

Overview of Bernard Allen Emergency Drinking Water Fund

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2006 Legislation

- Senate bill 1587, “Amend Env. and Natural Resource Laws” established Emergency Drinking Water Fund
- Budget bill appropriated \$300,000
- Authorized uses of Fund:
 - 1) notification
 - 2) costs of testing private wells
 - 3) provision of alternative drinking water
- Disbursement based on financial need and risk to public health

2007 Legislation

- Significant modifications to Fund made in House bill 1473, 2007 Appropriations Act:
 - 1) renamed for former Rep. Bernard Allen
 - 2) risk level: federal drinking water standard
 - 3) income threshold: less than 3X poverty level
 - 4) indicates preference for permanent solution
- No authorization for technology upgrades, resident relocation or hiring of staff
- General Assembly appropriated \$615,000

DENR Implementation

- Initiated working group to develop criteria for funding: risk, income level, # of households, expense of remedy.
- Working group identified an initial list of sites that might be eligible for funding and began to prioritize.
- Specific restrictions in the 2007 legislation removed a number of potential sites.

Jackson County Project

- One well serving four homes in Sylva was found to be contaminated (Fox well). Twelve people overall, including five children.
- Testing of Fox well showed high level of petroleum contamination (5X the federal drinking water standard for benzene).
- DENR tested at-risk residences and nearby rest home for contamination.

Jackson County Project (continued)

- Three additional households showed contamination. Two residences (Lomax and Grant) had benzene contamination.
- Grant and Lomax residences have been advised in writing by NC DHHS not to drink or cook with their water.
- However, these two households with contamination are not eligible for Bernard Allen Fund because of statutory limitations.



Jackson County Project (continued)

- Funding Partners

DENR	\$300,000
NC Rural Center	\$440,000
Jackson County	\$120,000
Morningstar Rest Home	\$20,000

- Six households and rest home with 55 residents will be hooked up to the water line. Other residences (approximately 25) in the community may be hooked up if they choose to pay the cost.

Current Status of Fund

- Committed \$26,786 in funding to another project: Partnering with Underground Storage Tank Fund, NC Rural Center, Fayetteville.
- \$13,400 spent on well testing at Jackson, Buncombe and Cumberland sites. Well testing events planned for Montgomery & Stokes.
- Current Bernard Allen Fund balance is approximately: \$575,000
- DENR continuing to evaluate sites for eligibility under current statutory limits.

Where do we go from here?

- Statutory Modifications

Issues to consider:

- 1) Current eligibility requirements lead to application that can be problematic.
- 2) What is the priority of this Fund?
- 3) Number of policy details that need to be considered (e.g. resident/landlord, naturally occurring contamination)