6.

Subregion 6

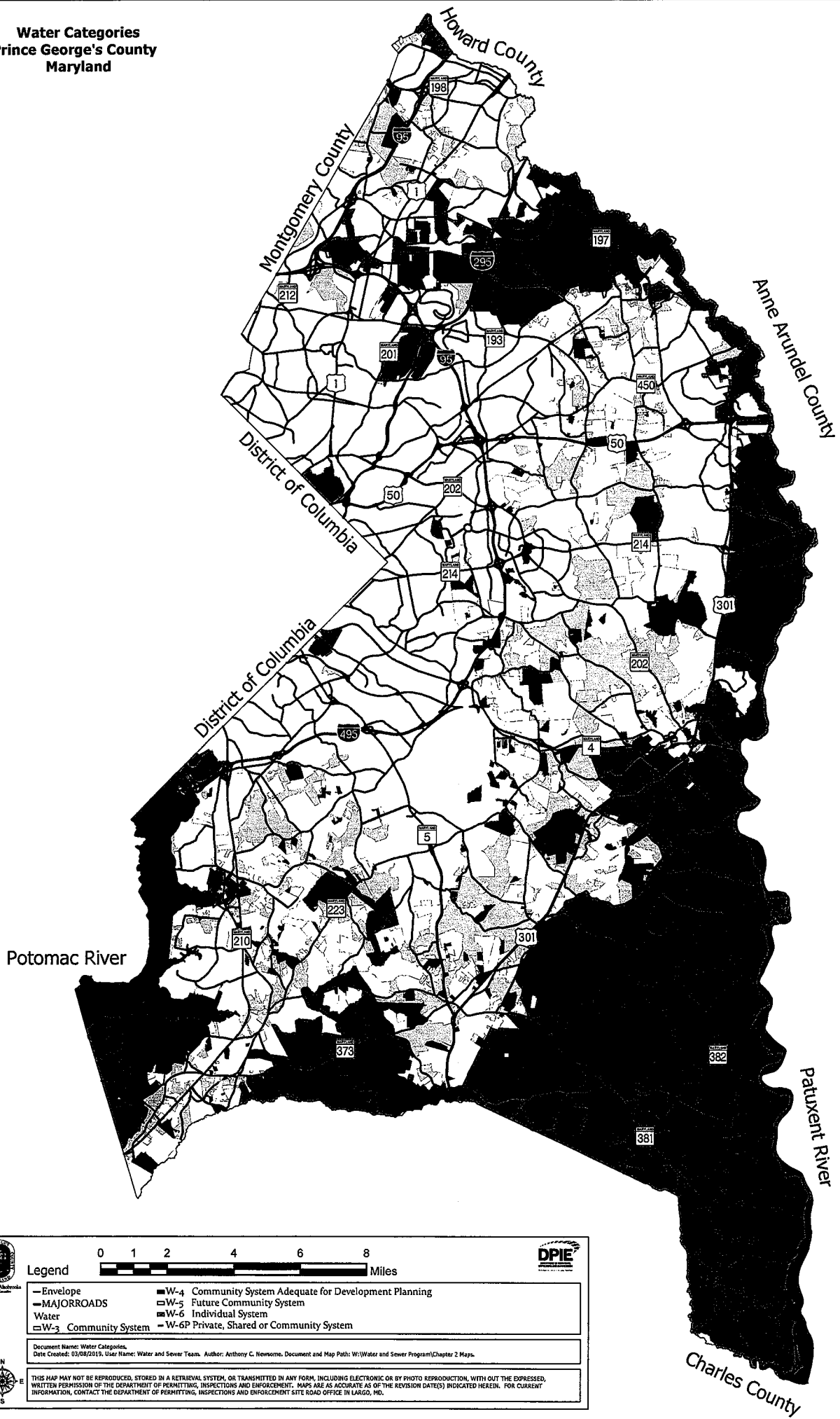
11. Clagett Farm and contiguous parcels along Farm Road. Tax Map 100, C/D/E-3/4; 109, E/F-1. Water and Sewer Category 6; within the Growth Boundary; inside the Sewer Envelope. Amend to Water and Sewer Category 5.

For specific information on other properties that may have been affected by Subregion 5 and Subregion 6 Master Plans and Sectional Map Amendments, please refer to the General Plan or the specific sectional map amendments.

Supplemental Map

General Plan Boundary Changes

**Water Categories
Prince George's County
Maryland**



DPIE
Department of Permitting, Inspections and Enforcement

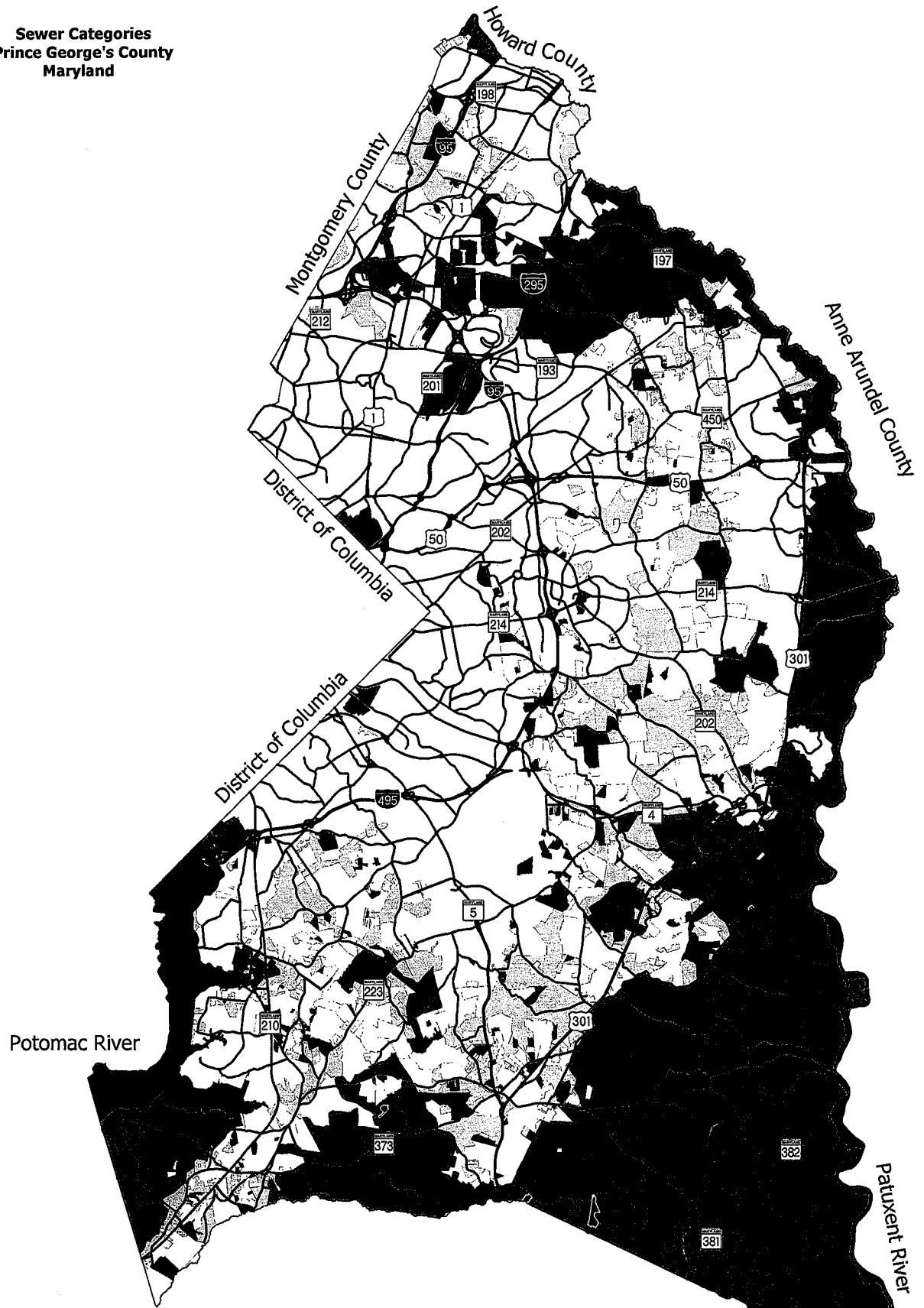
0 1 2 4 6 8 Miles

Legend	
<ul style="list-style-type: none"> — Envelope — MAJORROADS Water □ W-3 Community System 	<ul style="list-style-type: none"> ■ W-4 Community System Adequate for Development Planning □ W-5 Future Community System ■ W-6 Individual System ■ W-6P Private, Shared or Community System

Document Name: Water Categories.
 Date Created: 03/08/2019, User Name: Water and Sewer Team. Author: Anthony C. Newsome, Document and Map Path: W:\Water and Sewer Program\Chapter 2 Maps.

THIS MAP MAY NOT BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM, OR TRANSMITTED IN ANY FORM, INCLUDING ELECTRONIC OR BY PHOTO REPRODUCTION, WITH OUT THE EXPRESSED, WRITTEN PERMISSION OF THE DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT. MAPS ARE AS ACCURATE AS OF THE REVISION DATE(S) INDICATED HEREIN. FOR CURRENT INFORMATION, CONTACT THE DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT SITE ROAD OFFICE IN LARGO, MD.

**Sewer Categories
Prince George's County
Maryland**



Angela D. Abbot
County Executive

0 1 2 4 6 8 Miles

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT
PRINCE GEORGE'S COUNTY, MARYLAND

Legend	
<p>— Envelope</p> <p>— MAJORROADS</p> <p>Sewer</p> <p>S-3 Community System</p>	<p>S-4 Community System Adequate for Development Planning</p> <p>S-3 Future Community System</p> <p>S-6 Individual System</p> <p>S-6P Private, Shared or Community System</p>

Document Name: Sewer Categories.
 Date Created: 03/08/2019, User Name: Water and Sewer Team, Author: Anthony C. Newsome, Document and Map Path: W:\Water and Sewer Program\Chapter 2 Maps.

THIS MAP MAY NOT BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM, OR TRANSMITTED IN ANY FORM, INCLUDING ELECTRONIC OR BY PHOTO REPRODUCTION, WITHOUT THE EXPRESSED, WRITTEN PERMISSION OF THE DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT. MAPS ARE AS ACCURATE AS OF THE REVISION DATE(S) INDICATED HEREIN. FOR CURRENT INFORMATION, CONTACT THE DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT SITE ROAD OFFICE IN LARGO, MD.



Charles County



Prince George's County Council

Agenda Item Summary

Meeting Date: 10/8/2019 **Effective Date:** 10/29/2019
Reference No.: CR-064-2019 **Chapter Number:**
Draft No.: 2 **Public Hearing Date:** 9/10/2019 @ 10:00 AM
Proposer(s): County Executive
Sponsor(s): Turner, Davis, Glaros, Harrison and Taveras
Item Title: A RESOLUTION CONCERNING THE 2018 WATER AND SEWER PLAN for the purpose of adopting the 2018 Water and Sewer Plan and the 2018 Water and Sewer Category Maps, revising the fee schedule for administering Water and Sewer Plan amendments, and the purchase of maps and related materials.

Drafter: Shirley Anthony Branch, Department of Permitting, Inspections and Enforcement

Resource Personnel: Candice D. Austin, Office of the County Executive

LEGISLATIVE HISTORY:

Date:	Acting Body:	Action:	Sent To:
07/16/2019	County Council	introduced and referred	TIEE
	Action Text: This Resolution was introduced by Council Members Turner, Davis, Glaros, Harrison and Taveras and referred the Transportation, Infrastructure, Energy and Environment Committee.		
09/10/2019	County Council	public hearing held	
	Action Text: This public hearing was held.		
09/12/2019	TIEE	Discussion held	
	Action Text: Discussion Held. No vote taken.		
09/26/2019	TIEE	Favorably recommended with amendments	County Council
	Action Text: A motion was made by Council Member Glaros, seconded by Council Member Turner, that this Resolution be Favorably recommended with amendments to the County Council. The motion carried by the following vote: Aye: 4 Taveras, Dernoga, Glaros and Turner Abstain: 1 Anderson-Walker		

10/08/2019 County Council new draft substituted

Action Text:

A motion was made by Council Member Davis, seconded by Council Member Taveras, that this Resolution be new draft substituted. The motion carried by the following vote:

Aye: 9 Turner, Anderson-Walker, Davis, Dernoga, Franklin, Harrison, Ivey, Streeter and Taveras

Absent: 2 Glaros and Hawkins

10/08/2019 County Council amended (1)

Action Text:

A motion was made by Council Member Anderson-Walker, seconded by Vice Chair Streeter, that this Resolution be amended (1). The motion failed by the following vote:

Aye: 4 Anderson-Walker, Dernoga, Ivey and Streeter

Nay: 6 Turner, Davis, Franklin, Harrison, Hawkins and Taveras

Absent: 1 Glaros

10/08/2019 County Council adopted

Action Text:

A motion was made by Council Member Davis, seconded by Council Member Harrison, that this Resolution be adopted. The motion carried by the following vote:

Aye: 10 Turner, Anderson-Walker, Davis, Dernoga, Franklin, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: 1 Glaros

10/29/2019 County Executive signed

Action Text:

This Resolution was signed

AFFECTED CODE SECTIONS:**BACKGROUND INFORMATION/FISCAL IMPACT:**

This legislation will adopt the 2018 Water and Sewer Plan and the 2018 Water and Sewer Category Maps and revise a fee schedule for administering Water and Sewer Plan Amendments and related development review processes associated with the Water and Sewer Plan.

Environment Article, Title 9, Subtitle 5, of the Maryland Annotated Code, sets procedures for amendments and revisions to the Plan. At least 30 days prior to the public hearing on the revision or amendment, the County Council must submit a copy of the Resolution to the Washington Suburban Sanitary Commission and Maryland-National Capital Park and Planning Commission for their recommendations.

Document(s): R2019064, Revised Appendix 2-1 & Appendix 2-2 (2018 Plan), 2018 Water & Sewer Plan (DR-2), CR-064-2019 (DR-2) Water Categories Map, CR-064-2019 (DR-2) Sewer Categories Map, CR-064-2019 AIS, CR-064-2019 Report

PRINCE GEORGE'S COUNTY COUNCIL
COMMITTEE REPORT
2019 Legislative Session

Reference No.: CR-064-2019

Draft No.: 2

Committee: Transportation, Infrastructure, Energy and Environment Committee

Date: 9/26/2019

Action: FAV(A)

REPORT:

Committee Vote: Favorable with Amendments, 4-0-1 (In Favor: Council Members Taveras, Dernoga, Glaros and Turner; Abstained: Council Member Anderson-Walker)

The TIEE Committee convened on September 12, 2019 and September 26, 2019 to review CR-64-2019 which proposes the adoption of the Prince George's County 2018 Water and Sewer Plan. CR-64 provides a comprehensive update of the 2008 Plan and Water & Sewer Category maps. The Committee's review began with an overview of the proposed changes provided by the Department of Permitting, Inspections and Enforcement (DPIE). The discussion included comments from the staffs of the County Health Department, the MNCPPC and the WSSC.

Shirley Anthony Branch of DPIE guided the discussion using an indexed summary of proposed changes to the Plan. Ms. Branch also discussed proposed amendments to Appendices 2-1 and 2-2 of the Plan (and water & sewer maps) needed to update the lists of: Category 6 designations inside the sewer envelope; Category 3 designations outside the sewer envelope, and; adjustments to the boundaries of the sewer envelope to achieve compliance with General Plan 2035. The Committee approved these amendments.

A particular area of focus for the Committee was Chapter 6, which describes the procedures for adopting and amending the Plan. Proposed changes include:

Section 6.3 - Legislative Amendment Process - Establishes DPIE as the managing agency of the Water and Sewer Plan and amendments processes, and the frequency in which this process is held, increasing the number of "cycles" from 3 per year (April, August and December) to 4 per year (January, April, July and October).

Section 6.3.1 - Referral and Review Process During the initial review of category change applications, reviewing agencies are given 15 days (a decrease from 30 days) to review and comment to DPIE on applications submitted.

Section 6.4 - Administrative Amendment Process Allows applicants meeting the criteria to file on a continuous basis, provided the application is complete for the month in which it is filed.

Applications will still be grouped when possible.

Section 6.5.1 - Waiver Criteria – Connection to Public (Community) Water and Sewer Further clarifies and identifies individual residential properties and minor subdivisions that meet the criteria to be eligible for a waiver. Connections may not exceed 200 feet, up from 100 feet in the previous code. This will limit the number of residential properties eligible for waivers and increase those requiring an extension via a category change.

Section 6.5.2 Waiver Criteria – Use of Interim Individual Well and Septic Systems Further clarifies and identifies individual residential properties and minor subdivisions that meet the criteria to be served by well and septic systems. Connection to public systems must exceed 200 feet, up from 100 feet in the previous code.

Appendix 6-2 Fee Schedule restructures and increases fees associated with the plan amendment processes, maps and special requests of services. The fees have remained consistent since the adoption of the 2008 Water and Sewer Plan and should be reconsidered for increase. All fees are the same regardless of location. Fees are waived for public entities i.e., Federal, State, County and Municipal projects.

The Committee’s review included a discussion of “Dormant Category 3” where an approved preliminary plan of subdivision expires for undeveloped property in Category 3. In this instance, the property is considered to revert to Category 4 and will require renewal of Category 3 through the Administrative Amendment process. The Committee also discussed concerns related to the transfer of approved water & sewer capacity from one property to another. WSSC staff explained the process by which overall capacity is monitored, as well as the evaluation of each development proposal during the category change process.

After the discussion, the Committee voted favorably on CR-64-2019 with amendments proposed by staff by a vote of 4-0-1.



PRINCE GEORGE'S COUNTY GOVERNMENT
Office of the County Executive

Angela D. Alsobrooks
County Executive

DATE: October 29, 2019

TO: The Honorable Todd M. Turner, Chair
Prince George's County Council

FROM: Angela D. Alsobrooks
County Executive *Angela Alsobrooks*

RE: CR-64-2019 – A Resolution Concerning the 2018 Water and Sewer Plan

Thank you for the opportunity to review CR-64-2019 as adopted by the County Council. It appears the Council has performed a thorough review of the 2018 Water and Sewer Plan, including the amended maps and fee schedule. Therefore, I have no comments on the Resolution and look forward to the implementation of the 2018 Water and Sewer Plan.

APPENDIX A

***The State Environment Article
Title 9, Subtitle 5***

§ 9-425. Eligible costs.

The eligible cost of a project for State financial assistance under this subtitle may include the costs of reports, plans, specifications, legal and administrative services, equipment, construction, rehabilitation, or improvement, and may include land, easements, and rights-of-way. (1990, ch. 187, § 2.)

§ 9-426. County water and sewer plans.

To receive financial assistance from the Fund, the project must be included in the county water and sewer plan approved by the county governing body and the Maryland Department of the Environment. (1990, ch. 187, § 2.)

Subtitle 5. County Water and Sewerage Plans.

§ 9-501. Definitions.

(a) *In general.* — In this subtitle the following words have the meanings indicated.

(b) *Community sewerage system.* — “Community sewerage system” means a publicly or privately owned sewerage system that serves at least 2 lots.

(c) *Community water supply system.* — “Community water supply system” means a water supply system that serves at least 2 lots.

(d) *County plan.* — (1) “County plan” means a comprehensive plan for adequately providing throughout the county, including all towns, municipal corporations, and sanitary districts in the county, the following facilities and services by public or private ownership:

- (i) Water supply systems;
- (ii) Sewerage systems;
- (iii) Solid waste disposal systems;
- (iv) Solid waste acceptance facilities; and
- (v) Systematic collection and disposal of solid waste, including litter.

(2) “County plan” includes a revised or amended county plan.

(e) *Individual sewerage system.* — “Individual sewerage system” means a sewerage system that serves only 1 lot.

(f) *Individual water supply system.* — “Individual water supply system” means a water supply system that supplies water to only 1 lot.

(g) *Litter.* — “Litter” means any:

- (1) Waste material;
- (2) Refuse;
- (3) Garbage;
- (4) Trash;
- (5) Debris;
- (6) Dead animal; or
- (7) Other discarded material.

(h) *Lot.* — “Lot” means a parcel of land, including a part of a subdivision, that:

- (1) Is used or is intended to be used as a building site; and

(2) Is not intended to be further subdivided.

(i) *Multiuse sewerage system*. — "Multiuse sewerage system" means a sewerage system that:

- (1) Serves only 1 lot;
- (2) Serves a number of individuals;
- (3) Has a treatment capacity of more than 5,000 gallons a day; and
- (4) Is not publicly owned or operated.

(j) *Multiuse water supply system*. — "Multiuse water supply system" means an individual water supply system that:

- (1) Has the capacity to supply more than 5,000 gallons of water a day; and
- (2) Serves a number of individuals.

(k) *Proposed county plan*. — (1) "Proposed county plan" means a county plan that:

- (i) Has been adopted by the county governing body; and
- (ii) Has not been approved by the Department.

(2) "Proposed county plan" includes any proposed amendment or revision of the county plan.

(l) *Sewage*. — "Sewage" means any human or animal excretion, street wash, domestic waste, or industrial waste.

(m) *Sewerage system*. — (1) "Sewerage system" means:

- (i) The channels used or intended to be used to collect and dispose of sewage; and
- (ii) Any structure and appurtenance used or intended to be used to collect or prepare sewage for discharge into the waters of this State.

(2) "Sewerage system" includes any sewer of any size.

(3) "Sewerage system" does not include the plumbing system inside any building served by the sewerage system.

(n) *Solid waste acceptance facility*. — "Solid waste acceptance facility" means any sanitary landfill, incinerator, transfer station, or plant whose primary purpose is to dispose of, treat, or process solid waste.

(o) *Solid waste disposal system*. — (1) "Solid waste disposal system" means any publicly or privately owned system that:

- (i) Provides a scheduled or systematic collection of solid waste;
- (ii) Transports the solid waste to a solid waste acceptance facility; and
- (iii) Treats or otherwise disposes of the solid waste at the solid waste acceptance facility.

(2) "Solid waste disposal system" includes each solid waste acceptance facility that is used in connection with the solid waste disposal system.

(p) *Subdivision*. — (1) "Subdivision" means any division of a tract or parcel of land into at least 2 lots, for the purpose of sale or building development.

(2) "Subdivision" includes any change in street lines or lot lines.

(3) "Subdivision" does not include any division of land into parcels of more than 3 acres, if the division:

- (i) Is for agricultural purposes; and
- (ii) Does not involve any new street or easement of access.

(q) *Water supply system.* — (1) "Water supply system" means a publicly or privately owned or operated:

(i) Source and the surrounding area from which water is supplied for drinking or domestic purposes; and

(ii) Structure, channel, or appurtenance used or intended to be used to prepare water for use or to deliver water to a consumer.

(2) "Water supply system" does not include the plumbing system inside any building that is served by the water supply system. (1983, ch. 542, § 2; 1984, ch. 762; 1992, ch. 295.)

Revision of subtitle. — Chapter 542, Acts 1983, effective July 1, 1983, repealed former §§ 9-501 through 9-517 and the subtitle heading "County Plans" and enacted present §§ 9-501 through 9-521 to be under the new subtitle heading "County Water and Sewerage Plans."

University of Baltimore Law Review. — For comment concerning federal, State and local regulation of hazardous and nonhazardous waste management, see 17 U. Balt. L. Rev. 114 (1987).

Grant of authority to adopt or amend plan. — This subtitle does not authorize a

county council itself to adopt or amend a county's solid waste management plan. That authority is granted to the "county governing body" or the "governing body of the county." *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

Stated in *Ad + Soil, Inc. v. County Comm'rs*, 307 Md. 307, 513 A.2d 893 (1986).

Cited in *Sugarloaf Citizens Ass'n v. Northeast Md. Waste Disposal Auth.*, 323 Md. 641, 594 A.2d 1115 (1991); *Gregory v. Board of County Comm'rs*, 89 Md. App. 635, 599 A.2d 469 (1991).

§ 9-502. Scope of subtitle.

(a) *Systems not requiring water for human or animal consumption.* — Unless the operation of a water supply system would interfere with a cleanup or remediation action of the Department, this subtitle does not prohibit the installation or operation of a water supply system that is used only to supply water for purposes other than human or animal consumption.

(b) *Counties exempt from subtitle.* — If a county is exempt from the provisions of this subtitle, the county may not receive funds from the sanitary facilities fund.

(c) *Conflict with other laws, rules, or regulations.* — Any rule or regulation adopted under this subtitle does not limit or supersede any other county, municipal, or State law, rule, or regulation that provides greater protection to the public health, safety, or welfare. (1983, ch. 542, § 2; 1989, ch. 25.)

Quoted in *Ad + Soil, Inc. v. County Comm'rs*, 307 Md. 307, 513 A.2d 893 (1986).

Stated in *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert.

dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

§ 9-503. County plans — Required; review by governing body of county; revision or amendment.

(a) *Requirement.* — Each county shall have a county plan or a plan with adjoining counties that:

- (1) Is approved by the Department;
- (2) Covers at least the 10-year period next following adoption by the county governing body; and
- (3) Deals with:
 - (i) Water supply systems;
 - (ii) Sewerage systems;
 - (iii) Solid waste disposal systems;
 - (iv) Solid waste acceptance facilities; and
 - (v) The systematic collection and disposal of solid waste, including litter.

(b) *Review by governing body of county.* — Except as provided in § 9-515 of this subtitle, each county governing body shall review its county plan at least once every 3 years in accordance with a schedule set by the Department.

(c) *Revision or amendment.* — Each county governing body shall adopt and submit to the Department a revision or amendment to its county plan if:

- (1) The governing body considers a revision or amendment necessary; or
- (2) The Department requires a revision or amendment.

(d) *Public hearing prior to adoption.* — (1) Before a county governing body adopts any revision or amendment to its county plan or adopts a new county plan, the governing body shall:

(i) Conduct a public hearing on the county plan, revision, or amendment that may be conducted jointly with other public hearings or meetings; and

(ii) Give the principal elected official of each municipal corporation that is affected notice of the county plan, revision, or amendment at least 14 days before the hearing.

(2) (i) Notice of the time and place of the public hearing, together with a summary of the plan, revision, or amendment, shall be published in at least 1 newspaper of general circulation in the county once each week for 2 successive weeks, with the first publication of notice appearing at least 14 days before the hearing.

(ii) Notice of the public hearing may be a part of the general notice listing all other items to be considered during the public hearing or meeting. (1983, ch. 542, § 2; 1985, ch. 224; 1988, ch. 101; 1989, ch. 820; 1990, ch. 6, § 2; 1994, ch. 661, § 2.)

