



A Publication of the Water Systems Council

WSC MEMBER NEWS

WSC Calendar

November 29-30, 2007

- **Bridging the Gap Conference**, Denver, CO

November 30 and December 1, 2007

- **Georgia Teacher Workshop (in preparation for the Georgia Children's Water Festival)**, Statesboro, GA

December 4-7, 2007

- **NGWA Expo**, Orlando, FL

February 26-29, 2008

- **WSC Spring 2008 Members' Meeting and Board of Directors Meeting, Sofitel Lafayette Square Hotel**, Washington, DC

May 8, 2008

- **Maryland/Delaware Children's Water Festival**, Del Tech Community College, Dover, DE



Inside this issue:

WSC Member News	
WSC 2008 Leadership	2
WSC Responds to Community Newspaper on Use of Wells During Drought	3
WSC Helps Plan New England Private Well Symposium	3
wellcare® Hotline Update	3
WSC Co-Sponsors Workshops for MD/DE Educators	7
Around the States	
Georgia Releases Draft Water Management Plan	4
Westchester County, NY Well Testing Ordinance Takes Effect	4
Washington Update	5
wellcare® Briefs	6

Fall Meeting Report: WSC Members View Industry Challenges as Opportunities

At the WSC Fall 2007 Members' Meeting – held October 29-30 in Amelia Island, Florida – WSC members and staff focused on challenges facing the water industry, and the opportunities these challenges provide to promote WSC's message to the public.

For example, in her presentation to the members, Executive Director Kathleen Stanley reiterated that the public's growing awareness of water issues creates an opportunity to promote a positive message about wells.



Above: WSC Members get in some practice shots before the golf tournament.

Continued on page 2

AROUND THE STATES

NM Supreme Court Upholds Mandatory Connection

Federal Bills Introduced on the Definition of "Waters of the United States"

The New Mexico Supreme Court has unanimously upheld a lower court ruling that allows the city of Santa Fe to restrict the drilling of domestic water wells on private property. The ruling affirms the Court of Appeals holding discussed in Volume 22 of *Well Connected* (Winter/Spring 2007, "Home Rule and the Right to a Well"). Santa Fe's ordinance prohibits the drilling of a domestic water well if a person's property lies within 200 feet of a municipal water distribution line. In this case, the homeowners had obtained a permit from the state engineer to drill the wells.

Bills have been introduced in both houses of Congress to redefine "waters of the United States" under the Federal Water Pollution Control Act. The bills respond to a series of United States Supreme Court cases interpreting "waters of the United States," mainly in the context of wetlands. The opinions focused on surface water as well as wetlands, with little or no mention of groundwater. A groundwater connection to wetlands factored into a 1985 United States Supreme Court case, but no attempt has been

Continued on page 4

Continued on page 4

WSC MEMBER NEWS.....



Above: Incoming WSC President Gerry Duggan tests his football skills during the "Quarterback Challenge."

WSC Members View Industry Challenges as Opportunities

Continued from page 1

A high priority for WSC continues to be involvement in public policy impacting wells and the water well industry. In 2007 and 2008, WSC plans to create new public education messages, some of which will be specifically focused on the cost savings of wells as compared to public water systems (PWS). Other initiatives will target specific audiences, such as real estate agents, new homeowners, and home inspectors.



Above: WSC Members gather for a photo before the golf competition begins.

Stanley discussed other current and future WSC initiatives, and summarized a recently completed research report on "Water Usage: An Analysis of Water Use for Domestic Wells Compared to PWS and Other Users – Understanding What is Real."

WSC 2008 Leadership

2008 Officers and Executive Committee

WSC elected the following 2008 officers at the Fall 2007 Members' Meeting:

President

1st Vice President

2nd Vice President

Secretary/Treasurer

Distributor Board Member

Past President (2006-2007)

Executive Director (ex-Officio)

Gerry Duggan, Flexcon Industries

Kevin Hancock, Pentair Water Group

Robert Stone, Franklin Electric

Terry Teach, Grundfos Pumps

Alan Dretel, D&S Pump and Supply

Dennis Coggins, Goulds Pumps/ITT Industries

Kathleen Stanley

2008 Board of Directors

WSC also elected the 2008 Board of Directors. Members of the Board of Directors not listed above are:

