

A **new** name.  
The same **clear** commitment.

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# YEAR IN Review

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## 2004 • 2005





A **new** name.  
The same **clear** commitment.



# YEAR IN Review

## 2004 • 2005

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## A Message from NACWA's Executive Director



⤵ Ken Kirk, NACWA's Executive Director

Although the Association of Metropolitan Sewerage Agencies (AMSA) changed its name this year to the National Association of Clean Water Agencies (NACWA), one thing, fortunately, has not changed — the dedication of our members. Over the past year it has become increasingly clear to me that the employees of the nation's clean water agencies are not only public servants but true environmental champions in the best sense of the term.

The American public relies on the daily work of each key utility employee — plant operators, pretreatment professionals, biosolids managers, engineers, laboratory technicians, lawyers and human resources personnel — to ensure that the nation's water is clean and safe. The Association's name change highlights the critical result of its members' daily work — “clean water.” “Clean water” sounds so simple — so simple in fact that we must work every day to make sure the public and policymakers do not ignore the vital importance your daily work plays in protecting our environment and public health, and in guaranteeing our economic growth. I know that I think of NACWA's members first when asked who the true environmental champions are. We are making progress but it will take continued hard work and innovation to ensure that the public and national policymakers share this perspective. As this *Year in Review* demonstrates, however, we are up to the task.

NACWA's continued growth demonstrates our members' unwavering commitment to building upon the water quality gains made since the enactment of the Clean Water Act 35 years ago. From its 22 founding members in 1970, NACWA has grown dramatically, making our voice stronger than ever in Congress, at the U.S. Environmental Protection Agency, in the media, and the courts. Despite the success we have achieved over the past three decades, many challenges remain. The growing clean water infrastructure funding gap, an uncertain regulatory environment in the wet weather and other arenas, the ongoing challenges of utility security, and the ever-increasing federal focus on advanced treatment and emerging pollutants, to name but a few challenges, demonstrate that our work has only just begun.

NACWA's record, however, is one of innovation, making the resolution of any challenge possible. For example, this past year has witnessed the Association's growing role as a consensus builder. Whether through its leadership of the Water Infrastructure Network and the Clean Water America grassroots network or on key issues such as blending or pretreatment streamlining — NACWA is seeking to broaden its coalition base. NACWA has been successfully reaching out to fellow state and regional utility organizations and municipal groups. The Association has also expanded its contacts with environmental, conservation, labor, consumer, and industry organizations. As a result of these efforts, I am learning that other groups, however diverse, trust us. Why? The answer is simple — the more they learn what public clean water utilities do every day, the more obvious it becomes that NACWA members are both public servants and environmental stewards. As NACWA continues to voice the concerns of the nation's clean water agencies, what has long been clear to me is now becoming increasingly clear to all.

I believe these are exciting times for NACWA and its members, and I look forward to working with you to meet the challenges of the future.

**Ken Kirk**  
*Executive Director*

## A Message from NACWA's President



⌘ William B. Schatz, General Counsel,  
Northeast Ohio Regional Sewer District,  
Cleveland, Ohio

It has been an honor and a privilege to serve as NACWA's president over the past year. The Association has seen some dramatic changes and has built on its record of success in the water quality arena. NACWA has been the leading environmental voice on key regulatory, legislative and legal initiatives. While these topics will be discussed in greater detail throughout this publication, I would like to take this opportunity to briefly touch upon a few of the more significant initiatives of this past year.

NACWA celebrated its 35th Anniversary by taking the very challenging step of changing the Association's name from the Association of Metropolitan Sewerage Agencies (AMSA) to the National Association of Clean Water Agencies (NACWA). This name change more accurately reflects what members of the Association do each and every day – clean the nation's waters. The name change also marked, in a very visible way, the initial implementation of our new *Strategic Plan*. The *Strategic Plan* is an evolving document that will help guide Association priorities and objectives for years to come. The *Plan* was created via significant member input, and will guarantee that the membership will continue to be well served by NACWA's key initiatives.

NACWA has continued to enhance its strong presence on Capitol Hill by increasing contacts with legislative staff and other organizations while strengthening the existing relationships we have worked hard to establish. The Association has been successful in limiting drastic reductions to the Clean Water State Revolving Fund (CWSRF), and has shown foresight and innovation by pursuing a long-term dedicated revenue stream to guarantee sustainable, federal funding for clean water.

In line with its advocacy on Capitol Hill, NACWA has also entered into several legal cases over the past year in the water quality arena. NACWA's comprehensive litigation portfolio placed the Association at the heart of critical clean water cases nationwide. The Association achieved success in clarifying the applicability of whole effluent toxicity (WET) test methods, made persuasive arguments on effluent guidelines, and won an important total maximum daily load (TMDL) case. NACWA's legal activities are diverse and offer a unique service to the clean water community – ensuring strong representation in cases from the U.S. Supreme Court to precedent setting cases in state courthouses.

The Association has also made tremendous technological advances, implementing a new and improved database. This entirely web-based system has streamlined many internal staff functions and provided members with online purchasing capability and transaction processing at the click of a button, ensuring improved member services and constantly updated information.

I am also pleased to announce that the Association has seen its membership rise from 339 to 357 members over this past year. This increased membership and the continued implementation of our Strategic Plan has positioned us to continue forward for a successful future.

I have enjoyed my term as NACWA's President and will continue to work with the membership on critical clean water issues.

A handwritten signature in black ink, reading "William B. Schatz". The signature is stylized with a large, sweeping "W" and a long, horizontal stroke at the end.

**William B. Schatz**  
NACWA President, May 2004–May 2005

## A New Name... The Same Clear Commitment

### NACWA's Core Values

- ▶ Scientifically and economically informed environmental policy;
- ▶ Visionary and results-oriented leadership embracing innovation and diverse input;
- ▶ Environmental stewardship;
- ▶ Fiscal responsibility;
- ▶ Integrity and credibility in all we do;
- ▶ Collaboration as an effective strategy; and,
- ▶ Continuous professional development.

**NACWA**  
A Clear Commitment to America's Waters

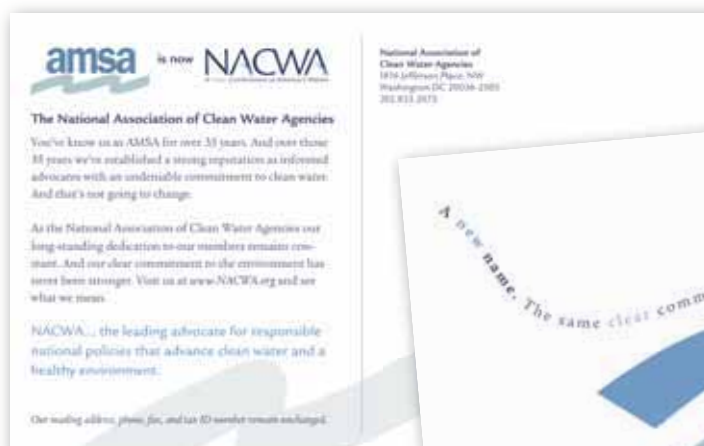
In February of 2005, the Association voted to change its name – and on May 1, 2005 the Association of Metropolitan Sewerage Agencies (AMSA) became the National Association of Clean Water Agencies (NACWA). Over the course of 35 years, AMSA had established a strong reputation as an organization of informed advocates with an undeniable commitment to clean water. With the conviction that the past would serve as the foundation of the future, the Association celebrated its 35th anniversary in May as NACWA – clearly committed to America's waters.

The evolution began in September of 2004 when the Association adopted a new *Strategic Plan*. The *Plan* – a product of many months of deliberation and discussion among leadership, members and staff – positions the Association as the leading advocate for responsible national policies that advance clean water and a healthy environment. With a set of clearly articulated core values in place, (see graphic top left) the Association focused on aggressively identifying its membership with the outcome of their

efforts – clean water. It was time to make the Association's long-standing clear commitment to clean water clearly evident to all.

A name change for the Association was identified as an appropriate first step in this process – and one that would lay the foundation for all that would follow. With the Association's 35th Anniversary slated to take place in May of 2005, an ideal opportunity existed to move forward. What followed was a series of meetings, telephone calls, e-mails and correspondence with the Association's members. Throughout it all the Association's members were both supportive of, and excited about, a name change for the organization. Aligning themselves with the product of their efforts – clean water – struck a resounding chord.

For many reasons, NACWA was widely embraced by members and stakeholders, alike. The change became official in a series of amendments to the Association's *Bylaws* which were adopted by the membership in early February. Since the May 2005 launch of the new moniker, the Association has enjoyed a nearly seamless transition from AMSA to NACWA and has begun the important work of implementing its *Strategic Plan*. ♦







## Past Year Witnesses Strong Momentum on Clean Water Trust Fund

**T**hrough the strong support of NACWA members and the Association's Clean Water Funding Task Force, major steps were taken this past year toward the creation of a clean water trust fund. This year key national and state polling data has been gathered and released, a pivotal hearing in the U.S. House of Representatives demonstrated Congress' receptivity to the trust fund concept, trust fund legislation has been drafted, and NACWA's grassroots capability has been strengthened.

### Polling Data Show Strong Support for Clean Water Trust Fund

During the past year a bipartisan national survey was undertaken to gauge public sector support for a clean and safe water trust fund. The results of the survey demonstrated broad public support for a dedicated clean water trust fund and have been featured in press stories [see related story on page 23] and in briefings on Capitol Hill. NACWA believes that the survey's findings played prominently in the decision of Rep. John J. Duncan (R-TN), Chairman of the House Transportation and Infrastructure Subcommittee on Water Resources and the Environment, to convene a pivotal June 8 hearing on the trust fund option. Seven corresponding state-wide surveys in California, Georgia, Michigan, New York, Ohio, Rhode Island, and Tennessee were also undertaken and demonstrated that strong, consistent support for a clean water trust fund exists from coast-to-coast.

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ON PAGE 6 »

*"Our national infrastructure is aging and deteriorating and in need of repair and replacement. . . . Increased investment must take place."*

— Chairman John Duncan (R-TN),  
House Subcommittee on  
Water Resources and Environment

*"I understand the pitfalls that come with the idea of creating a clean water trust fund and who will pay for it, but it is something that this Congress should tackle."*

— Rep. John T. Salazar (D-CO),  
Member, House Subcommittee  
on Water Resources & Environment

### National Survey Finds Americans Demand a Federal Re-Commitment to Clean Water

**91%** of Americans agree that investment in clean water is as important, if not more, than current investment in federal trust funds that exist for highways and airports

**88%** of Americans agree that clean water has no local boundaries

**85%** of Americans say that if there was a bill in Congress to create a long-term, sustainable and reliable trust fund to protect and guarantee clean and safe water, they would support it

**77%** of Americans would prefer that the federal government invest in water infrastructure than increase spending on entitlement programs

**67%** of Americans prefer spending to guarantee clean and safe water to tax cuts

Luntz Research Companies/Penn, Schoen & Berland, Inc. March 2005 Survey

**Neglect of underground assets can undermine our nation's future.**

A multi-billion dollar trust fund exists for our nation's highways and airports, but the federal government has turned its back on our nation's clean water infrastructure.

Decades of environmental and public health progress is at stake.

86 percent of Americans support the creation of a dedicated trust fund to guarantee the future of America's clean water.

Urge policy makers to invest in our nation's future by supporting a clean water trust fund.

**Why Not Water?**

**NACWA**  
A Clear Commitment to America's Waters  
National Association of Clean Water Agencies  
202.833.2672 www.nacwa.org



⤴ **Suzanne Goss**, Vice Chair of NACWA's Clean Water Funding Task Force and Government Affairs Specialist with JEA, Jacksonville, Fla., addresses attendees at the 2005 *National Clean Water Policy Forum* on the Association's advocacy activities on behalf of a clean water trust fund and holds up a *Clean Water America* bookmark as one such example.

*"As a former Mayor, the issue of sewer system modernization can keep you up nights. Cities want to do what is right for the environment and for future generations, but when you mix large capital projects with severe budget restraints, many cities are unable to do what they would like to meet federal regulations. The Luntz presentation states that Americans would rather have clean water than tax cuts. That's an Archie Bunker statement. Why can't we get it here in Congress?"*

— Rep. Bill Pascrell (D-NJ),  
Member, House Subcommittee on  
Water Resources & Environment

« CONTINUED FROM PAGE 5

### House Hearing Shows Growing Support for the Trust Fund Concept

A pivotal House Transportation and Infrastructure Subcommittee on Water Resources and Environment hearing on June 8, 2005 explored the public support and economic need for a new dedicated trust fund for clean water. With nearly 20 Subcommittee Members in attendance and a jam-packed hearing room, NACWA's Clean Water Funding Task Force's trust fund advocacy effort took a major step toward the introduction and passage of legislation to create a clean water trust fund. Subcommittee Members on both sides of the aisle demonstrated a keen interest in the trust fund concept

and expressed a desire to begin an in-depth discussion of revenue sources.

With the revenue source issue at the center of the hearing, Ken Rubin, Managing Partner, PA Consulting Group, testified on behalf of NACWA regarding the economic viability of a clean water trust fund. NACWA's testimony asserted that "the trust fund generates benefits across society. Cleaner water has been shown to reduce health effects in the public, increase access to water-based recreation, increase property values and development opportunities, and increase fisheries and shellfisheries. All of this new economic activity results in job creation, greater worker productivity and increased tax bases at all levels of government." Frank Luntz, President of the Luntz Research Companies, discussed the overwhelming public support for a clean water trust fund as detailed in a March 2005 national survey.

Former staff director for the Transportation and Infrastructure Committee, Jack Schenendorf, provided compelling testimony on behalf of the Associated General Contractors of America. Based on his personal



⤴ **The House Subcommittee on Water Resources & Environment** held a hearing on June 8, 2005, to discuss the need for a clean water trust fund. Those testifying at the hearing included (from left to right) **Frank Luntz**, President of Luntz Research Companies, **Ken Rubin**, Managing Partner of PA Consulting, **Jack Schenendorf**, former Chief of Staff of the House Committee on Transportation and Infrastructure, **Julius Ciaccia**, Commissioner of the Cleveland Division of Water, and **Susan Neely**, President and CEO of the American Beverage Association.



*"There was a lot of free money in the 1970s and then it all dried up. We keep making the rules on CSOs and SSOs but we don't send any money to the locals. We're not doing our job here. I'm all in favor of a clean water trust fund, which I think is a great idea."*

— Rep. Steven C. LaTourette (R-OH), Member, House Subcommittee on Water Resources & Environment

experience from working closely on the development and passage of highway trust fund legislation, Schenendorf noted that "a clean water fund is the logical next step." NACWA reemphasized the need for a broad, equitable fee to raise the revenue, touting a clean water restoration fee, a fee on flushables, and others. The hearing was taped and ran several times on C-SPAN and received significant media attention. Most importantly, it marked the first serious step toward congressional consideration of the innovative trust fund concept and a foundation from which to garner future congressional support for trust fund legislation.

