



# a clear commitment

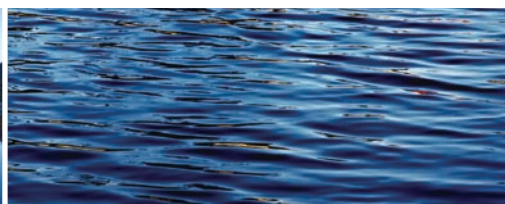
NACWA Year in Review

leadership

advocacy

collaboration

2006–2007





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 · 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 Fort Collins Utilities, 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 · Water Pollution Control Authority for the City of Norwalk, 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 · 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 · Cedar Rapids Water Pollution Control Facilities, IA · City of Ames Water & Pollution Control Department, IA · City of Des Moines, IA · City of Boise, ID · City of Pocatello Water Pollution Control Department, ID · American Bottoms Regional Wastewater Treatment Facility, IL · Bloomington & Normal Water Reclamation District, IL · City of Mattoon Wastewater Treatment Plant, IL · Danville Sanitary District, IL · Downers Grove Sanitary District, IL · Flagg Creek Water Reclamation District, IL · Fox Metro Water Reclamation District, IL · Fox River Water Reclamation District, IL · Greater Peoria Sanitary District, IL · Kankakee River Metropolitan Agency, IL · Metropolitan Water Reclamation District of Greater Chicago, IL · North Shore Sanitary District, IL · Sanitary District of Decatur, IL · Springfield Metro Sanitary District, IL · Thorn Creek Basin Sanitary District, IL · Urbana & Champaign Sanitary District, IL · Wheaton Sanitary District, IL · City of Fort Wayne, IN · City of Indianapolis Department of Public Works, IN · City of Valparaiso EKPCF, IN · Sanitary District of Hammond, IN · City of Olathe, KS · City of Wichita, KS · Johnson County Wastewater, KS · Unified Government of Wyandotte County, KS · Lexington-Fayette Urban County Government Division of Sanitary Sewers, KY · Louisville & Jefferson County Metropolitan Sewer District, KY · Sanitation District No. 1, KY · Shepherdsville Waste Water Treatment Plant, KY · Sewerage & Water Board of New Orleans, LA · City of New Bedford Department of Public Infrastructure, MA · Fall River Sewer Commission, MA · Greater Lawrence Sanitary District, MA · Lowell Regional Wastewater Utility, MA · Lynn Water and Sewer Commission, MA · Massachusetts Water Resources Authority, MA · South Essex Sewerage District, MA · Springfield Water & Sewer Commission, MA · Upper Blackstone Water Pollution Abatement District, MA · Anne Arundel County Department of Public Works, MD · Howard County Department of Public Works, MD · Washington Suburban Sanitary Commission, MD · Augusta Sanitary District, ME · City of Bangor, ME · City of Kalamazoo Public Services Department, MI · City of Saginaw, MI · Detroit Water & Sewerage Department, MI · Genesee County Division of Water and Waste Services, MI · Oakland County Drain Commissioner, MI · Wayne County Department of Environment, MI · City of Rochester, MN Water Reclamation Plant, MN · Metropolitan Council Environmental Services, MN · Western Lake Superior Sanitary District, MN · City of Springfield, MO · Independence Water Pollution Control Department, MO · Kansas City Water Department, MO · Little Blue Valley Sewer District, MO · Metropolitan St. Louis Sewer District, MO · Charlotte Mecklenburg Utilities, NC · City of Greensboro Water Resources Department, NC · City of Raleigh Public Utilities Department, NC · City of Salisbury Salisbury Rowan Utilities, NC · County of Durham Engineering Department, NC · Metropolitan Sewerage District of Buncombe County, NC · Orange Water & Sewer Authority, NC · Town of Mooresville, NC · Water and Sewer Authority of Cabarrus County, NC · City of Omaha Public Works Department, NE · City of Nashua Division of Public Works, NH · Atlantic County Utilities Authority, NJ · Bergen County Utilities Authority, NJ · Edgewater Municipal Utilities Authority, NJ · Ewing-Lawrence Sewerage Authority, NJ · Gloucester County Utilities Authority, NJ · Hamilton Township Wastewater Utility, NJ · Hanover Sewerage Authority, NJ · Jersey City Municipal Utilities Authority, NJ · Joint Meeting of Essex & Union Counties, NJ · Kearny Municipal Utilities Authority, NJ · Middlesex County Utilities Authority, NJ · North Bergen Municipal Utilities Authority, NJ · Ocean County Utilities Authority, NJ · Passaic Valley Sewerage Commissioners, NJ · Rahway Valley Sewerage Authority, NJ · Secaucus Municipal Utilities Authority, NJ · Stony Brook Regional Sewerage Authority, NJ · Albuquerque-Bernalillo County Water Utility Authority-Wastewater Utility Div., NM · City of Henderson, NV · City of Las Vegas Water Pollution Control Facility, NV · Clark County Water Reclamation District, NV



## A Message from NACWA's President

During this past year in which I have been honored to serve as NACWA president, we have made remarkable strides on behalf of clean water. These gains could not have been achieved without the hard work and support of our member agencies and the strategic partnerships we have formed with other organizations. We know all too well that alliances help us broaden our perspective and move an agenda that is forward thinking and multi-faceted.

In the clean water community, we often talk about the need to "break down traditional silos" and proceed on a "watershed basis." But how do we accomplish this as a practical matter?

