To: Stanislaus, Mathy[Stanislaus.Mathy@epa.gov]; Breen, Barry[Breen.Barry@epa.gov]
Cc: Stanton, Larry[Stanton.Larry@epa.gov]; Tulis, Dana[Tulis.Dana@epa.gov]; Matthiessen, Craig[Matthiessen.Craig@epa.gov]; Jennings, Kim[Jennings.Kim@epa.gov]; Kohn, Jeffrey[Kohn.Jeffrey@epa.gov]; Brooks, Becky[Brooks.Becky@epa.gov]; Cohen, Nancy[Cohen.Nancy@epa.gov]
From: Deitz, Randy
Sent: Tue 2/4/2014 7:16:49 PM
Subject: Boxer hearing statement

Here is SEPW Chair Boxer's statement for today's WV chemical spill subcommittee hearing. She pointed out that CWA authority to regulate chemical spills has not been exercised and she said that she is going to ask the E.O. chemical safety and security working group to look at existing authorities to address spill prevention and control of hazardous chemicals.

Statement of Senator Boxer
Hearing on Examination of the Safety and Security of Drinking Water Supplies Following the Central West Virginia Drinking Water Crisis
February 4, 2014
(Remarks as prepared for delivery)

I am very pleased we have quickly moved forward with this important hearing to examine the recent drinking water crisis affecting nine counties in West Virginia.

In addition to today's hearing, I also intend to convene a full Committee hearing next month to conduct oversight on the President's Executive Order on improving chemical safety, which is designed to assess what authorities are available under existing law and what additional reforms are needed to better protect communities from chemical hazards.

Today's hearing focuses on what happened in West Virginia, what more can be done to assist the community, and how to help prevent something like this from happening again.

I appreciate that members of the West Virginia Congressional delegation and representatives of the State of West Virginia have joined us here today. I know your constituents have suffered terribly from the devastating chemical spill into the Elk River.

While the order not to drink the water was lifted for the region several weeks ago by the water supplier, the impacts of this event are ongoing. Residents are still concerned that their water may not be safe to drink and businesses continue to feel the economic impact of this spill.

As the testimony we will receive today highlights, this chemical spill has real costs that continue to impact families and small business owners in West Virginia. The federal Centers for Disease Control have advised pregnant women to avoid drinking tap water

until there are no longer detectable levels in the system. Some businesses closed, forcing employees to go without a paycheck for days, and some restaurants are continuing to buy bottled water because customers question whether the water is safe.

This disastrous chemical spill shows why it makes so much sense to strengthen the tools we have to prevent similar spills in the future. That is why I joined with my colleagues from West Virginia, Senators Manchin and Rockefeller, to introduce the Chemical Safety and Drinking Water Protection Act of 2014.

This legislation brings together in one place the tools necessary to better protect drinking water sources from chemical spills. It establishes state programs that: provide regular inspections of chemical facilities; set design standards for tanks; and establish emergency response plans requirements. This legislation also provides information and tools to drinking water utilities to respond to future disasters.

Although under existing law, the Clean Water Act contains broad legal authority to address spill prevention and control, this authority has primarily been used to address oil-related hazards. The spill prevention provisions for hazardous chemicals under the Clean Water Act have not been implemented - despite the fact that they were enacted decades ago.

That is why I also intend to ask the President's chemical safety and security working group to specifically look at existing authorities to address spill prevention and control of hazardous chemicals. It is clear that we cannot afford to leave important opportunities to prevent chemical disasters on the shelf.

The time has come to update and modernize the laws that protect our drinking water. I look forward to hearing from our witnesses today on these important issues.