



Senate Hearing

October 15, 2021

In the Matter of:

Senate Committee On Environment And Public Works, Chairman Tom Carper (D-Del.) Hearing

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IDENTIFYING UNIQUE CHALLENGES FOR SMALL,
RURAL, AND DISADVANTAGED COMMUNITIES
IN ACCESSING AND MAINTAINING DRINKING WATER
AND WASTEWATER INFRASTRUCTURE ASSISTANCE

FIELD HEARING
BEFORE THE
COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS
OCTOBER 15, 2021

The Committee met, pursuant to notice, at
11:00 a.m. at Kent County Levy Court, 555 South Bay Road,
Dover, Hon. Thomas R. Carper (Chairman of the Committee)
presiding.

Present: Senators Carper, Capito, and Coons.

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1 here in Delaware decided they wanted a capital in Dover.

2 And we have had a capital here for a long time.

3 We've had an Air Force base here for a

4 long time as well. And an award was made by the Air

5 Force every year as the Commander in Chief's Award for

6 the best airlift base on the planet. Dover Air Force

7 Base, I think, has won it more times than anyone else.

8 And also, you know, the site for the remains of our

9 fallen heroes, when they come back to this country to be

10 united with their family members.

11 We have some businesses here. We used to

12 have a -- you used to be able to find in Dover, on

13 certain mornings of the week, it smelled like chocolate

14 because we had a chocolate factory, chocolate pudding

15 factory. We still have the factory. They make other

16 things now. And we have, oh, gosh, any number of

17 businesses that are located here in our state capital.

18 We also have, part of our national park is

19 here and a couple of great state parks as well. So

20 that's just a little bit about Dover.

21 I'd like to just also mention that before

22 we had governors, we had presidents in the state, and one

23 of our early presidents was a guy named Caesar Rodney.

24 And Caesar Rodney's famous for riding his horse a couple

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1 SENATOR CARPER: Good morning, everyone.

2 I'm Tom Carper, and I have the privilege of serving with

3 Senator Capito as the Majority Chair of the Committee on

4 Environment and Public Works. She's our ranking member

5 and she hosted just a terrific field hearing yesterday in

6 West Virginia. And I just want to thank her and her

7 staff again for your hospitality for putting together

8 just a wonderful forum as we look forward to providing

9 better access to drinking water for people throughout

10 this country and meeting their wastewater treatment needs

11 as well.

12 Just by way of introduction, Senator

13 Capito, I'm also delighted that my wingman, Senator Chris

14 Coons, is here. Lisa Blunt-Rochester is going to be

15 speaking later. Our at-large congresswoman is here and

16 our witnesses are here. We welcome you all.

17 Shelley, just as a way of introduction,

18 Dover's the capital of -- Dover wasn't always the capital

19 of Delaware. In the beginning, there was a place up the

20 road about 40 miles called New Castle by the Delaware

21 River where William Penn came to this country many, many

22 years ago and landed, bringing the deeds to the Province

23 of Pennsylvania and what would become Delaware.

24 And after a number of years, the folks

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1 of days before July 4, 1776. He rode his horse from

2 Dover, Delaware to Philadelphia, Pennsylvania and cast

3 the tie-breaking vote in favor of the Declaration of

4 Independence, so I'm proud of that as part of our

5 heritage.

6 And on December 7, 1787, after

7 deliberating for about three days, 25 white guys from all

8 over Delaware had read and debated what was the draft

9 Constitution sent to us from Philadelphia. The day after

10 debating, they voted unanimously to ratify the

11 Constitution, thus Delaware became the first state. That

12 happened literally three miles from where we gather here

13 today.

14 And so a little bit about us. And I

15 just -- we're thrilled to be holding this field hearing

16 and delighted you could all be here and be with us.

17 We have, actually, two panels of

18 witnesses. One is a one-woman show. So I have our

19 congresswoman, and she'll be followed by Cassandra

20 Codes-Johnson.

21 Cassandra, would you raise your hand. All

22 right. Thank you. Welcome, Cassandra.

23 Vikki Prettyman, Vikki, would you raise

24 your hand. Vikki, nice to see you.

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1 And, Rick Duncan. Rick, I said I see Rick
 2 almost as much as I see my wife. Not quite as much.
 3 He's ever-present in my life and I think it's a good
 4 thing. But we're delighted that you're all here.
 5 And today we're going to focus on the
 6 challenges facing our drinking water infrastructure for
 7 people in this state, especially particularly in small,
 8 rural, and disadvantaged communities of Delaware.
 9 As the recovering governor of Delaware, I
 10 always said --
 11 And Shelley's dad was the governor three
 12 terms in West Virginia, so she's the daughter of a
 13 recovering governor.
 14 But as the former governor of Delaware, I
 15 always said that my role was, and is as a United States
 16 Senator, to create, to help create a nurturing
 17 environment for job creation and growth within the First
 18 State. And that's a tall order in and of itself, but one
 19 that is nearly impossible to achieve without access to
 20 clean and reliable drinking water.
 21 Senator Coons knows as a former county
 22 executive, and he started as a senator; Senator Rochester
 23 knows as a Cabinet member many times over, and now as our
 24 congresswoman, businesses don't want to be in places

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1 where the water's not good to drink. And they don't want
 2 to be in places where there's not adequate wastewater
 3 treatment. So this is an incredibly important element as
 4 we try to create that nurturing environment for job
 5 creation and job preservation.
 6 When it comes to its drinking water,
 7 Delawarean folks face a host of contamination issues with
 8 the water that flows from our taps. There's a lot of
 9 places, most places in Delaware, the water is just fine.
 10 And a clear majority, vast majority of the water is just
 11 fine, but not every place. And that's a concern to all
 12 of us.
 13 From water pipes that contain lead to
 14 toxic pollutants like PFAS, one of the permanent
 15 chemicals that we hear about, communities need a lot of
 16 assistance to address these issues. And, fortunately,
 17 we, those of us that are up here and here can help with
 18 that, and we're intent on doing that.
 19 In Sussex County alone -- that's our
 20 southernmost county, Shelley. It's one of the largest
 21 counties in America. They raise more chickens there than
 22 any county in America. We raise, in Delaware, 300
 23 chickens for every person who lives in Delaware. So if
 24 you're -- and we import in the Port of Wilmington more

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1 bananas than any port in the states in the country. So
 2 if you're eating chicken and bananas, we're your place.
 3 But in Sussex County alone, there's almost
 4 100,000 people -- more than half the county's
 5 population -- rely on private wells for their drinking
 6 water. And while some homeowners choose this option,
 7 other folks live too far from the municipality to access
 8 public utilities.
 9 Some of these Delawarians are finding
 10 excess contaminants like nitrates, like iron in the
 11 water, which we know can contribute to adverse health
 12 impacts. And those health impacts are more likely to
 13 affect low-income households who cannot afford a home
 14 filtration system. And we can and must do more to help
 15 these families.
 16 Many families in Delaware and across our
 17 country -- especially those with young children -- are
 18 also concerned about the lead in their water. And this
 19 potent contaminant leaches into drinking water from lead
 20 pipes, from faucets, and fixtures. In children, low
 21 levels of exposure have been linked to damage to the
 22 central and peripheral nervous system, learning
 23 disabilities, shorter stature, impaired hearing, and
 24 impaired formation and function of blood cells. There is

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1 no safe level of lead in drinking water.
 2 And while we have not seen lead
 3 contamination levels anywhere near those in cities like
 4 Flint, Michigan, drinking water tests in 20 locations in
 5 Delaware since 2012 revealed lead levels above the
 6 federal safety threshold. Often, this contamination is
 7 found in communities with small systems. They do not
 8 have sufficient resources to manage their aging water
 9 systems.
 10 Given the damage that even the smallest
 11 amount of lead poisoning can cause, especially in
 12 children, we must work to ensure that all communities
 13 would have the knowledge and resources to replace lead
 14 service lines to ensure safe, clean water for their
 15 most -- well, for our most vulnerable citizens.
 16 We also have problems in Delaware with
 17 well and groundwater contamination from toxic "forever
 18 chemicals" like PFOA, like PFAS. We call them "forever
 19 chemicals" because once they enter our body and once they
 20 enter our environment, they can take thousands and
 21 thousands of years to decompose and break down.
 22 We don't have thousands of years to
 23 address these issues. We must act quickly to ensure that
 24 all citizens in Delaware, all citizens in West Virginia

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1 and beyond our borders have access to clean, safe
 2 drinking water.
 3 Together, Senator Capito and I took
 4 significant steps to address these needs through our
 5 Drinking Water and Wastewater Infrastructure Act. That
 6 bill formed the basis for the Senate's Infrastructure
 7 Investment and Jobs Act, which passed the Senate by a
 8 strong bipartisan majority. My recollection is it was 89
 9 to 2.
 10 SENATOR CAPITO: Right.
 11 SENATOR CARPER: We don't pass many bills
 12 by 89 to 2. They do that in the House, I'm sure. 89 to
 13 2.
 14 This bill provides billions of dollars for
 15 water projects across the country, directly targeting the
 16 communities with the most need, places like Ellendale
 17 just south of us here in Sussex County.
 18 It took more than three decades, three
 19 decades, for Ellendale to pass a referendum that would
 20 allow low-income neighborhoods to connect to a public
 21 water system. I'll say that again. It took more than
 22 three decades for Ellendale to pass a referendum that
 23 would allow low-income neighborhoods to connect to a
 24 public water system. Funds from this bill will help make

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1 sure that no community has to wait 30 years to have clean
 2 water flow from its taps.
 3 Specifically, our bill provides
 4 \$55 billion to the Drinking Water State Revolving Loan
 5 Fund, the Clean Water State Revolving Loan Fund, and the
 6 Small and Disadvantaged Community Program, which will
 7 help Delaware and other states finance a variety of
 8 community and statewide water infrastructure projects
 9 through grants and through debt forgiveness.
 10 This legislation provided much more
 11 funding for the Assistance for the Small and
 12 Disadvantaged Communities Grant Program, which improves
 13 access to clean, safe drinking water, including the
 14 purchase of filtration systems. This grant program
 15 targets assistance to disadvantaged communities from
 16 across the country.
 17 Our bill also provides \$15 billion for
 18 removal or replacement of lead pipes, a substantial
 19 downpayment toward the replacement of all lead pipes in
 20 all of our communities.
 21 A friend of mine who I asked him how he
 22 was doing, he says, "Compared to what?" Compared to what
 23 we spend and invest in the task of removal and
 24 replacement of lead pipes, \$15 billion is a huge amount

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1 of money.
 2 There's very real need for these kind of
 3 communities here in Delaware and West Virginia, where
 4 Senator Capito represents, and in every state in our
 5 nation. Too many of our fellow citizens don't have clean
 6 drinking water, and yet they have every right to expect
 7 that they and their children would be able to drink
 8 freely and safely from their taps.
 9 And with this legislation and the
 10 investments it enables, we have the opportunity to right
 11 a terrible wrong, and meet our moral responsibility to
 12 ensure all Americans can trust the water that flows
 13 through their faucets.
 14 And before I yield and turn to our Ranking
 15 Member Senator Capito, I just want to mention -- just
 16 close with this in mind. When William Penn showed up and
 17 landed right there in New Castle, Delaware, about
 18 40 miles north of us, bearing the deeds of what would
 19 become Pennsylvania and Delaware, most of the people then
 20 and for centuries after that, they would get their water
 21 from streams, or they would get their water from the
 22 wells that they drilled.
 23 Over time, we've developed municipal
 24 wastewater treatment systems, and that was good for some

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1 people. Other people continued to drink water from wells
 2 and from streams.
 3 It was 1972, the Clean Water Act was -- I
 4 don't know if it was signed into law. I think it was
 5 enacted over Richard Nixon's veto, as I recall, but we
 6 began, we created EPA, and EPA began making grants to
 7 states, to communities for wastewater treatment systems
 8 for drinking water systems.
 9 They did that, I think, until about 1987.
 10 Ronald Reagan became President. I was in the House. And
 11 we created a new system. We created for every state two
 12 distinct state revolving funds, one of them for drinking
 13 water and the other for water sanitation for wastewater
 14 treatment. And the federal government received each of
 15 the two revolving funds, and all the 50 states. The
 16 states would have to match those dollars, and the
 17 entities in the states for their utilities, their
 18 communities, or counties or whatever cities, if they
 19 borrowed money from the revolving funds, they had to
 20 repay the money with interest.
 21 That worked pretty well for a long time.
 22 It's still got -- there is a problem. The problem is not
 23 every community, like Ellendale, like some of the places
 24 we visited in West Virginia yesterday, they don't have

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1 the ability to repay the money. They just don't have
 2 the -- they have huge need. They need to draw monies
 3 down from those two revolving funds. They don't have the
 4 ability to repay the money.

5 In the legislation, Senator Capito and I
 6 made sure we did this. I think I was helpful in that and
 7 my staff, we made sure that our communities in distress,
 8 communities in need that certainly don't have that
 9 wherewithal, they have the ability to get help, too, both
 10 on the drinking water side and on the wastewater
 11 treatment side.

12 And with that, I'm going to turn to the
 13 Ranking Member Senator Capito with whom I'm privileged to
 14 lead this Committee. Thank you. Welcome.