The answer lies in collaboration, leadership, and advocacy. Those are the ideals NACWA has always embraced and will continue to promote as we search for solutions to address 21st century challenges. This past year, NACWA has taken a leadership role in advocating on behalf of clean water policy and, through hard work and dedication, has strengthened our partnerships with leaders in the environmental and conservation community, industry, and other sectors to underscore the importance of green infrastructure and the need to protect, enhance, and construct wetlands. I am proud to have signed these landmark agreements on behalf of NACWA with the Natural Resources Defense Council and Ducks Unlimited, but they must be seen as a starting point and not an end in and of themselves.

I look forward to building on these achievements and to working with all of NACWA's members to make 2007-2008 an even more successful year.



Dick Champion  
NACWA President, 2006-2007



## A Message from the Executive Director

NACWA is proud to present the *2006-2007 Year in Review* detailing the accomplishments on behalf of clean water made possible by the thousands of environmental stewards in our member organizations. It has been a pivotal year in which NACWA laid the groundwork and took important steps to aggressively begin to meet the challenges of the 21st century.

We have expanded our presence in the Nation's courtrooms; increased our media and grassroots outreach; continued to provide Capitol Hill with expertise and opinions; and strengthened our presence in the regulatory arena, working with EPA to ensure fair and reasonable regulations for our member agencies.

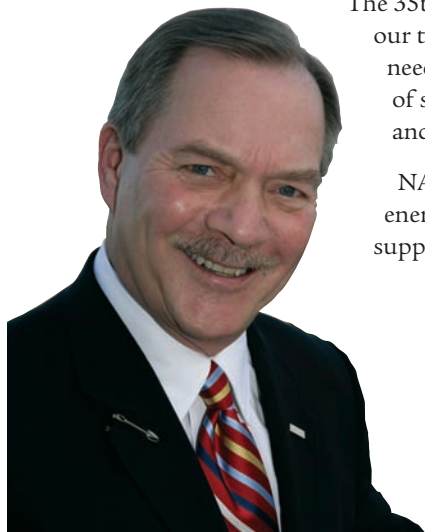
NACWA is also adapting to meet 21st century challenges. At the *Strategic Action Planning Session*, held in Kansas City this past December, NACWA members shared their ideas for the next steps in cleaning up and maintaining our nation's precious water resources. This discussion continued at the Utility Executive Summit in May during the *National Clean Water Policy Forum*. These discussions refocused our efforts on the need for a meaningful watershed approach and led to the creation of the Strategic Watershed Task Force to help define our next steps and ensure that we continue to lead the way toward erasing the so-called silo thinking inherent in the water sector.

The 35th anniversary of the Clean Water Act this fall will be an opportunity not only to celebrate our tremendous accomplishments over the past three decades but to remind us of the continued need to push forward lest we slip back to the days when rivers burned and lakes were incapable of supporting life. We refuse to let that happen and recognize that progress demands action and innovation.

NACWA values the leadership and dedication of its members and stands ready to harness their energy and ideas to meet the 21st challenges before us. We look forward to working with you, supporting you and, as always, learning from you.



Ken Kirk  
NACWA Executive Director



# NACWA — Delivering Results Through Collaboration

As NACWA seeks to advance the clean water community's agenda in the nation's capital, its effectiveness is significantly enhanced by its ability to generate support among a broad range of groups for its priority objectives. This past year has been unprecedented in terms of building new alliances while strengthening existing ones on clean water initiatives.

Recognizing that not all clean water goals can be achieved through the efforts of a single sector or organization, NACWA believes the power to move mountains — or to clean rivers — lies in the willingness of multiple stakeholders to work together.

That these groups, particularly the representatives of the environmental and conservation community, are willing to partner with NACWA to influence federal water policy testifies to the Association's growing reputation as a leading environmental organization and trusted voice on clean and safe water issues. While only a few collaborative accomplishments are highlighted here, they represent NACWA's leadership and commitment to developing strategic partnerships in the future.

## Limiting Overflows by Going Green

NACWA and the Natural Resources Defense Council (NRDC) led the effort to promote green infrastructure as a vital means to control stormwater and limit sewer overflows. More than thirty groups signed on to a statement of support on behalf of green infrastructure.



The importance and timeliness of these efforts were so great that EPA Administrator Stephen Johnson celebrated Earth Day 2007 by signing a statement of intent on April 19 in Pittsburgh based on the collaborative statement of support. EPA's statement of intent promotes the use of green infrastructure approaches, such as rain-catching roofs and gardens, to lessen sewer overflows and runoff after storms. Pictured below at the signing ceremony for the *Statement of Intent on Green Infrastructure* in Pittsburgh are (from left) Administrator Johnson; Dana Aunkst, of the Pennsylvania Department of Environmental Protection, representing the Association of State and Interstate Water Pollution Control Administrators; Neil Weinstein, of the Low Impact Development Center; Nancy Stoner, of the NRDC; NACWA President Dick Champion; Pittsburgh Mayor Luke Ravenstahl; and Ben Grumbles, EPA assistant administrator for water.







## Ensuring Exceptional Utility Management

Six major water sector organizations and EPA came together to ensure exceptional utility management by signing a statement of support to promote and encourage the use of a series of tools and measures that are characteristic of an effectively managed utility. The *10 Attributes of Effectively Managed Water Sector Utilities*, which include product quality, financial viability, customer service, and water resource adequacy, provide milestones for facilities seeking to enhance their performance.

