

Public Health Committee JOINT FAVORABLE REPORT

Bill No.: HB-7194

AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S

Title: RECOMMENDATIONS REGARDING PUBLIC DRINKING WATER.

Vote Date: 3/8/2019

Vote Action: Joint Favorable

PH Date: 3/4/2019

File No.:

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SPONSORS OF BILL:

The Public Health Committee

REASONS FOR BILL:

This bill allows water companies regulated by the Public Utilities Regulatory Authority (PURA) to be eligible for grants from the Department of Public Health's (DPH) Public Water System Improvement Program if the following conditions are met:

1. If the grants are used only for the costs of a project that is also eligible for Drinking Water State Revolving Fund program funds.
2. The DPH has consulted with PURA about the water company's grant.

The bill also requires DPH to amend its regulations to include standards and procedures for the department to approve third-parties to administer certification exams to operators of water treatment plants, water distribution systems and small water systems. Regulations must include standards and procedures for DPH to approve the course content, as well as the approving the providers administering the exams for the operators listed above. These third-party testing regulations would also apply to individuals who test backflow prevention devices and those who perform cross-connection surveys.

RESPONSE FROM ADMINISTRATION/AGENCY:

Raul Pino, M.D. M.P.H., Commissioner of the Department of Public Health (DPH): DPH supports this legislation that would help towns served by PURA-regulated private water companies to access funding through grants-in-aid provided by the DPH. This additional funding would help these towns repair failing infrastructure. During their planning processes, the Water Utility Coordinating Committees (WUCCs) identified many areas in Connecticut

that currently have poor water quality or quantity necessitating improvements to address these issues. The DPH hopes this legislation will serve to encourage more public-private partnerships as the state strives to improve water quality and quantity issues. In addition, this legislation allows DPH to approve third parties to administer certification examinations, as well as, approve course providers and courses of study that relate to certified operators of water treatment and distribution systems. This change will save the DPH time and money by authorizing others to carry out duties currently performed by the Department. These changes will ensure that the citizens of our state continue to have access to safe and adequate public drinking water.

NATURE AND SOURCES OF SUPPORT:

Kathryn Dube, Director, Legislative & Membership Services, Connecticut Council of Small Towns (COST): COST, which represents 110 towns in CT, supports this legislation. While this bill would not increase funding to towns, it does extend eligibility to projects in communities served by private water companies. Many small towns are faced with the need to improve their water delivery infrastructure to meet public health and safety needs. Many projects are costly. To augment federal water infrastructure funding, the state created a bond-funded program to help support water system projects. However, private water companies are not able to access this funding. Many small towns served by private water companies are faced with the potential of increased rates to fund infrastructure needs. This legislation would allow small towns that meet certain requirements to access this funding.

Elizabeth Garra, Connecticut Water Works Association (CWWA): CWWA represents municipal, private and regional water companies and strongly supports this legislation. The state's water companies face major challenges in replacing aging infrastructure with limited funding. In addition, water companies are required to upgrade plants and systems to comply with new emerging regulatory requirements under the Safe Drinking Water Act as well as respond to the potential implications of climate change. This legislation will ensure that all water companies are able to access funding for these critical water system improvements.

Connecticut Water Company: The Connecticut Water Company joins with the CWWA in supporting this legislation that will expand access to critically needed funding for eligible drinking water projects. Current statutory restrictions have been a barrier to certain projects due to lack of funding. This legislation will help to address this concern.

Margaret Miner, Executive Director, Rivers Alliance of Connecticut: Supports the intent of the bill but has some concerns regarding the language. Lines 51-54 make ineligible for additional financial assistance under this section "a for-profit company that is a public-service company". The Alliance is not sure what public service company or companies it refers to unless it is intended for Eversource, which recently bought Aquarion water company. But then in lines 55-62 it appears to reverse course and allow delivery of such funding to a for-profit public service company for eligible drinking water projects. Ms. Miner can surmise the reasons for this wording but is still unclear what it means. Ms. Miner also questions the following wording that "the department has consulted with the Public Utilities Control Authority regarding the public service company's receipt of such financial assistance". What does "consulted with mean"? Regarding Section 2 of the bill, Ms. Miner stated that outsourcing to a third party can be cost efficient or not. Ms. Miner asked the committee to consider making

outsourcing a limited term to allow for a review of the effectiveness and efficiency of such an arrangement.

NATURE AND SOURCES OF OPPOSITION:

None Submitted.

Reported by: Kathleen Panazza

Date: March 14, 2019