

# SENATE BILL 705

C5, M3, M1

2lr2602

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By: **Senators Pipkin and Colburn**

Introduced and read first time: February 3, 2012

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Utilities – Hydroelectric Generating Station – Nutrient Filtration**

3 FOR the purpose of prohibiting a person from opening the flood control gates of a  
4 certain hydroelectric generating station unless the hydroelectric generating  
5 station utilizes a filtration system to capture certain excess nutrients from the  
6 water that flows from the Susquehanna River into the Chesapeake Bay;  
7 defining a certain term; and generally relating to nutrient filtration at a  
8 hydroelectric generating station in the State.

9 BY adding to

10 Article – Public Utilities

11 Section 7–214

12 Annotated Code of Maryland

13 (2010 Replacement Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Public Utilities**

17 **7–214.**

18 (A) IN THIS SECTION, “EXCESS NITROGEN, PHOSPHORUS, AND  
19 SEDIMENT” MEANS AN AMOUNT OF NITROGEN, PHOSPHORUS, AND SEDIMENT  
20 THAT EXCEEDS THE TOTAL MAXIMUM DAILY LOAD (TMDL) FOR THE  
21 SUSQUEHANNA RIVER BASIN UNDER THE STATE’S PHASE II WATERSHED  
22 IMPLEMENTATION PLAN (WIP).

23 (B) A PERSON MAY NOT OPEN THE FLOOD CONTROL GATES OF A  
24 HYDROELECTRIC GENERATING STATION WITH A NAMEPLATE CAPACITY THAT

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **EXCEEDS 500 MEGAWATTS IN THE STATE UNLESS THE HYDROELECTRIC**  
2 **GENERATING STATION UTILIZES A FILTRATION SYSTEM THAT CAPTURES EXCESS**  
3 **NITROGEN, PHOSPHORUS, AND SEDIMENT FROM THE WATER THAT FLOWS FROM**  
4 **THE SUSQUEHANNA RIVER INTO THE CHESAPEAKE BAY.**

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2012.