



New England Water Environment Association, Inc.
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October 14, 2015

The Honorable Thad Cochran, Chair
Appropriations Committee
United States Senate
Washington, DC. 20510

The Honorable Lisa Murkowski, Chair
Appropriations Subcommittee on
Interior, Environment and Related
Agencies
United States Senate
Washington, D.C. 20510

The Honorable Barbara Mikulski,
Ranking Member
Appropriations Committee
United States Senate
Washington, D.C. 20510

The Honorable Tom Udall, Ranking
Member
Appropriations Subcommittee on
Interior, Environment and Related
Agencies
United States Senate
Washington, D.C. 20510

Re: Fiscal Year (FY) 2016 Interior, Environment and Related Agencies
Appropriations Bill, Section 428

Dear Senators Cochran, Murkowski, Mikulski and Udall,

On behalf of the New England Water Environment Association, I am writing to express NEWEA's concern with provisions in the Senate's proposed Fiscal Year (FY) 2016 Interior, Environment and Related Agencies Appropriations Bill (S. 1645) that, if enacted, could have costly inadvertent consequences for the Northeast states and delay improvements to water quality nationally. By establishing new and immediate standards for treatment of wet weather flows and for abating combined sewer overflows, this legislation will undo decades of federal, state and local government planning, design and construction. These provisions will throw into turmoil local water infrastructure investment strategies throughout the Great Lakes Basin and may have significant unintended consequences on the rest of the country. NEWEA urges you remove Section 428 from S. 1645.

NEWEA is a dynamic organization of over 2,100 highly qualified and motivated water and wastewater professionals from throughout New England who volunteer their time,

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energy and expertise in order to preserve, protect and manage one of our most precious resources here in New England, our water environment. NEWEA is a member association of the Water Environment Federation, an internationally renowned organization. NEWEA's mission is to provide education and technical training via an open and interactive forum for water quality professionals while advancing public understanding and advocating sound water policy.

Section 428 of the spending package directly contradicts and undermines legislation Congress enacted in 2001 codifying the 1994 Combined Sewer Overflow (CSO) Control Policy. The CSO Control Policy sets forth national goals and standards for the reduction of CSOs by publicly owned treatment works (POTW) and requires the development of Long-Term Control Plans (LTCP) to comply with these standards. A survey conducted by the National Association of Clean Water Agencies (NACWA) estimates that the cost for compliance with Section 428 would exceed \$72 billion (plus associated costs for operations and maintenance). Further, the proposed provisions would prohibit communities from utilizing an important operations tool that safeguards the integrity of their wastewater treatment systems during periods of extreme wet weather, thereby imposing unnecessary additional costs by handcuffing communities as they attempt to comply.

The proposed provisions contained in Section 428 of this spending package would require Great Lakes communities to spend limited ratepayer resources on eliminating CSO discharges at the expense of addressing the numerous other water quality challenges facing the Great Lakes, thereby setting back overall efforts to improve water quality by decades. The reduction of CSO discharges is an important component of improving water quality; however, the Great Lakes face water quality challenges that go far beyond CSOs and include excessive amounts of nutrients caused by inadequate conservation practices, soil erosion caused by inadequate stormwater management practices, and invasive species brought into the basin by a variety of sources. These challenges are also quite costly to address, but doing so would lead to far greater water quality improvements than focusing solely on CSOs.

Finally, these costly provisions are included in a spending package that proposes to cut funding for the Clean Water State Revolving Fund (CWSRF) by nearly 30%. Imposing additional regulations on ratepayers at the same time as Congress proposes to cut infrastructure-financing programs that assist with compliance will saddle ratepayers with an unfunded mandate that may well be insurmountable.

The CSO Control Policy was carefully crafted by the Environmental Protection Agency and key state, municipal and environmental stakeholders and recognizes that chasing a goal of zero CSOs would waste precious resources that could be used to address other water quality

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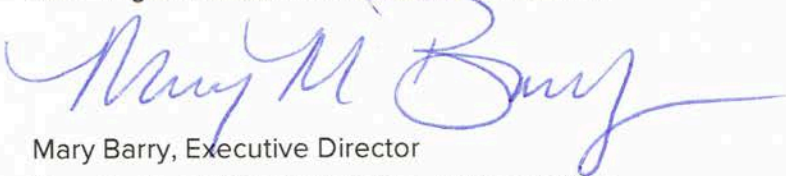
challenges. The proposal contained in Section 428 of the Senate EPA spending package proposes a dramatic shift in clean water policy, one that would impose catastrophic costs to ratepayers throughout the Great Lakes region and result in negligible water quality improvement. At the very least, such a dramatic policy shift should be considered through the normal legislative process so that the policy and cost implications can be fully debated and the impacted communities can be fully heard, not through the congressional appropriations process that does not allow for a full airing of concerns.

For the foregoing reasons, we urge you to strip Section 428 from the FY16 Interior, Environment and Related Agencies Appropriations package. We appreciate your early attention to this important matter and look forward to working with you on this issue.

Very truly yours,



Matthew Formica, President
New England Water Environment Association



Mary Barry, Executive Director
New England Water Environment Association

cc: NEWEA Executive Committee
Peter Grose, Chair, NEWEA Government Affairs Committee