15 SENATOR CAPITO: Thank you, Senator
 16 Carper. Thank all of you for coming. Thank you, Senator
 17 Coons. It's always good to see our fellow Senators in
 18 their home states. Everybody has a little springier
 19 step, I must admit, than when we're trudging the halls of
 20 the United States Capitol.

21 So this is my first visit to Dover,
 22 Delaware. I've been to Delaware before, but when Senator
 23 Carper mentioned that the aroma of chocolate used to fill
 24 this great city, I can think of a lot of worse things

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1 that could happen than to have to wake up and smell
 2 chocolate every day. That sounds like a dream to me.

3 We did have a wonderful session in
 4 Beckley, West Virginia where I'm going to be very
 5 interested to see what our similarities are, because I
 6 think they're many because, obviously, driving over here,
 7 the realization that Delaware is a very rural state in
 8 many, many ways, and also probably has some of the
 9 economic challenges that we have in the state of West
 10 Virginia in terms of affordability, and how do you build
 11 systems and renew systems that were built 50, 60 years
 12 ago to meet the challenges of a growing population, but
 13 also just aging infrastructure.

14 And so I'm really pleased to be here to
 15 hear how Delaware's coping with these problems. And it's
 16 great to be here with you, Representative Blunt
 17 Rochester. Actually, I think we met one other time, but
 18 I know of her great service in the House.

19 And so I also want to tell you, you've got
 20 two great Senators, but I get to see Senator Carper all
 21 the time, and he is passionate about what he does. He's
 22 dogged in his determination, and he's a great
 23 communicator.

24 We were just talking about how he calls

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1 everybody on their birthday, so that's 99 other people.
 2 And then I heard today that it's not just us you're
 3 calling, so you must be -- you must have had that down by
 4 now with the birthday greetings.

5 But anyway, it's very much appreciated
 6 and --

7 SENATOR CARPER: Chuck Grassley says to me
 8 about every other day, "It's not my birthday today. You
 9 don't have to call me today."

10 SENATOR CAPITO: So I'm happy to be here
 11 with his leadership and the partnership that we share and
 12 to see this in his home state.

13 I also want to thank the Chairman for his
 14 willingness to work and to address these challenges
 15 earlier with the bill that he talked about, the Drinking
 16 Water and Wastewater Infrastructure Act, and I won't get
 17 into the details and repeat. But I will repeat that we
 18 had, not only unanimous vote out of our EPW Committee --
 19 and we have some pretty disparate-believing members on
 20 that committee. When you can get Bernie Sanders and Jim
 21 Inhofe to make the same vote, you're doing something
 22 right. And then off the floor at 89 to 2, and this bill,
 23 this water bill, is what is the basis of what you have
 24 heard of and is much discussed as the Bipartisan

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1 Infrastructure Package.

2 And our water bill is contained wholly
 3 within that bill, verbatim, everything that we passed 89
 4 to 2 out of the Senate. So it's a common -- the whole
 5 package is a commonsense bipartisan piece of legislation
 6 that not just handles water and wastewater, but also
 7 roads, bridges, and broadband, which is a very difficult
 8 challenge in certain parts of my state, being mountainous
 9 and rural, it's very much of a challenge.

10 So I would like to thank our witnesses for
 11 being here today and look forward to hearing their
 12 perspectives.

13 Mr. Chairman, I always -- we talk every
 14 week as he's getting ready to either get on the train or
 15 he's on the train or he's thinking about getting on the
 16 train to come home. Everyday Americans rely on the
 17 infrastructure that supports our drinking water systems.
 18 These are the systems that this nation really has prided
 19 itself on. Many of us have traveled all around the world
 20 and have seen the things that we take for granted in
 21 terms of water are so desperately needed all across, not
 22 just our country, but around the world.

23 Unfortunately, this nation is facing
 24 critical challenges in the resiliency of these systems,

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1 and with many of our small and rural communities
 2 disproportionately affected by the wide array of water
 3 infrastructure challenges. You mentioned some of the
 4 chemical challenges, but also, in my state, we have an
 5 issue with losing the resource because we have aging
 6 infrastructure. And by the time it goes from the
 7 treatment plant to the home, we've already lost
 8 50 percent of our water.

9 Think of our friends in California what
 10 they would think about that. I've often wondered if we
 11 ought to be building a pipeline out there and pipelining
 12 our water. We could make a lot of money on that.

13 Small rural communities are particularly
 14 strained and need additional support, but these are not,
 15 as I said, unique challenges to just one state. So I'm
 16 committed to addressing these challenges that we are
 17 facing. Reliable, modern water infrastructure is a
 18 fundamental responsibility of our government.

19 And I think we did address this in our
 20 Drinking Water and Wastewater Infrastructure Bill. As he
 21 has said, it provides lots of funding for new programs,
 22 but also existing ones, ranging from ensuring that -- you
 23 can imagine who put this one in -- systems have pipes
 24 that don't leak -- there I am -- to ensuring that there

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1 is a sustainable water workforce, another passion of
 2 mine, and that can operate continued new infrastructure
 3 investments.

4 We provided a robust and, yes, I'll say it
 5 again, amazingly bipartisan piece of legislation that has
 6 a toolbox of solutions and alternatives.

7 So I look forward to hearing what you all
 8 have to say. Thank you for being so welcoming to me and
 9 my staff. I want to thank your staff, Senator Carper,
 10 and also the good folks here in the courthouse for
 11 accommodating us, and it's my honor to be here with all
 12 of you to hear from the great folks in the great state of
 13 Delaware.

14 Thank you.

15 SENATOR CARPER: Welcome. Thank you for
 16 those remarks. When I was moving up in the Senate, we
 17 had a fellow named Chuck Grassley and a fellow named Max
 18 Baucus who were two senior people on the Senate Finance
 19 Committee, which is a committee I'm now privileged to
 20 serve on. And they used to meet every week. One's a
 21 Democrat, and one's a Republican, and, eventually, they
 22 started bringing some of their staff in for meetings.
 23 You'd go to those meetings and you didn't know who worked
 24 for whom. You wouldn't know. And I'd just, you know,

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1 see a good idea and steal it, and we've stolen that idea.
 2 That's really what we're doing on Thursday evenings or by
 3 phone. Sometimes we join them on the road through to
 4 West Virginia, I might be on the train, but we still do
 5 it.

6 And we have John Kane. John, would you
 7 raise your hand. John's also with us here and he's
 8 worked with the majority of the staff who have run in
 9 Delaware. And Adam -- Adam?

10 SENATOR CAPITO: Adam's here. He just
 11 stepped out. He's missing his big moment.

12 SENATOR CARPER: We'll pause right now
 13 until Adam comes back. No, we won't. But Adam usually
 14 joins us for those conversations.

15 I think one of the reasons we ended up
 16 putting out, unanimously by committee, water and
 17 infrastructure legislation, unanimously out of committee,
 18 roads, highways, and bridges and really provided the
 19 foundation on which this big infrastructure bill was
 20 written and now needs action in the United States House
 21 of Representatives with Lisa.

22 And so with that, I've been privileged to
 23 know Chris Coons for a long, long time and his wife for a
 24 long, long time, even before she was his wife, and that's

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1 his wife anyway. But I was thrilled that he ran for the
 2 president of New Castle County -- elected -- thrilled he
 3 ran for county executive, and got elected. He did a
 4 great job in both, and I'm delighted he decided to take
 5 on really big things, and he ran and won election in the
 6 United States Senate.

7 There are I don't know how many committees
 8 in the Senate. How many would you say? 13, 14,
 9 something like that. He serves on most of them and he is
 10 just -- he's the hardest working guy in the Capitol.
 11 It's a hard job. He's the hardest working guy I know,
 12 and does a great job. Among the committees he serves on
 13 are Foreign Relations.

14 SENATOR CAPITO: You need to put this on.

15 SENATOR CARPER: Thank you. We'll start
 16 over. William Penn -- thank you.

17 In any event, we're thrilled that Senator
 18 Coons was able to adjust his schedule and be with us
 19 today. He is an appropriator. We authorize stuff, but
 20 he actually provides the dollars. He can't provide
 21 dollars without the authorizations, so it's hand in
 22 glove. We work really well. He's got great staff.

23 Welcome, Chris.

24 SENATOR COONS: Thank you so much,

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1 Chairman Carper, Ranking Member Capito. It is an honor
 2 to join you, and to recognize you and thank you for the
 3 remarkable leadership you've both shown in this
 4 absolutely essential work-together in both the way you've
 5 approached it and what you've delivered for the American
 6 people.

7 There are things that tie Delaware and
 8 West Virginia, from Blades to Beckley, from Seaford to
 9 Parkersburg, parts of our industrial legacy, parts of the
 10 challenges that small, rural, and disadvantaged
 11 communities face in accessing the workforce, the funding,
 12 the infrastructure to actually deliver the safe and
 13 accessible reliable drinking water and the wastewater
 14 treatment infrastructure that is critical for our
 15 communities. But the way you go about hammering out
 16 these solutions is inspiring to the rest of us in the
 17 Senate and is a model for how every committee should
 18 work.

19 Frankly, if every committee worked as well
 20 as the two of you and your staff have worked together,
 21 we'd have a whole lot more solutions to the problems
 22 facing our country. And your leadership on the Drinking
 23 Water and Wastewater Infrastructure Act, which
 24 authorizes, as you said, \$35 billion in critically needed

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1 investments, is an absolutely central part of the
 2 bipartisan infrastructure bill, which we hope will soon
 3 be journeying to our President's desk.

4 To Congresswoman Blunt Rochester, thank
 5 you for your leadership on these issues, and in
 6 particular, your legislative leadership in moving the Low
 7 Income Water Customer Assistance Program Act, a truly
 8 innovative approach to addressing these key issues.

9 I look forward to hearing from Vikki and
 10 Cassandra and Rick. I recognize that my predecessor as
 11 County Council President, Stephanie Hansen, now State
 12 Senator Stephanie Hansen, an environmental lawyer, is
 13 here with us today.

14 I was also encouraged to see Seetha
 15 Coleman-Kammula from the Center for PFAS Solutions here.

16 I just came from Dover Air Force Base.
 17 All of us know that we have legacy challenges to address
 18 in our country, both in affordability, quality, and
 19 access of water. No one could craft better solutions
 20 than the Chair and Ranking Member of this important
 21 committee. Thank you for your tireless dedication to
 22 making the environment, the water, the future, better for
 23 all of us.

24 SENATOR CARPER: I'm really glad you came

Page 24

1 and said all that. Do you need more time? Thank you.
 2 Thank you, Senator Coons. Thank you, Chris. Thank you
 3 for being my wingman, my colleague, and my friend.

4 Now I'd like to introduce our first
 5 witness, our Congresswoman Lisa Blunt Rochester. Lisa
 6 represents our state in the United States House of
 7 Representatives. She is an Assistant Whip.

8 Are you still an Assistant Whip?
 9 Assistant Whip for House Leadership. She sits on the
 10 House Committee on Energy and Commerce.

11 And what's the tagline on the
 12 Commerce Committee? What is it?
 13 REPRESENTATIVE ROCHESTER: "If it moves,
 14 it's energy. If it stays still, it's commerce. We
 15 control everything."

16 SENATOR CARPER: There you go.
 17 REPRESENTATIVE ROCHESTER: John Dingell,
 18 former Chairman.

19 SENATOR CARPER: He was the Chairman for
 20 life. In the House, I served in the House for, gosh, ten
 21 years. I was on a couple of good committees.
 22 Senator Capito, how long were you in the
 23 House?
 24 SENATOR CAPITO: 14.

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1 SENATOR CARPER: 14 years. Were you an
 2 appropriator? What did you serve on?
 3 SENATOR CAPITO: I was on Financial
 4 Services and Transportation.

5 SENATOR CARPER: All right. Those are
 6 good committees. I served on Banking. But the committee
 7 that you serve on is the end-all, be-all, so we're really
 8 lucky to have a seat on that committee. The committee
 9 has broad jurisdiction, as the Congresswoman said, over,
 10 among other things, healthcare, our environment,
 11 commerce, trade, energy policy, telecommunications,
 12 manufacturing, consumer protection, and drinking water --
 13 great point today.

14 As the Energy and Commerce Committee's
 15 only former statewide health official, Lisa understands
 16 the importance of clean water as it relates to health.
 17 Lisa has spent her time in Energy and Commerce working on
 18 addressing the disparity in federal services for
 19 communities of color, and tackling our nation's opioid
 20 and addiction epidemic. She has been an amazing addition
 21 to the Delaware delegation. We could not ask for a
 22 better advocate in the House to meet our state's needs,
 23 and we're delighted you're with us today, Lisa.

