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Congress of the United States
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Dear Administrator Jackson:

I want to applaud the Environmental Protection Agency's (EPA) plans to revitalize the Safe Drinking Water Act and to draw to your attention a controversy on Cape Cod that illustrates the need for better collaboration on protecting our water supplies.

The EPA's call for a new and revised strategy to better protect public health from contaminants in drinking water is long overdue. With budgets strained and threats emerging, the EPA, states and utilities all need to work together to find newer and more cost-effective ways to protect our drinking water supplies. Doing so will require greater collaboration among federal, state, local and regional government, as well as development of new technologies to meet the needs of rural, urban and other water-stressed communities. I also agree with your suggestion that EPA should use a combination of federal and state laws in order to protect drinking water supplies.

As you develop this new strategy for protecting our drinking water, I want to bring to your attention the efforts of utilities throughout our country to use herbicides and other chemicals to control vegetation beneath power and transmission lines, especially in EPA-designated "sole source aquifers". Federal and regional energy regulators are calling on utilities to develop ambitious plans to control vegetation in order to prevent future power outages. This is certainly a worthy goal. However, the standards that energy regulators and utilities develop to write these plans do not necessarily take into account how the widespread application of herbicides to control vegetation will affect public and private water supplies. There is no special consideration given to communities that have "sole source aquifers" or those regions -- like Cape Cod, Nantucket and Martha's Vineyard -- that rely on groundwater as their only source of drinking water.

As you know, the Safe Drinking Water Act requires the EPA to work with states to identify their public water supplies and to delineate the watersheds that are critical for long term protection. The act also requires a concerted effort to identify threats to these drinking water supplies and the development of comprehensive plans to alleviate or mitigate these threats. It is important that the EPA give special attention to those plans in designated "sole source aquifers" and examine the extent to which vegetation management plans are being developed in a manner that provides the greatest protection to drinking water. The widespread use of herbicides in water supply recharge areas is an activity that is taking place throughout the country, yet it appears EPA has yet to be consulted.

On the Cape and Islands, we are currently facing such a controversy. The local utility, NSTAR, developed a plan to apply herbicides on vegetation beneath 150 miles of transmission lines. Much of the area abuts private and public water supplies. While the plan appears to meet energy reliability requirements, there is no evidence to suggest the plan was examined from a water supply protection perspective. The plan did not receive close scrutiny from the regional EPA office, state and regional water supply officials. Local officials and water suppliers are now scrambling to find out exactly the details of the plan and the impacts that spraying could have on public and private water resources.

I have already been in touch with our regional EPA office, but it is important for the EPA to become cognizant of this as a larger national issue with far-reaching implications. This is precisely the kind of problem that can be best addressed through the type of agency collaborations and partnerships that you are now calling for.

I want to commend you for your leadership and look forward to working with you on this issue.

Sincerely,

Bill Delahunt

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