



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

NACWA

YEAR IN REVIEW 2005–2006





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A Message from the Executive Director

This *Year in Review* summarizes our 2006 achievements and underscores the clear nexus between our efforts here in the Nation's Capital and our members' work outside the beltway at the grassroots level. Whether we focus on the development of new or the interpretation of existing national policies, our efforts have a direct bearing on the Nation's overall ability to meet the ambitious objectives and goals of the Clean Water Act. In effect, each and every legislative initiative, each and every regulatory interpretation, and each and every legal opinion, has enormous implications at the local level, where the rubber truly meets the road. And each and every time that NACWA weighs in on an issue — promoting scientifically and technically justified, cost-effective and environmentally sound programs and approaches — our goal is to remove some of the bumps and facilitate our members' ability to travel that road.

As I meet with members in different parts of the country, I often hear the view that national regulatory and legislative policy is cumbersome and takes years to develop, finalize, and implement. I hear that Washington is a place with a culture far-removed and disconnected from our members' immediate needs. I hear that while NACWA is doing a great job, the real work of clean water is taking place in our members' backyards.

By way of example, having lived and worked in Washington almost forty years, I believe that these perceptions are largely accurate. Yes, the development of national policy takes time and is unequivocally frustrating, but NACWA is in Washington protecting the interests of the Nation's clean water community and ensuring that common sense wins the day. Of equal importance is the fact that NACWA is in the trenches supporting local advocacy efforts that have broad, national ramifications.

This is why NACWA has joined the fight over proposed wet weather water quality standards for the Ohio River Basin; why NACWA has rallied behind its members in Region 10 where they face a challenge to their ongoing use of mixing zones; and, why NACWA has provided support to its members in Southern California and Florida to ensure the continued viability of land application as an accepted biosolids management practice. This is also why NACWA has joined its members in courtrooms from coast-to-coast in vital cases, the outcomes of which have enormous national implications. These are but a few examples of NACWA's increasing presence in Regions and States nationwide.

As you read the following pages, I hope it will be obvious that we worked hard, strived to implement the key elements of NACWA's *Strategic Plan*, and achieved perhaps even more than a modicum of success last year. That being said, we will need to do more and perhaps do it differently to achieve even greater success. To best serve its members, NACWA needs

to continue to enhance its influential presence in the Nation's Capital. It also needs to continue to work side by side with its members on the issues that most affect them. We need to grow; we need to expand our base of support; we need to make our advocacy capabilities even more robust.

To accomplish these goals, we plan to work even more closely with our members to address their issues at all levels of government. Regional and state associations representing municipal wastewater interests will be among the organizations with which we forge a national wastewater utility network that will strengthen our base, give us new tools to address the key issues of the day, and create opportunities to build on NACWA's unparalleled record of success.

In the final analysis, NACWA's greatest strength has always been its members. These dedicated and committed water quality professionals have worked tirelessly back home to achieve their communities' clean water objectives. And they have worked just as hard at the national level to build NACWA into the preeminent organization that it is today. In the future, the issues are going to get tougher, costs associated with clean water improvements are certain to rise, and the lofty goals of the Clean Water Act may prove even more elusive than they are today. But one thing is certain; NACWA is resolutely keeping the Nation's clean water community on a steady and sure course. NACWA is the clean water community's best and strongest ally and is poised to meet all future challenges head on.

This past year, we accomplished a great deal. But I am looking forward to another exciting year as we pursue our members' priority issues inside the beltway and in their backyards.



Ken Kirk
Executive Director
NACWA

A Message from the President

It has been an honor and a privilege to serve as NACWA's president over the past year. During this time the Association has further secured its role as the leading environmental advocate on key regulatory, legislative, and legal issues that impact the nation's clean water utilities.

With our new name, the National Association of Clean Water Agencies, and bold *Strategic Plan*, I began my term as President with a clear vision and unwavering commitment to do everything in my power to ensure NACWA continues to be the leading advocate for responsible national policies that advance clean water and a healthy environment. Together, we worked to build an advocacy agenda based on the seven core values that are the foundation of our *Strategic Plan*: 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.

The many accomplishments of the Association are detailed throughout this *Year in Review*, but I would like to focus on one in particular that was central to my vision for the Association and a key component of its *Strategic Plan* — strategic collaboration. Whether it is working in coalition with municipal organizations or negotiating new national policies with other environmental activists, I know from experience that alliances work.

One highlight of NACWA's cooperative efforts was the signing of a Statement of Intent with the Water Environment Federation (WEF), the American Water Works Association (AWWA), the Association of Metropolitan Water Agencies (AMWA), the American Public Works Association (APWA), the National Association of Water Companies (NAWC), and the U.S. Environmental Protection Agency (EPA) at the joint NACWA/WEF *Clean Water Policy Forum* in May to ensure a cooperative and effective approach to utility management initiatives. I am proud of the leadership role NACWA took in making this important effort a reality.

Similarly, NACWA has worked with the Water Environment Research Foundation (WERF) over this past year to ensure a process for communicating the clean water community's research priorities so that they may be considered by the Foundation and incorporated into its research agenda. This process will help both maximize the benefits of public agency membership in WERF and the effectiveness of NACWA's Targeted Action Fund (TAF).

Perhaps most importantly, this past year saw unprecedented cooperation between NACWA and a broad array of non-governmental organizations (NGOs) to ensure the greatest degree of support for Association priorities,

a trend that I only see increasing in the future under the able leadership of NACWA's Officers, Board of Directors, and proactive membership.

My term as president strengthened my view that NACWA is the only organization dedicated solely to the interests of the Nation's public clean water agencies. I have enjoyed my term as NACWA's President and firmly believe that, due in large part to the Association's efforts, the clean water community is well-positioned to meet the many and increasingly complex challenges of the 21st century.



A handwritten signature in black ink, appearing to read 'Donnie Wheeler'.

Donnie Wheeler

NACWA President, May 2005 – July 2006

Former General Manager, Hampton Roads Sanitation District, Virginia Beach, Va.

NACWA Advocacy Ensures Congress Hears Voice of Clean Water Community

Congressional committees and staff continue to look to NACWA and its members for leadership and timely input into the nation's priority clean water issues. This past year was no exception and exemplified the Association's efforts to both proactively develop and garner support for innovative legislative initiatives and respond to legislative efforts that would have negatively impacted the clean water community. In addition to NACWA's continued advocacy to address the growing clean water infrastructure funding gap, the Association has ramped up its efforts to ensure that security legislation embodies clean water agency concerns and has entered the debate on reauthorization of the Farm Bill.

Clean Water Trust Fund Legislation Introduced

NACWA led the way this year in seeking viable solutions for turning around the unfortunate trend of declining federal funding for clean water infrastructure. The Association joined with numerous groups to voice the need for continued funding for the clean water state revolving fund (CWSRF), which has been slashed by nearly 50 percent since fiscal year (FY) 2004, and likely would have been the subject of deeper cuts but for this coalition effort.

NACWA also continued its hard work, alongside a broad coalition, in introducing landmark legislation to establish a clean water trust fund. NACWA and its coalition partners did significant polling at the state and national levels in March 2005, which demonstrated overwhelming support for dedicated federal clean water infrastructure funding via a trust fund. These results were broadly distributed to Capitol Hill and the media. At the same time, NACWA and the Water Infrastructure Network (WIN) took a leadership role in

developing an unprecedented network of grassroots support for a clean water trust fund, bringing together organizations and individuals both within and outside the Washington Beltway.

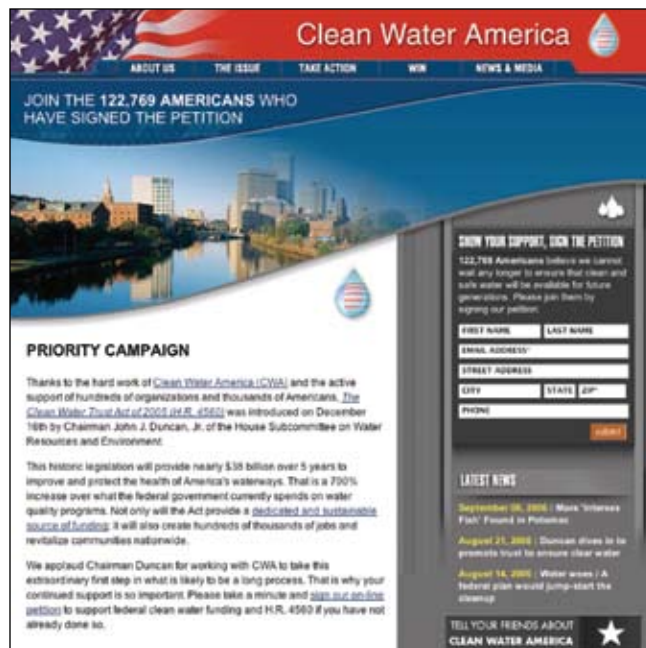
In December of 2005, work on the trust fund took a major step forward when Rep. John J. Duncan, Jr. (R-Tenn.), chair of the House Water Resources & Environment Subcommittee, introduced the *Clean Water Trust Act of 2005* (H.R. 4560). Thanks to the advocacy efforts of NACWA and WIN, the bill, which would provide nearly \$38 billion over five years for critical infrastructure projects, enjoys 21 co-sponsors and is expected to obtain additional support in the coming months and in the 110th Congress.

The Clean Water Trust Act of 2005 (H.R. 4560) enjoys the support of the national organizations listed here. This coalition is expected to become even more broad-based as support for H.R. 4560 continues to expand.

The Associated General Contractors of America
Ducks Unlimited
National Association of Towns and Townships
American Society of Civil Engineers
Western Coalition of Arid States
Rural Community Assistance Partnership
National Association of Clean Water Agencies
American Sportfishing Association
American Council of Engineering Companies
Theodore Roosevelt Conservation Partnership
Construction Management Association of America
International Association of Fish and Wildlife Agencies
American Public Works Association
Association of Equipment Manufacturers
Design Build Institute of America
Trout Unlimited
American Rivers
Underground Contractors Association
Plastics Pipe Institute
American Concrete Pressure Pipe Association
American Supply Association
Portland Cement Association
Associated Equipment Distributors
BASS/ESPN Outdoor



Rep. John J. Duncan, Jr., Chair of the House Water Resource & Environment Subcommittee, (*far left*) encourages NACWA members at the 2006 National Clean Water Policy Forum to urge their Members of Congress to support the Clean Water Trust Act of 2005 (H.R. 4560), which he introduced in December 2005. Duncan added that he is personally committed to ensuring that the nation's water infrastructure, like its highways and airports, enjoys the benefits of a dedicated trust fund.



www.cleanwateramerica.org home page.

NACWA also turned to cyber-space as a means to generate additional support for the clean water funding initiative. Building on last year's creation of the *Clean Water America* (www.cleanwateramerica.org) grassroots website, NACWA this year attracted nearly 120,000 individuals, who signed the website's petition in support of a clean water trust fund, as well as the support of nearly 200 diverse organizations from 48 states. Additionally, many have used the site to send thousands of letters to their Members of Congress in support



www.win-cleanwater.org home page.

of the H.R. 4560. NACWA also gave the website a facelift this past year, making its advocacy functions — such as the Contact Congress and Tell A Friend features — more visible.

In a related effort, the WIN website (www.win-cleanwater.org) was entirely redesigned and reorganized in order to make it more user-friendly. The redesign makes the WIN website's educational offerings (reports, legislative tracking, press releases, news articles, etc.) easier to locate and download. The WIN site also has been upgraded to link directly to *Clean Water America* for those seeking to get more involved at the grassroots level.

NACWA Seen as Key Resource in Security Arena

Over the past year, NACWA has been working with the House and Senate on a variety of proposed legislative initiatives directed toward further securing the nation's wastewater treatment systems against acts of terrorism and enhancing emergency preparedness. Exemplifying NACWA's importance as a resource for Congress, the Association and its members played a prominent role in a key Government Accountability Office (GAO) wastewater security study. The study was requested by Chairman James Inhofe (R-Okla.), of the Senate Environment & Public Works (EPW), to assess the state of security at the nation's clean water utilities and gather data on how they have assessed and addressed potential vulnerabilities since September 11, 2001.

NACWA worked with GAO to develop an appropriate survey and many Association members participated in the GAO assessment. During the 2006 National Clean Water Policy Forum, GAO publicly released its report, *Securing Wastewater Facilities: Utilities Have Made Important Upgrades, Though Further Improvements to Key System Components May Be Limited by Costs and Other Constraints* (GAO-06-390). The study reported that while no federal law requires wastewater facilities to conduct vulnerability assessments, most facilities have completed, have underway, or plan to complete some type of security assessment.

Following the release of the GAO report and several meetings with NACWA, Chairman Inhofe, Sen. Lincoln Chafee (R-R.I.), chair of the Fisheries, Wildlife, and Water Subcommittee, and EPW Committee member Sen. Lisa Murkowski (R-Alaska) introduced the *Wastewater Treatment Works Security Act of 2005* (S. 2781), a bill that authorizes \$200 million in grants for clean water agencies to conduct vulnerability assessments and make security enhancements. Utilities could apply for these grants on an entirely voluntary basis. The EPW Committee approved the bill with NACWA's full support, and the Association will continue to back this effort as it moves forward.

NACWA to Congress: Public Utilities Are Not Private Chemical Plants

NACWA's role as a watchdog of legislation that would unnecessarily impact public clean water agencies was made clear in the debate surrounding chemical security legislation introduced in the Senate. The Senate Homeland Security and Governmental Affairs (HSGA) Committee this year passed the bipartisan *Chemical Facility Anti-Terrorism Act* (S. 2145). The bill would apply to clean water agencies covered by section 112(r) of the Clean Air Act — nearly 30 percent of NACWA members — and subject them to extensive security planning and reporting requirements intended to address private sector chemical plant security only.

In extensive discussions with NACWA before and after the markup of S. 2145, committee staff generally agreed that the bill was not intended to cover public agencies. NACWA joined with nine other water sector and municipal organizations in a July 6, 2006, letter sent to all members of the Senate committee urging an exemption for public utilities and noting that wastewater security legislation has traditionally been under the jurisdiction of the Senate EPW Committee, which passed a separate bill this year to address

wastewater system security issues. NACWA succeeded in securing a hold on this bill by Chairman Inhofe of the EPW Committee, who agrees with the Association's position. NACWA has voiced similar concerns with the House's version, the *Chemical Facility Anti-Terrorism Act of 2006* (H.R. 5695).

With recent international focus on continued efforts by terrorist organizations to find innovative ways to attack U.S. interests, chemical security is expected to remain a hot topic in the 110th Congress. NACWA will continue to remind Congress that legislative proposals regarding security that are written to address private corporations do not translate into sound policy when applied to the public sector.

NACWA to Voice Clean Water View in Farm Bill Negotiations

Through significant member input and hard work by its committees, NACWA will be a vital voice in what is expected to be a heated Congressional debate on the reauthorization of the Farm Bill. The current Farm Bill, enacted in 2002, contained record funding for conservation programs intended to reduce agricultural runoff, a trend NACWA would like to see continue. In line with these efforts, NACWA recently released an options paper titled *Farm Bill Reauthorization and Potential Benefits for NACWA Members*, outlining plans for "significantly strengthening conservation programs in U.S. farm policy to help agricultural producers minimize their impact on the nation's water quality while providing measurable downstream benefits to the Association's public agency members."

The options paper is just the beginning of NACWA's advocacy efforts. It lays the foundation for cooperation with key conservation and environmental organizations that have similar interests in seeking to control agricultural sources of pollution.

The Association's efforts on the Farm Bill, infrastructure funding, and wastewater security are strong examples of NACWA's advocacy leadership and its strategic commitment to consistently expand its coalition base to ensure the broadest possible support for the clean water community's priorities. The Association looks forward to building on these gains in the coming year. ■



Thanks to the leadership of NACWA's Legislative Policy Committee, including Kevin Shafer (pictured above), Executive Director, Milwaukee Metropolitan Sewerage District, Wis., the Association is poised to help address the challenge of nonpoint source pollution through the Farm Bill's reauthorization

NACWA Forges Ahead in Wet Weather Arena

This past year marked significant progress for NACWA in the critical wet weather arena with the Association's focus on management and policy regarding peak wet weather flows, sanitary sewer overflows (SSOs), and combined sewer overflows (CSOs). Through collaboration, partnerships, and creativity, the Association made great strides in all areas for our membership.

