

# Rural Water Issues Advisory [1/27/20]

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**New Waters of the United States Rule:** On Thursday, EPA Administrator Andrew Wheeler and the Assistant Secretary of the Army for Civil Works [announced](#) a new, “clear” definition of “waters of the United States” under the Clean Water Act. EPA states that the new rule “*delivers on President Trump’s promise to finalize a revised definition for ‘waters of the United States’ that protects the nation’s navigable waters from pollution and will result in economic growth across the country.*” The revised definition identifies four clear categories of waters that are federally regulated under the Clean Water Act: the territorial seas and traditional navigable waters; perennial and intermittent tributaries; certain lakes, ponds, and impoundments; and wetlands that are adjacent to jurisdictional waters. The proposal will be challenged in federal court for being both too broad and too limited in scope for federal regulation. The Pacific Legal Foundation issued a statement saying it is disappointed with restrictions the new Waters of the United States, or WOTUS, rule would put on what farmers, ranchers, and other landowners can do with their land. Conversely, the environmental community is criticizing the proposal because it will leave many waters unprotected. The Southern Environmental Law Center (SELC) announced that it will represent environmental organizations in litigation. A senior EPA official said the agencies “have done a lot to make sure [the rule] will withstand legal challenges.” NRWA urged for exclusion of water utility facilities under the rule. The proposal does include the NRWA-supported exclusions for stormwater control features; groundwater recharge, water reuse, and wastewater recycling structures; and waste treatment systems.

**“It is safe to drink...” But, Coweta City (OK) Must Mail Alarming Letter to Every Customer After Rain Causing EPA Rule Violation of .009 Parts Per Million (PPM) of Haloacetic Acids:** Residents who are served by the municipal water plant in Coweta will be receiving letters soon notifying them of a violation for disinfection bi-products in the water ([news](#)). Public Works Director Wes Richter said, “*We have implemented several changes at the plant to bring that number down and we are below the maximum now, but it’s not good enough to get us out of mailing a letter.*” Richter said several other communities and rural water districts have had the same issues in recent months due to flooding and heavy rainfall in 2019. “*It is safe to drink,*” Richter assured. NRWA has been urging Congress and EPA to allow for these letters (Tier 2 Notices) to be posted to the internet similar to Consumer Confidence Reports ([NRWA](#)).

**Source Water Protection - 100K Gallons of Cabernet Sauvignon Spills into Russian River** ([Wash Examiner](#)).

**Petrochemical Companies Want More Plastics** ([Wired](#)) - In Congress, Chemical Lobbyists Push for Legislation to Preference Plastics in Federal Infrastructure Programs ([Rep. Rouda](#)).

**Philippines President Duterte Threatens Arrest of Private Water Executives, Calls Private Water Concessions “Greatest Rip-off of the Country** ([news](#)).”

**EWG Study Finds Widespread PFAS Contamination of Drinking Water** ([Reuters](#)).

**Rural Water Leader, President of ND Rural Water and Farmer Honored in North Dakota** ([John Hancock](#)): Recalls all too vividly the 25 years he spent hauling water from Inkster to his farm northwest of Gilby. It was a 10-mile round trip that he or his wife made at least twice monthly, spring, winter, summer and fall, with their single-axle 1952 Studebaker farm truck loaded with a 1,500 gallon-capacity tank.

**President Tweets on Water Resiliency:** Last weekend, President Trump tweeted his opposition to a Corps of Engineers' proposal to build a \$119 billion sea wall to protect New York and New Jersey

from storm surges. The President [tweeted](#), "It will also look terrible. Sorry, you'll just have to get your mops & buckets ready!"

## **Bottle Water Company Pleads Guilty to Illegally Handling 23,000 Gallons of Arsenic Wastewater ([Patch.com news](#)).**

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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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