



WHAT'S ON THE HORIZON?

Pat Scalera | CEO, NYRWA

So who hasn't heard of PFOA, PFOS, lead in drinking water, sewage overflows, sink holes, water main breaks, etc.? Every time you turn on the news, or read a newspaper, our water industry is taking on bad press. The public, primacy and our water and wastewater industry professionals are all concerned about our aging infrastructure and the quality of our water.

Back in September I attended the "marathon" legislative hearing in Albany on Water Quality in New York. This session ran on for over 12 hours with many testifying on issues spanning from Buffalo to Long Island. After about 5 hours I left, but continued to watch the hearing online well into the night.

Our water and wastewater industry professionals are working 24/7/365 to protect public health. I ask that you share some of the following information with your elected officials and voice your opinion.

Governor Cuomo is calling for aggressive new water quality protections to protect New Yorkers and ensure clean drinking water. The NYS Department of Environmental Conservation Commissioner and the NYS Department of Health Commissioner are proposing legislation to enact a new unfunded mandate on local government to expand a U.S. Environmental Protection Agency's (EPA) unregulated contaminant monitoring requirement (UCMR) to all public water systems in New York. The current EPA unregulated contaminant monitoring rule (UCMR) only applies to large communities because they have the economies of scale to afford the monitoring and because unregulated monitoring is only a preliminary screening to determine if further monitoring or regulation is necessary.

Governor Cuomo will also be advancing legislation to address the EPA's failure to provide oversight of private wells by requiring testing for contaminants by homeowners prior to the sale of a home and mandating that landlords test their properties and share those results with tenants.

Commissioner Zucker, for the NYS Dept. of Health was quoted as saying "We firmly believe that the health and safety of our residents should not depend on the size of the town in which they live. The EPA's current testing requirements leave millions of New Yorkers in the dark about the quality of their water simply because they are not part of large water systems. If the EPA fails to act, we will move new legislation to mandate the testing of unregulated contaminants in the 9,000 public water systems

across the state. The administration is also advancing legislation to require the testing of private wells – which currently have no federal oversight whatsoever. We urge the legislature to join us in supporting these critical actions."

Commissioner Seggos, for the NYS Dept. of Environmental Conservation was quoted as saying "At DEC, we work to remediate pollution in communities of all sizes. By only requiring testing of water systems that serve 10,000 residents or more, the EPA's current program does not reflect the reality of drinking water in our state and across the country. I strongly urge the EPA to reform their inadequate, subjective threshold for the requirement of testing of unregulated contaminants in public water systems. In addition, I encourage the Legislature to back our proposal to require testing of private wells. Whether you're buying a home or renting an apartment, you should have access to information about the quality of water you are drinking."

It is our opinion at NYRWA and our National Office, that the public should know that they are the guarantor of the safety of their public drinking water through their local governments. The public owns and operates their public drinking water supply, determines all monitoring policy and are responsible for their safety. We understand funds are scarce in many small and rural communities and have suggested as an alternative to passing additional very costly and unnecessary unfunded federal mandates on to approximately 8,659 public water systems in New York, including small communities, villages, housing coops, churches, etc. we urge Albany to provide help. Another unfunded mandate backed up by fine does not help a small, struggling community afford more testing. And not all small and rural communities should monitor for all the prescribed testing under the EPA rule. That is why Congress structures the federal program in such a manner. Small and rural communities need compelling data on contaminants that threaten their specific wells, as well as, assistance in making responsible decisions for their families and communities through affordable laboratory testing fees and other financial incentives.

Our NYRWA Analyst, Mike Keegan put together the below estimates:

Estimated Cost of Proposed New EPA Requirements in New York EPA's estimate of the analytical cost for the UCMR 4 contaminants is \$2,562 per sample set. Communities >>>

relying on ground water realize a reduced cost of \$1,036 (\$2,426) for exemption for the tests for surface water contaminants. Ground water systems must monitor two times. Surface water systems must monitor twice a month for four consecutive months for the surface water contaminants and must monitor four times for other contaminants.

	Cost per sample	# of samples	Subtotal
7,745 GWSs under 10,000 population	\$1,526	2	\$23,637,740
914 SWSs under 10,000 population	\$1,036	8	\$7,575,232
	\$1,529	4	\$5,590,024

TOTAL: \$36,802,996

Ref: GWS: ground water system and SWS: surface water system

NYRWA would like to hear from you and your elected officials on these two proposed mandates. Please email scalera@nyruralwater.org

Finally, I just want to mention the proposed Bill S7551 “Consolidated Local Infrastructure Funding Program” (CLIPs), similar to the CHIPs program for highway projects except it would fund water, wastewater, and storm water infrastructure projects. This program would greatly enhance wastewater asset management plans by providing annual supplemental funding for projects such as manhole rehab, sewer main relining, etc. To learn more about this, please read Steve Grimm’s article on page 25.

