To: Jacobs, Kira[Jacobs.Kira@epa.gov]
From: Kanetsky, Charles
Sent: Tue 2/25/2014 7:41:27 PM
Subject: FW: WV tank farm bill - adds source water protections

FYI. You could be the last man/woman standing!

From: Capacasa, Jon
Sent: Thursday, February 13, 2014 12:01 PM
To: binetti, victoria; Kanetsky, Charles; Suero, Alysa; Bennett, Andrea; Young, KR; Wisniewski, Patti-Kay
Cc: Arguto, William
Subject: Re: WV tank farm bill - adds source water protections

Yes. There was an initial set pf Gov sponsored bills and now legislature sponsored bills. Have asked Mark to keep us alerted to progress.

From: binetti, victoria
Sent: Thursday, February 13, 2014 11:47:54 AM
To: Kanetsky, Charles; Suero, Alysa; Bennett, Andrea; Young, KR; Wisniewski, Patti-Kay
Cc: Capacasa, Jon; Arguto, William
Subject: FW: WV tank farm bill - adds source water protections

Mandatory source water protection plans, upstream contaminant identification, contingency planning, redundancy—who could ask for more? These are just bills, but the bills are getting stronger!--Vicky

From: Ferrell, Mark
Sent: Thursday, February 13, 2014 11:31 AM
To: Garvin, Shawn
Cc: Capacasa, Jon; Arguto, William; binetti, victoria; Pomponio, John; Lapp, Jeffrey; Shamet, Stefania; Forren, John; D'Andrea, Michael; Ryan, Daniel; Miller, Linda; Kelly, Jack (R3 Phila.); White, Terri-A; Smith, Bonnie; Burns, Francis; Nelson, Mark; Storch, Debbie; Levine, Carolyn
Subject: WV tank farm bill - adds source water protections

Charleston Gazette

http://www.wvgazette.com/News/201402120245

Summary:

CHARLESTON, W.Va. -- The West Virginia House Health Committee passed a bill Wednesday night to regulate above-ground chemical storage tanks, and to require water utilities to submit plans to deal with possible contaminations like last month's Elk River chemical spill, but with significant differences from the bill that unanimously passed the state Senate last month.

The bill passed unanimously after nearly four hours of discussion. Committee Chairman Don Perdue, D-Wayne, called it perhaps the toughest thing his committee has ever had to do.

The House version differs from the Senate version in that it creates a new section of code requiring the Department of Environmental Protection to compile and maintain a list of all potential water contaminants - not just contaminants from above-ground storage tanks - within about 25 miles of public water sources.

The committee approved an amendment that would require every water treatment plant in West Virginia - there are more than 300 - to have either a secondary water intake point or three to five days worth of untreated water in storage.

Charleston Daily Mail

http://www.charlestondailymail.com/News/statehouse/201402120264

Summary:

The House bill delays a requirement that utilities create a source water protection plan within a year, pushing the deadline to July 1, 2016.

There were fears it could cost too much to make the plan in one year, committee counsel Charles Roskovensky said.

Once the plan is created, each public water utility must submit it to the Bureau for Public Health. Local health departments must be consulted and a public hearing held on the plan before it is adopted, though the bureau will have final say.

The plan in the modified House bill contains eight components, and mirrors some aspects of the Senate bill.

Water providers must have a documented contingency plan in case of contamination. West Virginia American Water President Jeff McIntyre has repeatedly said the company didn't know anything about the chemicals stored at Freedom until the day of the spill.

The bill originally said the utility must also include a discussion of the water company's ability to isolate or divert contaminated water from its intake.

Lane successfully amended the bill to require water utilities to have either an alternative water source or three to five days worth of stored water. The West Virginia American Water plant affected by the spill has no other source for water than the Elk River.

Other provisions include a plan to identify what a water utility will do in the event of a spill, including how it will notify and coordinate recovery efforts with public officials.

Mark Ferrell

EPA Region 3

Office of State and Congressional Relations

West Virginia Liaison

Charleston, W.Va.

(304) 542-0231