Collaboration with NRDC Yields Beneficial Peak Flow Policy

For many years, NACWA has worked to develop a national policy for managing peak flows during significant wet weather events. In these situations, wet weather flows are sometimes diverted around secondary treatment units and then either recombined with flows that have received secondary treatment or discharged directly into waterways.

In October 2005 after more than six months of extensive, high-level negotiations, NACWA and the Natural Resources Defense Council (NRDC) agreed on a draft document addressing the complex and controversial issue of wet weather flow diversions. This document was presented to the U.S. Environmental Protection Agency (EPA). NACWA and NRDC urged the Agency to accept the joint proposal as a way to break the logjam following the controversy generated by EPA's November 2003 proposal on the issue.

Without question, several key developments and occurrences made a compromise between NACWA and NRDC fruitful territory on the blending issue. The primary factors were the inability of the courts to resolve the blending issue; anti-blending developments in the U.S. Congress and EPA's decision to stop action on its November 2003 proposal. The NACWA and NRDC proposal is unique in that it focused on providing much needed national consistency on wet weather flow diversions; offered significant additional environmental and water quality benefits; and increased public involvement with peak wet weather flow management decisions.

Demonstrating the Agency's support for the joint proposal, Benjamin Grumbles, EPA's Assistant Administrator for Water, announced December 19, 2005, the proposed guidance on peak wet weather flows would be in the *Federal Register* for public comment. Language from the preamble demonstrated the critical leadership of NACWA and NRDC on this issue: "The NRDC/NACWA recommended approach includes an interpretation of the bypass regulation that is significantly different from [EPA's] November 2003 proposal. . . . Today's draft policy invites comment on this interpretation, as well as the recommended proposal to implement the interpretation, and reflects the approach of the NRDC/NACWA recommendation." The public comment



EPA's Assistant Administrator for Water, Benjamin Grumbles (*second from left*), (*from left to right*) is joined by Ken Kirk, NACWA Executive Director; Nancy Stoner, Director, Clean Water Project, Natural Resources Defense Council; and Alex Dunn, NACWA General Counsel, at the December 19, 2005, proposal of EPA's peak wet weather flow policy.

period on EPA's proposal concluded a month later with more than 150 substantive comments, mostly supportive, submitted on the proposed policy. This result stands in sharp contrast to the more than 98,000, mostly adverse, comments received on EPA's 2003 proposal on the same topic.

NACWA enters the 2006-2007 year with EPA poised to finalize the peak flow policy soon. Through the Association's efforts, the nation's water quality will benefit by minimizing clean water utilities' reliance on peak wet weather flow diversions as a long-term wet weather management approach that takes into account economic and real-world factors. In addition, the policy's enhanced public notice provisions will improve the understanding of peak wet weather flow diversion practices at public utilities.



Dave Williams, Director of Wastewater for the East Bay Municipal Utility District, Oakland, Calif., is NACWA's issue leader for peak wet weather flows.



Marty Umberg (*top*), Sewer Chief Engineer for the Metropolitan Sewer District of Greater Cincinnati, Ohio, and Adel Hagekhalil, Division Manager, Wastewater Engineering Services Division, City of Los Angeles Bureau of Sanitation, Calif., co-chair NACWA's Facility & Collection System Committee and provided key guidance in putting the Association on an aggressive advocacy course for an SSO policy.

Reenergized SSO Efforts Underway

The Association sent a powerful letter to EPA Assistant Administrator Ben Grumbles in September 2005, expressing concern with the Agency's fact sheet and model permit language (FS/MPL) released earlier in the year regarding SSOs. The letter stated unequivocally that NACWA cannot support a FS/MPL approach to SSOs. NACWA emphasized that this approach abandoned years of rulemaking efforts and asserted that complex, core elements of EPA's SSO rule efforts are already required by existing National Pollutant Discharge Elimination System (NPDES) regulations. NACWA urged EPA to turn its SSO efforts away from the FS/MPL approach and instead resume its work on a critically needed SSO rule.

The Association also highlighted the importance of a comprehensive SSO program that addresses NPDES permitting for satellite collection systems, the implementation of capacity, management, operation, and maintenance (C-MOM) programs, and the recognition of C-MOM programs as the standard for responsible collection system operation. NACWA made its position clear by stating that "sound approaches to these important issues can only be achieved through development of a national, comprehensive SSO rule and program."

Following work on the FS/MPL approach, the Association's Facility & Collection System Committee worked diligently on an SSO "options paper." The paper explored the pros and cons associated with moving forward with a number of SSO activities, including revamping the controversial 2001 proposed rule; working with activist groups to craft a policy for dealing with SSOs and presenting it to EPA; persuading Congress to engage in the SSO arena; and/or developing NACWA's own proposal to present to EPA. These efforts by the committee position NACWA well for the coming year. Without question, if NACWA is successful, pursuit of a comprehensive federal SSO program will become a priority for EPA.

NACWA Sharpens Focus on Affordability

A critical element of NACWA's advocacy in the wet weather arena over the past year has been the issue of affordability or, more specifically, the financial capability of the nation's communities to continue to pay for the mounting obligations under the Clean Water Act and other environmental programs. With many NACWA communities signing costly orders and decrees to guide their efforts on reducing combined and sanitary sewer overflows, NACWA felt it was critical to revisit the way the federal government goes about determining whether a particular community can afford certain mandates or requirements. The Association's *Financial*

Capability and Affordability in Wet Weather Negotiations White Paper, released in October 2005, was developed to review and suggest modifications to EPA's existing policy and practice on assessing financial impacts.

Since the white paper was released, it has received significant attention from EPA and the Environmental Financial Advisory Board (EFAB), which advises EPA's Administrator on affordability-related issues for all of the Agency's environmental programs. Grumbles referenced the white paper and how it would factor into the Agency's decision-making process as it worked to 'revise' its 1997 *Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule of Development*. This is a critical guidance document that often serves as the basis for affordability determinations in consent decree negotiations.



NACWA has advocated for years, and recently in its white paper, that EPA's affordability considerations must be more holistic and consider more than just CSOs or SSOs in a vacuum. EPA's plans to revise its 1997 document provide the Association with an opportunity to influence the process, and a small working group of NACWA members has already begun to do just that. Building on the concepts and suggested approaches in the white paper, NACWA is developing a list of guiding principles for how EPA should revise and update its thinking on financial capability. Based on these guiding principles, and using NACWA's Targeted Action Fund (TAF), the Association will outline an approach to financial capability assessment that will more accurately reflect unique local conditions and not simply require communities to spend to a defined limit based on average household income.

Dynamic Forums Engage CSO Communities' Discussions

Continuing the Association's efforts to provide the combined sewer overflow (CSO) community with opportunities for networking and high-level discussion, NACWA held a successful workshop with the Wet Weather Partnership (WWP) on June 1-2, 2006, in cooperation with EPA, on water quality compliance strategies and cutting-edge issues in the development of long-term control plans (LTCP). The *Workshop* was one of a series that began with the 10th Anniversary of the April 1994 *CSO Policy Workshop*.

This year's *Workshop* featured several EPA officials, including Ben Grumbles, EPA Assistant Administrator for Water, who highlighted forthcoming Agency work on affordability. In particular, he announced his goal "to have some very clear guidance on how to implement EPA's 1997 financial capability analysis" and to "by the end of the year develop a clear action plan to revise and improve" such analyses. Grumbles said the recommendations contained in NACWA's affordability white paper are relevant to EPA's deliberations.

Grumbles also commended NACWA and the WWP for their efforts in putting together the *Workshop*, adding that "it is time for more than just dialogue; it is time for action." Given the success of the *Workshop* series, NACWA and the WWP will be discussing opportunities to collaborate in the future. ■

NACWA Brings Clean Water Voice to Cases Nationwide

This past year, the Association took on new legal challenges, making it abundantly clear that no other national organization brings the voice of the clean water community to courts across the nation like NACWA. The Association's comprehensive litigation portfolio places it at the center of the most critical clean water cases nationwide. Without the help of its Targeted Action Fund (TAF), NACWA would not be able to stand up for its members before courts across the nation. The cases marked on the map (*below*) geographically show the power of TAF dollars at work!

Association Releases Unparalleled Analysis of Municipal Consent Decrees

In 2006, NACWA released a comprehensive Supplement to its 2003 publication, *Wet Weather Consent Decrees: Protecting POTWs in Negotiations (Handbook)*. The 2006 Supplement reviews 23 wet weather decrees entered into by municipalities between 2003 and 2006, provides succinct highlights of their key elements, and discusses new trends in the consent decree area. The *Handbook* and *Supplement* were released as a set and include an accompanying electronic *Consent Decree Library*, making it one of the nation's most extensive collections of

municipal clean water decrees. NACWA will continue to provide member value by tracking developments in the consent decree and enforcement fields in 2006-2007.

Coalition Wins Critical Pre-TMDL Permitting Case

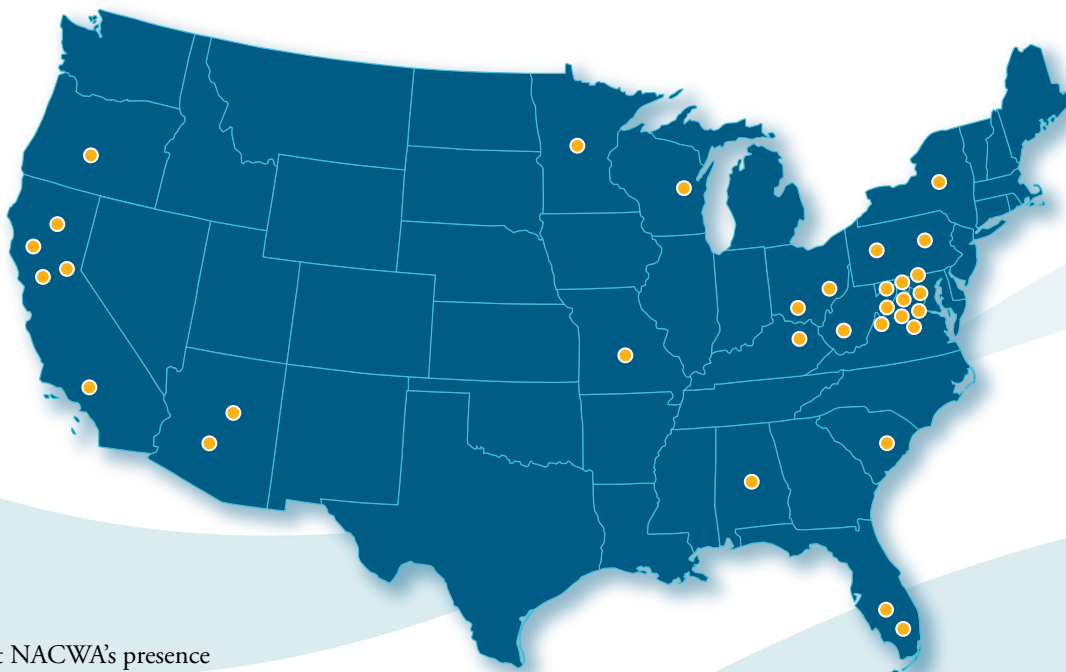
On November 3, 2005, NACWA received a favorable decision from the Circuit Court for the City of Richmond, Virginia, in *Chesapeake Bay Foundation (CBF) v. Town of Onancock* (Onancock). CBF's appeal focused on the Virginia Department of Environmental Quality's (VDEQ) handling of pre-total maximum daily load (TMDL) issues when renewing Onancock's National Pollutant Discharge Elimination System (NPDES) permit. The permit included standard biochemical oxygen demand (BOD) and dissolved oxygen (DO) limits, nitrogen and phosphorus monitoring, and a reopener for nutrient limits following the adoption of wasteload allocations for nutrients. CBF asserted that the permit failed to account for a long-standing problem of low DO in the tributaries of the Chesapeake Bay because it did not contain numeric limits for nutrient discharges. As *amicus curiae*, NACWA and the Virginia Association of Municipal Wastewater Agencies (VAMWA) supported VDEQ's issuance of the

NACWA's Presence in the Courts, 1999–2006

(Dots Placed in State where Case Originates)

Existing Cases

Missouri
California (5)
D.C. (9)
Arizona (2)
Florida (2)
Pennsylvania (2)
Oregon
West Virginia
Maryland
South Carolina
Alabama
Ohio (2)
New York
Virginia
Wisconsin
Kentucky



For more information about NACWA's presence in these cases, visit our Website at www.nacwa.org.

permit, noting that VDEQ properly deferred permit limits for nutrients pending revision of the relevant water quality standards (WQS) and TMDL development. In its ruling, the court agreed with NACWA and VAMWA, giving VDEQ the discretion to choose not to impose numeric water quality-based effluent limitations pending TMDL development. This decision is valuable for NACWA members in Virginia and sets a precedent for agencies facing pre-TMDL permitting and phased TMDL implementation issues in other states.

CWA-SDWA Interplay Case Yields Key White Paper

NACWA remains involved in a new, potentially precedent-setting case on the interplay between the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA). *City of Cincinnati 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 led NACWA to discuss with the national drinking water trade associations ways to work together to creatively resolve conflicts between SDWA and CWA requirements in shared watersheds (*see related story*).

Given the increasing importance of understanding the various issues at play when the CWA and the SDWA come together, NACWA's Legal Affairs Committee undertook the production and release in June 2006 of a white paper titled *Emerging Issues: Intersections of the Clean Water Act & Safe Drinking Water Act*. The white paper notes that where “the SDWA once was almost primarily focused on protection of drinking water provided at the tap, the SDWA now also focuses on prevention at the source, resulting in overlapping programs with the CWA. Programs that once followed separate and independent paths with different, but related, goals are starting to cross paths.” The white paper concludes by stating that as “stresses on drinking water and clean water organizations increase, opportunities for collaboration between drinking water and clean water organizations increase” and that addressing “the emerging issues in a collaborative watershed-based approach will enhance utilization of resources, protection of public health and protection of the environment.” NACWA is already implementing the white paper's recommendations, as demonstrated through the Association's 2006 Summer Conference focus (*see related story*) and will continue to move forward to seek constructive solutions to cross-cutting CWA/SDWA issues.

NACWA Focuses on CWA Wetlands Supreme Court Cases

Continuing the Association's tradition of keeping the membership informed of important legal developments, NACWA provided concrete analysis of the cases concerning the scope of the CWA's jurisdiction over intrastate wetlands – both before and after they were decided June 19 by the U.S. Supreme Court. In *Rapanos v. U.S.* and *Carabell v. U.S. Corp. of Engineers*, the Justices ruled 5-4 to remand the joint cases to lower courts, but failed to reach a consensus on the scope of federal power to regulate wetlands under the CWA.

The cases marked the fourth time the high court has addressed the CWA wetlands program in detail. Each time, the court has struggled to provide a test for determining where the CWA's jurisdiction over wetlands ends, and where state authority begins. In the June decision, the plurality stated that only those wetlands with a “continuous surface connection” to waterbodies are “waters of the United States” in their own right. Also, there must be “no clear demarcation” between “waters” and wetlands or wetlands “adjacent to” such waters for the Corps to acquire federal jurisdiction under the CWA. Thus, under the ruling, wetlands adjacent only to intermittent or ephemeral tributaries would not fall within Corps jurisdiction and would be regulated by the states.

Clearly, the court's decision leaves many questions unanswered. As a plurality decision, no single test can be derived from the court's analysis. Furthermore, the court remands the cases and states that each wetland must be assessed on a case-by-case basis in the future. Because the decision does not set forth a particularly clear legal test or analytical framework for the future, there is already a Congressional effort underway to clarify the CWA and talk of federal agency rulemaking.

