



A Publication of the Water Systems Council

WSC MEMBER NEWS

WSC Calendar

July 31-August 2, 2010

- **South Atlantic Well Drillers Jubilee**
Myrtle Beach, SC

November 9-12, 2010

- **WSC Fall 2010 Members Meeting & WSC Board of Directors Meeting**
Shingle Creek Resort
Orlando, FL

December 7-10, 2010

- **2010 NGWA Ground Water Expo**
Las Vegas, NV

March 1-3, 2011

- **WSC Spring 2011 Members Meeting, Board of Directors Meeting & Hill Visits**
The Liaison Capitol Hill Hotel
Washington, DC

2010 Spring Meeting Report: WSC Honors Past Board Members and Three Members of Congress in Washington, D.C.

WSC recognized several former board members for their contributions to the organization, during the 2010 Spring Members Meeting in Washington, D.C. Among those honored were Past President Gerry Duggan, and former Distributor Board Members Alan Dretel, Jim Paulhus, and Tom Sterzing.



Above: WSC President Kevin Hancock (left) presents WSC 2008-2009 President Gerry Duggan with a plaque in recognition of his years of service on the WSC Board.

WSC also honored longstanding member and former Board Member Bill Mills. In recognition of Mills' retirement from the industry, and in appreciation of his years of service, WSC made a contribution in his name to "Water 4 Kids."



Above Left: WSC Executive Director Kathleen Stanley (left) recognizes Bill Mills (right) for his many years of support and commitment to WSC and the water well industry.



Above Right: WSC Executive Director Kathleen Stanley (left) presents an award to former Distributor Board Member Jim Paulhus (2001-2003). Also recognized, but not in attendance, were past Distributor Members Alan Dretel (2007-2009) and Tom Sterzing (2004-2006).

Inside this issue:

WSC Spring 2010 Meeting

Congressman Latham Recognized at WSC Spring Meeting	2
Senator Whitehouse Receives 2010 wellcare® Congressional Leadership Award	3
Congressman Langevin Honored at WSC Spring Meeting	5

WSC Member News

wellcare® Hotline Assists RI Well Owners	3
--	---

Around the States

OR Decides Important Water Rights Case	4
--	---

Washington Update

4

Three members of Congress were also presented with the 2010 **wellcare®** Congressional Leadership Awards, including U.S. Representative Jim Langevin (D-RI), U.S. Representative Tom Latham (R-IA) and U.S. Senator Sheldon Whitehouse (D-RI). See the boxes on pages 2, 3, and 5 for details.

Continued on page 2

2010 Spring Meeting Report

Continued from page 1



Above: The Groundwater Foundation President Jane Griffin discusses 2010 partnership activities with WSC, specifically the “LEAP (Learn, Educate, Act, Protect) into Groundwater” and the Growing Groundwater Awareness in Nebraska (GGAN) Projects.

Twenty-four WSC members made 47 Hill visits during the Spring meeting. The state sheets used during the Hill visits (pictured far right) can be accessed in the members only section of our website. Go to www.watersystemscouncil.org and click on “In YOUR State” on the left-hand side of the page.

Continued on page 5



Above: WSC President Kevin Hancock (left) and WSC Executive Director Kathleen Stanley (right) recognize the U.S. Environmental Protection Agency (EPA) for its continued support of WSC’s **wellcare®** Program. Cynthia Dougherty, Director of the EPA’s Office of Ground Water & Drinking Water (center), accepted the award.

Pictured at right is one example of a state-specific sheet that was used during the visits WSC Members made on the Hill.

wellcare in Pennsylvania

Water Systems Council (WSC) is the only national, nonprofit organization dedicated to promoting and protecting the health of our nation's groundwater. WSC provides important information, technical assistance, training and educational activities to ensure safe drinking water for the 42 million Americans who rely on private wells and the related issues that are unique to private well owners.

The following are Water Systems Council member companies with a commitment to responsible water use:

- CAMPBELL MANUFACTURING, LLC
- DRILLER SERVICE INC.
- GUINOCCHI PUMPING CO. CORPORATION
- MADE WATER CONSTRUCTION CORPORATION
- NEVER QUALITY CONTRACTORS INC.
- PENNSYLVANIA HOMEWORKERS ASSOCIATION

Jobs in the Water Well Industry

Water well drilling showed one of the largest percentage increases in the value of construction work in the 2009 Economic Census. The value of construction work increased 10 percent from \$1.3 billion in 2008 to \$1.4 billion in 2009. This is a 7 percent increase from the 2007 level of \$1.3 billion.

