

CLEAN WATER ADVOCATE

Karen Pallansch, General Manager of the Alexandria Sanitation Authority in Virginia, has been appointed to fill a Region 3 seat on NACWA's Board of Directors. The Association welcomes Pallansch to its leadership.



A Clear Commitment to America's Waters

FEBRUARY 2009

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NACWA Efforts Garner \$4 Billion, Improve Provisions in Stimulus Bill

The American Recovery and Reinvestment Act (ARRA) was signed into law Feb. 16, providing \$787 billion to stimulate the economy, including \$4 billion for the Clean Water State Revolving Fund (CWSRF) and \$2 billion for the Drinking Water State Revolving Fund (DWSRF). Passage of this important piece of legislation represents an important victory for both NACWA and its member agencies, which devoted significant resources to ensuring the inclusion of funding for wastewater. While the Association fought hard for a higher level of water infrastructure funding, NACWA believes that the recovery package is an important first step in re-establishing the sustainable, long-term federal-state-local partnership needed to ensure that communities can provide vital clean water services.

NACWA worked hard to help shape the legislation, and the final package reflects these efforts. Most notably, the package mandates that at least 50 percent of the SRF funds be in the form of principle forgiveness, negative interest loans, or grants. NACWA argued strongly that this approach would ensure that stimulus funds could be put to use as quickly as possible, and sent several letters to Congress seeking this language. In addition, up to 20 percent of the SRF funding will be made available for projects to address green

infrastructure, water and/or energy efficiency, and other innovative water quality improvements. NACWA had supported such a set-aside in a Dec. 18 letter to Congress. NACWA also met with key congressional staff to ensure that the final bill did not contain provisions that would have required communities to meet affordability criteria in order to be eligible for funding.

Additional Funds for Utilities Available through Other Programs

The new law targets several other programs for investments in water resources, including \$3.8 billion for water and wastewater investments for small communities through the Rural Utility Service of the U.S. Department of Agriculture. Another \$4.6 billion is targeted to authorized Army Corps of Engineers projects under the Water Resources Development Act of 2007, including local community wastewater infrastructure investments. Other funding in the stimulus package includes \$1 billion for Bureau of Reclamation water resources projects in western states including \$126 million for water reclamation and reuse and \$60 million for rural water projects. Finally, \$340,000 is provided through the Department of Agriculture for watershed protection and flood prevention. ●

Access Granted . . .
*Getting the Most Out of
Economic Stimulus Funding*

NACWA

NACWA Provides Members with Key Tools on Stimulus Implementation

To ensure its members are equipped with vital information as the American Recovery and Reinvestment Act of 2009 (ARRA) is implemented, NACWA conducted a free web seminar on Thursday, February 19. Facilitated by NACWA Vice President, Kevin Shafer, *Access Granted . . . Getting the Most out of Economic Stimulus Funding* provided important information on the funding available for water-related infrastructure and how to best access it. It featured representatives from the U.S. Congress, U.S. Environmental Protection Agency (EPA), and State officials charged with implementing the program. Participants were encouraged to identify any barriers that need to be addressed to ensure that stimulus funds

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NACWA's Critical Issue Action Initiative Protects Clean Water Agency Priorities

NACWA's Board-endorsed and member-supported *Critical Issues Action Initiative* has made significant progress toward generating the data and providing the expertise and analysis needed to ensure that clean water agency interest are effectively represented in the areas of nutrients, climate change, pharmaceuticals, watershed management, infrastructure sustainability and security. With two initiatives already complete and four others underway, the Association is well-positioned and ready to engage when public policy debates begin to tackle these critical issues and actively and aggressively move forward. The *Clean Water Advocate* will serve as the forum for monthly updates on this important initiative – highlighting key developments and benefits realized from the targeted advocacy agenda in the Critical Issues Action Initiative.

Release of Climate Change Primer Gives Municipalities Ideas on Carbon Trading

In an effort to provide both guidance and potential economic benefit to its members NACWA has released a climate change primer. The primer, *Getting Into the Game: How POTWs Can Take Advantage of Carbon Trading*, offers valuable information to agencies confronting complex decisions relating to climate change and helps municipal clean water utilities better understand the challenges and opportunities presented by emerging carbon markets. The primer is available for free download to NACWA members from the Association's website. Other parties interested in the publication may also purchase it for \$85.00 by visiting the *Publications* page of the NACWA website at www.nacwa.org. Development of the Primer was supported by a team of NACWA staff and representatives from the Association's Air Quality & Climate Change and Legal Affairs committees.

