

**The Power of An Association Comes to the U.S. Senate by way of Kansas:** Last week, the Senate Appropriations Committee passed the Fiscal Year 2017 USDA Spending Bill that included NRWA requested funding levels for circuit riders, wastewater technicians, source water technicians and grants & loans. Senator Moran, the subcommittee chairman who authored the bill, lists funding for rural water as his priority in announcing the passage of the legislation ([announcement](#)).

**EPA's PFOA and PFOS New Health Advisory Level:** On May 19, EPA announced that it has established a [health advisory level \(HAL\)](#) for Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS). The new HAL of 70 parts per trillion (ppt) is a lifetime HAL for the combined concentrations of PFOA and PFOS. This HAL is replacing EPA's 2009 provisional short-term PFOA and PFOS health advisories of 0.4 and 0.2 parts per billion (ppb).

- EPA is not recommending treatment or enforcement for communities with exceedances. EPA recommends additional sampling and communities are advised to contact their respective primacy agency.
- Six public water systems in New York state (and additional communities in New Hampshire and Vermont) have detected PFOA in their supplies in excess of the EPA's new guidance standard. The contamination has been linked to factories that used PFOA in their manufacturing processes, in some cases dating back decades ([more](#)).
- New England rural water associations have been providing technical assistance including flushing to some impacted communities.
- New Jersey Rural Water Board Member Jim Mackie commented that water systems in proximity to airfields and fire training academies where foaming techniques were practiced could be at risk. The Defense Department had been relying on EPA's less stringent short-term health advisory levels to guide cleanups of PFCs found on fire-fighting training sites. DOD has identified 664 fire training sites across the country where PFCs have been used.
- In the PFOA health advisory, EPA says studies of animals showed negative developmental effects, liver toxicity, kidney toxicity, negative immune effects and testicular and kidney cancer. "Overall, the toxicity studies available for PFOA demonstrate that the developing fetus is particularly sensitive to PFOA-induced toxicity," the health advisory says.

**States Argue 6th Circuit Cannot Preclude 11th Circuit Appeal:** A coalition of 11 Southern states is arguing that the U.S. Court of Appeals for

the 6th Circuit's decision to hear suits over EPA's Clean Water Act (CWA) jurisdiction rule cannot preclude the coalition's 11th Circuit appeal. The coalition argues that suits over the rule should be heard first in district court, and that the 6th Circuit's ruling is not binding on the 11th Circuit.

### **NRWA to File Brief in Circuit Court to Oppose EPA's Water of U.S.**

**Rule:** NRWA will likely be the only national water utility association taking action in the courts. We are currently planning to file an Amicus Brief in the Sixth Circuit Court of Appeals around July 7, 2016 ([NRWA draft brief](#)).

### **Corpus Christi issues Boil Advisory After Nitrogen Runoff Contaminants found in City's Water** ([more](#)).

**Ohio Moves to Regulate Harmful Algal Blooms:** The new state rule will go into effect June 1. All public water systems that use surface water will be required to monitor and report the occurrence of cyanobacteria and harmful algal blooms (HAB). The new rules establish microcystin action levels ([more](#)).

**Cedartown Water (GA) Can't Find Water Operator:** The city manager said the city is having a hard time finding qualified employees to replace a position at each of the city's two water treatment plants. An early retirement program resulted in the loss of highly qualified water operators ([more](#)).

**Southeast White County Water Association (AR) Votes to Investigate Employees:** Before an overflowing crowd, water association officials apologize for their previous lack of oversight and are putting safeguards in place to prevent employee theft in the future. Two former employees were able to make tens of thousands of dollars in unauthorized charges on credit cards and accounts paid by the association. The board admitted that the former manager was the only person keeping an eye on the company credit card issued to her. A recent audit will now be reviewed not only by the prosecutor but also the USDA, State Legislative Auditor, and possibly the Arkansas State Police ([more](#)). **Hood River County (OR) Voters Ban Nestlé's Bottling Plan:** County voters have approved a ban on commercial water bottling, blocking a \$50 million bottling plant Nestlé wants to build in the Columbia River Gorge. Supporters of the measure said they didn't trust Nestlé with their local water resources, especially after last year's drought. Native American tribes said the spring water the company was targeting for commercial use is used in religious ceremonies and shouldn't be sold for profit ([more](#)).

**Consolidation Fight in Texas:** It's been about five months since the Public Utility Commission ruled the city of Georgetown could take control of the water underneath the Chisholm Trail Special Utility District, the first time in history a Texas city acquired the water rights of a special utility district. The opposition has filed a suit in the Texas Court of Appeals. A former member of the now-dissolved Chisholm Trail board who wanted the Georgetown merger spoke last week to a group of Central Texas Tea Party members in Belton and said taxpayers are footing the bill for a futile legal effort on the part of the opposition stakeholders.

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**National Rural Water Association**

Contact: Mike Keegan, Policy Analyst <[keegan@ruralwater.org](mailto:keegan@ruralwater.org)>  
(Washington, DC)