“Daily” Load Decision Rocks TMDL Program; Heads for Supreme Court

Spring 2006 was marked by one of the most dramatic legal rulings in many years, when on April 25 the U.S. Court of Appeals for the District of Columbia (D.C.) Circuit ruled that all TMDLs must specify daily pollutant loadings. NACWA participated in the case, *Friends of the Earth (FOE) v. EPA*, as *amicus* with the Wet Weather Partnership to explain why true “daily” loads would undermine combined sewer overflow long-term control plans (LTCPs) and municipal separate storm sewer (MS4) compliance. The case involved TMDL limits for dissolved oxygen and total suspended solids for the Anacostia River discharged by the District of Columbia Water and Sewer Authority (DC WASA), a NACWA member (*see related story*).

Interbasin Transfers an Active Area

On June 27, the New York City Department of Environmental Protection (NYCDEP), a NACWA member agency, filed a petition for rehearing in the U.S. Court of Appeals for the Second Circuit's June 13 ruling in *Catskill Mountains Chapter of Trout Unlimited, Inc. (Catskills) v. City of New York*. The Second Circuit held that NYCDEP requires a NPDES permit for its water transfer tunnel, which moves untreated natural drinking water between two waterbodies. In conjunction with other municipal groups, NACWA filed amicus briefs in *Catskills* to highlight the administrative difficulty of adding thousands of sources to the already backlogged NPDES permit program, the importance of maintaining local government autonomy over water management and allocation decisions, and the inability of regulators to "waive" water quality standards to mitigate the adverse impacts on water transfer activities.

NYCDEP's June 7, 2006, rehearing petition asserts that the Second Circuit "ignored" EPA's "pending rulemaking process, in which EPA has proposed to clarify that mere

transfers of water, without intervening industrial, municipal, or commercial use of such water, are not subject to" the NPDES program. EPA's proposal emphasizes that the water quality impacts of water transfers are better regulated primarily by the states in cooperation with the federal government. NYCDEP is urging the court to withhold a final decision until after the EPA rulemaking is complete.

NACWA filed comments in late July, supporting EPA's proposed rule on water transfers. However, NACWA's comments note the Association does not assent to exempting water transfers from meaningful regulation – particularly where these transfers are contributing to an impairment of water quality. NACWA urged that EPA's final rule clearly state that the water quality impacts of water transfers must be aggressively managed under provisions of both federal and state law designed so that their water quality impacts are minimized. Without question, the water transfer issue will remain a live topic in the coming year. ■

NACWA Litigation Supports Regulatory, Legislative Efforts

NACWA's legal presence complements the Association's regulatory and legislative advocacy in many ways, allowing the perspective of clean water agencies to be clearly expressed in diverse forums. These case briefs demonstrate how NACWA's litigation efforts advance the clean water community's interests.

- NACWA remained active this year in two *Sierra Club v. EPA* cases, one in which Sierra Club is urging EPA to regulate sewage sludge incinerators (SSIs) as "other solid waste incineration units (OSWI)" under Clean Air Act (CAA) § 129 (*See related story*), and one in which they are seeking EPA regulations to control air toxics allegedly released from urban SSIs under CAA § 112(k).
- NACWA is *amicus curiae* with the National League of Cities (NLC), the National Association of Flood and Stormwater Management Agencies (NAFSMA), and the American Public Works Association (APWA) to support the City of Cincinnati, a NACWA member, in a case where a Department of Health and Human Services (HHS) facility within the City's service area has refused to pay more than \$100,000 in past-due invoices for stormwater services. The federal facility alleges the service charges are an impermissible "tax" on the government.
- NACWA, the NLC, NAFSMA, the CSO Partnership (CSOP), the West Virginia Municipal League (WVML), and the Virginia Municipal League (VML) are protecting the "maximum extent practicable" CWA standard for municipal separate storm sewer system (MS4) permits. NACWA is leading the coalition to support member agency DC WASA in its defense of a multi-year appeal of the District of Columbia's MS4 permit by Friends of the Earth (FOE) and Defenders of Wildlife (Defenders). FOE and Defenders cite the permit's failure to "contain effluent limits adequate to assure compliance with water quality standards" and allege that "pollutant specific, numeric limits" are "presumptively required" by the CWA.
- NACWA filed an *amicus* brief to support our Minnesota members in a pre-TMDL permitting case before the Minnesota Supreme Court. The case of *Cities of Annandale and Maple Lake NPDES Permit Issuance* concerns the Minnesota Court of Appeals' 2005 holding that the Minnesota Pollution Control Agency (MPCA) improperly determined that a new facility's discharge would be effectively "offset" by decreased discharges of the pollutant of concern by existing entities in the waterbody. NACWA supported the permitting authority's decision because it protected public health and water quality, and promoted area-wide management of NPDES discharges.
- NACWA filed an *amicus* brief before the U.S. Court of Appeals for the Sixth Circuit to support member agency the Metropolitan Sewer District of Greater Cincinnati (MSDGC) in a case where the U.S. District Court for the Southern District of Ohio awarded the Sierra Club \$1 million in attorneys' fees under the CWA's citizen suit provision (§ 505(d)). NACWA's brief stated that the court "greatly enlarges the scope of the fee-shifting provisions in the CWA and significantly alters the balance intended by Congress when it incorporated the citizen suit provision into the Act's overall enforcement scheme."



Collaboration a Major Theme in the Regulatory and Technical Arena

NACWA's advocacy efforts in the regulatory and technical arenas have yielded significant results. In addition to a new Pretreatment Streamlining Rule that provides regulatory relief to member agencies, and vital advocacy on the issues of total maximum daily loads (TMDLs), emerging contaminants, and mercury, the Association has also embarked on a number of significant collaborative efforts. These include discussions with key organizations on the interplay between drinking water and wastewater issues and heightened collaboration with the Water Environment Research Foundation (WERF) as it frames its research agenda.

2006 "Daily" Load Case Tees Up Work for Water Quality, Legal Teams

The April 25 decision by the U.S. Court of Appeals for the District of Columbia Circuit (DC Circuit) that all TMDLs must specify daily pollutant loadings provoked extensive discussion among the NACWA membership. In its opinion in *Friends of the Earth (FOE) v. EPA*, the U.S. Court of Appeals for the D.C. Circuit ruled that if daily pollutant loadings are not possible, EPA should either seek to amend the Clean Water Act (CWA) or change the federal TMDL regulations. The court said flatly that "daily means daily, nothing else" and explained that it has "even less sympathy for EPA's argument given that the agency's predicament is largely of its own creation."

Practical arguments made by NACWA and the Wet Weather Partnership (WWP) in their 2005 *amicus brief* supporting the District of Columbia Water and Sewer Authority (DC WASA), a NACWA member agency and intervenor in the case, were largely ignored by the court. NACWA's brief showed how a stringent interpretation of the word "daily" under CWA § 303(d) would undermine programs for combined sewer systems and municipal separate storm sewer (MS4) discharges. The court concluded that if "adherence to this mandate leads to unintended consequences for water quality or for municipal pocketbooks, interested parties should direct their concerns to EPA or to Congress, either of which can take steps to mitigate any fallout from the CWA's unambiguous directive."

Response to the "daily" load decision was quick and involved action by NACWA's Board and Water Quality and Legal Affairs Committees. At its May meeting, the Board authorized Targeted Action Fund (TAF) money for the Association to participate in legal activity to mitigate the case's implications, including the filing of a brief in support of DC WASA's petition for review before the U.S. Supreme Court. NACWA's Board also authorized funds to allow the Association to research and possibly file a petition

with EPA seeking to have certain pollutants declared unsuitable for daily loads and removed from the TMDL program. This specific action remains a possibility, and the funds will remain allocated for the Association to use for this purpose in 2006-2007.

In the weeks following the decision, NACWA staff, Norm LeBlanc, Chair of NACWA's Water Quality Committee and Director of Water Quality at Hampton Roads Sanitation District, Virginia Beach, Va., and representatives from the Federal Water Quality Coalition, of which NACWA is a member, met with EPA to discuss

the Agency's response to the FOE case. While no wholesale changes to the federal TMDL regulations are expected, EPA did release a draft policy memorandum recommending that all states and regions developing TMDLs consider including a daily expression of pollutant loadings. The Association provided comments to the Agency on the draft and will carefully review further iterations of any EPA memoranda and guidance addressing the FOE decision to ensure they address the unique concerns of combined sewer overflow (CSO) communities, municipal separate storm sewer systems (MS4s), and other clean water utility situations.

Finally, as this issue of *Year in Review* goes to press, both EPA and FOE have asked the D.C. Circuit not to vacate the non-daily TMDLs to give them time to conform the TMDLs to the court's ruling. Without question, NACWA's Board and Water Quality and Legal Affairs Committees will be engaged on the daily load issue in the coming year, seeking to ensure that the TMDL program remains effective, equitable, and implementable for clean water agencies nationwide.



Benjamin Grumbles, EPA Assistant Administrator for Water, discusses how a key ruling on total maximum daily loads will affect NACWA members at the 2006 National Clean Water Policy Forum.

Pretreatment Streamlining Rule Reduces Burdens for POTWs

One of the year's key successes came in the form of the Pretreatment Streamlining Rule that EPA issued in October 2005. After a decade of hard work and dedication by NACWA staff and members, the Association received a well-deserved victory with the rule, which contained

many provisions NACWA has long sought. In particular, NACWA was successful in obtaining revisions to the National Pretreatment Program that:

- Allow for mass-based limits instead of concentration-based limits if requested and the industrial user (IU) can show that the change is needed to accommodate water conservation efforts;
- Provide for 45 days, instead of 30, to submit key reports before the IU would be considered late and in significant noncompliance;
- Reduce oversight of “non-significant categorical industrial users (NSCIUs),” a new category established in the rule; and
- Waive sampling requirements for pollutants not present or not expected to be present at levels greater than that of the intake water.

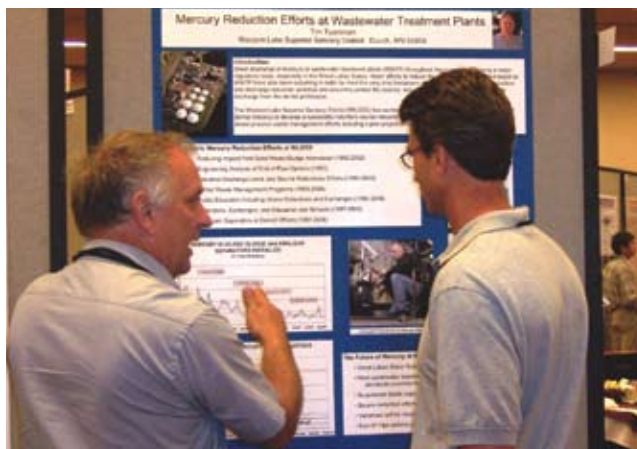
NACWA has continued to work with its members and the Pretreatment and Pollution Prevention Committee, in particular, on a variety of issues related to the implementation of the rule.

NACWA Mercury Workgroup Continues to Set the Standard

The Mercury Workgroup of NACWA’s Regulatory Policy Committee continued this year to raise the level of awareness and understanding of this metal and its effects on the environment. Through consistent communication, NACWA members from across the country shared information and learned first hand from their colleagues about how to reduce mercury’s harmful impacts. The Workgroup was busy this year, releasing a comprehensive white paper, *Controlling Mercury in Wastewater Discharges from Dental Clinics*, outlining strategic options to address dental clinics, one of the largest sources of mercury in wastewater.

Additionally, a multi-year sampling effort, which has garnered significant attention from municipal and dental stakeholders, as well as EPA, is now complete, and the workgroup hopes to have a final report summarizing the results by the end of 2006. Through three years of analysis of the influent, effluent, and biosolids at nine clean water agencies from the U.S. and Canada, the Workgroup hopes to shed additional light on the efficacy of certain dental office mercury control measures.

All of the Workgroup’s products from the last few years were featured at a NACWA display during the *Eighth International Conference on Mercury as a Global Pollutant*



NACWA co-sponsored and participated in the *Eighth International Conference on Mercury as a Global Pollutant*, held August 6-11 in Madison, Wis. The conference brought together more than 1,200 people from 69 countries to discuss the latest advances in the understanding of environmental mercury pollution. NACWA’s Mercury Workgroup showcased the numerous studies, reports, and other information that it has produced over the last few years, including a January 2006 white paper on *Controlling Mercury in Wastewater Discharges from Dental Clinics*. While many at the conference focused on improving current knowledge about the sources and impacts of mercury in the environment, presentations by several NACWA members demonstrated again that clean water utilities are on the front lines of taking practical steps to control mercury releases to the environment. The Association’s co-sponsorship of this conference was made possible with funding from NACWA’s Targeted Action Fund (TAF), demonstrating the fund’s ongoing value in supporting and ensuring broad awareness of the Association’s advocacy efforts.

in August 2006, an event cosponsored by NACWA in its Targeted Action Fund (TAF).

Emerging Contaminants Identified As Top Priority for the Association

An area garnering increasing NACWA attention involves emerging contaminants in the environment. With more sensitive analytical methods, researchers have begun to find low levels of thousands of chemicals and substances in the nation’s waterways. The presence of these compounds has led to questions regarding potential impacts and sources, and the clean water community has taken notice.

Over the past year, NACWA has participated in numerous meetings on the subject and discussed the issue at its 2005 *National Pretreatment and Pollution Prevention Workshop*. NACWA and many of its members participated in an important EPA meeting in August 2005 on the latest science regarding the potential effects of pharmaceuticals and personal care products (PPCPs) on the environment. NACWA summarized the findings and discussions from the meeting in an issue paper, *Pharmaceuticals and Personal Care Products in the Environment: A White Paper on Options for the Wastewater Treatment Community*, in early November. More recently,

NACWA met with representatives of the pharmaceutical industry to discuss efforts for evaluating the potential impacts on aquatic organisms of trace pharmaceuticals in the environment.

NACWA has also made a long-term commitment to the issue of emerging contaminants with the creation of a new workgroup. Modeled on the successful Mercury Workgroup, NACWA's new Emerging Contaminants Workgroup draws on expertise from the Association's existing committees on water quality, biosolids, pretreatment, and communications and public relations – all relevant components of the issue. The new Workgroup will track the latest science and policy on the issue, engage other organizations to identify opportunities for collaboration, and establish a dialogue with federal regulators to enhance communication among the various agencies with responsibility over the growing list of emerging contaminants.

'Flawed' WET Methods Continue To Present Challenges for NACWA Members

Whole effluent toxicity (WET) testing remains an important area for NACWA. Following the December 2004 ruling of the Court of Appeals for the D.C. Circuit upholding EPA's WET test methods, NACWA has been working hard to provide its members with additional guidance on implementing WET monitoring requirements and complying with permit limits. A proposed EPA implementation guidance released for comment, also in December 2004, provided none of the relief NACWA had requested and, as drafted, would limit the existing flexibility that some states have built into their own WET programs. Using key language from the 2004 court decision and the array of existing WET policy and guidance, NACWA prepared a white paper to assist its members in negotiating with their permit writers regarding WET limits. The final paper, *Whole Effluent Toxicity NPDES Permit Testing and Limitations for Public Agencies*, was released in January 2006.

As EPA contemplates its next move on the implementation guidance, the Association is now tracking what appears to be a national effort to crack down on states that have historically had more flexible WET programs. NACWA is working with a coalition of industry and municipal dischargers to follow the issue and is keeping a keen eye on EPA Region 6 and its interactions with the State of Texas. Region 6 has indicated that Texas must begin implementing the Region's WET Permitting Strategy, which, among other things, would require chronic, sub-lethal requirements be imposed based on EPA's reasonable potential determination. Given that the flaws in the WET test methods are amplified when evaluating sub-lethal effects and the flaws in EPA's reasonable potential process as it applies to WET, this is not a positive trend. NACWA will be working

with its members in Texas and in other affected regions to ensure flexible state approaches are preserved.

