

### **Election Day Cybersecurity/Terror Update:**

- Government officials fear large-scale internet assault on Election Day. Government officials are launching an unprecedented effort to protect critical infrastructure from potential foreign cyber-attacks. NBC senior legal and investigative correspondent Cynthia McFadden reports for TODAY ([NBC news](#)).
- The FBI informed New York, Texas and Virginia about possible attacks by the Al Qaeda militant group around Election Day ([ABC news](#)).
- Cybersecurity experts are concerned about protection of water utilities. “Personally I’m most worried about the water industry,” said Jim Gillespie whose firm Gray Matter Systems secures industrial-control systems ([Wall Street Journal](#)).
- Hacking Competition to Take Down a Water-Treatment Plant ([Atlantic Mag](#)).
- Ransomware Is Booming and Companies Are Paying Up ([Wall Street Journal](#)).

### **Enviros to Sue EPA over Numerous Drinking Water Rules' Deadlines:**

On Tuesday, the Waterkeeper Alliance notified EPA that it intends to file suit in 60 days for failure to regulate several drinking water contaminants ([notice to EPA](#)). This action could result in a federal court order compliance schedule similar to the recent perchlorate regulation lawsuit. The Waterkeeper Alliance suit claims EPA has missed "at least ten non-discretionary duties" for regulating and monitoring contaminants under the Safe Drinking Water Act including missing mandatory statutory deadlines for regulation of six harmful contaminants in drinking water – strontium, tetrachloroethylene, trichloroethylene, acrylamide, epichlorohydrin, and chromium. The group also wants EPA to issue a regulatory determination to move forward with developing a rule for strontium. Similar to the Natural Resources Defense Council's justification for its recent perchlorate lawsuit, the Waterkeeper Alliance stated, “With health crises caused by dangerous contaminants in tap water in numerous communities on the minds of many Americans - for example, lead in Flint, Michigan, microcystin in Toledo, Ohio, and perfluorooctanoic acid (PFOA) in Hoosick Falls, New York - EPA's extensive delays put the public at unnecessary risk.” We did have a meeting today in DC with a leading EPA regulatory expert about the possibility of a legislative solution to this activity (i.e. interests groups forcing promulgation of standards before EPA has completed all the necessary analysis and health effects studies).

**USDA Funds Truth of Consequences:** USDA announced \$331 million in rural water funding awards on November 1. The city of Truth or Consequences in Sierra County, N.M. has been selected for a \$715,000 loan and a \$4.5 million grant for the second phase of wastewater treatment

plant improvements to comply with environmental regulations.

### **NRWA Participates in National Lead Service Line Replacement**

**Collaborative:** Maryland Rural Water Association member George Hanson will represent NRWA on the "Lead Service Line Replacement Collaborative" next week in Washington to help craft lead service line replacement policies ([agenda](#)).

### **EPA to Host Webinar on Ohio's Efforts to Reduce Nutrient**

**Pollution:** ([November 30, 2016](#)).

### **EPA Releases Report on Progress Made to Reduce Water Pollution**

**from Nonpoint Sources:** EPA's national snapshot of work to reduce water pollution from nonpoint sources through the Clean Water Act Section 319 Nonpoint Source Pollution Management Program is here ([EPA report](#)).

### **EPA Is Planning on a Mandatory Survey for the National Study of**

**Nutrient Removal and Secondary Technologies:** Before finalizing the survey, EPA is soliciting public comments on specific aspects of the proposed information collection. EPA mailed around 15,000 letters to POTWs nationwide to alert them to the study and our plan to field the questionnaire in mid-2017. EPA wants to hear from you and is holding two webinars on Thursday of this week ([more](#)).

**New Jersey Water Tower Dome Collapses:** "We have everything under control," says the mayor. The tower remained in operation. A suspected malfunction is believed to have basically sucked the roof into the tank ([more](#)).

**WOTUS Update and Explanation:** On Tuesday, a coalition of 31 states filed their joint brief to the U.S. Court of Appeals for the Sixth Circuit which stayed the EPA Waters of the U.S. Clean Water Rule nationwide as it reviews nearly two dozen consolidated challenges to it. According to the coalition, the EPA is using the Clean Water Act to assert its authority over many local waterways including ephemeral streams and dry desert arroyos which should have been under state domain. The states say the "Rule categorically federalizes stream beds that usually carry no water, and features that are connected to navigable-in-fact waters, if at all, only once a century." Some argue this case should be proceeding in the Supreme Court and believe the Sixth Circuit has erroneously established itself as the venue to hear the challenge. EPA and the U.S. Army Corps jointly published the Clean Water Rule in June 2015 to clarify which waters and wetlands fall under the jurisdiction of the act, thereby making them subject to federal discharge and dredge-and-fill permits, oil spill prevention requirements and state water quality certifications, among other programs

[\(more\)](#).

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**National Rural Water Association**