

# Legislative Subcommittee on Water Policy

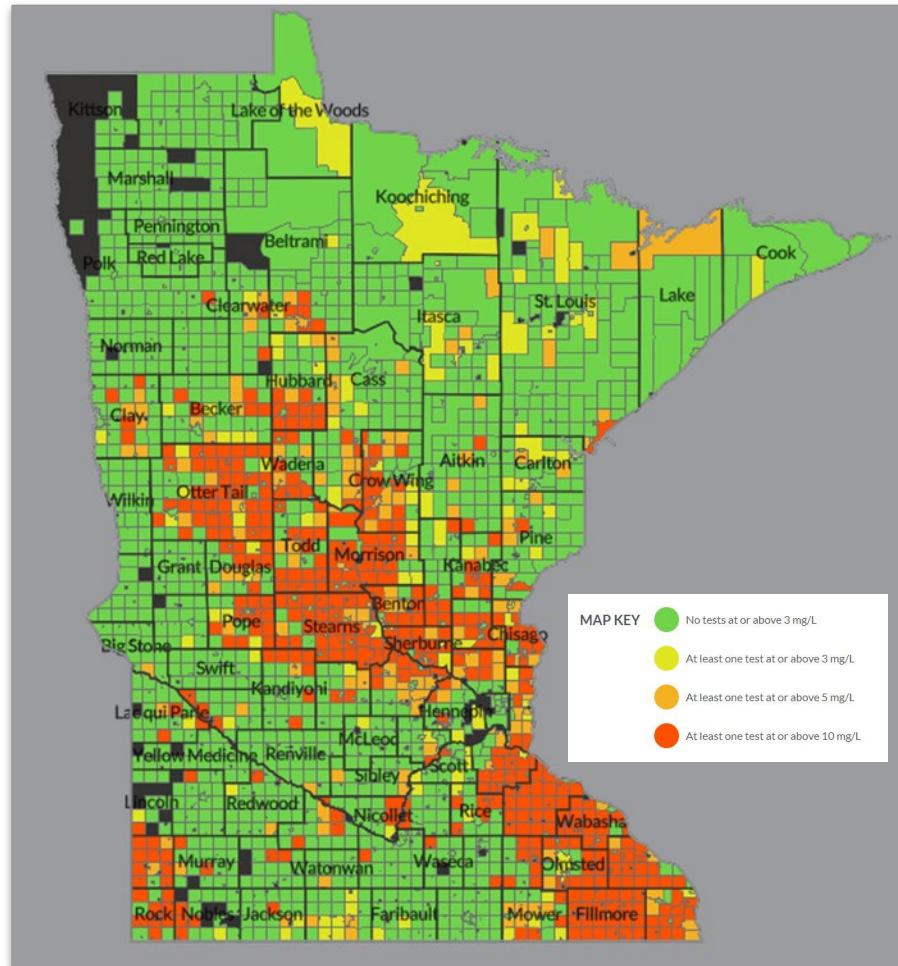
October 3, 2023

**Minnesota Center for Environmental Advocacy**  
Leigh Currie, Carly Griffith

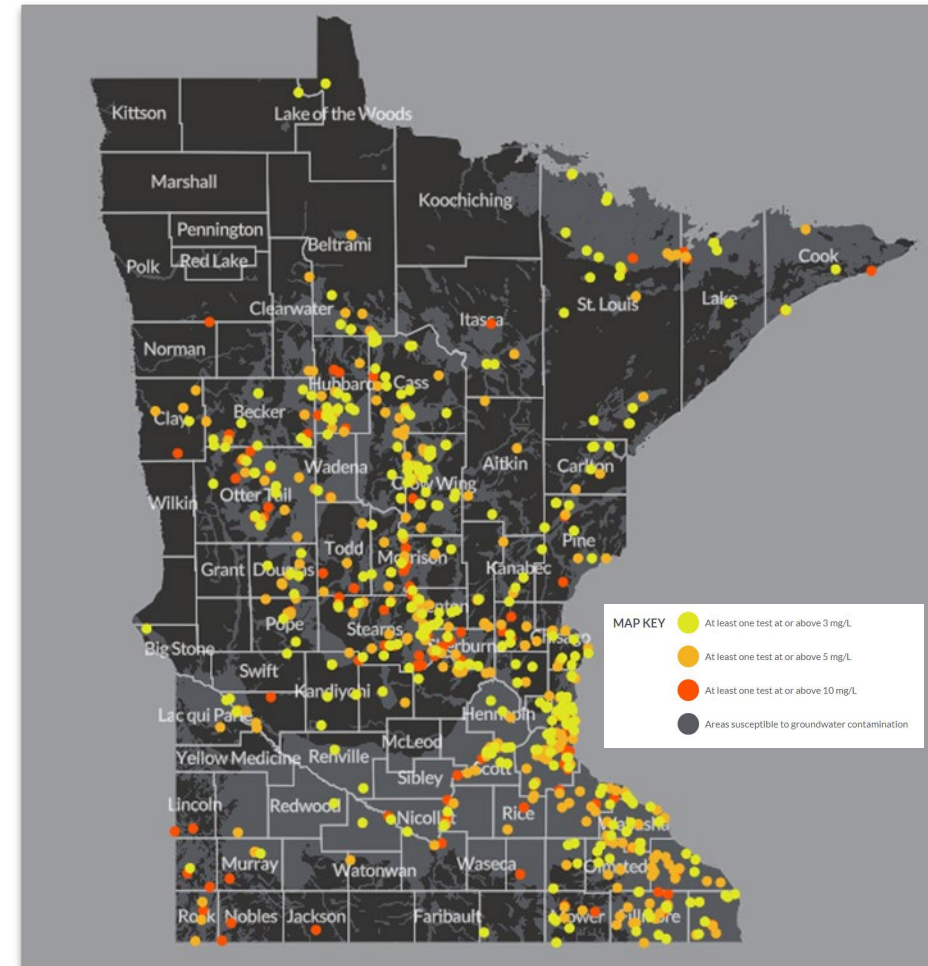


# Nitrate Contamination

## Private Wells



## Public Water Systems