24 Please proceed.

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1 REPRESENTATIVE ROCHESTER: Thank you so
 2 much. Good morning, Chairman Carper. Good morning,
 3 Senator Capito, Ranking Member. Good morning, Senator
 4 Coons. It is truly an honor and blessing to be here.
 5 Senator Carper mentioned working hand in
 6 glove in the Senate, but we, as a delegation, work hand
 7 in glove. And as I've said, I think we're the best
 8 delegation in the country. No offense, Senator Capito,
 9 but I think we're the best deligation in the country, and
 10 I am just honored to be here.
 11 Good morning, also, to the witnesses, my
 12 fellow witnesses. I want to first start off by thanking
 13 the two of you, Senator Carper and Senator Capito, for
 14 your leadership. It has been mentioned before, but even
 15 calling this important hearing, I think for many of us in
 16 Delaware, but also across the country, this is a great
 17 opportunity to speak to the unique challenges that
 18 households and small rural and disadvantaged communities
 19 face every day to secure clean drinking water and
 20 wastewater services.
 21 I also want to thank the Chairman and the
 22 Ranking Member for their strong leadership. It's been
 23 said a couple of times, you know, your work in a
 24 bipartisan manner, work that will really have an impact

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1 on the communities across our country as they access
 2 these services, it is exemplary.
 3 As Senator Coons has mentioned, I think we
 4 all know that if we all worked as well as you two work
 5 together and as well as your committee, we might even
 6 solve world peace. So we can, first of all, thank you so
 7 much for your leadership.
 8 You are a true example, your committee, of
 9 bipartisan work this past year. The Drinking Water and
 10 Wastewater Infrastructure Act of 2021, which passed the
 11 Senate earlier this year, includes a provision that
 12 established a pilot program at the U.S. Environmental
 13 Protection Agency to assist low-income communities with
 14 their drinking water and wastewater utility bills and
 15 help fund upgrades to aging drinking water and wastewater
 16 infrastructure. This is an important step to provide
 17 long-needed improvements in water quality and
 18 accessibility for the communities that need it most.
 19 Wastewater accessibility and affordability
 20 in the United States have been a mounting crisis for
 21 years. I've seen it firsthand in communities across our
 22 state. During my time with, then Governor Carper,
 23 recovering Governor Carper, I've had the opportunity to
 24 visit small communities that had been struggling with

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1 contaminated well water for decades, towns like
 2 Ellendale, a small community in Sussex County with around
 3 500 residents.
 4 Nitrate, iron, and other pollutants in
 5 private wells have forced residents in communities such
 6 as Ellendale to use bottled water, not only to drink, but
 7 to cook, to clean, to bathe. In Delaware, approximately
 8 173,000 residents, or nearly 2 in 10 Delawareans use
 9 private wells. And in Sussex County, almost half of the
 10 county's residents are dependent on private wells.
 11 Some communities are in such remote and
 12 rural areas that even if they wanted to connect to a
 13 public water system, they are unable to do so. Despite
 14 this, and even though more than 13 million households
 15 rely on private wells for their drinking water, the
 16 federal government does not provide recommended standards
 17 or criteria for private wells.
 18 For Ellendale, after fighting for decades
 19 for access to clean drinking water, a new public water
 20 system that will provide safe, clean, and reliable water
 21 to the residents is finally in sight, but the problem
 22 doesn't end when a community has access to a public water
 23 system.
 24 Water must be affordable. Aging

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1 infrastructure and the rising cost of drinking water and
 2 wastewater services have culminated in rapidly high
 3 rising water bills for public systems, and the COVID-19
 4 pandemic has only exacerbated the problem.
 5 In the midst of a public health emergency
 6 of unprecedented scale, access to clean drinking water
 7 and sanitation services has never been more important.
 8 Last month, the Energy and Commerce
 9 Committee, on which I am a member, passed a measure to
 10 include \$500 million to assist low-income households with
 11 their drinking water and wastewater bills during the
 12 ongoing pandemic. But even after the pandemic ends,
 13 low-income households will continue to need assistance.
 14 In almost every part the country, families
 15 are struggling to pay their utility bills, a reality that
 16 is disproportionately affecting low-wealth communities
 17 and communities of color.
 18 That's why earlier this year, I introduced
 19 H.R. 3293, the Low-Income Water Customer Assistance
 20 Programs Act of 2021. This bill would address the
 21 complex problem head-on by establishing a nationwide
 22 permanent program to assist low-income households with
 23 their drinking water and wastewater bills. I am proud to
 24 have to introduced this bipartisan, bipartisan,

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1 bipartisan legislation with my colleague --

2 SENATOR CARPER: Did you say bipartisan?

3 REPRESENTATIVE ROCHESTER: -- from New

4 York, Representative John Katko and my colleagues from

5 Michigan, Representatives Debbie Dingell and Rashida

6 Tlaib.

7 I was even prouder when the bill passed

8 the House of Representatives earlier this year. This

9 legislation will provide much needed relief to struggling

10 families and give our community water and wastewater

11 systems the reliable revenue stream needed to plan for

12 and afford regular maintenance and upgrades to keep our

13 water and environment safe.

14 Every Delawarean and every American,

15 regardless of race, income, or ZIP code, should have

16 access to clean, safe, reliable, and affordable water.

17 It is a basic right, and an essential to public health,

18 but right now, far too many Americans are being deprived

19 of it.

20 We have an opportunity to right that

21 wrong. We have an opportunity to make real and lasting

22 improvements across our drinking water and wastewater

23 systems. Access to water is a fundamental need, and we

24 can and should deliver that to all Americans.

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1 I thank you, Senator Carper. I thank you,

2 Senator Capito, for your leadership and for the

3 opportunity to address you today, and I look forward to

4 the day when all Americans can have clean, safe,

5 affordable, reliable drinking water and wastewater

6 services. Thank you again.

7 SENATOR CARPER: And to that, all God's

8 people say, "Amen." We have, sitting up here, we have in

9 Senator Coons and Lisa probably two of the most devout

10 members of any faith in the Congress. And Chris was an

11 undergraduate major in chemistry, but at Yale he was a

12 double major in divinity and law. And Lisa could be a

13 minister in any church in the state, and a great one as

14 well.

15 But for them and for me, as you heard

16 yesterday in West Virginia, there's a moral imperative, a

17 moral imperative that encourages, requires us to address

18 these issues. I quote, probably more often than I ought

19 to, Matthew 25. "When I was thirsty, you gave me a

20 drink." And the question is, in too many cases, what we

21 give you to drink. What comes out of faucets of people

22 throughout our country, including West Virginia, and

23 including too many places in Delaware, is water that's

24 really not fit or not safe to drink. And we have a moral

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1 obligation to do something about it, and we are bound and

2 determined to do that.

3 Thank you so much for doing this.

4 REPRESENTATIVE ROCHESTER: Thank you.

5 SENATOR CARPER: It was great to see you.

6 I look forward to seeing you soon. Thank you, Lisa.

7 And then I think we're going to break for

8 lunch. We'll come back for the other witnesses later.

9 No, not really.

10 I'm going to ask for our three witnesses

11 to join us at the table, please. And, somebody, we may

12 want to change out the nameplates, please. Okay.

13 Thank you, Lisa.

14 I am going to go ahead and begin

15 introducing our witnesses.

16 Cassandra, I'm going to introduce you

17 first. And, Cassandra Codes, C-O-D-E-S, oh, where did

18 you get that name?

19 MS. CODES-JOHNSON: Long story.

20 Codes-Johnson.

21 SENATOR CARPER: Codes?

22 MS. CODES-JOHNSON: Yes.

23 SENATOR CARPER: Codes, okay. Is that a

24 family name?

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1 MS. CODES-JOHNSON: Yes, sir, it is.

2 SENATOR CARPER: Okay. All right.

3 Cassandra Codes-Johnson, Associate Deputy

4 Director of the Delaware Division of Public Health. How

5 long have you held that position, Cassandra?

6 MS. CODES-JOHNSON: I've been with the

7 division for eight years now.

8 SENATOR CARPER: Eight, okay.

9 MS. CODES-JOHNSON: Yes.

10 SENATOR CARPER: You started right out of

11 school?

12 MS. CODES-JOHNSON: Yes. We'll say "yes."

13 SENATOR CARPER: In her current role,

14 Cassandra provides oversight for over -- is it 700? --

15 700 dedicated public health staff who provide a variety

16 of services to protect and promote the health of

17 Delawareans, including services that protect the drinking

18 water of our state. Thank you for that.

19 Where did you grow up?

20 MS. CODES-JOHNSON: I'm a native New

21 Yorker.

22 SENATOR CARPER: Where?

23 MS. CODES-JOHNSON: Long Island, New York.

24 SENATOR CARPER: Oh, okay. How did you

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1 end up down here?

2 MS. CODES-JOHNSON: My parents, they

3 retired from working in New York and moved to the great

4 state of Delaware, and I would visit with the grandkids

5 and decided that this was a place where I wanted to raise

6 my kids.

7 SENATOR CARPER: Okay, good. So your

8 parents gave you an assist on the play. That's great.

9 Tell them I said "Thanks."

10 MS. CODES-JOHNSON: Yes.

11 SENATOR CARPER: The second witness is

12 Vikki Prettyman, State Manager of the Southeast Rural

13 Community Assistance Project Incorporated. Vikki has

14 served as the Delaware and Maryland State Manager for the

15 organization since, I think, last year --

16 MS. PRETTYMAN: June.

17 SENATOR CARPER: This year. No, this

18 year.

19 MS. PRETTYMAN: June of this year.

20 SENATOR CARPER: So you've only been at

21 this for about four or five months. In this role, she

22 oversees a staff of 3,000 Technical Assistance

23 Providers -- actually, three assistance providers,

24 Technical Assistance Providers, multiple water and

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1 wastewater treatment projects for communities and

2 municipalities across Delaware and Maryland, as well as

3 private well and septic homeowner assistance for both

4 states.

5 You know, one out of six people

6 in households in Delaware get their water from wells, as

7 I recall.

8 MS. PRETTYMAN: Wells.

9 SENATOR CARPER: Before joining SERCAP,

10 she served as the Town Administrator for Blades for the

11 past 11 years, where she managed a number of projects,

12 which included installation of a backup well to support

13 Blades' two existing wells and addressed the PFAS

14 contamination in Blades' water source close to town.

15 Blades is a town just in the southwestern part of our

16 state near Seaford.

17 Our third witness is Rick Duncan. Rick is

18 the Executive Director of the Delaware Rural Water

19 Association. In 2019, under Rick's leadership, the

20 Delaware Rural Water Association broke ground on their

21 second training facility. Delaware Rural Water is one of

22 the premier training and technical support organizations

23 for small water service operators in the state of

24 Delaware.

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1 Rick began his water career in 1983 as a

2 water distribution operator with the Town of Rehoboth

3 Beach. And the word "Rehoboth Beach," not many people

4 know this, Rick, but the word "Rehoboth" in Rehoboth

5 Beach means "room for all." Isn't that nice? Room for

6 all.

7 In 1997, Rick was hired by the Town of

8 Selbyville, not too far from Rehoboth, to manage its

9 Public Works and Water Filtration and Distribution

10 System. In 2000, he was elected as Town Councilman, and

11 for the past 21 years, continues to serve in that role

12 overseeing Selbyville's water facility, solid waste,

13 local streets, and parks and recreation activity.

14 And we want to welcome, warmly welcome

15 each of you here. And we just thank you from the bottom

16 of our hearts for the work that you do with your lives

17 and the leadership that you've provided here in this

18 state.

19 And with that, I'm going to ask,

20 Cassandra, would you just lead us off, please. Thank

21 you, ma'am.

22 We'll hear from each of our witnesses and

23 then ask some questions.

24 Please proceed.

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1 MS. CODES-JOHNSON: Thank you. Good

2 morning to the entire Senate Committee on Environment and

3 Public Works. Thank you, Senator Capito and Senator

4 Carper, for holding this hearing. Thank you, Senator

5 Coons for being here. Thank you, Representative Lisa

6 Blunt Rochester, for your very important comments.

7 My name is Cassandra Codes-Johnson and I

8 serve as the Associate Deputy Director for the Department

9 of Health and Social Services, Delaware Division of

10 Public Health. The Delaware Division of Public Health,

11 through our Health Systems Protection Section, regulates

12 drinking water and administers the Delaware Drinking

13 Water State Revolving Fund, which here -- from here on

14 out will be referred to as "the Fund."

15 Each year, the Fund, DWSRF, uses federal

16 funds which have been supplemented with state bond bill

17 funds over the last several years to support drinking

18 water system improvements throughout Delaware.

19 The Fund supports drinking water systems

20 throughout a combination of grants and loans with funding

21 in the last few years specifically focused on

22 disadvantaged communities as identified by the median

23 household income of a population. The Fund typically

24 provides some principal forgiveness to any drinking water

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1 project that exceeds 1.5 percent of the median household
 2 income as additional support for disadvantaged
 3 communities.

4 The Division of Public Health has loaned
 5 out, often with 100 percent principal forgiveness, over
 6 \$23 million for water infrastructure investments over the
 7 last ten years. As we discuss the work of the Fund in
 8 helping communities access clean, safe drinking water, I
 9 would like to highlight a few recent successes that also
 10 illustrate the challenges that communities in Delaware
 11 face in accessing clean, safe drinking water.

12 Over the years, the Fund helped the town
 13 of Georgetown replace water mains and service
 14 connections, including lead service lines, to improve the
 15 quality and consistency of water provided to residents.
 16 This Fund also allowed Georgetown to upgrade its water
 17 treatment facilities, including installation of a new
 18 treatment plant in 2012.

