



AWWA New Jersey

American Water Works Association

**Statement of Mr. Michael Furrey, Chair on behalf of the American Water Works Association- New Jersey Section
Hexavalent Chromium
Before the NJ Senate Environment and Energy Committee
November 3, 2016**

Chairman Smith and members of the Committee,

Good morning, I am testifying on behalf of the American Water Works Association (AWWA) –NJ Section. AWWA-NJ welcomes this opportunity to speak to the drinking water issues that are before the committee today. My name is Michael Furrey, owner of Agra Environmental and Laboratory Services and current chair of the AWWA-NJ. AWWA is an international, nonprofit, scientific and educational association of professionals dedicated to safe drinking water. We have always supported drinking water regulations that are developed through a transparent process, are based on the best available science, and that provide meaningful public health protection in an affordable manner. AWWA-NJ is an association consisting of more than 1,200 NJ based operators, engineers, academics, and other allied water and wastewater professionals. We are the leading authority in drinking water issues throughout the State of New Jersey

Chromium 6 (also referred to as hexavalent chromium) is a toxic chemical that is carcinogenic depending on the concentration. Water utilities across the country were required to sample for this and other chemicals during a period of 2013 to 2015 as part of our periodic Unregulated Contaminant Monitoring Rule sampling known as the UCMR. Chromium 6 was detected in 90% of those water systems sampled; systems in Oklahoma, Arizona, and California had the highest average levels.



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The detection limit for chromium 6 is 0.03 parts per billion (ppb). Detection limit refers to the lowest amount the lab instrument is able to measure. If the sample result is not above the detection limit, it is considered ND or not detected. California has the only tap water standard for Chromium 6 at 10ppb. New Jersey currently uses the federal standard of 100 parts per billion of “total chromium” in drinking water, which includes both hexavalent chromium and its benign cousin trivalent chromium (also referred to as chromium 3). In New Jersey, the Drinking Water Quality Institute (DWQI) is responsible for developing Maximum Contaminant Levels (MCL) or standards for hazardous contaminants in drinking water and for recommending those standards to the NJ Department of Environmental Protection. The DWQI had recommended in 2010 that the standard for hexavalent chromium be 0.07 ppb parts per billion but those efforts stalled when the institute subsequently didn’t meet for almost four years. The AWWA-NJ respectfully requests that this committee be reinstated. It is important to note however that, while chromium-6 was frequently found in New Jersey drinking water, the levels never came close to approaching the existing California standard of 10 ppb— although the Environmental Working Group (EWG), the author of the report in the news, argues that the safe drinking water standard for chromium-6 is too high. The Environmental Working Group EWG estimated in its recently published report that 200 million people would be exposed to chromium-6 at, or above, safe levels. The EWG reached that figure — about two-thirds of the American population — by relying on California's public health **GOAL** of 0.02 parts per billion and not the actual standard of 10 ppb. Nor did the EWG use the U.S. Environmental Protection Agency (EPA) and NJDEP standard of 100 ppb of total chromium.

As you may know, the federal Safe Drinking Water Act (SDWA) mandates a rigorous process for evaluating risks to public health and determining what risk



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management actions are appropriate. The Act requires that the regulatory process use the best available, peer reviewed science; a principle the Obama administration has strongly endorsed. Adherence to results based on peer reviewed science is necessary to ensure that the EPA directs water providers to address actual risks and rather than misdirect the use of vital resources based on incomplete or faulty information. Once misdirected, a community's/utility's resources cannot easily be recovered to address genuine risks and other important public needs.

The EPA has a clear process for reviewing existing Maximum Contaminant Level Goals (MCLGs) and MCLs in response to evolving science. Under the SDWA, the decision on whether or not an MCL should be revised includes a consideration of whether doing so provides a meaningful opportunity for health risk reduction. In its two six-year reviews, the Agency has had opportunities to lower the MCL for chromium and has elected not to do so.

Conclusion

The scientific processes for determining the actual risks to human health from different substances or compounds must be thorough and may require the utilization of significant time and resources can seem frustratingly slow. However, it is only by following methodical, peer-reviewed studies that we can know where actual risk lies. AWWA-NJ and its members pledge to continue to provide field data and studies related to these processes and to continue to make our methodologies transparent. The SDWA was amended in 1996 to provide a scientifically sound and transparent method for selecting the appropriate substances for regulation and for selecting the appropriate maximum contaminant level for contaminants. As such, we recommend that regulators continue to rely on

the use of the best available science, not the political process, to be the ultimate driver in making regulatory determinations.

AWWA- NJ Section and its members look forward to continuing to work with all facets of the drinking water community to ensure that the State of NJ focuses its resources on the greatest threats to public health, and that the New Jersey's drinking water supply remains safe and reliable.