# Health Impacts

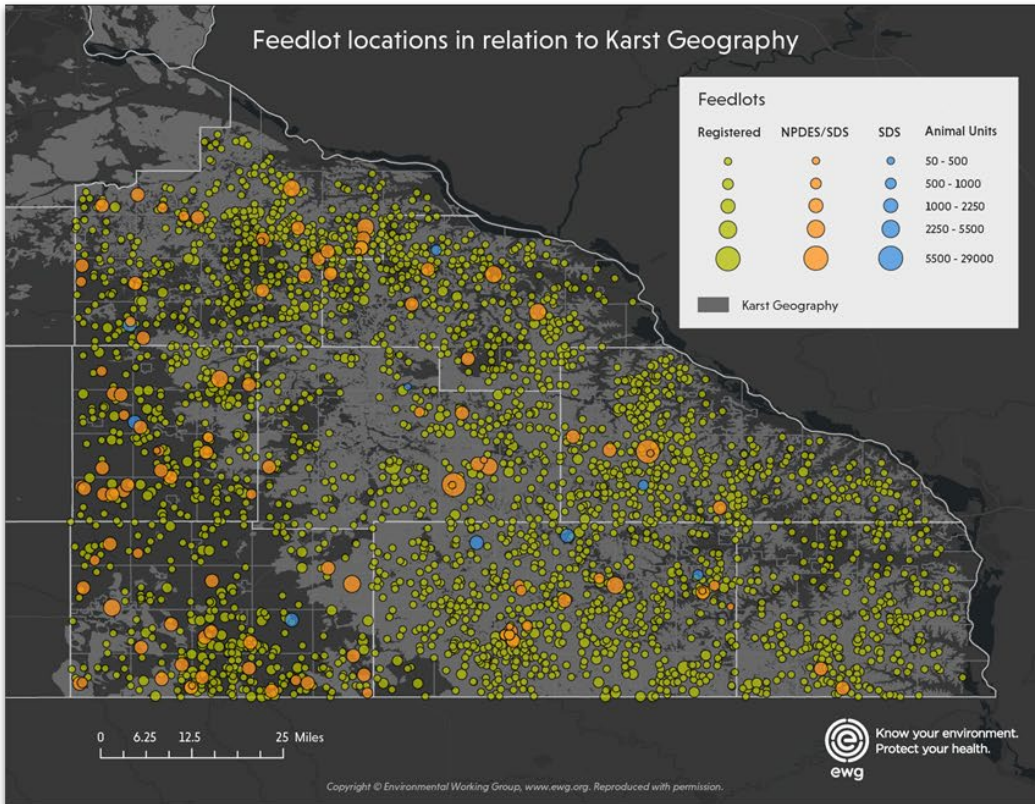
- Federal limit of 10mg/L set in 1962 to protect against blue baby syndrome
- Increased risk for various cancers (colorectal, thyroid, ovarian) and adverse birth outcomes (neural tube defects, premature birth) from levels as low as 3-5mg/L