19 As one example of public health benefits,
 20 the additional treatment funded through these state and
 21 federal investments helped to remove trichloroethylene,
 22 or TCE, a solvent and known carcinogen from the
 23 community's drinking water source. This action, together
 24 with the removal of lead service lines, will benefit the

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1 public through the reliable delivery, treatment, and
 2 storage of water for the community of Georgetown.

3 Laurel, Delaware is another example of a
 4 community where state and federal funding programs led to
 5 public health and safety benefits for residents. Laurel
 6 replaced distribution and service connection lines,
 7 including those that contain asbestos. The town upgraded
 8 water treatment facilities to remediate high levels of
 9 nitrates, a widespread groundwater contaminant,
 10 especially in Southern Delaware. This is important
 11 because nitrate contamination has been linked to health
 12 impacts, such thyroid cancer, gastrointestinal issues,
 13 miscarriages, and birth defects.

14 Over the years, the town of Milton used
 15 resources from the Fund to replace water main pipes,
 16 create loops within the pipe system, and eliminate dead
 17 ends to reduce the amount of water remaining in lines for
 18 extended periods, which improved water quality. The town
 19 has also provided treatment upgrades at the water
 20 treatment facility, as well as helped citizens that
 21 cannot connect to the public water system upgrade or
 22 install private wells.

23 In the spring of 2010, the city of Seaford
 24 utilized state and federal funds for a distribution

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1 system improvement project that allowed private well
 2 owners to connect to the public water system. Well
 3 owners often face nitrates and other natural
 4 contaminants, but can also be impacted by environmental
 5 releases, surface contamination, and other factors that
 6 impact safety and quality of their drinking water.

7 Compounding the issue, traditional DWSRF funding is often
 8 precluded from assisting homeowners with the financial
 9 burden of connecting to a nearby system.

10 The Distribution System Improvement
 11 Project allowed the State to provide federal
 12 Disadvantaged Community Additional Subsidy, essentially
 13 paying for half of the project costs.

14 The projects described have benefited
 15 approximately 24,000 Delawareans, almost half of which
 16 are persons of color, and many of the projects
 17 highlighted are located in rural areas of Delaware. Many
 18 rural communities, lower-wealth communities, indigenous
 19 communities, and communities of color often face greater
 20 numbers of or more dangerous hazards than other
 21 communities. The multiple hazards can then aggregate to
 22 amplify harmful health impacts on these communities.
 23 These cumulative impacts can affect multiple generations
 24 and place additional weight on already overburdened

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1 communities. These communities are often referred to as
 2 "environmental justice communities."

3 In Delaware, we're working really hard to
 4 address these inequities, but require support in this
 5 effort by the federal government. The President's
 6 environmental Justice40 Initiative sets the lofty but
 7 necessary goal of making sure that 40 percent of all
 8 federal funding is used to provide assistance to
 9 environmental justice communities that have long suffered
 10 from historic underinvestment in infrastructure,
 11 including water infrastructure.

12 We support the passage of the President's
 13 Build Back Better agenda, which includes the Drinking
 14 Water and Wastewater Infrastructure Act of 2021, as well
 15 as additional funding for water infrastructure projects,
 16 lead and PFAS remediation, and support for small, rural,
 17 and disadvantaged communities.

18 Specifically, the Drinking Water and
 19 Wastewater Infrastructure Act of 2021 supports these
 20 communities by authorizing more than 35 billion for water
 21 resource development projects across the country with a
 22 focus on upgrading aging infrastructure, addressing the
 23 threat of climate change, and investing in new
 24 technologies and providing assistance to marginalized

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1 communities.

2 In closing, I would like to thank the

3 entire U.S. Senate Environment and Public Works Committee

4 for working to invest in our nation's water

5 infrastructure with a focus on equity, and look forward

6 to continuing to work with you all to better meet the

7 drinking water needs of the people of Delaware.

8 Thank you.

9 SENATOR CARPER: Thank you very, very

10 much, Cassandra. Thanks for doing this. I appreciate

11 it.

12 Vikki Prettyman, please proceed.

13 MS. PRETTYMAN: Thank you, Chairman

14 Carper, and Ranking Member Capito.

15 SENATOR CARPER: You want to make sure

16 your mic is on. Is it on?

17 MS. PRETTYMAN: Is that better? Oh. Can

18 you hear me now?

19 SENATOR CARPER: It should have a green

20 light.

21 MS. PRETTYMAN: There we go. Sorry.

22 SENATOR CARPER: Thank you.

23 MS. PRETTYMAN: Thank you, Chairman.

24 SENATOR CARPER: We want to hear every

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1 word.

2 MS. PRETTYMAN: Thank you, Chairman Carper

3 and Ranking Member Capito, Senator Coons, for this

4 opportunity to address the needs of water systems in

5 small, rural, and tribal communities.

6 My name is Vikki Prettyman, and I am the

7 Delaware and Maryland State Manager for SERCAP, the

8 Southeast Rural Community Assistance Project.

9 SENATOR CARPER: You're saying SERCAP.

10 MS. PRETTYMAN: I'm sorry?

11 SENATOR CARPER: Go ahead and explain what

12 SERCAP is.

13 MS. PRETTYMAN: SERCAP is technical

14 assistance from -- SERCAP serves Delaware all the way

15 down to Florida, and we help rural and small communities

16 with water and wastewater and stormwater needs.

17 SENATOR CARPER: Good. Thank you.

18 MS. PRETTYMAN: Thank you.

19 The Southeast Rural Community Assistance

20 Project, we are the regional partner of our Rural

21 Community Assistance Partnership. Last year, RCAP served

22 more than 3.4 million rural and tribal residents, more

23 than 2,000 of the smallest, most distressed communities,

24 including 46 active projects in Maryland and Delaware.

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1 Water and sewer service is a driving

2 factor for economic growth. Of the approximately 150,000

3 public water systems across the country, 97 percent serve

4 small communities, and 72 percent serve communities of

5 500 or less. Small communities are challenged by the

6 ever-increasing cost of operations over a smaller,

7 sometimes dwindling, customer base.

8 COVID has further exacerbated the

9 challenges rural communities face with many suffering a

10 significant drop in revenue when employers shut down

11 businesses and some customers were unable to pay their

12 bills. With the mounting financial losses, communities

13 were forced to defer infrastructure projects, adding to

14 the more than 1 trillion that EPA estimates the water

15 sector needs. The burden largely falls on communities

16 with federal funding reduced from 63 percent 59 years ago

17 to 3 1/2 percent today.

18 Small systems in our two states coped with

19 COVID and reduced revenue in a variety of ways. One

20 Delaware town estimated its revenue loss of \$375,000 per

21 month and requested temporary forbearance on their USDA

22 loans. While it's safe to say that all systems suffered

23 some impact of COVID, it hit the small systems the

24 hardest.

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1 There are many rural communities that are

2 not connected to wastewater systems at all, resulting in

3 raw sewage in yards and waterways, contaminated drinking

4 water for residents, and the threat of associated

5 diseases, trapping people in a vicious cycle of poverty.

6 I want to thank Senators Capito, Booker,

7 and former Senator Jones for introducing a bill that

8 would create a grant program to address these challenges.

9 There's great need in rural communities

10 for a permanent nationwide low-income customer assistance

11 program. A pilot program was included in the

12 Infrastructure Investment and Jobs Act, but a 40 utility

13 pilot program, 10 being small community systems, doesn't

14 begin to address the need for low-income families

15 nationwide. We have assistance programs for low-income

16 Americans for food, shelter, heat, and healthcare, but no

17 such program for water.

18 I thank Representative Blunt Rochester for

19 her work with Representative Capito along with Senators

20 Cardin and Wicker for introducing bipartisan legislation.

21 And thank you, Senators Carper and Capito,

22 for your leadership.

23 While we are sincerely grateful for all

24 the hard work you have done advocating for this program's

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1 inclusion, we urge the Committee to create a nationwide
 2 permanent program housed at EPA in the budget
 3 reconciliation package.
 4 Civic and religious charity organizations
 5 are seeing a decrease in corporate and personal
 6 donations, but an increase in requests for assistance,
 7 particularly assistance to pay utility bills. The basic
 8 need -- particularly assistance to pay water bills after
 9 the shutoff moratorium was lifted.
 10 The basic need for water has never been
 11 more highlighted as it has been during this pandemic. A
 12 Delaware nonprofit focusing on the needs of our most
 13 marginalized community members saw requests for
 14 assistance with water bills more than double. Before
 15 COVID, requests for assistance to pay a water bill of
 16 \$60 -- now they're seeing requests to pay water bills of
 17 600 or more to avoid being shut off.
 18 Water systems are universally concerned
 19 about emerging contaminants. The many compounds that
 20 fall under the umbrella of PFAS have already been
 21 detected in a couple of locations in Delaware. I happen
 22 to have been the town administrator of one of those
 23 towns. The town was helped out financially and
 24 technically by state and federal agencies, but once the

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1 public health crisis was resolved with a new filtration
 2 system, the cost of operating and maintaining that system
 3 resides solely with the town.
 4 For a town of about 1,500 residents, a
 5 poverty rate of more than 22 percent, this can be a
 6 crushing burden indeed. Replacement of the filter media
 7 alone can cost more than \$30,000, a task that is required
 8 every three -- could be required every three to
 9 six years. There is an added issue of disposal of the
 10 old media as hazardous waste and increased operations
 11 cost of the new treatment system.
 12 Our citizens should not bear the financial
 13 burden and increase to their water bills due to
 14 remediation of these pollutants. Federal investment is
 15 needed to address those emerging issues. SERCAP works
 16 with communities and partners across Delaware and
 17 Maryland and the entire Southeast U.S. to advocate for
 18 and generate economic opportunities and improved quality
 19 of life in rural areas. The services provided through
 20 these programs deliver critical assistance in the small
 21 and disadvantaged communities where it is most needed.
 22 I thank the Committee for inviting me to
 23 testify today and look forward to working with you and
 24 more -- and your colleagues to ensure these important

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1 priorities are passed into law.
 2 I'll leave you with this one quote from
 3 the former U.S. surgeon general in 1952. "Water is
 4 essential to life -- the life of a city, as well as the
 5 life of human beings. Without water, a person dies.
 6 Without water, a community faces the same fate."
 7 Thank you very much.
 8 SENATOR CARPER: Who was the surgeon
 9 general in 1952? Go ahead. You can make it up. We
 10 won't know.
 11 MS. PRETTYMAN: I should have written that
 12 down. I'm sorry.
 13 SENATOR CARPER: That's all right. While
 14 Rick's testifying you can --
 15 SENATOR CAPITO: Wasn't that you?
 16 SENATOR CARPER: I'm sure you can find it.
 17 SENATOR CAPITO: Weren't you the surgeon
 18 general then?
 19 SENATOR CARPER: It was not me.
 20 MS. PRETTYMAN: It does begin with an L.
 21 SENATOR CARPER: I was an admiral, not a
 22 general. No, I was not an admiral. All right.
 23 With that, Rick, you have two tough acts
 24 to follow, don't you think? I'm sure you're up to it, so

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1 please proceed. Delighted to hear you. Thank you.
 2 MR. DUNCAN: Good morning. Welcome,
 3 Senator Capito, to Delaware.
 4 SENATOR CAPITO: Thank you.
 5 MR. DUNCAN: Chairman Carper, Senator
 6 Coons, it's good to see you again. I think we met last
 7 at the opening of our aeration treatment plant in
 8 Selbyville years ago, so we look forward to --
 9 It's an honor to appear before you today
 10 and have you at the Senate Committee on Environment and
 11 Public Works hold its field office hearing here in Dover
 12 to talk about Delaware water issues.
 13 I am Rick Duncan, the Executive Director
 14 of the Delaware Rural Water Association where I've
 15 enjoyed working for my past 31 years. As Senator Carper
 16 said, I'm also an elected official for the past 22 years
 17 in the town of Selbyville, which is a small municipality
 18 55 miles south of Dover here.
 19 Delaware Rural Water is a nonprofit
 20 association of small and rural communities with over 240
 21 members. Our critical part of our mission at the Rural
 22 Water Association is to travel directly into our small,
 23 rural communities and assist them with operating,
 24 governing, financing, upgrading, and maintaining their

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1 water and wastewater infrastructure. This includes
 2 compliance with an abundance of federal Clean Water and
 3 Safe Water Act regulations, as well as all the training
 4 needed to keep local officials, operators certified and
 5 educated on the latest rules, regulations, and
 6 technologies.

7 It would be not be an exaggeration to say
 8 that I have traveled through every community water system
 9 in the state, and mostly all the public water systems,
 10 providing on-site, hands-on technical assistance over my
 11 31 years, and I have done this probably more than one
 12 time.

13 Delaware has 482 public water systems, of
 14 which, 207 are community water systems. Only three of
 15 these water utilities serve populations of over 100,000
 16 people, and only 34 serve a population between 3,300 and
 17 10,000. That means 448 of these total 482 public water
 18 systems serve fewer than 3,300 persons.