NACWA, WERF Collaborate On Research Agenda

NACWA has engaged WERF on a process that would allow Association members to help develop and guide the Foundation's research agenda. A collaborative process that is expected to yield significant member benefit, this effort included a day-long workshop at the 2006 Winter Conference that set this initiative in motion. WERF recently modified the way it identifies areas for research, providing new opportunities for collaboration with NACWA. The two organizations have established new procedures and identified liaisons to ensure the lines of communication remain open. Not only will NACWA members have additional input into the direction of WERF's research, but they will benefit from better communication about the results of key research efforts and how it will affect their day-to-day operations.

Water Sector Seeks Cooperation on Overlap of Drinking Water/Clean Water Issues

As the Association looks to the future, one area that will undoubtedly demand significant attention by the drinking water/clean water sector as a whole is the interplay between Clean Water Act and Safe Drinking Water Act requirements. NACWA has taken the lead by engaging organizations such as the Water Environment Federation (WEF), the American Waterworks Association (AWWA), and the Association of Metropolitan Water Agencies (AMWA) on ways our sector can best collaborate. NACWA's successful 2006 Summer Conference, *Cross-Cutting Clean Water and Drinking Water Issues . . . Challenging Traditional Boundaries*, was a direct result of these early discussions. Immediately following the conference, leaders from NACWA, WEF, AWWA, and AMWA, and a representative from EPA sat down to chart a path forward for future collaboration. For the first time, NACWA's Summer Conference was held in cooperation with these other water organizations to signify its continuing commitment to collaboration on this issue and to ensure the best protections for the Nation's water quality going into the future. ■



NACWA Ensures Sound Federal Approach to Wastewater Security

With continued concerns over terrorism and the significant devastation from hurricanes Rita and Katrina, the Department of Homeland Security (DHS) and the U.S. Environmental Protection Agency (EPA) continue to focus their efforts on initiatives to secure the nation's critical water infrastructure. NACWA has played a vital role in ensuring that the federal government takes a sound approach that fully recognizes the local leadership of the nation's public clean water utilities in the security arena.

NACWA Works Closely with DHS, EPA on Infrastructure Protection Plan

On June 30, DHS announced the completion of the National Infrastructure Protection Plan (NIPP), outlining a comprehensive all-hazards risk management framework that calls out critical infrastructure protection roles and responsibilities for government and private industry, including the water/wastewater sector. Developed under Homeland Security Presidential Directive 7 (HSPD-7), the NIPP is essentially a broad outline of how federal, state, and local

governments can prepare for and respond to a terrorist attack or natural disaster.

The Water Sector Coordinating Council (WSCC), created in 2004, is the highest level group comprised of sector leaders, including NACWA staff and members, who are helping to guide DHS and EPA water sector security-related initiatives. The WSCC provided key input into the NIPP.

Perhaps of greater direct significance to NACWA members, the release of the NIPP started the 180-day countdown for the completion of each infrastructure sector's Sector Specific Plan (SSP), including the plan for the water sector. The water SSP outlines how the NIPP will be implemented by the sector's utilities. NACWA is the only Association involved in the drafting process of the SSP whose sole purpose is to voice the interests of public clean water utilities. While EPA is taking the lead in drafting the document, a team of association staff, utility leaders, and DHS and EPA officials, has met regularly to provide input into the draft and to offer comment



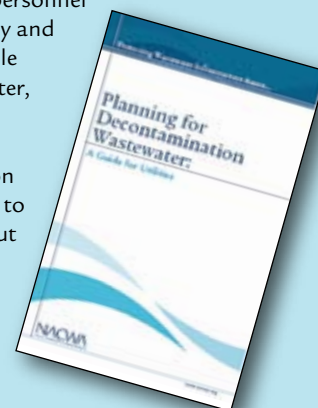
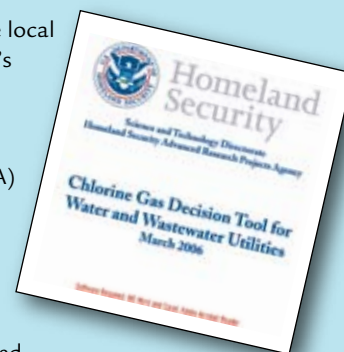
Association Develops Key Wastewater Security Resources

NACWA rolled out two major security resources for the wastewater sector over the past year. Time and again, chlorine gas issues and the secondary impacts of a terrorist attack on treatment plants top the list of security priorities for clean water agencies. Working together with its federal partners on the security issue, NACWA was able to develop these top-notch resources.

The *Chlorine Gas Decision Tool* is a CD-based application designed to provide water and wastewater utilities with a quick, but thorough, means of evaluating alternative disinfection options. NACWA worked with the Department of Homeland Security's (DHS) Advanced Research Projects Agency to develop this timely resource for the clean water and drinking water communities. While it may be infeasible to eliminate the use of chlorine gas in the water and wastewater industry, many municipalities are exploring alternative disinfection options. The tool was developed to provide these municipalities with the means to determine whether another form of disinfection may work for them and to encourage other utilities currently using gaseous chlorine for disinfection to consider alternatives. With water and wastewater specific spreadsheets and templates for generating a final report, the tool has everything a utility will need to determine and support whether to proceed to a more formal engineering analysis.

Perhaps one of the most overlooked security issues is also the most critical for clean water utilities to understand and prepare for. Decontamination wastewater, generated during clean-up efforts following a chemical, biological, or radiological

attack, can present a real threat to the local wastewater treatment plant. NACWA's members identified this as a major area of interest and the Association received grant funding from the U.S. Environmental Protection Agency (EPA) to develop *Planning for Decontamination Wastewater: A Guide for Utilities* in an effort to shed additional light on the issue and to educate other utilities about this very real threat. Released in October 2005, the *Guide* has garnered significant attention from the clean water community, especially pretreatment personnel and state regulators. The *Guide* clearly and succinctly identifies the threat, possible sources of decontamination wastewater, opportunities and strategies for pre-planning, mitigation techniques, and ongoing research needs. A companion on-line resource library provides links to most of the resources cited throughout the *Guide* and, through NACWA's ongoing effort to update the library, will ensure that the *Guide* continues to be a vital and up-to-date resource for the industry.



as the drafting process has progressed. The WSCC is also intimately involved in the SSP's development and will have the opportunity to review the final draft.

NACWA's presence has been critical to ensure that the plan accurately accounts for the goals of the clean water treatment community, the tremendous amount of work already done by public utilities to secure their plants and other key assets, as well as to ensure the voluntary, non-regulatory nature of the plan. A final SSP is expected to be completed by December 31, 2006.

NACWA Prominent in Effort to Measure Security Progress

As part of its effort to ensure security initiatives involve flexible and local solutions, NACWA has been a vocal presence in the Measures Testing Group (MTG) with Bud Schardein, Executive Director of the Louisville & Jefferson County Metropolitan Sewer District, representing the Association. The MTG effort, led by EPA, has as its goal the development of measures for determining progress on the implementation of the 14 features of an active and effective security program. These 14 features were identified by the Water Security Working Group (WSWG) and endorsed by the National Drinking Water Advisory Council (NDWAC).

The MTG will help EPA refine and develop reporting and verification strategies for the three national aggregate measures recommended by the NDWAC, which are:

- Implementation of "active and effective" security programs as measured by the degree of implementation of the 14 feature program features;
- Reduction in security risks as measured by the total number of assets determined to be high security and the number of formerly high security risk assets lowered to low or medium security risks based on vulnerability assessments; and
- Reduction in the inherent risk potential of utility operations as measured by Clean Air Act Section 112(r) reporting on hazardous substances and by the number of utilities that convert from gaseous chlorine to other forms of chlorine or treatment methods.

The MTG divided into three subgroups to address each of the national aggregate measures and determine the types of data that could be reasonably reported to assess against each measure, how a baseline might be established, and how to manage any issues associated with data consistency across utilities. Key issues involve questions about who would receive the data that is generated and how it would be used and where to establish the baseline from which facilities can

measure their progress.

NACWA will continue to be intimately involved in this effort, with the measures expected to be completed by the end of the year.

Collaborative Effort Supports Mutual Aid Networks

In the wake of hurricanes Katrina and Rita, drinking water and wastewater utilities have been stepping up efforts to develop mutual aid agreements among facilities. These would allow utilities to send resources in the form of crews and equipment to assist wastewater and drinking water plants that have been disabled by natural disasters or other events. In November 2005, NACWA and representatives from utilities in 12 states met in Orlando to look at what Florida and California have developed for emergency response networks, also called Water/Wastewater Agency Response Networks (WARNs). This was an initial discussion on how to develop and expand networks across the country.

This initial discussion resulted in NACWA joining the American Water Works Association (AWWA), the Association of Metropolitan Water Agencies (AMWA), the Water Environment Federation (WEF), the National Rural Water Association (NRWA), the National Association of Water Companies (NAWC), the Association of State Drinking Water Administrators (ASDWA), and the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), in signing a Feb. 15, 2006, joint statement, *Utilities Helping Utilities*, voicing strong support for the establishment of such WARNs. These networks have demonstrated their effectiveness — in particular in the area of hurricane response — in such a compelling manner that their formation has been incorporated as a core principle of the National Preparedness Goal developed by DHS. ■



Marian Orfeo, NACWA Officer and Director of Planning & Coordination for the Massachusetts Water Resources Authority (MWRA), Boston, Mass., provided an overview of how MWRA is preparing for the possibility of an avian flu pandemic. The presentation offered a sobering account of the potentially devastating implications for clean water utilities, with estimates that such an outbreak in the U.S. could cause up to 40 percent absenteeism in the nation's workforce and, in turn, a serious challenge to service continuity. The presentation served as a reminder that "threat preparedness" must be thought about in a broader context than simply terrorist attacks or natural disasters. To help utilities prepare for such an event, NACWA worked with other water sector organizations to produce a *Pandemic Influenza Checklist*, containing useful information culled from a variety of resources.

NACWA Shows Multi-faceted Leadership On National, Local Biosolids Issues

NACWA continues to play a leadership role in the technical, regulatory, and legal arenas as it advocates for sound, flexible biosolids management practices. Support for local communities seeking to maintain the right to manage their biosolids in a safe, practical manner that suits their particular situation is a top priority for NACWA. This support includes the Association's work to secure continuing funding for the National Biosolids Partnership (NBP) and efforts on behalf of its Southern California members who are fighting a land application ban in nearby Kern County.

NACWA Helps Ensure Continued Funding for National Biosolids Partnership

NACWA members and staff were successful again this year in ensuring that \$1 million for the NBP environmental management system (EMS) program was included by the U.S. House of Representatives in the U.S. Environmental Protection Agency's (EPA) fiscal year (FY) 2007 budget. Although at press time the budget had not yet been passed by Congress, inclusion of NBP funding in the House's budget proposal should be sufficient, as in past years, to ensure its incorporation into the final budget package.

Over the past year, six participating clean water agencies received NBP certification through a third-party review of their EMS programs. NACWA extends its congratulations to the following communities who have successfully completed this certification program:

- Fort Worth Village Creek Wastewater Treatment Plant – Fort Worth, Texas
- Metro Wastewater Reclamation District – Denver, Colo.
- Encina Wastewater Authority – Carlsbad, Calif.
- City of Lawrence Department of Utilities – Lawrence, Kan.
- Kent County Regional Wastewater Treatment Facility – Milford, Del.
- City of Albany Wastewater Treatment Facility – Albany, Ore.

NACWA Backs Los Angeles Lawsuit On Kern County Biosolids Ban

Continuing its strong tradition of advocating for the authority of clean water agencies to choose how they manage their biosolids, NACWA lent support to the City of Los Angeles in its lawsuit filed August 15 challenging a ban by Kern County on the import and land application of biosolids. In a press



Mitch Costanzo (second from left), Metro Denver's Director of Resource Recovery and Reuse, Denver, Colo., accepts the environmental management system (EMS) certification plaque from the National Biosolids Partnership (NBP). Also in the photo are (left to right) NACWA Executive Director Ken Kirk, Tim Williams, Managing Director of Government Affairs for the Water Environment Federation, and Pete Machno, Environment Management System Director, NBP.

release, NACWA noted that "it is imperative that the nation's clean water agencies be allowed to manage their biosolids in a safe, environmentally friendly manner and in compliance with EPA regulations, as they have for decades."

The Los Angeles County Sanitation District and the Orange County Sanitation District, both NACWA member agencies, are also plaintiffs in the lawsuit. Significantly, these agencies also underwent the rigorous certification requirements of the NBP. NACWA will work to ensure that its members' investments in biosolids management programs, which meet strict state and federal standards for environmental health and safety, are not wasted. The Association stands ready to assist Los Angeles and other members in informing the public about the management practices in place to ensure the safe use of this valuable agricultural resource.

National Sewage Sludge Survey Will Continue To Be Focus in Coming Year

On the technical front, NACWA, through its Biosolids Management Committee, has been working closely with EPA on a new Targeted National Sewage Sludge Survey that will collect data from more than 100 facilities nationwide. EPA said the survey will seek data on emerging contaminants, including polybrominated diphenyl ethers (PBDEs), which are used as flame retardants, other organics, antibiotics, drugs, steroids, and hormones. The information will be used to help the Agency "prioritize future activities," primarily further research. The Association will work closely with EPA to

ensure the data on certain emerging contaminants is used to develop research priorities and fill in knowledge gaps related to these issues rather than to establish prematurely pollutant-based limits for biosolids.

Multi-Year NACWA Effort Results In Informative Biosolids Handbook

This past year was important for a team of member agency experts, who worked tirelessly to develop NACWA's newest publication, *Biosolids Management: Options, Opportunities & Challenges – A National Association of Clean Water Agencies Handbook*, which filled a gap in the type of information currently available on biosolids. While most publications are technical or focus on a particular biosolids sub-topic, NACWA's *Handbook* offers an in-depth look at the current regulatory and legal developments concerning a variety of biosolids management practices. In addition to providing information on policy developments, however, the *Handbook*, also outlines successful strategies, management pointers, and key terms. This publication would not have been possible without the leadership of NACWA's Biosolids Management Committee Co-Chairs Robert P. Dominak, Residuals and Air Emissions Manager, Northeast Ohio Regional Sewer District, Ohio, and David S. Taylor, Director of Special Projects, Madison Metropolitan Sewerage District, Wis.

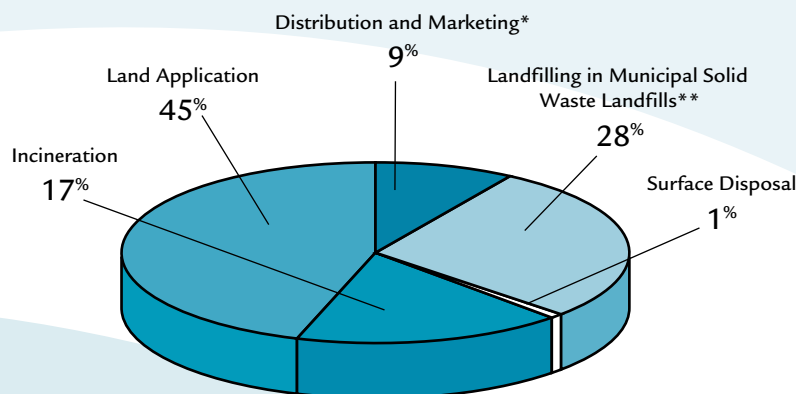
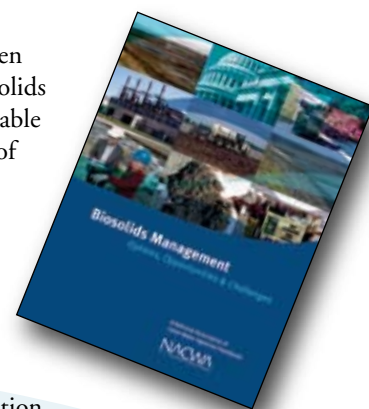
The *Handbook* is structured around the five biosolids management options most commonly used by public utilities today: agricultural land application; distribution and marketing (includes pelletizing, composting, soil amendments, and packaging for commercial and home use); incineration; landfilling (includes use as landfill cover); and surface disposal. The *Handbook* discusses Clean Water Act requirements and relevant Clean Air Act regulations and



Agricultural land application is one of the five biosolids management options commonly used by clean water utilities. This option as well as the four others are discussed in NACWA's *Biosolids Management: Options Opportunities & Challenges* — A National Association of Clean Water Agencies Handbook, which was published in early 2006.

addresses the delicate balance between federal and state authority over biosolids management. In addition, this valuable resource contains a broad overview of communications issues that affect all public agencies — regardless of the biosolids management option employed. The *Handbook* focused on biosolids legal decisions and also discusses planning for the future.