There are nearly 200 well and water-related companies in Pennsylvania. 98% of these companies are small, other family owned businesses.

Pennsylvania Well Owners: Private wells use the primary drinking water source for more than 3,400,770 Pennsylvania residents or over 93% of households. Pennsylvania is ranked #2 in the nation for the number of households with private wells.

Groundwater Use in Pennsylvania

Year	2008	2007	2006	2005	2004	2003	2002	2001	2000
Percentage	56%	20%	1%	0%	2%	11%	14%	1%	1%

NEW! wellcare Well Owners Network

One of WSC's new **wellcare®** program initiatives is the **wellcare®** Well Owners Network, which was created in response to calls for the well owner's voice during for more information on wells and well water. The **wellcare®** Well Owners Network is **FREE** to join and provides important information for your well water to help ensure drinking water supply and the health of their families. New investment in their wells and homes, and the environment.

How many of 2009 wells? 1,000 well owners have joined the **wellcare®** Well Owners Network. Some percent (7%) of Network members are from Pennsylvania. Our goal is to have a higher percent of Network members from Pennsylvania.

© 2010 Water Systems Council, 400 N. 34th St., Washington, DC 20001 • 202.426.6187
www.watersystemscouncil.org • info@wscouncil.org

Congressman Latham Recognized at WSC Spring Meeting

Water Systems Council (WSC) honored U.S. Representative Tom Latham (R-IA) with the 2010 WSC **wellcare®** Congressional Leadership Award during its Spring Meeting, held February 23-25 in Washington, D.C. The WSC **wellcare®** Congressional Leadership Award is given annually to Congressional members who have shown exemplary commitment to well owners and groundwater protection.

“Groundwater protection is critically important to our environment and public health, and it’s imperative we take every possible step to make sure our groundwater is kept clean,” Congressman Latham said. “It’s an honor to receive this award from the Water Systems Council.”

“Water Systems Council is pleased to recognize Congressman Latham’s efforts on behalf of approximately 735,000 well owners in Iowa,” said WSC President Kevin Hancock. “The **wellcare®** Congressional Leadership Award acknowledges his commitment to protecting the drinking water supplies of household well owners in Iowa and nationwide.”



Above: Congressman Latham (center) accepts the 2010 **wellcare®** Leadership Award from WSC member Steve Anderson (left) and WSC Executive Director Kathleen Stanley (right).

WSC MEMBER NEWS

The wellcare® Hotline Assists Well Owners in Rhode Island

The **wellcare®** hotline continues to be a valuable resource for well owners impacted by flooding and other natural disasters. Working with local agencies, the hotline is able to provide free information and support to well owners with questions about taking care of their wells after a flood. Most recently the **wellcare®** hotline provided assistance to well owners in the New England area, in cooperation with the Rhode Island Groundwater Association and Region I EPA.

wellcare® information for you about Managing a Flooded Well

If you live in an area that was recently flooded, your private well may be in danger of contamination from pollutants carried by flood water or at risk of shock from water-logged well equipment.

First Steps

The U.S. Environmental Protection Agency offers the following guidance to private well owners after a flood:

- Do not drink or soak with your well water. You could get sick from contaminants washed into the well by the flood.
- Do not turn on the well pump. There is a danger of electrical shock and damage to your well or pump if they were flooded.
- Contact your well professional for help in dealing with the impacts of the flood on your water quality and well system.

Tests for Contamination

You should suspect water contamination any time your well casing becomes flooded, if your well is shallow and you are not aware that you have flooded it, or if you notice taste, color or sediment changes in your water.

Flood conditions can allow bacteria, viral particles or chemical contamination to enter the top of your well or seep down along your well's casing. Even if flood water did not rise over the top of your well casing, your neighbor's well may have been flooded, allowing contamination to migrate underground to your well.