EXPLANATION

Section 9-503 (b) of the Environment Article requires counties to conduct at least a biennial review of their ten-year plans concerning water and sewage systems and solid waste facilities. Staff recommends this requirement be

modified to require review at least every three years. The Department of the Environment has agreed with this change; the triennial review would be consistent with the review of several other programs under the Department

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of the Environment. Section 9-515 (b) of the Environment Article is modified for consistency.

Effect of amendments. — The 1994 amendment, effective Oct. 1, 1994, substituted "3 years" for "2 years" in (b).

Editor's note. — Section 3, ch. 661, Acts 1994, provides that "the explanation notes contained in this Act are not law and may not be considered to have been enacted as part of this Act. The explanation notes are included for information only."

University of Baltimore Law Review. — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

Permit review authority. — County council's resolution deleting proposed landfill site from county's solid waste management plan because of potential threat to groundwater was an impermissible invasion on State's permit review authority. *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

Maryland Reclamation Assocs., 328 Md. 229, 614 A.2d 78 (1992).

Final approval authority. — State Department of Environment has final approval authority over county solid waste management plans. *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

Quoted in *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

Stated in *Howard County v. Davidsonville Civic & Potomac River Ass'ns*, 72 Md. App. 19, 527 A.2d 772, cert. denied, 311 Md. 286, 533 A.2d 1308 (1987).

Cited in *East v. Gilchrist*, 296 Md. 368, 463 A.2d 285 (1983); *Northwest Land Corp. v. Maryland Dep't of Env't*, 104 Md. App. 471, 656 A.2d 804 (1995).

§ 9-504. Same — Incorporation of subsidiary plans.

(a) **Required incorporation.** — To the extent that the incorporation will promote the public health, safety, and welfare, each county plan shall incorporate all or part of the subsidiary plans of each town, municipal corporation, sanitary district, privately owned facility, or local, State, or federal agency that has existing or planned development in that county.

(b) **Permitted incorporation.** — If the governing body of each county that is affected adopts a subsidiary plan for a multicounty area, the county may incorporate in its county plan all or part of the subsidiary plan. (1983, ch. 542, § 2.)

University of Baltimore Law Review. — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

Stated in *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

Cited in *State Dep't of Env't v. Showell*, 316 Md. 259, 558 A.2d 391 (1989); *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

§ 9-505. Same — Contents; recycling reductions; effect of increase in population; regional plans.

(a) **Required contents.** — In addition to the other requirements of this subtitle, each county plan shall:

(1) Provide for the orderly expansion and extension of the following systems in a manner consistent with all county and local comprehensive plans

prepared under § 3.05 of Article 66B, § 5 (X) of Article 25A, § 13 of Article 25B, and § 7-108 of Article 28 of the Code:

(i) Community water supply systems and multiuse water supply systems;

(ii) Community sewerage systems and multiuse sewerage systems; and

(iii) Solid waste disposal systems and solid waste acceptance facilities;

(2) Provide for the sizing and staging of facilities construction that is consistent with the county plan;

(3) Show compliance with paragraphs (1) and (2) of this subsection by using graphic and tabular information;

(4) Provide:

(i) For sewage treatment facilities that are adequate to prevent the discharge of any inadequately treated sewage or other liquid waste into any waters; or

(ii) Otherwise for safe and sanitary treatment of sewage and other liquid waste;

(5) Provide for facilities that are adequate to treat, recover, or dispose of solid waste in a manner that is consistent with the laws of this State that relate to air pollution, water pollution, and land use;

(6) Contain adequate information about:

(i) The existing sewage treatment capacity in each drainage basin or sewage treatment plant service area in the county;

(ii) The present level of use of sewage treatment plants in each drainage basin; and

(iii) Projections for use of sewage treatment plant capacity based on:

1. Outstanding building permits and subdivision plats if the county has subdivision authority; or

2. Zoning commitments if the county does not have subdivision authority;

(7) Taking into account all relevant planning, zoning, population, engineering, and economic information and all State, regional, municipal, and local plans, describe, with all practical precision, those parts of the county that reasonably may be expected to be served in the next 10 years by any:

(i) Community water supply system;

(ii) Multiuse water supply system;

(iii) Community sewerage system;

(iv) Multiuse sewerage system;

(v) Solid waste disposal system; and

(vi) Solid waste acceptance facility;

(8) Set procedures for identifying and acquiring, on a time schedule that conforms to the time requirement in paragraph (7) of this subsection, any rights-of-way or easements that are necessary for any:

(i) Community water supply system;

(ii) Multiuse water supply system;

(iii) Community sewerage system;

(iv) Solid waste disposal system; or

(v) Solid waste acceptance facility;

(9) Taking into account all relevant planning, zoning, population, engineering, and economic information and all State, regional, municipal, and local plans, describe, with all practical precision, any parts of the county in which it is not reasonably foreseeable to have service in the next 10 years by any:

- (i) Community water supply system;
- (ii) Multiuse water supply system;
- (iii) Community sewerage system;
- (iv) Multiuse sewerage system;
- (v) Solid waste disposal system; and
- (vi) Solid waste acceptance facility;

(10) Set a time schedule and a proposed method for financing the construction and operation of each planned:

- (i) Community water supply system;
- (ii) Multiuse water supply system;
- (iii) Community sewerage system;
- (iv) Solid waste disposal system; and
- (v) Solid waste acceptance facility;

(11) Set forth the estimated cost of constructing and operating each planned:

- (i) Community water supply system;
- (ii) Multiuse water supply system;
- (iii) Community sewerage system;
- (iv) Solid waste disposal system; and
- (v) Solid waste acceptance facility;

(12) Indicate:

- (i) Any source of supply from the waters of this State;
- (ii) The approximate amount of water to be withdrawn from the waters of this State; and
- (iii) The quantity and quality of waste to be discharged into the waters of this State;

(13) Describe, in accordance with the provisions of this subtitle, each area in the county where:

- (i) A community water supply system must be provided;
- (ii) A multiuse water supply system may be installed and used;
- (iii) An individual water supply system may be installed and used for an interim period until a planned community water supply system is available;
- (iv) An individual water supply system may be installed and used indefinitely;
- (v) A community sewerage system must be provided;
- (vi) A multiuse sewerage system may be installed and used;
- (vii) Except as provided in § 9-517 of this subtitle, an individual sewerage system may be installed and used for an interim period until a planned community sewerage system is available;
- (viii) An individual sewerage system may be installed and used indefinitely;

(ix) A community solid waste disposal system must be provided; or
(x) A community solid waste acceptance facility must be provided for use by residents of the described area during an interim period until a planned community solid waste disposal system is available;

(14) Except as provided in § 9-515 of this subtitle, provide for amendment or revision of the county plan at least once every 2 years in accordance with a schedule adopted by the Department;

(15) Designate an appropriate agency of the county to be responsible for creating a workable plan:

(i) To keep the environment of the county free of solid waste, including litter; and

(ii) To prevent scenic pollution of both public and private property in the county;

(16) By July 1, 1987, treat each publicly owned community sewerage system as a separate entity for fiscal purposes within the local operating agency;

(17) Document compliance with and report on actions taken and plans to enforce §§ 12-605 and 12-606 of the Business Occupations and Professions Article;

(18) For a county with a population greater than 150,000 according to the latest Office of Planning projections, include a recycling plan by July 1, 1990 that:

(i) Provides for a reduction through recycling of at least 20 percent of the county's solid waste stream by weight or submits adequate justification, including economic and other specific factors, as to why the 20 percent reduction cannot be met;

(ii) Provides for recycling of the solid waste stream to the extent practical and economically feasible, but in no event may less than a 10 percent reduction be submitted; and

(iii) Requires full implementation of the recycling plan by January 1, 1994; and

(19) For a county with a population less than 150,000 according to the latest Office of Planning projections, include a recycling plan by July 1, 1990 that:

(i) Provides for a reduction through recycling of at least 15 percent of the county's solid waste stream or submit adequate justification, including economic and other specific factors, as to why the 15 percent reduction cannot be met;

(ii) Provides for recycling of the solid waste stream to the extent practical and economically feasible, but in no event may less than a 5 percent reduction be submitted; and

(iii) Require full implementation of the recycling plan by January 1, 1994.

(b) *Use of prisoners.* — A plan created under subsection (a) (15) of this section may include the use of prisoners from the State correctional system or from county jails or detention centers.

(c) *Recycling reductions not maximum percentages.* — The recycling reductions of 20 percent and 15 percent provided in subsection (a) (18) and (19) of this section are not intended to be the maximum percentage that a county can achieve. A county that can practically and economically achieve a higher rate of recycling is encouraged to submit a recycling plan for a higher percentage.

(d) *Effect of increase in population.* — If a county with a population less than 150,000 increases to a population of above 150,000, the county shall have 2 years to revise the recycling plan to be consistent with the recycling goals under subsection (a) (18) of this section.

(e) *Regional recycling plans.* — (1) The governing bodies of 2 or more counties may adopt a regional recycling plan to comply with subsection (a) (18) or (19) of this section.

(2) A regional recycling plan which otherwise satisfies the requirements of this subtitle for each of the participating counties shall constitute the county recycling plan for each county which participates in the plan. (1983, ch. 542, § 2; 1984, chs. 255, 798; 1985, ch. 10, § 3; 1988, ch. 536; ch. 647, § 1; 1989, ch. 89; ch. 236, § 4; ch. 540, § 1; ch. 820; 1990, ch. 6, § 13.)

University of Baltimore Law Review. — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

Permit review authority. — County council's resolution deleting proposed landfill site from county's solid waste management plan because of potential threat to groundwater was an impermissible invasion on State's permit review authority. *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864,

cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

Stated in *Ad + Soil, Inc. v. County Comm'rs*, 307 Md. 307, 513 A.2d 893 (1986).

Cited in *State Dep't of Env't v. Showell*, 316 Md. 259, 558 A.2d 391 (1989); *Gregory v. Board of County Comm'rs*, 89 Md. App. 635, 599 A.2d 469 (1991); *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

§ 9-506. Same — Review by official planning agencies; progress reports; submitting reports to Department.

(a) *Review by official planning agencies.* — (1) Except as provided in paragraphs (2) and (3) of this subsection, before a county governing body may adopt a county plan or a revision or amendment to the county plan:

(i) The county governing body shall submit the county plan, revision, or amendment to each official planning agency that has jurisdiction in the county, including any comprehensive planning agency with areawide jurisdiction, for review and comment within a 30-day period for consistency with planning programs for the area; and

(ii) The county planning agency shall certify that the plan, revision, or amendment is consistent with the county comprehensive plan prepared under Article 66B, § 3.05; Article 25A, § 5 (X); or Article 25B, § 13 of the Code.

(2) In Montgomery County and Prince George's County, the review and comments of the Maryland-National Capital Park and Planning Commission in accordance with § 9-516 of this subtitle constitute full compliance with the requirement for review by an official planning agency under this subsection.

(3) (i) This paragraph applies only in St. Mary's County.

(ii) A new public sewerage system or an expansion of an existing public sewerage system may not be allowed in St. Mary's County unless the adoption, revision, or amendment to the county plan containing the public sewerage system:

1. Is reviewed by the St. Mary's County Planning Commission in conformity with the provisions of this paragraph; and

2. Is approved by the Board of County Commissioners.

(iii) The County Commissioners may not approve the adoption, revision, or amendment of the county plan that contains a new public sewerage system or an expansion of an existing public sewerage system until the Planning Commission:

1. Conducts a complete review of the county plan; and

2. Holds at least one public hearing on the county plan.

(iv) In its review and recommendation to the County Commissioners, the St. Mary's County Planning Commission shall consider and make specific findings of fact with respect to the following objectives and policies of the county plan that contains a new public sewerage system or an expansion of an existing public sewerage system:

1. Compatibility with the Comprehensive Land Use Plan;

2. Planning and zoning issues;

3. Population estimates;

4. Engineering;

5. Economics;

6. State, regional, and municipal plans; and

7. Comments received from other agencies in the county.

(b) *Submitting reports to Department — In general.* — Each county governing body shall submit to the Department:

(1) Progress reports on the development of its county plan; and

(2) A report of its review conducted at least every 2 years, including any revision or amendment of the county plan that has been adopted.

(c) *Same — Notice and other administrative actions for failure to submit certain reports.* — (1) If the Secretary determines that a county governing body has failed to submit a timely and adequate report of its review of its county plan or any required revision or amendment of its county plan to the Department, the Secretary shall give the county governing body a written notice of:

(i) The county's failure to submit a report; or

(ii) Any specific inadequacy in the county's plan.

(2) If within 90 days of this notice a county does not submit its report or an adequate revision or amendment of its plan to the Department, the Secretary:

(i) May not issue any permit to install or alter a water supply system, sewerage system, or solid waste disposal system in that county under § 9-204 of this title;

(ii) Shall give the county notice of its right to administrative review by the Secretary under this subsection; and

(iii) Shall give the county notice of its right to appeal the Secretary's decision to the Board of Review. (1983, ch. 542, § 2; 1985, ch. 224; 1987, ch. 612, § 2; 1991, ch. 212.)

University of Baltimore Law Review. — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

Permit review authority. — County council's resolution deleting proposed landfill site from county's solid waste management plan because of potential threat to groundwater was an impermissible invasion on State's permit review authority. *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

Maryland Reclamation Assocs., 328 Md. 229, 614 A.2d 78 (1992).

Final approval authority. — State Department of Environment has final approval authority over county solid waste management plans. *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

Stated in Ad + Soil, Inc. v. County Comm'rs. 307 Md. 307, 513 A.2d 893 (1986).

§ 9-507. Same — Approval by Department; use of county plans after approval by county governing body.

(a) *Powers of Department and Secretary.* — When a county governing body submits its proposed county plan or a proposed revision or amendment of its county plan to the Department, the Department may:

- (1) Approve the proposal;
- (2) Disapprove the proposal;
- (3) If the part approved includes all of the required elements of a county plan, approve the proposal in part and disapprove it in part; or
- (4) Modify or take other appropriate action on the proposal.

(b) *Required consultation by Department.* — Before the Department approves or disapproves, in whole or in part, a proposed county plan or a proposed revision or amendment of a county plan, the Department shall submit the proposal:

- (1) To the Department of Natural Resources for advice on natural resources matters;
- (2) To the Office of Planning for advice on the consistency of the proposal with the local master plan and other appropriate matters; and
- (3) To the Department of Agriculture for advice on the impact of water and sewerage service and solid waste facilities on productive or potentially productive agricultural land.

(c) *Review period.* — (1) Except as otherwise provided in this subsection, the Department shall approve, disapprove, or partially approve and partially disapprove each proposed county plan or proposed revision or amendment to a county plan within 90 days after the proposal is submitted to the Department.

(2) For good cause and after notice to the county involved, the Department may extend the 90-day review period of paragraph (1) of this subsection for an additional 90 days.

(d) *Failure of Department to act within review period.* — If the Department does not disapprove, in whole or in part, a proposed county plan or a proposed

revision or amendment of a county plan within the review period provided in subsection (c) of this section, the proposal is approved.

(e) *Effect of county plans after adoption by county governing body.* —

(1) Before the Department takes any action under subsection (a) of this section, a county may use its proposed county plan or proposed revision or amendment of its county plan at the county's own risk, if the county governing body has adopted the proposed county plan, revision, or amendment.

(2) After the county governing body adopts the proposed county plan, a person shall follow the provisions of that plan except to the extent that the Department modifies or disapproves that plan. (1983, ch. 542, § 2; 1989, ch. 540, § 1.)

University of Baltimore Law Review. — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

Stated in County Council v. Maryland Reclamation Assocs., 328 Md. 229, 614 A.2d 78 (1992).

Cited in Holmes v. Maryland Reclamation Assocs., 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. County Council v. Maryland Reclamation Assocs., 328 Md. 229, 614 A.2d 78 (1992).

§ 9-508. Same — Notice of departmental disapproval; reconsideration of disapproval.

(a) *Notice of departmental disapproval.* — If the Department disapproves, in whole or in part, a proposed county plan or a proposed revision or amendment of a county plan, the Department shall give the county a written notice of disapproval that states the reasons for disapproval.

(b) *Reconsideration of disapproval of proposed county plan.* — At any time up to 6 months after a county receives the notice of disapproval, the county governing body may ask the Secretary to reconsider the disapproval in accordance with the rules and regulations of the Department. (1983, ch. 542, § 2.)

University of Baltimore Law Review. — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

§ 9-509. Same — Cost of preparing county plans.

As provided in § 9-218 of this title, a county may finance in part the cost of preparing its county plan or any revision or amendment of its county plan. (1983, ch. 542, § 2; 1986, ch. 5, § 1; 1987, ch. 612, § 2.)

University of Baltimore Law Review. — For article, "Maryland's Growing Pains: The Need for State Regulation," see 16 U. Balt. L. Rev. 201 (1987).

§ 9-510. Miscellaneous powers and duties of Department.

(a) *Powers.* — In addition to the powers set forth elsewhere in this subtitle, the Department may:

- (1) Conduct surveys and research to carry out the provisions of this subtitle; and
- (2) Specify the location for any sewage treatment facility discharge point that is included in any county plan.

(b) *Duties.* — In addition to the duties set forth elsewhere in this subtitle, the Department shall adopt rules and regulations:

- (1) To carry out the provisions of this subtitle;
- (2) To control, limit, or prohibit the installation and use of:
 - (i) Water supply systems; and
 - (ii) Sewerage systems;
- (3) To require that, before installation of individual water supply systems or individual sewerage systems, consideration be given to:
 - (i) Present and future population density;
 - (ii) Size of parcels;
 - (iii) Contour of the land;
 - (iv) Porosity and absorbency of the soil;
 - (v) Ground water conditions;
 - (vi) Availability of water from unpolluted aquifers;
 - (vii) Type of construction of community water supply systems;
 - (viii) Type of construction of community sewerage systems;
 - (ix) Size of the proposed development; and
 - (x) Any other pertinent factors;
- (4) To require that, giving consideration to the factors in item (3) of this subsection, areas be served by community facilities if the Department finds them to be reasonably necessary:
 - (i) By installation of the community water supply system, community sewerage system, or solid waste disposal system; and
 - (ii) By connection of all premises to or service to all premises by the community water supply system, community sewerage system, or solid waste disposal system;
- (5) To require that community water supply systems, community sewerage systems, and solid waste disposal systems be constructed to allow the connection of those systems to a larger system, if that larger system becomes available;
- (6) To allow a person to install an individual water supply system or an individual sewerage system in any area where a community water supply system or a community sewerage system is not available or required to be installed in the area if:
 - (i) The Department finds that the individual system is adequate and safe for use before a community system is scheduled to be available in the area; and
 - (ii) The individual system is constructed in the most economical and convenient way to permit connection to a community system in the area, and the person guarantees the connection to a community system:

1. When the county governing body where the area is located sets a time; and

2. In accordance with this subtitle, any rules and regulations adopted under this subtitle, and any other State law or county requirement by:

A. Posting a bond to secure actual construction and installation of the systems with satisfactory surety for the benefit of the county governing body; or

B. Making any other arrangement that the Department considers necessary and adequate to carry out the provisions of this subtitle;

(7) If a solid waste disposal system is not available or required to be installed in any area as provided in item (4) of this subsection, to allow a person to provide a solid waste acceptance facility in the area without a systematic collection and transportation system;

(8) To require that, before issuance of a permit for construction of a community or multiuse sewerage system, a financial management plan sufficient to ensure the dependable and safe operation of the system has been adopted within the county plan and approved by the Department; and

(9) To require that:

(i) Before issuance of a permit for construction of a privately owned community water supply system that will serve 4 or more residential lots or 2 or more other lots, the applicant has proposed a financial management plan sufficient to ensure the dependable and safe operation of the system, and the plan has been approved by the Department; and

(ii) The applicant shall comply with the plan as approved by the Department. (1983, ch. 542, § 2; 1984, chs. 255, 798; 1992, ch. 295.)

University of Baltimore Law Review. — For comment concerning federal, State and local regulation of hazardous and nonhazardous waste management, see 17 U. Balt. L. Rev. 114 (1987).

Cited in *Holmes v. Maryland Reclamation Assocs.*, 90 Md. App. 120, 600 A.2d 864, cert. dismissed sub nom. *County Council v. Maryland Reclamation Assocs.*, 328 Md. 229, 614 A.2d 78 (1992).

§ 9-511. Conformance to county plans required — In general.

Unless they conform to the county plan or revision or amendment of the county plan, the following systems and facilities may not be installed or extended:

- (1) A water supply system;
- (2) A sewerage system;
- (3) A solid waste disposal system; and
- (4) A solid waste acceptance facility. (1983, ch. 542, § 2.)

Applicability to discharge permit process. — Although this section may require that an installation and/or extension permit issued pursuant to § 9-204 of this article comply with the county water and sewer plan, it is not

applicable to the discharge permit process contemplated by § 9-323 of this article. *Northwest Land Corp. v. Maryland Dep't of Env't.* 104 Md. App. 471, 656 A.2d 804 (1995).

§ 9-512. Same — Building permits; subdivision plats.

(a) *"Building permit" defined.* — In this section, "building permit" means any permit that allows any building construction and is issued by any State or local authority.

(b) *Building permits — Conformity with county plan; issuance of building permits.* — (1) A State or local authority may not issue a building permit unless:

(i) The water supply system, sewerage system, or solid waste acceptance facility is adequate to serve the proposed construction, taking into account all existing and approved developments in the service area;

(ii) Any water supply system, sewerage system, or solid waste acceptance facility described in the application will not overload any present facility for conveying, pumping, storing, or treating water, sewage, or solid waste;

(iii) Except for essential public services, after January 1, 1992, the county in which the proposed construction is located has an approved recycling plan under § 9-505 of this subtitle and § 9-1703 of this title; and

(iv) Except for essential public services, after January 1, 1994, the county in which the proposed construction is located has met the recycling reductions submitted in an approved recycling plan under § 9-505 of this subtitle and § 9-1703 of this title.

(2) A water supply system, sewerage system, or solid waste acceptance facility referenced in a subdivision plat shall conform to the applicable county plan.

(3) If an allocation of water or wastewater is needed, and before a State or local authority may issue a building permit, the State shall:

(i) Have an allocation of water and wastewater from the county whose facilities are affected by the proposed building construction; or

(ii) Show evidence of being able to provide an acceptable on-site sewage disposal system or well system until an allocation becomes available, or on a permanent basis if the State elects.

(4) The county shall timely review any State request for an allocation of water or wastewater, and report its findings to the State within 45 days from the date of such request.

(5) The Department may grant a waiver from the sanctions of subsection (b) (1) (iii) and (iv) of this section if the county demonstrates to the satisfaction of the Secretary that it cannot achieve the recycling goal due to unforeseen or emergency circumstances beyond the county's control.

(6) (i) In the event that sanctions are imposed under this subsection, and the county submits an application for removing the sanctions, the Secretary shall promptly approve or deny the application.

(ii) In the event that the Secretary has neither approved nor denied the application within 30 days of its submission, the application shall be deemed approved and the sanctions shall be removed.

(c) *Same — Applications.* — To apply for a building permit, an applicant shall:

(1) Submit an application to a State or local authority on the form that the authority requires; and

(2) Provide any information that the authority reasonably requires to comply with subsection (b) of this section.

(d) *Subdivision plats — Conformity with county plan; recording or approving subdivision plats.* — (1) A State or local authority may not record or approve a subdivision plat unless any approved facility for conveying, pumping, storing, or treating water, sewage, or solid waste to serve the proposed development would be:

(i) Completed in time to serve the proposed development; and

(ii) Adequate to serve the proposed development, once completed, without overloading any water supply system, sewerage system, or solid waste acceptance facility.

(2) Each water supply system, sewerage system, and solid waste acceptance facility in a subdivision shall:

(i) Conform to the applicable county plan; and

(ii) Take into consideration all present and approved subdivision plats and building permits in the service area.

(3) If an allocation of water or wastewater is needed, and before a State or local authority may record or approve a subdivision plat, the State shall:

(i) Have an allocation of water and wastewater from the county whose facilities are affected by the proposed development; or

(ii) Show evidence of being able to provide an acceptable on-site sewage disposal system or well system until an allocation becomes available, or on a permanent basis if the State elects.

(4) The county shall timely review any State request for an allocation of water or wastewater, and report its findings to the State within 45 days from the date of such request.

(e) *Same — Applications.* — To apply for approval of a subdivision plat, an applicant shall:

(1) Submit an application to the appropriate State or local authority on the form that the authority requires; and

(2) Provide any information that the authority reasonably requires to comply with subsection (d) of this section. (1983, ch. 542, § 2; 1984, ch. 762; 1988, ch. 536.)

University of Baltimore Law Review. — Need for State Regulation," see 16 U. Balt. L. For article, "Maryland's Growing Pains: The Rev. 201 (1987).

§ 9-513. Exceptions to county plan in Baltimore County and Carroll County.

In Baltimore County or Carroll County, the county approving authority may grant an exception to the county plan that allows a person to install an individual water supply system or an individual sewerage system for an individual residence if the Secretary or a designee of the Secretary:

(1) Finds that this exception to the county plan is justified and necessary to alleviate extreme hardship; and

(2) Approves the exception to the county plan. (1983, ch. 542, § 2.)

§ 9-514. Exceptions to county plan in Harford County.

(a) *Incorporation of subsidiary plans.* — (1) If the Harford County governing body does not approve and incorporate in its county plan all or part of the subsidiary plans of each town, municipal corporation, and sanitary district in Harford County, the Harford County governing body shall send to the Department a written notice of:

- (i) This action; and
- (ii) The specific reasons for this action.

(2) If the Harford County governing body or the governing body of a town, municipal corporation, or sanitary district in Harford County requests, the Department may:

- (i) Arbitrate the dispute; and
- (ii) Decide whether to approve and incorporate all or part of this subsidiary plan in the Harford County plan.

(b) *Prerequisites to issuance of building permits and zoning permits.* — In Harford County, except as provided in subsection (c) of this section, a building permit or a zoning permit may not be issued for a new subdivision in an area where a community water supply system or a community sewerage system is scheduled to be built within 10 years under the county plan, unless there is a county approved water supply system and a county approved sewerage system for the subdivision.

