



Artesian Water Company



Artesian Wastewater Management



Artesian Utility Development



Artesian Water Maryland



Artesian Water Pennsylvania

OVER 120 YEARS OF SUPERIOR SERVICE

February 2, 2026

Delegate Korman, Chair
House Environment and Transportation Committee
250 Taylor House Office Building
Annapolis, MD 21401

RE: Oppose House Bill 204 – Drinking Water – Regulation – Control and Prevention of Waterborne Disease

Dear Chair Korman & Members of the Committee:

Artesian Water Maryland (AWMD) provides water utility service to over 2,700 customers in Cecil County and is dedicated to ensuring reliable, safe, and high-quality water. We write to express our serious concerns regarding the proposed *HB 204 – Drinking Water – Regulation – Control and Prevention of Waterborne Disease* and request an **UNFAVORABLE** vote.

We understand HB 204 to be well intended in addressing Legionella, a serious public health concern, but it does so in a way that is overly broad, operationally unworkable, and likely to create unintended compliance and public health consequences. A summary of four major concerns are as follows.

1. Mandated disinfectant residual levels (Page 6, lines 20 to 23) are not aligned with Maryland's existing regulatory framework or system specific water quality conditions. HB 204 would require a minimum free chlorine residual of 0.5 mg/L in all active parts of the system, or 1.0 mg/L monochloramine. Many Maryland water systems currently operate at lower residual targets to balance microbial control with compliance under the disinfection byproduct rules. A statutory floor of 0.5 mg/L could increase formation of regulated disinfection byproducts and increase the likelihood of violations, driving costly treatment upgrades and higher rates. This approach mandates costly treatment improvements without clear evidence of a meaningful reduction in Legionella risk at the point of use.
2. The monitoring language (Page 6, line 24 to Page 7 line 2) is vague and invites inconsistent and potentially burdensome implementation. The bill requires disinfectant residual testing at frequent and regular intervals and at different points in the public water system, but it provides no objective frequency, locations, or performance criteria. This ambiguity could result in either insufficient monitoring that does not improve protection, or excessive monitoring that diverts staff and resources from higher value risk management activities.

3. The definition of disruption (Page 5, line 29 to Page 6, line 16) and the customer notice requirements (Page 8, line 17 to Page 9, line 4) are extraordinarily expansive and would create constant notices and unnecessary alarm. HB 204 defines disruption to include routine and frequent activities such as valve, hydrant, or meter replacements, changes in directional water flow, lead service line replacement, new construction tie ins, and common repairs. The bill would require timely written notice to all customers located in the area affected by the disruption, but the affected area is not defined nor is what constitutes timely notice. Furthermore, it suggests physical mailings which are expensive, will not be timely, and are often ignored by customers. In practice, the hydraulic area impacted by a main break may be uncertain, and a treatment process change could implicate the entire system. Requiring written notices for these routine events would create notice fatigue, undermine the credibility of truly urgent public health messages, and impose significant administrative costs.
4. Several consumer measures listed in the required notice (Page 9, lines 5 through 16) are not appropriate as utility directed recommendations. Advising consumers to install a water filtration system or treatment device certified to remove Legionella bacteria shifts costs to customers without clear standards, applicability, or evidence of necessity for typical residential use. Legionella is most often associated with building plumbing and hot water systems. As such, risk reduction is best achieved through building water management programs, proper hot water system operation, and appropriate backflow protection for higher risk facilities, none of which are the responsibility or obligation of the water utility. As just one example, AWMD would not find it appropriate to instruct a customer to maintain “a temperature of at least 130 degrees Fahrenheit at the water heater outlet” as a temperature set too high creates a scalding risk and is contrary to energy conservation efforts. The bill already includes water management program requirements for covered buildings consistent with ASHRAE Standard 188, which is a more direct and evidence-based approach.

In addition, HB 204 contains implementation timing and compliance issues that warrant caution. As drafted, it establishes a compliance date of January 1, 2026 for new residual requirements, which is not practicable and conflicts with the Act’s stated effective date. Core drinking water standards and monitoring requirements are best developed through the established regulatory and primacy processes so they can be coordinated with existing State and federal requirements and calibrated to system specific conditions.

Thank you for considering this testimony. For the reasons described above, AWMD respectfully requests an **UNFAVORABLE** vote on HB 204. Please feel free to contact me at dkonstanski@artesianwater.com or (302-803-1226).

Sincerely,

A handwritten signature in blue ink, appearing to read 'DK', with a long horizontal flourish extending to the right.

Daniel Konstanski, P.E., BCEE
Vice President of Engineering