### Coalition Effort to Draft Trust Fund Bill Nears Finish Line

NACWA released, for review and comment, a first draft of a clean water trust fund bill in November 2004, in the wake of several pivotal facilitated sessions with key environmental, conservation and industry groups. The input from these groups led to a far stronger draft bill which, when finalized, should garner broad stakeholder support. Comments were compiled, reviewed, and integrated into a revised draft sent in January 2005 to NACWA members, Water Infrastructure Network (WIN) member organizations and other stakeholder groups

for another round of review and response. The draft legislation was discussed in detail at meetings of the Clean Water Funding Task Force at NACWA's 2005 Winter Conference and its May 2005 *35th Anniversary Annual Meeting*. At press time, NACWA was nearing the finalization of the *Clean Water Trust Act of 2005* and will then share it with potential Congressional co-sponsors and a much broader array of potential stakeholder groups. NACWA anticipates that the *Clean Water Trust Act of 2005* will be introduced in Congress this Fall. ♦

## Clean Water America Website Accelerates Grassroots Capability

This year, NACWA's Clean Water Funding Task Force approved the creation of a new website to generate grassroots support for federal clean and safe water funding. NACWA is pleased to announce that this website is now up and running ([www.cleanwateramerica.org](http://www.cleanwateramerica.org)) with the Association assuming the basic administration of the website in April 2005. NACWA members, Water Infrastructure Network (WIN) organizations and others are being asked to list their names on a 'Supporting Organizations' page. The initial effort to garner support has already yielded a diverse array of supporting organizations, including groups such as the Associated General Contractors of America, the American Society of Civil Engineers, American Rivers, Public Citizen and dozens of NACWA member agencies.

A substantial marketing campaign to bring individual and organizational

supporters to the grassroots site is also underway. Voter e-mail lists are being purchased to drive politically active individuals to the website; advertisements have been designed to be placed in key trade, conservation and environmental publications in 2005; and a summer intern and a full-time staff member have been hired to identify and contact potential supporting local, state and regional organizations around the country. A bookmark has been created that will be enclosed in a mass mailing to organizations, governments, appointed and elected officials and others informing them of the website and asking them to become supporters. These efforts, supported entirely by funds donated by Clean Water Funding Task Force members, are also intended to bring more organizational support and growth to the critical work of WIN, which continues its strong advocacy on behalf of clean water funding. ♦



## NACWA Continues Legislative Advocacy on Key Clean Water Issues

Over the past year NACWA has continued its advocacy efforts in the legislative arena through letters and meetings on Capitol Hill as well as through key testimony on critical clean water issues. The Association has worked to secure funding for the Clean Water State Revolving Fund (CWSRF), a provision in Congress' highway transportation legislation providing \$907 million over five years for critical stormwater projects, wet weather legislation, and language in the U.S. Environmental Protection Agency's (EPA) budget addressing sewer overflows.

### Increased Funding for Clean Water Programs a Priority

NACWA's efforts to secure additional federal funding for public municipal wastewater construction projects around the country ramped up during the past year as the Bush Administration signaled a reduction in its commitment, and a clear end in 2011, to its financial support for the CWSRF. Although the authorization for the CWSRF expired at the end of fiscal year 1994, congressional appropriators have continued to provide roughly \$1.35 billion a year for the loan program. That amount was reduced by 20 percent to \$1.09 billion last year and was cut further to \$900 million in the fiscal year

(FY) 2006 budget. NACWA's efforts, along with a broad-based coalition of stakeholder groups, were critical in averting an even deeper cut to \$730 million proposed by the Administration. To this end, the coalition collaborated to publish a document, titled *All Dried Up: How Clean Water is Threatened by Budget Cuts*, that demonstrates the adverse

economic impacts of the proposed SRF cuts on a state-by-state basis (<http://www.nacwa.org/pubs/2004-09-15ADU.pdf>).

NACWA has continued its work with a diverse group of associations and organizations in pressing Congress to renew the federal commitment to financing wastewater infrastructure projects. The Association testified at congressional hearings, met with appropriations committee staff, and sent dozens of letters to Members of Congress in support of increased federal funding to help wastewater treatment facilities comply with the mandates of the Clean Water Act (CWA). With the deepening of the national debt and America at war, competition will continue to increase for scarce available federal dollars. NACWA has kept abreast of the changing political atmosphere in Washington, D.C. and has elevated the infrastructure funding debate over the past several years to include the creation of a long-term, sustainable trust fund to protect and enhance our nation's waterways [see related story on page 5].

### NACWA Testifies Before House Subcommittee on Wet Weather Funding Bill

NACWA 2002 – 2003 President Paul Pinault, Executive Director of the Narragansett Bay Commission in Providence, R.I., testified on behalf of the Association at a July 2004 hearing before the House Transportation and Infrastructure Subcommittee on Water Resources and Environment in support of H.R. 624, legislation to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants. The bill provides authority for \$750 million in grants for wet weather projects. Due to difficulty in passing similar legislation in past years, Pinault noted that the bill would have a "more realistic chance of obtaining the needed appropriations at a level of \$250 million per year" over six years. Although the bill was not taken to the House floor for a vote in 2004, Representative Dave Camp (R-MI), author of the bill, reintroduced the legislation in February 2005 and incorporated Pinault's six-year funding



▲ Paul Pinault, Executive Director of the Narragansett Bay Commission in Providence, R.I., testifies in Congress on behalf of NACWA on wet weather funding legislation.



⤴ **Senator Lincoln Chafee (R-RI) (center)**, Chair of the Senate Environment and Public Works Subcommittee on Fisheries, Wildlife and Water, was a cosponsor of this year's stormwater provision in the Senate highway bill and was presented with NACWA's 2005 *National Environmental Achievement Award* by Paul Pinault (left), Director of the Narragansett Bay Commission, R.I., and Ken Kirk (right), NACWA's Executive Director.

suggestion. Rep. Camp received NACWA's National Environmental Achievement Award at the Capitol Hill Reception during the Association's 2005 *National Clean Water Policy Forum* [see related story on page 30]. The House Transportation and Infrastructure Committee passed the bill in May, making it eligible again this year for a vote on the House Floor.

### NACWA Advocates on Behalf of Stormwater Amendment Authorizing \$907 Million

Work on the reauthorization of the bill that funds the nation's highway construction projects carried over from 2004 into 2005 with the introduction of last year's legislation as the starting point for Congress' renewed effort to pass a federal transportation bill. For the past two years, NACWA and its members have supported the Highway Stormwater Discharge Mitigation Program (Section 1620), a new provision in the Safe, Accountable, Flexible, and Efficient Transportation Act of 2005 (S. 732) as passed in

sion was ultimately taken out of the bill in House-Senate conference discussions but demonstrates the willingness of Congress to consider significant clean water funding in the context of trust fund legislation. This is a key factor that will help NACWA's future efforts to obtain long-term, dedicated clean water funding. The Association will continue to work jointly with the nation's mayors, cities, states, environmental groups, and water community to ensure federal cooperation in helping municipalities come into compliance with the water quality and stormwater requirements of the Clean Water Act.

### NACWA Succeeds in Including Language on Sewer Overflows in EPA's FY 2005 Budget

NACWA worked on behalf of its combined and sanitary sewer overflow (CSO and SSO) communities to successfully include language in EPA's FY 2005 budget requiring that permits, orders, and decrees "shall conform to" EPA's 1994 Combined Sewer Overflow Policy. The Policy directs CSO

May 2005 by the United State Senate. NACWA was successful in ensuring that the new stormwater program was included in the Senate version of the bill. The amendment would authorize \$907 million over five years using 2 percent of the Surface Transportation Program funds for projects such as stormwater retrofits, the recharge of groundwater, natural filters, stream restoration, and minimization of stream bank erosion. Unfortunately, the provi-

communities to develop and implement long-term control plans (LTCPs) to retrofit their sewer systems over a period of years. NACWA's clarifying language endorses CWA permits as the primary vehicle for imposing LTCP obligations, and places delegated state permitting authorities in the lead for implementation. The language included in the appropriations bill, which was publicly endorsed by EPA Assistant Administrator for Water Benjamin Grumbles, provides the first-ever legislative history on the intended effect of "shall conform to" in section 402(q) of the Clean Water Act. This language should be helpful to NACWA members and CSO communities across the nation seeking permits, and the proper balance between state and federal regulators in the oversight of their CSO remediation efforts. 💧



⤴ **The U.S. Senate confirmed Benjamin Grumbles** as President George W. Bush's new EPA Assistant Administrator for the Office of Water this past year. Grumbles delivered the Keynote Address on Sustainable Water Infrastructure for the 21st Century at NACWA's 2005 Winter Conference in San Antonio, Texas.



## Wet Weather Issues Top NACWA's Regulatory, Legislative and Legal Agenda

Water quality challenges resulting from wet weather remained a core focus area for NACWA over the past year. From combined and sanitary sewer overflow (CSO & SSO) regulatory policy and enforcement, to the controversial issue of blending, NACWA and its member agencies worked tirelessly to achieve clarity and guidance on key wet weather topics.

[cso/cpolicy\\_report2004.cfm](http://cso/cpolicy_report2004.cfm)). NACWA was involved in the effort to develop this Report from the beginning, participating in several experts' workshops and stakeholder meetings – the findings from which contributed to the content of the Report. The Report provides one of the most comprehensive assessments of sewer overflows in the United States and, thanks to NACWA's input, clearly

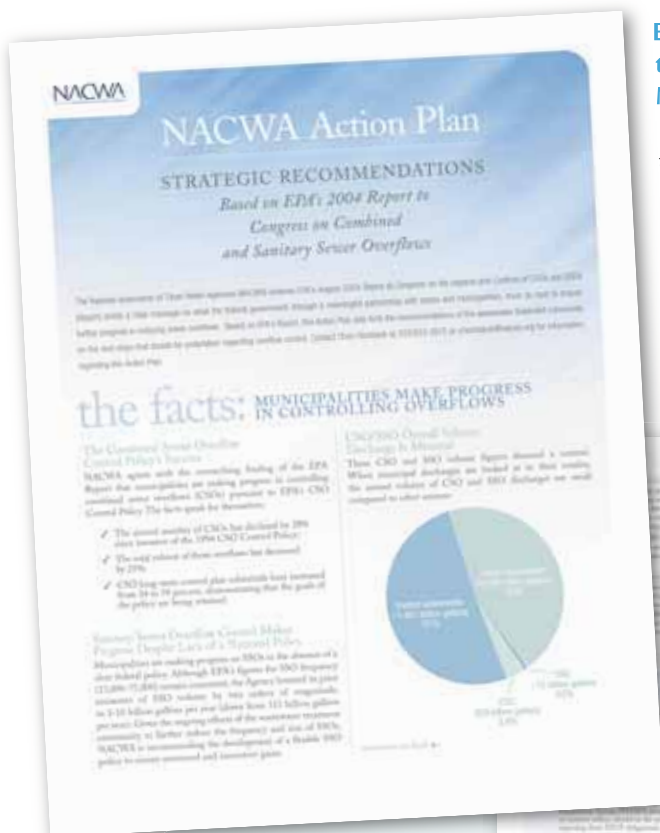
### EPA CSO/SSO Report to Congress Documents Municipal Progress

In late August 2004, the U.S. Environmental Protection Agency (EPA or Agency) released its long-awaited *Report to Congress on the Impacts and Control of Combined and Sanitary Sewer Overflows* (Report) (<http://cfpub.epa.gov/mpdes/>

### KEY FINDINGS

#### EPA's CSO/SSO Report to Congress

- It is "difficult to establish a cause-and-effect relationship between" human illnesses or water quality impacts/impairments and overflows.
- CSO volume has dropped from over 1 trillion gallons per year to 850 billion gallons per year since the issuance of the 1994 CSO Policy.
- The percentage of CSO long-term control plans (LTCPs) submitted to permitting authorities has increased from 34 to 59 percent since 2001.
- Notes that municipalities have spent \$6 billion as of 2002 to control CSOs.
- The total annual volume of SSOs is estimated at three to 10 billion gallons – two orders of magnitude lower than the 311 billion gallon estimate used to draft the 2001 SSO Rule proposal.
- \$88 billion and \$50.6 billion are needed over the next 20 years to control SSOs and CSOs, respectively.



demonstrates how clean water facilities have dramatically reduced sewer overflows.

### NACWA CSO/SSO “Action Plan” Outlines a Path for the Future

Following the Report’s release, under the leadership of NACWA’s SSO Workgroup, the Association released its *CSO/SSO Action Plan* in January 2005 to EPA and the U.S. Congress. The Action Plan provides the municipal perspective on key “next steps” to help ensure that continued progress is made with regard to CSOs and SSOs. The Action Plan discusses in greater detail several important issues contained in EPA’s Report. NACWA’s Action Plan concludes that it is imperative for EPA to continue to work with clean water agencies to fully implement the 1994 CSO Policy and to develop a flexible SSO policy that incorporates watershed planning principles and allows communities to direct resources to those areas that will best improve public health and the environment.

### NACWA Develops Sound Model SSO Rule

In the absence of a federal rule, NACWA has been hard at work developing its own “model” SSO program. This year culminated with NACWA’s comprehensive draft regulation for SSOs, collection systems, and peak excess flow treatment facilities. The NACWA model regulation also establishes a satellite collection system permitting program. Notably, the NACWA program builds upon the existing National Pollutant Discharge Elimination System (NPDES) regulations wherever possible. As NACWA moves into the new year, the Association plans to complete work on its regulatory recommendations and begin discussions with EPA on possible next steps toward a national SSO policy. A new EPA ‘Fact Sheet’ on permitting for col-



▲ Karen Pallansch (center), Director of Environmental Services for the Alexandria Sanitation Authority, Va. is a Co-Chair of NACWA’s newly named Facility & Collection System Committee (previously the Wet Weather Issues Committee). The Committee has helped lead the charge in developing a “model” SSO program.

lection systems, including satellite systems, has added a new level of complexity to the national debate and will be taken into full account as NACWA’s advocacy on this issue moves forward.

### NACWA Works with EPA, CSO Partnership to Convene Unique CSO Workshops

This year, NACWA and the CSO Partnership (CSOP) collaborated with EPA on October 2004 and April 2005 workshops in Chicago, Ill., on strategies for approaching use attainability analyses (UAAs) in CSO receiving waters. Both sold-out workshops included speakers from EPA Headquarters, Region V, states, and regional regulatory authorities. At the April 2005 workshop, EPA’s Director of the Office of Wastewater Management, Jim Hanlon, commended NACWA and the CSOP for convening forums at which regulators and utility staff on the “front lines” could discuss complex issues in a constructive manner. NACWA and the CSOP will continue in the coming year to

identify ways to work together to meet the specific needs of CSO communities.

### Wet Weather Legal Issues Continue to See Progress

Reflecting the Association’s multi-pronged effort to achieve certainty for clean water agencies on wet weather issues, NACWA was engaged in a sustained effort before the U.S. Court of Appeals for the D.C. Circuit. Over the past year NACWA focused on the *Pennsylvania Municipal Authorities Association (PMAA) v. U.S. Environmental Protection Agency* (EPA) appeal, which sought review of the federal district court’s November 2003 opinion that the anti-blending policies of EPA Regions 3, 4, and 6 were not “final agency actions” subject to review in court [see related story on page 13]. It is also likely that the blending issue will generate significant legal controversy as municipalities and permit writers make their way in an uncertain regulatory environment.

