

HOUSE BILL REPORT

SJM 8021

As Reported By House Committee On:
Environmental Affairs

Brief Description: Requesting federal assistance with implementing the safe drinking water act.

Sponsors: Senators Williams, McCaslin, Fraser, Talmadge, M. Rasmussen, Moore, Deccio, Sutherland, Barr and Franklin.

Brief History:

Reported by House Committee on:
Environmental Affairs, March 22, 1993, DPA.

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

Majority Report: Do pass as amended. Signed by 12 members: Representatives Rust, Chair; Flemming, Vice Chair; Van Luven, Assistant Ranking Minority Member; Bray; Edmondson; Foreman; Hansen; Holm; J. Kohl; Linville; Roland; and Sheahan.

Staff: Harry Reinert (786-7110).

Background: In 1974, Congress enacted the federal Safe Drinking Water Act (SDWA). The SDWA established a legal framework to protect the public from a wide variety of contaminants in drinking water. In Washington, the Environmental Protection Agency (EPA) has delegated primary responsibility for implementation and enforcement of the SDWA to the state Department of Health. In order to assume and maintain primary responsibility, the Department of Health must adopt regulations at least as stringent as EPA's.

Amendments to the federal SDWA in 1986 created many new responsibilities for the state. Among other requirements, the 1986 amendments to the federal law increase the number of contaminants to be monitored, prescribe maximum contaminant levels for 83 specified contaminants, require disinfection of all water supplies, specify filtration for surface water supplies, establish requirements for the protection of groundwater, and define treatment techniques for some regulated contaminants.

During the 1993-95 biennium, the Department of Health expects to receive \$3.1 million in federal grants for the

purpose of administering the federal Safe Drinking Water Act. However, the department has determined that it will need an additional \$8.6 million during the same biennium in order to carry out its mandates under the federal SDWA.

In 1992, the Department of Health conducted a Public Water System Needs Assessment which concluded that the state's water systems will need to incur additional capital expenditures of \$688 million between 1993 and 1999 in order to meet the requirements of the federal Safe Drinking Water Act.

In 1992, the National Governor's Conference adopted an eight-point program for improving administration of drinking water programs. The eight-point program calls for making certain statutory changes in the federal law, improving program efficiency and flexibility, and increasing financial resources to states to carry out the requirements of the federal SDWA.

The federal Safe Drinking Water Act and the federal Clean Water Act are due for reauthorization in 1993.

Summary of Amended Bill: The President and the Congress are requested to comprehensively review and assess the impact of the federal Safe Drinking Water Act (SDWA) and other similar measures on state and local governments and to assess whether the costs of implementing these federal programs are justified by the risks being addressed.

A request is also made to substantially increase the resources available to the states to implement federal programs. The federal government is requested to study and implement, where appropriate, modified delegation and enforcement of federal environmental programs, including the Safe Drinking Water Act, to reflect the state's ability to implement and enforce such programs.

A request is made to require federal agencies to accept responsibility for implementation and enforcement of federal laws where the federal government has not provided adequate resources for the state to do so.

The recommendations of the National Governor's Conference are requested to be incorporated into reauthorization of the Safe Drinking Water Act, especially with respect to providing additional flexibility in state enforcement, increased efficiency in the operation of the Safe Drinking Water Act program, and providing increased resources to states and water systems to meet the federal requirements.

The memorial also requests that substantial funding be made available, on both a short-term and a long-term basis, to water systems that are required to make capital improvements to their systems to meet SDWA requirements.

Amended Bill Compared to Original Bill: The amendment deletes language that incorrectly states the effect of the safe drinking water act on the Department of Health's budget.

Fiscal Note: Not requested.

Effective Date of Amended Bill: Not applicable.

Testimony For: Federal requirements under the safe drinking water act are having a significant impact on state and local government and on water system owners and operators. This memorial encourages Congress to pay attention to the effects of this legislation as it considers reauthorizing it and the clean water act.

Testimony Against: None.

Witnesses: Dave Clark, Department of Health (pro); Kathleen Collins, Association of Washington Cities (pro); Bob Mack, METRO (pro); and Dave Arbaugh, Washington Public Utility District Association (pro).