Featured (*from left*) are the executive directors of the six signatory organizations — William Bertera, Water Environment Federation (WEF); Ken Kirk, NACWA; Peter Cook, National Association of Water Companies; Jack Hoffbuhr, American Water Works Association; Peter King, American Public Works Association; Diane VanDe Hei, Association of Metropolitan Water Agencies; and, EPA Administrator Stephen Johnson. The signing ceremony took place in May at the *National Clean Water Policy Forum*.



## Improving Water Quality by Increasing Wetlands Acreage

NACWA President Dick Champion (*left*) and Don Young, executive vice president of Ducks Unlimited, signed an historic agreement in which the two organizations committed to collaborate on protecting, restoring, enhancing, and constructing wetlands. The signing is just the beginning as municipalities increasingly seek to incorporate wetlands, which play a prominent role both as habitat for waterfowl and as nature's way of cleansing polluted waters, into their operations. Champion, director of the Independence, Mo., Water Pollution Control Department, said the partnership is an "obvious" one because "no two things do more to achieve clean water than wetlands and wastewater treatment plants." The event took place as part of the 2007 *National Clean Water Policy Forum*, sponsored by NACWA and the Water Environment Federation (WEF).







## Collaboration Results in Key Asset Management Publication

In addition to advancing NACWA advocacy initiatives, collaboration is also yielding valuable publications, bringing the resources of a variety of organizations to bear in a way that benefits the clean water community.

Exemplifying this effort is the publication, *Implementing Asset Management: A Practical Guide*, which was created by a NACWA–Water Environment Federation (WEF)–Association of Metropolitan Water Agencies (AMWA) collaboration. The *Guide* provides a common sense, risk-based approach to asset management that any drinking water or wastewater treatment utility can use, regardless of size or how they currently manage their infrastructure assets.



## NACWA/WEF Strategic Partnership Benefits Clean Water Community

In October of 2006, NACWA and the Water Environment Federation (WEF) signed a *Memorandum of Agreement* establishing a formal strategic partnership. The benefits of the partnership include greater coordination of effort and improved outreach to NACWA member agencies, WEF member associations, and other stakeholders, as well as providing the highest level of service possible to their members.

This historic agreement has yielded joint conferences and publications — a sampling of which are discussed here — as well as joint outreach vehicles. Highlights include cooperation on the *Water Is Life and Infrastructure Makes it Happen™* educational campaign; *The Clean Water Exchange* news bulletin—a joint NACWA/WEF/American Public Works Association (APWA) initiative to expand outreach to key organizations representing municipalities at the state and regional level; as well as the upcoming Clean Water Advocacy Center to be featured at WEFTEC 2007 in San Diego. This booth, sponsored jointly by NACWA, WEF, and APWA, will help demonstrate that the water sector is speaking with one voice on key advocacy priorities.

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

**Water Environment Federation®**  
Preserving & Enhancing  
the Global Water Environment



# NACWA Hits the Nation's Courtrooms

NACWA's leadership and advocacy continued to be a major factor in the nation's courts this year with a number of key victories for the clean water community that established important legal precedent for future litigation. With involvement in nearly a dozen cases currently before state and federal courts, NACWA's litigation program helped guarantee that the voice of the clean water community was heard in the most important Clean Water Act cases. These include major roles in three cases before the U. S. Supreme Court during the 2006-2007 term.

With leadership in the courts widely recognized, NACWA is proud to provide a few highlights of its litigation success stories over the past year.

## ***U.S. Environmental Protection Agency v. Defenders of Wildlife (U.S. Supreme Court)—The Interaction Between the Endangered Species Act and Clean Water Act***



NACWA scored a major victory in June 2007 when the U.S. Supreme Court ruled that the U.S. Environmental Protection Agency (EPA) is not required to consider the potential effects on endangered species when it approves state National Pollutant Discharge Elimination System (NPDES) permitting programs. The Court's decision closely tracks the legal arguments made by NACWA in its February 2007 brief. The Court held that the Clean Water Act (CWA) specifically outlines the factors controlling EPA's approval of state NPDES programs and rejected arguments put forth by environmental activist groups that the Endangered Species Act (ESA) supersedes or appends these factors. In particular, the Court embraced NACWA's argument that EPA does not have to consult with the Fish and Wildlife Service, or to condition its approval to ensure that the state program will not jeopardize an endangered species. The Court's decision clarifies that as long as a state's NPDES program satisfies CWA criteria, EPA must approve the program. This case represents an important victory for NACWA members by ensuring that the CWA remains the nation's primary environmental statute dealing with NPDES permitting issues.

## ***Cities of Annandale and Maple Lake (Minnesota Supreme Court)—Pre-Total Maximum Daily Load (TMDL) Permitting***



NACWA won another important case in May 2007 when the Minnesota Supreme Court ruled that the Minnesota Pollution Control Agency (MPCA) may use an "offset" analysis when issuing a NPDES permit for a new wastewater treatment plant discharging into an impaired water body. This case concerned the "pre-TMDL" or "interim" permitting situation. NACWA filed a brief in the case on behalf of its Minnesota members in 2005 supporting the right of state agencies to make such analyses if they determined that any new discharges would be offset by the reduction of discharges from other facilities emitting effluent into the same water body – even before a TMDL has been completed. The court's ruling embraced NACWA's reasoning and ensures that states have the power to make NPDES permitting decisions that are both equitable and environmentally sound. Additionally, the court deferred to the state agency's interpretation of a federal regulation on the permitting of new discharges, a potentially beneficial precedent. NACWA hopes this important decision will have positive impacts for clean water agencies in other jurisdictions facing similar offset scenarios, especially given the number of impaired water bodies for which TMDLs have yet to be developed.