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⤵ **NACWA's 2005-2006 President, Donnie R. Wheeler (left), General Manager for Hampton Roads Sanitation District, Va. presents Chairman John J. Duncan, Jr. (R-TN) (right), Chairman of the House Subcommittee on Water Resources and Environment with the Association's National Environmental Achievement Award at the Capitol Hill Reception during NACWA's 2005 National Environmental Policy Forum in Washington, D.C. Chairman Duncan was recognized for his leadership and support of legislation that bolsters the efforts of publicly owned wastewater utilities.**

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FROM PAGE 11

### **NACWA Brings Wet Weather Issues to Hill Attention**

NACWA consistently defended the right of treatment facilities to practice blending as an environmentally acceptable way to handle peak wet weather flows. This year a group of federal legislators, fueled by misinformation, chose EPA's November

2003 draft guidance on wastewater blending as its main target. In response, NACWA and its member utilities launched a congressional education campaign on blending and set the record straight with a Fact-Fiction summary that was widely used in meetings with Senators and Representatives, in letter writing campaigns, and at a briefing for House staff members. NACWA recruited national, regional, state, and municipal organizations into a broad coalition that called on EPA to issue a national blending policy and defended the practice on Capitol Hill.

NACWA stepped up its efforts in March when it sent to all Members of Congress a Technical Review of the Katonak-Rose Report and conducted a successful informational briefing on blending for Capitol Hill staff in conjunction with the Water Environment Research Foundation (WERF) and the Water Environment Federation (WEF). With significant technical and organizational assistance from NACWA, Rep. John J. Duncan, Jr. (R-TN), Chairman of the House Subcommittee on Water Resources and Envi-

ronment, subsequently convened an April Subcommittee hearing on blending, stating he had received letters in support of the practice from wastewater utilities in 37 states.

Despite NACWA's efforts EPA chose not to finalize its November 2003 blending policy 'as proposed'. Additionally, the House of Representatives passed an amendment to EPA's FY 2006 budget bill stating that "no funds from EPA's (FY '06) budget may be used to finalize, issue, implement or enforce the proposed [November 2003 EPA blending] policy." NACWA and a coalition of municipal groups worked hard to ensure the amendment was framed as narrowly as possible and does not preclude EPA from working toward a consistent, national policy on blending. The Agency also stated that it will "continue to review policy and regulatory options to manage this issue". NACWA will continue to work with EPA, Congress and key stakeholders to find a viable path forward on the blending issue as well as to develop consistent policies on behalf of SSOs and stormwater management issues. 6



⤵ **Denise Keehner, Director of EPA's Water Quality Standards and Health Protection Division, commended CSO communities on their progress to achieve water quality.**

## Diverse NACWA Legal Portfolio Makes Clean Water Case Nationwide

No other national organization participates actively before U.S. courts on behalf of the clean water community like NACWA. The Association's comprehensive litigation portfolio places it at the heart of critical clean water cases nationwide. NACWA was involved in key victories involving total maximum daily loads (TMDLs) and effluent limitation guidelines (ELGs), and has made the clean water community's voice heard on a host of other issues. Notably, the Association's involvement in litigation is financed wholly by its Targeted Action Fund (TAF) – showing the true power of member TAF dollars at work!

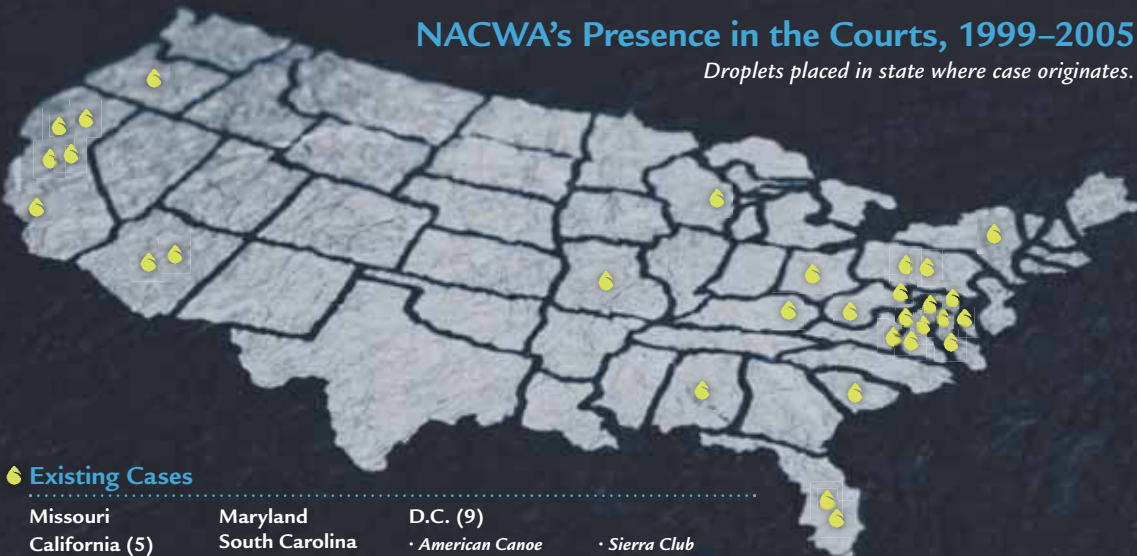
### TMDL Decision Marks First Court Interpretation of CWA § 402(q)

NACWA achieved a major victory in November 2004 when the U.S. District Court for the District of Columbia held that the Clean Water Act (CWA) does not require TMDLs to be expressed only in true 24-hour loads. Seizing upon an argument made by NACWA jointly with the Combined Sewer Overflow Partnership (CSOP), the court noted that Congress did not endorse “an exclusive and narrow daily load calculation for water pollutants for all circumstances, at any regulatory cost, and for zero or trivial regulatory benefit.” Embracing NACWA's position, the court found that “if municipali-

ties cannot calculate non-daily TMDLs for their sewage overflow programs, they cannot implement EPA's CSO Policy.” This holding is most helpful for those agencies facing TMDLs in CSO receiving waters, since non-daily TMDLs are more likely to be consistent with CSO long-term control plans. In a strong statement, the court held that EPA's decisions as to TMDLs do not have to “yield to the whim of that unlikely aquatic enthusiast who will not tolerate anything less than the

### NACWA's Presence in the Courts, 1999–2005

*Droplets placed in state where case originates.*



#### Existing Cases

Missouri	Maryland	D.C. (9)
California (5)	South Carolina	• <i>American Canoe Assn. v. WASA</i>
Arizona (2)	Alabama	• <i>American Farm Bureau v. EPA</i>
Florida (2)	Ohio	• <i>Edison Electric Institute v. EPA</i>
Pennsylvania (2)	New York	• <i>Friends of the Earth v. EPA</i>
Oregon	Virginia	• <i>Sierra Club v. EPA (2 cases)</i>
Wisconsin	Wisconsin	• <i>EarthJustice v. EPA</i>
West Virginia	Kentucky	• <i>In re: D.C. MS4 Permit (2004 Appeal)</i>
		• <i>D.C. WASA Phase II Permit (2005 Appeal)</i>

⚡ NACWA's legal presence reaches across the nation. These cases have widespread impact.

CONTINUED  
ON PAGE 14 »

immediate enjoyment of river waters after disruptive storm events.”

This also was the first court decision to discuss the effect of Congress’ codification in 2000 of EPA’s 1994 CSO Policy in CWA § 402(q). This court notes in referring to § 402(q) that “[i]t need hardly be said that ‘when Congress acts to amend a statute [courts] presume it intends its amendment to have real and substantial effect.’” This helpful statement shows the court appreciates Congress’ deliberate endorsement of the CSO Policy and the flexible controls for CSOs embodied in CWA § 402(q). The case now is on appeal, and NACWA will continue its advocacy in 2005 and 2006 on these critical issues.

### NACWA Gains Victory in Essential Effluent Guidelines Case

In Fall 2004, the Association fought a tough battle to gain a seat at the table in the latest activist group challenge to EPA’s activities under the ELG program. In *Our Children’s Earth Foundation (OCE) v. EPA* before the U.S. District Court for the Northern District of California, OCE asserted that EPA has not reviewed all ELGs annually; reviewed effluent limitations based on best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT) every five years; issued timely biennial effluent guidelines plans under § 304(m); or adopted a proper 2004/2005 effluent guidelines plan. After being granted intervenor status in the case, NACWA argued that the case should be dismissed as EPA has not failed to undertake any mandatory actions with regard to the ELG program. In May, the case was dismissed in line with NACWA’s position.

### Appeals Court Recognizes Limitations of Toxicity Tests

In December 2004, the U.S. Court of Appeals for the District of Columbia Circuit upheld EPA’s chronic whole effluent toxicity (WET) test methods. Although the court

## NACWA Litigation Supports Regulatory, Legislative Efforts

NACWA’s legal presence continues to complement the Association’s regulatory and legislative initiatives, allowing the perspective of clean water agencies to be clearly heard in important forums. The following case summaries provide a snapshot of how NACWA’s litigation efforts pursue the interests of the clean water community.

- ▶ NACWA filed an amicus curiae brief in the case, *Milwaukee Metropolitan Sewerage District (MMSD) v. Friends of Milwaukee’s Rivers*, urging the U.S. Supreme Court to review the scope of the Clean Water Act’s (CWA’s) citizen suit provisions. The case sought the High Court’s review of a September 2004 decision which allowed a citizen suit to proceed in federal court although MMSD had lodged in state court a stipulation to remedy the sewer overflows at issue. In early March, the Court accepted NACWA’s brief but ultimately declined to review the case.
- ▶ In *Catskill Mountains Chapter of Trout Unlimited, Inc. v. City of New York*, NACWA asserts that the National Pollutant Discharge Elimination System (NPDES) program is not well-suited to regulate inter-basin transfers of natural, untreated water. In the case, the Association supported member agency New York City Department of Environmental Protection’s (NYCDEP) stance that other CWA and state programs are better tailored to mitigate these impacts. The Association is awaiting an oral argument date before the U.S. Court of Appeals for the Second Circuit in New York City.
- ▶ NACWA also is involved in a case, *Healdsburg v. Northern California River Watch*, questioning whether NPDES permits should be required for discharges to groundwater. NACWA asserted that extending the NPDES permit program to groundwaters would be contrary to Congress’ intent. The Association is awaiting an oral argument date from the U.S. Court of Appeals for the Ninth Circuit in San Francisco.
- ▶ In *Cities of Burbank & Los Angeles (Cities) v. State Water Resources Control Board*, NACWA asserted that permitting authorities should be able to consider economic factors when imposing stringent – in this case toxicity – wastewater discharge permit limitations. The court remanded the case to the lower state courts to determine whether the toxicity limitations at issue in the case meet or exceed federal standards.
- ▶ NACWA joined the Virginia Association of Municipal Wastewater Agencies (VAMWA) in *Chesapeake Bay Foundation (CBF) v. Town of Onancock* (Onancock). In this case, CBF argues that Virginia improperly issued Onancock’s NPDES permit because it did not include nutrient limits. NACWA supported the importance of scientifically-based TMDL efforts, and the principle that nutrient limits should be set following the completion of a TMDL process along with the need for facility upgrades to result in measurable water quality improvements. NACWA is awaiting a decision from the Virginia court following April 2005 oral arguments. ♦



^ Jason Liles, Mayor of the City of Healdsburg, Calif., has taken an active role, and become a driving force in the City's defense of precedent-setting NPDES issues in relation to groundwater discharge. The Mayor was honored with a 2005 *National Environmental Achievement Award* for his contributions at the local level.

deferred to EPA's substantive work on the methods, it agreed with NACWA's key point – that the “ratified WET tests are not without their flaws.” The court opinion also contains several helpful statements for clean water agencies on WET issues, including that single WET test failures should not be the basis of enforcement actions; that utilities can challenge the validity of particular test results in enforcement actions; that states can set toxicity thresholds to compensate for local conditions at the permitting stage; and that individual dischargers can challenge their permits on a case-by-case basis if they believe local authorities are regulating at a level that poses only a minimal risk to aquatic life.

Following the December court ruling, NACWA directed its efforts toward making important changes to EPA's December 2004 draft WET implementation guidance [see related story on page 16].

### NACWA Seeks Clear National Blending Policy

This year, NACWA was active in briefing the blending lawsuit before the U.S. Court of Appeals for the District of Columbia Circuit. NACWA's litigation efforts complemented its legislative and regulatory activities in pursuit of a final blending policy. In *Pennsylvania Municipal Authorities Association v. EPA*, NACWA and several municipal groups asserted that the anti-blending policies in EPA Regions 3, 4, and 6 are beyond the Regions' delegated authorities, inconsistent with Headquarters' policy, and are therefore illegal actions. NACWA argues that the lower court should have retained jurisdiction over the case rather than dismissing it in November 2003. EPA's litigation position is that the Regions' policies are not official Agency policy, and are not final actions of the Administrator subject to review in court. While the case was ultimately decided in favor of EPA it stands as a good example of how NACWA's legal advocacy works in tandem with the Association's regulatory efforts [see related story on page 12].

### NACWA Seeks Role in CWA-SDWA Interplay Case

NACWA is also involved in a new, potentially precedent-setting case on the interplay between the CWA and the Safe Drinking Water Act (SDWA). *City of Cincinnati, OH v. Sanitation District No. 1, KY* (SD No. 1) raises a key question – should NPDES permits contain effluent limits for endocrine disrupters, Cryptosporidium, Giardia, viruses, and other pollutants for which water quality standards do not exist if the receiving water is used as a drinking water source? The difficulty of answering these questions has led NACWA to begin discussions with the national drinking water trade associations to identify ways to work together to creatively resolve conflicts between SDWA requirements and CWA requirements in shared watersheds.

### NACWA Offers Unique Educational Opportunities to Agency Lawyers

NACWA hosts the only comprehensive seminar in the nation for clean water agency attorneys. NACWA's November 2004 *Developments in Clean Water Law: A Seminar for Public Agency Attorneys & Managers* (Seminar) in San Diego, Calif., was attended by more than 100 lawyers and agency managers. The Seminar agenda brought together national experts on key water and wastewater topics – including enforcement negotiations, permitting, legal issues associated with voluntary data collection, and construction contracts. Particularly successful were breakout sessions on CSO and SSO developments. Rounding out the benefits of attendance, lawyer attendees at NACWA's Seminar qualified for extensive continuing legal education credits.

Also unique is the Association's continuing series of Late Breaking Legal Issues conference calls. Held several times a year, these calls allow agency lawyers and managers to dial in from their desks to hear the latest in cutting-edge legal developments from top-notch lawyers across the country. The topics covered in the 2004-2005 calls included the Information Quality Act, wet weather consent decree trends, CSO long term control plan (LTCP) implementation schedules, Indiana's new CSO legislation, the regulatory status of water transfers, and the management of construction claims. Dozens of member agency attorneys and managers have listened in on every call. The Late Breaking Legal Issues calls will continue in the coming year due to their consistent popularity. ♦



## NACWA's Water Quality Efforts Help Ensure Sound Regulatory Policy

**N**ACWA has remained a key player on a host of regulatory issues over the past year that impact clean water agencies nationwide.

The Association has been active this year in the wet weather arena [see related story on page 10], as well as on a host of other water quality issues, including whole effluent toxicity (WET), pretreatment streamlining, water quality criteria and biosolids [see related story on page 22]. The Association has maintained an open dialogue with the U.S. Environmental Protection Agency (EPA) on these issues through meetings, letters and comments voicing the clean water community's perspective.

