TESTIMONY OF

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SCOTT DEPOT, WEST VIRGINIA

ON BEHALF OF

PUTNAM PUBLIC SERVICE DISTRICT,

THE WEST VIRGINIA RURAL WATER ASSOCIATION, AND

THE NATIONAL RURAL WATER ASSOCIATION

BEFORE THE

THE U.S. SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

SUBCOMMITTEE ON WATER AND WILDLIFE

FEBRUARY 4, 2014

"Examination of the Safety and Security of Drinking Water Supplies Following the Central West Virginia Drinking Water Crisis"

Introduction

Good morning, Mr. Chairman and Members of the Subcommittee. It is an honor to be here. My name is Mike McNulty, and I am the general manager of the Putnam Public Service District (PSD) which is a drinking water supplier just outside of Charleston, West Virginia. I live in Charleston, and my family and the residents of greater Charleston have been dealing with the contamination of our drinking water for the past 3 weeks and 5 days. I am primarily here to talk about source water protection and preventing drinking water contamination from the perspective of our drinking water supply and on behalf of the West Virginia Rural Water Association and the National Rural Water Association which has over 30,000 drinking water supply member systems. I want to thank our state's junior Senator, Joe Manchin, for his assistance during this crisis and for the leadership he has shown in crafting common-sense policy solutions to ensure this type of event never occurs again. Thank you very much Senator Manchin. I would also like to thank Governor Earl Ray Tomblin for working directly with the affected communities in our area.

Putnam PSD's water supply has an extensive source water protection plan and it is highly unlikely that a similar event could impact our raw water reservoir. I will attempt to explain why our plan is effective and what federal, state, and local policies promote dynamic source water protection plans in our country's 51,651 community drinking water supplies. One primary mission of the National Rural Water Association is to assist community drinking water supplies in adopting source water protection plans. We have assisted over 1,000 communities to adopt plans.

Key Points

Six essential policy principles needed to promote effective protection plans include:

1. Recognition that the best plan is the one that was developed by the local officials who know their particular vulnerabilities;
2. recognition that local responsibility for protecting local resources is more effective than additional mandates;
3. acknowledging existing agreements resolving land-use or zoning conflicts within local government jurisdictions;
4. providing federal resources, expertise, and education - including publicly identifying inadequate plans to the public and local governments;
5. public disclosure of all potential sources of contamination to allow the public and governments to prepare for or regulate them;
6. and constant vigilance of the local communities and governments that depend on the water source to identify new threats and improve protection.

Putnam SWP

Consider my water supply. We can treat up to 4 million gallons of water each day, gathered from a series of streams to supply 23,000 people with their drinking water. The streams upon which we depend for water are, like all surface water sources, vulnerable to contamination similar to what occurred in Charleston. We have completed an extensive contamination prevention plan, emergency contingency plan, and contamination detection plan to protect our population. Combined, these documents contain about 60 pages of maps, data, contingencies, plans, intergovernmental agreements, and contact information. I did bring one hard copy of the plan with me today. In order for this document to work, it can't just sit on the self after completion – the local officials who implement it *must* believe it is necessary and influences their daily conduct and attitude. Our delineated watershed map and the watershed map overlaid with the potential sources of contamination are on display here, and on display at our water plant and is accessible on most of our computers. An assessment of the watershed identifies the potential contamination threats from trucks stops that service vehicles carrying a number of chemicals, an interstate railroad with numerous potential threats moving by each day, and a number of commercial enterprises like gas stations and auto repair shops. Of course, it is not feasible to think we could remove all of these threats from the watershed, so we have implemented a number of policies to minimize the effect from a potential spill, quickly detect a spill, and establish emergency contingencies, including interconnections with neighboring water supplies. For some of the potential threat sites, storm water run-off mediation practices have been installed. Perhaps the most important element of our plan is constant monitoring of our source water. We have a small reservoir that collects water from the watershed before the water is then pumped to a large reservoir approximately one mile away. The water then returns to the water plant for treatment. This gives us a unique ability to test the water before it enters our larger reservoir. This is what we refer to as "pre-source water." We are continually testing both of these reservoirs for pH, turbidity, the amount of biological

indicators in the water, odor (which can be more sensitive than some lab detections), and temperature, which will detect contaminants similar to those that were in Charleston's water. All of the pre-source water testing is voluntary, adopted by our utility's staff to implement our program

Because we have two reservoirs, we only pump to the second reservoir when the first one has been tested safe. This procedure enables us to secure and sequester the second reservoir if contamination is ever detected in the streams and our first impoundment. Even if we did find contamination, the second reservoir is isolated with approximately six months of treatable water, which would give us that same amount of time to remediate the source of contamination.

