

Senate Bill 597: Water Quality Accountability Act

DEBUNKING THE MYTHS

The Water Quality Accountability Act (WQAA) seeks to ensure all Pennsylvanians receive high-quality water with meaningful oversight – no matter who provides their water service. This legislation will implement uniform safety, security and quality standards for public water and wastewater providers to more closely align with the standards that have been required of PUC-regulated water and wastewater utilities for decades.

Public water and wastewater utilities in Pennsylvania that benefit from millions and millions of taxpayer dollars each year would be held accountable for meeting quality and service standards, addressing fundamental flaws in our water systems and investing in infrastructure. Pennsylvania has received record federal funding to be used for water and wastewater infrastructure. Establishing accountability for these taxpayer dollars is good, commonsense government.

THE CLAIM: SB 597 will raise water & wastewater rates.

THE FACTS: Water & wastewater rates reflect investment. A utility that is properly investing to maintain its system will have higher rates than a utility that defers investment. The easiest way to keep rates low is to not invest in a system, let it deteriorate, and risk Flint, Michigan-like failures. Keeping rates artificially low by deferring investment has serious consequences. Access to water that isn't safe to drink is unjust at any price.

The bottom line: Systems that have been properly investing and charge rates to support their investments should not see a meaningful rate impact from this legislation.

THEIR CLAIM: SB597 will make it easier for private utilities to buy public utilities.

THE FACTS: The provisions of this bill will make municipal-run systems stronger, healthier and more capable of running their systems independently – not less. Systems that invest and operate properly and charge appropriate rates should find themselves in better positions to be self-sustainable and not need to seek the assistance of professional water companies.

Municipalities complying with the WQAA would not find themselves in a position of need to pursue a sale based on their system reaching the point of failure and having few other options – as is frequently the case today.

The bottom line: This claim simply parrots the same tired scare tactic and spin that anti-privatization activists have peddled for years.

THE CLAIM: Some environmental groups are opposed to SB 597 because they oppose private ownership of water & wastewater systems.

THE FACTS: Some environmental groups taking a position against the bill is counter to the very core of their existence as clean water advocates. Consider that 584 million gallons of Harrisburg-area wastewater was discharged, untreated into the Susquehanna River in 2020.

The U.S. Environmental Protection Agency estimates that Pennsylvania needs to spend more than \$16 billion over the 20 years just to modernize its drinking water infrastructure. Old and leaky infrastructure results in the loss of 6 million gallons of water each day across the United States. Improved infrastructure results in fewer water main breaks and less wasted water.

The provisions of this bill would bolster environmental protections by requiring wastewater utilities that receive taxpayer funding to develop plans and schedules to inspect, maintain, repair and renew the system consistent with federal and state laws. Enhancing system asset management and infrastructure investment will result in fewer discharges of raw sewage into our rivers and streams and greater safety and resiliency of our drinking water and fire protection systems. All Pennsylvanians – but especially environmental advocates – should be supportive of that.

THEIR CLAIM: SB597 is a solution looking for a problem.

THE FACTS: Recent cyber intrusions at two Pennsylvania public water systems, water main breaks that plague our Commonwealth's largest city, and local drinking water service to 9 million Pennsylvanians impacted by Hurricane Ida highlight the critical need for greater investment in physical and cyber resiliency. It is only common sense that we do not leave threats to the safety, sustainability, and quality of our water and its infrastructure to chance.

The lack of uniform safety and sustainability standards for all water and wastewater systems has resulted in a system that chooses winners and losers. More than one-third of Pennsylvanians are served by systems protected from cyber threats and bound by quality standards, while the other two-thirds are not. Oldsmar, FL, won't be the last water system to come under cyberattack and the consequences could be far more devastating for the next water system that is targeted.

At the end of the day, we have to remember that water is the only utility that we ingest. And in an increasingly interconnected world, cyber security is now as critical as the security of physical infrastructure in ensuring our water is safe.

THEIR CLAIM: SB597 is an unfunded mandate

THE FACTS: The Commonwealth funds significant water and wastewater improvement projects through grants and low-interest loans offered through PENNVEST and the Commonwealth Financing Authority. Most recently, the PA General Assembly approved a huge, no-strings-attached funding commitment from the American Rescue Plan Act in its 2022-23 budget, providing \$320 million for municipal and municipal authority water and sewer projects. The state is clearly prioritizing funding to these community water and wastewater systems.

Costs for state Department of Environmental Protection (DEP) implementation and enforcement of this bill would be assessed on these community water and wastewater systems, just like the fees that PUC-regulated water and wastewater utilities are assessed by the PUC for regulatory oversight. These are just and reasonable costs associated with the professional and safe operation of water and wastewater systems which, in exchange for compliance, ensures consumers are protected and allows the system to reap the benefits of receiving public funding through state-subsidized loans and grants.

THEIR CLAIM: SB597 is just more government regulation.

THE FACTS: Similar regulations are already in place for the approximately 150 water and wastewater utilities currently regulated by the state Public Utility Commission (PUC). As a result, more than one-third of the Commonwealth's residents are already protected by their utilities being held to these standards. This bill simply casts a wider net to capture a larger number of utilities that, to date, that have not been held to these standards putting customers' safety and service at risk. Additional consumer protections in the bill include provisions to address meter accuracy, which will prevent customers from being overbilled; require the filing and completion of an asset management plan by the water provider, which will increase accountability in the setting of rates and sustainability of the system; and require the replacement of customer side lead service lines.

Even with expanding this accountability to more water and wastewater provider, the utilities under this bill will continue to remain exempt from other regulatory requirements that private water/wastewater utilities are held to, such as the PUC's rate-setting, customer complaint processes and low-income assistance programs as well as the U.S. Occupational Safety and Health Administration's (OSHA) employee safety regulations.

The bottom line: Sensible oversight – particularly for a service as important as water – is good for Pennsylvanians.



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