### NACWA Turns its Attention to Implementation of WET Requirements

On December 10, 2004, the U.S. Court of Appeals for the District of Columbia Circuit upheld EPA's chronic whole effluent toxicity (WET) test methods [see related story on page 14]. With the subsequent denial for a rehearing of the case on April 14, 2005, debate over the validity of EPA's WET test methods shifted from the legal to the regulatory arena with EPA's December 2004 release of its draft implementation guidance for the WET program. While the Association welcomed several of EPA's recommendations, many of NACWA's long-standing issues were not addressed. Additionally, new concerns were raised regarding the effect the guidance may have on current implementation approaches. NACWA believes that the draft guidance will hinder current efforts in many states to use improved WET approaches and will increase the likelihood that dischargers will receive a numeric WET limit simply due to statistics. NACWA provided substantial comments on the draft and will remain

in close contact with EPA to ensure its comments are addressed. NACWA, through its Water Quality Committee, is considering a new Targeted Action Fund (TAF) project to provide members added insight into WET permitting requirements in the form of a white paper that will contain its own guidelines and sample permit language.

### Decade-long Effort on Pretreatment Streamlining Nears End

After more than 10 years of advocacy on the need for changes to the National Pretreatment Program, NACWA is now confident that a final streamlining rule will be signed later this year. Early in 2005, EPA, in a report on the status of regulatory reform initiatives, indicated that it would sign a final version of the 1999 proposed Pretreatment Streamlining rule by June 30. While EPA missed this date, the Agency is making every effort to complete the rule as soon as possible. Since May of 2004, NACWA has been in a continuous state of readiness in the event that EPA, the Office of Management and Budget (OMB), and/or the Small Business Administration (SBA) needed additional information to support their deliberations. In 2004, NACWA conducted a survey to better quantify the savings and burden reduction associated with the key



▲ Guy Aydlett, Chair of NACWA's Pretreatment and Hazardous Waste Committee and Director of Water Quality at the Hampton Roads Sanitation District, Virginia Beach, Va., helped ensure the progress of EPA's pretreatment streamlining rule.

provisions for which the Association was advocating — the need for flexibility in establishing mass-based limits in lieu of concentration limits and a definition of non-significant categorical industrial users. NACWA also prepared several letters to EPA and met on numerous occasions with EPA, OMB, and the SBA.



## NACWA to Play Key Role in Establishing Detection and Quantitation Procedures

Key NACWA members were recently named to a new Federal Advisory Committee on Detection and Quantitation Approaches. EPA formed the Federal Advisory Committee at the urging of a broad range of stakeholders, including industry, municipalities, and environmental labs, to find better procedures for developing detection and quantitation limits for analytical test methods. The Federal Advisory Committee will be comprised of an equal number of representatives from

each stakeholder group. Over the course of approximately one year, the Committee and an associated Technical Workgroup will assess the various options available for determining detection and quantitation limits and ultimately provide recommendations to EPA on the best procedures.

## NACWA Remains Vocal on Validity of EPA Water Quality Criteria

Throughout the year, NACWA continued to voice the concerns of the clean water community in the water quality arena, most recently on several water quality standards issues that are likely to have a direct impact on clean water agencies nationwide.

In August 2004, NACWA submitted comments on EPA's proposal to establish bacteria criteria for any coastal waters in states that had yet to do so. The Association reiterated long-standing concerns regarding the lack of test methods for EPA's recommended indicator organisms in wastewater plant effluent and implementation guidance for the Agency's 1986 criteria. NACWA also expressed concern over the possible use of the single sample maximum (SSM) value for compliance purposes as a never-to-be-exceeded standard. While test methods and implementation guidance are still lacking, NACWA's comments on the SSM were reflected in the final rule, which recommends that the SSM be used only for making beach notification and closure decisions, not compliance determinations.

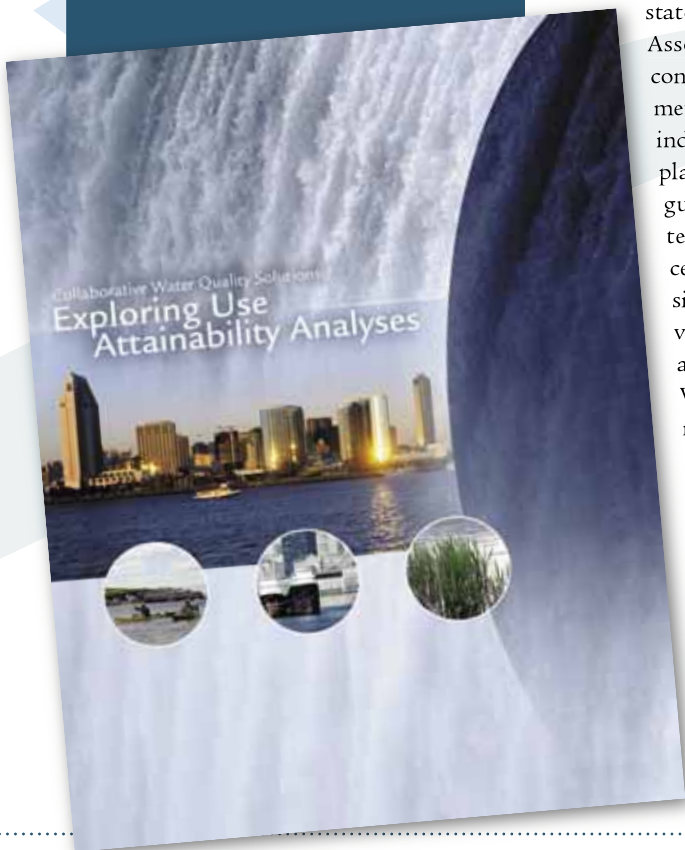
NACWA also provided EPA with comments in September

2004 on the Agency's proposal to revise the water quality criteria for ammonia. New studies evaluating the toxicity of ammonia to freshwater mussels suggest that a certain family of mussels is more sensitive to ammonia than the aquatic life species EPA used to establish its existing water quality criteria, suggesting that the criteria need to be more stringent. In its comments, NACWA noted that the studies require additional attention and scrutiny before they are used to revise the criteria and provided EPA with suggestions for implementation should the Agency move forward with revising the criteria.

Designated uses and use attainability analyses (UAA) have received added attention over the past year. With the release of EPA's *Designated Use Plan* in August of 2004 and a regulator-only meeting on uses in September 2004, EPA has picked up the pace of its discussions on critical issues such as the definition of an existing use and the appropriateness of changing a designated use. NACWA has also increased its level of activity on use issues, co-sponsoring two workshops with the Combined Sewer Overflow (CSO) Partnership on UAAs and initiating a joint effort with WERF to develop a handbook for clean water utilities on UAAs, titled *Collaborative Water Quality Solutions – Exploring Use Attainability Analyses*, scheduled for release in September 2005.

A *Year in Review* article cannot do justice to the full range of regulatory initiatives in which NACWA has been engaged over the past year. The *Accomplishments* section [see related story on page 20] sets out many of the Association's regulatory milestones. NACWA's regulatory efforts are poised to grow and shape the future as new issues emerge. ♦

✧ NACWA and the Water Environment Research Foundation worked together over the past year to develop a handbook on UAAs, *Collaborative Water Quality Solutions – Exploring Use Attainability Analyses*, scheduled for release in Fall 2005.





## NACWA Plays Leadership Role in Water Sector Security

Throughout the past year, NACWA has continued to play a leadership role in the wastewater security arena. In both federally-funded efforts and other security-related initiatives the Association is taking the lead on behalf of public clean water utilities. NACWA's *Vulnerability Self Assessment Tool (VSAT™)* has continued to enhance its value to drinking water and clean water utilities alike, and two upcoming offerings — one addressing decontamination wastewater and one focusing on gaseous chlorine — will add to NACWA's strong presence on an increasingly prominent issue. All of these undertakings are overseen by NACWA's Security & Emergency Preparedness Committee where Association members focus their collective intellect and perspectives on addressing national water sector security efforts. The following paragraphs summarize just some of the many security-related activities in which NACWA is involved.

### VSAT™ Software Enhanced

This year NACWA continued its support of water and wastewater utilities through its *Vulnerability Self Assessment Tool (VSAT™)* software. As part of a Water Environment Research Foundation (WERF) Contingency Planning Project, *Emergency Response Guidance for Wastewater Utilities* was prepared, approved and issued by WERF and the U.S. Environmental Protection Agency (EPA). This guidance was then used as the basis for the development of a new VSAT™ Emergency Response Planning (ERP) Module for wastewater utilities. This new module was designated VSAT™ Version 3.2 for wastewater utilities and is now available for download at [www.VSATusers.net](http://www.VSATusers.net). Future plans call for a number of sustaining activities in support of this valuable tool, including the creation of a comprehensive VSAT™ CD with all versions and modules of the software.

Information about pre-planning activities that utilities should consider. Incident scenarios conducted in several communities across the nation have underscored the importance of involving clean water agencies in pre-planning activities and incident response. The *Guide* will provide utilities with the information they need to make the necessary pre-incident contacts and to ensure their agency has a response plan in place should an incident occur. Publication of the *Guide* is anticipated in September 2005, with complimentary copies being provided to NACWA members and made available to all public clean water utilities, nationwide.

NACWA has also been busy this year working with the Department of Homeland Security (DHS) to develop a decision tool for water and wastewater utilities to evaluate alternatives to gaseous chlorine disinfection. Designed as a first-look, order of magnitude assessment, the tool will provide utilities with a clear picture of what alternative disinfection methods may best suit their agency. DHS hopes the voluntary tool will encourage utilities to consider alternative disinfection methods. The tool will provide utilities with a complete report explaining the pros and cons of each alternative and an agency-specific analysis of which alternative(s) may work for a particular agency. NACWA hopes to complete the tool in September 2005.

### Two Key Utility Tools Nearing Completion

As the year ended, work on *Planning for Decontamination Wastewater: A Guide for Utilities* was nearly complete as NACWA staff worked to incorporate comments and prepare the final document for design and printing. Funded through an EPA cooperative agreement, the *Guide* will increase the level of awareness and preparedness within the clean water community regarding the potential sources and composition of decontamination wastewater and provide critical infor-

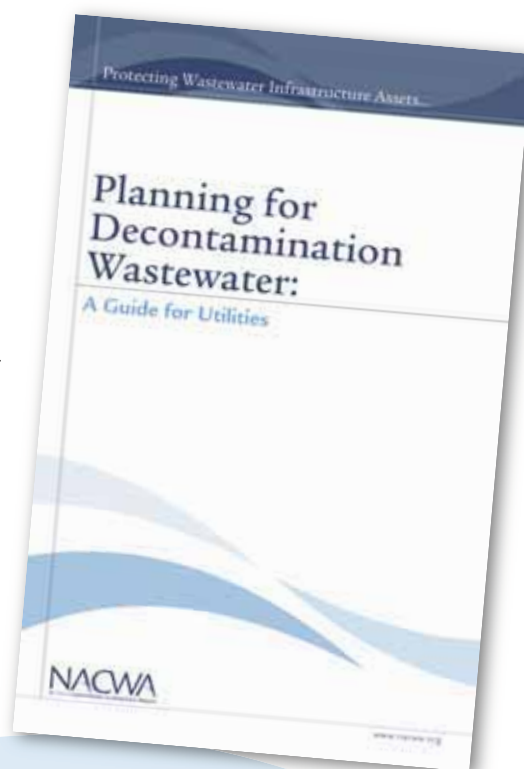
### NACWA Membership & Staff Prominent in Security Initiatives

Throughout the year, NACWA staff and members have played prominent roles in a number of councils, committees and working groups focusing on water sector security. Significantly, this year the water critical infrastructure sector, represented by eight organizations, the National Association of Clean Water Agencies, the Water Environment Federation (WEF); the Water Environment Research Foundation (WERF);



the Association of Metropolitan Water Agencies (AMWA); the American Water Works Association (AWWA); the American Water Works Association Research Foundation (AwwaRF); the National Association of Water Companies (NAWC); and the National Rural Water Association (NRWA) acted to form a Water Sector Coordinating Council (WSCC). The WSCC was established to represent the water critical infrastructure sector pursuant to Homeland Security Presidential Directive 7. Each organization appointed two utility representatives and one non-voting professional staff member to serve on the Council. The WSCC met for the first time in late September 2004 and adopted the following mission statement: “The Water Sector Coordinating Council shall serve as a policy, strategy and coordination mechanism and recommends actions to reduce and eliminate significant homeland security vulnerabilities to the water sector through interactions with the Federal Government and other critical infrastructure sectors.” The Council has met throughout the year and will soon play a prominent role in the review of the National Infrastructure Protection Plan and the accompanying Sector Specific Plan for the water sector.

Representatives of NACWA Member Agencies, Affiliates and staff also participated in a study conducted by the Government Accountability Office (GAO) addressing the allocation of federal funds for wastewater security. The study was conducted at the request of the Senate Environment and Public Works (EPW) Committee and its final report, *Wastewater Facilities: Experts’ Views on How Federal Funds Should Be Spent to Improve Security*, will likely play a major role in future Congressional decision-making with regard to wastewater security. The EPW Committee has asked GAO to conduct an additional study in the



coming months, and once again they have turned to NACWA and its members as a source of valuable information and expert perspectives on water sector security.

With the participation of NACWA member representatives, the National Drinking Water Advisory Committee’s (NDWAC) Water Security Working Group (WSWG) has produced an important report. The WSWG was tasked to develop findings on security practices and programs, incentives for broad adoption of security practices in the water sector, and measures to gauge the extent of implementation of security practices. When their process was complete, the WSWG made — and the NDWAC endorsed — 18 findings dealing with security practices and programs, incentives, and measures. The findings address the basic scope and principles for active and effective security programs, establish significant system failures and key threats that security programs should consider, identify 14 features that all active and effective security programs should address, advise steps that government and others can take to support and encourage utility security efforts and create a better climate for security, and describe a framework for

measuring utility security progress. H. J. “Bud” Schardein, Jr., Executive Director of the Louisville & Jefferson County Metropolitan Sewer District, served as NACWA’s representative on the WSWG. The full set of recommendations can be found at [http://www.epa.gov/safewater/ndwac/pdfs/wswg/wswg\\_report\\_final\\_july2005.pdf](http://www.epa.gov/safewater/ndwac/pdfs/wswg/wswg_report_final_july2005.pdf).

NACWA continued its participation in, and support of, the *Water Information Sharing & Analysis Center (WaterISAC)* throughout the past year. The *WaterISAC* is the most comprehensive and up-to-the-minute online resource of security information for America’s drinking and wastewater utilities and offers a unique link between the water sector and federal environmental, homeland security, law enforcement, intelligence and public health agencies. Currently the *ISAC* has 431 subscribers, with just over 1,000 end users. The *WaterISAC*’s Water Security Channel (*WaterSC*) went live in November 2004. This free service provides EPA and DHS security notices to a list of vetted, password protected, e-mail recipients. NACWA works closely with *WaterISAC* and *WaterSC*, and is represented on *ISAC*’s Board of Managers by former Association President, William B. Schatz, General Counsel, Northeast Ohio Regional Sewer District.

NACWA member utilities also served as reviewers of the wastewater and decontamination interface of the *Water Contaminant Information Tool (WCIT)*, a secure, online database under development by EPA that will provide information on contaminants of concern for water security. As envisioned, *WCIT* will be a planning tool that can be utilized to update vulnerability assessments, emergency response plans and site-specific response guidelines. It can also serve as a response tool, providing real time data on water contaminants to help first responders (including utilities) make better decisions. ●



**NACWA** took a significant step toward implementing its new Strategic Plan with a change in name and a continuing commitment to clean water.