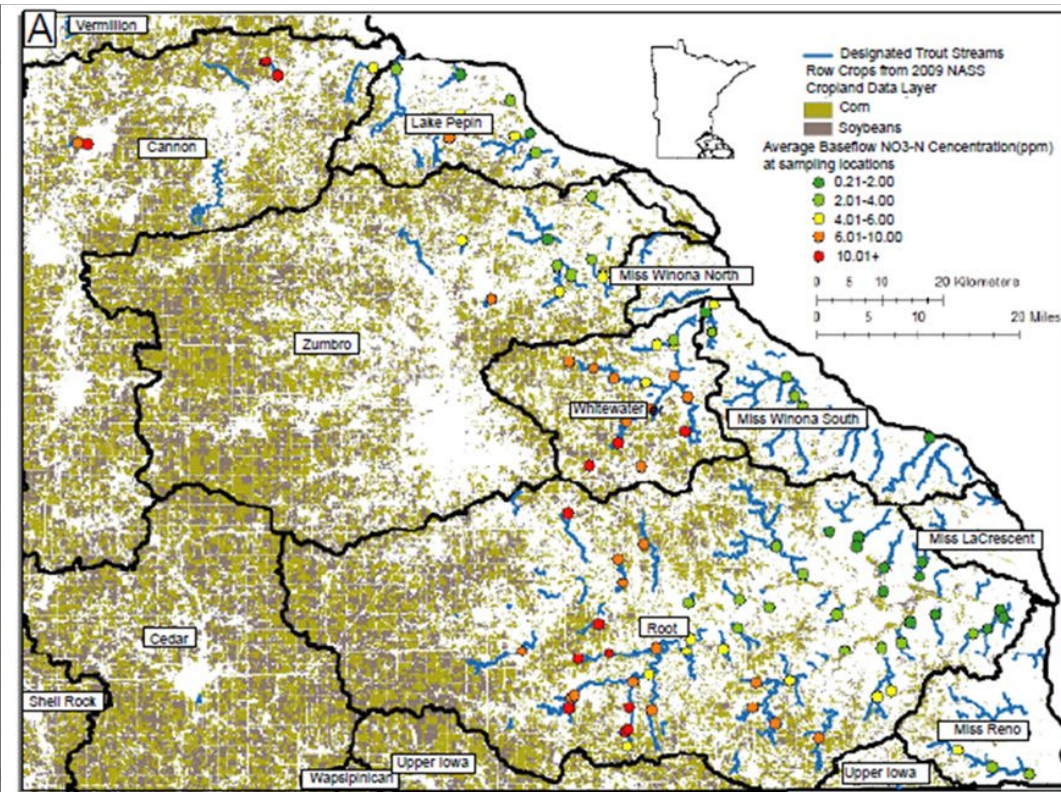
# Land Use



## Feedlots