19 Small rural communities have more
 20 difficulty affording public drinking water and wastewater
 21 service due to the lack of population density and the
 22 lack of economies of scale. This challenge is compounded
 23 by the fact that rural communities have lower average
 24 median household incomes and often have higher rates of

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1 poverty. Many small communities have only one operator
 2 with multiple duties, not just water treatment, while a
 3 large community may have a team of technical experts
 4 including engineers, chemists, and highly trained
 5 operators as part of their full-time staff.

6 On behalf of all the small rural
 7 communities in the state, thank you, Senator Carper and
 8 Senator Capito, for crafting and passing in the Senate
 9 the Drinking Water and Wastewater Infrastructure Act. We
 10 enthusiastically support enactment of the bill and
 11 appreciate the many helpful and beneficial provisions for
 12 rural America in your water legislation, including the
 13 expansion of technical assistance and grants targeting
 14 communities with the greatest need, which should help us
 15 address rural environmental justice, sustainability of
 16 water infrastructure, protecting the public from PFAS
 17 contamination, compliance with the new Lead and Copper
 18 Rule revisions, reducing nutrient concentrations into
 19 source water, improving the country's water workforce,
 20 defending against cyber attacks on water supplies, and
 21 other priorities.

22 The town of Selbyville and municipalities
 23 in Delaware would like to sincerely thank Congress for
 24 funding we received under the 1.9 trillion American

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1 Rescue Act. Selbyville received approximately 1.4
 2 million from this legislation. We will be using a
 3 significant portion of this funding for drinking water
 4 and wastewater infrastructure updates, including a new
 5 storage facility, filter backwash recovery, and other
 6 urgent needs.

7 The main concern in Delaware's small and
 8 disadvantaged communities is aging water infrastructure.
 9 Much of the water infrastructure around the state is many
 10 decades old and experience chronic failures causing
 11 noncompliance. Pipe materials have reached their
 12 intended use age and are crumbling and failing. This
 13 deterioration is occurring while we are witnessing
 14 dynamic increases in the cost of materials like pipe,
 15 hydrants, meters, fixtures, and treatment chemicals.

16 This adverse trend is compounded by
 17 another problematic trend. Our communities cannot fill
 18 their demand for new water and wastewater operators. We
 19 need help. Our experience in Selbyville is similar to
 20 many small rural communities in the state.
 21 Unfortunately, many are smaller, including numerous
 22 mobile home parks where, due to the limited economies of
 23 scale, there is no ability to solve their water
 24 infrastructure challenges without grant-rich subsidies.

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1 In addition to funding assistance through
 2 state revolving funds, small and rural communities need
 3 help with hands-on technical assistance in training with
 4 funding applications, understanding all the complicated
 5 EPA rules, including the new Lead and Copper Rule, and
 6 training of new operators.

7 Lack of water and wastewater operators in
 8 the workforce remains one of the most troubling trends in
 9 Delaware. We have many experienced operators retiring
 10 and very few new operators coming into the field.
 11 Currently, Delaware Rural Water collaborates with
 12 Polytech and the state's Pathway education programs who
 13 train high school students who are not college-bound to
 14 be trained in basic water operations. This has been a
 15 great success for us here at Delaware Rural Water. And
 16 today, we welcome William Penn High School, which has
 17 joined us, with Rural Water in our training program for
 18 high school students.

19 Rural Water is grateful for the 55 billion
 20 in water infrastructure funding in the Bipartisan
 21 Infrastructure Framework legislation, which is more EPA
 22 water infrastructure funding than anyone could imagine.
 23 Rural Water is committed to working with the state
 24 agencies and moving the funding out into projects and

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1 helping all the communities in Delaware to apply and
 2 secure the funding. It will be a quite welcome challenge
 3 to move the funding from program dollars to approved
 4 projects. Rural Water foresees a great demand for
 5 on-site technical assistance in the application process,
 6 project design, and education of the new funding for all
 7 our state's rural communities.

8 Thank you, Mr. Chairman, and members of
 9 the committee for the honor to testify for rural America,
 10 and we are grateful that you have included a voice for
 11 rural America at this hearing. In addition, we deeply
 12 appreciate the numerous opportunities this committee has
 13 provided rural America to be included in crafting of
 14 federal water and environmental legislation and the
 15 policies. Thank you.

16 SENATOR CARPER: Thanks very, very much
 17 for all you do and certainly for being here today and
 18 sharing those thoughts with us.

19 Senator Coons had to modify his schedule
 20 in order to be able to join us here for an hour. I just
 21 want to say thank you, not just for being here, but for
 22 being where we really need you, especially in the
 23 Appropriations Committee to make sure that the work that
 24 Senator Capito and I are doing with our colleagues on our

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1 committee -- you know, we can authorize programs,
 2 authorize spending from now until the cows come home, or
 3 the chickens come home, and it would be for not if we
 4 don't have the appropriations, and Senator Coons
 5 delivers. So thank you, Chris.

6 SENATOR COONS: Thank you so much,
 7 Chairman. Thank you, Ranking Member Capito. And thank
 8 you to the witnesses who've spoken so movingly about the
 9 urgent need for more funding, for more technical
 10 assistance, for more training, and a stronger workforce.

11 When I was county executive, I was
 12 responsible for a wastewater treatment system that served
 13 half a million people and had 1,800 miles of sanitary
 14 sewer and 75 lift stations, and we did have that team of
 15 engineers and technical advisors. The challenges that
 16 you face in rural and disadvantaged communities is far
 17 greater than I had previously appreciated, so I am
 18 grateful for your testimony.

19 Thank you so much for accommodating me and
 20 allowing me to join you today. And I look forward to
 21 funding anything that you appropriate now and in the
 22 future. Thank you.

23 SENATOR CARPER: Thank you, Chris. All
 24 right.

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1 Senator Capito, would you like to lead us
 2 off?

3 I want to just mention something if I can
 4 while Rick is sitting here. He's from Selbyville,
 5 elected for 21 years, did you say? One of the things
 6 that is different in Delaware than when I first came here
 7 a million years ago right out of the Navy, one of the
 8 things that's different is we've become -- people come
 9 here for a variety of reasons as tourists, national park,
 10 our wildlife refugees. People come here for our beaches.
 11 People come here because we have tax-free shopping.

12 But one of the things that increasingly
 13 people come here for is because of music. And it was
 14 weeks ago, we had the Firefly concert just up the road at
 15 the Dover Downs. I think there were 75,000 people there.
 16 It's about the tenth year that we've done it. We've had
 17 huge acts, like, you know, Paul McCartney, just some of
 18 the biggest acts in the country.

19 You can find, from all the way down to all
 20 the way north to Wilmington, the Grand Opera House, the
 21 Freeman Stage, University of Delaware, Carpenter Hall;
 22 it's just all up and down, including here in Dover. In
 23 Selbyville, there's a place called Freeman Stage. Take
 24 just a second. My recollection is something magical is

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1 happening at Freeman Stage in terms of, I think, 1,500
 2 people, I think, can show up in the summers from Memorial
 3 Day through Labor Day for concerts, some of the biggest
 4 acts around. But I think they're building, creating
 5 something like a pavilion or something really exciting.

6 Would you just take a minute on that,
 7 Rick.

8 MR. DUNCAN: Freeman Stage is -- we've
 9 attended several concerts there. It's a great addition
 10 in Selbyville. It draws and attracts a lot of people and
 11 stuff like that. So they host a lot of good events there
 12 and stuff like that, so we welcome them as much as we
 13 can, so they provide great shows.

14 SENATOR CARPER: People have been coming
 15 to our beaches and they're good ones. They're some of
 16 cleanest, loveliest beaches around. And folks like to
 17 shop and we have good food -- but music, and I think
 18 they're going to be able to seat 4,500 people at the
 19 Freeman Stage in the next development.

20 Do you recall the statewide stages?
 21 Remember the statewide stages legislature which was
 22 designed to help especially music venues that were
 23 hard-hit by the pandemic? And one of the most helped is
 24 the Freeman Stage. So we're delighted they're in

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1 business, up and running.

2 MR. DUNCAN: Up and running.

3 SENATOR CARPER: They provide great, great

4 entertainment. Thank you.

5 I'm going to yield to Senator Capito for

6 the first round of questions, and we'll just take it from

7 there.

8 SENATOR CAPITO: Thank you. Thank all of

9 you. Very interesting perspectives, a lot of

10 similarities, and a few differences, and probably many

11 more similarities between our two states. And thank you

12 for what you do for the citizens of Delaware.

13 Let me ask a question of Ms. Codes-Johnson

14 on the health perspectives in the PFAS area. Have you

15 had to -- and lead. I want to know what is the

16 pervasiveness of this in Delaware as far as you know.

17 And are lead pipes a big issue here, and what are you

18 seeing there?

19 MS. CODES-JOHNSON: Yes. Well, I can

20 respond more in detail on the record later for that, but,

21 yes, we do have a problem with lead pipes here in

22 Delaware, again, due to aging infrastructure, right, in

23 certain communities, and we have a pretty robust lead

24 program, right, to actually do testing.

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1 SENATOR CAPITO: State program?

2 MS. CODES-JOHNSON: State program,

3 State-funded lead program to help with testing of kids,

4 right, to actually be able to determine and catch early,

5 you know, levels of lead.

6 SENATOR CAPITO: Have you found that

7 that's an issue? I mean, obviously, with Flint,

8 Michigan, that was a big issue that we found -- finding

9 that it's high, low, or it seems to be something that's

10 been managed?

11 MS. CODES-JOHNSON: We do have an issue

12 with lead for kids here in Delaware that we're working

13 really hard to address, and I know Senator Hansen, who's

14 also here, and others are really helping to lead that

15 issue. There is a legislative body here in Delaware that

16 is looking at the lead issue. There's a committee that

17 is established by the governor that is working on looking

18 at how we can strengthen both the testing and remediation

19 for lead for kids here in Delaware.

20 SENATOR CAPITO: Good, thank you. I

21 would -- just FYI, those of you who are interested in the

22 PFAS issue, I know there's some in the audience that are

23 interested in that, we're going to be having a hearing on

24 that next week, I believe, with Radhika Fox, who is in

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1 charge of those issues. Both the Chairman and I have

2 been very aggressive on that in terms of pushing for some

3 kind of safe drinking level. And, hopefully, we're going

4 to get some more definitive answers from the EPA. That's

5 been something that's -- a lot of interest everywhere,

6 but certainly for the two of us most assuredly.

7 Let me ask you, Mr. Duncan, just so I

8 understand the structure here, I know what our

9 structure -- you have all these rural systems. You have

10 a couple big systems. Do you have, like, public service

11 districts like we have in West Virginia? Or who runs

12 those rural services? Are they municipalities? I know

13 you only have three towns.

14 MR. DUNCAN: They're municipalities.

15 They're areas -- service areas. We also have privately

16 owned, which is under the PSC.

17 SENATOR CAPITO: Okay.

18 MR. DUNCAN: The Public Service

19 Commission.

20 SENATOR CAPITO: Right.

21 MR. DUNCAN: Stuff like that.

22 SENATOR CAPITO: So when you're putting

23 together an improvement, and we talked about costs of all

24 of this. When you're putting together a system that

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1 needs improved, we have an Infrastructure and Jobs

2 Council that sort of ranks these, and then tries to pull

3 funding from EDA and USDA and all this because not one

4 entity can afford all of this, the cost of one. I mean,

5 some of them can, but not normally in rural areas.

6 Do you have that kind of a system here in

7 Delaware where you have a coordinating body that helps to

8 get to the affordability? Because what I'm trying to get

9 to is the issue of raising rates. Is it as big an issue

10 in Delaware as it is in West Virginia? It's certainly at

11 the lower end, it's got to be, but just in general, our

12 communities haven't raised their rates, many of them, for

13 many, many, many, many years.

14 MR. DUNCAN: As a councilperson, we never

15 want to raise rates, but we have to.

16 SENATOR CAPITO: Right. Of course you

17 don't, yeah.

18 MR. DUNCAN: We don't want to, and so --

19 it doesn't get us elected so -- but we do have the Water

20 Infrastructure Advisory Council. We do have a program

21 set aside there that we can offset funding for water and

22 wastewater utilities to do an asset management program,

23 capital improvements program, and stuff like that to help

24 offset some of those and see what their needs are for

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1 rate recovery, capital improvements, and so forth like
 2 that.
 3 SENATOR CAPITO: You mentioned the asset
 4 management issue as something that the Chairman and I
 5 dealt with in this bill so you can identify where your
 6 assets are. Some of -- okay. I know I'm in the first
 7 city of the first state, right?
 8 SENATOR CARPER: No. Lewes was the first
 9 town.
 10 MR. DUNCAN: Lewes.
 11 SENATOR CAPITO: Oh, Lewes.
 12 SENATOR CARPER: 400 years ago. 400 years
 13 ago.
 14 SENATOR CAPITO: Oh, okay. Sorry, I got
 15 that wrong.
 16 SENATOR CARPER: The people in Lewes --
 17 SENATOR CAPITO: That gentleman right
 18 there told me --
 19 SENATOR CARPER: The people in Lewes will
 20 be upset if we --
 21 SENATOR CAPITO: I know. He's right
 22 there. Sorry. A city in the first state, how about
 23 that? But some of your infrastructure's got to be very,
 24 very old because you've obviously developed early as a

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1 state.
 2 Do you have a pretty good idea of where
 3 all your infrastructure is? I mean, I know it's a small
 4 state, but I'd be interested to know, particularly in the
 5 rural areas, if this asset management piece that we've
 6 put in is going to be of help to Delaware.
 7 MR. DUNCAN: The Office of Drinking Water,
 8 several years ago, had a subcontractor work with Rural
 9 Water and other agencies to help to identify these, go
 10 out, and studying every town, municipality and just find
 11 out what that figure was going to cost and where all the
 12 aging infrastructure was, stuff like that. A lot of our
 13 municipalities have taken advantage of the grants that
 14 they can get through the Water Infrastructure Advisory
 15 Council to narrow the scope down, I guess, of what they
 16 need, so, yes.
 17 SENATOR CAPITO: But there's still a need
 18 there for --
 19 MR. DUNCAN: There's always a need.
 20 SENATOR CAPITO: -- more delineations and
 21 clarity.
 22 MR. DUNCAN: Yeah. You can't see what's
 23 buried. So --
 24 SENATOR CAPITO: No.