Nutrient Legal Analysis and Control Evaluation

Work to prepare a set of technical and legal arguments against the modification of the definition of secondary treatment to address nutrient discharges at clean water agencies is nearly complete. The resulting report will

provide NACWA and its members with information critical to preventing a wholesale rewriting of the treatment requirements and serve as the foundation for any legal action that may become necessary. Association members will also benefit from a critical analysis of the technical challenges and impacts associated with nutrient controls on the environment. A project team from NACWA's Water Quality Committee is guiding this effort and a final report is anticipated in March, 2009.



Peer Review – Pharmaceutical Peer Review Panel

NACWA is working with the Association of Metropolitan Water Agencies (AMWA) to convene a panel of subject-matter experts to develop a set of strategic recommendations on the issue of pharmaceuticals in water. The panel's recommendations will be used to inform and guide an appropriate national response to this issue that is rooted in the current state of the science. NACWA and AMWA are currently working to refine the objectives for the panel and identify the key experts. The panel's report is anticipated to be completed by the summer of 2009.

Support of Product Stewardship Institute Dialogue on Pharmaceuticals

NACWA has entered discussions with the Product Stewardship Institute to best target the Association's contribution to the Institute's ongoing dialogue on unused pharmaceuticals and take back programs. The first two dialogue meetings have made tremendous progress in improving communication among the key federal agencies responsible for national drug policy and have identified the key obstacles to providing greater access to unused pharmaceutical


take back programs nationwide. NACWA's contribution will be used to support the efforts of the Regulatory Workgroup, which is working now to identify and address the governmental barriers to better handling of unused pharmaceuticals, and the third dialogue meeting that will take place this summer in Washington, DC.

Chemical Security White Paper

Work is underway to develop a white paper addressing the unique security, environmental, and public health concerns associated with including wastewater treatment plants under the Chemical Facility Anti-Terrorism Standards (CFATS). The white paper will provide the Association with a series of key advocacy arguments for use on its members' behalf during congressional discussions on reauthorization of the CFATS legislation. Also included will be an analysis of the application of inherently safer technology (IST) requirements to clean water utilities. Work is expected to be completed on this project during March, 2009.

Greenhouse Gas Inventory

NACWA submitted comments on January 16 on the EPA's *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2007, Expert Review Draft*, providing the U.S. Environmental Protection Agency (EPA) with justification for decreasing the emissions estimates for methane and nitrous oxide from municipal wastewater treatment. NACWA recommends changing the methodology used for nitrous oxide emissions estimates to a data-based approach, rather than the current theoretical approach, and the Association's comments contained a literature review supporting this methodology change. Detailed information on the emissions measurements performed at a NACWA member agency facility was also included in the comments, as well as recommendations for modifying the emissions factors that EPA currently uses to bring the Agency's theoretical approach closer to NACWA's data-based approach.

For additional information on NACWA's *Critical Issues Action Initiative* we invite you to visit www.nacwa.org/criticalissues. 



NACWA Testifies on Need for Water Infrastructure Funding in Stimulus

NACWA testified Jan. 22 before the House Transportation and Infrastructure (T&I) Committee on how investments in wastewater infrastructure can help stimulate the economy, provide jobs with good wages, and demonstrate benefits for the environment and public health. NACWA President Marian A. Orfeo, director of planning and coordination for the Massachusetts Water Resources Authority (MWRA), told the committee that the American Recovery and Reinvestment Act of 2009, is a good first step, but that, "NACWA members have identified over \$17 billion worth of wastewater projects ready-to-go that can have shovels in the ground within 120 days of receiving the go ahead from their State agencies." The committee also expressed particular interest in NACWA's efforts to establish a trust fund, asking about funding sources.



Excellence in Management Recognized

During NACWA's 2009 Winter Conference, the Association recognized its 2008 Excellence in Management Recognition Program honorees.