## Cropland



# Nitrogen Overload

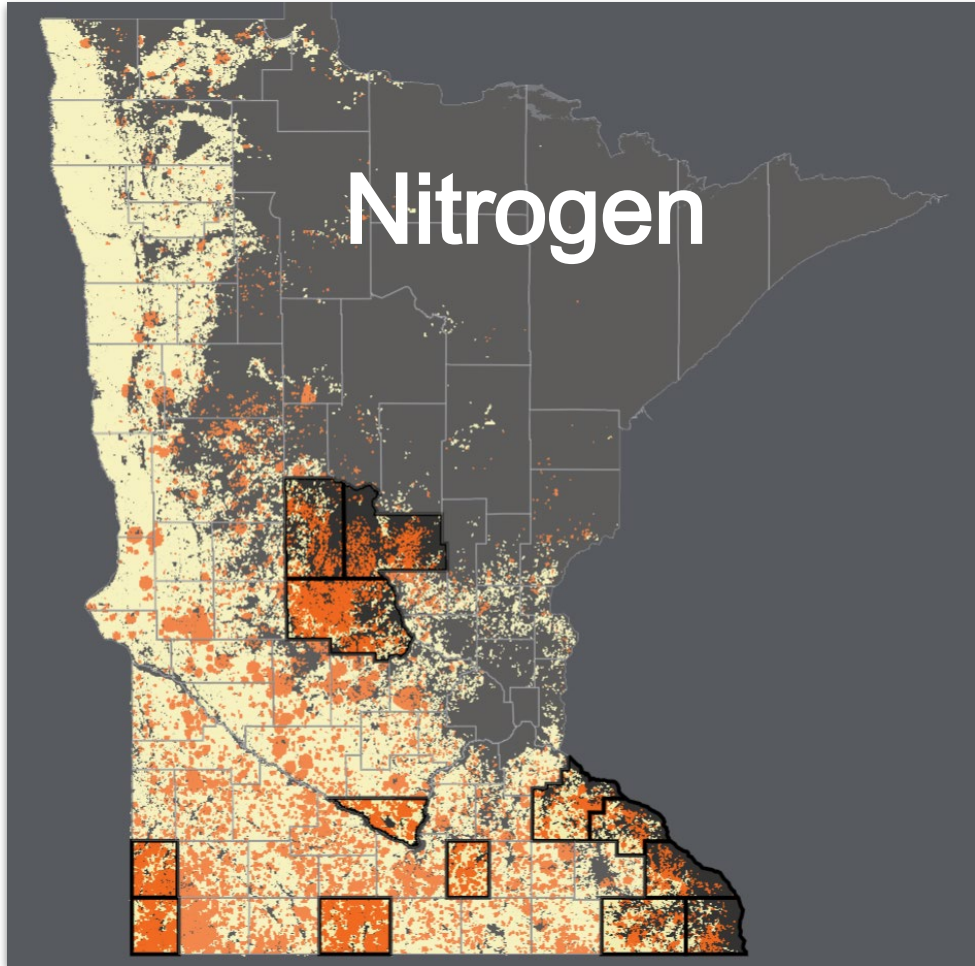