The federal government requires us to conduct hundreds of drinking water tests each year, but none of the pre-source water tests I mentioned are mandated by federal agencies. I point this out to illustrate how difficult it is to have a federal regulatory solution to this issue. Every one of the 51,651 U.S. drinking water supplies has a unique set of vulnerabilities and challenges, and if you apply a uniform regulatory standard to mandate protection in all of them, you will end up not addressing the greatest risks in many communities, and forcing many other communities to implement unnecessary regulations that fail to address their threats

We maintain an excellent relationship with first responders, state governmental authorities, and local organizations. The more our public knows about what is potentially threatening, the better. Public disclosure of all potential sources of contamination and public education campaigns can be a very effective method to engage individuals. Communities can take action and adopt strict plans with the understanding that they have the civic power to influence policy and know who is accountable if things go wrong.

The West Virginia Rural Water Association and the National Rural Water Association have been advocating for local communities to adopt protection measures for decades. They directly assist communities like mine with technical resources to complete and implement a protection plan. I mentioned the 1,000 communities that have completed the rural water process and are actively protecting their source water. Consider how many contamination events may have been prevented in these communities as a result of proactive source water protection planning.

Closing

I will close with a suggestion for a federal response in the aftermath of the Charleston crises that allows for some immediate protection and does not require any grand spending program or any expansion of federal unfunded mandates. This suggestion relies on the advancement of information technologies to educate and empower the public to protect their own resources

In a novel governmental experiment a few years ago, Congress provided a small package of funding to the state agencies that protect ground water to design and publish on the internet a public disclosure database of all chemicals used in hydraulic

fracturing events. This experiment proved to be widely successful. As it was created by the states, it was more accountable to state priorities and supported by local governments. For a small federal investment, this data-system could begin to publicly disclose all watersheds, all potential threats within those watersheds, the list of all communities that have adopted protection plans, copies of each protection plan, a grading system for communities taking action, etc. Communities could populate the data-system with their localized information. All of this would provide direct access to environmental data, governmental response information, and governmental accountability to the public. In addition, it would create a climate of peer pressure or polite competition for communities to highlight their initiatives. We can all agree that every city and state thinks it is doing the best job, and this system would allow the public to make sure their claims are accurate. Large communities and states would likely have the resources to complete plans and showcase their successes. Additional technical assistance could be provided to assist smaller communities that lack technical resources; 94% of community drinking water systems serve a population of fewer than 10,000 people.

Thank you Mr. Chairman, and on behalf of all small and rural communities, we are grateful for your attention and assistance.

Image 1

State of West Virginia
Source Water Assessment and Protection Program

Source Water Assessment Report

South Putnam PSD
Putnam County
PWSID: WV3304011

Prepared by:

West Virginia Department of Health and Human Resources
Bureau for Public Health
Office of Environmental Health Services
Source Water Protection Unit

Image 2

SOURCE WATER PROTECTION PLAN

Putnam Public Service District
PWSID No. WV3304011

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West Virginia Department of Health & Human Resources
Bureau for Public Health
Office of Environmental Health Services

