

H O N O R A B L E M E N T I O N

FORGOTTEN WATERS

by Michele Okoh

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Over 43 million Americans rely on private wells for drinking water, do not have access to public water systems, and are not protected by the Safe Drinking Water Act. These individuals are instead left with a set of widely differing state laws regulating their drinking water wells. Most of these states do not have any standards related to drinking water quality. Well owners are instead responsible for monitoring and maintaining the safety of their water. This problem is often characterized as a rural issue: hard to solve because of the large distance to treated water infrastructure. This assumption is wrong. Many homes are located in peri-urban communities, close to public water systems. These systems often have been excluded from public water systems due to racial and ethnic discrimination and poverty. Using the example of communities surrounding Mebane, North Carolina, this Article argues that approaches to addressing access to safe

drinking water must account for this legacy of discrimination and discusses why the Rural Electrification Act (REA) provides a promising model to provide safe drinking water to well-dependent populations. The REA moves away from relying on the localities that have historically excluded these populations by instead presenting a cooperative example where these communities can gain direct access to funding for increasing their access to public water systems. In addition to the REA's model, it is important that well-dependent, municipally underbound communities are prioritized and are not placed in a position where they must compete against underserved communities that are serviced by public water systems. These communities require their own water infrastructure initiative which gives them the power to decide whether they have access to safe drinking water instead of having to rely on the same localities that exclude them.

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