

**Association of Metropolitan Water Agencies
National Association of Clean Water Agencies
Water Environment Federation
American Public Works Association
National Association of Water Companies
Association of California Water Agencies
Western Coalition of Arid States
California Association of Sanitation Agencies
WaterReuse Association
National Water Resources Association**

September 13, 2006

To: House and Senate Leadership
Members of the Homeland Security Appropriations Subcommittees

SUPPORT CONSENSUS LANGUAGE ON CHEMICAL SECURITY FOR H.R. 5441

Dear Members of Congress:

We understand that the conference committee on homeland security appropriations may consider consensus language (Sec. 540) on chemical facility security. This language has the support of key authorizers and meets the stated requirements of the White House and the Department of Homeland Security.

We support the proposed language, which recognizes that drinking water and wastewater agencies have been active participants in the water sector security program for which the Environmental Protection Agency (EPA) is the designated lead federal agency, per White House directives, and thus appropriately removes drinking water and wastewater agencies from the jurisdiction of this new program. Thousands of drinking water and wastewater systems have – at great cost – conducted comprehensive vulnerability assessments, updated their emergency response plans to account for terrorist attacks and other emergencies and improved security at their facilities. Drinking water providers have complied with these assessments and emergency response plans in compliance with the requirements of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (P.L. 107-188). Additionally, drinking water and wastewater utilities are regulated under EPA's Risk Management Plan program.

We oppose any changes to the consensus language that would result in the inclusion of drinking water and wastewater systems in the Department of Homeland Security (DHS) chemical security program. Such coverage would place water utilities under dual jurisdiction and force utilities to comply with potentially conflicting regulations and duplicative requirements of two competing federal authorities. This could jeopardize our members' ability to comply with federal standards and could threaten public health and the environment.

We strongly urge you to support the consensus language (Sec. 540), as proposed, by insisting on its inclusion in the final FY07 Homeland Security Appropriations Bill.

Sincerely,



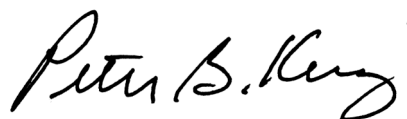
Diane VanDe Hei, Executive Director
Association of Metropolitan Water Agencies



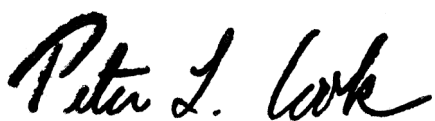
Ken Kirk, Executive Director
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Michael Read, President
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Peter King, Executive Director
American Public Works Association



Peter Cook, Executive Director
National Association of Water Companies



Steve Hall, Executive Director
Association of California Water Agencies



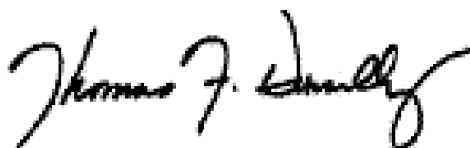
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