



Testimony
Elizabeth Gara
Executive Director
Connecticut Water Works Association (CWWA)
Before the
Environment Committee
February 25, 2013

Re: HB- 6441 - AN ACT CONCERNING THE DAM SAFETY PROGRAM

CWWA supports **HB-6441, An Act Concerning Dam Safety**, to protect the state's dam infrastructure that provides critical agricultural, recreational, environmental and flood control benefits.

The proposal is based on dam safety programs in Massachusetts and New Jersey which require dam owners to use licensed professional engineers to inspect and repair dams to protect the safety of individuals, businesses and wildlife.

Connecticut's water utilities are already required to inspect dams on a regular basis either using in-house licensed engineers, contracting with outside licensed engineers or a combination of both. However, many privately owned dams are not properly inspected and maintained. In addition, water utilities are responsible for developing and implementing an Emergency Operation Plan tailored to the specific dam to mitigate any potential for dam failure.

In 2008, the state Department of Energy and Environmental Protection (DEEP) inspected 80 dams and found that 36% required *significant* repairs and that all dams were deficient in some respect. By requiring dam owners - who are already liable for any damage stemming from a dam failure - to inspect and repair dams, HB-6441 will help address these concerns

Connecticut water utilities are highly committed to measures to protect the safety of Connecticut's water supplies and therefore urge your support for HB-6441. Another issue which threatens the safety of Connecticut's public water supplies has to do with illegal withdrawals from fire hydrants or reservoirs, which is a growing problem. Certain types of contractors, such as construction and paving contractors, landscapers, pool companies and hydroseeders are attaching hoses directly to fire hydrants or throwing hoses into reservoirs to draw water for commercial purposes. This can easily contaminate drinking water supplies because they are not using clean equipment or back flow prevention devices to protect against contamination from chemicals, fertilizers or pesticides used in the course of their business.

As recognized by the Department of Public Health, such unauthorized connections or withdrawals have the potential to contaminate public water supplies relied upon by thousands of Connecticut citizens. In addition, such illegal use may further jeopardize public health and safety by damaging pipes, hydrants and other equipment required for safe public drinking water and firefighting purposes.

Under current law, theft of utility service is a misdemeanor. However, law enforcement is hesitant to issue citations because of general lack of awareness of the potential public safety consequences of such unauthorized connections and the criminal nature of misdemeanor enforcement, which involves the need for criminal prosecution for each offense. Legislation creating a more effective deterrent to this behavior would better protect Connecticut's drinking water supplies.

CWWA therefore requests your consideration of language to address this issue.