Once you suspect your drinking water is contaminated, find an alternative source for drinking, cooking and washing. You can get water from a neighbor's well you know is safe or from a community water supply, or you can purchase bottled water. If you can't find a convenient source of safe water, boil your well water for five minutes before use.

Before you resume using your well, collect a water sample and have it tested for bacteria by a certified laboratory. Laboratories can be found in the Yellow Pages or through your local or state health department. For help, review the wellcare® information sheet *Drinking Water Testing*.

If the sample tests positive for coliform bacteria, it is not safe to drink. Coliform bacteria are an early indicator class of bacteria used by health officials as a warning that other disease-causing bacteria may be present. If your well is positive for coliform bacteria, ask the laboratory to test for E. coli bacteria. The presence of E. coli usually indicates disease-causing bacteria are in your water.

Disinfecting the Well

If tests indicate your well is contaminated with E. coli bacteria, you should have the well and the entire plumbing system disinfected using a shock chlorination process. A licensed well driller or pump installer has the equipment, materials and expertise to eliminate bacterial contamination.

You may do this work yourself if you carefully follow the directions, wellcare® information sheet *Drinking Water Treatment* offers a step-by-step guide. Always have your water quality tested a second time after it is treated with chlorine or any other process.

wellcare® info on Managing a Flooded Well September 2003

WSC members can download **wellcare®** information sheets to provide to clients and customers. Information sheets on more than 85 topics are available FREE on the WSC website at www.watersystemscouncil.org. Topics include Managing a Flooded Well, Disinfecting a Well, and much more.

In addition, the **wellcare®** hotline responded to more than 750 calls and e-mail requests in the first quarter of 2010. Calls this quarter came from 47 states, the District of Columbia, Canada and Jamaica. States with the highest number of calls during this period were Pennsylvania, New York, Maryland, Texas and Florida.



Contact the wellcare® Hotline at
1-888-395-1033 or visit
www.wellcarehotline.org.

WSC MEMBER NEWS

Senator Whitehouse Receives 2010 wellcare® Congressional Leadership Award

The Water Systems Council (WSC) honored U.S. Senator Sheldon Whitehouse (D-RI) with the 2010 WSC wellcare® Congressional Leadership Award during its Spring Meeting, held February 23-25 in Washington, D.C. Senator Whitehouse was honored for his exemplary commitment to the environment through his support of WSC's wellcare® program.

"With more than 160,000 Rhode Islanders relying on well water, I understand the importance of providing the resources and technical assistance necessary to help households and small communities properly manage and protect their water supplies," said Senator Whitehouse, a member of the Senate Environment and Public Works Committee.

"Water Systems Council is pleased to recognize Senator Whitehouse's commitment to protecting the drinking water supplies of many of his constituents," said WSC President Kevin Hancock. "The wellcare® Congressional Leadership Award acknowledges his efforts and expresses our appreciation on behalf of household well owners nationwide and in Rhode Island."



Above: Senator Whitehouse (center) accepts the 2010 wellcare® Leadership Award from WSC members (from left to right) Chris VanHaaren, Jim Paulhus, Matt Miller and Joe Lane.

AROUND THE STATES

Oregon Decides Important Water Rights Case

The Supreme Court of Oregon recently decided an important case on water rights in *Klamath Irrigation District v. United States*, 348 Or. 14, __ P.3d __ (March 11, 2010). This case represents another installment in the conflict between endangered species and water rights.

The Federal Bureau of Reclamation manages the Klamath Project. The project stores and supplies water to various entities in the river basin. Due to drought conditions in 2001, the Bureau terminated delivery of water to the plaintiffs to make water available for three species of endangered fish. The plaintiffs, farmers and irrigation districts, claim a taking of private property for public use without just compensation in violation of the Fifth Amendment of the *United States Constitution*.

The United States Court of Federal Claims granted summary judgment to the United States. In considering the appeal from this decision, the United States Court of Appeals certified three questions on state law to the Supreme Court of Oregon. These questions related to water rights and centered on the key issue in the case. The plaintiffs assumed that the United States held legal title to the water rights. However, the plaintiffs claimed an equitable or beneficial interest in the water rights supported

the takings claim.

The opinion is extensive and considers many complex issues of law. Of particular interest to the water well industry is the court's conclusion that a beneficial or equitable interest in the water supported the takings claim. In essence, the court found that the United States held legal title to the property in trust for the farmers, irrigation districts and other users. The right of the users to the water is a "property right" that is protected by the *United States Constitution*.