(c) *Waiver in Harford County.* — On their unanimous consent, the Harford County Health Officer, the Director of Planning and Zoning for Harford County, and the Director of Public Works for Harford County may recommend a waiver to the County Executive for his approval from the provisions of subsection (b) of this section if:

- (1) Any lot created is a residential lot with a minimum size of 60,000 square feet;
- (2) A septic reserve area with a minimum size of 20,000 square feet is established and recorded on the final plan;
- (3) The subdivision site is shown in the comprehensive water and sewer plan for the 5-year to 10-year construction category;
- (4) The responsible agencies conclude that the failure to install an approved sewerage collection system at the subject time on the subject property is not detrimental to the overall county water and sewer system; and
- (5) The subdivision site and all the lots in the subdivision site meet other local guidelines to include applicable health, environmental, and physical characteristics including, but not limited to:
 - (i) Minimum lot width at building line of 150 feet;
 - (ii) Maximum slope in septic reserve area of 15 percent;
 - (iii) Percolation rate between 2 and 20 minutes; and
 - (iv) Soils within septic reserve areas with slight to moderate limitations for homes with septic systems.

(d) *Same — Inclusion of site or lot granted waiver in county plan.* — Before adopting any amendment or revision to the county water and sewer plan, the Harford County governing body shall determine whether a subdivision site or lot that has been granted a waiver under subsection (c) of this section shall be included in the amended or revised county plan.

(e) *Consideration of population density estimates.* — In the planning for water supply systems, sewerage systems, and solid waste disposal systems in its county plan, the Harford County governing body shall consider estimates of population density for Harford County. (1983, ch. 542, § 2; 1986, ch. 250.)

§ 9-515. Special provisions for county plan in Montgomery County and Prince George's County — Preparation; revision or amendment; approval; submission to Department; annual review.

(a) *Scope of section.* — This section applies only in Montgomery County and Prince George's County.

(b) *Objectives and policies of county plan.* — The county council of each county shall at least once every 3 years:

- (1) Prepare a county plan;
- (2) Prepare, review, and revise, as the county council considers necessary, a separate statement of objectives and policies to be achieved and implemented by the county plan in the county; and
- (3) Consider the following in the statements of objectives and policies of the county plans:

- (i) Planning;
- (ii) Zoning;
- (iii) Population estimates;
- (iv) Engineering;
- (v) Economics; and
- (vi) State, regional, municipal, local, and area plans.

(c) *Drafts and annual revisions or amendments of county plans.* — To achieve the objectives and policies set by the county council, the county executive of each county shall:

- (1) Prepare a preliminary draft of the county plan;
- (2) From time to time review and, as the county executive or county council considers necessary, prepare amendments to the county plan including revisions to service area category designations; and
- (3) Submit to the county council for the county council's consideration, revision, modification, comment, and approval:
 - (i) The draft; and
 - (ii) Any revision or amendment to the draft.

(d) *Proposed county plans — Preparation and submission by county executive.* — The county executive of each county shall prepare and submit to the county council:

- (1) A final draft of the county plan to conform to the action of the county council in approving the draft; and

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(2) A final revision or amendment to the county plan that takes into consideration any significant change in the intervening planning or development in the county.

(e) *Same — Submission to Washington Suburban Sanitary Commission and Maryland-National Capital Park and Planning Commission.* — At least 30 days before the date set for a public hearing under subsection (f) of this section, the county council of each county shall submit its final draft or the final draft of any revision or amendment of the county plan for recommendation to:

- (1) The Washington Suburban Sanitary Commission; and
- (2) The Maryland-National Capital Park and Planning Commission.

(f) *Same — Public hearing; notice.* — The county council of each county shall:

- (1) Hold a public hearing on:
 - (i) Its final draft of the county plan; and
 - (ii) The final draft of any revision or amendment to the county plan;

and

(2) Publish a notice of the time and place of the public hearing at least 10 days before the hearing in a newspaper of general circulation in the county.

(g) *Same — Actions by the county councils; when action is final; review and recommendations by county executives.* — (1) After the public hearing in each county, the county council shall review, may amend as the county council considers necessary, and shall adopt the county plan or the revision or amendment to the county plan.

(2) The adoption of the county plan or a revision or amendment of the county plan by the county council of the county is not final until 10 days after the action adopting it.

(3) During the 10-day period provided by paragraph (2) of this subsection, the county executive may:

- (i) Review the county plan or any revision or amendment to the county plan; and
- (ii) Recommend for the consideration of the county council whatever change to the county plan or any revision or amendment to the county plan that the county executive considers necessary or desirable.

(h) *Submission of county plan to Department.* — After the time periods required for adoption under this section, the county council of each county shall submit to the Department, as required by § 9-506 (b) and (c) of this subtitle:

(1) The county plan; or

(2) Any revision or amendment to the county plan. (1983, ch. 542, § 2; 1988, ch. 101; 1994, ch. 661, § 2.)

EXPLANATION

Section 9-503 (b) of the Environment Article requires counties to conduct at least a biennial review of their ten-year plans concerning water and sewage systems and solid waste fa-

cilities. Staff recommends this requirement be modified to require review at least every three years. The Department of the Environment has agreed with this change; the triennial re-

view would be consistent with the review of several other programs under the Department of the Environment. Section 9-515 (b) of the

Environment Article is modified for consistency.

Effect of amendments. — The 1994 amendment, effective Oct. 1, 1994, substituted "3 years" for "2 years" in the introductory language of (b).

Editor's note. — Section 3, ch. 661, Acts

1994, provides that "the explanation notes contained in this Act are not law and may not be considered to have been enacted as part of this Act. The explanation notes are included for information only."

§ 9-516. Same — Information and assistance from Washington Suburban Sanitary Commission and Maryland-National Capital Park and Planning Commission.

(a) *Scope of section.* — This section applies only in Montgomery County and Prince George's County.

(b) *In general.* — The Washington Suburban Sanitary Commission and the Maryland-National Capital Park and Planning Commission shall provide any information and assistance requested by the county council or the county executive for preparing, reviewing, adopting, revising, or amending a county plan.

(c) *Procedures to accomplish purposes of this section.* — The county council and county executive of each county, the Washington Suburban Sanitary Commission, and the Maryland-National Capital Park and Planning Commission shall adopt procedures for:

- (1) Requesting information or assistance under this section;
- (2) Responding to the request; and
- (3) Setting a reasonable timetable for response to a request.

(d) *What the Washington Suburban Sanitary Commission shall provide.* — The Washington Suburban Sanitary Commission shall provide any requested information about the comprehensive plan for water supply systems and sewerage systems in each county as to:

- (1) Engineering;
- (2) Design;
- (3) Present and future capacities;
- (4) Available service projections;
- (5) Fiscal elements; and
- (6) Annual revisions of this information.

(e) *What the Maryland-National Capital Park and Planning Commission shall provide.* — The Maryland-National Capital Park and Planning Commission shall provide any requested information to each county as to:

- (1) Population;
- (2) Growth projections;
- (3) Planning factors; and
- (4) Other developmental standards. (1983, ch. 542, § 2.)

§ 9-517. Same — Individual sewerage systems.

In Montgomery County or Prince George's County, the comprehensive plan for water supply systems and sewerage systems may allow the installation and use of an individual sewerage system for an interim period until the necessary sewerage transmission and treatment capacity in the area is available to provide adequate community sewerage service if:

- (1) A community sewerage system otherwise is required in the area; but
- (2) Access to a community sewerage system is prohibited by an order of:
 - (i) The Department;
 - (ii) Montgomery County;
 - (iii) Prince George's County; or
 - (iv) The Washington Suburban Sanitary Commission. (1983, ch. 542, § 2.)

§ 9-518. Same — Individual septic systems.

(a) *Definitions.* — (1) In this section the following words have the meanings indicated.

(2) "Commission" means the Washington Suburban Sanitary Commission.

(3) "Health officer" means the health officer for:

- (i) Montgomery County; or
- (ii) Prince George's County.

(4) "Issuing authority" means any 1 of the following authorities that is authorized to issue or approve a permit:

- (i) The Department;
- (ii) The health officer;
- (iii) The Montgomery County Health Department; or
- (iv) The Prince George's County Health Department.

(5) "Permit" means a permit issued or approved by the issuing authority for Montgomery County or Prince George's County to install, connect to, or use an individual septic system.

(b) *Scope of section.* — This section applies only in Montgomery County and Prince George's County.

(c) *Permit required.* — In each county, a person shall have a permit from an issuing authority before the person may install, connect to, or use an individual septic system.

(d) *Applications for permits — In general.* — An applicant for a permit shall submit an application to the issuing authority on the form that the issuing authority requires.

(e) *Same — Submission to Commission required; exceptions; multiple applications in area or subdivision.* — (1) The health officer shall:

- (i) Submit each application for a permit to the Commission; and
- (ii) Notify the Commission if there is more than 1 application for a permit in an area or subdivision of each county when:

1. The original permit application is submitted to the Commission;
- or

2. This fact reasonably becomes known to the health officer.

(2) This subsection does not apply to an area of each county in which a community sewerage system is not planned within 10 years under the county's comprehensive plan for sewerage systems.

(f) *Same — Review and comment on applications; combining applications for review and comment.* — (1) Within 30 days after the Commission receives an application under subsection (e) (1) of this section, the Commission shall review the application and comment to the health officer, in writing, on the application.

(2) If there is more than 1 application for a permit in an area or subdivision of each county, the Commission may group these applications together for purposes of review and comment.

(3) In its review and comments under this subsection, the Commission shall include:

(i) A determination of the location of the nearest collection line of a community sewerage system;

(ii) The capacity, feasibility, cost, and engineering conditions or requirements for an extension of this collection line; and

(iii) If available, an estimate of the time required for this extension.

(g) *Issuance of permit; failure of Commission to act within review period.* — (1) The issuing authority shall issue a permit to any applicant who meets the requirements of this subtitle.

(2) If the Commission does not respond as required by subsection (f) of this section, and if the permit otherwise complies with this section, the local health officer may issue the permit.

(h) *Contents of permit; rules and regulations of issuing authority.* — (1) The issuing authority shall include on each permit that the issuing authority issues a requirement that the holder of a permit shall notify, in writing, any buyer or lessee of the permitted property:

(i) That the permitted property is served by an individual septic system;

(ii) Of the conditions, estimate of time, and other factors that concern the subsequent extension of a community sewerage system to the permitted property; and

(iii) If applicable, that the Commission did not review and comment on the application for a permit because the permitted property was in an area of the county in which at the time of the application a community sewerage system was not planned within 10 years under the county's comprehensive plan for sewerage systems.

(2) The health officer:

(i) Shall adopt rules and regulations to carry out the provisions of this subsection; and

(ii) May require the holder of a permit to record the information required by paragraph (1) of this subsection in the land records of the county in which the permitted property is located. (1983, ch. 542, § 2; 1984, ch. 255.)

§ 9-519. Installation of sanitary sewer line.

Repealed by Acts 1991, ch. 547, § 3, effective October 1, 1991.

Cross references. — For provisions similar to those of the repealed section, see § 5-606 of the Labor and Employment Article.

§ 9-520.

Reserved.

§ 9-521. Penalties.

(a) *In general.* — A State or local authority that violates any provisions of § 9-512 (b) or (d) of this subtitle is liable for a civil penalty not exceeding \$100 to be collected in a civil action brought by the Department in the circuit court for any county. Each day a violation continues is a separate violation under this section.

(b) *No bar to other relief or penalty.* — A civil penalty imposed under this section does not bar any other applicable relief or penalty.

(c) *Violation of financial management plan provisions.* — (1) An applicant who violates § 9-510 (b) (9) of this subtitle, or who violates any regulation adopted under § 9-510 (b) (9) of this subtitle, is liable for a civil penalty not to exceed \$500 per violation to be collected in a civil action filed by the Department in the circuit court for any county.

(2) Each day a violation continues under this subsection constitutes a separate violation of this subsection. (1983, ch. 542, § 2; 1992, ch. 295; 1993, ch. 5, § 1.)

Cross references. — See notes to § 9-501 of this article.

Subtitle 6. Sanitary Commissions.

Part I. Definitions; General Provisions.

§ 9-601. Definitions.

(a) *In general.* — In this subtitle the following words have the meanings indicated.

(b) *Bond.* — “Bond” means any bond, note, or other evidence of indebtedness or obligation that a district is authorized to issue under this subtitle.

(c) *Cost.* — (1) “Cost”, as applied to any project, includes the cost of and all expenses incident to the construction, acquisition, improvement, or placement in operation of a project, including the cost and expenses of:

(i) The purchase price of a project;

(ii) The cost of acquiring all the capital stock of a corporation that owned a project;

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APPENDIX B

***Annotated Code of Maryland
Title 26, Subtitle 03***

Title 26
DEPARTMENT OF THE ENVIRONMENT
Subtitle 03 WATER SUPPLY, SEWERAGE, SOLID
WASTE, AND POLLUTION CONTROL PLANNING
AND FUNDING

Chapter 01 Planning Water Supply and Sewerage Systems

Authority: Environment Article, §§9-218, 9-505, 9-506, and 9-510,
Annotated Code of Maryland

Preface

It is the intent of these regulations to require the governing body of each county and Baltimore City to develop water supply and sewerage systems so as to be consistent with county comprehensive planning.

.01 Definitions.

A. "Approving authority" means one or more officials, agents, or agencies of local government designated by the local governing body or specified by other provisions of Environment Article, Title 9, Subtitle 5, to take certain actions as a part of implementing these regulations.

B. "Community sewerage system" means any system, whether publicly or privately owned, serving two or more individual lots, for the collection and disposal of sewerage or industrial wastes of a liquid nature, including various devices for the treatment of the sewage and industrial wastes.

C. "Community water supply system" means a source of water and a distribution system, including treatment and storage facilities, whether publicly or privately owned, serving two or more individual lots.

D. "County plan" means a comprehensive plan for the provision of adequate water supply systems and sewerage systems, whether publicly or privately owned, throughout the county and all amendments and revisions to it.

E. "Department" means the Department of the Environment.

F. "Existing service area" means that area that is currently served.

G. "Final planning stages" means a work or works of community water supply and community sewerage system for which contract plans and specifications have been completed.

H. "Financial management plan" means, for:

(1) Publicly owned community sewerage systems, a portion of the county water and sewerage plan, as described in Regulation .08B, which demonstrates to the Department's satisfaction that adequate fiscal resources will be available to support the satisfactory operation and maintenance of each system in the county to meet existing and future needs;

(2) Other sewerage systems or extensions, a package of information for each system, as specified in COMAR 26.03.02.02J, which demonstrates to the Department's satisfaction that adequate fiscal resources will be available to support the satisfactory operation and maintenance of the system to meet existing and future needs.

I. "Five- or six-year period" means that period, depending upon the county's capital improvement program, 5 or 6 years following the date of adoption of the plan, its amendment, or revision by the county.

J. "Immediate priority" means a work or works of community water supply and community sewerage system for which the beginning of construction is scheduled to start within 2 years following the date of adoption of the plan, its amendments, and its revision.

K. "Individual sewerage system" means a single system of sewers and piping, treatment tanks or other facilities serving only a single lot and disposing of sewage or individual wastes of a liquid nature, in whole or in part, on or in the soil of the property, into any waters of this State or by other methods.

L. "Individual water supply system" means a single system of piping, pumps, tanks, or other facilities utilizing a source of ground or surface water to supply only a single lot.

M. "Maintenance expense" means those expenses for labor, materials, utilities, and other items necessary to preserve the facility for its designed service life. Equipment or tools under \$200 should be included in this amount.

N. "Marina" means a dock, wharf, or basin providing mooring for boats which contain on-board toilet facilities, operated under public or private ownership, either free or on a fee basis, for the convenience of the public or club membership.

O. "Multi-used sewerage system" means a single system serving a single lot, whether owned or operated by an individual or group of individuals under private or collective ownership and serving a group of individuals for the collection and disposal of sewage or industrial wastes of a liquid nature, including various devices for the treatment of sewage and industrial wastes having a treatment capacity in excess of 5,000 GPD.

P. "Multi-use water supply system" means a single system of piping, pumps, tanks, or other facilities utilizing a source of ground or surface water to supply a group of individuals on a single lot and having a capacity in excess of 1,500 GPD.

Q. "Non-point source" means pollution originating from land runoff where no specific outfall can be identified.

R. "Operation expense" means those expenses such as labor, utilities, supplies, contractual services, training, and insurance, necessary to operate the treatment plant during its designed service life so as to achieve the capacity and performance standards for which it was designed, constructed, and permitted.

S. "Sewerage service area" is that area served, or potentially served, by a system of sanitary sewers connected to a treatment plant, or in a very large system, sub-areas as delineated by the county.

T. "Ten-year period" means that period of the 6 or 7 through 10 years following the date of adoption of the plan, its amendment, or its revision by the county.

U. "Under construction" means a work or works of community water supply and community sewerage systems where actual work is progressing or where a notice to proceed with a contract for this work has been let as of the adoption date of the plan, its amendment or revision.

V. "Water service area" means that area served, or potentially served, by a single distribution system under control of a single utility, or, in a very large system, sub-areas as delineated by the county.

.02 General Provisions.

A. Objective of County Plan. The objective of the county plan is to develop the water supply and sewerage systems in a way consistent with county comprehensive planning. The plan shall be used as a tool to implement the county development policy so that:

(1) An ample supply of water may be collected, treated, and delivered to points of use;

(2) Waste water may be collected and delivered to points best suited for waste treatment and disposal or for re-use;

(3) Waste water can be either treated before any discharge to State waters, in compliance with applicable water quality standards and discharge permit conditions, or disposed of to minimize most effectively adverse effects on legitimate water uses. Consideration shall be given to related aspects of land use, zoning, population estimates, engineering and economic factors, and all governmental, industrial, and other plans for privately owned facilities regarding water and sewerage at any level.

B. County Government Required to Develop Plans. The county governing body is the coordinating agency required to develop county water and sewerage plans. These plans shall incorporate all or part of subsidiary plans of the towns, municipal corporations, sanitary districts, privately owned facilities, and local, State, and federal agencies having existing, planned, or programmed development within the county. The governing body shall give notice to these officials and entities and they shall be provided an opportunity to be heard.

C. Annual Review of Plan. The county plan shall be reviewed by the governing body at least annually. A report of the review, together with

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amendments to or revisions of the plan as adopted by the governing body, shall be submitted to the Department.

D. **Comprehensive Planning Agencies Shall Be Consulted.** Every official planning agency having any immediate jurisdiction in a county, including those comprehensive planning agencies with multi-county or regional jurisdiction, shall be consulted by the governing body in connection with the preparation, amendment, or revision of county plans. A statement that the above agencies have been consulted shall be attached.

E. **Public Hearings on Amendments Required.** A public hearing shall be held on all amendments and revisions to the county water and sewerage plan. The Department shall receive prior written notice of all public hearings on plans, amendments, or revisions.

F. **Sanitary Facilities Fund.** The planning part of the Sanitary Facilities Fund established under Environment Article, §9-218, Annotated Code of Maryland, shall be available to the Department to finance planning for water and sewerage facilities including the preparation, amendments, and revisions of county plans. The Department is authorized to use funds appropriated in the program of the annual State operating budget, which provides for general local health services for this purpose. When so used, the proportion of State, federal, and local funds, respectively, shall be that specified for each subdivision's financing of minimum health services at basic matching rates. The planning for water and sewerage facilities to be financed in this manner may be financed jointly by, or under the joint authority of, the Department and any county or Baltimore City or the Washington Suburban Sanitary Commission. The funds to be so used shall appear in the local health department's budget for the fiscal year in which their use is anticipated. The percentage contribution may not be affected by any other State or federal funds received by the subdivision for the same planning unless the total grants exceed the actual cost of the plan, in which case the contribution shall be reduced accordingly.

.03 Submission of County Plans.

A. The governing body of each county and Baltimore City shall develop and submit annual amendments or revisions to the county water and sewerage plan as required by Environment Article, §§9-511—9-513, Annotated Code of Maryland. The steps listed below shall be followed in sequence:

(1) Submit the plan in preliminary form, with all attachments, to the appropriate multi-county or regional comprehensive planning agency, the Department of State Planning, the Department of Natural Resources, and the Department of the Environment. The preliminary form shall be a rough draft of the entire plan and shall include maps in a complete presentation.

(2) Receive and consider comments from the Department, which will act as the coordinator for comments from the agencies sent a preliminary plan for review according to §A(1), above.

(3) A public hearing will be held.

(4) The plan shall then be formally adopted.

(5) After adoption, the plan will be prepared in final format as set forth in Regulation .04 of this chapter.

(6) Four copies of the plan will be submitted in final form to the Department for review. One copy shall be forwarded to the Department of Natural Resources and one to the Department of State Planning.

(7) The Department shall, within 6 months after submission, approve, disapprove, or approve in part the finally submitted county plan, its amendments or revisions. When disapproved in whole or part, the governing body of the county, within 6 months from the notification of disapproval, shall have the right to appeal the action of the Department to the Secretary of the Environment.

(8) Following receipt of notification of approval of the county plan, amendments, or revisions, the county shall then have the plan, amendments or revisions reproduced and distributed in accordance with §B, below.

B. The counties and Baltimore City shall be the distributing agencies for all copies of the county plans or revisions. At least 50 copies of each should be printed to meet the required distribution. Copies are to be automatically distributed to the following agencies:

(1) Four copies to the Department of the Environment;

(2) Four copies to the Department of Natural Resources.

.04 Requirements Applicable to Adopted County Plans.

A. All county plans, amendments, or revisions shall be prepared in conformance with this regulation. Each adopted plan shall be arranged with an introduction and a minimum of four chapters as outlined below.

B. Introduction:

- (1) A statement certifying that the plan has been officially adopted by the county governing body;
- (2) A statement certifying that the plan has been submitted to the Department and it meets the requirements of Regulation .02B;
- (3) A statement certifying that sections of the plan covering engineering aspects of water and sewerage projects have been prepared and reviewed for adequacy by a registered professional engineer licensed in the State;
- (4) The letter of approval from the Department.

C. Chapter One. This chapter shall contain:

- (1) A statement of the goals of the county consistent with county comprehensive planning;
- (2) A brief discussion, with charts, of the organization of the county government as it relates to the management of water supply and sewerage facilities.

D. Chapter Two. Chapter two shall contain the general background information relevant to the water and sewerage planning. Information shall include the maps, charts, and tables listed below. When a county has previously developed alternative methods for presenting this data, the specific format required in the chapter may be waived by the Department.

(1) Physical.

- (a) General maps showing aquifers, soil drainage characteristics, topography, ground water and surface water patterns.
- (b) A map or table showing water quality criteria in the county.

(2) Population.

- (a) General maps showing present and projected population distribution and density.
- (b) Table No. 1, county population projections.

**Table No. 1
Population Projections**

<i>County Projections</i>	<i>State Projections</i>	<i>Others</i>
1970		
1975		
1980		
1990		
2000		

(3) Land Use.

(a) Maps showing existing land use, zoning, and the adopted comprehensive development plan for the county.

(b) Table No. 2, reflecting existing and zoned land use in acres.

**Table No. 2
Land in County**

<i>Existing Land Use</i>		<i>Zoned Land</i>		<i>County Comprehensive Plan 1980 or Other Horizon Date</i>	
<i>Acres</i>	<i>% Total Acreage</i>	<i>Acres</i>	<i>% Total Acreage</i>	<i>Acres</i>	<i>% Total Acreage</i>
Land Use					
Residential, Commercial, Light Industry					
Heavy Industry					
Agricultural and Open Space					
Mines and Quarries					
Surface Water					

(c) A map showing existing and proposed major public institutions, such as schools, hospitals, correctional facilities, government complexes; and a table showing the approximate populations of these facilities.

E. Chapter Three. Chapter three shall contain a description of existing, planned, and future requirements for water service areas including tables, maps, charts, graphs, descriptive information, and all other matter regarding these systems. It shall contain a discussion of ground and surface water resources within the county including the quality and potential quantity of these sources. Summaries of existing and projected water demands and existing sources of pollution or con-

tamination relating to water supplies shall be stated or shown. The chapter shall contain a discussion of alternatives and the rationale used in determining the means of providing future water supplies. For every water service area, the following shall be discussed or shown: operating agency, rated and actual productions, type of treatment, location, operation and maintenance costs, and proposed means of financial improvements. For any proposed new water supply source, a summary of the environmental impact of its development shall be given. Efforts to reduce demands (e.g. metering, rate changes, plumbing codes) shall be outlined. Minimum requirements for tables and maps in this chapter are as follows:

(1) Table No. 3, showing population projections and projected water supply demands and planned capacity by water service areas through the year 2000.

(2) Inventories of water sources as follows:

(a) An inventory, Table No. 4, of community system wells;

(b) An inventory, Table No. 5, of impounded supplies;

(c) An inventory of other surface water supplies showing initial and planned withdrawals (MGD).

(3) An inventory, Table No. 6, of existing treatment facilities.

(4) An inventory, Table No. 7, below, of problem areas such as inadequate portions of community systems (including fire flow inadequacies) and areas where individual systems are experiencing difficulties:

Table No. 7
Inventory of Water Problem Areas

<i>Service Area</i>	<i>Location</i>	<i>Population</i>	<i>Acres</i>	<i>Nature of Problem</i>	<i>Planned Correction Date (if known)</i>
(5) Immediate, 5 and 10 year priorities for water development, Table No. 8.					

(6) Maps as specified in §G of this regulation.

F. Chapter Four. Chapter four shall contain a description of the existing and planned community and multi-use sewerage systems, including tables, maps, charts, graphs, descriptive information and all other matters regarding these systems. Indicate locations of proposed

points of waste discharges. It shall be shown how conformance of existing and programmed sewerage facilities meet or will meet the effluent limitations specified in COMAR 26.08.03.01 of the Department of the Environment. It shall contain a summary of each available point of discharge evaluation, specifically those parts pertaining to protected water uses. It shall discuss the rationale for selecting a planned alternative for any proposed treatment facility, pumping station, or interceptor. For every service area and community system, the following should be discussed: operating agency, design average and peak flows; whether combined or separate collection systems; level and type of treatment given; sludge disposal plans, condition of treatment and transmission facilities; operation and maintenance costs; and proposed means of financing improvements. Minimum requirements for tables and maps in this chapter shall be as follows:

(1) Population projections and present and expected demands and capacities by sewerage service area, Table No. 9.

(2) Inventory of existing sewage treatment plants, Table No. 10.

(3) Inventory of problem areas, including inadequate portions of community systems and areas where individual systems are experiencing difficulty, Table No. 11.

(4) When possible, identify by service area water quality problems due to storm drain outfall and to non-point sources, Table No. 12.

(5) Immediate, 5 and 10 year priorities for sewerage systems development, Table No. 13.