# Legal Advocacy Protects the Clean Water Community

## *Natural Resources Defense Council v. EPA* (U.S. District Court of the Central District of California)— EPA's Implementation of the BEACH Act



NACWA was successful in its bid to intervene on the side of the Natural Resources Defense Council (NRDC) in this critical case involving EPA's activities under the 2000 Beaches Environmental Assessment and Coastal Health (BEACH) Act. NRDC sued in August 2006 because of EPA's failure to develop and publish new recreational water quality criteria by 2005 as required by the BEACH Act. The court allowed NACWA to intervene over NRDC's objections. The intervention will allow NACWA to voice key opinions of the regulated clean water community and ensure that any court-imposed schedule for EPA provides the Agency with the sufficient time necessary to develop new recreational water quality standards that are technically and scientifically-based. NACWA has been reviewing documents produced by EPA during the discovery process and looks forward to participating in settlement discussions in the coming year that are expected to result in a schedule for issuing water quality criteria.



## NACWA's Targeted Action Fund (TAF) Was Vital to Other Key Legal Victories for the Clean Water Community this Year.

**Stormwater Fees.** In *City of Cincinnati v. United States*, the court ruled that a federal government facility is not exempt under the theory of sovereign immunity from paying stormwater fees. NACWA will continue to support Cincinnati as it moves forward in its efforts to collect unpaid fees from a federal government facility.

**Total Maximum Daily Loads.** NACWA filed a brief with the Supreme Court in *Friends of the Earth v. EPA* involving the proper expressions of total maximum daily loads (TMDLs). Additionally, the Association completed a suitability analysis to examine which pollutants might not be appropriate for true "daily" TMDL expressions.

**Interbasin Water Transfers.** NACWA supported the New York City Department of Environmental Protection, a member agency, in its appeal before the U.S. Supreme Court regarding the need for National Pollutant Discharge Elimination System (NPDES) permits for interbasin transfers of natural, untreated water.



# Advocacy for Sensible Regulatory Solutions

## NACWA Takes Lead As Federal Government Relies on Status Quo

With the federal government focused on enforcement and local, market-based solutions, new guidance or regulatory action — which could provide needed consistency to clean water agencies seeking to meet 21st century clean water challenges — was largely absent in FY 2007. NACWA stepped in to fill the void with several key initiatives that lay the groundwork for future progress.

### On the Emerging Contaminants Front...

With leadership from its Emerging Contaminants Workgroup, NACWA continued its involvement in the national dialogue on this rapidly expanding issue. Focusing on the need for better cooperation among the federal agencies with responsibility for these contaminants, the workgroup developed a new framework to guide NACWA's advocacy efforts on the scientific, regulatory, and public outreach challenges facing clean water agencies. Much of the government's attention this past year focused on pharmaceuticals, and a new federal policy on the disposal of unused prescription drugs set off alarms with many of NACWA's public agency members. With the new policy recommending flushing of certain drugs, NACWA sent a letter to the White House requesting changes to the policy that acknowledge the role of local efforts to collect unused drugs and keep them out of the sewer system.

The U.S. Environmental Protection Agency's (EPA) Office of Water also ramped up its activity on emerging contaminants, and NACWA remained engaged with each and every initiative. From the collection of effluent and biosolids information on the presence and concentration of a slew of

emerging contaminants to ongoing efforts to improve existing analytical techniques to provide additional detection capabilities, NACWA has worked with the key EPA offices to ensure the clean water agency perspective is heard.



NACWA's 2006 Summer Conference, *Cross-Cutting Clean Water and Drinking Water Issues...Challenging Traditional Boundaries*, in Seattle, brought together leaders from both the water and wastewater industries to discuss the implications of the increasingly interconnected nature of water resources. Improving collaboration among water sector partners was the focus of a meeting immediately following the conference.



## NACWA Intensifies Wet Weather Advocacy

With EPA focused on enforcement as its preferred method to address wet weather issues, NACWA has redoubled its efforts on several fronts. Even though the White House Office of Management and Budget (OMB) seems intent on delaying the release of a final policy on peak wet weather flows, NACWA and the Natural Resources Defense Council (NRDC), which partnered with the Association to develop the framework on which the policy is based, continued to work every angle to try and break the logjam. NACWA also was heavily involved in the development of wet weather standards for the Ohio River and the debate over peak excess flow treatment facilities and their status under the Clean Water Act. With the prospect of a national rule or policy on sanitary sewer overflows appearing highly unlikely under the current administration, NACWA has initiated work on a possible set of industry best practices for collection systems that could be adopted on a voluntary basis to fill the regulatory void.

EPA's enforcement office spent much of the past year updating its draft policy on significant noncompliance for wet weather, and NACWA was involved every step of the way to provide the clean water agency perspective. Recent criticism of EPA's inconsistent enforcement for some wet weather issues will likely result in a stepped-up enforcement presence and ensure that wet weather remains on the top of EPA's enforcement priorities list.

