

# HOUSE BILL 908

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By: **Delegate Amprey**

Introduced and read first time: February 2, 2024

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Suppliers of Water – Notification Requirements**

3 FOR the purpose of altering certain notice requirements that a supplier of water must give  
4 to the Department of the Environment and certain individuals and entities under  
5 certain circumstances; requiring a supplier of water to give notice to the Department  
6 of the Environment and the Maryland Department of Emergency Management if  
7 there is a positive test for E. coli in the system and immediately begin certain  
8 preparations; requiring each community water system to ensure that certain testing  
9 is performed on the water provided by the system and report the test results to the  
10 Department of the Environment; altering the notice requirements a water system  
11 must give when a test of water provided by the system indicates a certain level of  
12 methyl tertiary butyl ether; and generally relating to public water systems and  
13 suppliers of water.

14 BY repealing and reenacting, with amendments,  
15 Article – Environment  
16 Section 9–410  
17 Annotated Code of Maryland  
18 (2014 Replacement Volume and 2023 Supplement)

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

21 **Article – Environment**

22 9–410.

23 (a) **(1)** Each supplier of water shall give notice to the Department and the  
24 persons served by the system and shall give written notice to noncollegiate educational  
25 institutions, public schools, family child care homes, and child care centers whenever the

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





1           **(3) (I) THIS PARAGRAPH APPLIES TO A SUPPLIER OF WATER THAT**  
2 **OWNS OR OPERATES A COMMUNITY WATER SYSTEM SERVING AT LEAST 3,300**  
3 **CUSTOMERS.**

4           **(II) ANY NOTICE GIVEN UNDER PARAGRAPH (1) OF THIS**  
5 **SUBSECTION BY A SUPPLIER OF WATER SHALL BE DELIVERED IN A TIMELY MANNER**  
6 **THROUGH AT LEAST THREE OF THE METHODS SPECIFIED IN PARAGRAPH (2)(III) OF**  
7 **THIS SUBSECTION.**

8           **(B) (1) IN ADDITION TO THE NOTICE REQUIREMENTS UNDER**  
9 **SUBSECTION (A) OF THIS SECTION, EACH SUPPLIER OF WATER SHALL GIVE NOTICE**  
10 **TO THE DEPARTMENT AND THE MARYLAND DEPARTMENT OF EMERGENCY**  
11 **MANAGEMENT IF THERE IS A CONFIRMED POSITIVE TEST FOR E. COLI IN THE**  
12 **SYSTEM.**

13           **(2) IF THERE IS A POSITIVE TEST FOR E. COLI IN A WATER SYSTEM,**  
14 **THE SUPPLIER OF WATER FOR THE SYSTEM SHALL IMMEDIATELY BEGIN**  
15 **PREPARATIONS FOR ISSUING A BOIL WATER ADVISORY.**

16           (c) (1) By rule or regulation, the Secretary shall adopt notice requirements to  
17 meet the requirements of this section.

18           (2) The rules and regulations shall establish notification standards and  
19 procedures that include the manner, frequency, form, and content of the notices.

20           (d) For violations with the potential to have serious adverse effects on human  
21 health as a result of short-term exposure, the supplier of water shall provide notice as soon  
22 as practicable, but not later than 24 hours after the occurrence of the violation.

23           (e) [For violations other] **OTHER** than the violations described in subsection (d)  
24 of this section, **FOR VIOLATIONS THAT HAVE THE POTENTIAL FOR LONG-TERM**  
25 **HEALTH EFFECTS**, the supplier of water shall [provide written] **DIRECTLY DELIVER**  
26 notice to each person served by the system [in an annual report, or by mail not later than  
27 1 year after the violation] **AS SOON AS PRACTICABLE, BUT NOT LATER THAN 30 DAYS**  
28 **AFTER LEARNING OF THE VIOLATION.**

29           **(F) FOR VIOLATIONS OTHER THAN THE VIOLATIONS DESCRIBED IN**  
30 **SUBSECTIONS (D) AND (E) OF THIS SECTION, THE SUPPLIER OF WATER SHALL**  
31 **DIRECTLY DELIVER NOTICE TO EACH PERSON SERVED BY THE SYSTEM NOT LATER**  
32 **THAN 1 YEAR AFTER LEARNING OF THE VIOLATION.**

33           **[(f)] (G) (1) Each COMMUNITY WATER SYSTEM AND nontransient**  
34 **noncommunity water system, including those systems that primarily provide bottled water,**  
35 **shall:**

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1 (i) At a frequency determined by the Department, **[test] ENSURE**  
2 **THAT** the water provided by the system **IS TESTED** for the presence of methyl tertiary butyl  
3 ether; and

4 (ii) Report the test results to the Department.

5 (2) If a test conducted under this subsection indicates that the level of  
6 methyl tertiary butyl ether in the drinking water exceeds the State advisory level, as  
7 determined by the Department, the water system shall give notice of that fact to:

8 (i) The persons regularly served by the water system; and

9 (ii) If the water system serves a child care center, an elementary or  
10 secondary school, **[or]** any other facility that regularly serves minors, **OR AN INSTITUTION**  
11 **OF HIGHER EDUCATION**, the parents or legal guardians of all minors **AND STUDENTS**  
12 regularly served by the water system.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2024.