**NACWA** maximized its effectiveness by utilizing its Targeted Action Fund (TAF) to provide key financial support for the important legal, regulatory, legislative and management projects that help carry out the clean water community's priority objectives.

**NACWA** made significant progress toward finalization of the U.S. Environmental Protection Agency's (EPA) Pretreatment Streamlining Rule and ensured the incorporation of key provisions that would benefit the nation's pretreatment program.

**NACWA** aggressively represented the clean water community's priorities and perspectives as the International Organization of Standardization (ISO) developed a management standard for wastewater services.

**NACWA** advanced the objective of long-term sustainable funding through economic analyses, national polling, surveys and media outreach, and ultimately drafting legislation in support of a national trust fund.

**NACWA** played a primary role in the creation of the Water Sector Coordinating Council (WSCC) which serves as a policy, strategy and coordination mechanism to reduce vulnerabilities to the nation's water sector.

**NACWA** created *Clean Water America*, a web-based, grassroots initiative dedicated to growing a base of organizational and individual activism to guarantee a renewed federal commitment to clean and safe water funding.

**NACWA** helped secure \$980,000 in funding for the National Biosolids Partnership's (NBP) continued work on biosolids management — a testament to the consistent work of the Association and

its members in light of Congress' budget scrutiny.

**NACWA** responded effectively to EPA's *Combined & Sanitary Sewer Overflow (CSO/SSO) Report to Congress* by preparing its own *CSO/SSO Action Plan* and forwarding it to EPA and Congress recommending necessary next steps to help ensure continued progress is made with regard to CSO and SSO control.

**NACWA** enjoyed a victory in *Friends of the Earth v. EPA*, when the U.S. District Court for the District of Columbia favored EPA's approval of a biochemical oxygen demand total maximum daily load (TMDL) for the District's Anacostia River that allocated loads via yearly average and a total suspended solids TMDL that used a seasonal average.

**NACWA** represented clean water interests on the National Drinking Water Advisory Committee's (NDWAC) Water Security Working Group (WSWG) addressing security practices and programs, incentives for their broad adoption, and measures to gauge their implementation of security practices.

**NACWA** welcomed its 18 newest members for 2004-2005, with total membership nearing 360. The Association looks forward to continued growth and development toward implementing scientifically and cost-effective environmental programs for the nation's clean water agencies.

**NACWA** released a March 2005 survey, commissioned through the Clean Water Funding Task Force, which demonstrated that 88 percent of Americans believe clean water is a national issue that requires a greater federal commitment. The survey also documents overwhelming support for the establishment of a trust fund to address the \$300 billion clean water funding gap over the next 20 years.

**NACWA** co-sponsored the timely workshops on use attainability analysis (UAA) and long-term control plans (LTCPs) this year in Chicago, Ill.,

bringing together experts representing all perspectives on one of the most complex CSO implementation issues facing municipalities today.

**NACWA** scored an important legal victory in the lawsuit, *American Canoe Association (ACA) v. District of Columbia Water and Sewer Authority (DC WASA)*, when the ACA dismissed its appeal that the National Pollutant Discharge Elimination System (NPDES) permit program and the Clean Water Act's (CWA) citizen suit provisions cannot be used to enforce non-CWA requirements such as odor, noise, aesthetics or zoning.

**NACWA** continued its support of drinking water and clean water utilities through its *Vulnerability Self Assessment Tool (VSAT™)* software which offered a new Emergency Response Planning Module (ERP) designated as VSAT™ Version 3.2, developed in collaboration with WERF.

**NACWA** enjoyed bipartisan support for increased federal infrastructure funding from the House Water Resources & Environment Subcommittee at a June 8 hearing where members of Congress both heard compelling testimony for a dedicated national trust fund for clean and safe water and expressed their support.

**NACWA** garnered increased print media exposure on clean water issues, with coverage in the *Washington Post*, the *Boston Globe*, the *Los Angeles Times*, the *Atlanta Journal Constitution*, and the *Kansas City Star*, among others.

**NACWA** continued its strong support of the Water Infrastructure Network (WIN) ensuring water infrastructure funding remains a top priority in the public eye and on Capitol Hill.

**NACWA** looked beyond the pipe at its 2004 Summer Conference, *Leading the Way...POTWs Take Environmental Protection Beyond the Pipe*. Panels examined a broad range of issues facing the clean water community, including designated uses, the need for increased monitoring, the use

of wetlands to control nutrient levels, dynamics of water quality and reuse, and collection systems and their impacts on wet weather issues.

**NACWA** provided detailed comments on the analytical test methods and revisions for whole effluent toxicity (WET) in EPA's draft guidance, *National Whole Effluent Toxicity Implementation Guidance Under the NPDES Program*, advocating for the proposed implementation of the 245.7 mercury method, as well as the Association's preferred method for implementing chronic WET permit limits.

**NACWA** provided significant input and expertise to a Senate Environment and Public Works Committee (EPW) requested study by the Government Accountability Office (GAO), addressing the allocation of federal funds for wastewater security.

**NACWA** collaborated closely with the Water Environment Federation (WEF) and WERF to co-sponsor key briefings on blending on Capitol Hill.

**NACWA** created an informational "Fact/Fiction" publication on blending addressing mischaracterizations and accusations of "rollback" to water quality standards. NACWA's analysis of the fact and fiction surrounding the blending issue was distributed widely and received considerable attention.

**NACWA** working in collaboration with a broad coalition, urged the House and Senate to restore full funding to the Clean Water State Revolving Fund (CWSRF). The Fiscal Year 2005 \$1.1 billion figure was a compromise between the House and Senate, but owed much to the coalition's advocacy efforts.

**NACWA** succeeded in obtaining a favorable ruling in the lawsuit *Our Children's Earth Foundation (OCEF) v. EPA* when the U.S. District Court for the Northern District of California dismissed a challenge to EPA's actions under the effluent limitation guidelines (ELG) program

brought by activist groups. The court held that EPA met all the requirements for the annual ELG review.

**NACWA** created a new public relations section of its website to enhance and help coordinate the Association's outreach initiatives at the local and national levels.

**NACWA** worked effectively with the Virginia Association of Municipal Wastewater Agencies in the *Chesapeake Bay Foundation (CBF) v. Town of Onancock* case, asserting in an amicus curiae brief that CBF's suit seeks to trump years of focused effort by Bay stakeholders, and that both Virginia's water quality standards and the total maximum daily load (TMDL) processes are nearly complete.

**NACWA** was joined by WEF in convening the 2005 *National Clean Water Policy Forum* held in Washington, D.C., where utility managers had the opportunity to hear the latest legislative and regulatory developments on critical clean water issues from key congressional staff and EPA officials.

**NACWA** in cooperation with the Department of Homeland Security (DHS) supported clean water utility efforts to evaluate alternatives to gaseous chlorine by developing a decision tree examining disinfection methods.

**NACWA** congratulated four new clean water agencies, Madison Metropolitan Sewerage District, Wis., King County Wastewater Treatment Division, Seattle, Wash., and DC WASA, Washington, D.C., for their successful completion of the rigorous National Biosolids Partnership's (NBP) Environmental Management System (EMS) Program.

**NACWA** co-sponsored a series of three working sessions in Durham, N.C., this year designed to further develop the concept of adaptive TMDL implementation.

**NACWA** convened its 2004 National Pretreatment Coordinators Workshop in Norfolk, Va., building on 15 years of informative sessions focused on the latest pretreatment issues.

**NACWA** advocated successfully for bacteria criteria implementation. EPA incorporated the Association's comments in its final rule, recommending uses for the single sample maximum values for making beach notification and closure decisions.

**NACWA** secured important guidance from the court in the lawsuit *Edison Electric Institute (EEI) v. EPA*, when the D.C. Court of Appeals found that single WET test failures should not be used to bring enforcement actions and that permittees can challenge permits that regulate at levels which pose only minimal risk to aquatic life.

**NACWA** continued to contribute to the important work of the *Water Information Sharing & Analysis Center (WaterISAC)* providing input to this online resource of security information for America's drinking water and clean water facilities.

**NACWA** collaborated closely with WERF to identify and establish clean water research priorities.

**NACWA** continued its tradition of offering public agency attorneys and managers the premier forum to hear the latest on key legal and policy developments at its 2004 *Developments in Clean Water Law Seminar* in San Diego, Calif.

**NACWA** convened its 2005 Winter Conference, *Sustainable Systems*, in San Antonio, Texas, which applied the concept of sustainability to a variety of management challenges.

**NACWA** sought and received federal support to develop *Planning for Decontamination Wastewater: A Guide for Utilities* designed to provide an increased level of awareness and preparedness within the clean water community regarding decontamination wastewater.





## NACWA Efforts Lead to Key Success on Biosolids Front

**B**iosolids management practices have received significant federal and local attention over the past year, and NACWA, through its Biosolids Management Committee, continues to be a strong advocate on these issues. NACWA worked successfully with the U.S. Environmental Protection Agency (EPA) to address radioactive materials in biosolids and secure funding for the National Biosolids Partnership (NBP) in fiscal year 2005. The Association also worked with member agencies to help increase public understanding and acceptance of the land application of biosolids on the local level. This next year will be critical as EPA begins to conduct a new National Sewage Sludge Survey that will examine approximately 100 facilities nationwide and will provide a framework for any future pollutant-based regulations for biosolids.

### Association Plays Critical Role in ISCORS Assessment

This past year EPA and the Nuclear Regulatory Commission (NRC), through the Interagency Steering Committee on Radiation Standards (ISCORS), completed a decade-long effort to assess radioactive mate-

rials in biosolids. NACWA was part of an ISCORS subcommittee charged with assessing this effort. The ISCORS assessment evaluated the need for limits on radioactivity in sludge and ash. In line with NACWA input, ISCORS ultimately recommended against regulatory limits on radioactivity in sludge. Instead, ISCORS issued a series of guidance documents, the most critical of which provides recommendations for clean water agencies that have concerns regarding radioactivity in their sludge or ash, and a guideline level of exposure above which these agencies should conduct more extensive investigations. The guidance makes it clear that the guideline level is not a regulatory limit but is designed to alert clean water agencies to the possibility that radioactive materials may be present in their sewage sludge, assist them in assessing the levels of radioactive materials present, and provide guidance on reducing the potential for exposure should elevated levels be present.



⤵ **Ken Kirk** addresses the staff of Metro Wastewater Reclamation District in Denver, Colo. Kirk was on hand to help present the Agency's biosolids EMS certification.

### NACWA and WERF Study Incinerator Emissions Monitoring Systems

NACWA and the Water Environment Research Foundation (WERF) conducted a joint survey using the *CleanWater Central™* database [see related story on page 24] to collect information regarding the problems that some clean water agencies are encountering with their Total Hydrocarbon (THC) / Carbon Monoxide (CO) - Continuous Emis-

### National Biosolids Partnership's EMS Program Continues to Gain Support, Receives Nearly \$1 Million in Funding

**T**he National Biosolids Partnership (NBP), an alliance between NACWA and the Water Environment Federation (WEF) with advisory support from EPA, successfully recruited 11 new agencies into its Environmental Management System (EMS) Program last year, bringing the total to 73 participants in 31 states. Responding to requests from NACWA members, Congress provided nearly \$1 million in fiscal year (FY) 2005 for the NBP to continue work for a seventh year. During the year, the NBP certified four more demonstration agencies

after they successfully completed independent, third-party audits of their biosolids EMS programs. King County Wastewater Treatment Division, Seattle, Wash.; the District of Columbia Water and Sewer Authority, Washington, D.C.; Madison Metropolitan Sewerage District, Madison, Wis.; and the Butler County Department of Environmental Services, Hamilton, Ohio, received certificates of achievement and official congratulatory letters from EPA, NACWA, and WEF.

The NBP modified its training over the past year and now provides four distinct

workshops for clean water agencies that take participants from the basic elements of an EMS through preparation for the independent third party audit. The workshops were taken on the road to various locations throughout the country for the first time, a practice that proved popular with the participants and will be continued as the NBP recruits new classes of agencies. The redesign of the NBP website ([www.biosolids.org](http://www.biosolids.org)) is now making it easier for agencies, educators, researchers and other users to navigate their way around the wealth of information that is provided on the site. 💧

sions Monitoring Systems (CEMS) and the differing interpretations of Clean Water Act (CWA) requirements concerning them. The survey examined current THC/CO emissions from biosolids incinerators; the extent of the operation and maintenance problems being encountered with the systems; the cost to purchase, install, operate, and maintain the systems; and any special state or local CEMS requirements.

The survey found that clean water agencies were having numerous problems with the THC-CEMS installed in the mid-1990s and that the cost to install, operate and maintain these units is far beyond what EPA had originally anticipated. NACWA will soon share these results with EPA and has committed to work with WERF and other organizations to develop solutions to the current operational and maintenance related problems with these systems, explore alternative technologies for monitoring these emissions, investigate the feasibility of implementing a more realistic CO limit, and provide additional training and guidance to the biosolids incinerator community on various issues surrounding the use of THC-CEMS.

### Upcoming Handbook to Support Utility Efforts

As we look to the future, it is clear that biosolids management issues will remain a hot topic. In addition to EPA's work on the Sewage Sludge Survey, local legislative and legal efforts continue to put land application of biosolids in the crosshairs. NACWA members and the Association's legal arm continue to monitor this situation closely and will engage as appropriate. The Association also has been working this past year, via its Targeted Action Fund (TAF), on a new publication titled *Exploring Biosolids Management Options: A NACWA Handbook*. Slated for release in Fall 2005, this publication will outline strategies to help utilities address the many regulatory and legal developments taking place in the biosolids management arena. 6

## NACWA Continues Effective PR Outreach

Over the past year NACWA has continued to provide the municipal perspective on a host of clean water issues including blending, infrastructure funding, combined and sanitary sewer overflows (CSOs and SSOs), security and other critical topics in the media. The Association has been cited in more than 200 articles as a result of increasing its press contacts, alerting media outlets of breaking news via press releases and being proactive in submitting magazine articles and editorials. NACWA has also used the web to expand its media relations.

This year the Association developed a Public Relations (PR) Resources webpage (<http://www.nacwa.org/private/pr/>) which contains advocacy and informational materials for use by members in their public relations efforts. NACWA's efforts in this area play a vital role in increasing collaboration and ensuring sound communication and a consistent message on clean water issues. During the past year NACWA's Clean Water Funding Task Force also oversaw the development of the Clean Water America website ([www.cleanwateramerica.org](http://www.cleanwateramerica.org)) as a grassroots tool to increase public awareness of, and advocacy on behalf of, federal funding for water infrastructure projects [see related story on page 7].

### Communications Committee Takes Lead on PR Issues

NACWA's Communications & Public Relations Committee has stirred much excitement and enthusiasm within the membership as it works to enhance and coordinate member utility and Association outreach initiatives at the local and national levels. The Committee has convened numerous times over the past year via conference calls to discuss late breaking topics in the PR arena, including the media battle surrounding the blending



issue, successful methods to increase public support for costly wet weather control measures, NACWA's name change and strategic planning initiative, results from a 2005 nationwide survey on the public's support for a clean water trust fund and other media relations topics. These calls provide members with information on clean water PR issues and offer an information-sharing opportunity for utility PR professionals on successful outreach programs and existing challenges. In the coming year, the Committee will continue to strive to improve both local and national communications efforts on water quality issues.

