**Did Senator Wicker Fix It?** At the request of Mississippi and Kansas Rural Water Associations, Senator Wicker (MS) has been urging EPA to allow for electronic delivery of Tier II public notices for disinfection byproducts violations versus mailing them.  Senator Wicker's effort with EPA goes back at least as far as June of 2015 when he wrote EPA regarding the issue ([Wicker to EPA](http://ruralwater.org/wicker.pdf)).  Kansas Rural Water Association has been advocating for reform of this rule for many years ([KRWA Lifeline 3/2015](http://dnn.krwa.net/portals/krwa/lifeline/1503/018.pdf)).  Last week, Senate Wicker released a statement from EPA ([EPA, August 2016](http://www.ruralwater.org/wicker%20dbps2.pdf)).  While not clearly responding to Wicker’s inquiry, the EPA states,

*"Tier 2 requires mail or 'direct delivery' with the bill and a method to notify those who do not receive a bill or do not have service connection addresses (such as renters, apartments, nursing homes, etc.). Posting on the internet is allowed as one of the methods to reach those consumers."*

EPA's January 2013 policy memorandum provides the following interpretation of the Safe Drinking Water Act's mandate to "mail or directly deliver" public notices:

*"EPA interprets the existing rule language "mail or otherwise directly deliver" to allow a variety of forms of delivery of the CCR, including electronic, so long as the CWS is providing the report directly to each customer...  Electronic delivery must provide the CCR in a manner that is 'direct.'  The EPA interprets this rule requirement to mean that CWSs can use paper of electronic communication (e.g., water bill) with URLs to meet their CCR requirement if the URL provides a direct link to the CCR, and if the communication prominently displays the URL and a notice explaining the nature of the link.  In addition, the link must take the customer to the entire CCR so that the customer does not have to navigate to another webpage to find any required CCR content."*

Replace the term "CCR" with "Tier 2 public notices" and you realize just what Senator Wicker has accomplished.  In EPA's statement to Wicker, the agency notes that any public notice of disinfection byproducts must occur within 30 days of the violation.  Florida Rural Water Association’s Gary Williams recently commented that most community water systems in Florida bill monthly which would provide an opportunity to print the URL of the disinfection byproducts violation on the monthly water bill and provide cost savings for the printing, copying and mailing of the public notices.

EPA’s SDWIS database lists over 21,000,000 people living within communities with MCL or treatment technique violations of the disinfection byproducts rules for the third quarter of fiscal year 2015 ([EPA data](http://ruralwater.org/dbps%20vios.jpg)).  KRWA’s analysis found that each public notice costs over $1 per person.

**Large City Consolidation**: Cleveland and East Cleveland, two of the country's poorest cities, are debating whether to merge.  Does the “non-viable” East Cleveland deserve a grant to improve its infrastructures in order to take responsibility for its citizens?  Both cities agree the state of Ohio needs to provide millions of dollars to repair East Cleveland's crumbled infrastructure and to stanch the city's financial bleeding.  However, state lawmakers and Governor Kasich aren’t in a giving mood ([more](http://www.dailymail.co.uk/news/article-3805546/Obstacles-abound-2-poor-US-cities-consider-merging.html)).

**EPA Webinar on Treatment of PFOS and PFAS for Small Drinking Water Systems**: This Tuesday, U.S. EPA will be hosting a small drinking water systems webinar to discuss water treatment methods for removing perfluorinated chemicals from drinking water. The webinar will begin with an overview of the challenges associated with developing an analytical method for 14 PFAAs. This will be followed by a presentation on PFAS, including sources and occurrence data.  EPA will present on PFOS treatment applicability and costs, as well as additional treatment data needs ([Register](https://epawebconferencing.acms.com/owbestpractices/)).

**EPA Releases New Document to Help Control Legionella Growth in Plumbing**: EPA has released a document summarizing the scientific literature on controlling Legionella growth in plumbing found in buildings and facilities.  People are exposed to Legionella when they inhale water droplets containing the bacteria.  Exposure can lead to the development of a respiratory disease known as Legionellosis ([EPA document](https://www.epa.gov/ground-water-and-drinking-water/technologies-legionella-control-premise-plumbing-systems)).

**EPA’s Office of Water Announces “Renewed Call to Action to Reduce Nutrient Pollution and Support for Incremental Actions to Protect Water Quality and Public Health”**: Last week, in a six-page memo, the Assistant Administrator for water highlighted the urgent need for action to reduce this significant threat to water quality and public health; calls upon states and stakeholders to intensify their efforts in collaboration with EPA; and announces $600,000 in additional support for state planning or implementation of watershed-based, multi-stakeholder projects to reduce impacts to public health from nitrates in sources of drinking water and from nitrogen and phosphorus pollution contributing to harmful algal blooms ([EPA memorandum](http://www.ruralwater.org/epa-memo-on-nutrient-pollution.pdf)).

**Candidate Trump Talks EPA and Water**: Last week in Pittsburgh, Donald Trump said, *“I will refocus the EPA on its core mission of ensuring clean air, and clean, safe drinking water for all Americans…  I believe firmly in conserving our wonderful natural resources and beautiful natural habitats. My environmental agenda will be guided by true specialists in conservation, not those with radical political agendas."*

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**National Rural Water Association**

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

(Washington, DC)