## Financial Capability... Change is Coming

Referencing recommendations from NACWA's *2005 Financial Capability and Affordability in Wet Weather Negotiations*, EPA announced last year that it would review and possibly revise its 1997 guidance, "Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development." Since that time, a workgroup of NACWA members has continued to develop a list of guiding principles that they feel should be incorporated into EPA's capability assessment process, including a more complete consideration of local conditions that might affect what a community can afford. Concurrent with NACWA's work, EPA's own Environmental Finance Advisory Board (EFAB) reviewed the decade-old guidance and recommended changes consistent with NACWA's principles. Much work on this issue still lies ahead.



EPA's greenhouse gas emissions estimates for wastewater utilities will be refined following thorough review.

Dental amalgam mercury study nears completion, promises additional insight on amalgam separator installation.

Comments filed on potential sewage sludge incinerator regulations leads to EPA decision not to regulate...

And more...including work on financial capability, asset management, TMDLs, and wet weather.



## Total Maximum Daily Loads (TMDLs)...the Saga Continues

The debate over last year's D.C. Circuit ruling that 'daily' in total maximum daily load really means 'daily' ended up on the front steps of the Supreme Court. Despite the split decisions at the Circuit Court level, the Supreme Court decided not to take the case. With the fate of the program now in EPA's hands, the response so far has been tepid, leaving NACWA concerned that EPA's proposed 'patch' just won't work. By recommending that all TMDLs include an actual daily load, but allowing implementation of those loads in permits to be more flexible and take advantage of seasonal or annual limit scenarios, EPA is walking a fine line that may ultimately lead to more permit challenges. NACWA is preparing a new tool that will give its members an opportunity to make arguments early on in the TMDL process that perhaps certain pollutants, like mercury or nutrients, are simply not suitable for TMDL development. NACWA's legal team is also standing ready should the debate return to the courts.

## NACWA Leads the Way—Dialogue on Consumer Products Initiated

NACWA has been at the forefront of organizing a dialogue with key stakeholders on how to address the growing number of harmful ingredients being added to consumer products that may ultimately end up in the environment. Primarily used as marketing devices (cleaner clothes, fewer germs), these ingredients have the potential to cause unintended consequences in the water environment. The dialogue is exploring source control, product substitution, voluntary phase-outs, and possible regulatory action to address this growing problem. This important discussion is in its infancy, but expect to hear more in the coming year.

## WHAT TO EXPECT NEXT YEAR...

While NACWA expects little or no definitive actions from the federal government before the 2008 elections, climate change continues to be a very hot topic. EPA will release a strategy regarding climate change impacts on water quality, and NACWA will remain vigilant to ensure the views of the clean water community are known. Also look for more advocacy from NACWA on collection systems, including working with satellite communities to address overflows and a possible set of industry best practices.



# NACWA Expands, Intensifies Advocacy in Legislative Arena

The change in leadership in the 110th Congress brought a renewed focus on environmental legislation in 2007. Along with this shift, NACWA intensified its advocacy on Capitol Hill as congressional leaders and key stakeholders sought direction on a diverse range of initiatives. These initiatives included Farm Bill reauthorization, climate change legislation, wetlands policy, and funding bills. While delving into various emerging areas, NACWA remained a solid force on traditional legislative issues involving the clean water state revolving loan fund (CWSRF), wet weather, chemical and plant security, and other Clean Water Act priorities.

## NACWA Continues Push For Clean Water Funding

This past year NACWA remained committed to ensuring increased federal funding to address the growing water infrastructure funding gap. NACWA's advocacy helped ensure broad support for the House's overwhelming passage of H.R. 720, *The Water Quality Financing Act*, by a 303-108 margin. H.R. 720 would provide \$14 billion for the CWSRF over four years. NACWA is working to ensure that similar legislation is passed in the Senate. NACWA's efforts also guaranteed the

inclusion of a required Government Accountability Office (GAO) study on viable revenue sources for a trust fund in H.R. 720. Additionally, the Association is working closely with key members of the House Ways and Means Committee through NACWA's Clean Water Funding Task Force to identify a viable revenue source for a clean water trust fund that can garner broad-based Congressional support and provide long-term dedicated funding. NACWA's goal continues to be to have trust fund legislation introduced this year or early next year.



## NACWA Helps Ensure Passage of Clean Water Funding Bill in the House

Two months into the 110th Congress, and after testimony from Kurt Soderberg, the executive director of the Western Lake Superior Sanitary District, a NACWA member agency, the House overwhelmingly approved in a 303-108 vote legislation (H.R. 720) by Rep. James Oberstar (D-Minn.), Chairman of the House Transportation and Infrastructure Committee, (left, shown with Kurt Soderberg) reauthorizing the clean water state revolving fund (SRF) at \$14 billion over four years.





As a parallel effort, the Association actively supported increased appropriations for the SRF as a short-term funding goal.

NACWA was actively engaged as the House approved an \$8.1 billion budget bill (H.R. 2643) for the U.S. Environmental Protection Agency (EPA), which increased the clean water SRF to \$1.125 billion, up \$41 million from the previous year. The Senate Appropriations Committee approved legislation with slightly lower levels, giving EPA only \$7.7 billion with \$887 million going for the SRF for 2008. NACWA will continue to seek passage of the higher House SRF funding level.

## Wet Weather Funding Bills Advance in 110<sup>TH</sup> Congress

NACWA actively supported, and engaged both its members and the grassroots support of Clean Water America, as the House approved legislation (H.R. 569) that would provide \$1.5 billion over five years for sewer overflow grants.

Similar legislation (S. 836), providing \$1.8 billion for overflows, was introduced in the Senate in March by Sens. Frank Lautenberg (D-N.J.) and Olympia Snowe (R-Maine) and awaits consideration by the Environment and Public Works Committee.

