



Representative Scott Wiggam

Chairman Callender, Vice Chair Wilkin, Ranking Member Smith, and members of the House Public Utilities Committee, I appreciate the opportunity to offer sponsor testimony on House Bill 427.

This bill would help to prevent this overreach by the EPA by prohibiting them from creating rules and enforcing mandates that are not found in Ohio's Revised or Administrative codes regarding the taste of water in public water systems.

Currently, the Ohio EPA is engaged in rule making and mandates with potential fines against public water systems for the taste (aesthetics) of the water even though the Ohio EPA acknowledges that the water meets the requirements prescribed under the "Safe Drinking Water Act" implemented by the United States Environmental Protection Agency. These rule making prescriptions are not supported by legislation but are the result of overreach.

Ohio EPA regulations that protect the health and safety of the public and protect Ohio's environment are necessary and should continue to be enforced. However, requiring treatments in drinking water for aesthetic reasons in currently operating public water systems are not found in the Ohio Revised Code or the Ohio Administrative Code. These aesthetic treatments can be expensive to construct and put a financial burden on the public water systems and their users while thwarting democratic principles. These aesthetic treatments can be constructed by the public water system at their discretion based on input from the public water system users. . If individuals from the community decide that they want to raise their taxes to pay for these construction project, that is fine, however it should not be mandated on them to do so.

In particular, I am concerned that public water systems currently operating are being required to construct treatments to remove secondary contaminants and the requirements of OAC 3745-91-09 have not been met. Per OAC, secondary contaminant limits are recommended, but not required. OAC 3745-91-09 states that treatment for secondary contaminant shall be provided for existing water systems when a new water source is developed or a water source is changed. In addition treatment for secondary contaminants shall also be provided in any new community water systems. Many public water systems are being given Notice of Violations for secondary contaminants from Ohio EPA but have not developed a new water source or changed a water source.

I've heard from my own constituents that it's common practice for the Ohio EPA to mandate local municipalities to incur unnecessary costs through redundant water treatment additives without code authority. These additives only serve to change the water's taste and do not add any qualitative value to the purity or safety of our drinking water.

This bill would still allow the Ohio EPA to mandate that new systems have secondary-contaminant removal upgrades (for better aesthetics) but would prohibit the Ohio EPA from requiring current public water systems to be treated for secondary contaminants which are within recommended limits. The only treatment that should be applied to our public water systems is for primary contaminants and secondary contaminants that exceed health advisory limits.

I respectfully ask for your support of this legislation. Thank you all for your time and I am happy to answer any questions at this time.