

Rural Water Policy Advisory [4/23/2018]

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Did EPA Follow the Law in Awarding Technical Assistance Funding?: In the FY2018 Omnibus Appropriations bill, Congress limited EPA to using \$10,000,000 in technical assistance funding **only** for Senator Wicker and Heitkamp's rural water technical assistance legislation (PL 144-98). The language states, "*The Agency shall provide \$10,000,000 for the Grassroots Rural and Small Community Water Systems Assistance Act (Page H2622).*" However, EPA neither used the authorities in the Wicker/Heitkamp legislation in the competition for the funding ([October 20, 2017](#)) nor in the awarding of the funding ([April 11, 2018](#)). Over the last six years, EPA has used its discretion to reduce (and perhaps eliminate) the effectiveness of the on-site technical assistance appropriated by Congress for small and rural communities.

Flint Passes Resolution Asking State for Over \$6.1 Million to Fund Water and Sewer Credits:

The state of Michigan established the fund in 2016, which has spent millions for service line replacement as well as bottled water distribution. The state budget office shows a fund balance of \$6.1 million at this time that is likely to be used for continued service line replacement. One city council member wants the funds to build a water bottling factory in Flint and says, "People trust bottled water."

Does Recent Supreme Court Case Provide a Challenge to Safe Drinking Water Act (SDWA)?:

In a concurrence with the court's liberal justices last week, newly appointed Justice Gorsuch joined the majority in a 5-4 decision about deportation and unconstitutionally vague laws. Vague laws, Gorsuch wrote, "*can invite the exercise of arbitrary power... by leaving the people in the dark about what the law demands and allowing prosecutors and courts to make it up. The law before us today is such a law.*" Justice Clarence Thomas warned that the court's decision could lead to "the invalidation of scores of similarly worded state and federal statutes ([USA Today](#))." Currently, EPA is being sued by NRDC to promulgate a drinking water standard for perchlorate. The lawsuit centers on how EPA interpreted the SDWA in its decision to find that a new standard is necessary ([EPA](#)).

Five Ukrainian Water Treatment Supply Workers Shot as Likely Warfare Tactic ([United Nations](#)).

Wisconsin Utility Reports Individual Homes Tested Over EPA's Lead Action: "There are approximately 5,200 lead service lines of the 15,500 water services in the City of Manitowoc. A map of homes with potential lead service lines in the city can be found at www.mpu.org/lead. All water services in the city are owned by the property owner from the water main to the home ([Newspaper](#))."

GOP Faces Rural Rebellion Over Trump Agenda? ([NBC News](#)).

Europe Rethinking Water Privatization: There have been 235 recorded cases of water remunicipalisation in 37 countries from 2000 to 2015, affecting over 100 million people. "Ninety-four cases of these come from France. And I think that this is quite important as a trend, especially since France is the country that has invented water privatization as we know it today. The country that knows water privatization best," according to a University of Greenwich researcher ([Al Jazeera](#)).

Federal Appeals Court Allows City to Challenge EPA TMDL Claiming EPA Acted Arbitrarily and Capriciously in Approving New Permit Limits:

A Missouri City's engineering firm advised the City that the EPA's limits could never be met on any consistent or reliable basis, and may be impossible to meet. These arbitrary limits require a reduction of some nutrients to one hundred-thousandth of one percent ([City of Kennett, MO, v. EPA](#)).

Senators Cardin (MD), Reed (RI) and Crapo (ID) Circulating Senate Letter Supporting State Revolving Funds ([letter](#)).

Senators Cardin (MD), Inhofe (OK), and Markey (MA) Circulating Senate Letter Supporting Three Specific Grant Programs Authorized in the WIIN Act Last Year ([letter](#)).

EPA to Clarify When Cities Can Blend Wastewater ([EPA Announcement](#)).

Farm Runoff Causing Widespread Drinking Water Pollution in Midwest: A new report from the Environmental Working Group claims the U.S. Department of Agriculture is failing to enforce a key farm bill provision, with dire consequences for drinking water in the Midwest ([EWG](#)).

[National Rural Water Association](#)

Contact: Mike Keegan, Policy Analyst <keegan@ruralwater.org>

(Washington, DC)

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