## NACWA Leadership Helps Shape Farm Bill, Security Legislation

NACWA's leadership in negotiations to reauthorize the 2002 Farm Bill this past year represents a vital new legislative arena for clean water agencies. Joining with other groups in the water sector and the conservation and environmental communities, NACWA's advocacy resulted in language in the conservation title of the house-passed Farm Bill that would make local governments eligible to partner with agriculture, conservation, and other interests to compete for water quality project grants. A NACWA white paper, *2007 Farm Bill Reauthorization and Options Paper*, issued in August 2006, outlined plans to advocate for exactly this type of funding that would ultimately benefit key watersheds.

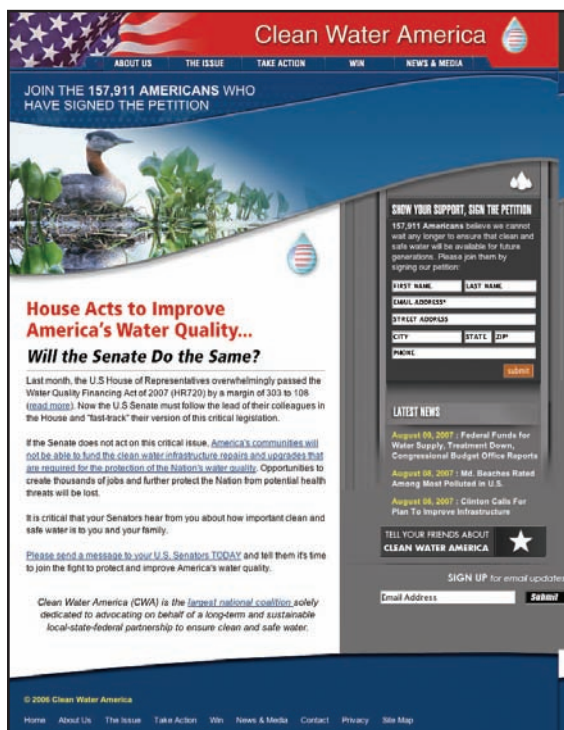
Security legislation continues to be a high priority, especially as Congress and federal agencies call for clean water agencies to move away from gaseous chlorine in favor of other disinfection alternatives. NACWA successfully ensured that public water and wastewater agencies were not included in costly, duplicative, and onerous chemical facility legislation and continues to inform staff in the House and the Senate of the inadvisability of a one-size-fits-all approach to water sector security and the critical need to fund any new mandates should they be imposed.



## Clean Water America Raises Awareness...visit

[www.cleanwateramerica.org](http://www.cleanwateramerica.org)

Clean Water America, launched by NACWA in 2005 as the leading web-based, grassroots coalition devoted to clean water funding issues, has played a significant role in reaching out to communities across the nation to generate support for clean water funding. More than 160,000 people have signed on as supporters, and nearly 300,000 receive regular email updates. There are also more than 210 organizations supporting the Clean Water America website's mission of a federal re-commitment to clean water funding.



## NACWA, Coalition Help Defeat Permit Fee Proposal



The House's fiscal year 2008 budget bill for the U.S. Environmental Protection Agency (EPA) provided NACWA with another victory by including language to prevent EPA from moving forward on a proposal that would provide additional federal money to states that fund at least 75 percent of their National Pollutant Discharge Elimination System (NPDES) permitting program through user fees. NACWA submitted comments to EPA in March strongly opposing the plan. The Association, using its Targeted Action Fund (TAF), joined a strong coalition of stakeholders opposed to the proposal and advocated against the rule before EPA, on Capitol Hill, and at the Office of Management and Budget (OMB). As a result of these efforts, the proposal — which would have dramatically increased municipal permit fees with the likely goal of further reducing federal funding for vital clean water programs — is poised to be defeated.





## NACWA Expands Legislative Agenda in 110th Congress

A hallmark of the 110th Congress is its increased focus on environmental issues, and NACWA is responding with an enhanced legislative agenda. The Association is actively advocating for its members' interests to ensure legislative initiatives effectively support the goal of clean and safe water for future generations on "hot button" issues, including:

- **Green infrastructure** — Legislative measures to promote green infrastructure as a way to manage flows has drawn significant congressional interest. NACWA has worked hard to garner broader support in Congress for the funding of green infrastructure pilot projects and the goals of the *Green Infrastructure Statement of Support*.
- **Clean Water Act jurisdiction** — Legislation has been introduced that seeks to clarify which types of water bodies should be covered by the mandates of the Clean Water Act. NACWA is working with House and Senate staff to ensure that key wastewater treatment techniques are excluded from the bill's expanded definition of "Waters of the United States".
- **Climate change** — Numerous bills have been offered in the House and Senate seeking to regulate emissions of greenhouse gases, including those from wastewater treatment facilities. NACWA has been monitoring these bills closely to ensure they do not single out wastewater treatment plants and is working with EPA to ensure accurate modeling of wastewater treatment plant contributions to greenhouse gas emissions.
- **Recreational water quality criteria** — Congress is considering possible revisions to the Beaches Environmental Assessment and Coastal Health (BEACH) Act. (see *Legal Advocacy* article)
- **Sewer overflows** — Congress continues to focus on increased monitoring and reporting of overflows. NACWA is opposing legislative efforts that seek to add duplicative or unnecessary monitoring/notification requirements.