(6) Maps as outlined in §G of this regulation.

(7) The county plan shall include an inventory of problem marinas and will include basic planning concepts for sanitary facilities at all marinas.

G. Technical Requirements.

(1) The following physical format shall be required for the submission of county plans.

(a) Textual materials, tables, charts, graphs, and other illustrations shall be prepared on 8½ × 11 inch stock or any other size which can be folded for inclusion in the binder. Margins on the left-hand edge shall be punched for a multi-ringed 10 × 11½ inch interchangeable stiff-backed binder with identification on the binder.

(b) The Maryland Coordinate Grid System shall be used to determine place locations. The Maryland State Highway System maps

use this system with lines spaced at intervals of 50,000 feet bearing due east and due north from the points of origin. Other maps can be used by superimposing a similar grid on any map of Maryland. Referenced to the same point of origin, it then becomes possible to find any place on the map if its coordinates are known. Two numbers define any place location on the map. The first number designates the distance in thousands of feet that the place lies east of the point of origin, and the second number, the distance in thousands of feet that the place lies north of the point of origin.

(c) All projections shall be made for decade years except that for the first decade. The mid-period shall also be shown (e.g. 1970, 1975, 1980, 1990, 2000).

(d) Two maps of the entire county to a scale of approximately 1 inch equal to 1 mile shall be included showing, in general, areas served or to be served with community facilities. One map shall be for sewerage facilities and the other water supply facilities. These maps shall be folded, inserted into separate pockets marked "water" and "sewerage" and placed into the multiple-ringed stiff-backed binder.

(e) Two sets of detailed maps (one for water facilities and the other for sewerage facilities) of each portion of the county shall be prepared on a minimum scale of 1 inch equal to 2,000 feet and in sufficient number so as to show actual areas served or to be served as set forth in these regulations. A minimum scale of "1 inch equals 3500 feet" is acceptable in those counties where existing detail mapping is complete or is under preparation. For those counties where detail maps have not been initiated, a scale of "1 inch equals 2000 feet" shall be the minimum requirement. Color coding on the maps is optional.

(f) Amendments or revisions to the county plan shall be prepared so that the new or additional material may be inserted in the binder in the appropriate places to provide a continuously updated and current county comprehensive water and sewerage plan. Each sheet of the amendment or revision shall be dated to show when the change became effective.

(g) Measurements as specified in this regulation shall be converted to their metric equivalence when applicable.

(2) As minimum requirements, the water and sewerage maps in the county plan shall be delineated to show for each existing and proposed community and multi-use water supply and sewerage system the

following data located by codes and symbols as specified in this regulation.

(a) Delineate on the maps, existing or proposed and planned community and multi-use water and sewerage facilities, including wells, reservoirs, intakes, transmission and feeder mains, storage facilities, interceptor and truck sewers, pumping stations, force mains, treatment works, outfall sewers, and service areas. Show on the detailed maps sizes or capacities, or both, where appropriate.

(b) Delineate on the maps areas served by community and multi-use water and sewerage systems which are either existing or are under construction. The actual bounds of areas served by these systems shall be clearly indicated. The areas so delineated in this category shall be as shown in Table 14 and shall be referred to as W-1 for water systems and S-1 for sewerage systems.

(c) Delineate on the maps, areas to be served by extensions of existing community and multi-use water supply and sewerage systems which are in the final planning stages. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-2 for water systems and S-2 for sewerage systems.

(d) Delineate on the maps, areas where improvements to, or construction of, new community and multi-use water supply and sewerage systems will be given immediate priority. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-3 for water systems and S-3 for sewerage systems.

(e) Delineate on the maps areas where improvements to, or construction of, new community and multi-use water supply and sewerage systems will be programmed for the 3 to 5/6 year period. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-4 for water systems and S-4 for sewerage systems.

(f) Delineate on the maps those areas where improvements to, or construction of, new community and multi-use water supply and sewerage systems are programmed for inclusion within the 6/7 through 10-year period. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-5 for water systems and S-5 for sewerage systems.

(g) All other areas of the county should be shown as no planned service. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-6 for water systems and S-6 for sewerage systems.

(h) Other map symbols shall be as shown in Table 14.

.05 Individual Water Supply and Individual Sewerage Systems.

The installation of individual water supply or individual sewerage systems shall be subject to the following requirements:

A. An individual water supply or individual sewerage system may not be permitted to be installed where an adequate community water or sewerage facility is available. If an existing community water or sewerage facility is inadequate or is not available, an interim individual water and sewerage system may be used as set forth in §B(1), (2), and (3), below.

B. Interim individual water supply and sewerage systems may be permitted to be installed in any portion of the county, except where otherwise prohibited, where community systems will be programmed for construction within the S-1-2, 3 and 4 and W-1-2, 3 and 4 service categories provided that:

(1) The interim systems are adjudged by the local health department to be adequate, safe, and in compliance with pertinent State and local regulations, including minimum lot ownership as set forth in COMAR 26.04.03.02 and .03;

(2) Permits for the interim systems shall bear a notice regarding the interim nature of the permit and stating that connection to a future community system shall be made within 1 year or less after the system becomes available;

(3) If interim systems are used, provisions shall be made, whenever possible, to locate the systems so as to permit connection to the public facilities in a most economical and convenient manner.

C. Individual water supply or sewerage systems, not of an interim nature, shall be permitted to be installed in any portion of the county designated as S-5 and 6, and W-5 and 6 where community systems are not planned. The installations shall be governed by the regulations under COMAR 26.04.02 and 26.04.03 as minimum requirements.

.06 Flow Data.

For each service area, flow data for all community and multi-use sewerage facilities will be presented according to either Table No. 15 for wastewater treatment plants or Table No. 15A for all principal collector sewers, interceptors, pumping stations, and associated force mains. Information presented previously in either Table No. 9 or Table

No. 10 can be omitted from Table No. 15. In Table No. 15A, present data according to the flow pattern of existing sewerage system by starting with principal collector sewers and proceed to the treatment plant.

(See tables on following pages)

26.03.01.06

ENVIRONMENT

Table No. 3
Projected Water Supply Demands and Planned Capacity

Service Area	Present 1975			1980			1990			2000		
	Population	GPCD/Capacity	Population	GPCD/Capacity	Population	GPCD/Capacity	Population	GPCD/Capacity	Population	GPCD/Capacity	Population	GPCD/Capacity
	total	(gals)	total	(gals)	total	(gals)	total	(gals)	total	(gals)	total	(gals)
	served	unreserved	served	unreserved	served	unreserved	served	unreserved	served	unreserved	served	unreserved
	demand	planned	demand	planned	demand	planned	demand	planned	demand	planned	demand	planned

**Table No. 4
Inventory of Existing Community System Wells**

Well Name or Number	Aquifer	Coordinate Location	Depth Feet	Diameter Inches	Max. Safe Yield	Pumping Capacity	Water Quality
Municipal (Public)							
Industrial							
Private Community/Institutional							

**Table No. 5
Inventory of Existing Impounded Supplies**

Owner	Crest Elevation (above sea level)	Spillway Length	Dam Length	Stream Bed Elevation	Crest at Crest Line	Flooded Area of Crest Area	Shore Line of Land Owned	Length of Crest Line	Area of Land Owned	Water Overflowed Crest for First Time	Capacity of Reservoir (MGD)	Safe Yield (MGD)	Average Daily With- drawal (MGD)
Municipal (Public)													
Industrial													
Private Community/ Institutional													

**Table No. 6
Inventory of Existing Water Treatment Facilities**

Owner	Water Source	Type Treatment	Location	Coor- dinate	Plant Capacity (MGD)	Average Production (MGD)	Max Peak Flow (MGD)	Storage Capacity (MGD)	Planned Expansion MGD/ Dates	Method of Sludge Disposal	Operating Agency

Municipal (Public)

Industrial

Private Community* / Institutional

* If transfer to public ownership is recommended, indicate expected date.

**Table No. 8
Immediate, 5 and 10 Year Priorities for Water Development**

Fiscal Year and Project Number	County Priority Assigned	Coordinate Location	Description	Estimated Costs *			Total	Project Status
				Federal and/or State	Local	Constr. Start		
								Immediate Priority Projects 5 and 10 Year Period Projects

* Based on dollar values as of effective date of plan where applicable

**Table No. 10
Inventory of Existing Sewage Treatment Plants**

<i>Type</i>	<i>Plant</i>	<i>Coordinate</i>	<i>Occupied</i>	<i>Vacant</i>	<i>Point of Discharge</i>	<i>Max. Site Capacity (MGD)</i>	<i>Existing Capacity (MGD)</i>	<i>Flows (MGD)</i>	<i>Planned or Expected Abandonment Date if Interim</i>	<i>Operating Agency</i>
<i>Owner</i>	<i>Treatment Location</i>	<i>Acres</i>	<i>Acres</i>	<i>Acres</i>	<i>* Secondary</i>	<i>Advanced Capacity</i>	<i>Peak</i>	<i>MGD</i>	<i>Date</i>	<i>Agency</i>

Municipal (Public)

Industrial

Private

Community**/

Institutional


* Name of body of water, tract, etc.

















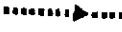

** If transfer to public ownership is recommended, indicate expected date.

**Table No. 11
Problem Areas Inventory—Individual and Community**

<i>Service Area</i>	<i>Problem Description</i>	<i>Location</i>	<i>Population</i>	<i>Acres</i>	<i>Treatment Capacity</i>	<i>Treatment Demand</i>	<i>Planned Correction Date if Known</i>
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Table No. 14
Water and Sewerage Map Symbols


 North

	Existing	Planned
Water or Sewage Treatment Plants		
Water or Sewage Pumping Stations		
Water Storage Tanks		
Wells		
Springs		
Reservoirs		
Interceptors, Outfalls Raw and Treated Water Transmission Mains		
Force Mains		
Laterals and Feeder Mains		

Existing and Planned Service Areas

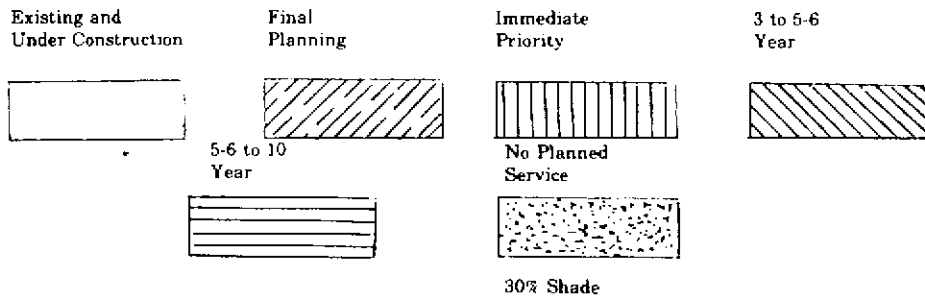


Table No. 15
Flow Data
Wastewater Treatment Plants

Name or Service Area	Design Parameters		Flow		Development Existing*	Development Occupancy Units (1)		PWA	
	Hydraulic (mgd)	Organic (ppm)	Avg. Day* (mgd)	Max. Day & (Date**)		UC	NUC		
Example: Clear Water	3.5	200	200	3.0	5.5(3-17-76)	6,500	117 R 7 C	7 R none	830 R none

* Per Effective Date of Plan (7-1-76)

** During Previous Fiscal Year

*** List Residential (R) Separately from Commercial (C) and Industrial (I)

BPI—Building Permits Issued Per Effective Date of Plan

UC—Building Permits Issued Per Effective Date of Plan for Units Under Construction

NUC—Building Permits Issued Per Effective Date of Plan for Units Not Under Construction

PWA—Building Permits for Unexpired Public Works Agreements Per Effective Date of Plan

(1)—Includes Industrial, Commercial and Residential Units

Table No. 15A
Flow Data
Collector Sewers, Interceptors, Pumping Stations and Force Mains

Name or Sewer Type Designation	Sewer			Capability Pumping Station				Force Main		
	Diam. (inches)	Flow, mgd Avg. Day*	Design mgd	Number of Pumps	Capacity of Each Pump (mgd)	Normal Pumping Capacity (mgd)	Avg. Day Pumpage* (mgd)	Max. Day Pumpage and Mgd (date)**	Diam. (inches)	Design Flow (mgd)
Example: Collector	12	0.5	1.0							
Clear Branch Interceptor	18	3.5	5.0							
Severn Run P.S. and F.M.				2	3.6	3.6	2.5	3.0 (3-1-76)	24	8.0
Clear Water STP										

(See Table No. 15)

* Per Effective Date of Plan (7-1-76)

**During Previous Fiscal Year

.07 Compliance with Maryland Water Conservation Plumbing Fixtures Act (MWCPFA).

A. Each county water and sewerage plan shall contain documentation that compliance with the MWCPFA, as codified in Article 56, §445, Annotated Code of Maryland, is being achieved.

B. The documentation in §A shall include:

(1) Designation of the county agency responsible for the enforcement of MWCPFA;

(2) A summary of county programs to assure implementation of and compliance with MWCPFA, including a description of:

(a) A procedure which assures compliance with MWCPFA before the issuance of a certificate of occupancy,

(b) Local actions taken to assure compliance with the prohibition of the sale of non-water-conserving plumbing fixtures,

(c) The local procedures used to ensure that agreements between a developer and a builder to assure compliance with MWCPFA are made part of the record plat process or a part of a county building, plumbing, or occupancy permit, or bill of sale.

C. If the county is not currently complying with the MWCPFA, then the county water and sewerage plan shall include a description of proposed changes to the local program which the county intends to implement to achieve compliance with MWCPFA.

.08 Financial Management of Public Sewerage Systems Required.

A. Each county water and sewerage plan ("county plan") may be approved only upon inclusion of a financial management plan which includes all publicly owned community sewerage systems in the county.

B. Each financial management plan shall contain a:

(1) Countywide organizational narrative which includes a brief countywide description of the financial roles and relationships of all public entities involved with providing sewerage service within the county.

(2) Completed Schedule FS for each self-contained, publicly owned community sewerage system. The content and format of Schedule FS will be specified by the Department. Each Schedule FS shall demonstrate that adequate fiscal resources are or will be

available to support the satisfactory operation, maintenance, and repair of each system to meet existing and future needs.

C. Before issuance of a State permit for the construction of a new, proposed, self-contained, publicly owned community sewerage system, the following requirements shall be satisfied:

(1) The financial management plan described in §§A and B of this regulation has been adopted as part of the county plan and approved by the Department; and

(2) The proposed system has been described through new narrative text and revised tables and maps in a county plan amendment or update adopted by the county governing body and approved by the Department.

D. Each county plan submitted after the effective date of these regulations, for fiscal purposes, shall treat each publicly owned community sewerage system as a separate entity within the local operating agency budget.

E. Starting on the effective date of these regulations, each county plan update shall include the complete financial management plan specified in §§A and B, above. However, a county may not submit its initial financial management plan later than July 1, 1989, regardless of the due date of its next county plan update.

F. The instructions and definitions necessary for completing Schedule FS shall be sent to all county water and sewer plan contacts.

G. In addition to the completed Schedule FS, the Department, after review of subsequent county water and sewer plans, may require and the county shall provide the information listed below. This information shall be submitted only at the Department's request, and it should not be included as part of the county plan or Schedule FS:

(1) An inventory of the plant and equipment;

(2) Documentation that sewer service rates are sufficient to meet operation and maintenance costs;

(3) A description of the customer billing procedures;

(4) A description of the system's "bad debt" situation;

(5) A description of any construction project or plan for expansion anticipated during the next 2 years, as well as the anticipated method of financing the project;

(6) A description of the long-term plans for plant replacement or major renovation, as well as the anticipated method of financing the plans or projects;

(7) A discussion of escrow accounts, existing or contemplated, for construction, maintenance, repair, operation, and emergencies;

(8) The system's balance sheet as of the last day of the most recent fiscal year.

Administrative History

Effective date: July 1, 1975 (2:3 Md. R. 154)

Regulations .02A, .03A, .04E, F, .05, .06 amended effective Dec. 24, 1975 (2:29 Md. R. 1735)

Regulation .07 adopted effective January 26, 1987 (14:2 Md. R. 129)

Chapter recodified from COMAR 10.17.01 to COMAR 26.03.01

Regulation .01 amended effective July 25, 1988 (15:15 Md. R. 1813)

Regulation .08 adopted effective July 25, 1988 (15:15 Md. R. 1813)

CHANGES TO REGULATIONS

Changes frequently occur to regulations published in the Code of Maryland Regulations (COMAR). These changes are always printed in the *Maryland Register*, COMAR's bi-weekly supplement. Consult the "Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed" in the most recent issue of the *Maryland Register*.

2018 WATER AND SEWER PLAN

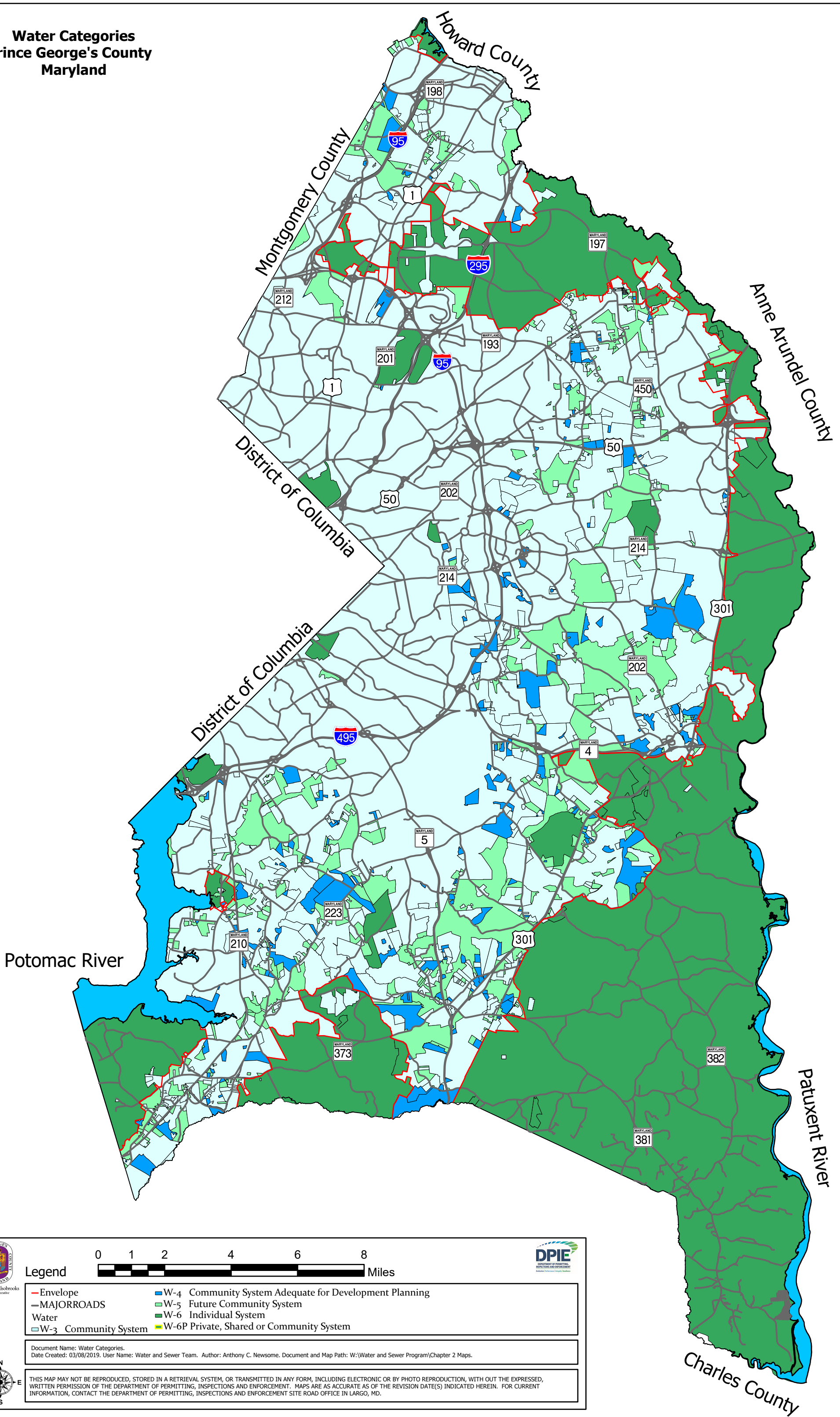
APPENDIX C


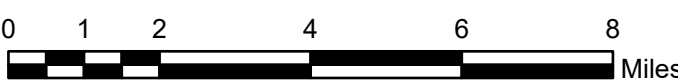

***2018 Water and Sewer Plan
Water Category Map***

2018 WATER AND SEWER PLAN

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**Water Categories
Prince George's County
Maryland**



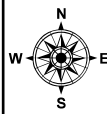




Legend

— Envelope	■ W-4 Community System Adequate for Development Planning	
— MAJORROADS	■ W-5 Future Community System	
Water	■ W-6 Individual System	
□ W-3 Community System	■ W-6P Private, Shared or Community System	

Document Name: Water Categories.
Date Created: 03/08/2019. User Name: Water and Sewer Team. Author: Anthony C. Newsome. Document and Map Path: W:\Water and Sewer Program\Chapter 2 Maps.

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2018 WATER AND SEWER PLAN

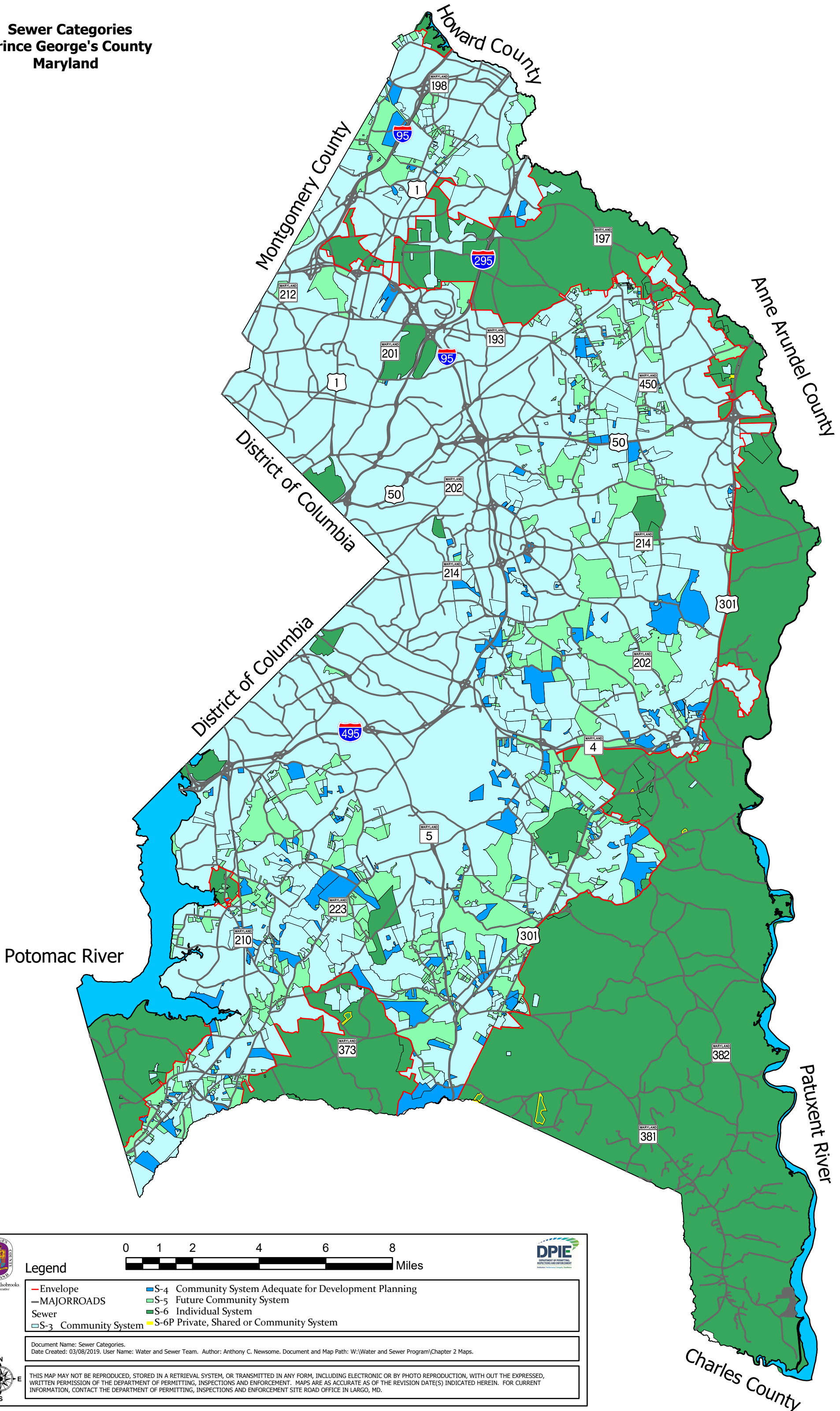
APPENDIX D

***2018 Water and Sewer Plan
Sewer Category Map***

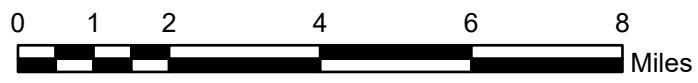
2018 WATER AND SEWER PLAN

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**Sewer Categories
Prince George's County
Maryland**



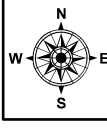
Angela D. Akobrooks
County Executive



Legend

- Envelope
- MAJORROADS
- Sewer
- S-3 Community System
- S-4 Community System Adequate for Development Planning
- S-5 Future Community System
- S-6 Individual System
- S-6P Private, Shared or Community System

Document Name: Sewer Categories.
Date Created: 03/08/2019. User Name: Water and Sewer Team. Author: Anthony C. Newsome. Document and Map Path: W:\Water and Sewer Program\Chapter 2 Maps.



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APPENDIX E

***2018 Water and Sewer Plan
Glossary of Terms***

2018 WATER AND SEWER PLAN

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2018 WATER AND SEWER PLAN

Appendix E

GLOSSARY

Allocation -- Allotted portions set by the Plan, an agreement or legal document.

Aquifers -- Underground water supplies used for small community systems and individual wells.

Bi-County Infrastructure Working Group – A group comprised of representatives from the executive and legislative branches of Prince George’s and Montgomery counties, one WSSC commissioner from each County, and WSSC managerial and finance staff.

Category or Service Category – A designation of land to determine whether public water and sewer service is or will be available.

