

Rural Water Issues Advisory [12/23/2019]

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Denver Gets Special Treatment from EPA for Lead Compliance, Doesn't Have to Follow the Rules: On Friday, EPA approved a "variance" for Denver under the Lead and Copper Rule. Rather than adding orthophosphate for compliance like many other communities, Denver will be allowed to increase pH and alkalinity, replace lead service lines, and implement a communications plan. EPA is asking for comments on its decision by January 21 ([EPA](#)). Please [provide us](#) with any comments you may have on the issue or if you believe all communities should likewise be provided ad hoc alternative compliance options.

Congress Passes Final Appropriations Bill with Continued Support for Rural Water Priority Water Infrastructure Programs ([HR 1865](#)):

- USDA Rural Water & Waste Disposal Loans & Grants - **\$659,480,000** (FY2019 \$548,690,000)
- Clean Water State Revolving Fund - **\$1,638,826,000** (FY2019 \$1,694,000,000)
- Drinking Water State Revolving Fund - **\$1,126,088,000** (FY2019 \$1,164,000,000)

WRDA Update: Congress is on track to pass the biannual water legislation in 2020 and many state associations are being asked if they have priorities for the legislation. The last version of this legislation included a reauthorization of the Safe Drinking Water Act ([NRWA report](#)) and significant reauthorization of the Clean Water Act State Revolving Fund (SRF). One of NRWA's main objectives in this bill (which will take most of 2020 to pass and it will most likely pass) is to have two percent of your state's clean water state revolving fund be made available to fund technical assistance, like the current drinking water SRF. Senator Wicker (MS) is leading this effort in the Senate ([S. 518](#) from 2017) and we are now organizing a House campaign within the House Clean Water Act Committee ([members](#)). For every Congressional consideration of reform of the SRFs, NRWA advocates that the SRF funds to be made more effective for serving your members which typically means: (1) more access to grants, (2) more funding directly set-aside for small or disadvantaged communities, and (3) any changes to expedite the application process. Any changes you think would help in the SDWA or CWA (please let [us](#) know)?

Environmental Activist Jane Fonda Still Protesting at 82, Arrested in DC: The actress was back in cuffs Friday after being arrested protesting climate change. Others arrested in the past while protesting with Fonda include Sally Field, Ted Danson, Rosanna Arquette, Catherine Keener and Sam Waterston, among others ([Hollywood Reporter](#)).

Modest Victory for NRWA - EPA Extends Comment Period for LCRR: Last week, EPA [extended the public comment period](#) for the proposed Lead and Copper Rule Revisions (LCRR). EPA extended the comment period due to requests from NRWA and others (NRWA, AWWA, NLC, USCM, etc. [statement](#)). Comments are now due to EPA on February 12th, instead of January 13th as originally proposed.

Granite State Rural Water Assn. Pens Op-Ed on PFAS Movie, "Dark Waters" ([newspaper](#)).

New Year's Regulation - House Environmental Committee Leadership to Move New PFAS Legislation First-thing in 2020: The House environment subcommittee Chairman Paul Tonko (D-NY) is telegraphing plans to pursue in 2020 broad "reform" of the Safe Drinking Water (SDWA), citing EPA's failure to set standards for PFAS. Tonko's comments come after lawmakers' well-publicized failure to agree to defense bill amendments requiring EPA to set SDWA standards for

several PFAS. Pallone reiterated that pending PFAS legislation would be on the House floor in January after the collapse this month of efforts to add PFAS-related provisions to end-of-the-year must-pass bills (excerpted from [Inside EPA](#)).

NRWA Asked to Comment on Senator Gillibrand's Legislation to Craft Clean Water Act Standards for PFAS Act: [We](#) are eager to hear any comments you may have on the bill ([S. 2980](#)). Specifically, the Clean Water Standards for PFAS Act would:

- Require the Environmental Protection Agency (EPA) to review the sources of PFAS in water bodies and use that information to set protective limits on the amount of PFAS chemicals that can be released.
- Ensure that any entity that is discharging these limited levels of PFAS receive a Clean Water Act permit before discharging these chemicals into the environment.
- Require the EPA to establish standards for the treatment of wastewater, which often includes PFAS chemicals, before it is released into the environment or used for other purposes.

New Study Finds “High Levels” of PFAS in Rainwater: The atmospheric transport route is important, according to the National Atmospheric Deposition Program (NADP). Rainwater samples as far afield as Alabama and Washington contained at least one of the 36 different compounds being studied found concentrations generally less than 1 nanogram per liter ([The Guardian](#)).

Massachusetts Plans Stringent New PFAS Rules for Drinking Water: The state plans to release new rules this month including requirement for all public drinking water systems to regularly test for six types of PFAS and treat if the chemicals are found alone or together at 20 parts per trillion or greater. The final drinking water rules would take effect in spring 2020. The state is also considering new rules for the testing and handling of contaminated biosolids from wastewater utilities ([Public Radio](#)).

EPA Releases PFAS Groundwater Guidance for Federal Cleanup Programs: On Friday, EPA issued “interim” recommendations for addressing groundwater contaminated with PFOA and PFOS. EPA guidance recommends a screening level of 40 ppt and a preliminary remediation goal for contaminated groundwater that is a current or potential source of drinking water or 70 ppt ([EPA](#)).

Michigan Issues PFAS Wastewater Report to Utilities: The update provides “what the state has learned so far” on industrial pretreatment, identifying sources of PFAS to collection systems and reducing concentrations passing through wastewater treatment systems including biosolids ([Michigan](#)).

Small Communities in Pennsylvania Rebellious Against MS4 Regs ([newspaper](#)).

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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