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1 MR. DUNCAN: And it's a lot of work trying
 2 to identify where these pipes are --
 3 SENATOR CAPITO: Right.
 4 MR. DUNCAN: -- without drilling test
 5 holes and stuff like that so it's a big number, you
 6 know --
 7 SENATOR CAPITO: Right.
 8 MR. DUNCAN: -- to do that. So...
 9 SENATOR CAPITO: Right.
 10 Ms. Codes-Johnson, what would you say your
 11 biggest challenges are for public health? I mean, we
 12 talked about lead; we talked about PFAS. But is there
 13 anything else there? Obviously, lack of drinking water,
 14 I mean, obviously, it's got to impact education and
 15 younger children, ability to economically develop certain
 16 areas. Do you want to expound on that a little bit from
 17 the public health perspective?
 18 MS. CODES-JOHNSON: It was mentioned
 19 earlier, I think, in Representative Lisa Blunt
 20 Rochester's comments and also, I think, others have
 21 talked about this. We are very concerned about our
 22 private well owners here, here in our state, and how we
 23 can support them because, oftentimes, they don't live
 24 close enough to get drinking water from a public, right,

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1 from a public utility. And the inability to have access
 2 to that public source of water means that there's no
 3 mandatory monitoring, right, or treatment for any
 4 contaminants, right, that may be in that water so -- and,
 5 you know, and we promote recommendations for inexpensive
 6 well testing and things of that nature.
 7 But really less than 2 percent, is what
 8 we're seeing, of people with private wells actually, you
 9 know, do that on a regular basis. And so private well
 10 contaminants affect low-income and environmental justice
 11 communities, we know, right, at a disproportionate rate.
 12 And in the same token, you know, these residents often
 13 struggle to be able to afford the bottled water that they
 14 need, right, on a daily basis --
 15 SENATOR CAPITO: Right.
 16 MS. CODES-JOHNSON: -- to support their
 17 families. So that's a challenge that we see. And we
 18 think things like promoting regionalization, you know,
 19 where we can and offering well rehabilitation services
 20 and more education for private rural owners in our rural
 21 parts of the state are some things, in addition to
 22 maintaining the disadvantaged community's additional
 23 subsidies are necessary to help in that area.
 24 SENATOR CAPITO: Well, as part of this

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1 bill that we've been talking about that we hope gets to
 2 the President's desk soon as part of the bigger
 3 infrastructure package, we did put, I believe,
 4 \$50 million into decentralized systems such as what
 5 you're talking about.

6 But where I was coming from this week with
 7 Senator Booker, it kind of surprised me, being from what
 8 I consider a very rural state, he's impressed upon me
 9 that New Jersey still has very, very rural areas, which
 10 I'm sure that they do. But, you know, we've got these
 11 septic systems that have been around for way too long.
 12 They can't be replaced -- well, they could be replaced;
 13 they're too expensive to be --

14 MS. CODES-JOHNSON: Right.

15 SENATOR CAPITO: -- replaced. So this
 16 will have some assistance with that to be able to hit
 17 exactly what you're talking -- these systems that aren't
 18 connected to anybody and to be able to give some
 19 assistance through the State to that individual resident
 20 rather than to a municipality or a county system.

21 So you said one word that we heard a lot
 22 yesterday, and it's hard in a small state because we take
 23 ownership of all of our small communities every -- you
 24 know, you mentioned you're on the city council of your

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1 small community. There's a lot of pride there, so it's
 2 hard to say we need to regionalize because you feel like
 3 you're going to give up your governance or your ability
 4 to make decisions for your own citizens. But, you know,
 5 to get more bang for your buck, that's really the way to
 6 go.

7 And certainly with the technology, as it's
 8 moving forward, you can maybe help a little bit with the
 9 workforce issue if you can regionalize and then have your
 10 technical expertise, or even if you went into more modern
 11 ways of monitoring than the old meters and everything
 12 that we used to have, or we still have, I think that
 13 could be a way for rural America to really be more
 14 effective in this area.

15 So thank you, Mr. Chairman.

16 SENATOR CARPER: Thank you. Senator
 17 Capito, thank you so much.

18 Senator Capito has been a leader on the
 19 PFAS, PFOA, permanent chemicals, clean water and clean
 20 drinking water standards and continues to do that and I'm
 21 privileged to help with that.

22 Every now and then, people are probably
 23 hearing a noise outside overhead. We had a couple of --
 24 have two kinds of airplanes at Dover Air Force Base,

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1 which is just down the street. One of them is the C-17,
 2 a more modern aircraft for a big plane. But the much
 3 bigger plane is the C-5. A C-5 carries twice as much as
 4 a C-17, flies twice as far -- actually carries three
 5 times as much, I think. So I think what we're hearing is
 6 C-5s flying in the balance pattern flying overhead.

7 I was about -- gosh, seven, eight years
 8 ago, Senator Capito -- I was driving literally right by
 9 this building on my way to Southern Delaware coming right
 10 down that Route 113. And there was a traffic backup
 11 about a half mile north of the base. And I wonder what
 12 this is. And I got a phone call from my staff on my cell
 13 phone and said a C-5 has gone and crashed just south of
 14 the base.

15 And what happened is one of the largest
 16 airplanes in the world -- the C-5 owns more aircraft
 17 records, I think, than any aircraft in the world. You
 18 know, they're an incredibly reliable aircraft. And I
 19 came there, and I spent a lot years of my life as a naval
 20 flight officer. C-5, they're getting ready to fly, I
 21 think, over the top of the world, you know. They land
 22 maybe in Afghanistan with a full bag of fuel, a full
 23 order of cargo.

24 And the C-5 has four engines. And C-5,

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1 they preflight it, they board the plane, gassed it up,
 2 and they were taxiing, got the clearance, and down the
 3 runway, hit refusal speed, took off. And as they climbed
 4 out, one of the things that the flight engineer checks on
 5 is engine warning lights to make sure the four engines
 6 are okay. And they got, out of the four engines, they
 7 got one engine warning light, which is not good. And the
 8 flight engineer, rather than turning off, shutting down
 9 that engine, shut down the wrong engine. And a plane
 10 that was flying with a full bag of fuel, full load of
 11 cargo, instead of flying on four engines, all of a sudden
 12 was flying on two.

13 And they tried as hard as they could to
 14 get back around to come back and try to land on the
 15 runway they had just taken off on, and they ended up
 16 about a mile short. And by that time, the rescue crews
 17 on the base had been warned, notified, and they were
 18 summoned, and they just got as fast as they could down to
 19 where the crash site was, covered it with foam, covered
 20 the aircraft with foam, put out whatever fire was there,
 21 and, at the end of the day, everybody lived.

22 SENATOR CAPITO: Oh, that's great.

23 SENATOR CARPER: Everybody lived. It was
 24 a miracle. That's the good news. Bad news is there were

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1 several communities around Dover Air Force Base. They
 2 have PFOA, PFAS pollution in their water.
 3 And I remember another time when I was a
 4 naval flight officer stationed out in Moffitt Hill,
 5 California close to Palo Alto, driving to work one
 6 morning. And I had to have had an early flight so it was
 7 about 8:00 in the morning, driving down the 101 to the
 8 base, and I can see black smoke coming up from my base
 9 off in the distance. I had no idea what was going on. I
 10 got closer and closer. I went in the gates, the main
 11 gate, and the person at the main gate, the guard said,
 12 "We had a crash here." He said, "It's a" -- we had, at
 13 the field, we had a NOLA -- or NASA, rather, NASA
 14 aircraft, big airplanes. And we have the P-3s, which are
 15 pretty big four-engine airplanes, but not as big as the
 16 NASA planes. And we had dual runway flights, a parallel
 17 runway, so you can have two airplanes landing
 18 side-by-side, literally on different runways.
 19 And the air traffic controller made a
 20 human error, and he allowed the large NASA plane to
 21 literally land on top of the Navy plane. I think 18
 22 people died. And during that, immediately, when the
 23 crash occurred, the rescue trucks came out, and they
 24 sprayed down the aircraft. They were going to save as

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1 many people as they could.
 2 And there's an irony here that the
 3 chemical ingredients that were used to try to save lives
 4 in both of those crews have now threatened lives in terms
 5 of the drinking water that we have. The question is --
 6 and this has occurred especially in military bases around
 7 the country and also at airports, we have a lot of
 8 groundwater contamination. The question is what do you
 9 do about it? How do we clean it up? Who's going to pay
 10 for it? What kind of standards are going to be set for
 11 what is safe? And what is the levels for the presence of
 12 these chemicals in our water? What's safe and we're able
 13 to drink and not have to worry about damaging our health?
 14 So these are the kinds of issues that we
 15 get to deal with, and Senator Capito has been a huge
 16 leader on this stuff already, and I'm pleased to be able
 17 to help with that. And that's just an example, real life
 18 example from right here, of what can happen with creating
 19 hazards for our drinking water.
 20 And in Delaware, I think I said one out of
 21 six Delawareans depend on a well for their drinking
 22 water. That would be about 170-, 175,000 people in all,
 23 and they use private wells. They don't have access to a
 24 public water system. Some of the communities here in

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1 Dover nearby Dover Air Force Base that have seen their
 2 groundwater polluted by PFOA or PFAS are now getting
 3 access to public water, which is a good thing.
 4 The private well contamination affects all
 5 kinds of folks, including low-income folks the most,
 6 because they can't afford home filtration systems in many
 7 instances that eliminate pollutions, including nitrates.
 8 We have a lot of nitrate pollution.
 9 You know, in Southern Delaware, we raise
 10 all these chickens. And what I think I said earlier, we
 11 have, I think, 300 chickens for every person in Delaware.
 12 That's a good thing. We sell a lot of chickens around
 13 the world. They also create a lot of manure, which is a
 14 high phosphorus, high nitrogen fertilizer. But if you
 15 put too much on the land, it can seep into the
 16 groundwater and even to our surface water, so that's a
 17 challenge as well. Nitrates is a real problem for us.
 18 A question I would have, just really for
 19 the whole panel, if I could, what more can Congress and
 20 the federal government do to ensure safe, clean water for
 21 individuals who rely on private wells for their drinking
 22 water?
 23 Rick, would you like to take that one
 24 first?

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1 MR. DUNCAN: What more --
 2 SENATOR CARPER: What more can Congress
 3 and the federal government do to ensure safe, clean water
 4 for individuals who --
 5 MR. DUNCAN: Rural Water --
 6 SENATOR CARPER: -- rely on private wells
 7 for their drinking water?
 8 MR. DUNCAN: Rural Water works with all
 9 entities, whether they be private, municipal, and so
 10 forth. So, and at the end of the day, we're there to
 11 help provide clean, safe, potable drinking water. We
 12 often get calls at Rural Water about, you know, nitrates
 13 and water and stuff on how we can rectify the problems of
 14 water. So, you know, we work close with the Office of
 15 Drinking Water, and they offer different test kits and so
 16 forth. So we also have, as members of the Rural Water
 17 Association in Delaware, members who have units that can
 18 kind of extract the nitrates and so forth and provide
 19 that service and stuff like that.
 20 So we feel that we do a fantastic job, you
 21 know, working with the ones that are having nitrate
 22 issues. I know we can't catch them all, but there are
 23 ways to resolve and help work through the nitrate
 24 problems and so forth, so -- but it is going to happen

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1 here in Delaware. You know, we are farmland and stuff
 2 like that, so I think with additional funding and so
 3 forth to help eliminate some of these and corrective
 4 actions and so forth and come up with programs, and we
 5 can conquer the problem.

6 SENATOR CARPER: Thank you.
 7 Vikki, same question. What more can
 8 Congress and the federal government do to ensure safe,
 9 clean water for individuals who rely on wells for their
 10 drinking water?

11 MS. PRETTYMAN: Thank you for the
 12 question, Senator Carper.

13 First, I'd like to say that there is a
 14 private well -- for private well owners, there's a
 15 private well class. There's also the National
 16 Groundwater Association that provides technical
 17 assistance along with RCAP, and our many programs, and
 18 SERCAP within the state of Delaware.