Project No. 0101-08-0445-525

February 16, 2011

TERENCE C. HORAN REGISTERED 12989 STATE OF WEST VIRGINIA PROFESSIONAL ENGINEER

POTESTA

Image 3

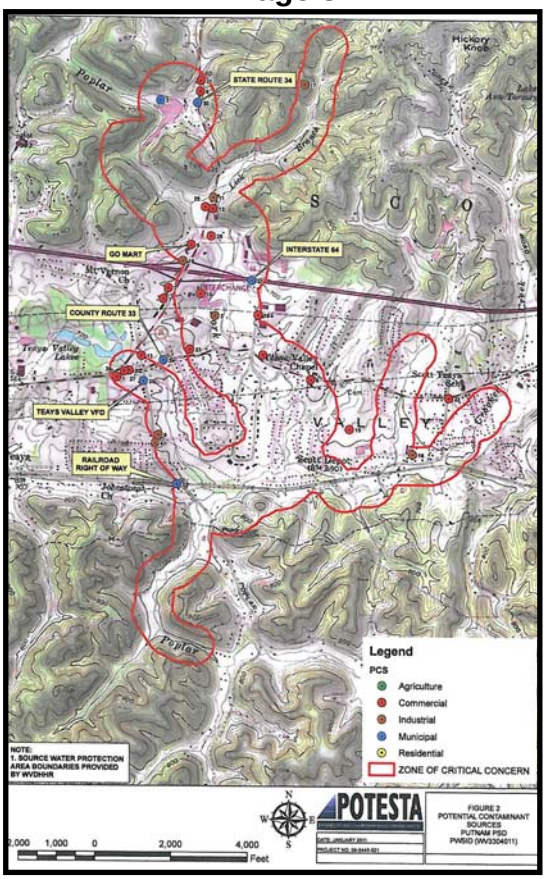
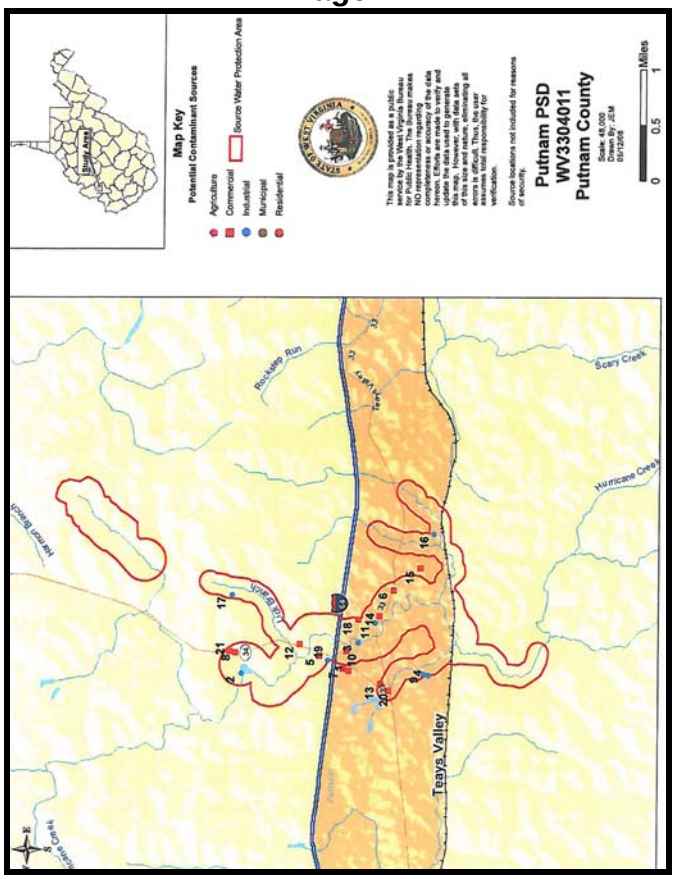
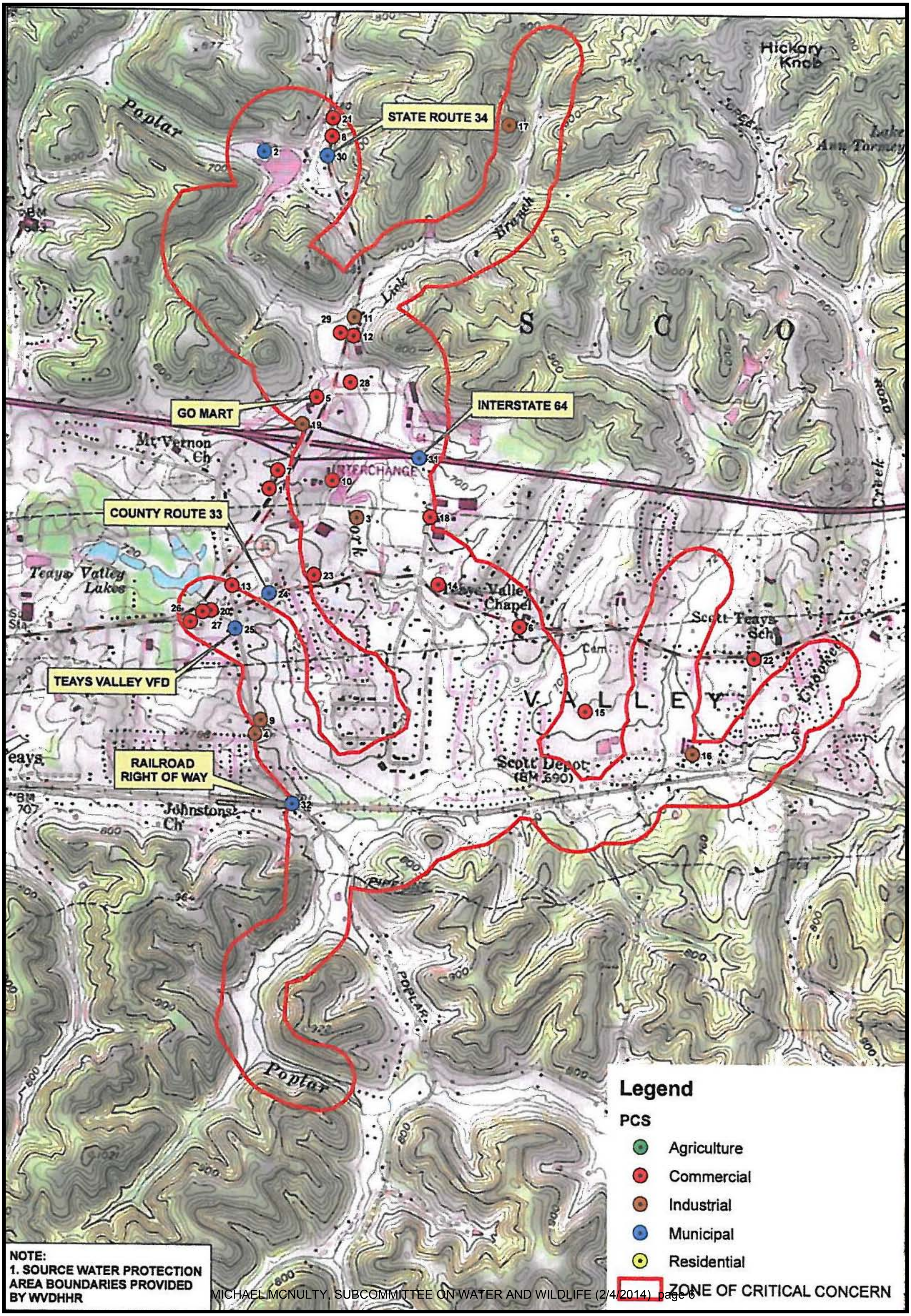


