To: Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov]
From: Travers, David
Sent: Wed 1/29/2014 3:12:58 PM
Subject: RE: Senate Bill Would Require Inspections, Bolster State Oversight of Chemical Storage

Yep, this is still SDWA and state primacy agencies

From: Lopez-Carbo, Maria
Sent: Wednesday, January 29, 2014 9:57 AM
To: Travers, David
Subject: Re: Senate Bill Would Require Inspections, Bolster State Oversight of Chemical Storage

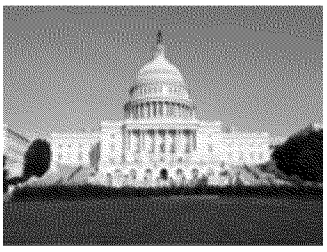
The last version had PwSS program doing the chemical facility inspection...we did TA for it...I need to see what version is out there right now...

From: Travers, David
Sent: Wednesday, January 29, 2014 9:54:45 AM
To: Burneson, Eric; Bergman, Ronald; Green, Holly
Cc: Lopez-Carbo, Maria
Subject: Senate Bill Would Require Inspections, Bolster State Oversight of Chemical Storage

FYI from BNA Report:

Drinking Water

Senate Bill Would Require Inspections, Bolster State Oversight of Chemical Storage



By Dean Scott

Jan. 28 — Chemical storage facilities would face new federal construction and leak protection

standards and would have to undergo inspections every three to five years under a Senate bill introduced Jan. 28.

Drafted in response to the Elk River, W.Va., chemical spill that left more than 300,000 residents without drinking water for days, the new requirements would largely be overseen by states.

The Chemical Safety and Drinking Water Protection Act was introduced by West Virginia Sens. Joe Manchin (D) and Jay Rockefeller (D), along with Sen. Barbara Boxer (D-Calif.), chairman of the Senate Environment and Public Works Committee.

Boxer and the two West Virginia Democrats have been drafting the bill over the last several weeks in response to the Jan. 9 spill of thousands of gallons of 4-methylcyclohexane methanol (13 DEN A-11, 1/21/14).

The spill occurred just upstream from a water treatment plant serving Charleston and the surrounding region (10 DEN A-2, 1/15/14).

Three-Year Inspections

The bill would require states to conduct inspections of above-ground chemical storage facilities every three years if they pose a potential risk for drinking water resources, and every five years even if they do not have the potential to affect water supplies. Chemical storage companies would have to notify the Environmental Protection Agency, state officials and public water systems of the chemicals being stored at the facility.

The bill also would allow states to recoup any costs incurred for emergency response efforts from similar chemical spills in the future.

Manchin and Boxer had earlier considered drafting their own bills separately but joined forces with Rockefeller on their proposal earlier in January.

The West Virginia American Water Co., the utility that provides drinking water in the affected region, released updated test results Jan. 27, which found "nondetectable or extremely low levels" of 4-methylcyclohexane methanol in the most recent samples.

The utility also has been sampling for a second chemical, PPH, which the operator of the chemical storage facility, Freedom Industries, disclosed Jan. 21. Levels of that chemical have only been found at the most minute detection level, in the range of parts per billion, and only in one sample, according to the utility.

To contact the reporter on this story: Dean Scott in Washington at dscott@bna.com

To contact the editor responsible for this story: Larry Pearl at lpearl@bna.com

For More Information

The Chemical Safety and Drinking Water Protection Act is available at http://1.usa.gov/1evHROH

A fact sheet on the bill is available at http://1.usa.gov/1awLWBc