## NACWA Media Efforts Bolster Legislative Advocacy

NACWA has been featured prominently in a number of major news outlets discussing the infrastructure funding crisis being faced by the nation's municipalities and other issues of importance to the clean water community.

- *PBS Nightly Business Report* (June 20, 2007) — "State of Repair: Leaky Pipes"
- *U.S. News & World Report* (June 4, 2007) — "Why You Should Worry about Water", (Cover Story)
- *Chicago Action Network* (April 2007) — "The Clean Water Funding Crisis" and "The Future of Clean Water"
- *Engineering News Record* (March 24, 2007) — "America Needs a Water Treatment Infrastructure Trust Fund"
- *Rochester (NY) Democrat & Chronicle* (Jan. 28, 2007) — "Suburban Spotlight: Sewer Woes Drain Budgets"
- *USA Today* (Oct. 27, 2006) — "Treatment Wetlands Clean up Some Cities' Sewage"



# NACWA Awards

## Members Clearly Committed to Excellence

NACWA's awards program showcases individuals and member agencies who are leaders in their field and champions of clean water. The awards recognize leadership, contributions to the community, innovation, environmental stewardship, and demonstrated efficiency and effectiveness. Several categories of awards honor NACWA public agency members and their representatives in a variety of ways.



The *Peak Performance Awards Program* recognizes member agency facilities for excellence in wastewater treatment as measured by their compliance with their National Pollutant Discharge Elimination System (NPDES) permit requirements. Awards are made in three categories: *Silver Awards* for member facilities with five or fewer NPDES permit violations in a calendar year; *Gold Awards* for member facilities that meet all NPDES permit limits during a calendar year; and *Platinum Awards* for facilities that have sustained 100 percent compliance for five consecutive years. For the first time this year, member agencies that continue to uphold 100 percent compliance in excess of five years, maintained the *Platinum Award* status. With this change in the award criteria, NACWA acknowledged more than 90 facilities with *Platinum Awards*. This year, 437 facilities were honored with *Peak Performance Awards* in one of the three categories.



Individuals who have made exceptional contributions to water quality and the environment and member agencies committed to providing innovative solutions and community outreach may be recognized with NACWA's *National Environmental Achievement Award*. Winning projects typically demonstrate environmental enhancements and achievements in research & technology, operations, and public information & education.

Thirteen individuals and 13 projects were selected to receive this honor for their notable environmental stewardship this year.



Established in 2003, the *Excellence in Management Recognition Program* acknowledges the significant achievements of NACWA member agencies in the utility management arena. Since its inception – this program has recognized more than 56 member agencies for their effective utility management.

This year, nine outstanding agencies were selected as winners of this prestigious award. Honorees demonstrated successful implementation and sustained progress in addressing the range of management challenges faced by public clean water utilities.

*“Our Peak Performance Award is showcased in our facility and serves as a symbol of our employees’ commitment to excellence.”*

– John Milligan  
Water Pollution Control Superintendent,  
City of Clearwater, Fla.



# 29

Facilities that have had perfect compliance with their NPDES permit for a consecutive 10 years or more.

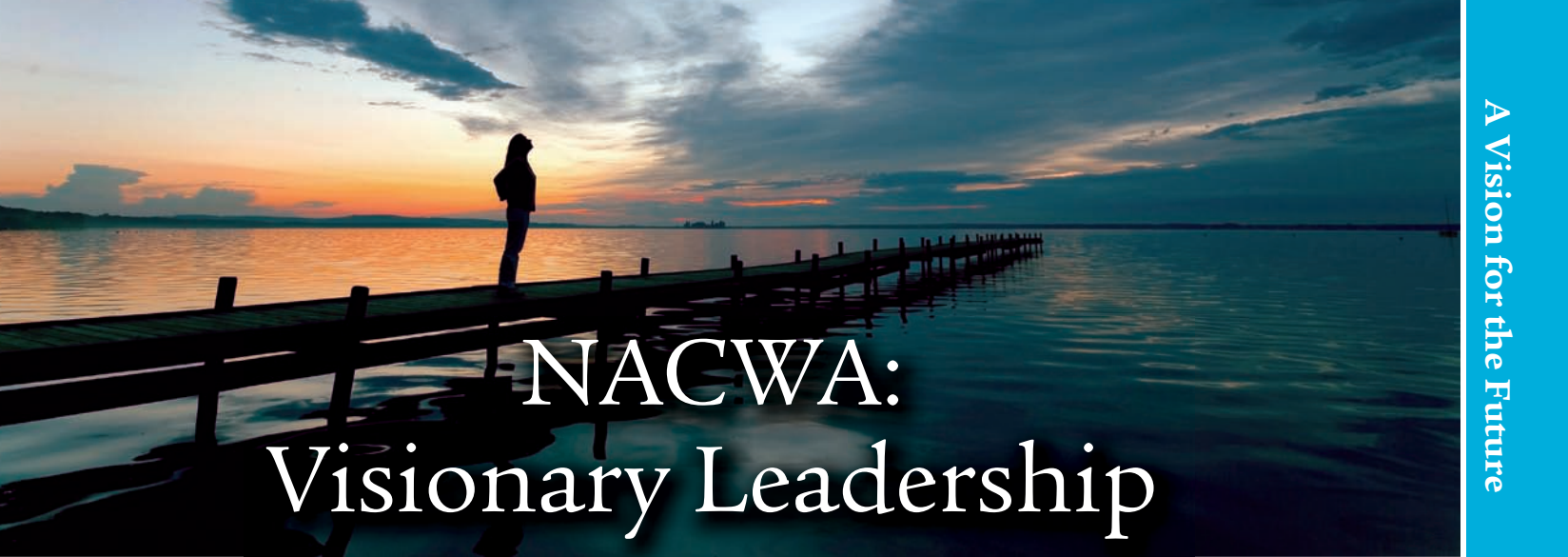
# 91

Plants awarded Platinum Peak Performance Awards for 100 percent NPDES compliance in 2006.

