

ENROLLED HOUSE  
CONCURRENT  
RESOLUTION NO. 1067

BY: SEIKEL, HEFNER, MITCHELL, SMITH  
(Bill), SMITH (Dale) and HAMILTON  
(Jeff) of the HOUSE

and

HERBERT, HOBSON, HARRISON, LONG  
(Ed), MUEGGE, BROWN, CAIN, CAPPS,  
CHANDLER, COLE, CULLISON,  
DICKERSON, DOUGLASS, EASLEY, FAIR,  
FISHER, FORD, FRANKLIN, GILES,  
GUSTAFSON, HANEY, HELTON,  
HENDRICK, HOOPER, HORNER, KERR,  
LAWLER, LEFTWICH, LONG (Lewis),  
MICKLE, MILES-LaGRANGE, PIERCE,  
ROBERTS, ROBINSON, ROZELL,  
RUBOTTOM, SCHUELEIN, SHEDRICK,  
SHURDEN, SMITH, SNYDER, STIPE,  
TAYLOR, WEEDN, WILKERSON, WILLIAMS  
(Don), WILLIAMS (Penny) and WRIGHT  
of the SENATE

A CONCURRENT RESOLUTION ADDRESSING THE DEMANDS PLACED UPON THE STATE OF OKLAHOMA AND ITS CITIZENS BY THE INCREASED REQUIREMENTS ESTABLISHED BY THE FEDERAL GOVERNMENT THROUGH THE FEDERAL SAFE DRINKING WATER ACT AND SUBSEQUENT FEDERAL REGULATIONS; DESCRIBING THE OPTIONS AVAILABLE TO THE STATE OF OKLAHOMA TO SATISFY THE FINANCIAL BURDENS OF COMPLYING WITH THE REQUIREMENTS OF THE FEDERAL SAFE DRINKING WATER ACT AND SUBSEQUENT REGULATIONS; URGING THE OKLAHOMA CONGRESSIONAL DELEGATION TO WORK TO ENSURE THAT THE REAUTHORIZATION OF THE FEDERAL SAFE DRINKING WATER ACT CONSIDERS THE REALISTIC HEALTH RISKS VERSUS THE IMPACTS AND COSTS OF IMPLEMENTATION OF THE PROVISIONS OF THE ACT; URGING THE UNITED STATES CONGRESS TO AUTHORIZE SUFFICIENT FUNDS TO IMPLEMENT PROVISIONS OF THE FEDERAL SAFE DRINKING WATER ACT; AND DIRECTING DISTRIBUTION.

WHEREAS, the State of Oklahoma was one of the first states in the nation to assume primary administrative responsibilities of the Federal Safe Drinking Water Act and has developed a program that is acknowledged to be second to none in the nation; and

WHEREAS, the federal government, by amending the Federal Safe Drinking Water Act and promulgating regulations directed to the states for implementation, has based the provisions of the act on a quota system of additional contaminant regulations which leaves considerations of common sense judgment and scientific evidence secondary to the requirement to adopt a fixed number of standards by established deadlines; and

WHEREAS, the federal government has developed an enforcement program based on punitive action with little or no consideration

given to the efforts taken by states and water systems to correct a noncompliant condition and to prevent its recurrence; and

WHEREAS, the federal government has gone beyond the basic requirements for state primacy and state grants by continually requiring the implementation of additional meaningless reporting requirements; and

WHEREAS, the federal government has established new standards for contaminants which are set at levels more stringent than necessary to protect public health or are not based on scientific evidence of a public health risk and require monitoring intervals which are too frequent; and

WHEREAS, the federal government has allowed for variances and exemptions that are designed to help water systems cope with compliance hardships; however, the conditions for the variances and exemptions are so restrictive that they are, in effect, unusable; and

WHEREAS, the federal government has developed a program of public notification of noncompliance that results in constant and excessive consumer notification of minor monitoring violations resulting in dilution of the impact of notice when a distinct health threat occurs; and

WHEREAS, the federal government, to administer the provisions of the Federal Safe Drinking Water Act, continues to promulgate regulations which in turn must be implemented by the states, without regard to the ability of the state or the regulated entities to finance the costs of such implementation and without sufficient funding commitments from the federal budget to finance the additional federal mandates; and

WHEREAS, as a result of insufficient federal funding, the State of Oklahoma has been restricted to only two viable options, which are using state appropriations in a time of a local recessionary economy or establishing a service user fee charged to public water systems which are already financially stressed, for financing the high cost of complying with the additional federal mandates that are not initiated by the state and, in many cases, not applicable to the situations and conditions found in Oklahoma.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 43RD OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature urges the Oklahoma Delegation to the United States Congress to act to ensure that the reauthorization of the Federal Safe Drinking Water Act considers the realistic health risks over the impact and cost of implementation by eliminating:

1. The system of quotas for the number of contaminants to be regulated;
2. An enforcement concept that is based on punitive reaction in lieu of preventive action;
3. A burdensome system of reporting that places great demands on state resources;
4. Unrealistic standards and monitoring requirements for contaminants which are not based on scientific evidence; and
5. Public notification requirements that dilute the public's awareness of the occurrence of a true health threat.

THAT the Oklahoma Legislature urges the United States Congress upon reauthorization of the Federal Safe Drinking Water Act to authorize sufficient funding for implementation of any additional provisions of the Act or subsequent regulations, and to require the annual federal budget to include dedicated appropriations to satisfy any authorized funding commitments included in the reauthorized Act.

THAT a copy of this resolution be distributed to each member of the Oklahoma Congressional Delegation.

Adopted by the House of Representatives the 14th day of May,  
1992.

of Speaker of the House  
s Representative

Adopted by the Senate the 22nd day of May, 1992.

Senate President of the