Stephen Anderson

Merrill Manufacturing
Storm Lake, IA

Bo Andersson

Danfoss Flomatic Corporation
Glens Falls, NY

Emery Davis

Campbell Manufacturing
Bechtelsville, PA

Joe Lane

Amtrol, Inc.
West Warwick, RI

Steve O'Brien

A.O. Smith Corporation
Tipp City, OH

Richard Mest

Master Water Conditioning
Pottstown, PA

For example, of the estimated 408 billion gallons of water withdrawn daily for all uses in the United States, the U.S. Geological Survey (USGS) estimates that domestic water withdrawals account for less than 2 percent. By comparison, public water systems use more than 43 billion gallons per day.

Stanley explained that public water system and private water well usage varies by state. In states such as Florida, Georgia, and New York, water usage by public water systems exceed usage by private well owners. In Maryland, public water systems and well owners use almost the same amount of water, and in North Carolina, well owners are the largest users of water.

New 2008 Officers and Board Members were also elected (see box at left).

WSC Responds to Community Newspaper on Use of Wells During Drought

WSC sent a letter to the editor of a Charlotte, NC-area newspaper, *The Concord Standard*, regarding the use of well water for irrigation, in light of the current drought. The letter was sent in response to a letter that appeared in an earlier issue of the newspaper that questioned whether the use of private wells for irrigation impacts the groundwater table as a whole.

In its response, WSC reiterated the importance of water conservation practices by all water users – well owners and public water customers. “Well water and much of the public water supply comes from underground aquifers. In times of drought, diminished surface water supplies, such as streams and lakes, can also negatively impact groundwater supplies,” explained WSC Executive Director Kathleen Stanley.

Stanley provided information on the wellcare® hotline for the newspaper’s readers with questions about wells and well water.

WSC Helps Plan New England Private Well Symposium

On December 3 and 4, scientists, public health officials, educators and other professionals will attend the 2007 New England Private Well Symposium, presented by Water Systems Council and others in conjunction with the U.S. Department of Agriculture (USDA) Cooperative State Research, Education and Extension Service (CSREES) Water Quality Program.

The symposium – to be held at the Hyatt Regency in Newport, Rhode Island – will integrate research, extension and educational efforts in the field of private well protection to reduce the risks associated with groundwater use to private well water users. Presentations and posters will address the following themes:

- Land Use and Groundwater
- Public Health
- Well Water Treatment
- Legal and Regulatory Issues
- Education and Risk Communication
- Naturally Occurring Contaminants

For more information, visit www.usawaterquality.org/newengland/wellsymposium.

wellcare® Hotline Update

Hotline Responds to Over 2,700 Calls Thus Far in 2007

The wellcare® hotline responded to 2,721 inquiries during the first three quarters of 2007, reports Hotline Specialist Charlene Greenstreet. This number is just below the total number of inquiries received during the same period last year.

Well owners and homebuyers continued to utilize the hotline more than any other group, with the majority of calls concerning questions on water quality and well maintenance. The remaining calls were related to treatment issues, general questions about wells or well ownership, and requests for WSC publications.

Callers from all 50 states, the District of Columbia, Canada, Africa, and Germany contacted the hotline between January and September, with the highest number of calls coming from Pennsylvania (7.3%), Arizona (6.2%) and New York (5.7%).

WSC MEMBER NEWS.....

Not a member? Join WSC!

WSC Membership benefits include:

- ◆ Discounts on publications (up to 25%)
- ◆ Free Membership Directory and hotlink to your website from WSC's website
- ◆ Free listing in PAS-97(04) and ANSI/WSC PST 2000-2005, if qualified (included in dues)
- ◆ Access to Members-Only Forum where you will find monthly updates on state legislative issues impacting our industry in Around The States
- ◆ Networking possibilities at WSC's spring and fall membership meetings
- ◆ and more!

To become a member or for more information, contact

memberservices@watersystemscouncil.org

or visit

www.watersystemscouncil.org/join

wellcare® Hotline

888-395-1033

NM Supreme Court Upholds Mandatory Connection

Continued from page 1

The court found that Santa Fe's home rule authority allows the ordinance. In addition, the court rejected the state engineer's argument that state law preempted the local ordinance.

