Kentucky Water Utilities Advisory Committee (KWUAC)

Regular Meeting Minutes October 9, 2026, TIME: 10:00 am ET

Location: 300 Sower Blvd, Frankfort, KY 40601

Members Present (In-Person & Virtual)

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i. Welcome and Call to Order:

After resolving some technical difficulties, the regular meeting of the Kentucky Water Utilities Advisory Committee (KWUAC) was called to order at approximately 10:14 am by DOW Director Sarah Marshall. Director Marshall welcomed the members and guests in attendance and confirmation that the meeting was being recorded.

ii. DOW Updates:

a. **Staff Updates:**
Director Marshall informed everyone of staff changes within the Division.
- Lem Colón – new Branch Manager for the Program, Planning & Support Branch
- Andrew Parrish – moved into consultant role in the Surface Water Permits Branch, currently interviewing for his replacement as supervisor of the vacant position of Industrial Section Supervisor.

b. **Regulation Updates: John Webb, Assistant Director, John.Webb@ky.gov**

DOW Assistant Director Webb provided an update on its ongoing administrative regulation revision effort, which is required under Kentucky law to maintain regulations on a seven-year review cycle. The Division is updating 21 administrative regulations to maintain consistency with current federal requirements, modernize outdated language, and incorporate forms and other materials that are currently used but not formally referenced in regulation. Stakeholders are encouraged to participate in the pre-vetting process through RegWatch, a notification system for regulatory updates. Comments submitted during pre-vetting help inform draft regulations, while opportunity to provide official responses will be provided during the formal public comment period.

- **The Seven-Year Review Cycle:** Under Kentucky law (specifically KRS 13A.3102), all state administrative regulations are subject to a mandatory expiration or review cycle every seven years to ensure they stay relevant and updated.
- **The Regulations Update:** The Kentucky Division of Water updates is updating large batches of regulations (such as Chapter 8 primacy or wastewater standards) to align with modern federal benchmarks, fix obsolete terminology, and formalize standard

operating materials.

- **Pre-Vetting and RegWatch:** Kentucky officially utilizes RegWatch, an automated email notification system, to alert subscribers about proposed changes. DEP agencies are utilizing a "pre-vetting" stage using the RegWatch distribution lists to gather early stakeholder feedback before regulations are formally filed with the Legislative Research Commission.

1. **Regulations Currently in Pre-Vetting**

The Division has released five regulations for stakeholder review:

Water Quality Certification (Chapter 9)

- 401 KAR 9:010. Section 401 Individual Water Quality Certification public notice
- 401 KAR 9:020. Section 401 Water Quality Certification fees and certification timetable

2. **Currently on Public Notice September 3 – November 30 – Public Hearing on November 23**

Chapter 8 (Drinking Water)

- 401 KAR 8:075 – Consumer Confidence Reports
- 401 KAR 8:250 – Chemical Sampling and Analytical Requirements
- 401 KAR 8:300 – Lead and Copper

3. **Schedule for additional regulations:**

Chapter 4 (Dam Safety & Floodplains) regulations

- Pre-vetting anticipated November-December 2026

Chapter 5 (Water Quality) regulations

- Pre-vetting anticipated December 2026 or January 2027

Remaining Chapter 8 (Drinking Water) regulations

- Pre-vetting is expected December 2026 or January 2027. Primacy regulations are being prioritized to ensure Kentucky maintains federal primacy

iii. Cyber Security:

Clyde P. Roark, Cybersecurity Advisor - Region 4 (Gulf Coast), Cybersecurity and Infrastructure Security Agency (CISA) provided a briefing about utility cyber security. These are the key highlights to the attached briefing:

a. The Core Threat Landscape:

1. **Targeting Operational Technology (OT):**
   Threat actors are actively compromising Programmable Logic Controllers (PLCs) and Human-Machine Interfaces (HMIs). Insecure configurations allow remote

adversaries to modify IP addresses, alter system settings, and lock out local operators, creating serious public health risks.