Consistent with NACWA's tradition of making key documents easily accessible to members, the *Handbook* features an online library which will serve as an invaluable resource for NACWA members. ■



Estimate of U.S. Biosolids Management Practice

* Includes composting, pelletizing, fertilizer, soil amendments, and packaging for commercial and home use.

** Includes use as landfill cover.

NACWA Accomplishments

NACWA enjoyed its first full year with its new name and made significant progress in establishing itself as the leading advocate for responsible national policies that advance clean water and a healthy environment.

NACWA ensured key advocacy gains by using Targeted Action Funds for the highest priority legal, regulatory, legislative, and management projects.

NACWA celebrated the finalization of the U.S. Environmental Protection Agency (EPA) Pretreatment Streamlining Rule, the result of a decade of advocacy culminating in a rule that will save clean water agencies money and resources.

NACWA negotiated successfully with the Natural Resources Defense Council (NRDC) on a mutually agreeable draft of a peak excess flow guidance, which was embraced and published by EPA.

NACWA collaborated with the Department of Homeland Security (DHS) to create the *Chlorine Gas Decision Tool*, a CD ROM program established to evaluate utility disinfection practices and offer options for those seeking treatment alternatives.

NACWA played a prominent role in the introduction of the *Clean Water Trust Act of 2005* (H.R. 4560). The bill currently enjoys 21 co-sponsors and would provide \$38 billion to improve water infrastructure.

NACWA responded promptly in the wake of the Hurricane Katrina crisis by working with other water sector associations to encourage local and state governments to set up intrastate mutual aid and assistance networks, also called WARNS [Water/Wastewater Agency Response Networks].

NACWA was at the heart of key debates over the meaning of “daily” in the total maximum daily load (TMDL) program via its *amicus* brief in *Friends of the Earth (FOE) v. EPA* and a subsequent comment effort regarding EPA’s draft memo interpreting the case.

NACWA raised its grassroots advocacy to new heights through its Clean Water America (CWA) website — a cyber campaign that has attracted the support of nearly 200 diverse organizations and 120,000 individuals, all of whom signed up to fight for national funding for our aging water infrastructure in the form of a clean water trust fund.

NACWA represented the interests of public clean water agencies by advocating for a sound, voluntary International Organization of Standardization (ISO) wastewater management services standard, which is expected to be finalized in 2007.

NACWA drafted and distributed *Pharmaceuticals and Personal Care Products in the Environment: A White Paper on Options for the Wastewater Treatment Community*, which detailed the emerging water quality challenge posed by these contaminants and prompted the establishment of a new NACWA Emerging Contaminants Workgroup to focus on these issues.

NACWA focused on advancing efforts that directly impact clean water agencies at the local level, including issues such as the dispute over mixing zones in Oregon, wet weather standards for the Ohio River, and land application of biosolids concerns in California, to name but a few.

NACWA commented on nearly a dozen technical issues, including: the Office of Management & Budget’s (OMB) Good Guidance Proposal, EPA’s pesticide registration data requirements, and EPA’s peak excess flow “blending” policy, all critical issues for our clean water community.

NACWA collaborated with six other key utility sector organizations and EPA in signing a *Statement of Intent* on effective utility management with the goal of bringing their joint expertise together on behalf of the development of useful tools on management-related issues.

NACWA issued a white paper to provide guidance to clean water agencies on controlling mercury discharges from dental clinics, which details the complex technical nature of this issue and the potential benefits associated with a uniform certification program for dental clinics.

NACWA compiled the *Whole Effluent Toxicity (WET) White Paper on Utility Permit Issues*, which offered useful guidance and model permit language to assist clean water facilities in implementing the requirements of the WET program.

NACWA convened numerous Late Breaking Legal Issues conference calls. The topics covered in the 2005-2006 calls included use attainability analyses (UAAs), new wet weather consent decrees, and permits, criminal environmental enforcement trends, and insurance reforms and liability issues.

NACWA teamed up with the National League of Cities (NLC), the National Association of Flood and Stormwater Management Agencies (NAFSMA), and the American Public Works Association (APWA) to write an *amicus* brief in support of Cincinnati in a stormwater fee dispute with a federal facility in *City of Cincinnati v. U.S.*

NACWA coordinated successfully with the Water Environment Federation (WEF) on the 2006 *National Clean Water Policy Forum* held in Washington, D.C., where members of both organizations had the opportunity to learn about, and offer input into, the latest legislative and regulatory developments on vital clean water issues from congressional staff and EPA officials.

NACWA worked closely with EPA in developing *Managing Decontamination Wastewater - a Planning Tool*, to assist wastewater treatment agencies in preparing for, avoiding, and recovering from the introduction of contaminants into their systems in the aftermath of a biological, chemical or radiological attack.



NACWA collaborated with the Water Environment Research Foundation (WERF) on an approach to help ensure that the Foundation's research agenda fully accounts for NACWA members' priority clean water research needs.

NACWA convened its 2005 *Developments in Clean Water Law Seminar* in Santa Fe, N.M., to provide public agency attorneys and managers a viable forum to meet and discuss topics such as use attainability analyses (UAAs), TMDLs, and biosolids management issues.

NACWA built on its record of leadership on management-related initiatives and offerings, through the 2006 Winter Conference, *Improving Knowledge Management in Today's Utility*, in Palm Desert, Calif. The conference provided vital insight into how today's clean water facilities can create, capture, share, and leverage the knowledge they need to excel.

NACWA worked with the National Biosolids Partnership (NBP) and Association member clean water agencies to urge Congress to include \$1 million in federal funding to support the NBP's environmental management system (EMS) for biosolids program — the outlook remains positive that this funding will again be included in EPA's fiscal year 2007 budget.

NACWA congratulated five clean water agencies for their successful completion of the rigorous National Biosolids Partnership's (NBP) Environmental Management System (EMS) program.

NACWA served as the primary voice on behalf of clean water agencies in providing input into EPA and DHS' development of a water sector specific plan (SSP) for preventing, responding to, and recovering from, terror attacks and natural disasters. The SSP is expected to be completed in December 2006.

NACWA garnered strong and consistent media exposure on priority clean water issues, with coverage in the *Wall Street Journal*, the *Seattle Post*, *Omaha World Herald*, *Indianapolis Star*, the *Arizona Daily Star*, as well as interviews with various radio and television news stations.

NACWA made a renewed push for a regulation on sanitary sewer overflows (SSOs) by releasing a white paper laying out strategic options for Association next steps regarding SSO control. The paper helped cement the membership's desire for an aggressive NACWA campaign on behalf of EPA's development of a consistent national policy for reducing SSOs — a top priority for NACWA.

NACWA began a critical advocacy effort on behalf of increased water conservation funding to address nonpoint source pollution and other key programs in the ongoing congressional debate regarding the Farm Bill, which is expected to be reauthorized in 2007.

NACWA provided input and helped guide congressional efforts on security legislation, including the *Senate Wastewater Treatment Works Security Act of 2006* (S.2781), which would provide \$200 million to utilities on a voluntary basis to perform vulnerability assessments and make basic security enhancements.

NACWA continued to work as an active founding member of the Water Infrastructure Network (WIN), which remains the leading voice in the effort to secure increased federal funding for the nation's aging water infrastructure.

NACWA and the Wet Weather Partnership (WWP) joined forces in the 4th national CSO (combined sewer overflow) *Workshop* that brought together experts from across the country to discuss implementation and enforcement issues surrounding the 1994 CSO Policy.

NACWA successfully partnered with Virginia Association of Municipal Wastewater Agencies (VAMWA) to write an *amicus* brief in support of Virginia's efforts in the *Chesapeake Bay Foundation (CBF) v. Town of Onancock*. NACWA received a favorable decision from the Circuit Court who ruled that permit limits should be set following the development of scientifically based WQS and TMDLs.

NACWA continued its tradition of leadership in the pretreatment arena with its 2005 *National Pretreatment & Pollution Prevention Workshop* in Kansas City, Mo., attracting nearly 220 wastewater treatment professionals from all over the country and offering them a unique opportunity to meet face-to-face with EPA officials.

NACWA advocated successfully on behalf of an EPA proposed rulemaking that would ensure that both intrabasin and interbasin water transfers are to be regulated by state authorities and, therefore, exempt from Clean Water Act permitting requirements.

NACWA published its 2005 *Financial Survey*, the most comprehensive financing and management survey NACWA has ever taken, which presents industry statistics and trend data on utility revenues, expenses, debt financing, capital needs, sewer service charges, residential and industrial rates and rate structures, staffing levels, and salaries in an easy-to-use CD-ROM format.

NACWA successfully developed *Collaborative Water Quality Solutions: Exploring Use Attainability Analysis* to help utilities decide whether the UAA approach is appropriate for particular clean water agency needs. The publication formed the basis of a popular joint NACWA/WERF web seminar on the UAA topic.

NACWA published *The Changing Workforce... Seizing the Opportunity* in cooperation with the Association of Metropolitan Water Agencies (AMWA) to build on key strategies to assist utilities with developing and implementing a management program aimed at developing and retaining a new generation of workers.



Outreach Efforts Pay Off With Enhanced Media Spotlight on NACWA Issues

Strong leadership and intensified efforts from the Communications and Public Relations and other committees have put NACWA in the media spotlight more than ever in the past year. The Association's perspective on important clean water issues such as emerging contaminants, peak wet weather flows, and infrastructure funding has been getting more public attention, not just from the trade press but from the major, mainstream media outlets as well. NACWA has been quick to issue press releases providing the Association's perspective both in response to and in anticipation of news items relating to wet weather, biosolids, and other Clean Water Act issues. In addition, the Association continues to get regular press calls seeking background information on clean water issues that not only impact our members but the American public as well. The result of this intensified media involvement is a more informed public and significant progress toward public recognition of NACWA members as leading environmental advocates.

To assist members in their own advocacy and public relations efforts, NACWA continues to provide a number of valuable tools as well. One such asset is the Association's new *Public Relations Resources* webpage (<http://www.nacwa.org/private/pr>) created last year. This *Member Pipeline* site continues to provide valuable information including talking points on the draft peak wet weather flows policy based on an agreement between NACWA and the Natural Resources Defense Council (*see related story*) and information for educating the public on the causes of sewer overflows. This NACWA tool and others help the Association and its members communicate a consistent message on clean water issues.

Consumer Product Outreach Generates Impressive Response

Demonstrating the valuable contribution all NACWA committees can make in spreading our message, the Association, acting on a request from the Pretreatment and Pollution Prevention Committee, sent a letter in February asking the U.S. Environmental Protection Agency (EPA) to review the water quality impacts of pesticide-laden consumer products—including a washing machine that releases silver ions into the wash cycle as a disinfectant. This letter prompted significant media attention, especially after the issue was reported in the *Wall Street Journal* mentioning NACWA's advocacy efforts. That



story generated interest from other media, and soon NACWA General Counsel Alexandra Dunn was seen on numerous CBS affiliates, including the one in New York City, the largest media market in the country, explaining the concerns NACWA members have with these products (*see photo lower left*).

Funding Issue Continues to Get Significant Play

The introduction of legislation, The *Clean Water Trust Act of 2005* (H.R. 4560), has drawn significant media interest and created an opportunity for NACWA to repeatedly articulate the looming financial crisis municipalities, and especially clean water agencies, face without significant federal assistance to address wastewater and water infrastructure. NACWA's outreach efforts are an integral part of winning broad-based support for a trust fund and receive frequent mention in the media. Another important tool being used to build support for a federal recommitment to clean water funding is NACWA's Clean Water America website (<http://www.cleanwateramerica.org>). To date this grassroots initiative—essentially an online activist community of organizations and individuals—has collected nearly 120,000 signatures of people supporting the bill (*See related story*).

NACWA Survey Assists Members In Public Affairs, Outreach

In another initiative supporting NACWA's advocacy and outreach efforts, the Association conducted its first ever public relations survey using the *Clean Water Central* database (<http://www.cleanwatercentral.org>). The survey yielded some illuminating responses that NACWA used to develop its *Public Relations White Paper*. This document, which will be distributed to NACWA members in the fall of 2006, provides direction for leveraging public affairs and outreach capabilities at NACWA member agencies to ensure the success of advocacy efforts in the clean water arena.

NACWA through its Communication and Public Relations Committee will continue to build on its strong advocacy and public affairs efforts to ensure an informed and balanced view of important clean water issues is presented. ■

NACWA Builds on Strong Record Of Leadership in Management Arena

NACWA continues to serve as the voice of the clean water community on utility management issues and collaborate with other sector stakeholders to ensure a coordinated approach. An industry-wide effort on effective utility management signaled a new, unprecedented level of cooperation within the industry. As always, NACWA continued to provide vital management information and useful tools to its members, including expanded data on CleanWater Central, the 2005 Financial Survey, the NACWA Index, and the management-focused 2006 Winter Conference.

Key Organizations Collaborate In the Utility Management Arena

NACWA, together with the Water Environment Federation (WEF), the American Water Works Association (AWWA), the Association of Metropolitan Water Agencies (AMWA), the American Public Works Association (APWA), and the National Association of Water Companies (NAWC), signed a Statement of Intent in May 2006, formalizing a collaborative effort between the water/wastewater sector organizations and the U.S. Environmental Protection Agency (EPA) to facilitate effective utility management throughout the industry. The effort, which is now underway, calls upon the expertise of representatives from each of the partnering organizations to refine and finalize a list of attributes of effectively managed utilities. Ultimately, key Association publications and tools will be linked with the attributes they support and made available to the members of all participating associations. NACWA hopes this approach will ensure that utilities nationwide have access to the best resources available to guide their activities in the utility management arena.

At the same time, NACWA has been actively engaged with the Water Environment Research Foundation (WERF), as it works to develop additional resources on asset management. NACWA will be participating directly in WERF's ongoing efforts to develop tools and information on asset management, a major component of which will be to identify and make available existing asset management information.

Knowledge Management Highlights Winter Conference

NACWA's 2006 Winter Conference in Palm Desert, Calif., provided a forum for clean water agencies to examine optimal ways through which to create, capture, share, and leverage the knowledge they need to excel. *Improving Knowledge Management in Today's Utility* served as the theme for the conference, attended by more than 200 people. Knowing what to do with the information we have is just as critical as collecting new information, and various tools and



Leaders of six key national associations representing the interests of water and wastewater utilities, including NACWA, and Benjamin Grumbles, Assistant Administrator, Office of Water, U.S. EPA, signed a landmark Statement of Intent to promote collaborative approaches on effective utility management at the joint NACWA/Water Environment Federation 2006 National Clean Water Policy Forum. Representatives at the signing included (from left) Bill Bertera, Executive Director, WEF; Michael Arceneaux, Deputy Director, AMWA; Peter King, Executive Director, APWA; Ben Grumbles; Ken Kirk, Executive Director, NACWA; Tom Curtis, Deputy Executive Director for Government Affairs, AWWA; and, Peter Cook, Executive Director, NAWC.



Business partners and authors Lynne Lancaster and David Stillman spoke at NACWA's 2006 Winter Conference *Improving Knowledge Management in Today's Utility*. Their presentation *Finders Keepers: How the Rules of the Knowledge Game Have Changed* kicked off a very successful conference dialogue.

approaches for managing and making information work for today's utility was also a major discussion item during the conference.

CleanWater Central—The Data Source For the Clean Water Community

This year, NACWA and WERF continued their successful collaboration on the *CleanWater Central* database (<http://www.cleanwatercentral.org/>) and set a course for additional data collection and system functionality. Two critical efforts are now underway to evaluate the current system and to increase usage. WERF is heading up an effort to survey existing users to determine what works, what can be improved, and what information and functionalities could be added to make the system even more useful.