### NACWA Expands Presence in Media

NACWA and its members have been called on for their expertise by several leading newspapers across the country including the *Los Angeles Times*, *Washington Post*, and *Chicago Tribune* — and by national news outlets including the Associated Press and Scripps Howard News Service, whose stories have been published in dozens of newspapers nationwide. For a comprehensive listing of media coverage over the past year, visit NACWA's Newsroom site (<http://www.nacwa.org/advocacy/releases.cfm>). 6

## NACWA Management Tools, Data Help Clean Water Utilities Stay Competitive

**N**ACWA and its Utility Management Committee again demonstrated its tradition of leadership in the utility management arena. Through its winter conference — *Sustainable Systems* — to an array of publications and initiatives, NACWA is proud to support the nation's clean water agencies and help them maintain their competitive edge.

### 2004 NACWA Index, 2005 Financial Survey Show NACWA Commitment to Utility Management Progress

Since 1992, the Association has published the annual *NACWA Index* as a means to track average single-family residential service charge increases as measured against the rate of inflation. The *Index* provides a consistent benchmark to measure changes in the price of service among public utilities nationwide. Average residential sewer service charges across the nation increased again in 2004, according to the *Index*, with the average sewer charge that a residential, single-family customer pays for wastewater services increasing 5.2 percent — the largest increase in over a decade. This increase is nearly double the level of inflation as measured by the Consumer Price Index (CPI) and demonstrates the clean water community's commitment to raise rates to ensure water quality progress.

In addition to the *Index*, NACWA utility representatives and staff spent much of the year laying the groundwork for the Association's 2005 *Financial Survey*. Since its inception in 1981, NACWA's triennial *Financial Survey* has been designed to provide a comprehensive snapshot of public clean water treatment utility financing and management trends. The *Survey* helps clean water agencies identify utilities of similar size and type to assist in determining performance benchmarking and goal setting. Data collection and analysis continue to be enhanced through the *Survey*'s linkage to the *CleanWa-*

*ter Central™* database. As national attention is increasingly focused on asset management, rate-setting, infrastructure issues, and security, the *Survey* has evolved, as well. The data collected through the 2005 *Survey*, due to be released in February 2006, will be an important resource to help utility leaders and policymakers identify and respond to financing and management trends impacting utilities across the country.

### NACWA Advocates on Behalf of Sound International Wastewater Management Standard

Over this past year, NACWA has participated in key international meetings in Spain

and Morocco to ensure that the voice of U.S. clean water agencies is heard throughout the development of a management standard for drinking water and wastewater systems by the International Organization for Standardization (ISO). NACWA is playing a prominent role in the U.S. delegation on behalf of clean water utilities. The Association's efforts are supported by its Targeted Action Fund (TAF).

NACWA provided consistent and in-depth comments on various drafts of the ISO standard and will continue to do so as the drafting process approaches finalization. These comments have focused on several key issues, including the removal of a stormwater

### CleanWater Central™ Grows As Unique Online Resource

**N**ACWA and the Water Environment Research Foundation (WERF) have continued to diversify and enhance the data contained in the online database, *CleanWater Central™*. *CleanWater Central™* provides a centralized Internet database containing detailed technical and research information relevant to clean water facilities. It offers a fully searchable database that provides access to a range of valuable information on treatment processes, collection systems, and equipment used at agencies and facilities within the NACWA and WERF memberships. Queries on these data help NACWA and WERF identify trends, forecast research needs for the future, and assist in targeted regulatory and legislative efforts. Members frequently make use of the database to

compare their agency against other utilities of similar size, services, or within the same geographic area with customizable reports.

This year NACWA utilized the ease and technical capabilities of *CleanWater Central™* to conduct data collection for the 2004 *Annual Service Charge Index* (the

*NACWA Index*) and the 2005 *Financial Survey*. In addition to data collected through these surveys, the database also contains

service area and treatment process data from over 450 clean water agencies and 650 treatment facilities nationwide. Utilities that routinely maintain their data on *CleanWater Central™* are provided free access to the database, the customizable reports and WERF research abstracts. For more information about *CleanWater Central™* visit <http://www.cleanwatercentral.org/>. 🌱





standard, increased harmonization between the drinking water and clean water standards, and assurance that the standard and its performance indicators remain clearly voluntary and flexible. The Association continues to believe that this standard will offer the clean water community another tool to further enhance ongoing utility management efforts at the local level. NACWA will be sending Task Force representatives to the next ISO meeting in October 2005 in Germany where the updated draft standard will be discussed.

#### Asset Management Continues to Command Attention

The U.S. Environmental Protection Agency (EPA) continues to promote the perspective that the “four pillars” of utility management can significantly impact the growing infrastructure funding gap and other management challenges facing the clean water community. The “four pillars” are comprised of asset management, full cost pricing, water conservation and the watershed approach to water quality improvement. While not a panacea, the tenets embodied in the “four pillars” warrant exploration by clean water utilities.

Asset management, in particular, has continued to stimulate interest among NACWA’s membership. Following the collaborative development and publication of the popular asset management handbook, *Managing Public Infrastructure Assets to Minimize Cost and Maximize Performance*, NACWA joined its partners the Water Environment Federation (WEF), the Association of Metropolitan Water Agencies (AMWA), and the American Water Works Association (AWWA) to support public utilities efforts to adopt management methods aimed at reducing long-term costs and improving service to customers through a series of successful regional workshops. Given the continuing interest in asset man-

## Water & Wastewater Leadership Center Builds on Tradition of Success

Helping develop the utility leaders of the future continues to be a top priority for NACWA, its members, and the drinking water/clean water industry as a whole. To meet this need, NACWA, the Association of Metropolitan Water Agencies (AMWA), the American Water Works Association (AWWA) and the Water Environment Federation (WEF) joined together in 2000 to establish the Water and Wastewater Leadership Center at the University of North Carolina-Chapel Hill’s Kenan-Flagler Business School. The Center’s curriculum focuses on providing leadership in challenging situations, understanding the changing

global economic environment, increasing the focus on results, improving operations, and offering a broad perspective on the ever-changing business environment. Since its inception the Center has supported the professional development of over 130 utility leaders.

The Leadership Center hosted its fifth annual residential program February 13-25, 2005 and enjoys continued growth and success as word of this quality educational offering has spread among the nation’s utility leaders. NACWA and its partners will continue to update and improve the curriculum and provide support for this important resource for utility managers in the years to come. 💧



⤴ The Water and Wastewater Leadership Center sessions are held at the state-of-the-art facilities at the University of North Carolina-Chapel Hill’s Kenan-Flagler Business School.

agement and the clear need for user-friendly, updated resources to provide guidance to utilities NACWA’s Utility Management Committee spent much of the past year focused on identifying the most viable next steps with regard to asset management – all the

time with the objective of ensuring that the needs of public clean water utilities are met. Steps will likely be taken over the coming year to ensure the long-term sustainability of the nation’s clean water assets. 💧



## Targeted Action Fund Advances NACWA Clean Water Advocacy

**N**ACWA's Targeted Action Fund (TAF) continued to prove its value over the past year. Established 10 years ago, NACWA's TAF is providing tangible results that are of critical importance in achieving the Association's strategic goals and objectives. The following list of TAF projects (approved or ongoing between May 2004 – May 2005) offers insight into the TAF's varied uses:

**WATER9** — an evaluation of the U.S. Environmental Protection Agency's (EPA) computer-based model to ensure that its hazardous air pollutant emissions estimates, including emissions from wastewater collection systems, are reliable and accurate.

**Biosolids Management Handbook** — a publication exploring the regulatory and legal developments in the areas of biosolids land application, incineration, and selected other management approaches.

**SSO Model Regulation** — an effort to develop model regulatory language establishing a standard for collection systems nationwide in an effort to continue discussions with EPA on the need for a national policy.

**Litigation Initiatives** — a source of funds to facilitate the consultation of counsel and gain their expertise in support of targeted legal actions that could set national precedent on an array of clean water issues.

**CleanWater Central™** — the only searchable internet database that serves as a hub for data collection activities (including NACWA's Financial Survey) and a repository for information vital to the clean water treatment community.

**NACWA Financial Survey** — a valuable resource for evaluation of financing options and consideration of rate adjustments, as well as identifying management trends, which will be published in 2006.

**Financial Capability and Affordability in Wet Weather Negotiations White Paper** — an effort to review and critique EPA's existing guidance on affordability and provide case studies demonstrating how cities have been able to overcome affordability presumptions with documentation and study.

**International Organization of Standardization (ISO)** — a collaborative process to ensure U.S. clean water agencies can, via NACWA, provide input into the development of an international management standard for wastewater treatment services.

**Total Maximum Daily Load (TMDL) Adaptive Implementation Project** — a collaborative process to support workshops and develop a paper on the interpretation, analytics, and execution of adaptive implementation and adaptive watershed management in the TMDL context.

**Dental Amalgam Separator Study** — an examination of the changes in mercury concentrations in wastewater influent, effluent, and biosolids at five treatment facilities in the U.S. and Canada that have implemented regulations requiring dental clinics to install amalgam removal equipment. This important study will support a number of NACWA advocacy efforts related to mercury.

**Nutrient Recreational Use Study** — support for an ongoing study designed to relate nutrient impacts in reservoirs

to impairment of recreational uses and provide data that can assist in the establishment of use-based nutrient criteria in Texas and could set a national precedent for nutrient criteria.

**Methylmercury Report Review** — technical review of a U.S. Fish and Wildlife Service report on the protectiveness of EPA's methylmercury criterion for endangered species in California. The report makes a number of assumptions that potentially mischaracterize methylmercury's behavior in aquatic ecosystems and could have national implications.

**Use Attainability Analysis Handbook** — a collaborative effort between NACWA and the Water Environment Research Foundation (WERF) to develop useful guidance on use attainability analyses (UAAs), where they have been successful, the importance of public involvement, and key considerations before embarking on a UAA.

**Whole Effluent Toxicity (WET) Permit Guidance** — guidance that provides useful language to help members avoid the pitfalls associated with WET monitoring requirements and permit limits when negotiating with regulators.

**In September 2004**, NACWA's Board of Directors approved a set of guidelines to be considered for TAF project approval that should help to ensure that the Fund, in keeping with its name, is targeted to distinct advocacy goals. For a more detailed look at these TAF initiatives, visit NACWA's homepage and click on the TAF icon ([www.nacwa.org](http://www.nacwa.org)). ♦



# NACWA's Web Presence Expands — Information Technology Capabilities Continue to Grow



NACWA's central communication's hub, [www.NACWA.org](http://www.NACWA.org), continues to attract increased numbers of visitors, surpassing the 500,000 hits per month mark for the first time in March 2005. The total hits for the one-year period was over four million, far outpacing last year's total of 3.4 million.

Continued upgrades to the *Member Pipeline* section of the site, coupled with an easy-to-use and searchable archive dating back more than eight years, offer the membership an unsurpassed and convenient information resource on regulatory, legislative, legal, management and security issues. The NACWA website also has an updated "look" in line with the Association's new name and *Strategic Plan*.

## Website Offers New Features to Voice Clean Water Community Priorities

NACWA is proud of its consistent efforts to improve and enhance its website. This year, NACWA has added several new offerings, including a *Public Relations (PR) Resources* section (<http://www.nacwa.org/private/pr/>) that features national office and member outreach documents on priority clean water issues. This section of the site will help ensure consistent messaging on national issues, and will also serve as a helpful resource for members who wish to learn from one another's successful PR campaigns. NACWA's *Newsroom* (<http://www.nacwa.org/advocacy/releases.cfm>) section continues to expand and demonstrates the growth of NACWA's media outreach efforts [see related story on page 23].

The Association has also been active in using free-standing websites as tools for the clean water community – and to support priority advocacy objectives. Examples of these include the [www.vsatusers.net](http://www.vsatusers.net) site, which provides access to upgrades of NACWA's successful suite of *Vulnerability Self Assessment*

*Tools* (VSAT™) security software; the *Clean-WaterCentral™* database, which provides detailed technical and research information; and, most recently, the *Clean Water America* website ([www.cleanwateramerica.org](http://www.cleanwateramerica.org)), which is an advocacy-based site seeking to garner broad grassroots and organizational support for a federal recommitment to clean water funding.

## Management System Database Upgrade Successful

During 2004, NACWA successfully transitioned to a new membership management database, *netFORUM*, which has streamlined data maintenance and offers many benefits to the Association's members. These benefits include an improved and secure *Online Store* that lets members register at "the click of a button" for NACWA conferences and purchase Association publications and other offerings without having to reenter basic information. Additionally, the improved *Membership Directory* listing can now be updated in real-time and allows members to search NACWA's entire membership by name, state, EPA region, or city. Members, through the *My Transactions* feature of the database, can conveniently access their own transaction history.

*netFORUM* also provides a fully-integrated system allowing National Office staff to better serve the membership. As an example, the accounting software has helped to eliminate duplicative, time-consuming procedures that previously had to be handled manually by NACWA staff. The secure web module of *netFORUM* for association members is available at anytime from anywhere in the world via the Internet at <https://www.sslnacwa.com/eweb/>.

These online initiatives have positioned NACWA well for the future and help guarantee the Association's commitment to unsurpassed member support. ♦



## Facilities Honored with NACWA 2004 Peak Performance Awards

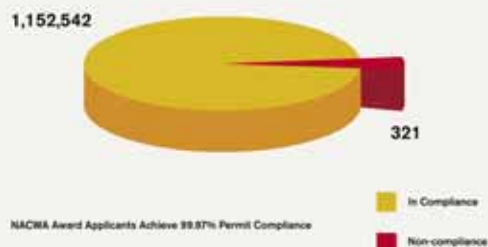
NACWA's *Peak Performance Awards* program recognizes member agency facilities for excellence in wastewater treatment as measured by compliance with National Pollutant Discharge Elimination System (NPDES) permits. Since 1986, the Association has honored over 670 facilities at 221 member agencies for their exceptional compliance records, and the 2004 award winners were recognized at the *National Environmental Achievement Awards Luncheon* during the *35th Anniversary Annual Meeting* in May.

The three categories of *Peak Performance* awards are: *Platinum Awards* — giving recognition to member agency facilities that have consistently met NPDES permit limits for five consecutive years; *Gold Awards* — honoring member agency facilities that consistently met all NPDES permit limits during a calendar year; and *Silver Awards* — presented to member agency facilities having five or less NPDES permit violations for a calendar year.

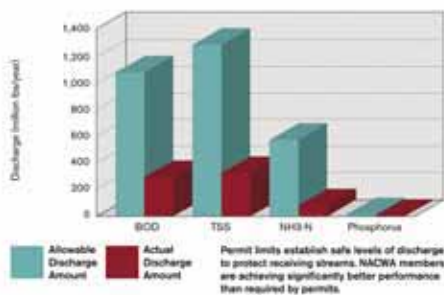
NACWA published a complete list of the 2004 *Peak Performance Award* winners in the April/May edition of its *Clean Water News*. This *Year in Review* features the 23 *Platinum*



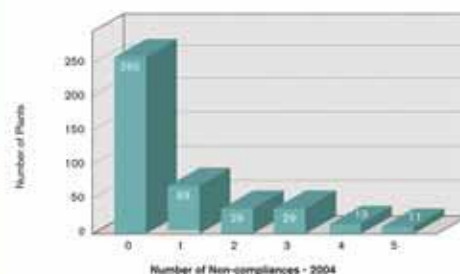
NACWA Members Strive for 100% Permit Compliance  
Total Number of Permit Compliance Parameters



NACWA Members Provide Outstanding Environmental Protection  
Treatment Plant Performance



NACWA Members Strive for 100% Permit Compliance



^ In 2004, NACWA public agency members achieved a 99.97% permit compliance. NACWA offers special thanks to Mark Hoek for tabulating these results from the *Peak Performance Awards* program.