CBCAC, Chesapeake Bay Critical Area Commission – A Commission created by the 1984 Chesapeake Bay Protection Act to design the Critical Area Criteria, which are the basis of 61 local Critical Area Programs. The Commission reviews and approves local jurisdiction Critical Area Programs and amendments to those programs. While a State agency, the Chesapeake Bay Critical Area Commission of the Department of Natural Resources reviews and comments on development proposals within the Critical Area.

CIP, Capital Improvement Program – The budget for planning, design, land acquisition and construction activities for major water and sewer facilities serving Prince George’s County, Montgomery County and the Bi-County areas through the Washington Suburban Sanitary Commission. WSSC’s CIP covers a six-year period and is approved by the two County Councils annually.

COG, Metropolitan Washington Council of Governments – The regional planning organization for the Washington D.C. area’s major local governments and their governing officials. COG works towards solutions to regional problems such as energy shortages, traffic congestion, inadequate housing, air and water pollution, and water supply.

COMAR – Code of Maryland Regulations

Community Sewerage System – Any system, whether publicly or privately owned, serving two or more individual properties for the collection and disposal of sewage or industrial wastes of a liquid nature, including various devices for the treatment of the sewage and industrial wastes.

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Community Water Supply System – Any system, whether publicly or privately owned serving two or more individual properties, that provides a source of water and a distribution system, including treatment and storage facilities.

DC Water – District of Columbia Water and Sewer Authority (formerly DC WASA)
An agency established by Congress and the District of Columbia under the “Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996.” Its purpose is to provide potable water to customers in the District and wastewater collection and treatment services to the District and user jurisdictions in Maryland and Virginia.

DER – Prince George’s County Department of Environmental Resources

DoE – Prince George’s County Department of the Environment (successor name to DER)

DPIE – Prince George’s County Department of Permitting, Inspections and Enforcement

DPW&T – Prince George’s County Department of Public Works and Transportation

Drainage basin – Watershed; the region drained by a river system.

EPA – U. S. Environmental Protection Agency

Existing Service Area – An area that is currently served by water and/or sewer; individual properties within the area are generally connected to the community or public system.

Final Plat – The recordation of subdivision in conformance with the approved preliminary plan.

Floodplain – Any land area susceptible to being inundated by floodwaters from any source.

Graywater – Recycled water from fixtures not intended for human bodily waste.

Health Department – Prince George’s County Health Department

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ICPRB, Interstate Commission on the Potomac River Basin – Created by interstate compact and approved by Congress in 1940, ICPRB helps control and prevent pollution of the waters of the Potomac drainage area; cooperates with, supports, and coordinates activities of public and non-public entities concerned with water and associated land resources in the Potomac River basin; and promotes public awareness and understanding of issues and activities, and the need for enhancement of the basin’s resources.

Impound – To accumulate water in a reservoir.

Individual Sewerage System – A single system of sewers and piping, treatment tanks or other facilities serving only a single property and disposing of sewage or individual wastes of a liquid nature, in whole or in part, on or in the soil of the property, into any waters of the State, or by other methods.

Individual Water Supply System – A single system of piping, pumps, tanks, or other facilities utilizing a source of ground or surface water to supply only a single property.

Interim Individual Water Supply or Sewerage System – An individual system established within an existing or planned community service area for an interim period only and intended to be abandoned and replaced by community service within one year of the availability of community service.

MDE – Maryland Department of the Environment

MDP – Maryland Department of Planning

Mixed-Use Development – Development of land zoned for mixed uses to provide for a variety of compatible uses and create a particular character of development.

M-NCPPC, Maryland-National Capital Park and Planning Commission – A bi-county agency created by the General Assembly of Maryland in 1927, M-NCPPC prepares, adopts, amends and extends the General Plan for the physical development of the Maryland-Washington Regional District. It operates in Prince George’s and Montgomery Counties through a Planning Board appointed by and responsible to the county governments. All local plans, recommendations on zoning amendments, administration of subdivision regulations, and general administration of parks are responsibilities of the Planning Boards.

Multi-Use Water Supply and Sewerage Systems – Individual on-site systems, whether owned or operated by an individual or group of individuals under private or collective ownership, that serve a group of individuals, and have a treatment capacity of 1,500 gallons or more per day (gpd). Multi-use water supply systems utilize a source of ground or surface water to provide potable water, and consist of wells, piping, pumps, tanks, or other facilities.

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Network Gap – Areas where there are opportunities to make critical connections in the green infrastructure network and/or to restore areas and enhance the ecological functioning of the network.

NPDES, National Pollutant Discharge Elimination System – A network of regulations to protect Maryland’s waters by insuring all industrial and municipal wastewater treatment facilities that discharge effluent meet the requirements, limitations and various restrictions so as not to degrade water quality or harm aquatic life. A permit (NPDES Permit) is issued by MDE that requires the facilities to monitor and submit data insuring compliance with the designated restrictions.

Percolation – Seepage or drainage through layers of soil.

Preliminary Plan – The first step in the Subdivision Process to review a development proposal for its compliance with County Plans, for the adequacy of public facilities, and for environmental issues.

Sewer Envelope – A boundary beyond which no community water or sewer facilities shall be approved.

Sewer Service Area – That area served, or potentially served, by a system of sanitary sewers connected to a treatment plant, or, in a very large system, sub-areas as delineated by the County.

Source Water Assessment (SWA) – To provide local leaders, water suppliers, and citizens with the information necessary to protect public drinking water sources from contamination.

TMDL – Total Maximum Daily Load is the calculation of the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet and continue to meet water quality standards for that particular pollutant. A TMDL determines a pollutant reduction target and allocates load reductions necessary to the source(s) of the pollutant.

WSSC, Washington Suburban Sanitary Commission – A bi-county agency established by the Maryland General Assembly in 1918. WSSC is responsible for planning, designing, constructing, operating and maintaining water and wastewater systems in order to provide potable water and sanitary sewer services to residents and businesses, and to federal, state, and local municipalities within the Washington Suburban Sanitary District. WSSC owns and operates various water treatment and wastewater treatment plants and transmission facilities within the Washington Suburban Sanitary District (WSSD) and utilizes - through an equity share - in wastewater treatment plants operated by other jurisdictions to treat sewage generated in portions of the WSSD. The WSSC has a board of six commissioners; three appointed by Prince George’s County and three appointed by Montgomery County. The commissioners serve four-year terms.

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WSSD, Washington Suburban Sanitary District – The area described in Chapter 805 of the Acts of the General Assembly of 1981, which encompasses most of Prince George’s and Montgomery Counties, spanning 1,000 square miles and serving 1.5 million customers in that area.

Water Service Area – That area served, or potentially served, by a single distribution system under control of a single utility, or, in a very large system, sub-areas as delineated by the County.

Water/Sewer Connection – The portion of the service connection for a structure located between the local service main and the property line, or between the main and the sanitary easement for the main. Within the WSSD, the house connection is the responsibility of the WSSC.

Water/Sewer Hookup – The portion of the service connection for a structure located between the property line and the structure served. A single hookup may serve more than one structure on a given property.

Watershed – Drainage basin; a region where all lands slope toward the same waterbody or river system.

WIP – Watershed Implementation Plan is the roadmap for how the bay jurisdictions, in partnership with federal and local governments, will achieve the Chesapeake Bay TMDL allocations.

WWTP – Wastewater (sewage) Treatment Plant

USDA – United States Department of Agriculture

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APPENDIX F

***WSSC Standard Procedures #0 96-01
(Formerly Known As: WSSC Water Demand
Reduction Plan)***

File

**STANDARD PROCEDURES
OF THE
WASHINGTON SUBURBAN SANITARY COMMISSION**

ORIGINATOR & POSITION John P. Corless <i>JPC</i> Division Manager Water Operations	DEPT. & NUMBER O 96-01 SUPERSEDES WOD 90-01 & 2 DMO 77-01	APPROVED BY/DATE Cortez A. White General Manager 7/25/96 <i>Cortez A. White 7/25/96</i>	EFFECTIVE DATE August 1, 1996	PAGE 1 OF 38
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SUBJECT
EMERGENCY WATER USE RESTRICTIONS FOR THE WASHINGTON SUBURBAN SANITARY DISTRICT

Purpose:

This procedure describes the Washington Suburban Sanitary Commission (WSSC) response plan for periods of water supply emergency to ensure the safety of customers in the area(s) affected by unavailability of an adequate or safe water supply. The procedure includes guidelines for implementing water use restrictions for a range of emergency situations which could affect the entire Washington Sanitary District (WSSD) or which may be limited to localized outages within the WSSD. This standard procedure replaces the 1981 "Administrative Procedure—WSSC Water Demand Reduction Plan."

Procedure:

Initiation

This plan may be initiated directly or in conjunction with other related WSSC or area-wide emergency plans. (See Appendix F.) Emergency conditions which could lead to implementation of this plan include, but are not limited to, shortages caused by drought or distribution system problems, hazardous material in the raw water supply, inability of the treatment plants to effectively remove contaminants, distribution system contamination, or natural disaster.

Anyone who becomes aware of or is notified of any of the conditions noted in the previous paragraph or any other event which may potentially jeopardize the Commission's ability to deliver an adequate supply of safe water to all major areas of the Sanitary District shall contact (directly or through the Control Center) the Water Operations Division (WOD) Manager who will initiate the plan. The WOD Manager is the designated Water Emergency Coordinator (hereinafter referred to as "the Coordinator"); in the event the WOD Manager cannot be immediately contacted by the Control Center, the WOD Duty Supervisor will take on Coordinator responsibilities until relieved by proper authority and shall immediately report this through the chain of authority. The Coordinator will normally notify the General Manager through the chain of authority; if a manager is not immediately available when immediate action is required, reporting will be made to the next higher level. The Control Center will generally be designated by the coordinator as the "WSSC water emergency operations center" during a water emergency. (To minimize confusion throughout this procedure, "Control Center" will be used in lieu of "WSSC water emergency operations center".) The Coordinator will coordinate when and what levels of contact and restriction levels require implementation based on guidelines set forth in this procedure. Recommendations by the Coordinator for implementation or modification of any water restrictions will be made to the General Manager for approval or, for Levels C and higher, for coordinating approval by the Commission (e.g., phone contact through the Secretary's Office); in the event the General Manager is

unavailable, responsibility for approval or coordination of Commission approval will be passed to the next senior manager in the Operations chain of authority (i.e., Chief Operating Officer, followed by Operations Bureau Director, followed by Water Operations Division Manager).

Authority and Enforcement

The Annotated Code of Maryland, Art. 29 (See Appendix E.), §9-101, authorizes WSSC to limit or regulate the use and supply of water service in any area within the WSSD on a temporary basis for purposes of public safety without the 30-day advance publication normally necessary for WSSC regulations. §18-104 makes violations of these rules a criminal misdemeanor; upon conviction, a violator is subject to a fine not to exceed \$1,000 or imprisonment not to exceed 30 days, or both. Primary enforcement will be vested with local and county police. (Although violation actions would be processed by the State's Attorney's Office, see the "County emergency operations centers" paragraph in the "Expanded Notification" section on page 4 of this procedure regarding the intent for "passive enforcement.")

Restriction Levels

This procedure describes nine "standard" levels of water use restrictions for implementation based on the degree and type of problem in the system; these may be tailored to meet the emergency, and any level may be called at any time. In recommending reduction in restriction levels, the Coordinator must consider the impact of "instantaneous" demand on the system. Drought related restrictions will be coordinated through existing interagency agreements; they will generally be downgraded after 14 days if the demand/supply ratio has dropped below the initiation level and long range weather forecasts are consistent with diminished water demand. The following provides a brief description of applicability (Restriction details are available in Appendix A.) of the standard levels:

Level A Water Shortage Alert: This level serves as an alert to WSSC customers that there is significant probability that restrictions will be required in the near future. For drought response, this level may be called when total withdrawals from the Potomac River are within 50% of total river flow and water impoundment facilities are close to exhaustion. This level may be particularly applicable to an upstream river spill emergency where there may be considerable advance notice of a problem. Due to inherent delays in messages reaching the public, this method may not be applicable to "urgent" scenarios such as loss of primary feed to a large area.

Level B Water Shortage Voluntary Restrictions: This is the lowest level of actual use restriction and depends upon voluntary customer implementation. For drought response, this level may be called when total withdrawals from the Potomac River are within 100 million gallons per day of total river flow. Level B could also be initiated when daily average demand exceeds 95% of safe water supply or distribution system capability. After initial delay in customer response (possibly as much as two to three days), this restriction level could reduce peak demand by 15% with minimal reduction in average daily flows. Due to inherent delays in messages reaching the public, this method may not be applicable to "urgent" scenarios such as loss of primary feed to a large area. (i.e., consider proceeding directly to Level D restrictions.)

Level C Extended Water Shortage Mandatory Restrictions: This is a set of three progressively stringent mandatory restriction levels primarily for drought response and will be implemented when Level B restrictions are inadequate to maintain water usage low enough to protect public safety. It is expected that Level C-1 restrictions will reduce peak consumption by 15% to 20% within the first twenty-four hours and by up to 40% long term; this level will be initiated when average demand exceeds 100% of water supply or distribution system capabilities. Level C-2 may be required when the capacity of the distribution system has been exceeded for five days or if C-1 restrictions are not sufficient; long term anticipated demand reduction is projected at up to 60%. Level C-3 is the highest and most drastic level of the drought restrictions; it would be called when reductions over 60% are required.

Level D Emergency Water Shortage Mandatory Restrictions: This mandatory restriction level will be implemented when Level B (voluntary) restrictions are inadequate to maintain water usage low enough to protect public safety for "urgent" scenarios such as loss of a large water main. This level may be implemented immediately (without first utilizing voluntary restrictions) when a quicker public response is required. It is expected this level of restriction will reduce consumption by 15% to 20% within the first twenty-four hours and by up to 40% long term.

Level E Consumptive Water Use Restrictions: Under this restriction level, customers would be advised that the water cannot be consumed without additional treatment; the water would however, be safe for non-consumptive domestic use. Actual home treatment procedure (e.g., boiling water) will be specified by the State.

Level F Consumptive Water Use Prohibition: Under this restriction level, customers would be advised that the water is not safe for consumption; the water could however, be determined (by the State) to be safe for domestic utility use such as bathing and dish washing. Customers would be instructed to use bottled water for cooking and drinking. This type of restriction might be implemented in the event of distribution system contamination (e.g., backflow) or if a chemical contaminant in the raw water supply were not removed by the treatment process and entered the distribution system prior to detection.

Level G Full Water Use Prohibition: This restriction level would be implemented if necessary to provide immediate fire flow requirements or if distribution system water were not safe for any type of usage. Water use would be restricted to use only in an extreme emergency (e.g., fire fighting).

Initial Notification

The Coordinator will normally notify the General Manager through the chain of authority; if a manager is not immediately available when immediate action is required, reporting will be made to the next higher level. The County Executive(s), the Commission and General Manager staff offices will be notified, as deemed appropriate, through the General Manager's Office. (As discussed in "Expanded Notification", the Control Center maintains a list of these contacts.) Once the General Manager indicates that initiation of, or change in, a restriction level has been approved, the Control Center will proceed to expanded notification. The Coordinator will be responsible for initial contact with required State regulatory officials when there is any indication that water in the distribution system may not meet minimum drinking water standards.

Expanded Notification

Except as noted in the Notification Diagram (Appendix C) and specifically delineated below for WSSC organizational units, all expanded notification will be done by the Coordinator through the Control Center; notification procedures will vary for different types of emergencies. [Sample notification lists for various scenarios are included in Appendix D; with the exception of Communications contacts and individual customers, the Control Center maintains a current master phone list (with alternates) for all notifications; the Water Operations Division is charged with verifying this list, through actual phone calls, by June and December of each year.] Appendix C contains a generic notification tree depicting the contacts described below.

County emergency operations centers will be contacted [once the General Manager has notified the County Executive(s)] to provide the coordination link through the Control Center for the Coordinator. (These centers are, in Montgomery County, the "24 hour Emergency Communications Center" and in Prince George's County, the "Combined Communication Facility"; these include the fire boards once the centers have been activated.) The designated liaison (Maintenance Administrative Support Section Head) may be dispatched to one of the county emergency operations centers (especially if significant MEMA or FEMA involvement is anticipated), however, alternative or additional personnel (e.g., Water Pumping Station Superintendent) may be utilized for this function as deemed appropriate for the type of emergency (e.g., if a SCADA link is appropriate). Direct communication will be maintained with the Fire Board to maximize availability for actual fire workload. County police will be requested to provide "passive" restriction enforcement (i.e., although police would actively look for and stop illegal water use, prosecutions would be initiated only in cases of clear abuse) and to provide a contact phone number for public use in reporting restriction violations; a copy of applicable State Code (Appendix E) will be faxed to the emergency operations center if there is any question of enforcement authority. All contact with MEMA (Maryland Emergency Management Agency) and FEMA (Federal Emergency Management Agency) will be made through the county emergency centers.

MDE (Maryland Department of Environment Public Drinking Water Program Office) will be contacted for information purposes during water emergencies, and, in the case of contaminant-related emergencies, as detailed in the "Special Procedures for Water Quality Related Emergencies" section of this plan. Note that the Public Drinking Water Program office coordinates directly with State and affected county health officials to estimate health effects and provide descriptions of possible treatment recommendations; therefore no direct liaison with these agencies is included in this plan.

DC/OEP (District of Columbia Office of Emergency Preparedness) will be contacted for liaison in area-wide emergencies covered under the "Metropolitan Washington Water Supply Emergency Plan."

ICPRB (the Interstate Commission on the Potomac River Basin), coordinating with WAD (Washington Aqueduct Division - the Army Corps of Engineers unit which provides water to the District of Columbia), will be the primary outside contact agency in the event of drought-induced water restrictions in accordance with existing operating agreements.

Other area water utilities will be contacted to provide information to answer customer questions relative to their own service areas. Wholesale customers, either permanently or temporarily connected to the WSSC system, will be notified of the implications for their systems [e.g., Howard County, Bowie, the District of Columbia, Rockville, and Andrews AFB (Although technically a "large customer", for purposes of this paragraph, Andrews AFB will also be notified as a utility due to the large number of on-site connections.)].

Local bottled water suppliers (e.g., Giant and Safeway) may be contacted to alert them that bottled water supplies from outside the WSSD to area stores may need to be increased.

Internal contacts will be made, by the Control Center, as required by the particular emergency:

Customer Services to (1) brief Customer Information Representatives and modify the Customer Services phone message in coordination with the Office of Communications, (2) call large water users directly to notify them of Level C-2, C-3, or D restrictions when implemented (Through coordination with Maintenance Services, Customer Services will maintain, and update once every six months, a telephone list for customers with a daily average consumption greater than 10,000 gallons; by December of each year, they will verify these contact phone numbers; the list will include hours of operation, the contact person with implementation authority, and the primary purpose for which the water is used.), (3) provide a copy of the large user list, with car washes highlighted, to Regulatory Compliance, to the Office of Communications, and to the Customer Services Representatives, and (4) when feasible (e.g., for small areas) and when requested by the Coordinator, make direct phone notification to individual customers in urgent health-related emergencies;

Facilities Maintenance to turn off automatic sprinklers and fountains at WSSC facilities;

Maintenance Reconstruction to immediately discontinue all flushing for cleaning and lining contracts in the affected area if water quantity restrictions are implemented;

Maintenance Services to (1) upgrade response priority for all reported leaks in the affected area, (2) modify the emergency maintenance phone message in coordination with the Office of Communications, (3) notify hospitals to implement their water emergency plans (e.g., utilizing tank truck or bottled water contracts pre-negotiated to meet accreditation requirements), and (4) when applicable, provide a list of WSSC customers served by other water utilities (e.g., along the DC or other jurisdictional border);

Meter Services to (1) immediately discontinue all meter testing in the affected area if water quantity restrictions are implemented, (2) discontinue issuance of fire hydrant meters targeted for use in the affected area, and (3) notify existing major fire hydrant meter users likely to be working in the affected area;

Office of Communications to direct all customer and media interface (The Control Center will provide continuous situation updates including

providing map mark-ups and a description of areas impacted; the Control Center will then work with Communications to finalize "clean" maps and area descriptions; wherever possible, simplified definitions such as major highways, county lines, or zip codes will be used to delineate areas; when available, GIS map preparation should be used.);

Office of Laboratory Services to provide analysis assistance for contaminants and for evaluating treatment alternatives;

Regulatory Compliance assisted by Security and Safety to provide enforcement assistance for large water users (To minimize customer confusion and frustration, non-recycling car washes, as determined by Regulatory Compliance, will have the highest enforcement priority.);

Systems Maintenance to (1) coordinate field operation (and repair) of the distribution system, (2) discontinue all routine flushing in the affected area if restrictions on quantity of usage are implemented, and (3) distribute informational flyers or door hangers (prepared by Communications) and/or bottled water for customers if only a small area is impacted; and

Water Resources Planning to provide modeling assistance for re-routing water transmission and for determining feasibility of drawing water through interconnections with adjoining water suppliers. (An inventory of these interconnections with associated gradients is maintained in the Control Center.)

To minimize message distortion, these units will be contacted directly by the Control Center; the units, in turn, will be responsible for reporting their participation in emergency operations through their respective chain of authority.

Public Notification

The Office of Communications will be responsible for essentially all customer and media contact during the emergency. All inquiries by customers will be directed to Customer Information Representatives who will be provided a "script" by the Office of Communications; the only exceptions are technical questions (e.g., from large water users) which will be referred to the Control Center and enforcement requests which will be referred to the civilian police contact phone number (making it clear that 911 should NOT be used!). All inquiries by the media will be referred directly to the Office of Communications. Coordination with other affected agency communication officers will also be handled through the Office of Communications to ensure a consistent message is provided to the public.

Several mechanisms may be used to notify customers when restrictions have been implemented or changed:

- ♦ In conjunction with the Control Center, Communications will prepare "clean" maps and written descriptions of affected areas.
- ♦ A news release will be issued at the time of implementation or of any status change in restriction conditions. Examples of three news releases and related maps are included in Appendix B. The section below, "Special Procedures for Water Quality Related Emergencies" addresses legal

requirements for water quality related public releases. In all media releases during quantity use restrictions when recycling car washes are exempt, Communications shall include a statement so indicating.

- ◆ For long-term restrictions, applicable literature, such as news releases, restrictions and area maps, could be made available at public libraries in the affected area.
- ◆ Depending on the urgency to notify the public, use of the Local Emergency Broadcasting System (LEBS), available through the county emergency operations center(s), should be considered for all restrictions requiring immediate implementation. The Office of Communications will maintain working relationships (possibly using memorandums of understanding) to facilitate rapid use of LEBS when deemed necessary by WSSC.
- ◆ The Communications Office will develop a "script" for Customer Information Representatives and text for a recorded message for their phone system to provide customers information on the current status of water restrictions.
- ◆ The Communications Office will assist Maintenance Services in preparing a recording for their customer phone line message system.
- ◆ The Communications Office may contact, as a courtesy, city mayors and other officials as time allows and as deemed appropriate for the situation.
- ◆ For small affected areas, depending on the nature of the emergency and the possibility for customer confusion, customers may be contacted by telephone by the Customer Services Division. (Door hangers, discussed below, would likely still be required since valid phone numbers for all customers are not likely to be available.) If at all possible, this method should be used for primary notification when contaminant related restrictions have been implemented in other jurisdictions but that water serves a limited number of WSSC customers (e.g., temporary interconnections or services along the Washington, DC, border).
- ◆ Similarly, depending on the size of the affected area, the nature of the emergency, and the possibility for customer confusion, flyers or door hangers may be delivered door-to-door by Systems Maintenance Division. If at all possible, this method should be used in addition to direct phone notification when contaminant related restrictions have been implemented in other jurisdictions but that water serves a limited number of WSSC customers (e.g., temporary interconnections or services along the Washington, DC, or other jurisdictional border).

Special Procedures for Water Quality Related Emergencies

In the case of water quality concerns or violation of Safe Drinking Water Act Standards, special procedures apply. The State of Maryland requires reporting of any violations to the MDE Public Drinking Water Program Office within one hour of knowledge of possible violation. In such an event, the Coordinator will immediately notify the General Manager and will, within one hour, verify available information and report to the State. The Office of Communications will also be notified to begin preparation of a public notice regarding the violation.

Although Federal regulations legally allow 72 hours for public notification, EPA guidance states it is to be done immediately when there is an imminent health threat; upon verification by the State that there is a health threat, the Coordinator will immediately notify the General Manager and then contact the Communications Officer to finalize an "immediate" broadcast news release; this release must contain exact language as required by law and as described in EPA publication, General Public Notification For Public Water Systems, EPA 570/9-89-002. (Sample notice in Appendix B.3.)

The Coordinator will request additional investigative sampling through the Office of Laboratory Services or through contract laboratories as required. In the case of a microbiological violation, both plants will increase total chlorine residual to 3.0 ppm, and Water Pumping Station personnel will monitor and adjust chlorine levels at system application points to 3.0 ppm (after allowing for delay time for increased plant residuals to reach the field).

Closure

The Coordinator will recommend, through the chain of authority, to the General Manager when the emergency should be ended. Once the General Manager has conferred with the affected county executive(s) and confirmed that the event should be concluded, the Coordinator will again initiate the notification chain (previously used for activation) to pass on that the event has ended. This includes notification of the Office of Communications which will handle all such notification to the public and to the media.

The Water Operations Division is charged with exercising this plan by December of each year if it has not been activated in that year. By January 31 each year, the WOD Manager shall forward, through appropriate channels, a memo of verification to the General Manager indicating specifics (including problem areas) of the prior year's implementation or exercise of this plan.