This year's group of honorees included the City of Los Angeles, Department of Public Works, Bureau of Sanitation, Calif.; Metropolitan Sewer District of Greater Cincinnati, Ohio; Metropolitan Council Environmental Services, Minn.; and pictured here (left, center) the Metropolitan Sewerage District of Buncombe County, N.C., represented by their Vice Chairman of the Board, Mike Sobol. On hand to present the certificates was (left to right) Phil Friess, Chair of NACWA's Awards Committee, and Department Head of Technical Services for the Sanitation Districts of Los Angeles County, Calif.; Mike Sobol; NACWA President, Marian Orfeo who is the Director of Planning & Coordination for the Massachusetts Water Resources Authority, Mass.; and NACWA Executive Director, Ken Kirk.

Workshop to Address Wet Weather Management Trends & Solutions

Registration is now available for the 2009 *Combined Sewer Overflow (CSO) Workshop*, which features an agenda designed to provide unparalleled information for CSO communities struggling with management of wet weather issues. The *Workshop*, scheduled for April 22-24 at The Drake Hotel in Chicago, Ill., is jointly sponsored by NACWA and the Wet Weather Partnership. Sessions at the *Workshop* include an overview of regulatory and legislative action under a new president and Congress; an examination of schedules

and performance capability of CSO long-term control plans; an analysis of the impact of the recent economic downturn on financial capability; and, a presentation on the use of green infrastructure as part of CSO management plans.

The *Workshop* will also feature a new opportunity this year for participants to attend a series of breakout sessions addressing a variety of CSO issues.

For more information on the *Workshop*, please visit the *Conferences and Professional Development* page on NACWA's website at www.nacwa.org.

Much Anticipated Consent Decree Handbook Update Released

In 2003, NACWA released *Wet Weather Consent Decrees: Protecting POTWs in Negotiations* and accompanied the publication with a *Consent Decree e-Library* where various decrees are made available on the Association's website for reference and review. Updated via *Supplement* in 2006, and now again in 2009, this suite of documents provides a valuable tool to municipal agencies preparing to negotiate and enter their own consent decrees. The 2009 *Supplement* summarizes recent consent decrees in a user-friendly table, and provides narrative information on new federal guidance documents, as well as a discussion of

the most progressive provisions of new decrees. The update, when used in conjunction with the original handbook and the 2006 *Supplement*, will be a valuable information tool for municipalities facing – or fending off – consent decree negotiations. The complete suite of these consent decree resources is now available to NACWA's membership as a free download. Other parties may purchase the publications by visiting the *Publications* page of NACWA's website at www.nacwa.org.



Plan Now to Attend the National Clean Water Policy Forum

Join your colleagues in Washington, DC, May 3-6, for the 2009 *National Clean Water Policy Forum*. The National Association of Clean Water Agencies (NACWA) and the Water Environment Federation (WEF) will once again provide an exceptional opportunity to access the latest federal legislative, regulatory, and legal developments and leaders in the Nation's capital.

Shifts currently underway in the political and economic landscape are both significant, and sure to have lasting impacts on the clean water community. Make your plans today to ensure our clean water community's voice is heard on the issues today that will impact clean water utilities tomorrow. Visit www.nacwa.org and plan now to attend the *National Clean Water Policy Forum*. ♦



NACWA Welcomes the New Members

Despite the current economic climate, utilities and organizations continue to see the value in NACWA membership, and the Association continues to strive to strengthen its voice on Capitol Hill, at the U.S. Environmental Protection Agency and in the Nation's courts. We are pleased to welcome and recognize the following utilities and organizations who have added their voice to NACWA's advocacy efforts.

Public Agency Members:

Cape Fear Public Utility Authority, NC

Represented by: **Nancy Gallinaro**, Chief Operating Officer

The Cape Fear Public Utility Authority serves the residents of the City of Wilmington and New Hanover County in North Carolina and has a service area population of 154,100. To learn more about the Cape Fear Public Utility Authority visit www.cfpua.org.

City of Rifle, CO

Represented by: **Charles Stevens**, Utility Director

The City of Rifle serves a population of 9,000 residents. To learn more about the City and its services visit www.rifleco.org.