*Award* winners recognizing their outstanding performance. The Association also congratulates the 241 member agency facilities who received NACWA's 2004 *Gold Award* and the 151 member agency facilities who received the 2004 *Silver Award* for a job well done.

### 23 Member Agency Facilities Honored with Platinum Award

Twenty-three member agency facilities were honored with 2004 NACWA *Platinum Peak Performance Awards*. NACWA is proud to recognize the following *Platinum Award* winners:

**East Bay Municipal Utility District, Calif.,** East Bay Municipal Utility District Special District No. 1

**Metro Wastewater Reclamation District, Colo.,** Metro Wastewater Reclamation District

**Gwinnett County Department of Public Utilities, Ga.,** Jackson Creek Water Reclamation Facility

**Macon Water Authority, Ga.,** Rocky Creek Water Pollution Control Plant

**City of Ames Water and Pollution Control Department, Iowa,** Ames Water Pollution Control Facility

**Washington Suburban Sanitary Commission, Md.,** Damascus Wastewater Treatment Plant, Piscataway Wastewater Treatment Plant

**City of Rochester, Minn.,** Water Reclamation Plant

**Western Lake Superior Sanitary District, Minn.,** Western Lake Superior Sanitary District



⌘ Brian Mosby (far left) and Don Jacobs (far right), Plant Superintendents for Washington Suburban Sanitary Commission's (Md.) Damascus Wastewater Treatment Plant and the Piscataway Wastewater Treatment Plant, respectively, receive their hard-earned 2004 *Platinum Peak Performance Award* from NACWA's incoming Vice President Dick Champion, Jr., during NACWA's 2005 Awards Luncheon.

**Metropolitan Sewerage District of Buncombe County, N.C.,** French Broad River Water Reclamation Facility

**Passaic Valley Sewerage Commissioners, N.J.,** Passaic Valley Sewerage Commissioners

**Stony Brook Regional Sewerage Authority, N.J.,** River Road Wastewater Treatment Facility

**The Ocean County Utilities Authority, N.J.,** Northern Water Pollution Control Facility

**City of Salem, Ore.,** Willow Lake Water Pollution Control Facility

**Philadelphia Water Department, Pa.,** Southeast Water Pollution Control Plant

**Spartanburg Sanitary Sewer District, S.C.,** Lawson Fork Wastewater Treatment Plant

**El Paso Water Utilities, Texas,** Haskell R. Street Wastewater Treatment Plant

**San Antonio Water System, Texas,** Dos Rios Water Recycling Center

**Trinity River Authority, Texas,** Red Oak Creek Regional Wastewater Treatment Plant

**Central Davis Sewer District, Utah,** Central Davis Sewer District

**City of Richmond, Department of Public Utilities, Va.,** Richmond Wastewater Treatment Plant

**Hampton Roads Sanitation District, Va.,** Williamsburg Sewage Treatment Plant

**Hanover County Department of Public Utilities, Va.,** Doswell Wastewater Treatment Plant



⌘ Susan Holmes (center left), Member of the Central Davis Sewer District's (Utah) Board of Trustees, and Agency Engineer Jill Houston (center right) accept the Agency's 2004 *Platinum Peak Performance Award*, recognizing five continuous years of 100 percent NPDES permit compliance, from NACWA's 2004–2005 Awards Chair Marian Orfeo (left) and NACWA's Executive Director Ken Kirk (right).

## NACWA Presents National Environmental Achievement Awards to Clean Water Leaders

**N**ACWA had the honor of presenting 15 individuals and 10 member agencies with a *National Environmental Achievement Award* during its *35th Anniversary Annual Meeting*, in Washington, DC. These recipients, selected by NACWA's Awards Committee, exemplify an unwavering commitment to clean water issues and have provided much needed leadership to secure water quality progress at the local, state and national levels. NACWA is pleased to showcase the 2005 award winners in this *Year in Review*. A detailed description of the honorees' accomplishments can be found on NACWA's website at ([www.nacwa.org/membership/awards.cfm](http://www.nacwa.org/membership/awards.cfm)).

### 2005 ENVIRONMENTAL ACHIEVEMENT AWARD WINNERS

#### NACWA Recognizes 15 Individual Award Honorees

##### PUBLIC SERVICE AWARD

NACWA's *Public Service Award* recognizes public officials at the federal, state, and local levels who have displayed extraordinary leadership in dealing with the challenges facing clean water utilities.

##### Federal Public Service Award

- ▶ **Senator Lincoln Chafee** (R-RI), serves as Chairman of the Fisheries, Wildlife & Water Subcommittee
- ▶ **Representative Dave Camp** (R-MI), is Chair of the Select Revenue Measures

Subcommittee and a member of the Health & Human Resources Subcommittee

- ▶ **Representative John J. Duncan, Jr.** (R-TN), serves as Chairman for the Water Resources & Environment Subcommittee
- ▶ **Representative Bill Pascrell** (D-NJ) is a senior member of the House Transportation & Infrastructure Committee

##### State Public Service Award

- ▶ **The Honorable J. Joseph Garrahy**, Former Governor, State of Rhode Island & Providence Plantations

##### Local Public Service Honorees

*Large Community (Service Area Population Over 250,000)*

- ▶ **Dennis Grzezinski**, Commissioner, Milwaukee Metropolitan Sewerage District, Wis.

*Medium & Small Community (Service Area Population less than 250,000)*

- ▶ **The Honorable Jason Liles**, Mayor, City of Healdsburg, Calif.

##### DISTINGUISHED PERFORMANCE

Presented to individuals formerly representing a NACWA member agency for efforts and dedication in the field of water pollution control while representing their agency.



▶ **Reps. Bill Pascrell** (D-NJ) (above) and **David Camp** (R-MI) (right) addressed *National Clean Water Policy Forum* attendees where they were honored with NACWA's 2005 *National Environmental Achievement Award for Federal Public Service* for their efforts to secure funding for the nation's water infrastructure.





- ▶ **James T. Canaday**, Engineer-Director of the Alexandria Sanitation Authority, Va., former member of NACWA's Board of Directors and Chair of the Awards Committee.
- ▶ **Kumar Kishinchand**, former Water Commissioner of the Philadelphia Water Department, Pa., and former member of NACWA's Board of Directors.

## PRESIDENT'S AWARD

Presented for significant contributions in achieving NACWA's goals and objectives.

- ▶ **Paul Pinault**, Executive Director for the Narragansett Bay Commission, R.I.
- ▶ **Suzanne Goss**, Specialist of Government Relations for JEA (Electric, Water & Sewer), Fla.

## ENVIRONMENT AWARD

Presented for outstanding environmental service.

- ▶ **Geoffrey H. Grubbs**, former Director of EPA's Office of Science & Technology.
- ▶ **Joseph Stepun**, former Manager of Environmental Services for the Western Lake Superior Sanitary District, Minn.

## SPECIAL RECOGNITION AWARD

Presented to individuals whose outstanding leadership in the water quality arena merits unique recognition.

- ▶ **Alan B. Rubin**, Ph.D., former Senior Scientist for EPA's Office of Water.
- ▶ **The New Jersey Harbor Dischargers Group**  
Bergen County Utilities Authority, N.J.  
Edgewater Municipal Utilities Authority, N.J.  
Joint Meeting of Essex & Union Counties, N.J.  
Linden Roselle Sewerage Authority, N.J.  
Middlesex County Utilities Authority, N.J.  
North Bergen Municipal Utilities Authority, N.J.  
North Hudson Sewerage Authority, N.J.  
Passaic Valley Sewerage Commissioners, N.J.  
Rahway Valley Sewerage Authority, N.J.  
Secaucus Municipal Utilities Authority, N.J.



⋈ **Marian Orfeo** (left) 2004-2005 NACWA Awards Committee Chair and Director of Planning & Coordination for the Massachusetts Water Resources Authority, Mass. and NACWA's Executive Director **Ken Kirk** (right) present (center from left to right) Commissioner **Anthony W. Ardis**, Commissioner **Kenneth R. Pengitore** and Executive Director **Bryan J. Christiansen** of the Passaic Valley Sewerage Commissioners, N.J., a 2005 *National Environmental Achievement Award*. Passaic Valley Sewerage Commissioners were recognized their outstanding efforts in the Public Information & Education — Video and E-Media categories.

## NACWA Recognizes Ten Member Agencies for Environmental Achievement

Each year, NACWA's Awards Committee reviews a large number of worthy nominations of member agencies for *National Environmental Achievement Awards*. The Association is honored to acknowledge the efforts of 10 member agencies this year.

### RESEARCH & TECHNOLOGY AWARD

Presented for an agency's contribution to the field of wastewater treatment or biosolids utilization and disposal.

- ▶ **Sanitation Districts of Los Angeles County, Calif.**, was selected for its project entitled, *Integrated Nitrogen Removal System Helps Valencia Water Reclamation Plant Meet Stringent Effluent Nitrogen Discharge Limits*.
- ▶ **King County Wastewater Treatment Division, Wash.**, was honored for its program entitled *King County Fuel Cell Demonstration Project*.

### OPERATIONS AWARD

Presented for an outstanding project, system or method relating to wastewater treatment operations.

- ▶ **Massachusetts Water Resources Authority, Mass.**, was selected for its *Deer Island Treatment Plant Comprehensive Energy Cost Recovery Program*.

### PUBLIC INFORMATION & EDUCATION AWARDS

Presented for outstanding video, printed publication, e-media, and educational programs related to pollution control.

### Video

- ▶ **Oakland County Drain Commissioners, Mich.**, was honored for their video project entitled *H2Oakland*.
- ▶ **Passaic Valley Sewerage Commissioners, N.J.**, was selected for their *Eye on the Passaic River* video.

### Educational Programs

- ▶ **Sanitation District of Los Angeles County, Calif.**, was recognized for its *Residential Chloride Source Reduction Project*.
- ▶ **Sanitation District No. 1 of Northern Kentucky, Ky.**, was selected for its *Journey of a Drop of Water: Outdoor Environmental Education Program*.
- ▶ **Narragansett Bay Commission, R.I.**, was honored for its *Dental Amalgam Environmental Best Management Practices* program.

### E-Media

- ▶ **City of Tacoma, Wash.**, was recognized for the *EnviroKids Website: Kid Tested, Mother (Earth) Approved* webpage.
- ▶ **Passaic Valley Sewerage Commissioners, N.J.**, was honored for the *Messy Marvin Game Pak* CD-ROM.

Again, NACWA congratulates all of its National Environment Achievement Award-ees for their contributions to water quality progress in America. 6

## NACWA Congratulates its 2004 Excellence in Management Awardees



⤴ Marian Orfeo (pictured far right), NACWA 2004-2005 Awards Committee Chair and Director of Planning & Coordination for the Massachusetts Water Resources Authority (Mass.), and Ralph Charlton (pictured far left), Chair of NACWA Excellence in Management Recognition Program Working Group and Director of Fiscal Services for the Alexandria Sanitation Authority (Va.), were on hand to present the 2004 Excellence in Management awards during the 2005 Winter Conference in San Antonio, Texas. Pictured from left are Ray Orvin, NACWA Board Member and Executive Director of the Western Carolina Regional Sewer Authority (S.C.), Gordon Woelfle of the Boxelder Sanitation District (Colo.), Andrew Neff of the City of Clearwater Public Utilities Department (Fla.), Guy Graham of the City of Gresham Department of Environmental Services (Ore.), Barry Gullett of the Charlotte-Mecklenburg Utilities (N.C.), Franklyn Pogge, NACWA Board Member and Director of the Kansas City Water Department, and John Westcott of the Spartanburg Sanitary Sewer District (S.C.).

NACWA's 2004 *Excellence in Management Recognition Program* honorees were recognized during a reception at the Association's 2005 Winter Conference in San Antonio, Texas. The 2004 *Excellence in Management* honorees were:

- ▶ Boxelder Sanitation District, Colo.
- ▶ City of Clearwater, Fla.
- ▶ Kansas City Water Department, Mo.
- ▶ Charlotte Mecklenburg Utilities, N.C.
- ▶ City of Gresham Department of Environmental Services, Ore.
- ▶ Western Carolina Regional Sewer Authority, S.C.
- ▶ Spartanburg Water System and Sanitary Sewer District, S.C.

NACWA's *Excellence in Management Recognition Program* honors member agencies that have implemented successful programs that address the range of management challenges facing public clean water utilities today. The *Program* is designed to honor agencies based upon evidence that the agency has a focused program with goals for efficiency and effectiveness, measurable results, recognition from the agency's governing body, and staff involvement in development and implementation. Since its inception in 2003 NACWA's *Excellence in Management Program* has honored 45 members of the Association.

NACWA congratulates the 2004 *Excellence in Management* honorees. For additional information on NACWA's Awards Programs, contact the National Office at 202/833-2672 or [info@nacwa.org](mailto:info@nacwa.org).

## 18 New Members Join NACWA, Add Voice to Priority Clean Water Issues

**N**ACWA was pleased to welcome 10 public utilities, one public affiliate (conveyance system), three corporate affiliates and four legal affiliates as new members in the Association from May 2004 to May 2005. With these 18 new organizations, NACWA's membership now consists of 284 public agencies, 14 public affiliates, 46 corporate affiliates and 13 legal affiliates for a total of 357 organizations working together as the leading advocates for responsible national policies that advance clean water and a healthy environment.

The Association's increasing membership supports the entire clean water community by extending the reach of NACWA's advocacy efforts, strengthening the Association's national stature, and enhancing the organization's success in achieving national water quality goals. As detailed in the *2004-2005 Year in Review*, NACWA's national accomplishments, comprehensive website, timely communications and publications demonstrate the benefits of membership and inspire municipal clean water agencies and private firms across the nation to bring their unique experiences to the national level. ♦



▲ NACWA General Counsel Alexandra Dunn (right) welcomes George Hicks (center), Director of Public Works for the City of Healdsburg, Calif. and Peter W. McGaw (left), Counsel for the City of Healdsburg and Shareholder with Archer Norris, Calif., as they accept the Association's 2005 National Environmental Achievement Award for Local Public Service on behalf of Jason Liles, Mayor of the City of Healdsburg.

### Organizations that have added their voice to NACWA's efforts include:

#### PUBLIC AGENCIES

- ▶ City of Tolleson, Ariz.
- ▶ Central Marin Sanitation Agency, Calif.
- ▶ City of Healdsburg, Calif.
- ▶ Platte Canyon Water and Sanitation District, Colo.
- ▶ City of Tallahassee, Fla.
- ▶ Palm Beach County Water Utilities, Fla.
- ▶ Glenbard Wastewater Authority, Ill.
- ▶ Noblesville Wastewater Utility, Ind.
- ▶ Warwick Sewer Authority, R.I.
- ▶ Loudoun County Sanitation Authority, Va.

#### PUBLIC AFFILIATES

- ▶ Benbrook Water & Sewer Authority, Texas

#### CORPORATE AFFILIATES

- ▶ Perras & Associates, Ind.
- ▶ General Rubber Corporation, N.J.
- ▶ Parsons Brinckerhoff, Va.

