



FREDERICK COUNTY GOVERNMENT

DIVISION OF WATER AND SEWER UTILITIES

Jessica Fitzwater
County Executive

Mark A. Schweitzer, Director

SB 512 – LEGIONELLA PNEUMOPHILA BACTERIUM – MINIMIZING GROWTH AND TRANSMISSION

DATE: February 23, 2023
COMMITTEE: Education, Energy, and the Environment
POSITION: Oppose
FROM: Mark A. Schweitzer, Director, Division of Water and Sewer Utilities,
Frederick County Government

Thank you for your consideration of SB 512 – Legionella Pneumophila Bacterium – Minimizing Growth and Transmission. As the Director of the Division of Water and Sewer Utilities in Frederick County, I urge the committee to give SB 512 an UNFAVORABLE report.

SB 512 requires public water systems to raise the minimum level of residual disinfectant to at least 0.5 milligrams per liter of chlorine and to conduct certain sampling and analysis for chlorine residual at frequent and regular intervals. In addition, SB 512 requires water utilities to provide notice of water distribution system disruptions and to perform additional testing for both chlorine residual and *Legionella pneumophila* bacterium.

Frederick County is concerned about the possible impacts of this bill to our customers and to our operations due to impractical notification requirements and testing requirements that are not feasible for local governments. Frederick County currently operates thirteen water systems with a total of nearly thirty-thousand customer accounts. Smaller utilities do not have sufficient off-hours staffing and infrastructure to provide the required public notice within 4 hours of unplanned disruptions, which may occur after-hours, such as an overnight water main break. Likewise, it may not be practical or prudent to provide 30-day advance notice of planned work that may have disruptions. In many cases, even planned work that causes disruptions cannot be delayed 30 days. Furthermore, residents may not recall the notice of planned disruption with 30-day advance notice.

Chlorine residual minimums have already been established by EPA and requiring utilities to maintain a higher minimum 0.5 mg/L chlorine residual throughout the distribution system will impact a utility's ability to manage disinfection byproduct levels in the distribution system.

The scale and frequency of the testing for Legionella and chlorine residual is not well defined making it difficult to determine costs related to additional staffing and laboratory costs. Although chlorine residual monitoring is currently done, it is not clear if that would satisfy the requirements of SB 512. Regardless, any additional testing will result in a net increase of operating costs.

Thank you for your consideration of SB 512. On behalf of Frederick County Government, I urge a UNFAVORABLE report.

Sincerely,

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