

EPA OIG Concludes EPA Had Emergency Authority to Act in Flint:

EPA's inspector general released a report on Thursday finding that EPA had sufficient authority and information to issue an emergency order to protect residents of Flint from lead-contaminated water as early as June, 2015, seven months before it declared an emergency. The EPA OIG claims the EPA's Midwest region did not issue an emergency order because it concluded that actions taken by the state prevented the EPA from doing so. The report calls that interpretation incorrect and says that under federal law, when state actions are deemed insufficient, "the EPA can and should proceed with an (emergency) order" aimed at "protecting the public in a timely manner" ([EPA OIG](#)).

Washington Post's In-Depth Feature on Status of Flint One Year

Later: "In Flint, a water crisis with no end in sight... many residents still rely on bottled water... children still must bathe in bottled water... we feel that we don't really matter... there are Flint's everywhere, injustices everywhere... Scores more have fallen ill from the respiratory illness... I heard children say, 'Am I going to die... If I really could afford to leave, I would... The first sign that their home's water was tainted came when one of their dogs fell ill... months of unexplained weakness, fatigue and short-term memory problems... slow progress digging up lead service lines across Flint... Mayor knows her city had long been neglected and forgotten... Mental problems, physical problems, financial problems... People feeling ignored, forgotten, lost... If only for a while, the water was something that could comfort and heal, rather than something to fear... protested in a "die-in" on the steps of the Flint water plant... residents realized their water was tainted may have damaged their brains in ways that show up only later" ([WashPost](#)).

South Carolina Rural Water (SCRWA) Raises Concerns with Senate Legislation to Change SRF Ranking Criteria:

In an October 24 letter to Congress, SCRWA observes, "The Senate passed bill, S.2848, Section 7102 redefines the prioritization and weight given to loan applications for SRF financing. The provision provides a greater weight (better ranking) to applicants that already have the following fiscal sustainability programs in place: asset management, replacement schedule, fiscal plan, energy conservation and water efficiency. We support water utilities developing all of the above mentioned sustainability programs and practices. However, by giving more favorable ranking to systems with these programs already in place, it will reduce the number of small disadvantaged water systems from receiving the necessary funds to initiate such programs. In order to promote these sustainability programs for small water systems, this provision should direct that fiscal sustainability planning is a provision of

receiving the funds (part of the overall project outcome) rather than a prior requirement or ranking strategy" ([SCRWA](#)).

Kansas Chemical Spill Results in 85 People Needing Medical Care: A plume of noxious gas fogged over parts of Atchison (KS) after two chemicals were inadvertently combined "near" a sewer plant. A local resident used a drone to photograph the spill and said the town was "in total chaos" as the cloud spread ([CNN](#)).

Court Orders EPA to Finalize Perchlorate MCL by December 2019: On October 17, EPA and environmentalists reached a consent decree where EPA will issue a final rule no later than December 19, 2019.

EPA Requests Wastewater Utilities to Complete Questionnaire: EPA's National Study of Nutrient Removal & Secondary Technologies is designed to establish a nationwide baseline for nutrient removal at publicly owned treatment works (POTWs) and to characterize low-cost options such as operation and management practices that result in improved nutrient control. EPA recently published a Federal Register notice ([September 19, 2016](#)) on the proposed initial phase of the study which will collect basic information from all POTWs nationwide through a mandatory questionnaire. Last week, EPA announced two webinars intended to provide background on the study and the agency will specifically focus on demonstrating the content and electronic format of the draft questionnaire on November 2, 2016 and November 10, 2016 ([link](#)).

Heavy Rainfall in Rural Pennsylvania Causes 55,000 Gallons of Gas to Leak in Tributary: Flooding has caused a leak of a Sunoco pipeline carrying gasoline in Lycoming County (PA). Emergency plans have been activated in three water systems potentially impacted by this spill ([more](#)).

"Water is Life," Native American-Led Resistance to Construction Sites Stops Work on Dakota Access Pipeline: Roughly 140 people were arrested in total amidst the ongoing resistance. One person reportedly delayed work for up to six hours by locking to an excavator. Militarized police have been deployed ([video](#)).

Risk Management Plan (RMP) Rule Update: On October 14th, EPA submitted for White House Office of Management & Budget (OMB) pre-publication review of its [final revised facility safety rule](#) signaling a potential release of the rule before 2017. Gaseous chlorine, ammonia, and other chemicals that represent at-risk populations surrounding regulated facilities are covered under RMP requirements. EPA's proposed new RMP rule

would impact many water utilities ([NRWA May 13, 2016 comments](#)).

New Private Water Industry Promotion Video ([link](#)).

USDA Report Finds Livestock Farms Less Likely Than Crop Farmers to Participate in Nutrient Trading Programs ([USDA](#)).

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