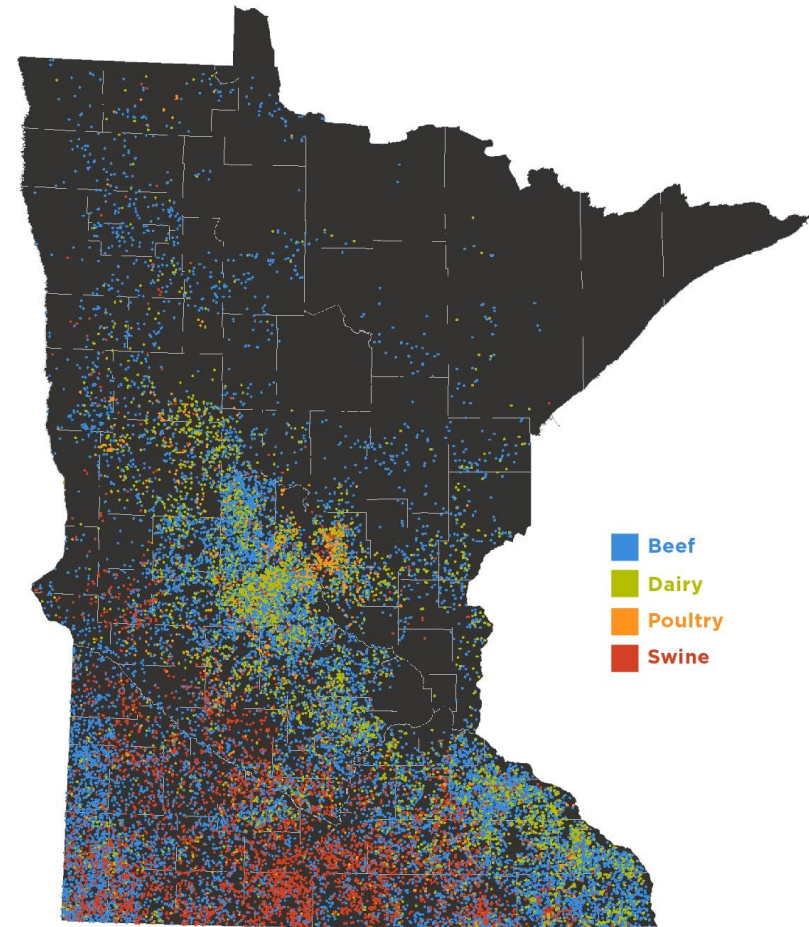
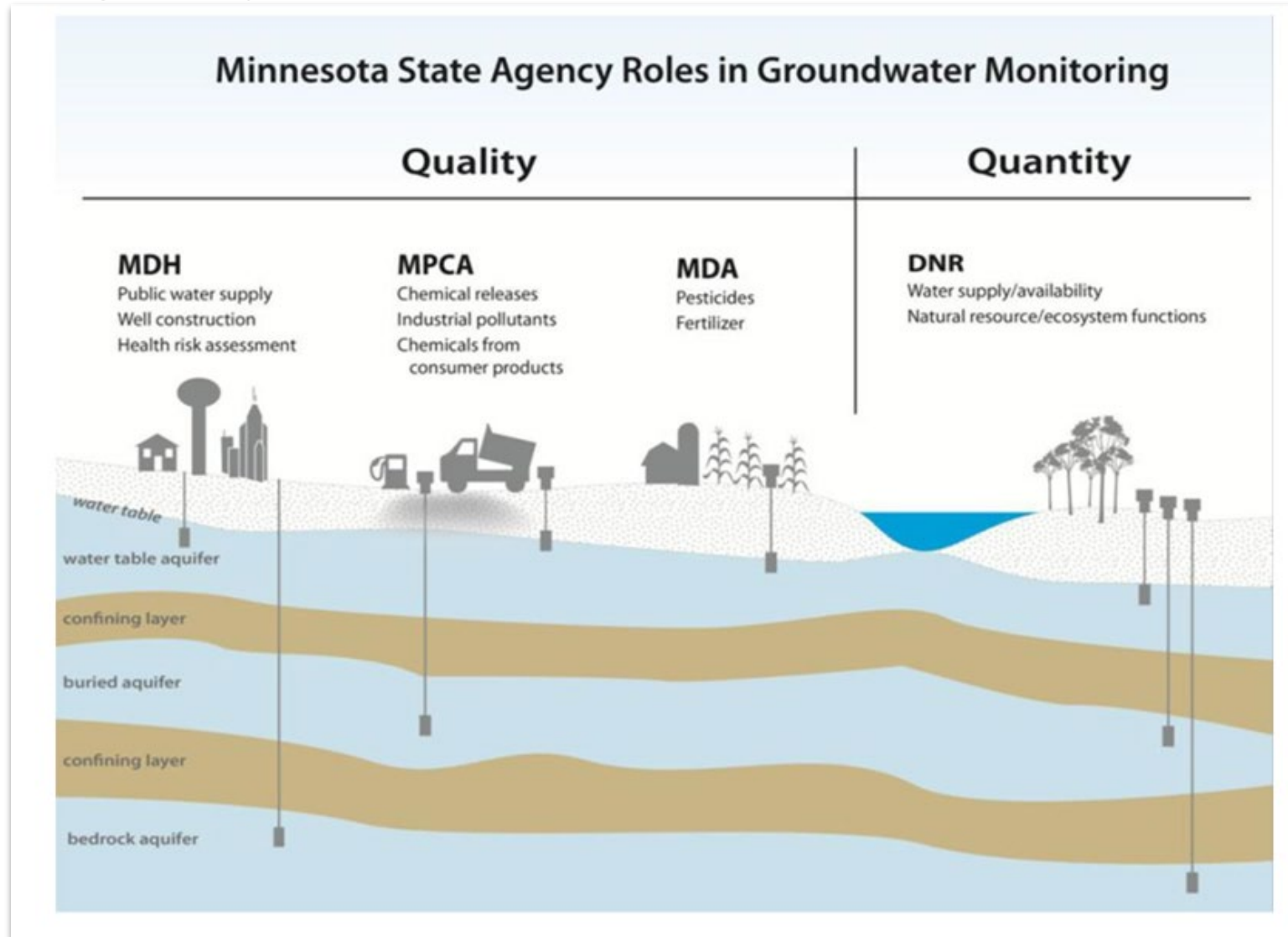