Distribution List:

MASTER VOLUME LIST:

General Manager's Office
Human Resources Division
Office of Secretary/Internal Audit

OUTSIDE DISTRIBUTION:

Montgomery County Division of Emergency
Management Department of Fire and
Rescue Services
Prince George's County Division of
Emergency Management
Montgomery County Office of
Environmental Protection
Prince George's County Office of
Environmental Resources

OTHER DISTRIBUTION:

General Counsel
Office of Communications
Administrative Branch
Operations Branch
Administrative Services Bureau
Construction Bureau
Customer Affairs Bureau
General Services Bureau
Maintenance Bureau
Bureau Operations
Planning and Design Bureau
Treasurer/Finance Bureau
Customer Services Division
Facilities Maintenance Division
Maintenance Reconstruction Division
Maintenance Services Division
Meter Services Division
Planning and Engineering Division
Public Affairs Office
Regulatory Compliance Division
Security and Safety Office
Systems Maintenance Division
Water Operations Division
Office of Laboratory Services
Water Resources Planning Section

Appendix A.1

Level A Restrictions

This level is actually a water shortage alert; it would be activated when there is an indication that a potential shortage of water may occur. News releases aimed at educating the public to prepare for and understand the emergency measures which may need to be implemented should be considered. News releases will be tailored to the event; for example, in the case of an oil spill not expected to curtail water production for ten to twelve hours, customers would likely be advised to store water using the bath tub and available containers and to complete water-use activities by a fixed time. (This strategy could lower initial system storage, allowing increased production while raw water supply was still available.) Publication of physical limitations to the water system will be made with a request to governmental, commercial, and industrial water users as appropriate to check for system leakage:

- A. check for system leakage by temporarily shutting off automatic water make-up on chilled water and heating hot water boiler systems,
- B. assuring that automatic bleed controls are in proper calibrations for cooling towers
- C. establish twice daily water meter reading programs to detect overnight flow as an indication of leakage
- D. maintain correct water levels in cooling towers to prevent overflow on shutdown
- E. inspect total plumbing system to assure watertight conditions and
- F. educate their personnel to prepare for and understand the emergency measures which may be required.

Appendix A.2

Level B Restrictions

This is the lowest level of water use restriction and primarily depends upon voluntary customer participation to reduce water use, especially during the high demand periods of the day.

- A. As a goal, residents are requested to limit water consumption to one shower per person per day, and one laundry per person every fourth day (approximately 75 gallons per person per day).
- B. Minimize the use of hoses, sprinklers, or other means for sprinkling or watering of shrubbery, trees, lawns, grass, plants, vines, gardens, vegetables, flowers, or any other vegetation. All watering hoses to be provided with self closing nozzle valves. [Depending on the cause generating the water restriction a modification may be made allowing lawn watering based on address with the last digit in the address being the key (e.g., on odd days of the month (i.e., 1st, 3rd, 5th, etc.), those with the last digit being odd may water).] Adjust automatic or control landscape watering systems to avoid runoff. Confine watering and sprinkling between the hours of 10 p.m. to 6 a.m. with the exception of commercial florists, nurseries and agricultural usage and facilities with private or separate source of water (i.e., private pond, lake or well).
- C. Restrict the use of water for washing automobiles, trucks, trailers, trailer-houses, or any other type of mobile equipment, except where automatic car washing equipment is employed and a recirculating system is used, which reuses at least 50% of the water. Restriction, again, depends on odd/even street address.
- D. Except for make-up (e.g., compensation for evaporation and/or spillage), swimming or wading pools are only to be filled or refilled by tank trucks supplied with water from outside the restricted area.
- E. For restaurants, drive-ins, fast food, and miscellaneous eating facilities request general conservation of inside water use:
 - 1. Dishwashers to be loaded to maximum capacity when used. (Paper service could be used in lieu of glassware.)
 - 2. Use minimum amount of water for washing vegetables, fruits and other produce.
 - 3. Discontinue use of garbage disposal.
 - 4. Reduce floor washing in customer area. Sweep only and damp mop.
 - 5. Customers to be served water on request only.
- F. In older tank type toilets, insert plastic bottle filled with water to reduce the effective tank volume.
- G. Discontinue operation of all water-demanding amenities such as ornamental fountains, waterfalls, and reflecting ponds.

- H. Discontinue the washing of streets, driveways, parking lots, service station aprons, apartments, sidewalks, exterior of homes, office buildings or other outdoor surfaces. The use of buckets of water for such purposes is permitted.
- I. The use of water from fire hydrants is prohibited for purposes other than construction, fire extinguishing or water interconnection, except for essential static or residual fire plan tests.
- J. Washing machines to be loaded to full capacity when used. Businesses such as, but not limited to, beauty salons, barber shops, and car washes that wash linens in on-premises washing machines are to load to full capacity and at minimum wash cycle.

Appendix A.3

Level C.1 Restrictions

- A. Implement all operations of Plan B with the following modifications and additions. Notify local governments, water suppliers, U.S. General Services Administration, and the public of the Emergency condition and the following emergency measures.
- B. Residents to limit water consumption to 50 gallons per person per day (1 bath, 1 flush per person per day; 1 laundry per person every fourth day).
- C. The following restrictions apply to all commercial, industrial, and governmental operations. WSSC and County inspectors with proper identification will be used to enforce restrictions. County Police will be used to supplement and/or enforce restrictions as necessary.
1. Buildings with cooling towers to raise building temperatures to 78° and/or raise chill water temperature to achieve 78° temperature. Do not start up air conditioning system for the day until inside temperature reaches or exceeds 78° and shut down system one half hour before closing. Food facilities that require cooling for food storage and preservation are exempted.
 2. Restaurants, Drive-In and Fast Food Facilities:
 - a. Use paper service in lieu of china and glassware.
 - b. No water to be served, except on request and then only half glass servings.
 - c. Turn off all water not consumed in food or drink preparation.
 - d. Discontinue use of garbage disposal.
 - e. Reduce floor washing in customer area. Sweep only and damp mop.
 3. Restrooms:
 - a. Shut off hot water to public restrooms and reduce cold water pressure to bare minimum.
 - b. Reduce hot and cold water pressures to employee restrooms to bare minimum.
 - c. Lower hot water temperature to 100° (except in food facilities).
 - d. Stores to close off all restrooms except for one men's and one women's, where appropriate.
 - e. Water Shortage - Conservation signs to be installed.
 4. Department and Retail Stores:
 - a. In addition to Plan C-1: Sections A, C.1, C.2 & C.3, permanently turn off all water valves located on exterior of building by closing stop valves located inside building or replacing exterior valve with pipe plug.

- b. When possible, set pressure down on main water service when entering building.
 - c. Permanently close down half of the Beauty Salon sinks and secure towel washing machine.
 - d. Disconnect all customer drinking fountains.
5. Hotels, Motels, Inns and Boarding Houses:
- a. Implement all procedures and curtailment of Plan C-1: Section A, C.1, C.2, C.3 & C.4.
 - b. Change bed linen every other day except where change of occupant occurs.
 - c. Disconnect all public convenience ice cube making machines.
 - d. Instruct maid service as to use of bucket for bathroom cleaning.
 - e. Post water conservation signs at each point of water usage in individual rooms as well as public areas.
6. Health Care Facilities including Hospitals, Clinics, Sanitariums, Nursing Homes, Pharmacies, Laboratories, Ambulance Services and Rescue Squads:
- a. Implement only those procedures and curtailment of Plan C-1: Sections A, C.1, C.2, C.3, C.4 & C.5 which do not endanger intended services.
7. Dentists and Doctors:
- a. Implement Plan C-1: Sections A, C.1, C.2, C.3, C.4, C.5 & C.6.
 - b. Turn off all continuous water running devices.
8. Universities & Colleges - Public, Private:
- a. Implement all procedures and curtailment of Sections A, C.1, C.2, C.3, C.4 & C.5, as applicable.
 - b. Laundry Rooms are to be closed during the hours of 11 a.m. to 7 p.m.
9. Private Clubs, Public Parks, Golf Courses, Country Clubs and other recreational facilities:
- a. Implement all procedures and curtailment of Sections A, C.1, C.2, C.3, C.4 & C.5
10. Landscape & Lawn Watering:
- a. Confine watering and sprinkling between the hours of 12 p.m. to 4 a.m. with the exception of commercial florists, nurseries and agricultural usage and facilities with certified private or separate source of water.

Appendix A.4

Level C.2 Restrictions

- A. Implement all operations of Plan C-1 with the following modifications and additions.
- B. Residents to limit consumption to 40 gallons per day per person (1 bath, 1 flush per person per day).
- C. The use of water from private/independent sources is prohibited in order to maintain a reserve for fire purposes and as a source of potentially potable water.
- D. The following restrictions apply to all commercial, industrial, and governmental operations. WSSC and County inspectors with proper identification will be used to enforce restrictions. County Police will be used to supplement and/or enforce restrictions as necessary.
 1. Industrial, Commercial, Retail and Office Buildings:

Buildings with cooling towers to raise building temperature to 80° and/or raise chill water temperature to achieve 80° temperature, plus close all bleed off valves. Where multi-units are used, cut off one air conditioner unit. Food facilities that require cooling for food storage and preservation are excepted. Manufactured products, computer rooms, laboratory and research equipment that are similarly heat-sensitive are exempted.
 2. Restaurants, Drive-In and Fast Food Facilities:
 - a. No water to be served to customers.
 - b. Evaluate for all additional conservation measures.
 - c. Reduce and/or eliminate use of steamers for warming of foods.
 - d. Ice cream dipper fountains to be turned off.
 - e. Discontinue use of ice cubes.
 3. Restrooms:
 - a. Shut off cold water to all public restroom sinks.
 - b. Restrict urinals and toilets to minimal water flow.
 4. Department and Retail Stores:
 - a. Implement all procedures and curtailments of Plan C-2: Sections A, D.1, D.2 & D.3.

- b. Permanently turn off steam boiler used only for alterations. Use steam irons as alternative.
 - c. Beauty and Barber Shops to do single rinse shampoo only; when doing hair cuts, spray bottles to be used to wet hair instead of sink; disposable paper towels to be used, or linens and towels washed by commercial laundry located in non-impacted area, when possible.
 - d. In summer, reduce interior heat loads by turning off as many lighting fixtures as possible.
5. Hotels, Motels, Inns and Boarding Houses:
- a. Implement all procedures and curtailments of Plan C-2: Sections A, D.1, D.2 & D.3 & D.4.
 - b. Change bed linens every third day except where change of occupant occurs.
 - c. Provide only one set of other than bed linen per occupant per day.
 - d. All linens and towels to be washed by commercial laundry located in non-impacted area, when possible.
 - e. Discontinue use of ice cubes except for food preservation.
6. Commercial Laundries:
- a. Reduce water consumption by at least 30% minimum.
7. Bottling Plants:
- a. Discontinue refilling returnable bottles.
 - b. Reduce water consumption by at least 40% minimum.
 - c. Wherever possible, use trucked-in water for all washing and bottling needs.
8. Car Washing and Landscape or Lawn Watering:
- a. All car washing, including commercial facilities which recycle, is prohibited.
 - b. The use of water for outside watering and sprinkling is to be discontinued.
9. General:
- a. Washing of sidewalks and exterior paved areas, vehicles, building windows and other non-essential items is prohibited.

Appendix A.5

Level C.3 Restrictions

- A. Implement all of Plan C-2 with the following modifications and additions.
- B. Residents to limit consumption to 30 gallons per person per day (1 flush per person per day; 1 bath per person every other day).
- C. Commandeer all lakes, wells and other private water supplies.
- D. Establish Emergency Water Supply Points with water tank truck or trailers to provide minimum essential supplies of potable water to residents for human consumption at a rate of $\frac{1}{2}$ gallon of water per person per day.
- E. Establish water purification points on available water sources (e.g., lakes, quarries), and/or arrange with non-affected Water Suppliers for the establishment of resupply points, for refilling of water transport vehicles used to provide potable water to Emergency Water Supply Points.
- F. Prepare for fire suppression operations utilizing the following:
 1. Available "tank wagons".
 2. Tank wagons obtained under mutual aid agreements with non-affected jurisdictions.
 3. When needed, water transport vehicles from Emergency Water Supply Points.
 4. Fire department water resupply point locations identified in advance and established by local fire departments at streams, ponds or other water sources.
 5. When needed, water resupply points established to refill water transport vehicles from Emergency Water Supply Points.
- G. Prescribe hygienic measures for human waste disposal in recognition that a water outage precludes flushing of toilets. Use local health and environmental agencies to determine specific measures for the particular situation including the following:
 1. Prescribing sources of water for collection (rainwater or streams and ponds not safe for human consumption) which can be used for periodic toilet flushing.
 2. Use of expedient toilets made with trash or garbage cans or similar containers partially filled with $\frac{1}{2}$ measuring cup of household laundry bleach per gallon of water sufficient to cover waste material.
 3. Use of outside "slit" trenches with available lime to cover waste material.
 4. Location of commercial chemical toilets at public locations, such as near Emergency Water Supply Points.

5. Publicizing necessary measures for public information.
- H. The following restrictions apply to all commercial, industrial, and government operations. WSSC and County Inspectors with proper identification will be used to enforce restrictions. County Police will be used to supplement and/or enforce restrictions as necessary.
1. Water-cooled air conditioning units to be turned off. Food facilities that require cooling for food storage and preservation are excepted. Manufactured products, computer rooms, laboratory and research equipment that are similarly heat-sensitive are excepted.
 2. 65% of all machines in laundrettes or laundromats are to be secured. All water supply to sinks is to be secured.
 3. All concrete batching plants are to use only trucked-in water from resources out of the impact area.
 4. All manufacturing plants using water as the base of product shall use only trucked-in water from resources out of the impact area.

Appendix A.6

Level D Restrictions

This mandatory restriction level will be implemented when Level B (voluntary) restrictions are inadequate to maintain water usage low enough to protect public safety for "urgent" scenarios such as loss of a large water main. This level may be implemented immediately (without first utilizing voluntary restrictions) when a quicker public response is required. In Level D, the following Level B restrictions have been expanded:

- A. Prohibit all use of hoses, sprinklers (including automatic systems), or other means for sprinkling or watering of shrubbery, trees, lawns, grass, plants, vines, gardens, vegetables, flowers, or any other vegetation. The use of buckets of water for such vegetation is permitted. Facilities with private or separate source of water (i.e., private pond, lake or well) are excepted, and watering by commercial florists, nurseries and agricultural operations is permitted between the hours of 10 p.m. to 6 a.m.
- B. Prohibit all use of water for washing automobiles, trucks, trailers, trailer-houses, or any other type of mobile equipment, except where automatic car washing equipment is employed and a recirculating system is used, which reuses at least 50% of the water.
- C. Swimming or wading pools are only to be filled or refilled by tank trucks supplied with water from outside the restricted area. This includes make-up water.
- D. Restaurants, drive-ins, fast food, and miscellaneous eating facilities:
 - 1. Discontinue all dish washing. (Paper service could be used in lieu of china and glassware.)
 - 2. Discontinue use of garbage disposal.
 - 3. Reduce floor washing in customer area. Sweep only and damp mop.
 - 4. No water to be served except on request.

The following Level B restrictions remain unchanged in Level D:

- E. In older tank type toilets, insert plastic bottle filled with water to reduce the effective tank volume.
- F. Operation of all water-demanding amenities such as ornamental fountains, waterfalls, and reflecting ponds is prohibited.
- G. Washing of streets, driveways, parking lots, service station aprons, apartments, sidewalks, exterior of homes, office buildings or other outdoor surfaces is prohibited. The use of buckets of water for such purposes is permitted.
- H. The use of water from fire hydrants is prohibited for any purpose other than fire extinguishing or water interconnection, except for essential static or residual fire plan tests.
- I. Washing machines to be loaded to full capacity when used. Businesses such as, but not limited to, beauty salons, barber shops, and car washes that wash linens

in on-premises washing machines are to load to full capacity and at minimum wash cycle.

Level D includes the following in addition to Level B restrictions:

- J. Residents should limit water consumption to one shower, one flush per person per day, and one laundry per family every other day (approximately 75 gallons per person per day).
- K. Hotels, motels, inns and boarding houses:
 - 1. Change bed linen every other day except when there is a change of occupant.
 - 2. Shut off water supply to all public convenience ice cube making machines.
 - 3. Instruct maids to use buckets for bathroom cleaning.

Appendix A.7

Level E, F, and G Restrictions

Level E Restrictions

Level E Consumptive Water Use Restrictions: Under this restriction level, customers would be advised that the water cannot be consumed without additional treatment; the water would however, be safe for domestic use. The most likely scenario would be a coliform or turbidity violation which would require a boil water order, requiring customers to boil water prior to consumption or to use bottle water. Note that a three minute (vigorous) boiling time is included in sample notification for coliform contamination provided in the EPA publication, Emergency Disinfection of Drinking Water, EPA 810F-93-002. Actual boiling time or other recommended home treatment procedure may be different and will be specified by the Maryland (MDE) Water Supply Program Office on a case-by-case basis; for example, for cryptosporidium, EPA and MDE both recommend one minute boiling.

Level F Restrictions

Level F Consumptive Water Use Prohibition: Under this restriction level, customers would be advised that the water is not safe for consumption; the water could however, be determined (by the State) to be safe for domestic utility use such as bathing and dish washing. This type of restriction might be implemented in the event of distribution system contamination (e.g., backflow) or if a chemical contaminant in the raw water supply were not removed by the treatment process and entered the distribution system prior to detection. Determination of health hazard would be made by the Maryland (MDE) Water Supply Program Office on a case-by-case basis.

Level G Restrictions

Level Full Water Use Prohibition: These restrictions would be implemented when the water in the distribution system is not safe for any type of usage, or if there is only enough water for fire fighting purposes. Water use would be restricted to use only in an extreme life threatening emergency (e.g., fire fighting). [Determination of health hazard would be made by the Maryland (MDE) Water Supply Program Office on a case-by-case basis.]

Appendix B.1 SAMPLE NEWS RELEASE - C-1 RESTRICTIONS FOR THE MONTGOMERY
COUNTY HIGH ZONE AND MONTGOMERY COUNTY ZONES DEPENDENT ON THE HIGH ZONES

Washington Suburban Sanitary Commission
14501 Sweitzer Lane, Laurel, MD 20707
Phone: (301) 206-8100

FOR RELEASE: {Release date}

FOR FURTHER INFORMATION CONTACT: **MARJORIE JOHNSON, COMMUNICATIONS DIRECTOR**
(301) 206-8100

WSSC Issues Emergency Water Restrictions For Parts Of Montgomery County
— Level C-1 Restrictions with Modifications —

Limited water supply brought on by (state reason for emergency i.e., broken water main, pumping station failures, fire damage, electrical power failure) has resulted in the Washington Suburban Sanitary Commission's issuance of water restrictions today for customers in parts of Montgomery County.

Montgomery County residents located north of a boundary extending from the Prince George's County line; west along Randolph Road to Montrose, Falls, Glen and Travilah Roads, to the Potomac river, will be affected.

WSSC requests customers living in these areas to employ the following emergency practices immediately:

- ◆ use of hoses and sprinklers should be restricted to odd days of the month for customers whose address ends with an odd number; similarly, even addresses are limited to even days;
- ◆ operation of all ornamental fountains, waterfalls, reflecting ponds and the like should cease;
- ◆ washing of vehicles and other mobile equipment is restricted to the same odd/even day rule, except for car washes which recycle at least 50% of their water;
- ◆ washing streets, driveways, parking lots, house exteriors and other outdoor surfaces is prohibited;
- ◆ swimming or wading pools should not be filled or refilled; make-up water is okay (Tank trucks may be used to bring water in from outside of the area.);
- ◆ fire hydrant use is prohibited for any purpose other than fire extinguishing;
- ◆ all business and residential washing machines should be loaded to capacity before use; and
- ◆ eating establishments should turn off dish washing equipment and all water not required for food or drink preparation; discontinue use of garbage disposals; and sweep and damp mop floors in customer areas.

Today's announcement of water restrictions comes after (state reason and if possible duration of water use restriction or what the duration of the water restriction is dependent upon.) These restrictions must be imposed for safety purposes to conserve the available water to deliver a minimum quantity of water to all the customers in the affected area and try to maintain fire protection in the affected community.

-MORE-

ADD ONE
WASHINGTON SUBURBAN SANITARY COMMISSION

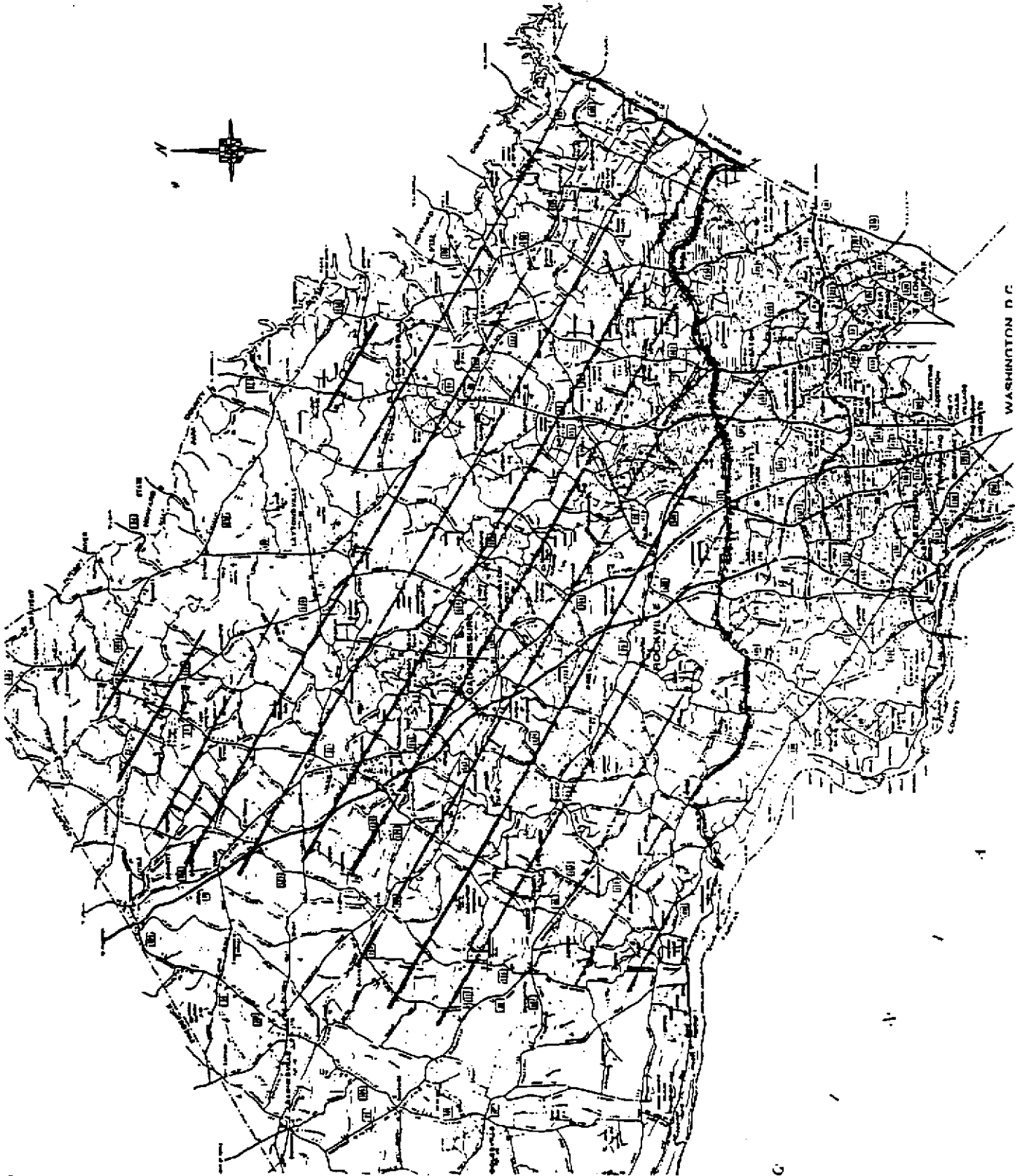
For more information contact the Office of Communications at (301) 206-8100. Printed copies of the restrictions are available at County libraries in the affected area.

These Level B restrictions are expected to remain in effect for at least 14 days. If conditions worsen, more comprehensive Level C-2 or C-3 restrictions may be required. Changes in restriction level will be communicated through news releases. Additionally, during the emergency, customers can call (301) 206-7473 to get a recorded update on the current restriction level.

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Appendix B.1a

The Montgomery County High Service Area



Appendix B.2 SAMPLE NEWS RELEASE — C-1 RESTRICTIONS FOR THE BOWIE ZONE

Washington Suburban Sanitary Commission
14501 Sweitzer Lane, Laurel, MD 20707
Phone: (301) 206-8100

FOR RELEASE: (Release date)

FOR FURTHER INFORMATION CONTACT: MARJORIE JOHNSON, COMMUNICATIONS DIRECTOR
(301) 206-8100

WSSC Issues Bowie Area Emergency Water Restrictions
— Level C-1 Restrictions with Modifications —

The Washington Suburban Sanitary Commission today issued emergency water restrictions affecting the Bowie area due to high consumer demand and limited fire flow capacity.

The area south of Goddard Space Center and the National Agricultural Research Center, east of Good Luck Road, northeast of state route 193, and north of John Hanson Highway (Rt. 50) will be affected. Although WSSC has a number of projects underway to relieve the problem, residents are asked to start employing the following water conservation practices immediately:

- ♦ use of hoses and sprinklers should be restricted to odd days of the month for customers whose address ends with an odd number; similarly, even addresses are limited to even days;
- ♦ operation of all ornamental fountains, waterfalls, reflecting ponds and the like should cease;
- ♦ washing of vehicles and other mobile equipment is restricted to the same odd/even day rule, except for car washes which recycle at least 50% of their water;
- ♦ washing streets, driveways, parking lots, house exteriors and other outdoor surfaces is prohibited;
- ♦ swimming or wading pools should not be filled or refilled; make-up water is okay (Tank trucks may be used to bring water in from outside of the area.);
- ♦ fire hydrant use is prohibited for any purpose other than fire extinguishing;
- ♦ all business and residential washing machines should be loaded to capacity before use; and
- ♦ eating establishments should turn off dish washing equipment and all water not required for food or drink preparation; discontinue use of garbage disposals; and sweep and damp mop floors in customer areas.

The restrictions are being issued because increased development has out-paced the Commission's attempts to update and improve system pressure in the Bowie area. Fire hydrant tests conducted over the past five years indicate a steady deterioration of system pressure.