19 It's important to private well owners that
 20 they understand their well. We offer private well
 21 assessments that we come out to their home and can show
 22 them where their well was located, print out the
 23 information from DNREC giving them the depths, when it
 24 was installed, and educate them on the ways that their

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1 well could be contaminated by visually looking at the
 2 wellhead and advising them on what should be there and
 3 what shouldn't. I think it's critical that continued
 4 funding for these programs continue.

5 The contamination issue with their -- if
 6 they do have a broken septic, if they have a leaking
 7 septic and understand that those -- the septic tank being
 8 in disrepair can affect their drinking water is very
 9 important. Nitrates, you know, they -- it's not
 10 something that you can see. You can't smell it. They
 11 don't know that it, you know, it's in their water. And
 12 they think that if it tastes good, it smells good, it
 13 looks good, then it's good; it's great water, and that's
 14 not necessarily the truth. And they think if something
 15 is contaminated, that boiling it can get rid of that
 16 contamination. And we know with nitrates that boiling it
 17 concentrates the nitrates.

18 So I think education is so important and
 19 continued funding to technical assistance programs like
 20 SERCAP and RCAP is very important.

21 SENATOR CARPER: All right. Thank you,
 22 Vikki.
 23 Cassandra, same question.
 24 MS. CODES-JOHNSON: I wholeheartedly agree

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1 with the panel. I think offering a more robust system
 2 for well rehabilitation services, providing more public
 3 health-lead programs for provision of education, right,
 4 for families who are well owners, education and tools and
 5 resources to support them. I believe the funding that
 6 Senator Capito mentioned will go a long way as well in
 7 helping to support our private well owners in our state.

8 SENATOR CARPER: I could be mistaken on
 9 this. I've asked John Kane, who's our lead staff member
 10 on EPW with respect to water issues, to check with our
 11 team, but I believe last time I checked, here in
 12 Delaware, we have a Department of Health and Social
 13 Services, and Lisa used to be the deputy secretary of
 14 that department. She was a member of the Administration.

15 But we have, within the Department of
 16 Health and Social Services, a Division of Public Health,
 17 and I think we have the capability, the Division of
 18 Public Health has the capability to provide, for a couple
 19 of dollars, the testing of water that's the drinking
 20 water for folks who don't have a public system. What do
 21 we have? It's \$4? Yeah, \$4.

22 MS. PRETTYMAN: \$4.
 23 SENATOR CARPER: \$4. And a pretty good,
 24 pretty good price for a lot of certainty and reassurance.

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1 This question -- let's see.
 2 Cassandra, had you finished? I think you
 3 had.

4 MS. CODES-JOHNSON: Yes.
 5 SENATOR CARPER: Yeah, yeah. Thank you.
 6 Rick, I'm going to come back to you if I
 7 could. The issue, and I'm sure Senator Capito remembers
 8 it, the issue of worker retention, worker training keeps
 9 coming up.

10 We just had, earlier this week, a
 11 celebration down in Georgetown, which is the county seat
 12 of our southernmost county, Sussex County. And at Del
 13 Tech, which is one of the finest community colleges in
 14 America, we had the dedication of the Automotive Center
 15 for Excellence, and it was a partnership between Del
 16 Tech, which is largely state sponsored. There's money
 17 that was -- literally, the idea was to train people who
 18 can fix cars, trucks, vans, big cars, big trucks, and
 19 small ones as well. And, eventually, they'll be either
 20 trained to work on electric-powered vehicles, and maybe
 21 eventually, after that, hydrogen-powered vehicles.

22 One of the challenges that our automotive
 23 dealers in this state have had for years is finding
 24 enough trained workers to take care of the vehicles and

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1 make sure that they're working. And I remember going
 2 into an auto dealership down just about 20 miles south of
 3 here in the town of Milford about ten years ago when we
 4 got the first Chevrolet. They had a press conference. I
 5 wanted people to know we had an electric vehicle, it was
 6 a hybrid, and I wanted people to know about it. That's
 7 why we did a great press event on that.

8 Then I went and did a tour of the shops,
 9 the repair shops. It was a Saturday. And the fellow who
 10 owned i.g. Burton said, "One of our biggest challenges is
 11 just having people trained who come here and work, do
 12 this work, and we lose them." And I said, "Well, maybe
 13 you should pay them more money." And he said -- I said
 14 it at one point, you know, joking. But he said, "We
 15 started -- we paid people to start" -- this was a decade
 16 ago -- he said, "30 or 40,000." He said, "One person, we
 17 pay almost \$100,000 to be a technician to fix cars." And
 18 I said, "Well, that's a lot."

19 But as it turns out, almost every auto
 20 dealer has the same problem. All three integrators had
 21 the same problem. And what we've done is created this
 22 partnership with Del Tech, state, county, something
 23 called the Economic Development Administration entity
 24 that Senator Capito and I work with very closely. We

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1 have jurisdiction over them, and they invest in projects
 2 just like this, just like that one.

3 And what we had to do for the auto
 4 dealers, for the poultry integrators, is make sure they
 5 had a workforce; make sure they had a workforce. And it
 6 wasn't that the workforce was aging. They just didn't
 7 have -- they just couldn't keep them, just couldn't keep
 8 them. We have a similar problem all over the country, I
 9 hear, with worker retention. You know, we've got a bunch
 10 of these small utilities and some of them have just one
 11 employee, maybe a couple. And they're not getting any
 12 younger like some of my colleagues in the Senate.

13 I mentioned Chuck Grassley earlier; he's
 14 88. He's going to run for reelection. And I think
 15 Dianne Feinstein's 88. And who else is 80? Richard
 16 Shelby. And I told Chuck Grassley, when he announced he
 17 was going to run for the election, I said, "When I'm 88,
 18 I'm not going to be going through reelection." And I
 19 said, "I just hope I know who I am, where I am." I'll be
 20 happy with that.

21 But retention, workforce retention, each
 22 of you, if you'd give us some thoughts on that.

23 Rick, why don't you lead us off.

24 MR. DUNCAN: 380,000 wastewater operators

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1 throughout the country, 30 to 50 percent will be retiring
 2 within the next five to ten years. These operators serve
 3 as public health officials and are also, not only
 4 personally responsible for complying with all the
 5 applicable federal, state drinking water Clean Water Act
 6 regulations for supplying the small communities in safe
 7 drinking water and sanitation every second of the day.

8 Again, unfortunately, a vast majority of
 9 the Delaware small community water systems have been
 10 unable to attract, train, and retain the next generation
 11 of workforce due to the lack of career path, coupled by
 12 low salary levels and population density. At Delaware
 13 Rural Water, we've seen this need to act quickly and
 14 partnered with the National Rural Water and the Delaware
 15 Department of Labor to initiate our water and wastewater
 16 systems operator apprenticeship program back in 2019, and
 17 we were very proud of the work to address this urgent
 18 need. And, in fact, we just had our first graduating
 19 class this past spring.

20 Delaware Rural Water apprenticeship
 21 program leverages workforce development activities,
 22 including career path and modern systematic apprentice
 23 model for 4,000 hours of on-the-job training at a work --
 24 at a water or wastewater system, 288 hours of formal

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1 classroom training, instruction, and additional guidance
 2 from Delaware's subject matter. Some of the benefits
 3 operators get for an apprenticeship program include
 4 expanded job opportunities in rural America by including
 5 access to pre-apprenticeship youth outreach and
 6 mentorship programs. We've established a systematic
 7 training method for water and wastewater utilities.

8 We've also improved the workforce
 9 participation and retention of water workers in small
 10 communities. We certify our water workers' proficiency
 11 with an identifiable career path. We've modernized the
 12 water industry's approach to workforce development. We
 13 also enhanced professionalism and upscaled the incumbent
 14 worker, increased the recognition of the public benefit
 15 that water and wastewater systems deliver to the
 16 communities. We always work with the employers on
 17 scheduling of wage increases, and it's to provide the
 18 sophisticated and advanced technologies these system
 19 operators need every day. So we're proud of our
 20 apprenticeship programs and working with the Department
 21 of Labor here in Delaware.

22 SENATOR CAPITO: Can I just ask a quick
 23 question? I'm going to jump in real quick. How many
 24 people have you had go through that program?

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1 MR. DUNCAN: We've had 20 in our
 2 apprenticeship program now.
 3 SENATOR CAPITO: How do you recruit them?
 4 MR. DUNCAN: We have our apprenticeship
 5 coordinator go out to municipalities. We work with our
 6 career path, our Pathways people and so forth. We do a
 7 lot of advertising, TV advertising, so forth. If you
 8 want to change your career, you want a new path at life,
 9 we go out and research and we just, you know -- we just
 10 put the information out there that, you know, we're
 11 getting ready to be starting our vets program up. You
 12 know, we're doing apprenticeship for vets coming back and
 13 so forth. So it's -- a lot of it is word of mouth, but
 14 we're outside in municipalities, communities doing job
 15 fairs and so forth like that.
 16 SENATOR CAPITO: Thank you.
 17 SENATOR CARPER: For anybody, with respect
 18 to retention, we have a lot of utilities, really small,
 19 many of them have one employee, one or two employees, and
 20 in some places there, we're seeing consolidation, almost
 21 a merger, between small utilities. Is that part of the
 22 answer to worker retention to give them the ability to
 23 actually pay more money? Is that part of what needs to
 24 be done, or can it help address this problem?

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1 MR. DUNCAN: We're fortunate in Delaware,
 2 most of our municipalities have more than one. We do
 3 have some, we would call it circuit rider water operators
 4 that take care of multiple systems, so forth. Yeah.
 5 SENATOR CARPER: Okay. Let me ask our
 6 other witnesses, any thoughts on worker retention or
 7 workforce retention? If you don't have anything for us
 8 on this, there are plenty of other questions we have.
 9 Anything you want to mention? Workforce retention.
 10 Going? Going?
 11 MS. CODES-JOHNSON: I'll --
 12 SENATOR CARPER: Yeah, go ahead.
 13 MS. CODES-JOHNSON: I just want to -- I
 14 just, you know, want to say that the infrastructure that
 15 Delaware has built with our Pathways Programs, right, in
 16 our schools is a really good opportunity, right, to look
 17 at growing economies in places, right, where we need
 18 additional expertise for the long run and to actually
 19 start to engage with these schools really early, right,
 20 start to engage with youth really early for them to
 21 understand that there are different career paths, right,
 22 that they can have an opportunity to engage with. That,
 23 you know, a college degree, right, may not be the pathway
 24 for everyone, and to expose them to other opportunities.

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1 So I'm really happy to hear that this program is in
 2 Delaware and Delaware Rural Water is doing this and hope
 3 that there's an opportunity to spread and scale it.
 4 SENATOR CARPER: Not everybody needs to go
 5 to college, as you know, not everybody. And sometimes we
 6 think you've got to go to college in order to get a good
 7 job. Not true. Not true. And some of the jobs most in
 8 demand pay well and don't require a four-year degree, may
 9 not require a two-year associate's degree. Del Tech is
 10 our community college here in Delaware. They have
 11 something called the SEED program, and for folks who,
 12 actually students, who have a, like, B, B minus average
 13 or something coming out of high school, right after
 14 graduation from high school, they end up -- they can take
 15 advantage of the SEED scholarship and go to a two-year
 16 college free; free. And a lot of them can get a
 17 certificate if they get an associate's degree. They can
 18 get a certificate that can be transferrable and used
 19 around the state, around the country.
 20 The other thing, a couple of our witnesses
 21 have mentioned the Pathways Program. Jack Markel,
 22 remember Jack Markel, who's our governor?
 23 SENATOR CAPITO: Uh-huh.
 24 SENATOR CARPER: A very good governor; I'd

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1 like to say he was one of the two or three best governors
 2 we ever had. I wish he could hear me say that. But one
 3 of the things that they launched in his administration
 4 was a Pathways program. So we've got all our kids
 5 graduating from high school. Some are going to go to
 6 two-year college; some are going to go into four-year
 7 college; some will go in the military, and some will just
 8 wonder, what do I do now. And the idea of the Pathways
 9 Program was to create 20, 25 pathways for students to
 10 start working on throughout their time in high school.
 11 We started, I think, with 27 kids in the first year that
 12 we did it. Now we've got about 25,000, which may not
 13 sound like a lot, but in little Delaware, that's a lot of
 14 people. That's a lot of students, and so we're very
 15 proud of that program.
 16 MR. DUNCAN: I'd just like to comment that
 17 I wrote a 12-week program and took it into the Indian
 18 River High School District and talked with the career
 19 paths coordinator, and she provided me with ten students.
 20 By the time we ended the 12 weeks, we were down to eight
 21 students, taking those on field trips and so forth and
 22 giving them exams, having the municipality city managers
 23 come in, public works directors quiz these kids while
 24 they were taking tours, and every one of them were on

