

Rural Water Policy Advisory [5/21/2018]

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Power of An Association, Last Week's Rural Water Accomplishments: Wyoming Senator Barrasso is expected to announce his bipartisan America's Water Infrastructure Act "manager's package" this week ([news](#)). In the manager's package we expect:

- Inclusion of Senators Wicker and Heitkamp's Clean Water Act technical assistance bill ([more](#)).
- Likely exclusion of the private water industry and large water systems' "[Partnerships](#)" proposal to consolidate small water supplies. NRWA [cautioned the Senate](#) on the proposal and so did [Food & Water Watch](#).
- Likely exclusion of a [proposal to to change the priorities](#) that the drinking water SRF uses to target funds. The proposal is problematic because it allows a new and highly ambiguous term like "sustainability" to now become a federal priority. It could be an impediment to having federal funds get to the most needy communities by claiming they are not sustainable or overwhelming them with a more complicated application. It cites no finding of any problem with the current application process.
- Inclusion of the [SRF WIN Act](#). This bill combines the best aspects of state revolving funds (SRFs) with the leveraging power of the Water Infrastructure and Innovation Act (WIFIA) to make the process easier and more affordable for states to meet their underserved or unmet water infrastructure needs.
- **House Rebukes Plastic Pipe Industry Campaign to Limit Water Project Design:** The [campaign](#) has been led largely by the American Chemistry Council. Last week, the House Agriculture Appropriations Subcommittee included the following provisions in the [USDA spending bill](#) for fiscal year 2019: *May 16, 2018 - Open and Free Competition Policy, "The Committee supports the Department's underlying adherence to free and open competition on water and waste projects as contained in 7 CFR 1780.70(b) and (d). The Committee supports efforts to eliminate arbitrary actions in the procurement process but is concerned that the Department is undermining the ability of local communities and the engineer of record to design water and wastewater projects in the manner that best serves the unique needs and considerations of local communities. In particular, the Committee is concerned about the May 17, 2012, memorandum and the implementation of pipe materials. The Committee believes that the Department must apply its policy uniformly to all building materials but is concerned with the Department requirements that would unnecessarily delay projects by including onerous approval processes. Communities and professional engineers are different and specify the pipe materials that best suit the needs of their community and project. These communities and engineers, therefore make different determinations depending on what is suited for a given community, including the existence of applicable federal, state, or local ordinances or standard specifications. The Committee directs the Department to defer to the engineer of record in the design and choice of materials and other technical specifications that meet nationally recognized standards absent extraordinary circumstances demonstrating arbitrary action."*

[David Stewart, expert attorney](#) on the issue, commented, "I cannot tell you how much we appreciate the hard work of NRWA and your state chapters. If it weren't for NRWA, open competition would have passed many times over."

Trump Administration Proposes Scrapping Obama-era Risk Management Plans Rule: On May 17, EPA proposed to rescind much of EPA's January 2017 final rule updating the agency's Risk Management Plan (RMP) facility accident prevention rule ([EPA](#)). NRWA urged EPA to reject the proposed changes on May 16, 2016 ([NRWA](#)). In comments to EPA, NRWA stated, “*The RMP Rule imposes extensive new requirements on covered facilities and on state and local governments.*”

NRWA to Attend EPA May 22-23 PFAS [National Leadership Summit](#) in Washington, DC: EPA will host the event with other federal agencies and state officials to work on challenges and issues related to PFAS contamination.

Environmentalists Petition EPA For PFOA, PFAS Rules: An Ohio environmental group has [formally petitioned](#) EPA to regulate perfluorooctanoic acid (PFOA) and other perfluoroalkyl substance (PFAS) levels in surface water and drinking water. NRWA is deliberating on the need or problem with setting a new national drinking water standards/MCL. Please contact us if you have an opinion on this issue.

People Who Live in Small and Rural Towns are Happier ([news](#)).

New EPA Lead in Water Rule Delayed for Seventh Time: New standards for keeping lead out of drinking water will slide another six months as the EPA delays its self-imposed deadline for action yet again until February. NRWA urged EPA to separate the results of in-home sampling from treatment requirements for every home in the community, thus correcting the status quo ([NRWA](#)).

[National Rural Water Association](#)

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The National Rural Water Association is the country's largest public drinking water and sanitation supply organization with over 30,000 members. Safe drinking water and sanitation are generally recognized as the most essential public health, public welfare, and civic necessities.

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