-MORE-

ADD ONE
WASHINGTON SUBURBAN SANITARY COMMISSION

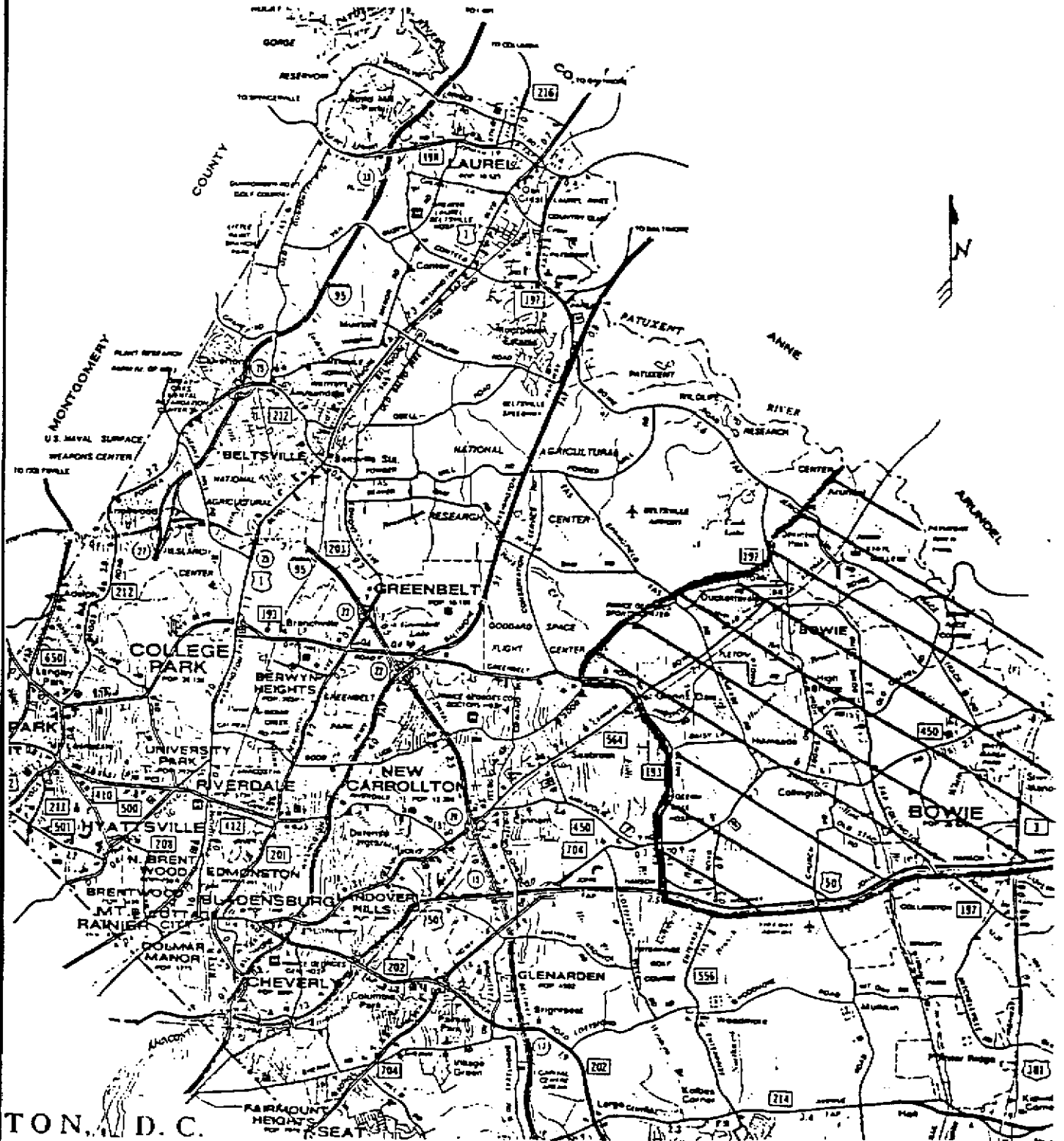
For more information contact the Office of Communications at (301) 206-8100. Printed copies of the restrictions are available at County libraries in the affected area.

These Level C-1 restrictions are expected to remain in effect for at least 14 days. If conditions worsen, more comprehensive Level C-2 or C-3 restrictions may be required. Changes in restriction level will be communicated through news releases. Additionally, during the emergency, customers can call (301) 206-7473 to get a recorded update on the current restriction level.

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Appendix B.2a

The Bowie Service Area



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Appendix B.3

SAMPLE MEDIA RELEASE FOR LEVEL E RESTRICTIONS

Washington Suburban Sanitary Commission
14501 Sweitzer Lane, Laurel, MD 20707
Phone: (301) 206-8100

FOR RELEASE: (Release date)

FOR FURTHER INFORMATION CONTACT: MARJORIE JOHNSON, COMMUNICATIONS DIRECTOR
(301) 206-8100

MARYLAND WATER DISTRICT VIOLATES MICROBIOLOGICAL REQUIREMENTS; CUSTOMERS SHOULD BOIL THEIR WATER OR SEEK ALTERNATIVE WATER SUPPLIES.

THE WASHINGTON SUBURBAN SANITARY COMMISSION HAS VIOLATED FEDERAL DRINKING WATER REGULATIONS WHICH PROHIBIT FECAL COLIFORM BACTERIA IN THE DRINKING WATER.

MARJORIE JOHNSON, WSSC'S SPOKESPERSON, SAID THAT THE PROBLEM APPEARS TO BE RELATED TO THE WATER DISTRIBUTION SYSTEM WHICH SERVES BOTH MONTGOMERY AND PRINCE GEORGE'S COUNTIES IN MARYLAND, BUT THE SOURCE OF THE CONTAMINATION HAS NOT YET BEEN LOCATED. THE PROBLEM WAS DISCOVERED (Date test results read) . SINCE THAT TIME, RESIDUAL CHLORINE LEVELS THROUGHOUT THE WATER DISTRIBUTION SYSTEM HAVE BEEN INCREASED TO A MAXIMUM OF 3 MILLIGRAMS PER LITER, BUT POSSIBLE CONTAMINATION COULD STILL POSE A RISK FOR WSSC CUSTOMERS. JOHNSON RECOMMENDED THAT ALL WSSC CUSTOMERS BOIL THEIR WATER VIGOROUSLY FOR THREE FULL MINUTES BEFORE CONSUMPTION OR USE BOTTLED WATER FOR DRINKING UNTIL FURTHER NOTICE.

ACCORDING TO JOHNSON, THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) SETS DRINKING WATER STANDARDS AND HAS DETERMINED THAT THE PRESENCE OF FECAL COLIFORMS OR E. COLI IS A SERIOUS HEALTH CONCERN. FECAL COLIFORMS AND E. COLI ARE GENERALLY NOT HARMFUL THEMSELVES, BUT THEIR PRESENCE IN DRINKING WATER IS SERIOUS BECAUSE THEY USUALLY ARE ASSOCIATED WITH SEWAGE OR ANIMAL WASTES. THE PRESENCE OF THESE BACTERIA IN DRINKING WATER IS GENERALLY A RESULT OF A PROBLEM WITH WATER TREATMENT OR THE PIPES WHICH DISTRIBUTE THE WATER, AND INDICATES THAT THE WATER MAY BE CONTAMINATED WITH ORGANISMS THAT CAN CAUSE DISEASE. DISEASE SYMPTOMS MAY INCLUDE DIARRHEA, CRAMPS, NAUSEA, AND POSSIBLY JAUNDICE, AND ASSOCIATED HEADACHES AND FATIGUE.

-MORE-

ADD ONE

WASHINGTON SUBURBAN SANITARY COMMISSION

THESE SYMPTOMS, HOWEVER, ARE NOT JUST ASSOCIATED WITH DISEASE-CAUSING ORGANISMS IN DRINKING WATER, BUT ALSO MAY BE CAUSED BY A NUMBER OF FACTORS OTHER THAN YOUR DRINKING WATER. EPA HAS SET AN ENFORCEABLE DRINKING WATER STANDARD FOR FECAL COLIFORMS AND E. COLI TO REDUCE THE RISK OF THESE ADVERSE HEALTH EFFECTS. UNDER THIS STANDARD ALL DRINKING WATER SAMPLES MUST BE FREE OF THESE BACTERIA. DRINKING WATER WHICH MEETS THIS STANDARD IS ASSOCIATED WITH LITTLE OR NONE OF THIS RISK AND SHOULD BE CONSIDERED SAFE. STATE AND LOCAL HEALTH AUTHORITIES RECOMMEND THAT CONSUMERS TAKE THE FOLLOWING PRECAUTIONS: CUSTOMERS SHOULD BOIL THEIR WATER BEFORE CONSUMPTION OR SEEK ALTERNATIVE WATER SUPPLIES SUCH AS BOTTLED WATER.

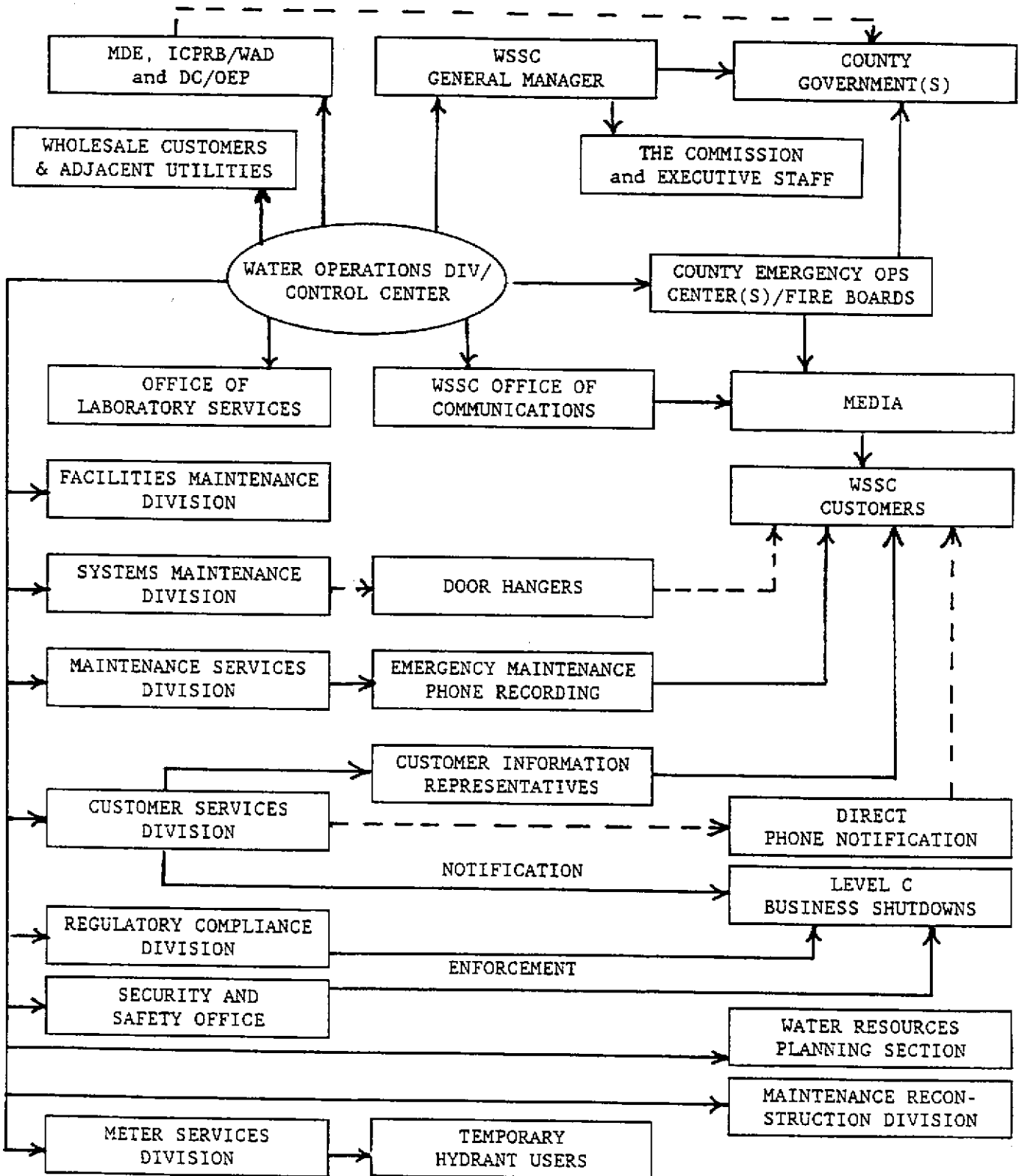
WSSC IS CONDUCTING ADDITIONAL SAMPLING THROUGHOUT ITS DISTRIBUTION SYSTEM TO LOCATE THE CAUSE OF SYSTEM CONTAMINATION. JOHNSON SAID SHE WOULD NOTIFY CUSTOMERS WHEN THEY COULD RETURN TO USING THEIR NORMAL WATER SUPPLY.

RESIDENTS WHO WOULD LIKE MORE INFORMATION ABOUT THE SITUATION SHOULD CONTACT THE WASHINGTON SUBURBAN SANITARY COMMISSION'S COMMUNICATIONS OFFICE BETWEEN 8:15 A.M. AND 5:00 P.M. THE PHONE NUMBER IS (301) 206-8100.

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Appendix C

NOTIFICATION DIAGRAM



Appendix D.1 NOTIFICATION OUTLINE FOR DROUGHT INDUCED RESTRICTIONS

Drought Induced Restrictions imposed during an area wide drought, will be coordinated by the Interstate Commission on the Potomac River Basin (ICPRB). The ICPRB will be managing water releases from water impoundments and allocating water withdrawal rates from the area resources among Washington Aqueduct, Fairfax County Water Authority, City of Rockville and the WSSC. The ICPRB will be in daily contact with the Systems Control Center/Water Operations Division.

- A. Water Operations Division Manager will notify the General Manager and provide specifics for the needed levels of reduction and recommended courses of action as conditions change
- B. Systems Control Manager/Water Operations Division will notify Maintenance Services Division, Systems Maintenance Division, Customer Services Division, Maintenance Reconstruction Division, Howard County, Andrews AFB, and area water purveyors, Montgomery and Prince George's County OEPs and Fire Boards, the Regulatory Compliance Division, Office of Security and Safety Services and
- C. The General Manager will notify the Montgomery County and Prince George's County Executives, the Office of Communications, the WSSC Commissioners.
- D. The Office of Communications will notify the news media, maintain the recorded information line, provide informational flyers at county libraries, provide information to Communications Office at Andrews AFB
- E. Systems Maintenance Division will increase the priority given for all water leaks
- F. Maintenance Services Division will increase priority on repairs on all water leaks, discontinue routine flushing and flushing for discolored water complaints, monitor all leaks on property closer and require prompter repairs or turn off if necessary, provide information on recorded message
- G. Customer Services Division will notify businesses for water service interruption and provide information on recorded message
- H. Meter Services Division will contact metered fire hydrant users
- I. Maintenance Reconstruction Division will discontinue flushing for Cleaning and Lining contracts
- J. Regulatory Compliance Division will provide assistance if necessary to enforce the water restrictions
- K. Office of Security and Safety Services will provide assistance if necessary to enforce the water restrictions
- L. Andrews AFB would be asked to reduce their water demand and implement water conservation
- M. Howard County could be asked to reduce their demand or provide water depending on the drought situation

Appendix D.2 NOTIFICATION OUTLINE FOR DISTRIBUTION SYSTEM RESTRICTIONS

Water Distribution System Restrictions caused by a water main failure, pumping station failure, demands which exceed the water distribution systems capacity

- A. Water Operations Division Manager will notify the General Manager and will determine the percent of reduction needed to maintain fire protection and water supply
- B. Systems Control Manager/Water Operations Division will notify Maintenance Services Division, Systems Maintenance Division, Customer Services Division, Maintenance Reconstruction Division, Howard County, Andrews AFB, and possibly area water purveyors, Montgomery and Prince George's County OEPs and Fire Boards, Water Resources Planning
- C. The General Manager will notify the Montgomery County and Prince George's County Executives, the Office of Communications, the WSSC Commissioners.
- D. The Office of Communications will notify the news media, maintain the recorded information line, provide informational flyers at county libraries, provide information to Communications Office at Andrews AFB
- E. Systems Maintenance Division will increase the priority given to all water leaks
- F. Maintenance Services Division will increase priority on repairs on all water leaks, discontinue routine flushing and flushing for discolored water complaints, monitor all leaks on property closer and require prompter repairs or turn off if necessary, provide information on recorded message
- G. Customer Services Division will notify businesses for water service interruption and provide information on recorded message
- H. Meter Services Division will contact metered fire hydrant users
- I. Maintenance Reconstruction Division will discontinue flushing for Cleaning and Lining contracts
- J. Water Resources Planning to evaluate the possibility of using water from the adjacent water purveyors
- K. Howard County could be requested to reduce its water demand or provide water
- L. Andrews AFB could be asked to reduce their water demand and implement water conservation

Appendix D.3

NOTIFICATION OUTLINE FOR HAZARDOUS SPILL

A hazardous material spill on the Potomac River would affect other area water purveyors and a spill on the Patuxent River would primarily affect the WSSD

- A. Water Operations Division Manager will notify the General Manager and will determine the percent of reduction needed to maintain fire protection and water supply
- B. Systems Control Manager/Water Operations Division will notify Maintenance Services Division, Systems Maintenance Division, Customer Services Division, Maintenance Reconstruction Division, Howard County, Andrews AFB, and area water purveyors, Montgomery and Prince George's County OEPs and Fire Boards, Water Resources Planning
- C. The General Manager will notify the Montgomery County and Prince George's County Executives, the Office of Communications, the WSSC Commissioners.
- D. The Office of Communications will need to coordinate very carefully with communication officers from other water purveyors in the area since the news of this will most probably be out to the public; a coordinated message must be delivered to minimize the confusion which will unavoidably result. The Communications Office will notify the news media, maintain the recorded information line, provide informational flyers at county libraries, provide information to the Communications Office at Andrews AFB
- E. Systems Maintenance Division will give all water leaks increased priority
- F. Maintenance Services Division will increase priority on repairs on all water leaks, discontinue routine flushing and flushing for discolored water complaints, monitor all leaks on property closer and require prompter repairs or turn off if necessary, provide information on recorded message
- G. Customer Services Division will notify businesses for water service interruption and provide information on recorded message
- H. Meter Services Division will contact metered fire hydrant users
- I. Maintenance Reconstruction Division will discontinue flushing for Cleaning and Lining contracts
- J. Water Resources Planning to evaluate the possibility of using water from the adjacent water purveyors

Appendix D.4 NOTIFICATION OUTLINE FOR WATER SUPPLY CONTAMINATION

Terrorist threat of introducing a contaminant into the water distribution system

- A. Water Operations Division Manager will notify the General Manager, Maryland Department of the Environment
- B. Systems Control Manager/Water Operations Division will notify D.C.'s OEP, Maintenance Services Division, Systems Maintenance Division, Customer Services Division, Maintenance Reconstruction Division, Howard County, Andrews AFB, and area water purveyors, Montgomery and Prince George's County OEPs, Consolidated Laboratories
- C. The General Manager will notify the Montgomery County and Prince George's County Executives, the Office of Communications, the WSSC Commissioners.
- D. Maryland Department of the Environment would contact the Montgomery and Prince George's County Health Departments and EPA Region III
- E. The Consolidated Laboratories will provide information on the contaminant and will conduct testing for the possible contaminants and contact and/or arrange for testing outside of the Commission's Laboratories if deemed necessary
- F. The Office of Communications will need to coordinate very carefully with communication officers from other water purveyors in the area. A coordinated message must be delivered to minimize the confusion which will result. The Communications Office will notify the news media, maintain the recorded information line, provide informational flyers at county libraries
- G. Systems Maintenance Division may be able to isolate the contaminant by closing valves or deliver bottled water if it is deemed necessary (and if the impacted area is small)
- H. Maintenance Services Division will provide information on recorded message
- I. Customer Services Division will provide information on recorded message
- J. Office of Security and Safety Services will contact Federal law enforcement officials

Appendix D.5 NOTIFICATION OUTLINE FOR WATER TREATMENT PROBLEMS

The water supply is contaminated or does not meet the minimum requirement as outlined by the Safe Drinking Water Act

- A. Water Operations Division Manager will notify the General Manager and within one hour, the Maryland Department of the Environment
- B. Systems Control Manager/Water Operations Division will notify D.C.'s OEP, Maintenance Services Division, Systems Maintenance Division, Customer Services Division, Maintenance Reconstruction Division, Howard County, Andrews AFB, and area water purveyors, Montgomery and Prince George's County OEPs, Consolidated Laboratories
- C. The General Manager will notify the Montgomery County and Prince George's County Executives, the Office of Communications, the WSSC Commissioners.
- D. Maryland Department of the Environment would contact the Montgomery and Prince George's County Health Departments and EPA Region III
- E. The Consolidated Laboratories will conduct testing for the possible contaminants and contact and/or arrange for testing outside of the Commission's Laboratories if deemed necessary
- F. The Office of Communications will need to coordinate very carefully with communication officers from other water purveyors in the area since the news of this will most probably be out to the public; a coordinated message must be delivered to minimize the confusion which will unavoidably result. The Communications Office will notify the news media, maintain the recorded information line, provide informational flyers at county libraries
- G. Systems Maintenance Division will deliver bottled water if it is deemed necessary and if the impacted area is small enough to make this feasible (e.g., a repeat, site-specific positive fecal coliform sample.)
- H. Maintenance Services Division will provide information on recorded message
- I. Customer Services Division will provide information on recorded message

Reprinted from the Annotated Code of Maryland
and 1994 Cumulative Supplement

ARTICLE 29.

**WASHINGTON SUBURBAN SANITARY
DISTRICT.**

TITLE 9.

MISCELLANEOUS POWERS AND DUTIES OF WSSC.

**§ 9-101. Power to make and enforce rules and regulations; notice;
effect.**

(a) *Authority of WSSC.* — (1) Except as otherwise provided by this article, the WSSC may adopt rules and regulations to carry out the provisions of this article and any other laws the enforcement and administration of which is vested in the WSSC.

(2) The WSSC may:

(i) Limit or regulate the use and supply of water service and sanitary sewer service on a temporary basis in any area or to any premises served by the WSSC's facilities, as the needs of the occasion and the protection of the WSSC's systems require;

(ii) Adopt rules and regulations not inconsistent with law that the WSSC considers necessary for the public safety, health, comfort, or convenience in the construction, operation, maintenance, expansion, relocation, replacement, renovation, and repair of the WSSC's water system and sanitary sewer system; and

(iii) Fix the forms of permits and specify the nature, type, and amount of information, detail, and engineering data that a person must submit to the WSSC for any permit authorized or required by this article.

(b) *Notice.* — Except for the immediate preservation of the public health and safety or for emergency provisions required to protect the WSSC's systems, the WSSC shall publish separate notices of any new rules and regulations which are authorized by this section at least 30 days before their effective date in at least 1 newspaper published in each county.

(c) *Force and authority of law.* — Any rule or regulation adopted by the WSSC under this section has the force and authority of law. (1981, ch. 805, § 1; 1982, ch. 767, § 1; 1983, ch. 57, § 2; 1987, ch. 685; 1988, ch. 647, § 4.)

TITLE 18.

MISCELLANEOUS PROVISIONS.

§ 18-104. Penalties.

(a) A person who violates any of the following provisions is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both:

- (1) Construction of private or municipal systems § 3-103 (a) (3).
- (2) Service connections § 3-104.
- (3) Control and disposition of surface waters . . . §§ 3-202 through 3-207.
- (4) Bonds and anticipation notes §§ 4-101 through 4-112.
- (5) WSSC rules and regulations (except for those specified in subsections (f) and (g) of this section) § 9-101.
- (6) Public utilities construction § 10-104.
- (7) Flood control and navigation bonds § 13-102.
- (8) Tampering with WSSC system in Anne Arundel County . . . § 14-103.
- (9) Tampering with WSSC system in Howard County § 15-105.
- (10) Unlawful use of WSSC property, except for the rules and regulations governing publicly owned watershed property § 18-101.
- (11) Leaving dead animals or fecal matter unburied § 18-102.

(b) A person who violates §§ 11-101 through 11-117 (Merit System) of this article is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500.

(c) A person who violates § 3-206 of this article (special provisions applicable to Takoma Park and Prince George's County, except the City of Bowie) is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 30 days or both.

(d) Any person who violates § 12-106 of this article (prohibited acts) is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year or both.

(d-1) A person who violates § 3-109 of this article by committing a prohibited act listed under § 14-308 of the State Finance and Procurement Article is, on conviction, subject to the penalties provided under that section.

(e) A person may be convicted of a second or subsequent violation of any provision of this article or any rule or regulation adopted under this article.

(f) A person who violates § 9-101 of this article (rules and regulations governing publicly owned watershed property) has committed a WSSC infraction and shall pay to the WSSC a civil fine as provided in § 18-104.1 of this article.

(g) A person who violates any of the following provisions has committed a WSSC infraction and shall pay to the WSSC a civil monetary fine as provided in § 18-104.2 of this article:

- (1) Rules and regulations governing sewer cleaning § 3-301.
 - (2) Rules and regulations governing plumbing § 8-101, § 8-102, § 8-103, § 9-101, § 14-102, or § 15-104.
 - (3) Rules and regulations governing erosion and sediment control for utility construction § 9-101.
 - (4) Rules and regulations governing gasfitting § 9-102.
(1981, ch. 805, § 1; 1982, ch. 767, § 1; ch. 768, § 1; ch. 769, § 2; 1983, ch. 57, § 2; 1984, ch. 673; 1986, ch. 770; 1987, ch. 505; 1989, ch. 5, § 1; 1992, ch. 1989.)
-

Appendix F

RELATED PLANS, AGREEMENTS AND PUBLICATIONS

COPIES OF THE FOLLOWING CURRENT PLANS, AGREEMENTS, AND PUBLICATIONS ARE MAINTAINED AT THE CONTROL CENTER:

Emergency Water Use Restrictions For the WSSD—SOP - 1995
COG Water Supply Emergency Agreement - 1979
COG Metropolitan Washington Water Supply Emergency Plan - 1994
Potomac River Low Flow Allocation (LFA) Agreement - 1978
 LFA Agreement Modification No. 1 - 1982
 LFA Agreement Modification No. 2
 LFA Agreement Ancillary Agreement No. 1
 LFA Agreement Memorandum Of Intent
Water Supply (Drought) Coordination Agreement - 1982
 Drought-Related Operations Manual (abridged)
Potomac River Reservoir Agreements
 Contract For Future Water Supply Storage In The Bloomington Reservoir
 Novation Agreement For Initial Water Supply In Bloomington Reservoir
 Original MD Water Authority Contract For Water Supply In Bloomington
 Novation Agreement Regarding DC's Payment To The Potomac Water Authority
 Bloomington Lake Payment Agreement
 Little Seneca Lake Cost-Sharing Agreement
 Savage Reservoir Maintenance And Operation Cost-Sharing Agreement
Plan For Actual Or Threatened Tampering With Water Supply - Part I (METRO) - 1983
Plan For Actual Or Threatened Tampering With Water Supply - Part II (WSSC) - 1983
Toxics Threat Manual - 1987
Emergency Action Plan - Little Seneca Dam - 1990
Emergency Action Plan - Brighton Dam - 1989
EPA General Public Notification For Public Water Systems - 1989

COPIES OF THE FOLLOWING INACTIVE PLANS, AGREEMENTS, AND PUBLICATIONS ARE MAINTAINED AT THE CONTROL CENTER FOR REFERENCE ONLY:

COG Water Supply Emergency Plan -1979
WSSC Emergency Operating Center Operations Manual - 1981
WSSC Water Demand Reduction Plan - 1981
 Plan A - Water Shortage Alert Stage - 1981
 Plan B - Water Shortage Restriction Stage—Voluntary Up To 15% - 1981
 Plan C-1 - Water Shortage Emergency Stage—Mandatory 15% To 40% - 1981
 Plan C-2 - Water Shortage Emergency Stage—Mandatory 40% To 60% - 1981
 Plan C-3 - Water Shortage Emergency Stage—Mandatory 65% Plus - 1981
Emergency Water Use Restrictions - Montgomery County High Zone—SOP - 1990
Emergency Water Use Restrictions - Bowie Zone—SOP - 1990

APPENDIX G

***FINAL DRAFT
WATER AND SEWER EXTENSION NEEDS
FOR EXISTING NEIGHBORHOODS (EXCERPT)***

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FINAL DRAFT – Water and Sewer Extension Needs for Existing Neighborhoods

Prepared by the Subgroup on Unserved and Underserved Areas for the Bi-County Infrastructure Funding Working Group



July 2014

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EXECUTIVE SUMMARY

Statement of Problem

Generally, unserved and underserved areas are those properties served by wells and/or septic systems (i.e. not connected to WSSC water and sewer systems). These unserved and underserved areas are located in the counties' defined water and sewer envelopes, indicating they may be within close proximity to existing water and sewer mains or were approved for construction of mains and extension of water and sewer line. However, the extension of service to these properties—even over relatively short distances—is too expensive to allow them to connect. These properties are typically older homes that were constructed prior to development of modern design criteria and regulations. Consequently, individual on-site systems were constructed on lots:

- That may not meet modern standards for septic system placement
- That lack areas approved for replacement wells or septic systems
- That may not have approvable repair or replacement areas for on-site systems

Because the operating lives of septic systems are typically estimated to be 30 ± years, the issue of unserved and underserved areas has been growing and is expected to continue to grow as septic systems age and fail.