FIGURE 2: MINNESOTA IS HOME TO NEARLY 24,000 FEEDLOTS



Source: Minnesota Pollution Control Agency Feedlot Database.

# Considering Solutions: Agency Jurisdiction over Groundwater



# Safe Drinking Water Act section 1431



EPA retains emergency powers to abate present or likely contamination of a public water system or underground source of drinking water if it receives “**information**” that the **contamination** “may present an **imminent and substantial endangerment** to the health of persons” and “appropriate State and local authorities have not acted to protect the health of such persons.”

# Petitioners

- Minnesota Center for Environmental Advocacy
- Environmental Working Group
- Minnesota Well Owners Organization
- Center for Food Safety
- Clean Up the River Environment
- Food & Water Watch
- Friends of the Mississippi River
- Izaak Walton League Minnesota Division
- Land Stewardship Project
- Minnesota Trout Unlimited
- Public Health Law Center





# What do we want EPA to do?

- Require responsible parties to provide free water testing and a free and safe alternative source of drinking water for impacted communities
- Provide public notice of existing hazards and updates throughout the process of returning drinking water to a safe condition
- Prohibit new CAFOs and existing CAFOs from expanding until nitrate concentrations in contaminated wells reach safe levels
- Modify manure and fertilizer application practices

# Public Health

- Coordinated communications plan to inform residents of health risks, how to test
- Hazard assessment with a focus on pre-code wells
- Education and outreach partnership with local health care providers
- Free access to laboratory analysis of water samples
- Provide alternative water source if above federal health limit – bottled water, treatment, connection to public water system



# Prevention

- Revisit feedlot rules for vulnerable groundwater areas like the karst
- Township-scale nutrient management recommendations under Nitrogen Fertilizer Management Plan
- Local controls like animal unit caps to limit the growth of feedlot operations
- Broader adoption of best management practices like cover crops
- Grant programs to increase manure storage capacity, incentivize AMMPs for small and midsize feedlots

