

Statement of the Red Sulphur Public Service District Board Members to the Monroe County Commission

December 3, 2014

From the RSPSD

To the Monroe County Commission

Red Sulphur Public Service District is a nonprofit Government Corporation in Peterstown, WV with assets of more than 25 million dollars, and processes and distributes more than 300,000 gallons of safe drinking water to over 4000 Monroe County customers daily.

The main raw water source is the Coburn Spring located on Peters Mountain near Peterstown that produces on average about a Million gallon of water per day.

The water is of such high quality in order to comply with the safe drinking water act it only takes about 1/10 of the treatment required by our counterparts that draw from open sources such as rivers and lakes to produce the same amount of water.

In 1974 the federal safe drinking water act set minimum standards on the quality of water supplied to customers.

In 1986 Congress amended the Safe Drinking Water Act expanding the concept of wellhead protection to include surface water sources under the umbrella term of source water protection.

The amendments encourage states to establish source water assessment and protection programs to protect all drinking water supplies.

In 1999 the West Virginia Department of Health and Human Resources published the sources water and protection program which was endorsed by the United States EPA.

A source water protection plan was developed in April of 2011 for RSPSD. In summary it says:

Concerning surface water which is Rich Creek

Identify the watershed which is the perimeter of the area providing water to the intake. It includes the entire area upstream of the intake up to a topographic boundary or the West Virginia State Border which covers approximately 26 square miles in the Upper New River Watershed.

Concerning our Groundwater:

The primary source of drinking water is the Coburn Spring near Peterstown, situated in karst geology with shallow sink holes. In this geology, surface streams generally lose their water to the subsurface. Surface waters can enter the groundwater regime very quickly via direct injection through sinkholes or other fracture or solution openings. The type of flow in this geology is described as being conduit flow

and is delivered via strike oriented cave passages or along fault planes and fault passages. It goes on to say this study was generated using available hydrogeological data and concludes the Coburn spring is under direct influence of surface water and is treated as surface water. The back up or alternate source water is Rich Creek which originates further north east of the Coburn Spring. This spring comes from the Wilson Springs or commonly known as the “fish hatchery” and is also termed ground water.

- Those two areas are zoned critical source and mapped
- The 26 square mile watershed was identified, and mapped
- An Inventory within that area was made of the local sources for Potential Contaminates.
- A Protection Team was identified.
- Members of that team were: Porter Robertson, John Shufflebarger, Ceresia Williams, Robert M Williams Sr. Shane Ashley, Dale McClutcheon, Bruce Powers and Lewis Baker

The team developed Protective Strategies and emergency response plans in case of spills or other sources of contamination

Everyone was satisfied all safe guards were in place to protect our source water which would later become our drinking water.

Then came national news when Freedom Industries contaminated the Elk River January 9th of this year affecting some 300,000 area residents and costing billions of dollars.

Then came deficiencies in their Source Water Protection Plan. It was found that the original studies did not identify a possible 51 additional potential significant contaminant sources within the watershed.

Then came a public outcry and reactions, and maybe overreactions by federal and state law makers. US Senator Bill Cardin of Maryland chairing a hearing of the Environment and Public Works Subcommittee on Water and Wildlife said safe drinking water is an interstate issue that must be addressed by the federal government.

Then came Senate Bill 373 by Majority Leader John Unger of Berkeley that would require registrations and annual inspections for most surface-level tanks storing fluids. Tanks within 25 miles upstream of a water supply source would be closely monitored.

The state would take an inventory of above ground tanks to determine what they’re holding and if they are dangerously close to public water supplies.

Storage facilities would need to describe safety measures to prevent spills and address them quickly. Starting July 2015, public water systems would need to file plans to protect against contamination from spills and react in emergencies. Storage entities and water systems would incur fees to cover cost of inspections and responses to spills.

Unger said the bill responds to public demand for an immediate response to the water crisis. State senator Erik Wells of Kanawha stated “while I do not want to see regulation rammed down the throats of business, I don’t want to see contaminated water rammed own the throats of West Virginia citizens, either.”

