



LEGISLATIVE UPDATE September 2024

Cyber Alert from Commonwealth Fusion Center:

Was sent 9/9/24 - The Cybersecurity and Infrastructure Security Agency, Federal Bureau of Investigation (FBI), and National Security Agency published joint Cybersecurity Advisory, [Russian Military Cyber Actors Targeting U.S. and Global Critical Infrastructure](#). In collaboration with other U.S. and international partners, the advisory provides tactics, techniques, and procedures (TTPs) associated with the Russian General Staff Main Intelligence Directorate (GRU) Unit 29155 cyber actors along with further analysis of the WhisperGate malware deployed against Ukraine.

Cyber actors affiliated with the Russian GRU Unit 29155 are responsible for computer network operations against global targets for the purposes of espionage, sabotage, and reputational harm since at least 2020. Initial access to compromise organizations is routinely accomplished by exploiting weaknesses in internet-facing systems and Common Vulnerabilities and Exposures, such as those listed in this advisory.

This advisory provides organizations with technical details to understand, detect, and mitigate this malicious activity. Recommended actions include prioritizing routine system updates and remediating known exploited vulnerabilities; segmenting networks to prevent the spread of malicious activity; and enabling phishing-resistant multifactor authentication for all externally-facing account services. Critical infrastructure organizations are encouraged to review the TTPs and Indicators of Compromise, as well as apply the recommended mitigations in this [joint advisory](#). For more information on Russian state-sponsored cyber activity, read CISA's [Russia Cyber Threat Overview and Advisories](#) webpage.

To report suspicious or criminal activity related to information found in this joint Cybersecurity Advisory, contact [your local FBI field office](#) or CISA's 24/7 Operations Center at Report@cisa.gov or (888) 282-0870. Please report any suspicious activity to your police department of jurisdiction and the Commonwealth Fusion Center at (508) 820-2233.

Lead & Copper

EPA just announced they have finalized their "improvements" to the Lead & Copper Rule and the proposal will be put out for public comment. EPA's summary of the changes is pasted below and a fact sheet is attached. The NEWWA Legislative & Regulatory Affairs Committee, of which MWWA is a member, is planning to develop comments to submit to EPA.

- Achieving 100% Lead Pipe Replacement within 10 years
- Locating Legacy Lead Pipes
- Improving Tap Sampling
- Lowering the Lead Action Level. *EPA is proposing to lower the lead action level from 15 µg/L to 10 µg/L. When a water system's lead sampling exceeds the action level, the system would be required to inform the public and take action to reduce lead exposure while concurrently working to replace all lead pipes. For example, the system would install or adjust corrosion control treatment to reduce lead that leaches into drinking water.*
- Strengthening Protections to Reduce Exposure



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- **DON'T FORGET THE "LEAD SERVICE LINE INVENTORY (LCRR)" INITIAL FULL INVENTORY DUE OCTOBER 16, 2024.**
 - Submit the completed **Service Line Inventory (SLI)**. **Failing to submit your inventory by this deadline will result in enforcement by EPA.**
 - Submit the **LCRR Certification of Non-Lead Service Lines and Request for Approval** (If the PWS has no lead, galvanized requiring replacement (GRR), and lead status unknown service lines).
 - Make your **SLI (or Non-Lead statement) publicly accessible.**

- MassDEP recommends that PWS that do not have Lead, GRR, or lead status unknown (UNK) service lines submit their SLI and NON-LSL Certification form **prior to October 16, 2024**, to receive approval for your SLI prior to October 16, 2024. However, PWS **MUST** make their SLI publicly accessible or post a No-Lead statement in a publicly accessible location **by October 16th**.
 - Prepare to use the **Tier 1 24 Hour Public Notice** if your PWS exceeds the lead action level.
 - **By October 30, 2024:** Submit the **SLI Certification Form**. The SLI Certification Form is provided upon the submission of your SLI. This document is only available upon the submission of the SLI and is not available online.
 - **By November 15, 2024:** Deliver all required **service line material consumer notices** to consumers with lead, GRR, or lead status unknown service lines.

Per- and Polyfluoroalkyl Substances (PFAS)

In this final rule, EPA is setting limits for five individual PFAS: PFOA, PFOS, PFNA, PFHxS, and HFPO-DA (known as GenX Chemicals). And EPA is also setting a hazard index level for two or more of four PFAS as a mixture: PFNA, PFHxS, HFPO-DA, and PFBS:

Chemical	Maximum Contaminant Level Goal (MCLG)	Maximum Contaminant Level (MCL)
PFOA	0	4.0 ppt
PFOS	0	4.0 ppt
PFNA	10 ppt	10 ppt
PFHxS	10 ppt	10 ppt
HFPO-DA (GenX chemicals)	10 ppt	10 ppt
Mixture of two or more: PFNA, PFHxS, HFPO-DA, and PFBS	Hazard Index of 1	Hazard Index of 1
Maximum Contaminant Level Goal (MCLG): The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety and are non-enforceable public health goals.		



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Planning Ahead for Round 2 of AWIA Compliance

It's not too soon to begin preparing for the second round of compliance with the American Water Infrastructure Act (AWIA) 2025/2026.

AWIA was first passed in 2018 and requires community water systems to certify that they have prepared and updated their Risk and Resilience Assessments (RRAs) and Emergency Response Plans (ERPs). Community water systems are required to recertify to EPA that their RRAs and ERPs are up to date every five years. The first year of compliance was in 2020.

With changes from the past five years including supply chain issues, cybersecurity, and increased funding opportunities, water systems may have a lot to update in their RRAs and ERPs.

Community Water Systems that serve over 3,300 people

The following table describes the due dates for community water systems to certify their RRAs and ERPs to EPA, based on the size of the community water system. Certifications for ERPs are due within six months of the RRA's certification, but no later than the dates specified below.

Community Water System Size (Population Served)	Certify Risk & Reliance Assessment (RRA) by	Certify Emergency Response Plan (ERP) within 6 months of RRA, but no later than
>100,000	March 31, 2025	September 30, 2025
50,00 - 99,999	December 31, 2025	June 30, 2026
3,300 – 49,999	June 30, 2026	December 30, 2026

Risk and Resiliency Assessment (RRA) is an assessment of a water system's assets and the risks to and resilience of those assets to malevolent acts and natural hazards. RRAs include an evaluation of the capital and operational needs for a system's risk and resilience management.

Emergency Response Plan (ERP) is a document that incorporates the findings from the RRA to create action plans and gather critical information for water systems to respond to emergencies in their system. The ERP should include ways to improve resilience, plans for responding to emergencies, actions to lessen the impact of malevolent acts or natural hazards, and strategies to detect malevolent acts or natural hazards.

Note: PWS performed a cybersecurity assessment as part of their ERP preparation and certification back in 2020/2021. These cybersecurity assessments can be used to meet MassDEP's requirements regarding cybersecurity assessments, if a PWS does not have a more recent assessment. When updating the ERP for the next round of AWIA compliance, PWS may need to perform an updated cybersecurity assessment.