

# Exclusion Request Template

Version: February 05, 2026

# INTRODUCTION

10 NYCRR Part 5, Subpart 5-1 requires suppliers of water to ensure that public water systems are properly supervised, operated, and protected as to prevent public health hazards. Appendix 5-E establishes requirements for a cybersecurity program. If conditions are met, operators may apply for an exclusion from the requirements contained within Appendix 5-E. This document provides a checklist of requirements for a system to be excluded from the requirements.

## PURPOSE

The purpose of this document is to provide a standardized template for operators to apply for an exclusion. This template identifies the minimum elements necessary to demonstrate that a supplier of water has:

- Met or exceeded the exclusion requirement of Appendix 5-E;
- Conducted a review of all connections both physical and logical; and
- Addressed any conditions which might allow the system to connect to external networks.

The format of this template may be modified as necessary to reflect system size, complexity and operational structure provided all required elements of Appendix 5-E are included.

## AUDIENCE

This template is intended for use by community water system owners:

1. Suppliers of water who service combined retail and wholesale populations of greater than 3,300 as defined by 10 NYCRR Subpart 5-1; and
2. Authorized representatives, designated individuals, operators, consultants, or contractors responsible for cybersecurity, Supervisory Control and Data Acquisition (SCADA) policies, information technology or operational technology supporting public water systems.

## DISCLAIMER

This template represents the minimum required content for exclusion pursuant to Appendix 5-E. Each community water system is unique and additional internal documentation, controls, or procedures may be necessary based on system specific risks. If any changes occur to the system an updated form may be required to maintain an exclusion.

**NOTE:** Bracketed text throughout this document is instructional and does not need to be included in the final certification.

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# Cybersecurity Exclusion Checklist

*[Instructions: Use this checklist to assess completeness of the certification required by Appendix 5-E.]*

- Public Water System Identification
- System Location and Ownership
- Designated Individual Information
- Date of Certification
- Physical Isolation Verification
- Logical Isolation Verification
- External Network Isolation Verification
- Original Equipment Manufacturer or Installer Information
- Certification

## Submission & Approval

Following the completion of this form please submit this document to the following email:

[TPP@health.ny.gov](mailto:TPP@health.ny.gov)

**Do not** include any **sensitive information** which can include but is not limited to network address information, usernames, passwords or specific hardware in use. Once an exclusion request is received a representative from the Department will review the document and reply as soon as possible. A letter detailing the decision will be provided.

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# Cybersecurity Exclusion Request

10 NYCRR, Part 5, Subpart 5-1, Appendix 5-E

Prepared for:

Prepared by:

Effective Date:

Version:

**Disclaimer:** Please **do not** include system specific details such as brand names of devices, passwords, usernames or other potentially sensitive information. If more details are needed a representative from the Department will reach out via telephone.

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## Section 1: General Information

<b>Public Water System Name:</b>
<b>PWS ID Number:</b>
<b>System Type:</b>
<b>Population Served:</b>
<b>Street Address:</b>
<b>City/Town/Village:</b>
<b>County:</b>

## System's Designated Individual or Primary Contact Information

<b>Company or Organization Name:</b>
<b>Point of Contact Name:</b>
<b>Title:</b>
<b>Phone (Office):</b>
<b>Phone (Mobile):</b>
<b>Email Address:</b>
<b>Street Address:</b>
<b>City, State, ZIP Code:</b>

## Section 2: Physical Isolation Verification

1. Does the Operational Technology (OT) system have any physical wired connection to the facility's Information Technology (IT) network?  
 Yes  
 No

2. Are there any unused network ports, cabling or infrastructure that could provide connectivity if plugged in?  
 Yes  
 No
3. Does the system have any physical interfaces that are in use? (ethernet ports, Universal Serial Bus (USB) ports, serial connections etc.).  
 Yes  
 No
4. Has a physical walkthrough been performed to confirm that all network cabling to the system, is absent, removed, or blanked?  
 Yes  
 No

### Additional Narrative (optional)

*[Describe any additional explanation as necessary to clarify responses above.]*

## Section 3: Logical Isolation Verification

5. Does the OT system contain built-in wireless capabilities?  
 Yes  
 No
6. Does any component of the system broadcast or scan for wireless networks?  
 Yes  
 No
7. Does the OT system use any logical interface?  
 Yes  
 No

8. Has a network discovery scan been conducted to confirm no IP-addressable interface is active?
- Yes
  - No

### Additional Narrative (optional)

*[Describe any additional explanation as necessary to clarify responses above.]*

## Section 4: External Network Isolation Verification

9. Does the system have any pathway to external networks?
- Yes
  - No
10. Is the system addressable from any network outside the control panel, including during maintenance or vendor support?
- Yes
  - No

### Additional Narrative (optional)

*[Describe any additional explanation as necessary to clarify responses above.]*

## Section 5: Original Equipment Manufacturer (OEM) or Installer Information

11. Does the vendor provide remote diagnostics features?
- Yes
  - No

12. Does the OEM manual identify any default wireless modes or network requirements?

Yes

No

### Additional Narrative (optional)

*[Describe any additional explanation as necessary to clarify responses above.]*

## Section 7: Attestation

By signing below, I attest that:

- There are no physical connections to IT systems.
- There are no logical or wireless connections to IT systems.
- The OT system has no connections to external networks.
- Any built-in radio transmission capabilities are disabled.
- The system cannot transmit, receive, or pass data to any non-OT network.
- The Information contained in this document is true and accurate to the best of my knowledge.
- I am authorized to submit this certification on behalf of the supplier of water.

<b>Printed Name:</b>
<b>Title:</b>
<b>Company:</b>
<b>Signature:</b>
<b>Date:</b>

FOR DEPARTMENT USE ONLY

## Section 8: Department Review

<b>Reviewed By:</b>			
<b>Approval Status:</b>	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Pending Further Review
<b>Comments:</b>			
<b>Signature:</b>			
<b>Date:</b>			

# Definitions

1. *Logical Connection* – Any software/configuration-based pathways that allow the movement of data between systems. This can include but is not limited to:
  - Programmable logic controller sending requests via Modbus
2. *Logical Interface* – Software defined endpoint that specifies how systems are allowed to communicate.
  - IP address
  - Ports on a server
3. *Physical Connection* – Direct links between devices or networks using cables or other hardware. Some examples may include:
  - Ethernet, coaxial, serial, fiber optic, and USB cables
  - Switches, routers, patch panels
4. *External Network* – Services, systems, or networks that are outside the control of the organization’s networks and can interact with OT/IT. These can include but are not limited to the following:
  - The internet
  - Remote or cloud-based services
  - Cellular networks, satellite links, or unmanaged WiFi
5. *Operational Technology (OT)* - Programmable systems or devices that interact with the physical environment (or manage devices that interact with the physical environment). These systems/devices detect or cause a direct change through the monitoring and/or control of devices, processes, and events. Examples specific to drinking water systems could include:
  - SCADA systems that control pumps and monitor tank levels
  - Programmable Logic Controllers (PLCs) that handle chemical feed and filtration cycles
  - Remote Terminal Units (RTUs) for sending field data to operators
6. *Information Technology (IT)* – Computers, networks and software used for administrative purposes such as record keeping and business operations. These could include some of the following:
  - Utility email and staff computers
  - Customer billing and metering databases
  - Cloud-based reporting platforms and storage systems
  - Local storage devices for Standard Operating Procedures (SOPs), permits and reports