



Maryland Association of Municipal Wastewater Agencies, Inc.

Washington Suburban Sanitary Commission

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MEMBER AGENCIES

February 25, 2025

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The Honorable Brian J. Feldman
Chair, Senate Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Re: **OPPOSE -- SB 871 (Department of the Environment – Community Water and Sewerage Systems – Cybersecurity Planning and Assessments)**

Dear Chair Feldman:

On behalf of the Maryland Association of Municipal Wastewater Agencies (MAMWA), I am writing to **OPPOSE SB 871**, which would, among other things, require any water or wastewater provider that serves over 3,300 customers to comply with cybersecurity standards established by the Maryland Department of the Environment (MDE) (p. 5, l. 17-19), adopt a zero-trust cybersecurity approach for on-premises and cloud-based services (p. 5, l. 20-23), and annually hire a third-party to assess the operational technology and information technology devices in place for the water or wastewater system (p. 5, l. 24-29). MAMWA is a statewide association of local governments and wastewater treatment agencies that serve approximately 95% of the State's sewered population.

CONSULTANT MEMBERS

Black & Veatch
GHD Inc.
Hazen & Sawyer
HDR Engineering, Inc.
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WRA

SB 871 is well-intended. Cybersecurity is a critical issue for water and wastewater systems and one that MAMWA members take very seriously. However, MAMWA opposes SB 871 because it could be destructive to our systems and would be very expensive for our ratepayers.

GENERAL COUNSEL

AquaLaw PLC

MAMWA's top priority is the viability of our systems. We are concerned that penetration testing (PEN testing) could damage a utility's SCADA (supervisory control and data acquisition) system, which is at the heart of a water distribution and wastewater treatment system. We are also apprehensive about allowing a "white hat" to review these mission critical systems without a security clearance and a demonstrated knowledge of the exact type of equipment and software being used. Because there are so many types of hardware and software being used, finding competent assistance would be challenging. Lastly, MAMWA strongly objects to any type of storage of or reporting of vulnerabilities.

From a financial perspective, requiring a zero-trust cybersecurity approach, although a worthy goal, would mean connecting any stand-alone water and wastewater computer systems to the larger county or municipal system. This would be a considerable undertaking requiring additional employees, a complete overhaul of the larger system's

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firewalls, and upgrades to existing licenses. Hiring a third-party consultant to annually assess the system would cost between \$30,000 to \$40,000 per review.

MAMWA urges the Committee to **Vote NO** on SB 871.

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 Members, SB 871 Sponsor