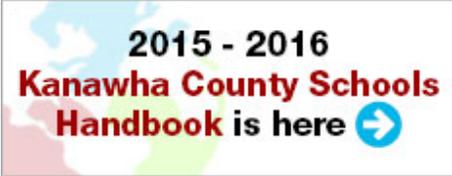




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Drinking water commission resumes work

by **Ken Ward Jr.**, Staff writer

A special state commission charged with studying the safety of public drinking water systems across West Virginia resumed work this week, eight months after completing its last report to the Legislature.

Members of the Public Water System Supply Study Commission meet for less than an hour Wednesday at the Capitol, marking the group's first meeting since passage of legislation that dramatically scaled back a chemical storage tank safety law and reworked the leadership and membership of the study commission.

Lawmakers formed the commission as part of [SB373](#), the bill passed in the wake of the January 2014 chemical spill at Freedom Industries, which contaminated the drinking water supply for hundreds of thousands of people in Charleston and surrounding communities. The commission was set up to review that law, assess other measures aimed at protection West Virginia's drinking water and consider formation of a new chemical accident prevention program recommended by the U.S. Chemical Safety Board.

But at least one member of the study commission, Tim Ball of the Morgantown Utility Board, complained that the commission wasn't really involved in legislative debates [over last year's rollback of the post-spill law](#) or consulted by lawmakers before they approved [that legislation](#).

"I think that's a serious oversight," Ball said. "I feel our report was ignored by the Legislature. I don't see any impact of our report and I feel we had very impactful recommendations."

Noting one example, new commission member Evan Hansen said he was concerned that a state Department of Environmental Protection rule to implement the chemical tank law removed a requirement that tank owners notify any drinking water systems downstream in the event of a spill. The commission's [first annual report](#), released in mid-December, had recommended a closer examination of how drinking water systems would find out about potentially threatening spills.

"I understand there's a spill hotline, but that doesn't always notify water utilities in a timely fashion," Hansen said.

Hansen, a consultant with the Morgantown firm [Downstream Strategies](#), was designated by the West Virginia Rivers Coalition as a study commission member as part of a reworking of the panel's membership that mandated at least one member from that group.

The [bill rolling back the chemical tank safety law](#) also mandated that two members of the commission be designated by the West Virginia Business and Industry Council, a group made up of the leaders of the state's large business trade associations. The council designated as its members of the study commission Rebecca Randolph, president of the West Virginia Manufacturers Association, and Jeff McIntyre, president of West Virginia American Water Co.

The bill also required the study commission to be chaired by Dr. Rahul Gupta, commissioner of the state Bureau for Public Health. Previously, Jimmy Gianato, director of the state Division of Homeland Security and Emergency

Management, at served as chairman as the request of Gov. Earl Ray Tomblin. The original law did not specify who would chair the study commission.

Commission members had not held a meeting since last December. Changes to the makeup of the study commission took effect in mid-June. Another annual report to the Legislature is due on Dec. 15. Last year, the work of the commission [was delayed](#) when Tomblin waited for months to appoint the panel's members.

During Wednesday's meeting, Hansen said that he hopes the commission will discuss what types of information gathered under the chemical tank safety law that state homeland security officials plan to designate as confidential. Hansen said he is concerned that public water systems may not be given access to information they need to write newly required "source water protection plans." Gianato said that his agency is working on a rules to implement that section of the law.

Also Wednesday, Col. Randall Isom of the state National Guard's Joint Interagency Training and Education Center discussed efforts being made to better manage back-and-forth between federal and state agencies during emergency situations involving public water supplies. Among other things, Isom said that the state is forming a scientific committee on the state level that would coordinate information-sharing with scientists on the federal level during such events.

"You need to have experts talking to experts and talking about the same thing," Isom said.

Also, Isom said that the state is working to use computer software that will help to better track chemical spills, and monitor the movement of plumes, and consider when drinking water intakes should be turned off and then reactivated.

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