The *CleanWater Central* database was launched in July 2003 to provide utility managers and researchers detailed technical and research information on public water and sewerage agencies and treatment facilities. The data contained in the database originates from member/subscriber surveys performed by NACWA and WERF, WERF research studies, or directly from member/subscriber agencies.

CleanWater Central has already proven itself valuable for conducting surveys such as NACWA's *Financial Survey* as well as a new public relations (PR) survey conducted this year for the first time. Gone are the days of manually entering data from any survey, saving time and resources for both members and NACWA. The concept of a broad, technical survey with a level of detail similar to NACWA's *Financial Survey* continues to factor heavily in the future of *CleanWater Central*. NACWA intends to initiate such an effort in FY 2007 and is also preparing to distribute a one-page data form for NACWA members and WERF subscribers who have not previously used the system to show them how easy it is to input their baseline information and start using the database.

NACWA Represents Clean Water Agencies In International Arena

NACWA is continuing to ensure the voice of the clean water community is heard throughout the International Organization for Standardization's (ISO) development process

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 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: leadership and personal assessments; effective communications; negotiation skills; information technology; finance fundamentals and innovative investment strategies, and many other important topics.

Since its inception, the center has supported the professional development of over 180 utility leaders, with many utilities sending additional staff each year to benefit from this important opportunity to learn from and alongside the clean water community's experts and leaders.

The leadership center hosted its sixth annual residential program, March 27–April 7, 2006, 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.

of voluntary management standards for wastewater systems. NACWA is working closely with the U.S. delegation and continues to leverage Targeted Action Funds (TAF) to support the participation of NACWA's lead experts — Dave Williams, of East Bay Municipal Utility District, Calif., Peter Ruffier, of the City of Eugene Wastewater Division, Ore., and Steve Hayashi, formerly with a NACWA member agency — in key international meetings. NACWA's experts are the only U.S. representatives involved in the development of the wastewater component of the standard and their continued involvement is critical.

In April, ISO released the draft international standard (DIS) for comment. The DIS represents the culmination of more than three years of effort to construct a standard that meets the needs of the participating countries. The U.S. delegation met in Seattle, Wash., following the NACWA 2006 Summer Conference, to discuss the DIS and will be meeting regularly before the final U.S. comments on the draft are sent to ISO in September. NACWA plans to maintain an active role in the discussions over the next year as ISO works to complete the standard in late 2007.

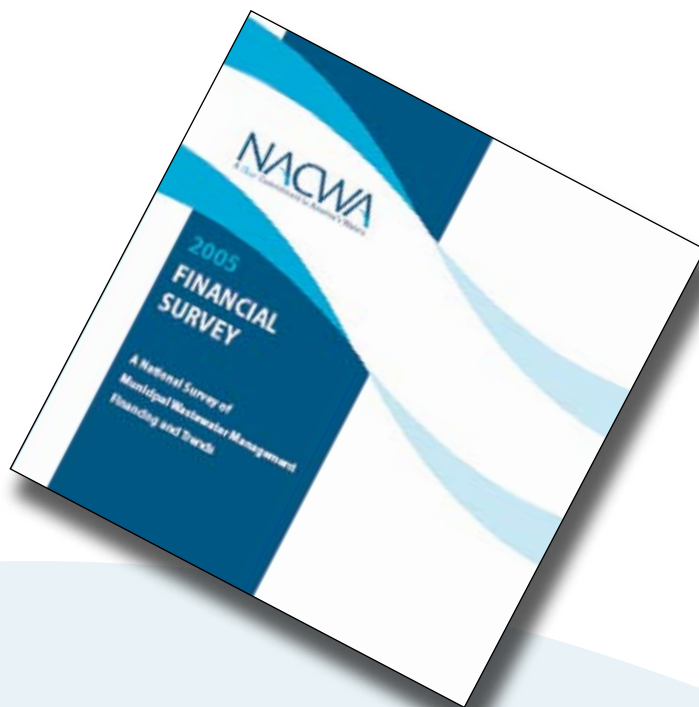
Financial Survey and Index Continue To Set Industry Standard

NACWA's *2005 Financial Survey*, released in February, charted new territory with added information on the status of asset management programs nationwide, comprehensive financial statement data, the status of security-related programs, staff licensing requirements, and energy use and costs. As always, the *Survey* also presented industry statistics and trend data on utility revenues, expenses, debt financing, capital needs, sewer service charges, residential and industrial rates and rate structures, staffing levels, and salaries.

Overall, the *2005 Survey* data indicated that NACWA member agencies continue to face sustained increases in capital and operations and maintenance (O&M) costs, as well as long-term debt financing and capital needs. In the face of such budgetary challenges, the *Survey* showed that clean water utilities are testing the boundaries of innovation and efficiency through cost-saving energy recovery initiatives, implementation of asset management programs, increased provision of reclaimed water services, implementation of utility management/excellence programs, and enhanced treatment. Planning for the *2008 Financial Survey* is already underway.

The *NACWA Service Charge Index* continues to be the unparalleled resource for assessing the trends for residential service charges as compared to the national rate of inflation. The *Index* provides an easy-to-understand chart of service

charge/inflation comparison that dates back to 1986. The *Index* is known as the key source for valuable benchmarking information for clean water agencies and vital information for policymakers in Washington, D.C., and will continue to be the most trusted source for this valuable data. ■



Targeted Action Fund Advances NACWA Clean Water Advocacy



NACWA's Targeted Action Fund (TAF) continued to prove its value over the past year. Established 11 years ago, the TAF provides 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 2005 – July 2006) 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.

Mercury Emissions from Biosolids Incinerators – a joint effort with the Water Environment Research Foundation (WERF) to evaluate mercury emissions from biosolids incinerators and assess the existing technologies available to control these emissions in light of potential regulations under the Clean Air Act.

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.

NACWA/EPA POTW Study Effort – a collaborative effort with EPA to update the Agency's 20-year-old data on the fate and transport of priority pollutants in publicly owned treatment works (POTWs) – information that POTWs still use to develop local limits.

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 community.

2005 Financial Survey – a valuable resource for evaluation of financing options and consideration of rate adjustments, as well as identifying management trends.

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 standard for wastewater treatment services, expected to be completed in 2007.

The Changing Workforce...Seizing the Opportunity – a 'hands on' resource for utilities as they work to address current and future workforce challenges, developed with the Association of Metropolitan Water Agencies (AMWA) as a companion to the 2004 NACWA/AMWA publication *The Changing Workforce...Crisis and Opportunity*.

Asset Management Practical Guide – an update of the popular 2002 *Asset Management Handbook*, the practical guide will include the latest on asset management's fundamentals, step-by-step guidance, and worksheets to help utilities successfully integrate asset management into their existing operations.

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.

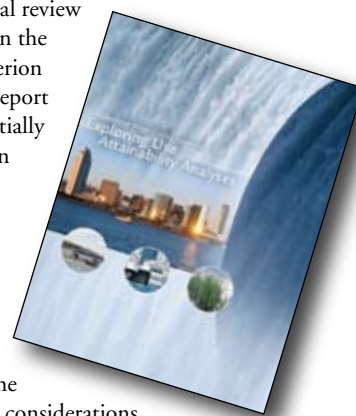
Dental Amalgam Separator Study – an examination of the changes in mercury concentrations in wastewater influent, effluent, and biosolids at five treatment facilities in the U.S. and Canada that have implemented regulations requiring dental clinics to install amalgam removal equipment. This important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

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 WERF, which resulted in a 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.

Reasonable Potential Project – a collaborative effort, using real-world data from industry and municipalities to evaluate alternatives to EPA's reasonable potential determination process – a process that has been shown to overestimate the need for permit limits.

Whole Effluent Toxicity (WET) Permit Guidance – a white paper that utilizes existing EPA guidance and a recent court ruling 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 agreed to guidelines for TAF projects that should help to ensure that the fund, in keeping with its name, is targeted to distinct advocacy goals. After the first full year with these guidelines in place, the preceding list makes clear that the TAF is inextricably linked to the Association's advocacy goals in the regulatory, legislative, management, and legal arenas. For a more detailed look at these TAF initiatives, visit NACWA's homepage and click on the TAF icon (www.nacwa.org).

Facilities Honored with NACWA 2005 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 more than 152 member agencies for their exceptional compliance records. The 2005 award winners were recognized at the *National Environmental Achievement Awards Luncheon* during the *National Clean Water Policy Forum* in May, as well as in the May issue of *Clean Water News*.

The three categories of *Peak Performance Awards* are *Platinum Awards*, which recognize member agency facilities that have consistently met NPDES permit limits for five consecutive years; *Gold Awards* honoring member agency facilities that consistently meet all NPDES permit limits during a calendar year; and *Silver Awards*, acknowledging member agency facilities having five or fewer NPDES permit violations for a calendar year.

NACWA published a complete list of the 2005 *Peak Performance Award* winners in the April/May edition of its *Clean Water News*. This *Year in Review* features the 16 *Platinum Award* winners. The Association also congratulates the 242 member agency facilities who received NACWA's 2005 *Gold Award* and the 149 member agency facilities who received the 2005 *Silver Award* for a job well done.



NACWA Executive Director, Ken Kirk (*far left*) and Awards Chair, Ralph Charlton, Director of Fiscal Services for Alexandria Sanitation Authority, Va. (*far right*) present Mike Mikeska, Assistant Manager (*left center*) and Chris Kaakaty, Assistant Director (*right center*) with the Dallas Water Utilities, Texas with a 2005 *Peak Performance Platinum Award*.

Peak Performance AWARDS

Sixteen Member Agency Facilities Honored with Platinum Award

NACWA is proud to recognize the following Platinum Award winners and congratulates all its Peak Performance Award honorees.

Mobile Area Water and Sewer System, Ala.

Clifton C. Williams Wastewater Treatment Plant

City and County of San Francisco Public Utilities Commission, Calif.

Oceanside Wastewater Treatment Plant

City of Los Angeles, Department of Public Works, Calif.

Terminal Island Treatment Plant

Bloomington & Normal Water Reclamation District, Ill.

Howard L. Southerland Wastewater Treatment Facility

Anne Arundel County Department of Public Works, Md.

Broadneck Water Reclamation Plant

City of Kalamazoo, Mich.

Kalamazoo Water Reclamation Plant

Metropolitan Council Environmental Services, Minn.

Seneca Wastewater Treatment Plant

Clackamas County Water Environment Services, Ore.

Kellogg Creek Water Pollution Control Plant

City of Johnson City, Tenn.

Regional Wastewater Treatment Plant

City of Austin, Austin Water Utility, Texas

Walnut Creek Wastewater Treatment Plant

City of Dallas Water Utilities, Texas

Central Wastewater Treatment Plant

Gulf Coast Waste Disposal Authority, Texas

Blackhawk Regional Wastewater Treatment Plant

Hampton Roads Sanitation District, Va.

Virginia Initiative Treatment Plant

Lakehaven Utility District, Wash.

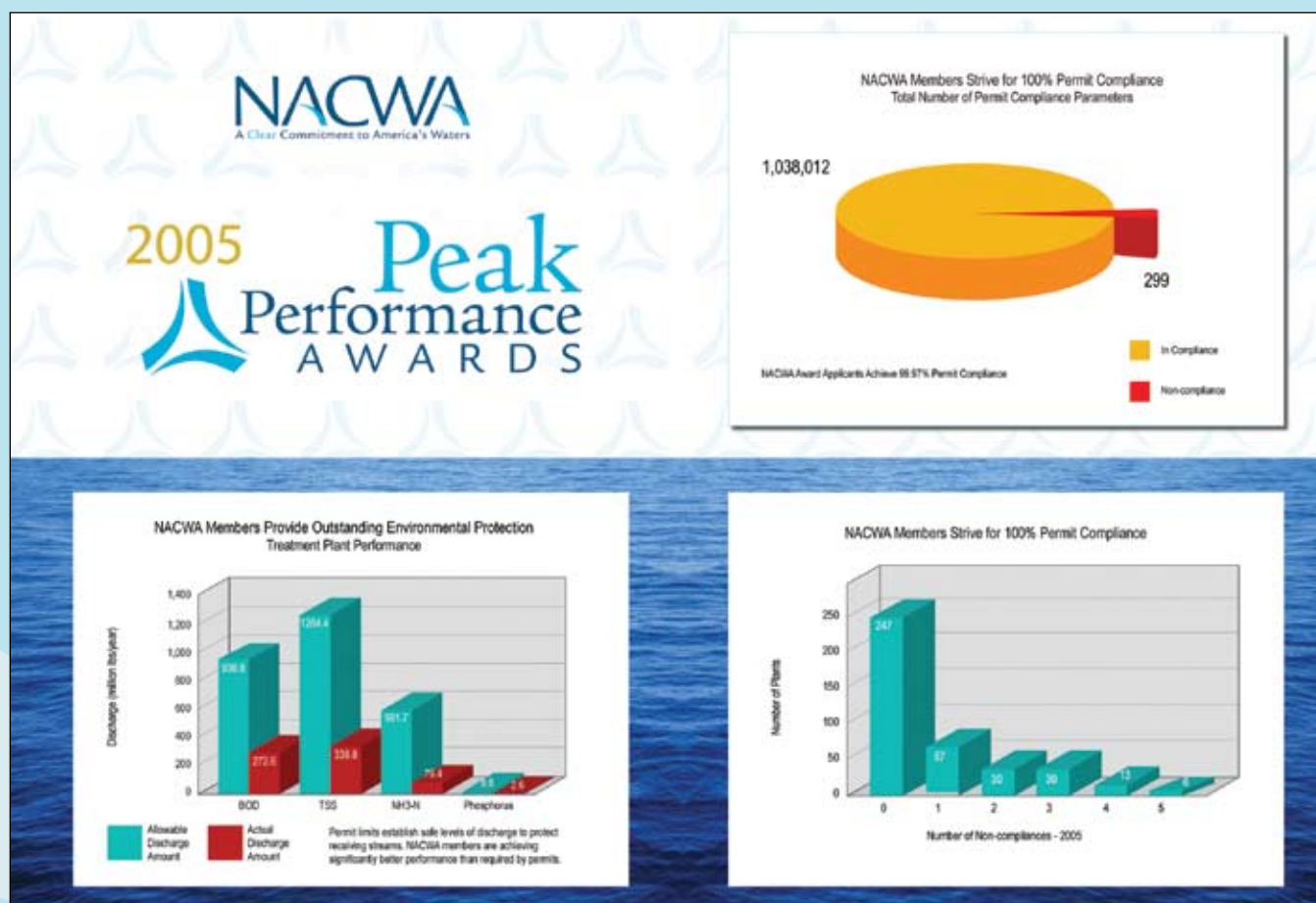
Lakota Wastewater Treatment Plant

Racine Wastewater Utility, Wis.

Racine Wastewater Treatment Plant

Morgantown Utility Board, W.V.

Morgantown Wastewater Treatment Plant



In 2005, NACWA public agency members achieved a 99.8% permit compliance. Special thanks to Mark Hoeke for tabulating the results from the *Peak Performance Awards* program.

NACWA Presents National Environmental Achievement Awards to Leaders Clearly Committed to America's Waters



NACWA was honored to present 18 individuals and 22 member agencies with a *National Environmental Achievement Award* this year. These recipients, selected by NACWA's Awards Committee, exemplify an unwavering commitment to clean water and have demonstrated leadership to ensure water quality progress at the local, state, and national levels. NACWA is pleased to showcase the 2006 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).

2006 Environmental Achievement Award Winners

NACWA Recognizes 18 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

- **The Honorable Thelma Drake** (R-Va.)
- **The Honorable Norman D. Dicks** (D-Wash.)
- **The Honorable Hillary Rodham Clinton** (D-N.Y.)
- **The Honorable Eddie Bernice Johnson** (D-Texas)

State Public Service Award

- **LaJuana S. Wilcher**, Secretary, Kentucky Environment and Public Protection Cabinet

Local Public Service Honorees

- **Ron Sims**, County Executive, King County, Wash.
- **John A. Coleman**, Board of Directors, East Bay Municipal Utility District, Oakland, Calif.



