

# Hicks-Ray Associates



October 13, 2009

TO: WESTCAS Members

FROM: Fred B. Hicks and Tom Ray

SUBJECT: House T&I Committee Schedules Important Hearing

On Thursday, the House Transportation and Infrastructure Committee will hold a hearing titled; “The Clean Water Act After 37 Years: Recommitting to the Protection of the Nation’s Waters.” EPA will be leading the list of those offering testimony along with GAO, the Association of State Water Pollution Control Agencies, the Environmental Council of States, and Coca Cola.

Knowledgeable observers have no doubt that this hearing, with Chairman Oberstar presiding; will serve as a major launching point for renewed activity on the part of the T&I Committee to protect the nation’s waters. This will include likely introduction of the House version of S. 787, “the Clean Water Restoration Act.” Chairman Oberstar has continued to make clear his commitment to expanding this legislation to replace the term “navigable waters” with “waters of the US.”

This process is being driven in part by a series of articles in the New York Times documenting serious pollution of the nation’s waters accompanied by lax or non-existent enforcement of environmental laws by States and the Federal government. The latest of these stories appears in today’s paper and highlights the fact that scrubbers installed on coal fired generating plants are improving air quality but at a cost to water quality as generators dump the waste that formerly went into the air into the nearest water source. The story points out that this waste contains lead, arsenic, and other pollutants that are known to threaten human health.

The Times has created a website: [www.nytimes.com/coalplants](http://www.nytimes.com/coalplants) that allows you to use their interactive feature to find entities that have Clean Water Act violations near you. According to the Times the worst offenders have hundreds of violations and zero fines from the Federal government. This is almost certainly going to change.

WESTCAS is already deeply involved in the Clean Water Restoration Act issue. The Tucson conference will provide a great opportunity for the organization to discuss and decide on our strategy for the coming weeks and months.

---

Fred Hicks - 703.866.4290  
P.O. Box 2115  
Springfield, VA 22152-0115  
[fred@hicks-ray.com](mailto:fred@hicks-ray.com)

Tom Ray - 254.855.0880  
P.O. Box 955  
Waco, TX 76703-0955  
[tom@hicks-ray.com](mailto:tom@hicks-ray.com)

# Hicks-Ray Associates



---

Fred Hicks - 703.866.4290  
P.O. Box 2115  
Springfield, VA 22152-0115  
[fred@hicks-ray.com](mailto:fred@hicks-ray.com)

Tom Ray - 254.855.0880  
P.O. Box 955  
Waco, TX 76703-0955  
[tom@hicks-ray.com](mailto:tom@hicks-ray.com)