You would think from this much government support there should be no concern of any disturbance of our drinking water since the position of each county, state and federal agency supports safe drinking water.

But the latest proposed route of the Mountain Valley Pipeline is presently routed to come through the “well head protection area” and is within 1200 to 1500 feet of a zoned “critical concern source”

But yet again we are in a great debate as to whether the nation’s laws designed to protect the many shall prevail over the greed that affords so few.

So what is the position of the RSPSD? Our position is similar to that of Senator Wells, that we do not want to stifle growth with regulation, but our concern to maintain the quantity and quality of water is much greater; our concern as board members is a fiduciary relationship we share with 4000 county residents and customers of the RSPSD. To not exercise due diligence in preserving the quality and quantity of our water sources would be totally unacceptable. We wish to publicly express our concern of the unwanted encroachment of the proposed gas line within the source water protection area which is routed dangerously close to the Zone of Critical Concern. If this were a new coal mine seeking a permit to operate, hydrological and geological impact studies would be required. Why not gas lines?

Senate Bill 373 I spoke of earlier affects the RSPSD in ways some of us think are extreme. Our potable water storage tanks are included in the survey; after all it does meet the Safe Drinking Water requirements. Another challenge will be to develop and expand a new Source Water Protection Plan. Above ground storage tanks as much as 25 miles from the source water are included in this bill. All of this is huge unplanned expenses.

We believe any major construction such as the proposed Mountain Valley pipe line construction within the source water protection plan is a definite potential contaminate and would literally be an impossible financial burden for us to bare as emergency response plans would need to be in place 24/7 during, and long after construction.

Table 7: Implementation of Activities Page 15 of the current well head protection study states:

“The plan prioritizes abundant, clean water in the County Commission’s mission. As the commission develops their plan and directs growth in the future, one guideline listed and described as supportive and directive to their efforts is to identify and prevent potential threats to water quality.”

Although we realize that state and federal agencies will prevail in challenges with lower government; however in an effort to demonstrate our best efforts to protect the public water supplies from damage and preserve the water quality and quantity the Red Sulphur Public Service District has grown to expect, we would respectfully request that the Monroe County Commission consider proclaiming their stated mission as an ordinance and include an addendum: Concerning Mining, Commercial Drilling or Major Pipe Line construction to occur within a five mile radius from the outside perimeter of the source water protection plan would require a hydrology and geology impact study paid for by the corporation wishing to control any such operations. These impact studies will be performed by a company suitable to the county commission and be submitted to the county commission prior to any official land survey. The

study must be to the satisfaction of the Monroe County Commission and the West Virginia Department of Health ascertaining there would be no damage to the aquifers or potential contaminates that would reduce, restrict or contaminate the source waters during or after construction.

Since the Monroe County Commission is our first level of hierarchy the RSPSD will continue to move to the next level where we will be requesting assistance in dealing with this situation from the state and state water protection agencies and then reach out to the federal representatives and federal water protection agencies.

In conclusion, if you were to draw a line near the center of the walls that wrapped completely around the perimeter of your home adjust a skill saw to cut at a two inch depth, and then cut the line out. What would be the extent of the damage and how much would it affect the value of your home. When you answer that question apply the same concept to our community with a ditch through the center of our water shed that will secure a 42" buried gas line. I believe the answer for both acts would lie somewhere between senseless and just plain irresponsible.

The Coburn Spring on Peters Mountain has provided water for the town of Peterstown since 1937 without fail.

Since then Ballard, Bozoo, Lindside, Rock Camp, Pine Grove Road, Dry Pond, Kibble Hill, Coulters Chapel, Weikle and Greenville areas have been added.

I believe there is ample water supply available to supply additional communities that have requested our services.

I believe as the opportunity arises these services will be provided.

I do not believe this faithful spring will fail us; my fear is through irresponsible acts we will fail it.

Thanks to each of you for your support

RSPSD Board Members