# 191

Plants awarded Gold Peak Performance Awards for 100% compliance in 2006.





# NACWA: Visionary Leadership

## NACWA Board Takes Strategic Approach to Future Challenges, Opportunities

NACWA's Board of Directors looked to the future during 2006-2007 by revisiting and revising the Association's *Strategic Plan*. Initially adopted in 2004, the *Strategic Plan* has guided the Association as it made significant strides toward cementing its position as the leading advocate responsible for national policies that advance clean and safe waters and a healthy, sustainable environment.

Beginning in 2005 with the powerful symbolic act of changing the Association's name to the National Association of Clean Water Agencies, the organization's leaders have pursued a proactive and dynamic agenda, always reflecting their commitment to the core values of scientifically and economically informed environmental policy; visionary and results-oriented leadership; environmental stewardship; fiscal responsibility; integrity and credibility; collaboration; and continuous professional development.

On May 9, 2007, NACWA's Board of Directors adopted a comprehensive set of revisions to the Association's *Strategic Plan* that acknowledges new and evolving issues as well as the important work done by NACWA members in recent months to create a strategic watershed agenda and frame issues for the future. NACWA's *Strategic Plan* has become a touchstone to guide Association initiatives – as well as the impetus for positive change – and the Association's Board of Directors has led the way.



NACWA welcomed Chris Westhoff (*right*), assistant city attorney – public works general counsel for the City of Los Angeles, Calif. as its president for 2007-2008 in July. In addition to Westhoff, NACWA's officers for 2007-2008 include Vice President, Marian Orfeo (*center*), director of planning & coordination, Massachusetts Water Resources Authority, Boston, Mass.; Treasurer, Kevin Shafer (*second from left*), executive director of the Milwaukee Metropolitan Sewerage District, Milwaukee, Wis.; and Secretary, Jeff Theerman (*left*), executive director, Metropolitan St. Louis Sewer District, Mo.

# Board of Directors and Special Committee Leadership 2006–2007

## Officers

### PRESIDENT

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

### VICE PRESIDENT

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

### TREASURER

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

### SECRETARY

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

## Board of Directors

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**Richard S. Seymour, Jr.**, Director City of Nashua Division of Public Works, Nashua, N.H.

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**Robert E. Moore**, Chief Administrative Officer, The Metropolitan District, Hartford, Conn.

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

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

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

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

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

### REGION 6

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

**Larry N. Patterson**, Director, Engineering Services, Upper Trinity Regional Water District, Lewisville, Texas

### REGION 7

**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, Saint Louis, Mo.

### REGION 8

**Dennis W. Stowe**, Manager, Littleton/Englewood Wastewater Treatment Plant, Englewood, Colo.

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

### REGION 9

**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.

**Philip L. Friess**, Departmental Engineer, Sanitation Districts of Los Angeles County, Whittier, Calif.

### REGION 10

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**Charles Logue**, Director, Regulatory Affairs Department, Clean Water Services, Hillsboro, Ore.

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

### At-Large

**Suzanne E. Goss**, Specialist, Government Relations, JEA (Electric, Water & Sewer), Jacksonville, Fla.

**Richard Lanyon**, General Superintendent, Metropolitan Water Reclamation District of Greater Chicago, Chicago, Ill.

## Special Committee Leadership

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

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

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

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### COMMUNICATIONS & PUBLIC RELATIONS COMMITTEE

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

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

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

### SSO ISSUE LEADER

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

### COLLECTION SYSTEM ISSUE LEADER

**Adel H. 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

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

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**Suzanne E. Goss**, Vice Chair, Government Relations Specialist, JEA (Electric, Water & Sewer), Jacksonville, Fla.

### 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

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

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**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 WORKGROUP

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

### PATHOGEN ISSUE WORKGROUP

**Andrea Rex**, Chair, Director, Environmental Quality Department, Massachusetts Water Resources Authority, Boston, Mass.

### EMERGING CONTAMINANTS WORKGROUP

**David W. Tucker**, Co-Chair, Laboratory, Supervisor, City of San Jose, Calif.

**Jim Pletl**, Co-Chair, Environmental Scientist, Hampton Roads Sanitation District, Virginia Beach, Va.

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

### WATER QUALITY COMMITTEE

**Norman E. 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.



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**National Association of  
Clean Water Agencies**

1816 Jefferson Place, NW  
Washington, DC 20036-2505

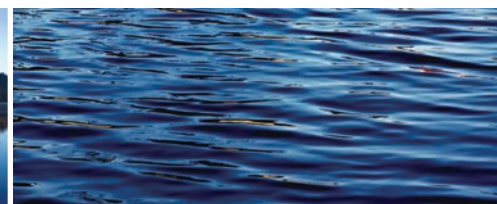
**p** 202.833.2672

**f** 202.833.4657

[info@nacwa.org](mailto:info@nacwa.org)

[www.nacwa.org](http://www.nacwa.org)

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