To: Grevatt, Peter[Grevatt.Peter@epa.gov]; Clark, Becki[Clark.Becki@epa.gov]
From: Ex. 6 - Personal Privacy
Sent: Tue 3/11/2014 1:48:49 AM
Subject: Fwd: Joint State Organizations' Letter on Chemical Storage Tank Bill
Final States Letter Re Chemical Storage Tank Bill (3-5-14).docx
Manchin draft.docx

Peter and Becki, FYI, here's the letter on the Manchin bill (and my note explaining our position) to which I referred in this afternoon lunch discussion. Thank you.

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Ex. 6 - Personal Privacy
Executive Director
Association of State Drinking Water Administrators
1401 Wilson Blvd.; Suite 1225
Arlington, VA 22209
Ex. 6 - Personal Privacy

---------- Forwarded message ----------
From: Ex. 6 - Personal Privacy
Date: Fri, Mar 7, 2014 at 5:26 PM
Subject: Joint State Organizations' Letter on Chemical Storage Tank Bill
To: Jim Taft <jtaft@asdwa.org>

Good afternoon ASDWA Members --

Please find attached a joint state organizations' letter to Senators Boxer, Vitter, Manchin, and Rockefeller on this subject. Here's some background about this letter.

BACKGROUND: An early January 2014 spill from an above-ground chemical storage tank (of a chemical known as MCHM) into the water supply for the city of Charleston, WV has prompted several Senators to champion a bill (S. 1961 -- copy attached) designed to prevent incidents such as this from happening again. The bill sets up an above-ground chemical tank inventory, inspection, and enforcement program within the Safe Drinking Water Act to be run by state drinking water program personnel.

THOUGHTS ABOUT THE DRAFT BILL: We're strong advocates of the value of source water assessment data/information and the importance of collaboration/coordination with Federal, other state, and local entities to address threats to the sources of drinking water. And, we think it's entirely appropriate to consider how facilities, such as the one associated with this case, can be better addressed to help avoid future incidents of this type. However, we think that placement of these requirements in the SDWA is a case of using the wrong "tool for the job" and is not a task that should be carried out by state drinking water programs. In consultation with our sister state organizations -- t
he Association of Clean Water Administrators
(ACWA)
, the Association of State and Territorial Solid Waste Management Officials
(ASTSWMO)
,
the

Association of State
& Territorial
Health Officials
(ASTHO), and the Environmental Council of the States (ECOS) -- there was a general consensus that a more complete analysis of the suite of possible tools that could be brought to bear on this challenge was needed. Accordingly we co-authored a letter together to that effect.

SYNOPSIS OF ATTACHED LETTER: The letter acknowledges the need to examine the current federal, state, and local statutory and regulatory network to determine what additional steps may be warranted. However, the groups cite a need to complete an assessment of current authorities and programs before determining which statute and/or program should be amended or enhanced, or whether the solution lies in enhancing the use of existing authorities. The signatories offered to work with Congress to share their knowledge and experience in order to develop a workable response to the spill. In addition, we (ASDWA) indicated (in a footnote in the letter) that we respectfully don't believe the requirements of S. 1961 should be included in the Safe Drinking Water Act.

FUTURE PLANS: We plan to follow up with a more specific ASDWA-only letter to explain, in more detail, our rationale behind the footnoted sentiment. We understand that "mark-up" of S. 1961 by the full Senate Environment and Public Works Committee is scheduled for early April.

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