Marcia St. Martin, Director of the Sewerage & Water Board of New Orleans, La. receives a 2006 *National Environmental Achievement Award* on behalf of her utility for their resilience and hard work both during and after Hurricane Katrina. Presenting the Award is NACWA's Executive Director, Ken Kirk (*far left*) and NACWA's Awards Chair, Ralph Charlton (*far right*) Director of Fiscal Services for Alexandria Sanitation Authority, Va.

- **The Honorable Bart Peterson**, Mayor, City of Indianapolis, Ind.
- **The Honorable Bruce Paone**, Mayor, City of Onancock, Va.

Agency Public Service

- The City of Tampa Water Department, South Central Regional Wastewater Treatment Board, JEA, Toho Water Authority, Palm Beach County Water Utilities, Broward County Office of Environmental Services, Emerald Coast Utilities Authority, City of Tallahassee Water Utility, City of St. Petersburg, City of Boca Raton Utility Services Department, Collier County Public Utilities, and the Orange County Utilities Water Reclamation Division, were recognized for their commitment to the *Florida Water/Wastewater Agency Response Network (FlaWARN)*, Fla.



DISTINGUISHED PERFORMANCE

The Distinguished Performance Award is reserved for individuals formerly representing NACWA member agencies who maintained an active role in the Association during their tenure. Receiving 2006 *Distinguished Performance Awards* are:

- **Blake Anderson**, former General Manager, Orange County Sanitation District, Fountain Valley, Calif., and former chair of NACWA's Comprehensive Watershed Management Committee.
- **Margaret "Margie" Nellor**, former Assistant Department Head of Technical Services with the Sanitation Districts of Los Angeles County, Whittier, Calif., and former Chair of NACWA's Regulatory Policy Committee, Mercury Workgroup, Effluent Limitations Guidelines Task Force, and member of NACWA's Board of Directors.

PRESIDENT'S AWARD

The President's Award is presented to individuals who have made a significant contribution toward achieving the goals and objectives of the Association.

- **Guy M. Aydllett**, former Director of Water Quality, Hampton Roads Sanitation District, Virginia Beach, Va., and former Chair of NACWA's Pretreatment & Pollution Prevention Committee, for his leadership in the pretreatment arena.



NACWA President and General Manager for Hampton Roads Sanitation District, Va., Donnie Wheeler presents Representative Thelma Drake (R-Va.) with a 2006 *National Environmental Achievement Award* for Federal Public Service. Rep. Drake was recognized for her continued support of the clean water community through her advocacy for blending for peak weather flows and biosolids recycling.

- **Robert P. Dominak**, Residuals and Air Emissions Manager, Northeast Ohio Regional Sewer District, Cleveland, Ohio, and **David S. Taylor**, Director of Special Projects, Madison Metropolitan Sewerage District, Madison, Wis., for their exceptional dedication to NACWA's biosolids management initiatives.

SPECIAL RECOGNITION AWARD

NACWA's Special Recognition Award is reserved for those occasions when commitment and service clearly makes a difference.

- **Marcia St. Martin**, Director, Sewerage and Water Board of New Orleans, La., **Curtis Miller**, General Manager, Mississippi Gulf Coast Regional Wastewater Authority, Miss., and **Kamran Pahlavanm**, Executive Director, Harrison County Wastewater & Solid Waste Management District, Miss., are three wastewater utility leaders from the Gulf Coast region who distinguished themselves both during and after Hurricane Katrina.
- **Roberta "Robbi" Savage**, former Executive Director of the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), for her integral role in federal and state water policy formulation and implementation while at the helm of ASIWPCA.
- **Milwaukee Metropolitan Sewerage District, Wis.**, for its *Greenseams* project which protects local river and stream corridors that connect the region's public properties.

NACWA Recognizes Member Agencies For Environmental Achievement

Each year, NACWA's Awards Committee reviews a large number of worthy nominations for the *National Environmental Achievement Awards*. This year's projects clearly demonstrate the Association's belief that wastewater utilities and their employees are true environmental stewards. NACWA congratulates all of this year's winners.

RESEARCH & TECHNOLOGY AWARD

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

- **East Bay Municipal Utility District, Oakland, Calif.** — *The Contribution of Ammonia and Volatile Acids to Pathogens Destruction During Mesophilic and Thermophilic Anaerobic Digestion.*

NATIONAL Environmental Achievement AWARDS



Representatives from FlaWARN, Logan Fink, Chairman of Emerald Coast Utilities Authority, Fla. (*left center*) and Suzanne Goss, Specialist, Government Relations, JEA, Fla. (*right center*), accept their 2006 National Environmental Achievement Award for Public Service from NACWA's Executive Director, Ken Kirk (*far left*) and Awards Chair, Ralph Charlton (*far right*). FlaWARN was recognized for their members' mobilization to help their neighbors in the Gulf Coast Region following Hurricane Katrina with getting their clean water systems back on-line.

OPERATIONS AWARD

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

- **Metropolitan Council Environmental Services, St. Paul, Minn.** — *Solids Management Building.*
- **Metro Water Services, Nashville, Tenn.** — *Thermography.*

PUBLIC INFORMATION & EDUCATION AWARDS

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

Video

- **The City of Oxnard, Calif.** — *Follow That Flush 2.*
- **Narragansett Bay Commission, Providence, R.I.** — *The Biggest Project You'll Never See - Narragansett Bay Commission CSO Project.*

Educational Programs

- **Metro Water Services, Nashville, Tenn.** — *Toxic Dude Campaign.*

- **East Bay Municipal Utility District, Oakland, Calif.** — *Pollution Prevention Partnership to Protect San Francisco Bay.*
- **Western Carolina Regional Sewer Authority, Greenville, S.C.** — *The Freshwater Freddie Ultimate Water Guide for Kids.*

Printed Publication

- **Hampton Roads Sanitation District, Virginia Beach, Va.** — *Seasons of Hampton Roads, Commemorating 65 Years of Environmental Protection calendar.*

E-Media

- **City of Oxnard, Calif.** — *Wastewater Division Website.*

Again, NACWA congratulates all of its *National Environment Achievement* Awardees for their contributions to water quality progress in America. ■

NACWA Congratulates Excellence in Management Award Recipients



NACWA's *Excellence in Management Recognition Program* honors member agencies that have implemented successful programs to address the range of management challenges facing public clean water utilities today. These agencies have demonstrated strong management programs 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 52 member utilities.

NACWA's 2005 *Excellence in Management Recognition Program* honorees were recognized during an Awards Reception at the Association's 2006 Winter Conference in Palm Desert, Calif. The NACWA Agencies honored with a 2005 *Excellence in Management Recognition Program* honor are:

- **Pine Bluff Wastewater Utility, Ark.**
- **Vallejo Sanitation and Flood Control District, Calif.**
- **City of Henderson, Department of Utility Services, Nev.**
- **City of Akron Public Utilities Bureau, Ohio**
- **Metropolitan Sewer District of Greater Cincinnati, Ohio**
- **Mount Pleasant Waterworks, S.C.**
- **King County Wastewater Treatment Division, Wash.**
- **Department of Natural Resources and Parks, Wash.**

NACWA congratulates the 2005 *Excellence in Management Recognition Program* honorees. ■



Pictured from left to right: Donnie Wheeler, NACWA President and General Manager, Hampton Roads Sanitation District, Va.; (back row) Michael McGlinchy, 2005 *Excellence in Management Recognition Program* honoree and Public Utilities Manager for the City of Akron Public Utilities Bureau, Ohio; Ralph Charlton, NACWA Awards Committee Chair and Director of Fiscal Services, Alexandria Sanitation Authority, Va.; 2005 *Excellence in Management Recognition Program* honorees Rachel Luckey, Employee Development Coordinator, Mount Pleasant Waterworks, S.C.; Robert Campbell, Director, Metropolitan Sewer District of Greater Cincinnati, Ohio; Lois Canady, Human Resources Director, Mount Pleasant Water Works, S.C.; (front row) Dennis Porter, Assistant Director of Utility Services, City of Henderson, Department of Utility Services, Nev.; Barry Pomeroy, Director of Operations & Maintenance, Vallejo Sanitation and Flood Control District, Calif.; Don Theiler, Director, Wastewater Treatment Division, King County Wastewater Treatment Division - Department of Natural Resources and Parks, Wash.; and NACWA Executive Director, Ken Kirk. Also being honored with a 2005 *Excellence in Management Recognition Program* Award was Pine Bluff Wastewater Utility, Ark.

New Members Add Their Voice to NACWA's Efforts

NACWA was pleased to welcome six public utilities, nine corporate affiliates, and five legal affiliates as new members in the Association from May 2005 to July 2006. With these 20 new organizations, NACWA's membership now consists of 282 public agencies, 13 public affiliates, 52 corporate affiliates, and 19 legal affiliates. These 366 organizations work 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 explained in the *2005 -2006 Year in Review*, NACWA's national accomplishments, conferences, committee opportunities, and 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.

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

Public Agencies

- City of Glendale Utilities Department, Ariz.
- City of Aurora Water Department, Colo.
- City of Flint Water Pollution Control, Mich.
- County of Durham Engineering Department, N.C.
- Grand Strand Water & Sewer Authority, S.C.
- Hallsdale Powell Utility District, Tenn.

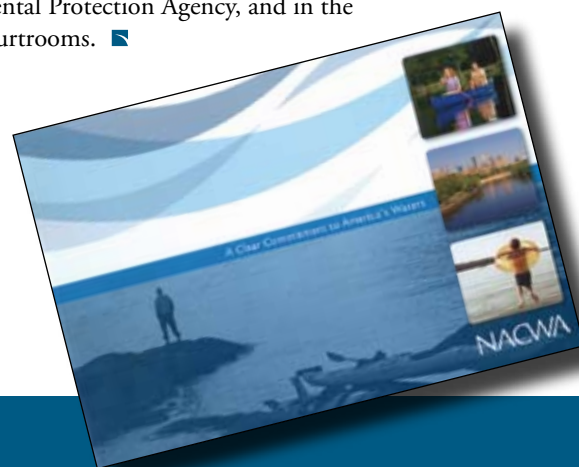
Corporate Affiliates

- BPR, Canada
- EnerTech Environmental, Inc., Calif.
- Gardnry Michael Capital, Inc., Mo.
- ICOMMM, Inc., Calif.
- Inflection Point Solutions, Kansas
- McCord & Company, Va.
- Novozymes Biologicals, Inc., Va.
- Redzone Robotics, Pa.
- RMC Water and Environment, Calif.

Legal Affiliates

- Hall & Associates, D.C.
- LeBoeuf, Lamb, Green & MacRae LLP, D.C.
- Meyer & Wyatt, PC, Ind.
- Pepe & Hazard LLP, Conn.
- Stinson Morrison Hecker LLP, Mo.

NACWA welcomes our newest members, and looks forward to continued growth and further progress in advancing members' priority issues on Capitol Hill, at the U.S. Environmental Protection Agency, and in the nation's courtrooms. ■



Our Commitment is clear...and reflected in NACWA's Core Values:

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

NACWA Welcomes New Officers & Board Members



NACWA is pleased to welcome its incoming officers (*from left*) for 2006-2007: Dick Champion, Jr., NACWA President and Director of the Independence Water Pollution Control Department, Mo.; Christopher M. Westhoff, NACWA Vice President and Assistant City Attorney – Public Works General Counsel, City of Los Angeles, Calif.; Marian Orfeo, NACWA Treasurer and Director of Planning & Coordination for the Massachusetts Water Resources Authority, Boston, Mass.; Kevin L. Shafer, NACWA Secretary and Executive Director of the Milwaukee Metropolitan Sewerage District, Wis.

NACWA is thrilled to have Dick Champion as its new President. Champion is the Director of the Independence Water Pollution Control Department and has been an active contributor to the Association's leadership, committees, and efforts on national clean water policy. He will build upon the many successes of Donnie Wheeler, NACWA's 2005-2006 President, who recently retired as the General Manager of the Hampton Roads Sanitation District (HRSD) in Virginia Beach, Va. NACWA wishes Donnie well and extends its thanks for his many years of service to the Association.

In May, NACWA members also elected new Board members. The Association welcomes Robert Moore, Chief Administrative Officer for The Metropolitan District, Hartford, Conn. (Region 1); Leonard Kaiser, Executive Director, Bergen County Utilities Authority, Little Ferry, N.J. (Region 2); and Richard Lanyon, General Superintendent, Metropolitan Water Reclamation District of Greater Chicago (At-Large), who were elected to three-year terms. Jerry Johnson, General Manager of the District of Columbia Water and Sewer Authority, is vacating an At-Large Board seat to represent Region 3.

The Association also congratulates the following current Board Members elected to new terms: Kevin Shafer, Executive Director of the Milwaukee Metropolitan Sewerage District, Wis. (Region 5); Charlie Ganze, General Manager, Gulf Coast Waste Disposal Authority, Tex. (Region 6); Dick Champion, Director of the Independence Water Pollution Control Department in Independence, Mo. (Region 7); Dennis Stowe, Manager, Littleton/Englewood Wastewater Treatment Plant, Colo. (Region 8); Philip Friess, Head, Sewerage Department, Sanitation Districts of Los Angeles

County, Calif. (Region 9); and Charles Logue, Director, Regulatory Affairs Department, Clean Water Services, Ore. (Region 10).

Appreciation Extended To Outgoing Board Members

NACWA would like to extend its thanks and appreciation to its outgoing Board members for their committed service to the Association. Those completing their service on NACWA's Board include two former NACWA presidents, Paul Pinault, Executive Director of the Narragansett Bay Commission, who served as NACWA's President in 2002-2003, and Donnie Wheeler, who just completed his term. Richard Tokarski, Executive Director, Rahway Valley Sewerage, N.J. (Region 2), also concluded his service on NACWA's Board of Directors.

NACWA Thanks Outgoing Committee Leaders, Welcomes New Leaders

NACWA would also like to thank the following outgoing committee leaders for their extraordinary service to the Association: Guy Aydtlett, former chair of the Pretreatment & Pollution Prevention Committee and former Water Quality Director, HRSD, Virginia Beach, Va.; Karen Pallansch, former Chair of the Facility and Collection System Committee and the Pathogen Workgroup and Engineer-Director, Alexandria Sanitation Authority, Alexandria, Va.; and Marian Orfeo, outgoing Chair of the Legislative Policy Committee and Director of Planning & Coordination, Massachusetts Water Resources Authority, Boston, Mass. ■

NACWA's Officers, Board of Directors, and Standing Committee Leadership

Officers

PRESIDENT

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

VICE PRESIDENT

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

TREASURER

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

SECRETARY

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

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.

Alfonso Lopez, New York City Department of Environmental Protection, NY

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.

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

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

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

Robert Campbell, Metropolitan Sewer District of Cincinnati, Ohio

REGION VI

Patricia Cleveland, Manager 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

Dennis Stowe, Littleton/Englewood Wastewater Treatment Plant, Colo.

Steve Pearlman, Director, Environmental Services, Metro Wastewater Reclamation District, Denver, Colo.

REGION IX

Philip Friess, Los Angeles County Sanitation District, 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, Ore.

Special Committee Leadership

AT LARGE

Jerry N. Johnson, D.C. Water and Sewer Authority, DC

Suzanne E. Goss, JEA (Electric, Water & Sewer Authority), Fla.

Standing Committee Leaders

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, Cleveland, Ohio

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

INCINERATION ISSUE LEADER

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

COMMUNICATIONS & PUBLIC RELATIONS COMMITTEE

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

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

FACILITY & COLLECTION SYSTEM COMMITTEE

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

Adel Hagekhalil, Co-Chair, Division Manager Wastewater Engineering Services Division, City of Los Angeles Bureau of Sanitation, Calif.