This decision is very important since some other courts have found that similar rights are "contractual rights" and not protected under the *United States Constitution*. Although the decision is only binding in Oregon, other states may adopt the reasoning.

One area of particular interest involves the public trust doctrine. Some states claim that the state holds legal title to the groundwater under the public trust doctrine, holding the water in trust for the people. Can the reasoning of this case be extended to find that even if this assertion of trust ownership (which is questionable) is true, that a valid takings claim may be maintained by the users of the water? Only time will tell how far this reasoning will be extended, but the Oregon Supreme Court decision arguably provides support for this position.



EPA Seeks Guidance on Hydraulic Fracturing Study

On April 7 and 8, 2010, the EPA held a meeting of the Environmental

Engineering Committee. The committee was augmented with additional members for the purpose of giving advice on the EPA's Research Program Related to Hydraulic Fracturing.

Hydraulic fracturing is presently exempt under the Safe Drinking Water Act. However, a recent bill would bring the practice under the act and regulate hydraulic fracturing. Given this bill and the recent controversy surrounding hydraulic fracturing for oil and natural gas extraction, the EPA is embarking on a study of hydraulic fracturing and the impact on

drinking water. This meeting sought to get advice from the committee on the design and scope of the study.

The meeting was open to the public and included public comment from a group of stakeholders. Jesse Richardson, WSC Policy & Research Advisor, represented WSC at the meeting. Copies of written public comments were provided to attendees. Questions addressed included the proposed research topics, the hydraulic fracturing lifecycle, the potential relationships to drinking water, and potential health and environmental risks. In addition, the scope of the study, the prioritizing of research needs and the stakeholder process were examined. The meeting focused entirely on hydraulic fracturing in the context of oil and natural gas production.

The EPA aims to have the study completed by December of 2012. Public comments are still being accepted.

2010 Spring Meeting Report

Continued from page 2



In our Next Issue: A Recap of the Exciting 2010 NY Children's Water Festival!

Members of the Empire State Water Well Drillers Association (ESWWDA) presented a check to Water Systems Council for the New York Children's Water Festival. Pictured (from left to right) are Jim Dwyer, David Root, WSC Executive Director Kathleen Stanley, WSC President Kevin Hancock, Jeff Smith and Rich Moravec. ESWWDA sponsored an auction to raise money for the festival.



Congressman Langevin Honored at WSC Spring Meeting

The Water Systems Council (WSC) honored U.S. Representative Jim Langevin (D-RI) with the 2010 WSC wellcare® Congressional Leadership Award during its Spring Meeting, held February 23-25 in Washington, D.C. The WSC wellcare® Congressional Leadership Award is given annually to Congressional members who have shown exemplary commitment to well owners and groundwater protection.

"Making sure people have access to clean drinking water is a major component to growing healthy, stable communities," said Congressman Langevin. "I am honored to be recognized by the Water Systems Council and I look forward to working with them to help families keep their wells clean and safe in the years to come."

"Water Systems Council is pleased to recognize Congressman Langevin's efforts on behalf of over 160,000 well owners in Rhode Island," said WSC President Kevin Hancock. "The wellcare® Congressional Leadership Award acknowledges his commitment to protecting the drinking water supplies of household well owners in Rhode Island and nationwide."



Above: Congressman Langevin (center) accepts the 2010 wellcare® Leadership Award from WSC members (from left to right) Matt Miller, Chris VanHaaren, Jim Paulhus and Joe Lane.



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

HELP US GROW THE



BECOME OUR FAN ON FACEBOOK!

Search "wellcare Well Owners Network" from your Facebook page.

HELP US REACH OUR GOAL OF 10,000 WELL OWNERS NETWORK MEMBERS IN 2010! FIND OUT HOW YOU CAN HELP SPREAD THE WORD ABOUT THE WELL OWNERS NETWORK TO YOUR CUSTOMERS. CALL THE **WELLCARE®** HOTLINE AT 1-888-395-1033.

HAVE YOU JOINED? SIGN UP TODAY AT WWW.WATERSYSTEMSCOUNCIL.ORG.