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Senate Committee on Environment and Public Works
Oversight Hearing on Federal Drinking Water Programs

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Room 406

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Testimony of

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Chairman Boxer, Ranking Member Inhofe and members of the Committee. I am Gene Whatley, Executive Director of the Oklahoma Rural Water Association (ORWA). Thank you for allowing me to share some of my thoughts this morning about the impact of federal drinking water regulations on small water systems in Oklahoma. I would also like to take this opportunity to thank Senator Inhofe for his efforts to protect the environment and his leadership in working for practical, reasonable and affordable drinking water regulations.

The Oklahoma Rural Water Association represents 458 member rural water district and small community water systems that serve over 800,000 people in rural Oklahoma. The majority of our members are small and very small systems with the average system serving approximately 700 connections.

When I started to work with the Association in 1978, EPA had developed regulations for seven or eight contaminants. During the past thirty years the

number of regulated contaminants has steadily increased to near 100 today. Each new regulation has a cost. Whether it's for monitoring, additional personnel, increased treatment costs or infrastructure improvements every new mandate places an added burden on small systems with limited financial resources.

Many of the EPA regulation, such as testing for bacteria, filtration of surface water, regulation of nitrates, etc. have made our water safer. But, I believe that many of the regulations and water quality standards are unnecessary and the benefits of the regulations do not justify the cost. Many of the rules are complex and very difficult to understand and implement for both the water systems and the state regulatory agencies. This is a significant problem for small systems that do not have experienced, full time operators. Many of the small systems operators do not understand the regulations and they do not know what they need to do to comply. Systems are having to spend too much time and money trying to comply with unnecessary regulations. As a result, systems don't have the money to make system improvements to better serve existing customers or expand service to areas where individuals are on unsafe private wells. Water systems spend money on unnecessary testing that they could be using to upgrade their infrastructure to provide more reliable service.

Public notification is another concern. Public notification requirements are unrealistic. Systems have to provide public notice for paper violations when there is no verified threat to public health. The public notice requirements have become a form of punishment for the water system rather a means of protecting the public when there is a real threat to public health.

When the Disinfection/Disinfection Byproducts Rule went into effect a few years ago, seventy five percent (75%) of the 250 surface water treatment plants in Oklahoma were unable to comply. With training and technical assistance provided by ORWA and the Oklahoma Department of Environmental Quality compliance has improved. Currently over fifty percent (50%) of systems in the state are in compliance with the rule. But, the cost of compliance has been high. For many systems operating costs have escalated dramatically. On one system the cost, just for chemicals alone, has gone from \$1,800.00 to \$18,000.00 per month. It has also

been necessary for some systems to upgrade their treatment processes, or construct new water treatment plants, at a cost of hundreds of thousands dollars.

Stage 2 of the disinfection/disinfection byproducts rule affects over 1,000 purchase water systems in our state. Operators of these purchase systems have no experience with water treatment and are not aware of what the rule requires of them. The cost of required monitoring is a hardship for some systems and some are concerned that they may be required to install some form of treatment to comply with the disinfection byproducts standards. Other systems in Oklahoma continue to struggle with the expense and technical aspects of how to comply with the new groundwater rule, arsenic rule and other EPA regulations.

The governing boards and operators of public water supply systems want to comply with federal regulations and provide the best quality water possible to their customers. To achieve this objective systems need training to educate operators and board members on the drinking water regulatory requirements and technical assistance is needed to provide on-site, hands-on help for operators in troubleshooting problems and evaluating alternatives for enhancing or improving operations or treatment processes. Rural Water Training and Technical Assistance is the primary source of help for small community water systems. These programs have contributed substantially to better compliance with federal drinking water and clean water regulations and helped to improve system management, operations and viability. Continued funding for training and technical assistance is essential to maintain grassroots support and assistance for small water systems.

For water systems to be successful in complying with federal regulations and meeting the present and future needs of their communities, adequate, low cost financing must be available for system development and infrastructure improvements. Systems in Oklahoma and around the nation rely heavily on the Drinking Water SRF and Clean Water SRF for financing system improvements. The program is well managed and very effective in helping systems meet their water and wastewater needs. We encourage Congress to continue funding for these very important programs.

Madam Chairman that concludes my remarks. Thank you again for the opportunity to appear before the Committee today.