



TO: Senator Troy Singleton, Chair
Members of the Senate Community and Urban Affairs Committee

FROM: Evan Piscitelli, Executive Director
National Utility Contractors Association of New Jersey

DATE: September 19, 2019

RE: The Water Quality Accountability Act

The National Utility Contractors Association is the nation's oldest and largest association for the utility and excavation construction industry. NUCA represents nearly 2,000 companies in 48 states that provide the materials and workforce to build and maintain our nation's underground water, sewer, gas, electric, and telecommunications systems, as well as water treatment plants. As the Executive Director of the New Jersey chapter, it is my pleasure to provide comments on the Water Quality Accountability Act.

On behalf of our Board of Directors and membership, I would like to begin by thanking the Chair and committee members for taking up this critical topic. A discussion on our aging water infrastructure and how we are responding to the needs of the public is both timely and overdue. Unfortunately, compounding the difficulty of focusing on this critical infrastructure is its very nature. Because the systems are buried underground – out of sight and mind – there is a general lack of interest and awareness to its vulnerabilities. It is usually only when there is a major breakdown or failure, like contaminated and undrinkable water, that we become concerned and willing to address the underlying problems within the system. But emergency corrective action is the most disruptive and expensive way to solve the problem.

With its passage in 2017, the Water Quality Accountability Act represented a major step forward. Only with the creation and implementation of an asset management program could we finally begin to get a real grasp on the condition of these largely invisible utilities, and in turn, craft a plan for their restoration. Requirements for purveyors to inspect, maintain, repair, and renew their public water system created a strong foundation for change. Furthermore, by including a regime of oversight and inspection to be performed by the state, a level of accountability was established to protect the public and ensure results.

The results of the law have been mixed, however. We certainly commend the efforts of the public water purveyors that have taken the law seriously, as well as the various state agencies that have been working to implement the law and perform oversight. Yet with the original compliance window now closed, too much has been left undone and a general tightening of the expectations is required. For this reason, NUCA NJ supports the NJ Department of Environmental Protection's recent indication that further regulatory clarification is on the horizon. It is our further hope that other state agencies with jurisdiction over this matter take similar steps in the immediate future to tighten and build upon this law.

NUCA NJ recognizes that many of these efforts require not just a law in place, or the good intentions of interested parties, but robust funding from the government, particularly at the federal level. Our association stands ready to assist the public water purveyors and the state agencies in their efforts to adhere to and enforce the law, and to find ways to tap into several federal programs that exist, or that can be created, to assist in defraying the costs to accomplish these tasks. Finally, we appreciate your committee's attention to this critical matter and look forward to continuing this dialogue.