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1 spot with the 12-week.
 2 And we're proud to say that upon
 3 graduation, three of these students were hired by
 4 municipalities as soon as they graduated: two in the
 5 wastewater field, one's in the water field now. So we're
 6 proud of that work that we did there in the schools.
 7 SENATOR CARPER: Good.
 8 MR. DUNCAN: And like I said, we just
 9 started this program up in the William Penn High School
 10 starting this week, so we're proud of that.
 11 SENATOR CARPER: William Penn High School
 12 is the largest high school in Delaware.
 13 MR. DUNCAN: Yep.
 14 SENATOR CARPER: Bigger than some
 15 colleges. All right.
 16 Senator Capito, I have a couple more
 17 questions, but why don't you take over.
 18 SENATOR CAPITO: Yeah. I have one final
 19 question for everybody. I talked about resilience a
 20 little bit in my opening statement. You know,
 21 infrastructure needs to be resilient in terms of being
 22 able to withstand extreme weather events, whether it's
 23 climate change or something like that. I'm sure, being
 24 on the coast, your weather events are different than

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1 ours. But I think it can encompass more of that in terms
 2 of resiliency.
 3 So we can start over here with -- I'll
 4 just call you Cassandra, if that's okay. You know, when
 5 you think about the different stressors that can test a
 6 water system's resiliency, what stressors are at the
 7 forefront, and especially with respect to protecting our
 8 public health?
 9 MS. CODES-JOHNSON: So, you know, there
 10 are many stressors, you know, that we can think of. So
 11 things like, you know, more frequent storms, right, due
 12 to climate change. You know, I think that's a big thing
 13 here with us seeing more and more frequent storms and the
 14 unpredictability of those storms is -- and then the
 15 issues that then occur as it relates to our water systems
 16 as a result.
 17 SENATOR CAPITO: Right.
 18 MS. CODES-JOHNSON: Right.
 19 SENATOR CAPITO: Yeah. That's what I
 20 thought about, yeah.
 21 MS. CODES-JOHNSON: Yeah. As a result
 22 of -- as a result of those storms. So, you know, I think
 23 from a public health perspective, really working to
 24 equip, right, communities with the tools that they need

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1 to actually be able to be more resilient as it relates to
 2 these storms.
 3 Recently, you may have heard, Senator
 4 Capito, that here in our great state just in Wilmington,
 5 due to Hurricane Ida, right, we are still dealing with
 6 and still reeling from the floodwaters that have damaged
 7 over 200 homes right in the city of Wilmington. And
 8 there are then additional repercussions as it relates,
 9 right, to the water system in those communities. So we
 10 really do need, from a public health perspective, and
 11 also from an infrastructure perspective, right -- I don't
 12 know what comes first, the chicken or the egg, right?
 13 For us, looking at Wilmington, I think it's more -- it's
 14 an infrastructure perspective first, really being able to
 15 identify those neighborhoods that need -- that have --
 16 that need better drainage systems, right, to be built,
 17 like, yesterday that will then support their public
 18 health needs in the long term.
 19 SENATOR CAPITO: Good. Thank you.
 20 Ms. Prettyman?
 21 MS. PRETTYMAN: Thank you for the
 22 question --
 23 SENATOR CAPITO: Sure.
 24 MS. PRETTYMAN: -- Senator Capito. With

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1 AWIA, the requirement was 3,300 in population and above,
 2 you needed to have your risk resilience assessment and
 3 your emergency response plan. Most municipalities right
 4 at that 3,000 population may not have the staff to be
 5 able to complete those. And so I think technical
 6 assistance providers being able to come in and assist
 7 them is very important.
 8 But also, the populations below 3,000, the
 9 smaller systems still see the same issues from intense
 10 rain events, flooding. So I think it's important that we
 11 be able to also provide them with that assistance to do a
 12 short-form type of risk and resilience assessment.
 13 COVID showed us a lot about where some
 14 municipalities fall short, especially with the
 15 municipalities that have only that one operator. And if
 16 that operator fell sick with COVID, you know, it was hard
 17 to be able to maintain the testing that is required to be
 18 done on a daily basis if something were to happen with
 19 the drinking water.
 20 So understanding where you're more
 21 vulnerable at is very important, and we need to educate
 22 our municipalities, and I believe even the smaller ones
 23 below the 3,000, it's very important for them to be able
 24 to do that.

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1 SENATOR CAPITO: Okay.

2 MS. PRETTYMAN: Thank you.

3 SENATOR CAPITO: Mr. Duncan?

4 MR. DUNCAN: We've been working with risk

5 and resilience for 31 years as I've been there. Every

6 water system is under some type of risk, and has some

7 type of resistance. Towns in the north have different

8 issues, have different risks than our coastal towns. You

9 know, we, in the coastal side, we deal with saltwater

10 intrusion, you know, we monitor that. In the north, we

11 had PFAS more heavily than we do in the southern part.

12 So we work with the water systems very close, and making

13 sure they are up-to-date on their EPA guidelines and so

14 forth. They follow the project and make sure they're

15 reporting those forms and so forth.

16 We also want to make sure they have their

17 emergency response plans up-to-date, so you've got to

18 have those. But in doing that, you have to maintain that

19 data, you know. Like we're saying, 30 to 50 percent of

20 the workforce is retiring. So the next operator that

21 comes in may not have that knowledge of completing a risk

22 resilience program, so providing technical assistance is

23 a plus. We've got to have those providers out there

24 working with these systems, making sure they understand

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1 the rules and regulations of risk and resilience.

2 SENATOR CAPITO: Well, thank you. I think

3 I will say, my anecdotal story is living in Charleston,

4 West Virginia. We had a chemical -- you'll remember

5 this, maybe -- massive chemical spill into our main water

6 provider, and about 600,000 people and affected my own

7 home. And, you know, when you've lived through something

8 like that, you really realize, number one, what's the

9 emergency plan. Well, I'm not sure we really knew what

10 that was. What is this chemical that has been spilled

11 into our water and what kind of health effects does it

12 have? Didn't have that answer.

13 And it goes really to the question you're

14 saying. You need to pre-identify your risks. I mean,

15 this chemical tank that leaked was an eighth of a mile up

16 river from the intake. I mean, somebody should have been

17 able, you know -- that should have -- they should have

18 known that. You would think they would ask the question,

19 What's in those tanks? And what could possibly --

20 MR. DUNCAN: Right.

21 SENATOR CAPITO: And, honestly, we had --

22 it ended up to not be a big health issue as much as you

23 could smell it in your water. And so it just erodes your

24 confidence, even though maybe -- I'm not going to drink

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1 this water that's smelling like this. And even though

2 they said, "Oh, go ahead. You can take a shower." Well,

3 you know, who wants to shower in licorice-smelling water

4 that you're not really sure what it is?

5 So I think all the answers that you've put

6 forward, after having lived through an experience like

7 that, I think you're right on it. It's just enacting it.

8 And I do agree with when you get into the smaller

9 systems, it is hard for people. So a short form, you

10 know, that's the answer there to help them. And then,

11 obviously, more technical expertise as they go along.

12 But, thank you, that's the end of my

13 questions.

14 SENATOR CARPER: All righty. I have one

15 more quick question, and this will be for you, Vikki.

16 And I would just ask you to take just a minute or two.

17 You could probably spend the afternoon talking about it,

18 but I don't want you to do that. Just take a couple of

19 minutes and tell us a little bit more about the ongoing

20 work related to PFAS contamination in Delaware, and how

21 the contamination has impacted communities, especially

22 small communities with limited resources. We're

23 especially interested in your personal perspective in

24 dealing with these contaminants in Blades, just a couple

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1 of years ago. Keep it brief, but you can give us those

2 thoughts. Thank you.

3 MS. PRETTYMAN: Well, you're right. I

4 probably could talk for days on it.

5 SENATOR CARPER: Yeah.

6 MS. PRETTYMAN: First, the impact that

7 PFAS has on a community can be devastating, and I do want

8 to thank you and your team for being there in our time of

9 crisis. It, indeed, was a learn-on-the-fly experience.

10 I had never heard of PFAS prior to being told by the EPA

11 that it's present in your drinking water and you're well

12 above the HAL. It was, you know, a lot of learning

13 about -- again, this was several years ago, so we know a

14 lot more now -- but what best filtration system, what

15 will work best with just the existing plant. We had so

16 many questions. Do we interconnect with our -- with

17 Seaford? Do we -- will the machine -- will the

18 filtration system that we did go with be built and

19 delivered on time, the components and the equipment

20 that's needed to install it? So it was a lot of

21 questions, and we were very fortunate to have a

22 municipality from up north that had recently been through

23 it come down and assist. They even lent the town hoses

24 to connect for the filtration system to the, you know, to

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1 the existing plant.

2 My -- it was great that the state was

3 there and we were able to get HSPA funds to assist with

4 the financial side. You know, the filtration system

5 costs well over \$300,000 to purchase, ship it, install

6 it. But could you imagine that on a municipality of

7 1,500 with a more than 22 percent poverty rate, the

8 operations and maintenance cost that it will be? I had

9 mentioned earlier that it was over \$30,000 to replace the

10 media. And when you're first at it, you don't know if

11 the media needs to be replaced every three years or every

12 six years, so there's testing that has to be done several

13 times a year in order to see how that media is taking out

14 the PFAS.

15 And so those expenses are incurred on a

16 municipality, and it simply isn't fair for a municipality

17 of that size, or any municipality, to have to bear the

18 costs of those testing -- of the media replacement and

19 the disposal of the media because it has to be disposed

20 of as a hazardous material, so there's all that cost

21 that's involved. The citizens should not bear the burden

22 of that financial situation, and we need to make the

23 polluters pay. So that's my...

24 SENATOR CARPER: Thank you. Thank you for

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1 those words of wisdom.

2 MS. PRETTYMAN: Thank you.

3 SENATOR CARPER: Let me close with this.

4 Senator Capito and I work with every Democrat and

5 Republican member of our committee, ultimately, on this

6 to write legislation dealing with clean drinking water,

7 wastewater treatment, and providing other infrastructure:

8 roads, highways, bridges, and on and on and on. We put

9 out the legislation unanimously out of committee. The

10 full Senate passed the legislation 89 to 2. That

11 provided really the building block on which the rest of

12 the infrastructure package was loaded.

13 While all this was going on, Shelley,

14 Senator Capito, was negotiating with the President of the

15 United States, right from Delaware, to try to find common

16 ground between the Congress and the Administration on the

17 infrastructure issues, and I think she, through her

18 personal efforts, really helped to create an environment

19 where a consensus could be developed in the Senate that

20 led to a 69, and I think, to 30 vote in favor of a very

21 broad bipartisan infrastructure package that includes the

22 water issues that we're talking about.

23 That legislation is over in the House now.

24 And we're waiting for a negotiation to bear fruit between

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1 Senator Manchin, from West Virginia, and maybe a couple

2 of others, and the leader of the House, Nancy Pelosi, to

3 see if we can't find agreement on the second piece,

4 another package, a belated package for the reconciliation

5 that helps families in a lot of good ways. It focuses on

6 climate change. But they've got to have agreement on

7 that piece so we can move forward.

8 We've got to get this infrastructure bill

9 passed. There is a great, great need in West Virginia,

10 in this state, and 48 other states as well. And the

11 legislation that we've developed and have literally

12 waiting to go in the House, it would change lives, save

13 lives, and there's a great sense of urgency for that.

14 And we want to just underscore that here today.

15 I just really want to thank you for being

16 here. Thank you for your life's work. Thank you for

17 your caring about the people of this state and other

18 states as well, and keep up the good work.

19 Before we adjourn, a little bit of

20 housekeeping. I want to ask for unanimous consent to

21 submit for the record a variety of materials that include

22 letters from stakeholders and other materials that relate

23 to today's hearing. We ask for unanimous consent, and

24 you listen to see if anybody's going to object. Nobody's

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1 going to object hearing this, so we're good to go.

2 Additionally, the senators will be allowed

3 to submit questions for the record through the close of

4 business on Friday, October 29th, and we will compile

5 those questions, we'll send them to our witnesses. We

6 ask the witnesses to reply by Friday, November 12th.

7 In closing, again, we want to thank all of

8 you for your testimony, for your responses to our

9 questions, the work that you do, and for doing so much

10 for the people of our state to provide for them essential

11 utility services. And, really, you provide for them

12 life, life and health. You can't do much more for people

13 than that, so thank you.

14 And with that, this hearing is adjourned.

15 Again, Senator Capito, thank you. I want

16 to thank you, staff.

17 John Kane, John, would you raise your

18 hand. And the other members of our team, John Kane's

19 team. Anybody else here?

20 Danny, thank you so much.

21 And, Travis, would you just raise your

22 hand.

23 SENATOR CAPITO: And Jess and Will.

24 SENATOR CARPER: Jess and Will, would you

1 guys raise your hands. Thank you so much.
2 This is a team that works together. We're
3 workhorses. We're proud to be able to serve all of you,
4 our states, and the rest of this country. And with that,
5 this hearing is adjourned. Thank you.

6 (The hearing concluded at 12:59 p.m.)
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1 CERTIFICATE
2
3

4 I do hereby certify that the foregoing hearing was
5 taken before me, pursuant to notice, at the time and
6 place indicated; that the statements of participants were
7 correctly recorded in machine shorthand by me and
8 thereafter transcribed under my supervision with
9 computer-aided transcription; that the transcript is a
10 true record of the statements made by the participants;
11 and that I am neither of counsel nor kin to any party in
12 said action, nor interested in the outcome thereof.
13

14 WITNESS my hand this 22nd day of October, 2021.
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Notary Public
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23
24

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