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April 11, 2017

State of Vermont House of Representatives  
House Committee on Natural Resources, Fish and Wildlife  
115 State Street  
Montpelier, VT 05633-5301

Subject: Comments on H. 211

Chairman Deen and other committee members,

Vermont Rural Water Association (VRWA) is not able to attend the committee meeting on April 12, 2017 when you take testimony on H. 211. I am providing the following comments for your consideration.

VRWA supports current state and federal procedures for public drinking water systems to provide notice to their customers. In regards to situations where an acute health risk may exist, the current standard is to notice a.s.a.p. and not to exceed 24 hours. VRWA supports systems notifying the secretary and local health officer in the same time frame of a.s.a.p. and not to exceed 24 hours. It is our observation, for any systems that may have experienced an issue where an acute health risk may exist, systems respond quickly and often immediately upon learning of a situation based on given testing results. Bear in mind in instances where an acute health risk may exist the system will be receiving support from the Drinking Water and Groundwater Protection Division and potentially the Department of Health. These state offices are often involved working alongside system personnel to insure customer notification is taking place in a very timely fashion.

Language in section 1686 of the bill notes, "...within one hour from discovery of a violation of a drinking water quality standard or requirement adopted under subsection 1672(b) of this title notice must be provided." VRWA is not in support of this proposal. The main reason being many items listed under the section have no direct bearing on the quality of the product being provided. As an example items such as construction permits, repairs or extensions, and connection status, have no immediate bearing on the quality of the water product. Requiring system operators to provide a one-hour notice for many of these administrative type items would be very cumbersome and has no bearing on public health protection.

One other consideration, if future notification processes are bogged down with unneeded updates customers may tend to ignore these moving forward. When a critical notice is issued, such as when an acute health risk may exist with the product, the customer may not pay attention to it.

In regards to cyanobacteria monitoring noted in the bill, "...the Commissioner shall collect monitoring data for cyanobacteria in the waters of the State between June 1 and November 1 annually." VRWA is aware this type of testing is now occurring on an annual basis for many waters of the state such as Lake Champlain, Lake Carmi, and Lake Elmore as well some other water bodies. If the intent is to expand this program to all waters of the state, then adequate funding must be sought out. This testing program is


valuable and provides public updates on status of water conditions throughout Vermont.

On the bill proposal for electronic and automated monitoring for pollution abatement facilities there are instances where capital costs for the noted improvements will be a challenge. Some financial support via state funding will have to be considered if this were put into effect. For some systems, particularly those with lower user base, it will be a challenge to fund these improvements on the backs of local users alone.

On proposed language in the bill to phase out land application of septage, VRWA does not support this. Land application is a practice used by a number of direct discharge facilities in Vermont and this allows for an economical recycling procedure. Other benefits of land application of septage include, slow release fertilizer, builds soil organic matter, increases water holding capacity, reduces soil erosion potential, sequesters carbon in soil, reclamation/restoration tool, conserves landfill space, disposal costs potentially less than landfill. The benefits noted are assuming instances where a permit is followed for the noted application and the application is being done per best management practices.

Thanks for allowing VRWA the opportunity to comment on H. 211 and please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Shaun Fielder". The signature is fluid and cursive, with the first name "Shaun" written in a larger, more prominent script than the last name "Fielder".

Shaun Fielder  
Executive Director