The cost of extending new the water and sewer systems to serve these properties, whether desired by the homeowner or required due to a failing well or septic system, is too expensive to be initiated. Twenty years ago, WSSC constructed and financed community water and sewer lines and assessed a front foot benefit charge to homeowners. This system took advantage of economies of scale by spreading large infrastructure costs over a large number of properties resulting in an average front foot benefit assessment that was affordable. In the late 1990's, WSSC stopped constructing water and sewer lines for new subdivisions, instead relying on developers of those subdivisions to construct and finance these mains. This shift eliminated the benefits of economies of scale to the detriment of individual homeowners. Consequently, it has become next to impossible for the homeowners to upgrade these older houses to community water and/or sewer service, even when necessary due to failed or failing on-site systems.

This problem also works against fundamental goals in each County's Comprehensive Water Supply and Sewerage Systems Plan:

- That these plans establish public service envelopes based on adopted service policies and county-wide land use planning recommendations.

- Further, that water and sewer service policies, and infrastructure extension and financing mechanisms, act to promote the use public service within these envelopes both for new development and for existing development still using on-site systems.

Note: this report focuses primarily on sewer extensions as these are more costly and more difficult to attain sewer suitability. The findings, processes, and alternatives discussed in this report are equally applicable to both sewer and water extensions.

Bi-County Infrastructure Funding Working Group

WSSC established the Bi-County Infrastructure Working Group (“The Working Group”) in 2010 to identify options for lowering the trajectory of rate increases. These options included obtaining access to alternative and/or less costly sources of revenue or methods of funding for operational and capital requirements in the context of the growing need to rehabilitate, upgrade and replace water and wastewater infrastructure and related facilities. The Working Group is comprised of representatives from the executive and legislative branches of Montgomery and Prince George’s Counties, one WSSC Commissioner from each county, and WSSC staff. One of the policy issues identified for study by the Working Group is the extension of public water and/or sewer service to unserved and underserved areas of Montgomery and Prince George’s Counties.

Subgroup on Unserved and Underserved Areas

A Subgroup of the Working Group was created to further study this issue and to develop possible alternatives to the existing funding mechanism. The Subgroup included staff members from the two counties and WSSC:

- Shirley Branch, Prince George’s County, Department of Environmental Resources
- Chris Cullinan, WSSC, Finance Office
- Dave Lake, Montgomery County, Department of Environmental Protection
- Manfred Reichwein, Prince George’s County, Health Department
- Alan Soukup, Montgomery County, Department of Environmental Protection
- Tom Traber, WSSC, Finance Office (retired 2013)

The scope of the Subgroup’s efforts included:

- Documenting the current unserved and underserved conditions in each County
- Evaluating the pros/cons of current system using “sample communities” from each County
- Evaluation of financing criteria and alternatives
- Policy challenges/deficiencies of current system

- Identifying a roadmap to an “improved” system of extending water and sewer service to unserved and underserved areas
- Develop financing options/funds to implement an “improved” system

The Subgroup met seven times during 2013 and made three presentations to the Working Group and two presentations to WSSC Commissioners. These presentations functioned as educational presentations and progress reports. This report is comprised of the research and information presented to the Working Group and Commissioners.

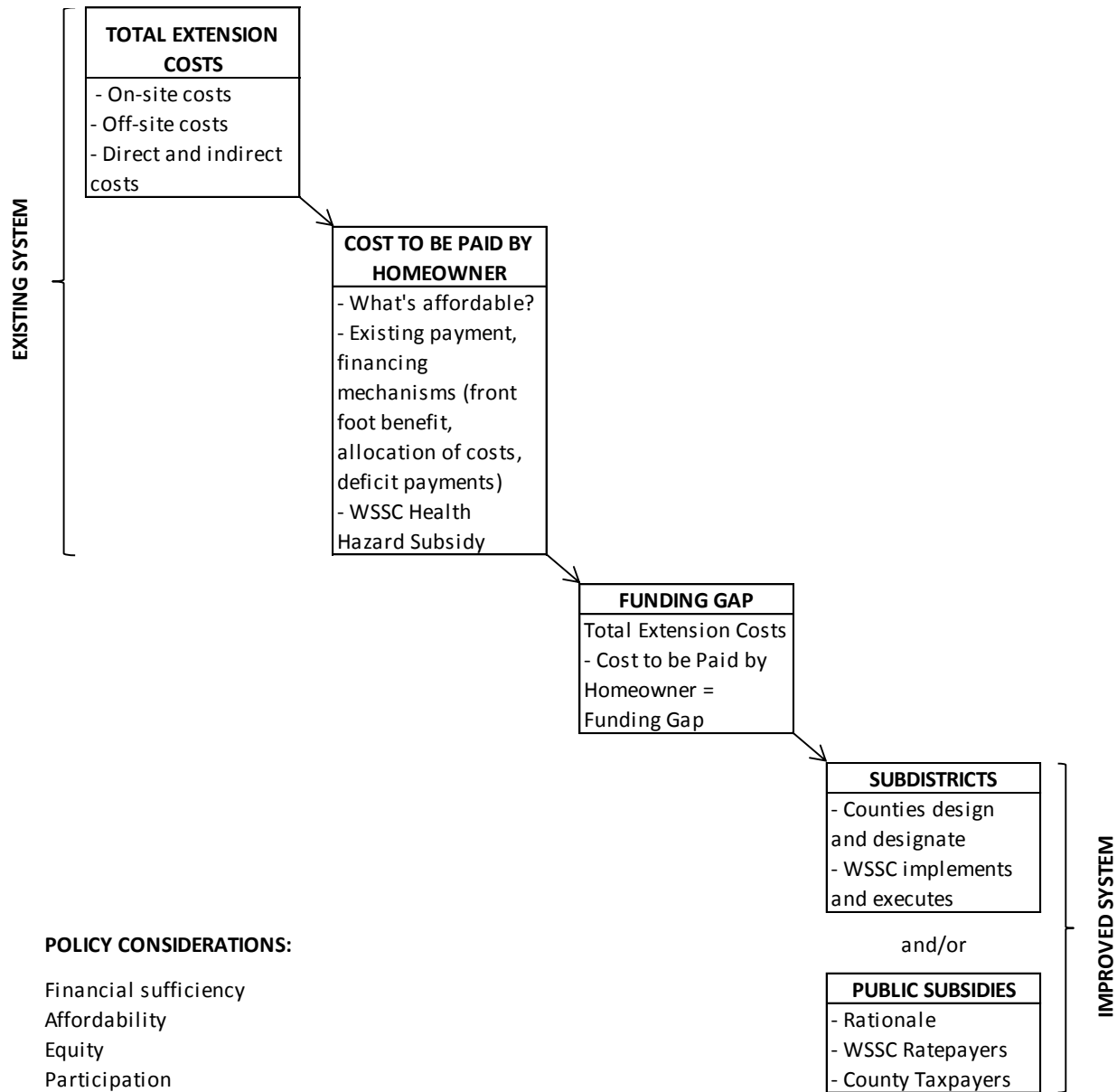
Findings of the Subgroup Regarding the Current System of Extensions

The current system of financing extensions is flawed. This is evident in the fact that since 2005, only sixteen extensions have been completed. The current front foot benefit system was designed to pool large and small extensions and allocates costs over a large number of connections which made extensions affordable. The current system does not work for small scale extensions, including health hazard situations. The current system has significant financial and policy challenges including affordability for applicants, financial sufficiency, equity and participation. Maintaining the status quo is not a sustainable, viable solution for systematically addressing the issue of unserved and underserved areas. The current system is not economical for failed systems or communities requesting service.

Framework for Moving Toward an “Improved System”

The Subgroup identified a framework for moving forward from the current system to an improved system. The framework involves several decision points and requires the coordinated efforts of Montgomery County, Prince George’s County, and WSSC. The following figure illustrates the framework for moving forward including several decision points to be addressed.

Figure 1: Decision-Making Framework for Moving Toward an “Improved System”



The Improved System: Sub Districts

The Subgroup suggested sub districts as a possible improved system for funding water and sewer extensions. Sub districts would spread large infrastructure costs over a large number of properties and would remedy a number of the challenges and issues under the current system. Both the counties and WSSC have experience using sub districts to finance capital program infrastructure projects, but the concept has never been used for water distribution or sewer collection systems. The fundamental goal is to equitably allocate the large costs of extending public sewer extensions over a large number of properties to be served. The current health hazard extension system results in large costs which are not financially viable for individual applicants who initiate extension projects. In cases where an extension is able to serve more than one property, abutting property owners may opt out of connecting to the new main. This places more of the financial burden on the applicant, which raises significant questions of equity. The sub district mechanism, along with modifications to WSSC front foot benefit assessment policies, has the potential to mitigate these characteristics of the current system. The sub district mechanism would also provide those who directly benefit from connecting to the public sewer system pay for the extension costs.

Conclusions and Next Steps

Maintaining the status quo is not a viable, sustainable solution to what is expected to be an increasing number of failing water wells and/or septic systems. An improved system for addressing the extension of water and sewer service has been identified along with a process for moving toward the improved system. Both the counties and WSSC have roles to play in the improved system. This will require unified leadership from the counties and the Commission including the commitment of resources to educate, plan, and lay the foundation for the improved process.

By consensus, the Working Group accepted the Subgroup's findings and framework for moving toward an improved system. The Working Group transmitted its consensus to WSSC's Commissioners. WSSC's Commissioners unanimously accepted the findings of the Subgroup on March 19, 2014 and authorized the transmittal of such findings to the legislative and executive branches of the two counties. The counties will be asked to endorse this concept and discussion and move forward toward an improved system. This will necessitate spending time and resources to more fully develop the process forward. The worth of this effort will be evident by the commitment of time, talent, and financial resources. The unified leadership of the Commission and counties will be required to move toward an improved system.

CURRENT UNSERVED AND UNDERSERVED CONDITIONS

This section of the report documents the Commission's experience in constructing residential service lines and the current unserved and underserved conditions in each County.

WSSC

Prior to 1998, WSSC was responsible for the design, construction and financing of all water and sewer extensions built within the Sanitary District. This included all types of projects ranging from large multi-part subdivisions to those serving just one property. The Commission would build and pay for the mains and then recover costs by assessing properties front foot benefit charges.

In 1997, a WSSC task force benchmarked with local jurisdictions and recommended changing the process by which subdivision lines are built and financed. At that time, WSSC's General Bonds (which funded subdivision line construction) were 50% of WSSC's total \$1.8 billion outstanding debt, and the General Bond portion on the Commission annual debt service was 46%. In WSSC's FY'98 budget, debt service costs were 49% of total expenses. The rating agencies and the counties were becoming concerned about the large percentage of total revenues that were devoted to debt service. Since General Bonds were almost half of the debt service, the Counties and the Commission decided to eliminate the General Bond debt by having developers build the subdivision lines and turn them over to the Commission. This was the method used by virtually all jurisdictions. Over time, this would eliminate the majority of new General Bond issuances, and lower the debt service percentage of the operating budget.

The Counties were concerned about the effect that overlapping debt would have on their ratings. Utilizing assessed values to allocate WSSC's debt (since an ad valorem assessment would use assessed values), Montgomery County was allocated approximately 66% of the total and Prince George's was allocated 34%. This meant that of WSSC \$1.8 billion in debt, the Rating Agencies would use \$1.2 billion for Montgomery County and \$0.6 billion for Prince George's. The Counties wanted WSSC to lower the overlapping debt, and the General Bond was the most logical one to reduce by having developers pay for and build the subdivision lines and turn them over to the Commission.

In 1998, WSSC proposed legislation requiring that subdivision lines be constructed at the expense of the owner/developer. House Bill 824 was sponsored by the Montgomery County and Prince George's County delegations and supported by WSSC. HB 824 was passed and phased in over three years.

This change has had a significant impact on the costs associated with the smaller projects needed for health hazard and single residential extension projects. The cost of constructing service extensions for these health hazards and single residential dwelling units has always been very expensive, but these few, costly projects were offset by the many, less costly developer projects that WSSC constructed. In a

typical year, there are several hundred of the large developer projects constructed versus only a few dozen health hazard or single residential units built. These large projects had economies of scale that lowered the average cost for all jobs. Also, the large projects involved construction in unimproved areas while the health hazard or single residential projects usually involve construction in improved areas that involve impacts to pavement and other utilities and the need for traffic control. These legislative changes resulted in a situation that makes it increasingly more difficult for homeowners to afford water and sewer extensions through WSSC.

WSSC currently has two processes for constructing residential service lines. The first process for constructing service lines is when WSSC builds the extension in already developed areas. This report focuses on WSSC built extensions.

The second process is the Service Extension Process (SEP) is for developer built and financed extensions for new development. Under the SEP process, preliminary subdivision plans that are submitted to Montgomery County, Prince George's County, or MNCP&PC for approval will be reviewed by the WSSC to determine the availability of water and sewer service, make recommendations, and note special conditions. A representative from WSSC will attend the development review committee meetings in Montgomery County and the subdivision review committee meetings in Prince George's County to discuss WSSC's findings with the Applicant and the committee. General review comments will be provided at the MNCP&PC meeting. It should be understood that new and additional review comments are likely when more detailed information on the proposed public extension(s) is provided during the Hydraulic Planning Analysis and System Integrity Review processes for SEP projects. A full description of the SEP process can be found on the Commission's website: <http://wsscwater.com/home/jsp/content/sep-process-step1.faces>.

The next two sections of the report document the current unserved and underserved sewer conditions in each County. The counties agreed to review areas consisting of five (5) or more greater lots where septic systems are in use and, do not have access to or availability of sewer mains on main line extensions.

Prince George's County

The Prince George's County Department of Environmental Resources analyzed sewer service GIS data and determined there are approximately 4,977 properties on septic systems within the sewer service envelope. Typically, these properties are located in 30+ year old neighborhoods and subdivisions, constructed prior to being planned for sewer service, or before sewer service was made available. It was expected that lots would connect when sewer service was made available via constructed mains and extensions, and would relinquish the use of septic systems. However, these lines have either gone unconstructed or not constructed within a reasonable distance for lot owners to connect, and the costs

to extend and connect beyond their means. Staff identified approximately 4,977 properties on septic systems for which 2,087 properties (approximately 42%) are within these underserved areas. The figure below summarizes the current conditions by Council District in Prince George’s County. The map depicts the approximately locations (countywide) of underserved areas that met the criteria of five (5) or greater lots.

Figure 2: Summary of Current Conditions in Prince George’s County by Council District

Council District	<i>Approximate Septic Usage</i>	<i>Approximate Underserved areas</i>	<i>Approximate Residences</i>	<i>Approximate (Post-sewer) septic use</i>
1	578	5	100	478
2	14	0	0	14
3	57	1	5	52
4	381	6	85	296
5	171	2	30	141
6	1,103	17	825	278
7	139	1	7	132
8	688	19	250	438
9	1,846	39	785	1,061
TOTAL	4,977	90	2,087	2,890¹

Assumptions/Observations:

*Unsewered/underserved areas are based upon the criteria of **five (5) or more residential lots** ;*

Approximate septic usage is based upon review of lots having no abutting sewer lines

District 2 - no underserved areas for the criteria used

District 6 - includes residential subdivisions i.e. Brock Hall, Brock Hall Manor & Brock Hall Gardens (@450 homes)

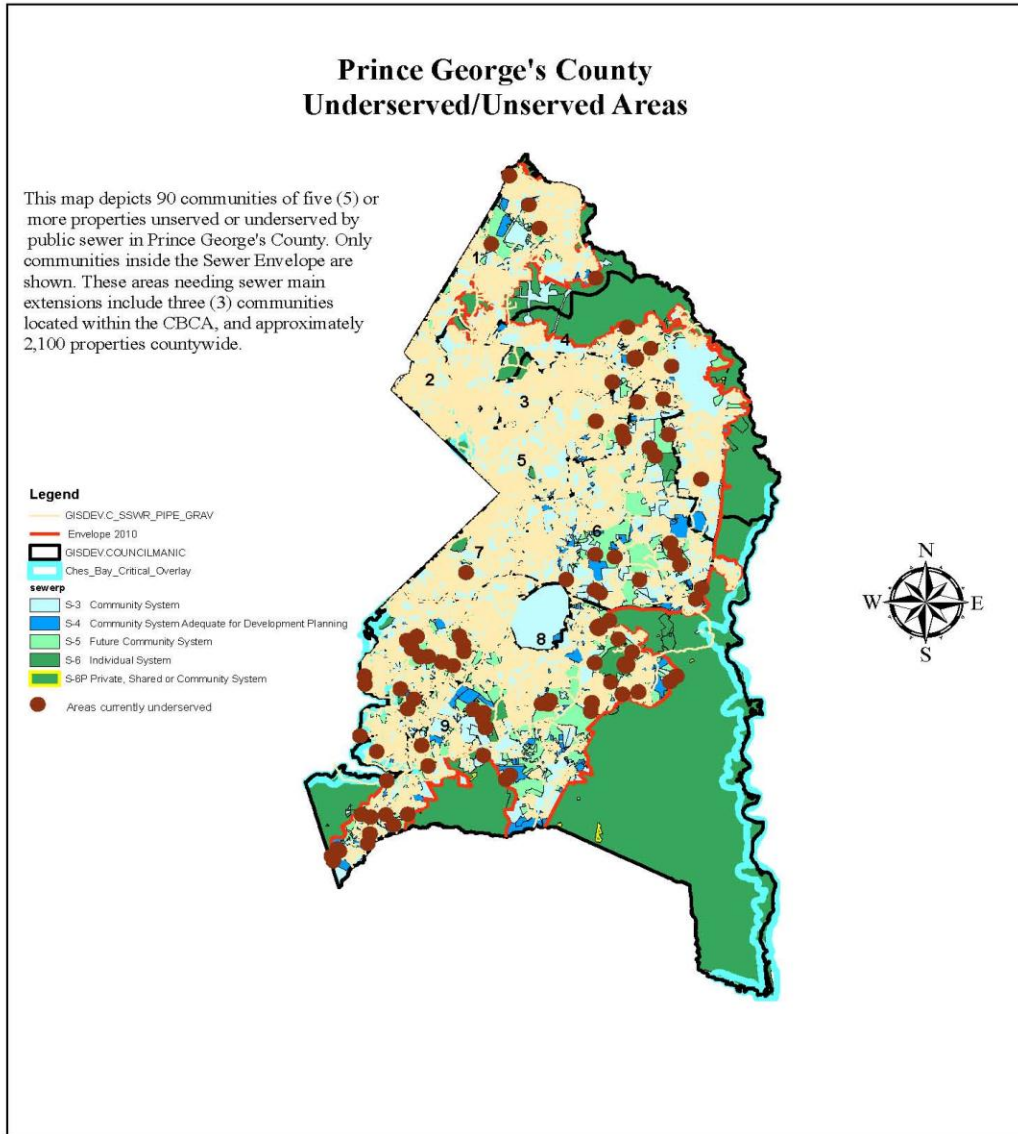
*District 8 - includes 3 communities located within the **Chesapeake Bay Critical Area** (@40 homes)*

District 9 - includes residential subdivisions i.e. Pleasant Springs, Early Manor, Wards , New England (@260 homes)

(1) -- of this 2,890 number, some would remain on septic systems by choice, constraints, costs and distance to sewer mains

The following map graphically depicts this summary information.

Figure 3: Map of Current Conditions in Prince George's County



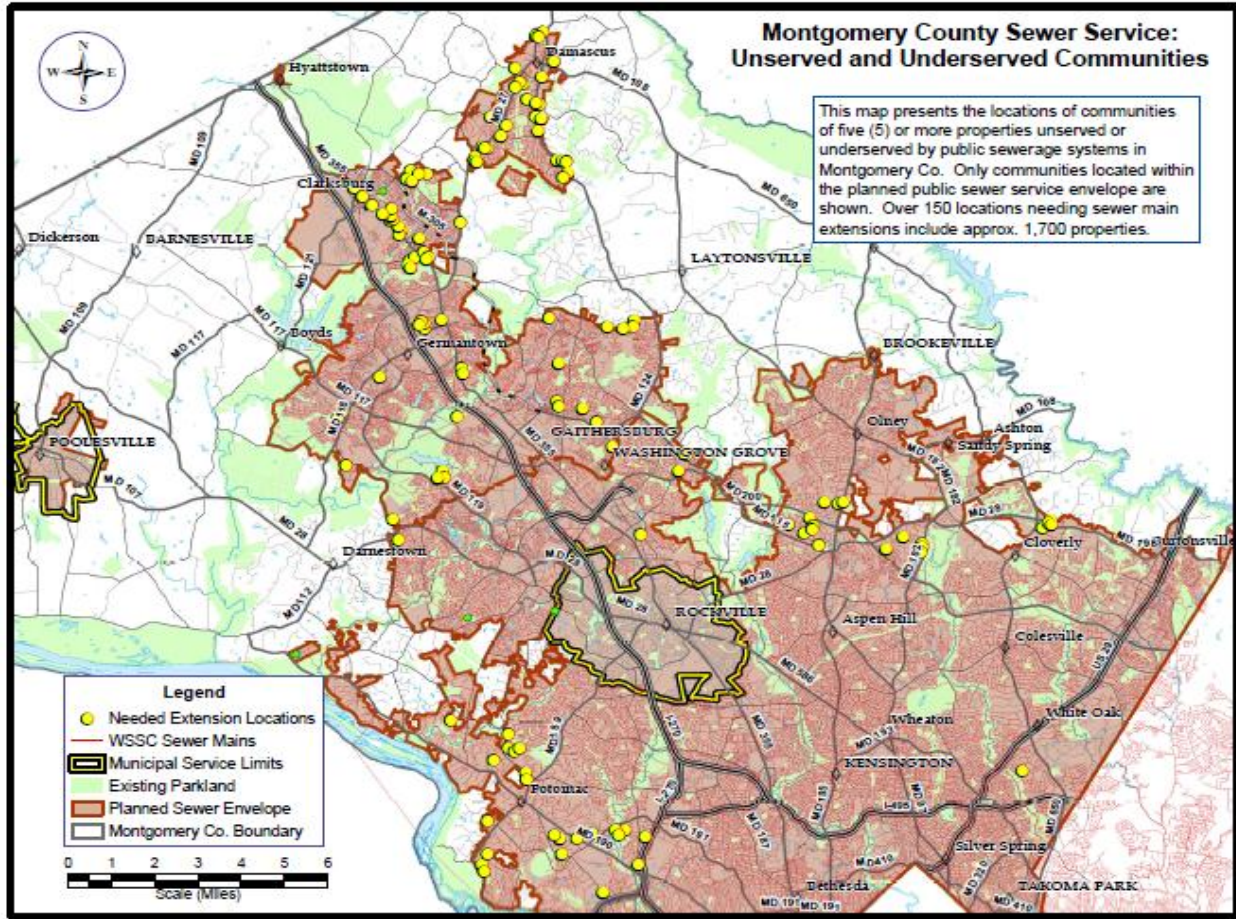
Montgomery County

Within Montgomery County's defined community water and sewer service envelopes are properties that were initially developed on and continue to be served by individual, on-site wells and septic systems. These homes on these properties were typically constructed either prior to the area being planned for community water or sewer service or before community systems were available. These homes are commonly 30 to 60+ years old. They are often located near areas that have subsequently been planned for subdivision and development; where water and sewer infrastructure has been built for the newer development. Accordingly, it is not uncommon for these older houses on wells and septic systems to be located near (within 1,000 feet) existing community water and sewer infrastructure. They are often surrounded by the newer development using community water and sewer systems.

In some cases, homes using private, on-site systems only require a connection to an existing WSSC main. However, many other properties using wells and septic systems do not have access to existing WSSC water and/or sewer mains; requiring new main extensions for service. Subgroup members from Montgomery County reported that approximately 150 neighborhoods within the county's defined water/sewer service envelopes, but without existing access to WSSC service, contain more than 1,700 homes that currently continue to use on-site systems.¹ As illustrated in the following map, although these neighborhoods are scattered widely across the county, there are identified clusters of affected neighborhoods in areas such as Clarksburg, Damascus, Germantown, Norbeck, and Potomac.

¹ To maintain consistency with the analysis provided by Prince George's County Department of Environmental Resources, the Montgomery County Department of Environmental Protection evaluated only those neighborhoods within the defined community service envelopes where at least five properties lacked access to community water and/or sewer service.

Figure 4: Map of Current Conditions in Montgomery County



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