



House Bill 624

Environment - Suppliers of Water - Notification Requirements

MACo Position:

LETTER OF INFORMATION

Date: March 30, 2023

To: Education, Energy, & the Environment
Committee

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) respectfully submits the following **letter of information** on HB 624. This bill sets certain parameters by which water suppliers must notify individuals should there be a positive E. coli test.

The health and safety of residents is the highest priority to any county. Counties, as owners and operators of critical infrastructure, are tasked with both supplying critical services and ensuring that those services do not harm their communities. Issues like water contamination are taken very seriously and have well established procedures for containment and appropriate notification. The clear intent of HB 624 is to uphold this same goal – to take this responsibility seriously and provide the impacted communities notification at the appropriate juncture.

While the intent of HB 624 is broadly aligned with existing policy, its implementation may in fact be duplicative of or in conflict with well-established and expert-driven practice.

Baltimore City best explains this duplication in their testimony,

“Under the ‘Revised Total Coliform Rule’ (RTCR), a water utility is required to notify MDE if there is a positive test for E.coli for a water sample taken within the distribution system. The test samples are required to ‘sit’ for 24 hours to determine if there is any indication of bacterium growth. If the test is positive, MDE is notified. In addition, a second confirmation test is taken, the sample sits for 24 hours, and if the e.coli presence is confirmed, the City **MUST** notify MDE within 24 hours and a series of actions are taken to flush the system. The water utility also notifies Baltimore City’s Office of Emergency Management (OEM) whose staff coordinates the event with all City agencies and any affected county and State partners, including MDE. MDE, working with the City, defines the impacted area based on the City’s sampling and testing data, and approves all public messaging before it can be released. Notification of affected customers is tailored to each event, and multiple means are used, including door-to-door outreach, social media, traditional media outlets, etc.”

The major concern is that provisions within HB 624 would serve to either complicate this system, or inadvertently lead to premature notification of a contamination. Counties by no means argue with the intent of HB 624 but suggest that provisions within this bill may be better folded into existing practice or may be more appropriate to change administratively. MACo remains available to the committee should they have any further questions or desire additional information.