Testimony of Congressman Peter J. Visclosky

Before the House Transportation and Infrastructure Committee;
Subcommittee on Water Resources and Environment
Progress Toward Improving Water Quality in the Great Lakes

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I would like to thank the Transportation and Infrastructure Committee and the Subcommittee on Water Resources and Environment for holding today's hearing. In particular I would like to thank Full Committee Chairman James Oberstar and Ranking Member John Mica, and Subcommittee Chairwoman Eddie Bernice Johnson and Ranking Member Richard Baker for their efforts to look toward the future and examine how progress can be made in improving the quality of water in the Great Lakes.

I was born and raised on the South Shore of Lake Michigan, and I am still in awe of the vastness and magnificence of the Great Lakes. Stretching for over 750 miles from east to west, the Lakes account for a jaw-dropping 90 percent of the United States' and 20 percent of the world's surface fresh water—an amount made even more astounding given the fact that three out of four people on this planet wake up each day with the mission to find clean water. It is essential that federal, state, local, and tribal leaders continue to work together to commit the resources and develop a highly effective statutory framework to ensure the vitality of the lakes and their abundance of fresh water.

In Northwest Indiana, I have worked with local officials, academic institutions, private industry and other Members of Congress in a bi-partisan fashion to advance clean water initiatives. Several years ago, I joined with Purdue University Calumet to help create the Water Institute, which conducts research on many aspects of water resource management, including water quality, and does so by way of a partnership between academics and research, private industry and economic development agencies. The Purdue Calumet Water Institute, given its proximity to Lake Michigan and the industry located on the southern tip of the lake is positioned to be a leader in advancing water quality issues, and I am proud to have secured federal funding for it.

The issue of water quality has been at the forefront of public discourse in Northwest Indiana as BP announced plans to expand and reconfigure its refinery in Whiting, Indiana, so most of its feedstock can be heavy Canadian crude oil. As part of the public response to BP's plans, I was happy to work with Congresswoman Judy Biggert of Illinois to initiate a joint study between the Purdue University Calumet Water Institute and Argonne National Laboratory to explore the application of exciting and emerging technologies that could address the wastewater treatment challenges faced not only by BP, but also potentially other facilities along the Great Lakes.

While I am very proud of these initiatives undertaken in Northwest Indiana to address local water quality issues and believe that significant progress has been made in the region, more needs to be done. Given the importance that clean water plays in the security of our future and the massive scale of the Great Lakes, I believe it is imperative that the federal government play a very active role in environmental restoration of our fresh water resources.

Looking back over the last half century, we have made great strides in improving the water quality of the Great Lakes and of the country as a whole. Gone are the days when rivers caught fire and it was estimated that two-thirds of our waterways were not safe to use.

These improvements did not happen through divine intervention. They occurred because people in Congress took decisive action and passed meaningful legislation. The Federal Water Pollution Control Act Amendments of 1972, more commonly referred to as the Clean Water Act (CWA), was a defining moment in federal efforts to reduce water pollution. The CWA established a comprehensive national regulatory system - eliminating the inconsistent state centered system created by previous legislation - and authorized programs that made major investments in municipal infrastructure. These new standards coupled with the massive federal and municipal investment in local water treatment facilities have resulted in a marked improvement in our nation's water quality.

The water quality of the Great Lakes has made significant gains in the 35 years since the enactment of the CWA. As noted in the "State of the Great Lakes 2007", a joint publication of the U.S. Environmental Protection Agency and Environment Canada, there has been a marked reduction in the levels of toxic chemicals in the air, water, flora, fauna and sediment. This improvement is no small part due to over 140 federal programs established to help fund environmental restoration and management activities in the basin.

However, despite these measurable successes in water quality, the challenges facing us if we are to fully restore and protect the Great Lakes are still daunting. During 2005, Great Lakes beaches were plagued by nearly 3000 days of beach closings and advisories, which represents a 5 percent increase over the 2004 numbers. Further, sportfish consumption advisories persist for all of the Great Lakes. Additionally, of the 43 designated Areas of Concern, only three have been delisted and only one of these has been in the United States.

It is my belief that now is the time for Congress to pass legislation that pushes the envelope for protecting our nation's waterways, and builds upon the progress made since the passage of the CWA.

In order to make substantial progress, there are a few principles that I believe can guide our path forward. First, we must recognize the practicality of new clean water legislation, and push for and reward new innovation. Our technical ability to measure water quality has most likely outpaced the economics and the technologies that exist which will determine how far our next step can take us.

Second, we must set more rigorous standards. Any clean-water legislation must include improved standards, and recognize the ability of industry to achieve the new levels in a responsible period of time. I believe these standards can accommodate and create new economic development. In other words, we must step out as far as is practicable.

Next, I believe that new water quality legislation must require that everyone play by the same rules. Improving our nation's and our planet's water quality is too important to use this as an opportunity to go back in time and try to restrict legislation to a particular region or industry. Instead, I believe a comprehensive approach must be taken that puts all private, industrial, and public dischargers under the same standards within their respective classes regardless of where they might be within the basin.

While there has been a particular focus on heavy industry's impact on water quality, many of the problems facing our supply of fresh water lay with public treatment facilities. Unfortunately, many communities have limited financial resources to upgrade their water treatment facilities. This problem is particularly acute in the Great Lakes basin as evidenced by the prevalence of Great Lakes states near the top of the EPA's 1996 Clean Water Needs Survey. I, therefore, applaud this Subcommittee's leadership in the passage of H.R. 720, the Water Quality Financing Act of 2007, which addresses the need for a massive investment in wastewater infrastructure.

Water quality transcends many of the most important issues our nation faces. It is a health issue. It is an environmental issue. It is an economic development issue, and it affects everyone's quality of life. I believe it is time to once again raise the bar, and enact new water quality legislation that will allow our communities and future generations to prosper. I congratulate you on your commitment and initiative and support your efforts.

Thank you again for the opportunity to appear before you today in this very important matter.