#### LEGAL AFFILIATES

- ▶ Bingham McCutchen, Calif.
- ▶ Somach, Simmons & Dunn, Calif.
- ▶ Alston & Bird, LLP, Ga.
- ▶ Foster Pepper & Shefelman PLLC, Wash.



## NACWA Welcomes New Board Members and President



⌘ **NACWA congratulates incoming officers (from left): Donnie R. Wheeler**, 2005-2006 NACWA President and General Manager of the Hampton Roads Sanitation District, Virginia Beach, Va.; **Dick Champion, Jr.**, 2005-2006 NACWA Vice President and Director of the Independence Water Pollution Control Department, Independence, Mo.; **Christopher M. Westhoff**, 2005-2006 NACWA Treasurer and Assistant City Attorney – Public Works General Counsel, City of Los Angeles, Calif.; **Marian Orfeo**, NACWA Secretary and Director of Planning and Coordination for the Massachusetts Water Resources Authority, Boston, Mass.



⌘ **Donnie Wheeler (right)**, NACWA's incoming President, thanks **William Schatz (left)** for his outstanding service as NACWA President over the past year.

NACWA's new President, Donnie Wheeler, was elected at the Association's 2005 *National Environmental Policy Forum & 35th Anniversary Annual Meeting*. Wheeler is the General Manager of the Hampton Roads Sanitation District in Virginia Beach, Va., and has long played a key role in the Association's leadership, its committees and in national clean water policy. Wheeler succeeds the exemplary service of 2004-2005 NACWA President, William B. Schatz, General Counsel of the Northeast Ohio Regional Sewer District, Cleveland, Ohio. Although Schatz's term as NACWA President has come to a close, he will continue to play an active role in the Association's leadership both as a Board member, and a member of NACWA's Executive Committee.

NACWA's Board of Directors also elected other new officers during the 2005 *Policy Forum*, and several new Board members were elected by the membership. In addition to NACWA's new president, the Association's

new officers include Vice President, Dick Champion, Jr., Director of the Independence Water Pollution Control Department, Independence, Mo.; Treasurer, Christopher M. Westhoff, Assistant City Attorney – Public Works General Counsel, City of Los Angeles, Calif.; and Secretary Marian Orfeo, Director of Planning & Coordination, Massachusetts Water Resources Authority, Boston, Mass.

### Six New Members Join NACWA's Board

NACWA also welcomes six new Board Members: Alfonso Lopez, Deputy Commissioner, New York City Department of Environmental Protection, N.Y. (Region 2); Jerry N. Johnson, General Manager, District of Columbia Water & Sewer Authority, D.C. (At-Large); Suzanne Goss, Specialist, Government Relations, JEA (Electric, Water & Sewer), Fla. (At-Large); Robert Campbell, Director, Metropolitan Sewer District of Cincinnati, Ohio (Region 5); Dennis Stowe, Manager, Littleton/Englewood Wastewater Treatment Plant, Colo. (Region 8); and Philip



Friess, Departmental Engineer, Sanitation Districts of Los Angeles County, Calif. (Region 9).

The Association also congratulates re-elected Board Members: Richard Seymour, Director, City of Nashua Division of Public Works, N.H. (Region 1); Billy Turner, President, Columbus Water Works, Ga. (Region 4); Ray T. Orvin, Executive Director, Western Carolina Regional Sewer Authority, S.C. (Region 4); William B. Schatz, General Counsel, Northeast Ohio Regional Sewer District, Ohio (Region 5); Larry Patterson, Director, Engineering Services, Upper Trinity Regional Water District, Texas (Region 6); Franklyn Pogge, Director, Kansas City Water Department, Mo. (Region 7); Steve Pearlman, Director of Environmental Services, Metro Wastewater Reclamation District, Colo. (Region 9); Christopher M. Westhoff, Assistant City Attorney – Public Works General Counsel, City of Los Angeles, Calif. (Region 9); David R. Williams, Director of Wastewater, East Bay Municipal Utility District, Calif. (Region 9); Donald Theiler, Director, Wastewater Treatment Divisions, King County Department of Natural

Resources & Parks, Wash. (Region 10); and Mark A. Yeager, Principal Utilities Engineer, City of Albany, Ore. (Region 10).

### NACWA Extends Appreciation to Outgoing Board Members

Appreciation and thanks are also extended to NACWA's outgoing Board members for their committed service to the Association over the years. NACWA's outgoing Board members are Christopher O. Ward, former Commissioner, New York City Department of Environmental Protection, N.Y. (Region 2); John C. Farnan, General Superintendent, Metropolitan Water Reclamation District of Greater Chicago, Ill. (Region 5); and Jon G. Monson, Director of Water & Sewer, City of Greeley Water & Sewer Department, Colo. (Region 8).

### NACWA Thanks Outgoing Committee Leaders

NACWA would also like to thank the following outgoing committee leaders for their hard work and committed service to the Association: Raymond Kearney (outgoing co-chair of the Biosolids Management Commit-

tee), Assistant Director, City of Los Angeles Bureau of Sanitation, Calif.; Henry Gillman (Vice Chair of the Legal Affairs Committee), Assistant County Attorney, Miami-Dade County, Miami, Fla.; Christopher M. Westhoff (outgoing Chair of the Legislative Policy Committee), Assistant City Attorney – Public Works General Counsel, City of Los Angeles, Calif.; Margaret Nellor (outgoing Chair of the Regulatory Policy Committee and outgoing Co-Chair of the Mercury Workgroup), Assistant Department Head, Technical Service Sanitation Districts of Los Angeles County, Calif.; Patricia A. Grace-Jarrett (outgoing Vice Chair of the Water Quality Committee), Water Quality/Quantity Administrator, Louisville and Jefferson County Metropolitan Sewer District, Louisville, Ky.; and David S. Taylor (outgoing Vice Chair of the Nutrient Workgroup), Director of Special Projects, Madison Metropolitan Sewerage District, Wis.

NACWA expresses its sincerest thanks to all new, continuing and outgoing board members, whose leadership at the helm of the Association has helped guarantee the nation's continued water quality progress. 🌱



^ NACWA congratulates incoming board members (from left): **Alfonso Lopez**, Deputy Commissioner, New York City Department of Environmental Protection, N.Y. (Region 2); **Jerry N. Johnson**, General Manager, District of Columbia Water & Sewer Authority, D.C. (At-Large); **Suzanne Goss**, Specialist, Government Relations, JEA (Electric, Water & Sewer), Fla. (At-Large); **Robert Campbell**, Director, Metropolitan Sewer District of Cincinnati, Ohio (Region 5); **Dennis Stowe**, Manager, Littleton/Englewood Wastewater Treatment Plant, Colo. (Region 8); and **Philip Friess**, Departmental Engineer, Sanitation Districts of Los Angeles County, Calif. (Region 9).

# NACWA's May 2004–May 2005 Officers, Board of Directors & Special Leadership Committees

## Officers

### PRESIDENT

**William B. Schatz**, *General Counsel*, Northeast Ohio Regional Sewer District, Cleveland, Ohio

### VICE PRESIDENT

**Donnie R. Wheeler**, *General Manager*, Hampton Roads Sanitation District, Virginia Beach, Va.

### TREASURER

**Dick Champion, Jr.**, *Director*, Independence Water Pollution Control Department, Independence, Mo.

### SECRETARY

**Christopher M. Westhoff**, *Assistant City Attorney – Public Works General Counsel*, City of Los Angeles, Los Angeles, Calif.

## Board of Directors

### REGION I

**Marian Orfeo**, *Director of Planning & Coordination*, Massachusetts Water Resources Authority, Boston, Mass.

**Paul Pinault**, *Executive Director*, Narragansett Bay Commission, Providence, R.I.

**Richard S. Seymour**, *Deputy Director*, City of Nashua, Wastewater Treatment Facility, Nashua, N.H.

### REGION II

**Bryan Christiansen**, *Executive Director*, Passaic Valley Sewerage Commissioners, Newark, N.J.

**Richard P. Tokarski**, *Executive Director*, Rahway Valley Sewerage Authority, Rahway, N.J.

### REGION III

**Ralph Charlton**, *Director of Fiscal Services*, Alexandria Sanitation Authority, Alexandria, Va.

**David Katz**, *Deputy Water Commissioner*, Philadelphia Water Department, Philadelphia, Pa.

### REGION III

**Donnie R. Wheeler**, *General Manager*, Hampton Roads Sanitation District, Virginia Beach, Va.

### REGION IV

**Thomas R. Morgan**, *General Manager*, Montgomery Water Works & Sanitary Sewer Board, Montgomery, Ala.

**Ray T. Orvin, Jr.**, *Executive Director*, Western Carolina Regional Sewer Authority, Greenville, S.C.

**Billy G. Turner**, *President*, Columbus Water Works, Columbus, Ga.

### REGION V

**John C. Farnan**, *General Superintendent*, Metropolitan Water Reclamation District of Greater Chicago, Chicago, Ill.

**William B. Schatz**, *General Counsel*, Northeast Ohio Regional Sewer District, Cleveland, Ohio

**Kevin L. Shafer**, *Executive Director*, Milwaukee Metropolitan Sewerage District, Milwaukee, Wis.

### REGION VI

**Patricia Cleveland**, *Manger of Operations*, Northern Region, Trinity River Authority of Texas, Arlington, Texas

**Charles Ganze**, *General Manager*, Gulf Coast Waste Disposal Authority, Houston, Texas

**Larry N. Patterson**, *Chief Engineer*, Upper Trinity Regional Water District, Lewisville, Texas

### REGION VII

**Dick Champion, Jr.**, *Director*, Independence Water Pollution Control Department, Independence, Mo.

**Franklyn Pogge**, *Director*, Kansas City Water Department, Kansas City, Mo.

**Jeff Theerman**, *Executive Director*, Metropolitan St. Louis Sewer District, St. Louis, Mo.

### REGION VIII

**Jon G. Monson**, *Director of Water & Sewer*, City of Greeley Water & Sewer Department, Greeley, Colo.

**Stephen R. Pearlman**, *Director*, Regulatory & Connector Relations, Metro Wastewater Reclamation District, Denver, Colo.

### REGION IX

**Margaret Nellor**, *Assistant Department Head*, Technical Services, Sanitation Districts of Los Angeles County, Whittier, Calif.

**Christopher M. Westhoff**, *Assistant City Attorney*, Public Works General Counsel, City of Los Angeles, Los Angeles, Calif.

**David R. Williams**, *Director of Wastewater*, East Bay Municipal Utility District, Oakland, Calif.

### REGION X

**Charles Logue**, *Director*, Technical Services, Clean Water Services, Hillsboro, Ore.

**Donald Theiler**, *Director*, Wastewater Treatment Division, King County Department of Natural Resources and Parks, Seattle, Wash.

**Mark A. Yeager**, *Principal Utilities Engineer*, City of Albany, Albany, Ore.

## Special Committee Leadership

### AIR QUALITY COMMITTEE

**Greg Adams**, *Co-Chair*, *Assistant Head*, Engineering Department, Los Angeles County Sanitation Districts, Calif.

**Edward Torres**, *Co-Chair*, *Environmental Manager*, County Sanitation District of Orange County, Calif.

### BIOSOLIDS MANAGEMENT COMMITTEE

**Robert Dominak**, *Co-Chair*, *Residuals and Air Emissions Manager*, Northeast Ohio Regional Sewer District, Ohio

**Dave Taylor**, *Co-Chair*, *Director*, *Special Projects*, Madison Metropolitan Sewerage District, Wis.

### INCINERATION WORKGROUP

**Robert Dominak**, *Chair*, *Residuals and Air Emissions Manager*, Northeast Ohio Regional Sewer District, Ohio

### COMMUNICATIONS & PUBLIC RELATIONS COMMITTEE

**Jamie Samons**, *Chair*, *Public Affairs Manager*, Narragansett Bay Commission, R.I.

**Chris Kosinski**, *Vice Chair*, *Public Affairs Officer*, Anchorage Water & Wastewater Utility, Alaska

### WET WEATHER ISSUES COMMITTEE

**Karen Pallansch**, *Chair*, *Director of Environmental Services*, Alexandria Sanitation Authority, Alexandria, Va.

**Marty Umberg**, *Vice Chair*, *Sewer Chief Engineer*, Metropolitan Sewer District of Greater Cincinnati, Ohio

### SSO WORKGROUP

**Martin Umberg**, *Chair*, *Sewer Chief Engineer*, Metropolitan Sewer District of Greater Cincinnati, Ohio

### LEGAL AFFAIRS COMMITTEE

**Lisa E. Hollander**, *Chair*, *Assistant General Counsel*, Northeast Ohio Regional Sewer District, Ohio

### LEGISLATIVE POLICY COMMITTEE

**Christopher M. Westhoff**, *Chair*, *Assistant City Attorney*, Public Works General Counsel, City of Los Angeles, Calif.

**Kevin Shafer**, *Vice Chair*, *Executive Director*, Milwaukee Metropolitan Sewerage District, Wis.

### UTILITY MANAGEMENT COMMITTEE

**Brian Crewdson**, *Co-Chair*, *Assistant to the General Manager*, Anchorage Water & Wastewater Authority, Alaska

**Jon W. Schellpfeffer**, *Co-Chair*, *Chief Engineer & Director*, Madison Metropolitan Sewerage District, Madison, Wis.

### ASSET MANAGEMENT WORKGROUP

**Jon W. Schellpfeffer**, *Chair*, *Chief Engineer & Director*, Madison Metropolitan Sewerage District, Madison, Wis.

### PRETREATMENT & HAZARDOUS WASTE COMMITTEE

**Guy Aydlett**, *Chair*, *Director*, Water Quality, Hampton Roads Sanitation District, Virginia Beach, Va.

**Bennett Horenstein**, *Vice Chair*, *Manager*, Environmental Services, East Bay Municipal Utility District, Oakland, Calif.

### RADIOACTIVITY WORKGROUP

**Kevin Aiello**, *Chair*, *Administrator*, Environmental Quality, Middlesex County Utilities Authority, Sayreville, N.J.

### REGULATORY POLICY COMMITTEE

**Margaret Nellor**, *Chair*, *Assistant Department Head*, Technical Services, Los Angeles County Sanitation Districts, Whittier, Calif.

**Ray T. Orvin**, *Vice Chair*, *Executive Director*, Western Carolina Regional Sewer Authority, Greenville, S.C.

### MERCURY WORKGROUP

**Margaret Nellor**, *Chair*, *Assistant Department Head*, Technical Services, Los Angeles County Sanitation Districts, Whittier, Calif.

### PATHOGEN WORKGROUP

**Karen Pallansch**, *Chair*, *Director of Environmental Services*, Alexandria Sanitation Authority, Alexandria, Va.

### SECURITY & EMERGENCY PREPAREDNESS COMMITTEE

**Robert Steidel**, *Chair*, *Deputy Director*, City of Richmond Department of Public Utilities, Va.

### WATER QUALITY COMMITTEE

**Norman LeBlanc**, *Chair*, *Chief*, Technical Services, Hampton Roads Sanitation District, Virginia Beach, Va.

**Patti Grace-Jarrett**, *Vice Chair*, *Water Quality/Quantity Administrator*, Louisville and Jefferson County Metropolitan Sewer District, Louisville, Ky.

### NUTRIENT WORKGROUP

**Will Hunley**, *Chair*, *Environmental Scientist*, Hampton Roads Sanitation District, Virginia Beach, Va.

**David Taylor**, *Vice Chair*, *Director of Special Projects*, Madison Metropolitan Sewerage District, Wis.





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