

# Rural Water Issues Advisory [1/28/2019]

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## EPA Administrator (Nominee) Thanks President for Reopening EPA



**Florida Rural Water Association Documents Emergency Response Activities:** *“The emergency crews (heroes) have returned home. The drone of chainsaws and emergency generators have silenced. However, Florida Panhandle communities hit by Hurricane Michael are still recovering from the devastation - particularly rural communities. FRWA has prepared a [disaster estimate](#) of storm damages to water and wastewater infrastructure developed using utility input, field observations by circuit riders, utility emergency relief personnel, and engineers, and experience gained from other disasters that have hit Florida over the decades. The damage estimates are likely low (understated). It is common that emergency repairs have a short-term life and actual damages are not known or knowable immediately after the disaster. The emergency workers, or ‘MacGyvers,’ patch the water system in one place and quickly move on. These repairs are performed using “bailing wire and duct tape” and work well enough to serve for the moment.”*

**Congress Looks To Mandate EPA Set MCL for PFAS:** PA Rural Water flagged this article covering an issue they recently experienced, their local Congress members moving to mandate EPA action. NRWA has [commented to EPA](#) on this issue, but not to Congress. The article mentions that an MCL *“would give residents recourse for civil lawsuits.”*

**EPA Staff Organization Study Shows “How Trump’s EPA is Letting Environmental Criminals Off the Hook”** ([Vox News](#)).

**Farms, More Productive Than Ever, Are Poisoning Drinking Water in Rural America:** *“One night she opened her bathroom faucet to a gush of muddy brown water smelling like manure. That hadn’t happened before. Tests revealed her well was contaminated with E. coli and other bacteria, ([WSJ](#)).”*

**Sioux City Wastewater Plant Supervisor Caught Masking E. Coli Samples:** Operator will admit to *“conspiracy to defraud the United States and falsifying or providing inaccurate information from 2012 through June 2015.”* Operator instructed other plant operators to raise chlorine levels on days that E. coli samples were taken by investigators ([Sioux City Journal](#)).

**Using SDWA Emergency Powers for Regulating PFAS:** EPA is weighing its rarely used emergency powers under the Safe Drinking Water Act (SDWA) to address perfluorinated compounds. EPA water chief David Ross recently said the agency “*may also exercise its emergency powers under the SDWA, Section 1431, in the event of an imminent and substantial endangerment.*” EPA guidance document on Section 1431 powers says the agency has “broad powers” for taking enforcement actions if the three criteria of a contaminant being present, imminent endangerment, and no local or state action are met. The guidance lists a number of remedial actions that could be ordered under its emergency powers which include orders to require the provision of alternative water supplies, monitoring of contaminants, an engineering study to propose a remedy to eliminate the endangerment, controlling the source of contaminants, and cleanup of contaminated soils leading to the underground water source.

**Comments on EPA’s Toxicity Assessments for GenX and PFBS:** Late last year, EPA released their draft toxicity assessments for GenX chemicals and PFBS ([EPA](#)). Both chemicals were developed as substitutes for other PFAS.

- The American Chemistry Council commented that they seek a broader review of the reports with time for the EPA’s scientific advisers to look at the drafts before they’re finalized. The group thinks the proposed values are overly conservative ([comments](#)).
- The Environmental Protection Network, which represents former EPA staff, said the agency should reconsider how it reviewed scientific studies to make its conclusions about the chemicals’ health risks. The group also said that the agency should derive risk estimates based on the chemicals’ impact on the thyroid ([comments](#)).
- The Natural Resources Defense Council and four other environmental and health advocacy organizations, including the Sierra Club, said EPA should not assess the two chemicals individually ([comments](#)).

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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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