



Maryland Association of Municipal Wastewater Agencies, Inc.

Washington Suburban Sanitary Commission

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February 6, 2024

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The Honorable Brian J. Feldman

Chair, Education, Energy, and the Environment Committee

2 West, Miller Senate Office Building

Annapolis, MD 21401

Re: SUPPORT WITH AMENDMENTS -- SB 572 (Environment-Collection and Reporting of Drinking Water and Wastewater Data and Information - Requirements)

Dear Chairman Feldman:

On behalf of the Maryland Association of Municipal Wastewater Agencies (MAMWA), I am writing to **request amendments** to SB 572, which would require that water or wastewater utilities include certain data with their annual water quality consumer confidence report (CCR). MAMWA Members own and operate municipal wastewater treatment plants, also known as publicly-owned treatment works (POTWs). Many Members also operate public water systems. MAMWA asks for the following amendments to the bill:

- **Link to CCRs** – Some of the State's POTWs do not provide drinking water service, and therefore do not provide a CCR to their customers. CCRs are federally regulated under the Safe Drinking Water Act; adding additional information to the report could dilute the purpose of the CCR, which should be focused on drinking water quality. In addition, some utilities may mail a CCR to customers. SB 572 would greatly increase mailing costs. Please amend SB 572 to require posting of the information on a website without a link to the CCR process. (p. 3, l. 15-19; p. 4, l. 22-25; p. 5, l. 7-8, l. 11-12, l. 20-23; p. 6, l. 18-21)
- **Monthly Data** – The bill requires that certain data be provided by month (e.g., number of disconnected or terminated accounts). Many, if not all, of the POTWs and public water systems in the State bill on a quarterly basis. Please amend SB 572 to allow for reports on the same basis as billing. (p. 6, l. 29)
- **Annual Reporting** – The bill requires an annual posting of the CCR, an annual submittal of the CCR to the Maryland Department of the Environment (MDE), and inclusion of certain data on an annual basis. This should be aligned with each utility's fiscal year, so that data matches other utility metrics that are tracked by fiscal year, such as the utility's balance sheet. In addition to severing the link to the CCR, please amend SB 572 to allow for annual reports on the utility's fiscal year basis. (p. 4, l. 22-25; p. 5, l. 7-8, l. 11-12, 20-23; p. 6, l. 18-21)
- **Vague Requirement** – The bill directs a water utility to share policies relating to late payments and termination charges, including the "events that result in fees and charges associated with termination of service or late payment." Please amend SB 572 to define "events." (p. 6, l. 3-4)

CONSULTANT MEMBERS

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- **Disconnections** – The bill appears to be aimed, in large part, on obtaining more information on terminations. If so, including information on voluntary disconnections (for example, when a customer is moving) seems unnecessary. Please amend SB 572 to remove this requirement. (p. 6, l. 25)
- **Low-Income Fund** – Fines from the bill would be used to ensure drinking water and wastewater availability for low-income households. MAMWA supports this concept, but Members are not in the position to collect and evaluate the income of customers. Please amend SB 572 to clarify that the State's POTWs will not have this responsibility. (p. 8, l. 16-21)

Please feel free to contact me with any questions at Lisa@AquaLaw.com or 804-716-9021.

Sincerely,

Lisa M. Ochsenhirt, MAMWA Deputy General Counsel

cc: Education, Energy, and the Environment Committee, SB 572 Sponsor