

E-reporting of DBP Public Notices Versus Mailing Them: Senator Wicker's (MS) inquiry to EPA regarding the disinfection byproducts rules has precipitated a number of high-level policy conversations in Washington ([Wicker/EPA exchange](#)). One conversation resulted in an EPA regulation expert's conclusion that [EPA's 2013 policy](#) allowing for e-reporting of Consumer Confidence Reports extends to the delivery of Tier 2 public notice requirements for violations of disinfection byproducts rules. Kansas Rural Water Association has been advocating for reform of this rule for many years ([KRWA Lifeline 3/2015](#)).

U.S. 6th Circuit Blocks EPA from Implementing WOTUS: An Oct. 9 order by two appellate justices (with one dissent) enjoins implementation of the WOTUS rule while the court weighs whether it has authority to hear suits over the rule. The Clean Water Act is unclear on whether challenges to nationally applicable rules issued under the water law must be heard in federal district or appellate courts, prompting myriad lawsuits at both levels. NRWA recently approved the filing of a friend of the court brief in opposition to the EPA rule. The 6th Circuit's decision ends the fragmented implementation of the rule that took effect Aug. 28 when U.S. District Court for the District of North Dakota Chief District Judge Ralph Erickson issued a more limited order that blocked the rule only within the 13 states

Fixing CWA SRF Update: WVRWA and MinnRWA have been active in the campaign to convince Members of Congress to change the Clean Water Act to allow a small portion of the SRF to be used for state technical assistance funding ([more](#)). Last week, WVRWA's representatives briefed their Senator on the issue and we expect the Senator to raise the issue with the EPA Appropriations Subcommittee.

EPA Emergency Preparedness Webinar: *For Water Utilities through All Types of Emergencies* on November 10 ([more](#)). **Colorado RWA**

Announcement for Small Communities Water and Wastewater Grant:

"CRWA received this announcement from the Colorado Department of Public Health & Environment (CDPHE) - Water Quality Control Division and wanted to pass on this information and opportunity to our Water and Wastewater Systems!" ([more](#)).

December Government Shutdown: The current Continuing Resolution expires on December 11. To avoid a shutdown, Congress and the White House must find a long-term or another short-term compromise to prevent a shutdown. Any deal will need to reconcile current federal spending caps, pay for any increase in spending above the current caps, make any potential changes to mandatory spending programs, and repeal certain tax breaks. Congress is also facing deadlines on expanding the debt limit, highway funding, tax extenders and appropriations legislation – and a possible comprehensive

budget deal with the White House. **California Takes on Mandatory Water System:** From ASDWA, *"In June, California enacted a new law that allows the State Water Resources Control Board (where the drinking water program is now housed) to '...require certain water systems that consistently fail to provide safe drinking water to consolidate with, or receive an extension of service from, another public water system. The consolidation can be physical or managerial.'* While the state has long encouraged voluntary consolidations or restructuring, the ongoing severe drought and resulting water emergencies experienced by both small and disadvantaged communities provides much of the impetus for this new direction. Starting with technical assistance to analyze the system's problems and recommend a course of action, the next step entails discussions with the affected system and nearby public water systems. Factors to be considered before any consolidation can be undertaken include the capacity of the neighboring system; geographical separation; infrastructure improvement costs; costs and benefits to both systems; and access to financing for the resulting consolidated entity. The two systems then have a six-month window to develop a consolidation plan. Should that not happen, the State Board may order the two systems to consolidate" ([more](#)).

Alaska Legislature Gets Update on Rural Water Projects: *"Frequent regulatory changes to federal drinking water standards continually push rural water systems in place out of compliance and add to the fiscal need, said state official... A fairly large number of very small communities, 31 of them with about 3,500 homes, which comprise 17 percent of rural Alaska communities, remain unserved by water and sewer systems"* ([more](#)).

National Rural Water Association

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