Federal Bills Introduced on the Definition of "Waters of the United States"

Continued from page 1

made to encompass groundwater within "waters of the United States." The federal government's authority to regulate water quality comes from the commerce clause, which limits federal power.

States have enacted parallel provisions. Since states have broader regulatory authority than the federal government in this context, definitions of "waters of the State," which fall under regulatory control, have been much broader than "waters of the United States." Several states have included groundwater within the definition of "waters of the State."

Inclusion in either definition gives the federal or state government the authority to regulate the water only. Some states have asserted ownership of the water under this provision, but this assertion would likely be rejected by the courts.

Given this backdrop, concern has been raised that the definition of "waters of the United States" contained in Senate Bill 1870 and House Bill 2421 may be interpreted to cover groundwater, impact water rights and/or affect well permitting. Given the federal government's limited powers, and Supreme Court opinions restricting the reach of the Commerce Clause, these interpretations are unlikely. Water Systems Council continues to monitor the situation.

Georgia Releases Draft Water Management Plan

After three years of study, the Georgia Environmental Protection Division recently released the first draft of the statewide water management plan. The release renewed regional rivalries over "who owns the water?" and raised concerns about the protection of private water rights. A state water council, consisting of legislators and state agency heads, will now develop a final version of the plan to deliver to the Georgia General Assembly in January. Members of the Georgia Drillers Association participated in the process of drafting the plan. The association members discussed concerns relating to groundwater and the right to a well under the plan at a recent meeting and plan to be active in the process.

Westchester County, NY Well Testing Ordinance Takes Effect

As reported in Volume 23 of *Well Connected* (Summer 2007), a new Westchester County ordinance requires a water test prior to the sale of any property served by a private drinking water well. The ordinance took effect on November 19, 2007. In addition, new private wells, private wells that have not been used to supply drinking water in the past five years and private wells on leased property must be tested. Only certified laboratories are authorized to collect and test the water samples. Approximately 20,000 homes in the county are served by private water wells.

Earlier this year, Dutchess County, New York passed a similar ordinance. The ordinance was vetoed by the County Executive. Dutchess County recently announced a plan to randomly test private wells of homeowners who volunteer for the tests. The county will pay for the testing.



EPA Revises Rule on Lead in Drinking Water

The U.S. Environmental Protection Agency (EPA) issued revised drinking water regulations intended to help reduce lead in drinking water and improve public notification processes. The rule requires utilities to strengthen their testing methods, notify customers as soon as they find high lead levels in water, and get permission from regulators before changing treatment methods.

The changes were prompted largely by a lead crisis in Washington D.C.'s water supply that was first revealed in 2004, more than two years after the utility became aware of rising lead levels in hundreds of homes.

The EPA ultimately concluded that the high lead levels were due to a change in water treatment, from chlorine to chloramines, that made the water more corrosive and caused lead to leach from faucets and lead pipes in the water system.

NSF Updates Lead Requirements

NSF International has revised its NSF/ANSI Standard 61 to make it consistent with the EPA's new lead in drinking water requirements. The changes to the evaluation criteria for lead extraction testing include:

- A reduction in the standard's total allowable concentration of lead, from 14 ug/L to 5 ug/L.
- More than a 75 percent reduction of the Q statistic from 11 to 3 for supply stops, flexible plumbing connectors and miscellaneous components.
- More than a 50 percent reduction of the Q statistic from 11 to 5 for all end-point devices, other than supply stops, flexible plumbing connectors and miscellaneous components.
- A three-fold reduction of the single product allowable concentration (SPAC) for lead from 1.5 ug/L to 0.5 ug/L.

The revised standard has an implementation date of July 1, 2012, which was established to allow industry sufficient time for compliance.

Pentagon Contests WI's Proposed Drinking Water Standards for DNT

According to Army officials, the Pentagon plans to contest the state of Wisconsin's drinking water standards for the explosive, dinitrotoluene (DNT). Wisconsin is the first state to issue health-based guidelines for the toxic explosive, which has contaminated groundwater near the Badger Army Ammunition Plant.

The Army is challenging an interim Health Advisory Level published by the Wisconsin Division of Public Health, which recommends that the *total concentrations* of all DNT isomers not exceed 0.05 parts per billion (ppb) in drinking water.