Corporate Affiliate Members

AECOM

Represented by: **Tina Houston**, Vice President

AECOM is a global provider of professional technical and management support services to a broad range of markets. To learn more about AECOM visit www.aecom.com.

Woolpert

Represented by: **Mike Sweeney**, Project Director, Enterprise Information Management

Woolpert is a design, engineering, and geospatial firm that integrates services and applies technologies to benefit its federal, local/state, and private-sector clients. To learn more about Woolpert visit www.woolpert.com.

NACWA is consistently looking for opportunities to expand its outreach and demonstrate its value to the clean water community. If you are aware of a clean water agency or organization that would be interested in learning more about NACWA initiatives, please contact Kelly Brocato, Director Membership Development at kbrocato@nacwa.org. ♦

NACWA Peak Performance Awards Recognize NPDES Compliance

Applications are now available for the 2008 *Peak Performance Awards*. Recognizing the commitment of NACWA's members to perfection in wastewater treatment, the *Peak Performance Awards Program* acknowledges member agency facilities for their excellence in compliance with their National

Pollutant Discharge Elimination System (NPDES) permit requirements. The program presents awards in three categories – Platinum, Gold and Silver. Achieving recognition in any of the three *Peak Performance Award* categories signifies a true commitment to environmental protection and wastewater treatment and honors the hard

work and diligence it takes to be successful 21st century service providers.

Applications are due April 10, 2009. To learn more about the eligibility requirements for this award program and to download and application, please visit the NACWA website at www.nacwa.org/peakperformance. ♦



Source Control Issues to be Highlighted at March Pretreatment Workshop

With a theme of *Pretreatment and Source Control – Providing the Foundation for Clean Water's Future*,

NACWA's 2009 Pretreatment and Pollution Prevention Workshop will provide information about traditional pretreatment issues while also highlighting the emerging source control issues that are becoming more and more important to pretreatment programs and clean water agencies. The *Workshop* will be held March 25-27 at the Hilton Charlotte University Place in Charlotte, North Carolina. For the first time in several years, the *Workshop* will be held in conjunction with the U.S. Environmental Protection Agency (EPA)-States National Pretreatment Meeting. It's anticipated that this will allow an increased number of state and regional regulators to attend the NACWA *Workshop* and interact with *Workshop* participants.

Source Control of Emerging Contaminants Examined

Source control of emerging contaminants remains a hot topic on both a local and national scale, as more attention is drawn to the presence of these contaminants in the environment and their possible environmental and public health effects. This topic will be explored at the *Workshop* by a variety of speakers from EPA, NACWA member agencies, and environmental and public health organizations. EPA is currently



working on a study of pharmaceutical disposal in the health care industry, and senior staff from the EPA national headquarters will provide information about this study and its use in developing possible Effluent Limitation Guidelines for hospitals, dental clinics, and other health care facilities. EPA staff will also update the *Workshop* participants on their ongoing study and data collection of emerging contaminants in wastewater treatment effluent.

A panel presentation will focus on antimicrobials from consumer products and what could be done to control their discharge into the sewer system. During the panel presentation, *Target: Antimicrobial Pesticides Going 'Down the Drain,'* the most up-to-date information about research on triclosan and nanosilver, two antimicrobials that are receiving increased attention due to their

prevalence in consumer products, will be provided. Environmental organizations representatives will also be on hand to discuss their efforts to control the sources of these antimicrobials.

Another panel presentation will explore the potential benefits and pitfalls of the voluntary Best Management Practices (BMP) approach and how clean water agencies can move forward on the dental amalgam separator issue. Other topics of current interest to pretreatment programs are also on the agenda for the *Workshop*, including legal issues that pretreatment programs may face and how pretreatment programs can develop effective working relationships with both their industrial users and their operations and maintenance staffs. An agenda and online registration is available on NACWA's website, www.nacwa.org.



NACWA Hosts 2009 Water Sector Leadership Summit

In early January NACWA's officers hosted the leadership of the Association of Metropolitan Water Agencies (AMWA), the American Water Works Association (AWWA), the National Association of Water Companies (NAWC), the National Rural Water Association (NRWA), the Water Environment Federation (WEF), WaterReuse, and the Western Coalition of Arid States (WestCAS) for the sector's annual Association Leadership Summit. NACWA President Marian Orfeo presided as the leaders discussed issues ranging from the challenges presented by current economic conditions to how to maximize opportunities with the new Administration and Congress.



