

# FACT SHEET ON SELECTED STATE HOMELAND SECURITY AND DRINKING WATER SAFETY AUTHORITIES AND ACTIONS

## INTRODUCTION:

State and local governments play a vital role in drinking water security. Many of the Safe Drinking Water Act programs are implemented at the state-level, and states bear much of the personnel, financial, and technical responsibilities. In an effort to address drinking water security, state-level initiatives have created new or revised legislation, policies, and programs. In addition, local governments and utilities continue to play an important role in drinking water security.

## TYPES OF LEGISLATION ADOPTED BY STATE LEGISLATURES

States have taken a variety of legislative approaches to address terrorism in general, and specifically to acts directed against water supplies. The legislative approaches include the following measures:

- **Water Supply Protection:** strengthening the security of the water resource (source water testing for contamination) and the water system (establishment of public water supply protection programs);
- **Crimes and Law Enforcement:** criminalizing and penalizing acts of terrorism and strengthening response to those acts (enhancing law enforcement efforts);
- **Administrative Actions:** expanding government capacity (establishing councils, task forces, and committees for addressing safety and security) and protecting sensitive information (classifying certain types of documents and information);
- **Public Health Measures:** developing emergency powers and communicable diseases control;
- **Emergency Preparedness:** improving emergency planning, management, and response; and,
- **Appropriation of funds:** securing resources to address terrorism, either in connection with the measures discussed above or for additional activities.

*Florida's success in promoting domestic security stems from the cooperation of multiple agencies, including law enforcement, public health, emergency management, and environmental protection. This cooperation extends to planning, management, and response. Ultimately, state and local governments are on the front line for protecting our drinking water and other resources from acts of terrorism.*

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## SELECTED STATE POLICIES AND PROGRAMS

In addition, state and local governments and utilities have pursued innovative approaches through policies and programs designed to protect water supplies from terrorist activities. These efforts address water suppliers, first responders to incidents of terrorism, and the general public. A selection of some types and examples of such actions are provided below.

## PREPARATION OF EDUCATIONAL AND GUIDANCE MATERIALS

**Arizona:** The Department of Environmental Quality prepared a Drinking Water Emergency Operations Plan Checklist that addresses the steps a water system should take to assure continuation of service under a variety of emergency situations (e.g. loss of the water supply source due to major component failure or structural collapse; damage to power supply equipment and loss of power; contamination of the distribution system due to backflow; collapse of reservoirs or reservoir roofs or pumphouse structures; breaks in transmission or distribution lines; and chemical or microbiological contamination). It also addresses provisions for alternative water sources, notification procedures, disinfection and testing procedures, inventory of spare parts, and emergency response training for operational staff.

## TASK FORCE CREATION

**Ohio:** The State of Ohio Security Task Force convened two meetings in early 2002 that involved representatives in first response and their state organizations, emergency management agencies, and public health agencies. From those meetings a document entitled "Threatened Human Biologic Incident: Ohio Guidelines" (September 2002) was produced. The guidelines are designed to assist local officials in dealing with possible biological terrorism incidents; chemical and nuclear incidents were not discussed. Discussion of possible threats to drinking water included assessing a credible threat, disposal of infectious wastes or contaminated items, including runoff, and impact of the biological agent incident.



## LOCAL GOVERNMENT ENGAGEMENT

*South Dakota:* The governor sent a letter to all the mayors urging them to protect public drinking water systems from terrorism. The letter urged assessment of vulnerabilities and measures that could be taken to improve security and listed the ways in which a drinking water system could be disrupted or damaged (e.g., contamination from chemical or biological agents; physical damage to water structures; loss of power to the treatment plant or computer malfunction; damage to the distribution system; and the pumping or siphoning of chemical or biological agents into the distribution system from a private home or other access point). Last, the letter provided a list of suggested security measures that should be considered, including security details, communication with law enforcement, and monitoring of raw water quality.