Wisconsin has a drinking water standard for two of the six isomers of DNT most commonly found in groundwater – 2,4-DNT and 2,6-DNT. The acceptable threshold for

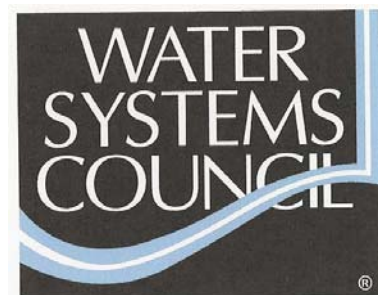
each is 0.05 ppb.

The U.S. EPA has not established a drinking water standard for the four other DNT isomers, nor has Wisconsin or any other state.

EPA to Add San German Site to Superfund List

The EPA is proposing to add the San German Ground Water Contamination site in Puerto Rico to the Superfund National Priorities List (NPL). The main contaminants of concern are tetrachloroethylene (PCE) and trichloroethylene (TCE), which are used as solvents in dry cleaning, degreasing and industrial cleaning. The site has seven wells serving approximately 25,000 people.

The EPA confirmed that several industrial facilities are the source of the contamination. The Puerto Rico Department of Health has already taken one well out of service because it was contaminated. Once the site is placed on the NPL, the EPA will expand its investigations to further define the nature and extent of the contamination, and will continue to monitor the drinking water supply.



wellcare® Briefs

Wainfleet Residents Contest Public Water Connections

Well owners in the Wainfleet township of Ontario, Canada argued against extending public water to their homes at a public meeting held in August. The area's water has shown high levels of *E. coli* and coliform bacteria, apparently due to leaking septic tanks.

Residents have argued for onsite solutions to the problem, such as composting toilets, but the region's water and wastewater services department concluded that extending water and sewer lines to Wainfleet from Port Colborne is the more cost effective solution.

Forty-four percent of drinking water wells in Wainfleet are located too close to septic tanks and 29 percent of septic tanks are not properly maintained. Leo Gohier, acting director of water and wastewater services for the Niagara Region, said he would report the level of the resident's opposition to the politicians.

New Radium Testing Method Shortens Testing Times

A new technique for testing public drinking water samples for radium reduces the time required for testing and requires only two steps.

First, hydrochloric acid and barium chloride are added to the water sample and heated to boiling. Concentrated sulfuric acid is added and the radium precipitate is collected, dried and weighed. The samples are then counted with a gamma-ray spectrometer to determine the content of radium-226 and

radium-228.

The technique, developed by Bernd Kahn, director of the Georgia Tech Research Institute's (GTRI) Environmental Radiation Center, and GTRI senior research scientist Robert Rosson, was approved by the EPA in July of 2006.

Charles County, Maryland Searches for Alternative Water Sources

Officials in Charles County, Maryland fear the county's water supply could run out by the year 2030. Southern Maryland gets its water from wells, but aquifer levels in the fast-growing county have declined sharply. The county is considering building a desalination plant to convert the Potomac River's water into drinking water, and also plans to approach the Washington Suburban Sanitary Commission – which supplies water to residents in Montgomery and Prince George's County – about pumping its water into the county.

CA School District Proposes Fix to Drinking Water Problem

Analysts for the Manteca Unified School District have proposed a solution to provide clean drinking water at one rural California Elementary School: combine drinking water from two wells on the property – one containing arsenic and the other containing nitrates – in hopes of diluting the levels of both contaminants.

A first well on the school's property contains unhealthy levels of nitrates but virtually no arsenic. A second well, dug across campus to replace the first, contains unsafe levels of arsenic but safe levels of nitrates. The second well had been disconnected from the school and used for irrigation when the nitrates were discovered in 2005.

The plan must be approved by San

Joaquin County. If the plan is rejected or does not work, the school district will install a filter to remove the arsenic.

NY Senator Urges EPA to Set More Stringent Drinking Water Rules

During a conference call with reporters last summer, U.S. Senator Charles E. Schumer (D-NY) urged the EPA to set tougher rules regulating exposure to and clean-up of trichloroethylene (TCE), and calling for a federal review of potential TCE-contaminated areas throughout the state.