2. **A Shifting Geopolitical Landscape:**
   U.S. water infrastructure faces heightened risks from highly capable foreign state actors, including Iranian-backed groups (such as IRGC-affiliated cyber actors), Russian hacktivists, and Chinese state-sponsored groups like Volt Typhoon.
3. **Systemic Compliance Deficiencies:**

   Joint data from agencies like the EPA and CISA shows that more than 70 percent of inspected water systems violate basic cybersecurity requirements, frequently operating with unpatched legacy components, unencrypted cellular modems, or default factory passwords.

b. Key Cyber Defensive Actions:

To secure departments of water, CISA outlines a blueprint of fundamental mitigation tactics:

1. **Reduce Internet Exposure:**
   Disconnect public-facing PLCs, HMIs, and other OT hardware directly from the internet.
2. **Mandate Credential Hygiene:**
   Change default factory passwords instantly and enforce strict multi-factor authentication (MFA) across all networks.
3. **Conduct Asset Inventories:**
   Formally document all IT/OT endpoints, focusing on tracking rogue or legacy vendor-installed cellular modems.
4. **Isolate Remote Access:**
   Route any necessary remote connections through secure Virtual Private Networks (VPNs) hardened with IP allow-lists.
5. **Utilize Federal Screening:**
   Leverage CISA's No-Cost Cyber Vulnerability Scanning to identify open network exploits before bad actors find them.

   Water sector cybersecurity best practices presentation

iv. Subcommittee Review:

- Director Marshall reviewed the KWUAC subcommittees and introduced the subcommittee chairs. She explained the intention to reduce the number of subcommittees to five.

- The new list of Subcommittees and DOW Chairs are as follows:

Subcommittees:

Asset Management: DOW Chair: Hollie Delaney, Water Infrastructure:

The Asset Management subcommittee discusses strategies to help drinking water and clean water utilities manage and maintain critical infrastructure. This subcommittee will also work to address water management planning and water loss.

https://forms.cloud.microsoft/g/Y3zwtXh2kh

Lead in Drinking Water: DOW Chair: Elizabeth Dowling, Drinking Water:

The Lead in Drinking Water subcommittee assists water systems and partners in understanding the requirements of new revisions to the Lead and Copper Rule, as well as providing a forum for members to brainstorm and share ideas for replacing lead service lines and reducing impacts of lead in drinking water. The subcommittee collaboratively creates guidance documents, assists the Division of Water in understanding technical and compliance assistance needs related to lead in drinking water.

https://forms.cloud.microsoft/g/cVN67ELEJd

Nutrients: DOW Chair: Paulette Akers, Watershed Management:

The Nutrients subcommittee discusses the removal of nitrogen and phosphorous from wastewater effluent and emerging treatment technologies for removal. The topic is wastewater skewed, but we welcome drinking water folks who are interested in the topic.

https://forms.cloud.microsoft/g/gRbQHQqvGe

Source Water Protection: DOW Chair: Dale Booth, Watershed Management:

Purpose: To provide guidance on statewide SWP initiatives and to disseminate information to stakeholders.

Mission: To promote, support and coordinate efforts to protect the quality and the quantity of drinking water sources in the Commonwealth of Kentucky.

SWP Subcommittee Goals:

GOAL 1: Funding and Planning – Identify funding and provide resources to support source water protection planning.

GOAL 2: Communication – Enable communication and information sharing opportunities to promote source water protection.

GOAL 3: Education and Outreach – Identify planning, education, and outreach goals to effectively implement source water protection efforts.

GOAL 4: Emerging Topics – Share information on current or upcoming topics, events, legislation, and professional development opportunities and provide avenues for comment.

https://forms.cloud.microsoft/g/DFJa6XmZHR

Operator Recruitment & Development: Chair: Victoria Roland, Division of Enforcement:

The Operator Recruitment and Development Subcommittee's focus is on identifying and addressing challenges related to recruiting, training, and retaining qualified water and wastewater operators. The subcommittee works to develop strategies and resources to encourage individuals to enter the profession, support new operators as they build their skills and experience, and promote career development opportunities for operators throughout Kentucky.

https://forms.cloud.microsoft/g/yTGJ2nLupc

v. Future meetings:

- Director Marshall proposed shifting the official meeting schedule for the KWUAC Fridays to Tuesdays. This change is intended to optimize attendance and align better with member availability. Future dates are as follows:
- Tuesday, March 23, 2027 at 10:00 am
- Tuesday, June 15, 2027 at 10:00 am
- Tuesday, September 21, 2027 at 10:00 am
- Wednesday, December 1, 2027 at 10:00 am (Tuesday was unavailable)

vi. Adjournment

- There being no further business, Director Marshall closed the meeting at 11:50 am.