Robert Hunter, Commissioner for the City of Atlanta Department of Watershed Management, Ga., welcomed attendees to the 2009 Winter Conference, Controlling Chaos: Managing Capital Costs in an Uncertain Economic Environment. Hunter's remarks set the tone for the conference, discussing the financial opportunities and challenges facing the municipal clean water community today. A copy of Mr. Hunter's and other presenter's slides from the 2009 Winter Conference are available on NACWA's website under the Conferences & Professional Development section.

Registration Now Open for Green Infrastructure Course

Clean water agencies are encouraged to register for NACWA's upcoming green infrastructure course specifically designed for municipal wastewater utility managers and officials. The course, *How Green is My Infrastructure: A Regional Approach to Municipal Planning & Investment*, was developed in collaboration with The Conservation Fund and will be held April 14-16, 2009 at the U.S. Fish and Wildlife Service's National Conservation Training Center in Shepherdstown, WV. A copy of the course agenda and registration information can be found on the NACWA website at www.nacwa.org on the *Conferences & Professional Development* page or by visiting The Conservation Fund website at www.conservationfund.org/node/886.

The curriculum is designed to provide valuable insights on how utilities can initiate, fund, construct, and maintain green infrastructure projects within their own communities. Instructional sessions will focus on a variety of topics including the eco-



nomie benefits of green infrastructure, how to obtain regulatory credit, implementation tools and techniques, and how to finance a green infrastructure network.

The course will also offer a unique feature in that it will be designed around a "team approach" to learning. Participants are encouraged not only to send representatives from the wastewater utility but also to bring representatives from other municipal agencies, elected officials or community activists. This course promises to be both informative and educational and is a must for any utility considering the use of green infrastructure. 🌱



NACWA Mourns Loss of Conservationist, Jim Range

James D. Range, chairman of the board of the Theodore Roosevelt Conservation Partnership and tireless champion for the America's fish and wildlife resources, passed away January 20 after a brief, but courageous, battle with kidney cancer. Range was honored by NACWA in 2007 with its Environment Award for his long and distinguished track record in the field of conservation policy. Up until the time of his death Range continued to play a crucial role in the development and funding of some of the nation's most important laws governing the responsible stewardship of our nation's natural resources. His insight, enthusiasm, and commitment to the environment will surely be missed.

Key Tools on Stimulus Implementation

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gets spent quickly – and NACWA will be working with its members to ensure that their input can be effectively communicated to the officials overseeing the program. The free web seminar resulted in more than 160 sites dialing in and approximately 950 individuals having the benefit of this informative offering.

White Paper Offers Implementation Guidance

Shortly after the web seminar, NACWA released its white paper – *NACWA Preliminary Guidance to Members on Stimulus Package Implementation* – detailing the relevant provisions of the ARRA. The white paper, distributed to the membership as *Legislative Alert 09-05*, explores how the ARRA alters some of the regulatory provisions of the State Revolving Fund program in order to facilitate getting the funding to communities as quickly and efficiently as possible. It offers an initial overview of the ARRA's new administrative requirements; the array of potential areas where funding may be available; U.S. EPA's draft guidance to states on implementing the new Clean Water State Revolving Fund (CWSRF) provisions; potential challenges states and utilities are likely to face in implementing the CWSRF stimulus package program; and recommendations to municipalities on how to maximize opportunities under the ARRA.

The web seminar and white paper build on NACWA's strong advocacy to ensure the inclusion of clean water funding in the ARRA. Going forward, NACWA will be at the center of stimulus package issues as they unfold. The Association plans to establish a monitoring and tracking system that will serve as a hub for member and nonmember utilities to share their experiences, difficulties, and successes regarding stimulus package implementation. NACWA will gather this vital information to learn key lessons from stimulus package implementation and apply them to ongoing efforts in the clean water funding arena, whether via a second stimulus package, SRF reauthorization, and a clean water trust fund. 💧