Data from the EPA and New York's Department of Environmental Conservation shows that more than 300 sites in upstate New York are, or have previously been, contaminated with chemicals, such as TCE. Schumer said though the Safe Drinking Water Act requires the EPA to reevaluate its drinking water standards every six years, the rules have not been reviewed since 2002.

District Offers Choice Between Wells and Public Water

Residents of Acreage – a community in Palm Beach, Florida – may soon have a choice in where their water comes from. The Indian Trail Improvement District, which governs certain aspects of the community, plans to survey residents to determine whether they prefer to hook up to Palm Beach County's public water supply, or keep getting their water from private wells.

If two-thirds of residents choose public water, all residents would have to pay for the pipe, regardless of whether they want to connect to it. All homes would

wellcare® Briefs

Continued from page 6

pay an estimated \$6,750. Residents who want to connect would pay an additional \$2,650.

Indian Trail's Board of Supervisors plans to hold workshops on the issue.

CA Regulates Perchlorate in Drinking Water

Starting October 18, the state of California began regulating the amount of perchlorate in drinking water, to no more than six parts per billion (ppb).

Perchlorate, a rocket fuel additive, is particularly dangerous to pregnant women

and young children, because it blocks the thyroid gland's ability to absorb iodide, which is necessary for normal growth and nervous system development.

California is only the second state to enforce limits for perchlorate in drinking water. The first, Massachusetts, requires no more than one ppb, the maximum limit recommended by the EPA.

USGS Study Concludes Human Activities Impact Tampa Bay Area's Groundwater Resources

A study by the U.S. Geological Survey (USGS) found as populations increased around areas with public-supply water wells in Northern Tampa Bay, Florida, there are corresponding increases in

contamination. In tests of 30 randomly-selected wells, there was a strong correlation between the amount and type of contaminants present and land-use type, population, and hydrogeologic conditions. For example, urban areas showed occurrences of pesticides commonly used around the home, on golf courses, and public roads.

While levels of contaminants found in the test wells were very low, "their presence indicates the relatively rapid mobility of these contaminants to the groundwater system and the vulnerability of groundwater supplies to contamination from human activities," said USGS hydrologist and lead author Patricia Metz.

WSC MEMBER NEWS.....

WSC Co-Sponsors Workshops for MD/DE Educators

WSC co-sponsored two workshops for Maryland and Delaware 4th and 5th grade teachers, in preparation for the May 8, 2008 Children's Water Festival. The workshops were held October 20 and November 3 at Delaware Tech Community College in Dover, Delaware, which is also the site of the upcoming festival.

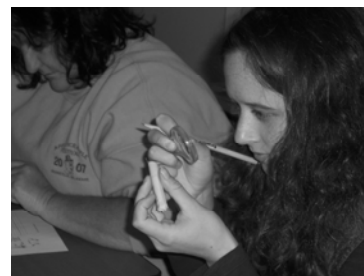
The educators learned various hands-on activities to teach in their classrooms prior to attending the festival. Teachers also earned credit hours and received additional free water-related resources for use in their classrooms. Teacher workshop activities correlated with the National Science Education Standards, while also giving teachers the tools they needed to start preparing their students for the festival.

The October 20th workshop, titled "WET" (Water Education for Teachers), was co-sponsored with Delaware and Maryland Project WET coordinators. Teachers engaged in Project WET activities related to ground water, cultural water use and more. The November 3rd workshop was titled the Wonders of Wetlands," and was co-sponsored with Environmental Concern Inc.



Approximately 1,500 4th and 5th graders are expected to attend the upcoming 2008 Maryland/Delaware Children's Water Festival.

Left: Teachers examine "Wetlands in a pan," a lesson which illustrates how wetlands aid in replenishing groundwater and how they are also fed by groundwater.



Above: A workshop participant examines a cat tail during a lesson entitled, "Wetland Weirdoes."





WSC NATIONAL PROGRAMS OFFICE
1101 30th Street, N.W.
Suite 500
Washington, DC 20007

**Now Available:
WSC Informational Brochures for
Real Estate Agents and Home Buyers**



Two new informational brochures to advise real estate agents and homebuyers on buying or selling a home with a well are now available through Water Systems Council.

The brochures are available through Water Systems Council's [wellcare® hotline](tel:888-395-1033) at **888-395-1033**.