SSO ISSUE LEADER:

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

COLLECTION SYSTEM ISSUE LEADER:

Adel Hagekhalil, Division Manager Wastewater Engineering Services Division, City of Los Angeles Bureau of Sanitation, Calif.

BLENDING ISSUE LEADER:

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

LEGAL AFFAIRS COMMITTEE

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

Terry J. Satterlee, Vice Chair, General Counsel Little Blue Valley Sewer District Shook, Hardy & Bacon L.L.P., Kansas City, Mo.

UTILITY MANAGEMENT COMMITTEE

Jon W. Schellpfeffer, Chair, Chief Engineer & Director, Madison Metropolitan Sewerage District Nine Springs Wastewater Treatment Plant, Wis.

Timothy Houghton, Vice Chair, Executive Assistant, City & County of Honolulu Department of Environmental Services, Hawaii

ASSET MANAGEMENT ISSUE LEADER

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

PRETREATMENT & POLLUTION PREVENTION COMMITTEE

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

Martie Groome, Vice Chair, Laboratory and Industrial Waste Supervisor, City of Greensboro Water Reclamation Department, N.C.

RADIOACTIVITY ISSUE LEADER

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

REGULATORY POLICY COMMITTEE

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

Steve Pearlman, Vice Chair, Director, Environmental Services, Metro Wastewater Reclamation District, Colo.

MERCURY ISSUE LEADER

Keith J. Linn, Environmental Specialist, Northeast Ohio Regional Sewer District, Cleveland, Ohio

PATHOGEN ISSUE LEADER

Clifford J. Arnett, Senior Vice President, Operations, Columbus Water Works, Ga.

EMERGING CONTAMINANTS WORKGROUP

David Tucker, Laboratory Supervisor, City of San Jose, Calif.

SECURITY & EMERGENCY PREPAREDNESS COMMITTEE

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

WATER QUALITY COMMITTEE

Norman LeBlanc, Chair, Director of Water Quality, Hampton Roads Sanitation District, Virginia Beach, Va.

Keith J. Linn, Vice Chair, Environmental Specialist, Northeast Ohio Regional Sewer District, Ohio

NUTRIENT ISSUE LEADER

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

NACWA Members

PUBLIC AGENCY MEMBERS

Anchorage Water & Wastewater Utility, AK

Jefferson County Commission, AL

Mobile Area Water & Sewer System, AL

Montgomery Water Works & Sanitary Sewer Board, AL

City of Little Rock Wastewater Utility, AR

Pine Bluff Wastewater Utility, AR

City of Glendale Utilities Department, AZ

City of Mesa Water Division, AZ

City of Phoenix Water Services Department, AZ

City of Tolleson, AZ

Pima County Wastewater Management, AZ

Central Contra Costa Sanitary District, CA

Central Marin Sanitation Agency, CA

City & County of San Francisco Public Utilities Commission, CA

City of Fresno Department of Public Utilities, CA

City of Healdsburg, CA

City of Los Angeles, CA

City of Oxnard Wastewater Division, CA

City of Palo Alto Regional Water Quality Control Plant, CA

City of Riverside Water Reclamation Plant, CA

City of Sacramento, CA

City of San Bernardino Municipal Water Department, CA

City of San Diego Metro Wastewater Department, CA

City of San Jose Environmental Services Department, CA

City of Santa Barbara, CA

City of Santa Cruz Wastewater Treatment Facility, CA

City of Sunnyvale Water Pollution Control Plant, CA

City of Thousand Oaks Public Works Department, CA

City of Vacaville, CA

Delta Diablo Sanitation District, CA

East Bay Municipal Utility District, CA

Encina Wastewater Authority, CA

Fairfield-Suisun Sewer District, CA

Orange County Sanitation District, CA

Sacramento Regional County Sanitation District, CA

San Elijo Joint Powers Authority, CA

Sanitation Districts of Los Angeles County, CA

South Orange County Wastewater Authority, CA

Union Sanitary District, CA

Vallejo Sanitation & Flood Control District, CA

West County Wastewater District, CA

Yucaipa Valley Water District, CA

Boxelder Sanitation District, CO

City of Aurora Water Department, CO

City of Greeley Water and Sewer Department, CO

City of Pueblo Wastewater Department, CO

Colorado Springs Utilities Environmental Services, CO

Littleton/Englewood Wastewater Treatment Plant, CO

Metro Wastewater Reclamation District, CO

Platte Canyon Water and Sanitation District, CO

The Metropolitan District, CT

D.C. Water & Sewer Authority, DC

City of Wilmington Department of Public Works, DE

Broward County Water and Wastewater Services, FL

City of Boca Raton Utility Services Department, FL

City of Clearwater, FL

City of Hollywood, FL

City of Orlando, FL

City of St. Petersburg, FL

City of Tallahassee Water Utility, FL

City of Tampa Howard F. Curren Advanced WWTP, FL

Collier County Public Utilities, FL

Emerald Coast Utilities Authority, FL

JEA (Electric, Water & Sewer), FL

Miami-Dade County Water and Sewer Department, FL

Orange County Utilities, FL

Palm Beach County Water Utilities, FL

South Central Regional Wastewater Treatment Board, FL

Toho Water Authority, FL

City of Atlanta Department of Watershed Management, GA

City of Augusta Utilities Department, GA

City of Cumming, GA

Columbus Water Works, GA

DeKalb County Public Works Department, GA

Gwinnett County Department of Water Resources, GA

Macon Water Authority, GA

Peachtree City Water & Sewerage Authority, GA



City & County of Honolulu Department of Environmental Services, HI	Sanitary District of Decatur, IL	Greater Lawrence Sanitary District, MA	City of Rochester, Water Reclamation Plant, MN
Cedar Rapids Water Pollution Control Facilities, IA	Springfield Metro Sanitary District, IL	Lowell Regional Wastewater Utility, MA	Metropolitan Council Environmental Services, MN
City of Ames Water & Pollution Control Department, IA	Thorn Creek Basin Sanitary District, IL	Lynn Water and Sewer Commission, MA	Western Lake Superior Sanitary District, MN
City of Des Moines, IA	Urbana & Champaign Sanitary District, IL	Massachusetts Water Resources Authority, MA	City of Moberly, MO
City of Boise, ID	Wheaton Sanitary District, IL	South Essex Sewerage District, MA	City of Springfield, MO
City of Pocatello Water Pollution Control Department, ID	City of Fort Wayne, IN	Springfield Water & Sewer Commission, MA	Independence Water Pollution Control Department, MO
American Bottoms Regional Wastewater Treatment Facility, IL	City of Indianapolis Department of Public Works, IN	Upper Blackstone Water Pollution Abatement District, MA	Kansas City Water Department, MO
Bloomington & Normal Water Reclamation District, IL	City of Valparaiso EKPCF, IN	Anne Arundel County Department of Public Works, MD	Little Blue Valley Sewer District, MO
City of Mattoon Wastewater Treatment Plant, IL	Gary Sanitary District, IN	Howard County Department of Public Works, MD	Metropolitan St. Louis Sewer District, MO
Danville Sanitary District, IL	Noblesville Wastewater Utility, IN	Washington Suburban Sanitary Commission, MD	Charlotte Mecklenburg Utilities, NC
Downers Grove Sanitary District, IL	Sanitary District of Hammond, IN	Augusta Sanitary District, ME	City of Greensboro Water Resources Department, NC
Flagg Creek Water Reclamation District, IL	City of Olathe, KS	City of Bangor, ME	City of Raleigh Public Utilities Department, NC
Fox Metro Water Reclamation District, IL	City of Wichita, KS	City of Flint Water Pollution Control, MI	City of Salisbury Salisbury Rowan Utilities, NC
Fox River Water Reclamation District, IL	Johnson County Wastewater, KS	City of Kalamazoo Public Services Department, MI	County of Durham Engineering Department, NC
Greater Peoria Sanitary District, IL	Unified Government of Wyandotte County, KS	City of Saginaw, MI	Metropolitan Sewerage District of Buncombe County, NC
Kankakee River Metropolitan Agency, IL	Louisville & Jefferson County Metropolitan Sewer District, KY	Detroit Water & Sewerage Department, MI	Orange Water & Sewer Authority, NC
Metropolitan Water Reclamation District of Greater Chicago, IL	Sanitation District No. 1, KY	Genesee County Division of Water and Waste Services, MI	Water and Sewer Authority of Cabarrus County, NC
North Shore Sanitary District, IL	Sewerage & Water Board of New Orleans, LA	Oakland County Drain Commissioner, MI	City of Omaha Public Works Department, NE
	City of New Bedford Department of Public Infrastructure, MA	Wayne County Department of Environment, MI	City of Nashua Division of Public Works, NH
	Fall River Sewer Commission, MA		

Atlantic County Utilities Authority, NJ	City of Henderson, NV	City of Hamilton Department of Public Works, OH	Oak Lodge Sanitary District, OR
Bergen County Utilities Authority, NJ	City of Las Vegas Water Pollution Control Facility, NV	City of Lebanon, OH, OH	Water Environment Services of Clackamas County, OR
Edgewater Municipal Utilities Authority, NJ	Clark County Water Reclamation District, NV	City of Lima Utilities Department, OH	Allegheny County Sanitary Authority, PA
Ewing-Lawrence Sewerage Authority, NJ	City of Ithaca Department of Public Works, NY	City of Mason, OH	Delaware County Regional Water Quality Control Authority, PA
Gloucester County Utilities Authority, NJ	County of Monroe Department of Environmental Services, NY	City of Troy, OH	Derry Township Municipal Authority, PA
Hamilton Township Wastewater Utility, NJ	Great Neck Water Pollution Control District, NY	Metropolitan Sewer District of Greater Cincinnati, OH	Harrisburg Authority, PA
Hanover Sewerage Authority, NJ	Nassau County Department of Public Works, NY	Northeast Ohio Regional Sewer District, OH	Philadelphia Water Department, PA
Jersey City Municipal Utilities Authority, NJ	Niagara Falls Water Board, NY	City of Oklahoma City Water & Wastewater Utilities Department, OK	Puerto Rico Aqueduct and Sewer Authority, PR
Joint Meeting of Essex & Union Counties, NJ	NYC Department of Environmental Protection, NY	City of Stillwater Water Utilities, OK	Narragansett Bay Commission, RI
Kearny Municipal Utilities Authority, NJ	Onondaga County Department of Water Environment Protection, NY	City of Tulsa Public Works Department, OK	Warwick Sewer Authority, RI
Middlesex County Utilities Authority, NJ	Rockland County Sewer District #1, NY	City of Albany, OR	Warwick Sewer Authority, RI
North Bergen Municipal Utilities Authority, NJ	Suffolk County Department of Public Works, NY	City of Canby, OR	Beaufort Jasper Water & Sewer Authority, SC
Ocean County Utilities Authority, NJ	Town of Tonawanda-Water & Sewer, NY	City of Corvallis Public Works Department, OR	Charleston Water System, SC
Passaic Valley Sewerage Commissioners, NJ	Butler County Department of Environmental Services, OH	City of Eugene Wastewater Division, OR	Greenwood Metropolitan District, SC
Rahway Valley Sewerage Authority, NJ	City of Akron Water Pollution Control Division, OH	City of Gresham Department of Environmental Services, OR	Mount Pleasant Waterworks, SC
Secaucus Municipal Utilities Authority, NJ	City of Canton Water Pollution Control Center, OH	City of Klamath Falls Department of Public Works, OR	Spartanburg Water System and Sanitary Sewer District, SC
Stony Brook Regional Sewerage Authority, NJ	City of Columbus Division of Sewerage & Drainage, OH	City of Portland Bureau of Environmental Services, OR	Summerville Commissioners of Public Works, SC
Albuquerque-Bernalillo County Water Utility Authority-Wastewater Utility Division, NM	City of Dayton Department of Water, OH	City of Salem, OR	Western Carolina Regional Sewer Authority, SC
		City of Wilsonville, OR	City of Chattanooga Moccasin Bend Wastewater Treatment Plant, TN
		Clean Water Services, OR	



PUBLIC AFFILIATE MEMBERS

City of Johnson City, TN	Upper Trinity Regional Water District, TX	Upper Occoquan Sewage Authority, VA	City of Fontana, CA
City of Kingsport, TN	Weatherford Municipal Utilities, TX	Burlington Public Works, VT	Los Angeles County Department of Public Works Waterworks & Sewer Maintenance Division, CA
City of Memphis Division of Public Works, TN	Central Davis County Sewer District, UT	City of Everett Public Works Department, WA	Pleasant View Water & Sanitation District, CO
City of Oak Ridge, TN	Salt Lake City Public Utilities, UT	City of Tacoma Public Works Department, WA	Boston Water & Sewer Commission, MA
Hallsdale Powell Utility District, TN	Snyderville Basin Water Reclamation District, UT	King County Department of Natural Resources and Parks, WA	Van Buren Township Water & Sewer Department, MI
Knoxville Utilities Board, TN	Alexandria Sanitation Authority, VA	Lakehaven Utility District, WA	City of Lee's Summit Water Utilities, MO
Metropolitan Government of Nashville & Davidson County, TN	Arlington County Department of Environmental Services, VA	LOTT Alliance, WA	City of Spartanburg, SC
Austin Water Utility, TX	Chesterfield County Utilities, VA	City of Fond du Lac, WI	Greer Commission of Public Works, SC
City of Amarillo, TX	City of Lynchburg Lynchburg, Utilities Division, VA	City of Superior Wastewater Division of Public Works, WI	Benbrook Water & Sewer Authority, TX
City of College Station, TX	City of Richmond Department of Public Utilities, VA	Green Bay Metropolitan Sewerage District, WI	City of Norfolk Department of Utilities, VA
City of Corpus Christi Wastewater Department, TX	County of Stafford Department of Utilities, VA	Heart of the Valley Metropolitan Sewerage District, WI	City of Suffolk Department of Public Utilities, VA
City of Garland, TX	Fairfax County Wastewater Management Program, VA	Madison Metropolitan Sewerage District Nine Springs Wastewater Treatment Plant, WI	City of Virginia Beach Department of Public Utilities, VA
City of Houston Public Works & Engineering/Public Utilities Division, TX	Hampton Roads Sanitation District, VA	Milwaukee Metropolitan Sewerage District, WI	Seattle Public Utilities, WA
City of Sherman, TX	Hanover County Department of Public Utilities, VA	Racine Wastewater Utility, WI	
Dallas Water Utilities City of Dallas, TX	Henrico County Public Utilities, VA	Morgantown Utility Board, WV	
El Paso Water Utilities Public Service Board, TX	Hopewell Regional Wastewater Treatment Facility, VA		
Fort Worth Water Department, TX	Loudoun County Sanitation Authority, VA		
Gulf Coast Waste Disposal Authority, TX	Prince William County Service Authority, VA		
North Texas Municipal Water District, TX			
San Antonio Water System, TX			
Trinity River Authority of Texas, TX			

CORPORATE AFFILIATE MEMBERS

ADS Corporation

Aquarion Safety Valve Company

Black & Veatch Corporation

BPR

Brown & Caldwell

Burns & McDonnell Engineering Company, Inc.

Camp Dresser & McKee, Inc.

Carollo Engineers, P.C.

Cecil Lue-Hing & Associates, Inc.

CH2M HILL

DLZ Corporation

Donohue & Associates, Inc.

Dvirka & Bartilucci Consulting Engineers

Earth Tech, Inc.

EMA, Inc.

EnerTech Environmental, Inc.

Gannett Fleming, Inc.

Gardnry Michael Capital, Inc.

Hatch Mott MacDonald

Hazen & Sawyer, P.C.

HDR Engineering, Inc.

Hinshon Environmental Consulting, Inc.

HNTB Corporation

ICOMMM, Inc.

Inflection Point Solutions

Insituform Technologies, Inc.

Jones & Henry Engineers, Ltd.

Jordan, Jones & Goulding, Inc.

Komline-Sanderson

Larry Walker Associates, Inc.

Limno-Tech, Inc.

Malcolm Pirnie, Inc.

McCord & Company

Metcalf & Eddy, Inc.

Michael Baker Jr., Inc.

MWH Global

PA Consulting Group

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