

HOUSE BILL 624

M3, E4

3lr2848

By: **Delegate Amprey**

Introduced and read first time: February 3, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Suppliers of Water – Notification Requirements**

3 FOR the purpose of altering the means by which a supplier of water must give notice to the
4 Department of the Environment and certain individuals and entities under certain
5 circumstances; requiring that a supplier of water use a certain minimum number of
6 means to give the notice; requiring a supplier of water to give notice to the
7 Department of the Environment and the Maryland Department of Emergency
8 Management if there is a positive test for E. coli in the system; requiring the
9 Department of the Environment and the Maryland Department of Emergency
10 Management to immediately begin certain preparations on receipt of a notice of a
11 positive test for E. coli in a public water system; and generally relating to public
12 water systems and suppliers of water.

13 BY repealing and reenacting, with amendments,
14 Article – Environment
15 Section 9–410
16 Annotated Code of Maryland
17 (2014 Replacement Volume and 2022 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Environment**

21 9–410.

22 (a) **(1)** Each supplier of water shall give notice to the Department and the
23 persons served by the system and shall give written notice to noncollegiate educational
24 institutions, public schools, family child care homes, and child care centers whenever the
25 system:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [(1)] (I) Fails to comply with an applicable maximum contaminant level,
2 treatment technique requirement, or testing procedure prescribed by a drinking water
3 regulation or fails to perform required monitoring;

4 [(2)] (II) Is subject to variance granted for an inability to meet a maximum
5 contaminant level;

6 [(3)] (III) Is subject to an exemption;

7 [(4)] (IV) Fails to comply with the requirements set by a variance or
8 exemption; or

9 [(5)] (V) Has concentration levels of an unregulated contaminant for
10 which the State may require notice due to the risk to public health.

11 [(b)] (2) Each notice **GIVEN UNDER PARAGRAPH (1) OF THIS SUBSECTION**
12 shall:

13 [(1)] (I) State the nature and possible health effects that may result;

14 [(2)] (II) Be provided to the persons served by the water system;

15 [(3)] (III) Be issued in a timely manner by **AT LEAST THREE OF THE**
16 **FOLLOWING** means [of radio, television, newspaper of general circulation, written notice,
17 or other means acceptable to the Department]:

18 1. **RADIO;**

19 2. **TELEVISION;**

20 3. **NEWSPAPER OF GENERAL CIRCULATION;**

21 4. **WRITTEN NOTICE;**

22 5. **TEXT MESSAGE;**

23 6. **ROBOCALL; OR**

24 7. **ANY OTHER MEANS AUTHORIZED BY THE**
25 **DEPARTMENT;** and

26 [(4)] (IV) Be in a form readily understandable by the affected population.

27 (B) (1) **IN ADDITION TO THE NOTICE REQUIREMENTS UNDER**

1 SUBSECTION (A) OF THIS SECTION, EACH SUPPLIER OF WATER SHALL GIVE NOTICE
2 TO THE DEPARTMENT AND THE MARYLAND DEPARTMENT OF EMERGENCY
3 MANAGEMENT IF THERE IS A POSITIVE TEST FOR E. COLI IN THE SYSTEM.

4 (2) ON RECEIPT OF A NOTICE UNDER PARAGRAPH (1) OF THIS
5 SUBSECTION, THE DEPARTMENT AND THE MARYLAND DEPARTMENT OF
6 EMERGENCY MANAGEMENT SHALL IMMEDIATELY BEGIN PREPARATIONS FOR
7 ISSUING A BOIL WATER ADVISORY.

8 (c) (1) By rule or regulation, the Secretary shall adopt notice requirements to
9 meet the requirements of this section.

10 (2) The rules and regulations shall establish notification standards and
11 procedures that include the manner, frequency, form, and content of the notices.

12 (d) For violations with the potential to have serious adverse effects on human
13 health as a result of short-term exposure, the supplier of water shall provide notice as soon
14 as practicable, but not later than 24 hours after the occurrence of the violation.

15 (e) For violations other than the violations described in subsection (d) of this
16 section, the supplier of water shall provide written notice to each person served by the
17 system in an annual report, or by mail not later than 1 year after the violation.

18 (f) (1) Each nontransient noncommunity water system, including those
19 systems that primarily provide bottled water, shall:

20 (i) At a frequency determined by the Department, test the water
21 provided by the system for the presence of methyl tertiary butyl ether; and

22 (ii) Report the test results to the Department.

23 (2) If a test conducted under this subsection indicates that the level of
24 methyl tertiary butyl ether in the drinking water exceeds the State advisory level, as
25 determined by the Department, the water system shall give notice of that fact to:

26 (i) The persons regularly served by the water system; and

27 (ii) If the water system serves a child care center, an elementary or
28 secondary school, or any other facility that regularly serves minors, the parents or legal
29 guardians of all minors regularly served by the water system.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2023.