Image 4




STATE ROUTE 34
GO MART
INTERSTATE 64
COUNTY ROUTE 33
TEAYS VALLEY VFD
RAILROAD RIGHT OF WAY
Hickory Knob
Poplar
Lick Branch
Mt Vernon Ch
INTERCHANGE
Teays Valley Lakes
Teays Valley Chapel
Scott Teays Sch
VALLEY
Scott Depot (BM 690)
Johnstons Ch
Legend
PCS
Agriculture
Commercial
Industrial
Municipal
Residential
ZONE OF CRITICAL CONCERN
NOTE:
1. SOURCE WATER PROTECTION AREA BOUNDARIES PROVIDED BY WVDHHR

Conservation Programs

Source Water Protection Program

What is the Source Water Protection Program (SWPP)?

The Source Water Protection Program (SWPP) is a joint project with the U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) and the National Rural Water Association (NRWA), a non-profit water and wastewater utility membership organization. The SWPP is designed to help prevent pollution of surface and ground water used as the primary source of drinking water by rural residents.

How does SWPP work?

Through NRWA, full-time rural source water technicians with practical experience are hired. The technicians work with specialists from the USDA Natural Resources Conservation Service (NRCS) and state and county FSA staff, to identify areas where pollution prevention is most needed. Once areas for pollution prevention are identified, technicians work with state rural water associations to create local teams made up of citizens and individuals from federal, state, local, and private organizations. These teams collaborate to create a Rural Source Water Protection plan to promote clean source water. The plan identifies voluntary actions that farmers and ranchers can install to prevent source water pollution.

Why is SWPP important?

Clean drinking water is critical. The SWPP works at a grassroots level to educate and inform rural residents about steps they can take to prevent water pollution and improve water quality. Most importantly, it is the local community that helps create the water protection plan and is invested in its success.

For more information on enrollment, eligibility, and land requirements, please scroll down to the **Participant Information** section on the page.