## STAKEHOLDER COMMUNICATION AND COORDINATION

*Minnesota:* The Department of Health addresses drinking water protection from terrorists and ordinary vandals through increased communication and coordination, and restricting access to facilities and documents. Some measures include communication with local law enforcement and emergency managers, personnel training, public notification planning, and linking with the Health Alert Network (HAN); restricting access to reservoirs, treatment system vents, and intakes; storing chemicals in secure facilities; limiting access to water distribution maps and facility plans; requiring security for contractors; restricting access to computer systems; joining the Information Sharing and Analysis Center (ISAC); daily facility visits; regular chemical quality checks; and chlorine residual recorders.

## UTILITY ACTION

*District of Columbia:* The Washington Aqueduct serves drinking water to 1 million people in the DC area. Security efforts include multiple methods of controlling access to the Aqueduct's facilities. It establishes controls on physical access, chemical storage, and operational systems in order to safeguard water. It addresses federal recommendations to consider guarding against intrusions, reviews emergency response plans, and increased vigilance. Among its resources, it provides a list of national, regional, and local contacts that are involved in drinking water issues.

This fact sheet provides a summary of information on state authorities that can be fully explored in ELI's report, *Homeland Security and Drinking Water: An Opportunity for Comprehensive Protection of a Vital Natural Resource*. For more information contact B. Suzi Ruhl, Director of ELI's Center for Public Health at [ruhl@eli.org](mailto:ruhl@eli.org), or visit [www.eli.org](http://www.eli.org).



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## FLORIDA HOMELAND SECURITY PROGRAM

Homeland security measures taken in Florida illustrate the nature and diversity of activities that are being pursued to protect drinking water from terrorist events, with more than 12 million people connected to and served by large public water supply systems. With an additional 40 million visitors annually, Florida is considered a high-alert area for terrorist actions, given its large number of military bases and its experience with the physical and psychological effects of bioterrorism through the anthrax episode.

Rapid response to the need to ensure domestic security in Florida includes the issuance of Executive Orders, legislation, rulemaking, and appropriation of funding. While not all measures specifically address drinking water security, they put into place a system to address acts of terrorism through enhanced law enforcement, expanded emergency management, and effective communication with the public. Florida has also taken exemplary measures to ensure drinking water security. Illustrations of agency action include:

\*Florida Department of Environmental Protection adopted an Emergency Rule that requires notification of the State Warning Point (SWP) immediately after a public water supply system owner or operator becomes aware of a suspicious incident, security breach, or act of sabotage at or against their water system or any of its facilities. Owners and operators of all community public water systems, approximately 2,200 water systems, must call the SWP within two hours after they become aware of an actual or suspected security breach, suspicious incident, or act of sabotage. Failure to notify the SWP and take precautions to protect public safety may result in fines of up to \$5,000 per day. In addition, corrective actions can be imposed including extensive security improvements, structural changes, operational modifications, and where necessary, utility shutdown.

\* Florida Department of Health laboratory has developed an emergency water testing kit that is used to collect samples to quickly check for contamination and potential for causing health effects. It is stocked at all 67 county health departments and with the seven regional domestic security coordinators. The sample containers in the kit allow for the FDOH lab to quickly test for approximately 200 chemical analytes and microbiological parameters. The Bureau of Community Environmental Health addresses both biological and chemical threats, specifically recognizes water sources as a dissemination method for threats, and provides regional waterborne illness epidemiology expertise. Regarding chemical threats, it recognizes multiple vectors and provides comparative expertise on the impact of chemical and biological agents.

\* Florida Department of Community Affairs, Division of Emergency Management (DEM), coordinates emergency management and response across state and county agencies. Within DEM, the Bureau of Preparedness and Response coordinates training, exercises and response planning at state and local levels in order to ensure proper response to disasters by emergency managers. The State Emergency Operations Center (SEOC) is the central point of this coordination and is activated to respond to disaster threats. Information about a potential emergency is directed through the State Warning Point, which utilizes a variety of communication technologies, including telephones, satellite and radio equipment, and automated statewide pagers to notify response personnel across state agencies. The DEM also operates the Florida Warning and Information Network, whose mission is to reduce the loss of life by improving warning systems and developing safe shelters. This system provides infrastructure that can be accessed during a terrorism or health emergency.

Waterdrop image was kindly provided by ANSTO, the Australian Nuclear Science & Technology Organisation.