

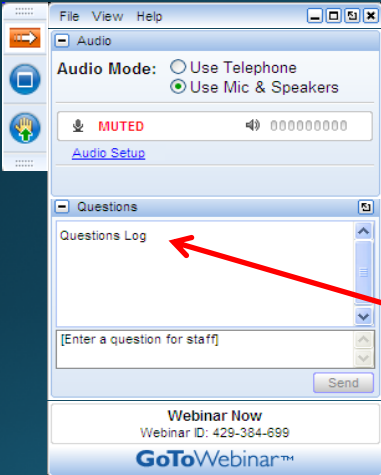


Water Environment Federation  
the water quality people®


# Linking Member Associations with Important Federal Policies and Local Trends

WEF Government Affairs Committee  
Member Association Subcommittee

## How to Participate Today



- **Audio Modes**
  - Listen using Mic & Speakers
  - Or, select "Use Telephone" and dial the conference (please remember long distance phone charges apply).
- Submit your questions using the Questions pane.
- A recording will be available for replay shortly after this webcast.



## Agenda

- I. Introduction – Brandon Koltz, WEF Member Association Subcommittee Chair
- II. Federal Update by Claudio Ternieden, Sr. Director of Government Affairs, WEF
- III. Update from EPA Region 1 by Bob Fischer, NEWEA GAC Chair
- IV. Update from EPA Region 4 by Saya Qualls, KY-TN WEA GAC Co-Chair
- V. Update from EPA Region 6 by Julie Nahrgang, Vice President of WEF MA GAC Subcommittee
- VI. Update from EPA Region 9 by Chris Stacklin, WEF Regulatory Subcommittee Chair
- VII. Q&A



## Quarterly Webinars to Provide Regulatory Update

- The WEF Government Affairs Member Association Subcommittee was formed to increase communication between WEF and the MAs, among MAs.
- Increase awareness of legislative and regulatory initiatives at the federal level
- Provide awareness of legislative, regulatory and policy initiatives and implementation at the EPA Regional and State level
- Intention is to host a web dialogue quarterly, or ad hoc if significant issues develop (Plus WEFTEC Dialogue)
- Each update will feature reports from 3 to 4 MAs representing different EPA Regions
- Invite feedback on the format

## Fiscal Year 2019 Appropriations

Program	FY17 Enacted	FY18 Omnibus	Pres. FY19	House FY19	Senate FY19	Function
Clean Water SRF	\$1.394B	\$1.6B	\$1.394B	\$1.69B	\$1.69B	Wastewater & Stormwater Loans
Drinking Water SRF	\$863M	\$1.1B	\$864M	\$1.16B	\$1.16B	Drinking Water Loans
WIFIA	\$28M	\$63M	\$20M	\$75M	\$63M	All Water Infrastructure Loan
USDA Water & Wastewater Loans & Grants	\$392M	\$500M	\$0	\$500M	\$500 M	Rural Communities Loans and Grants
<b>Total Combined</b>	<b>\$2.677B</b>	<b>\$3.263B</b>	<b>\$2.278B</b>	<b>\$3.425B</b>	<b>\$3.413B</b>	



## WRDA 2018

**Senate WRDA** -- passed Committee, expected on Floor in July.

Includes:

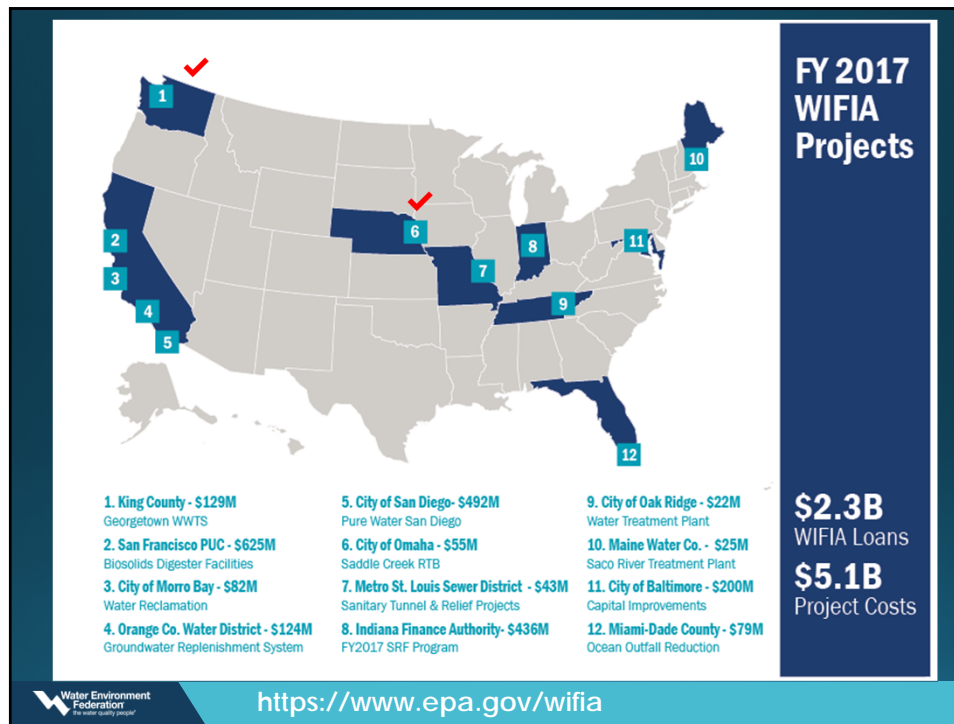
- WIFIA reauthorization\*
- Integrated Planning bill, green infrastructure recognition, and affordability\*
- Stormwater Infrastructure Funding Task Force\*
- Grants for climate change adaptation\*
- Grants for water workforce development\*

**House WRDA** -- Passed House

"Clean" bill with only Corps provisions

\* = WEF backed provisions





## Regulatory Issues Overview

- PFAS Leadership Summit and path forward
- Hydraulic connectivity
- ELG activities at EPA
- EPA program leadership changes that impact water programs
- Stormwater/Blending – Management of peak weather flows
- Regulatory Reform:
  - EPA-HQ-OA-2018-0107 Increasing Consistency and Transparency in Considering Costs and Benefits in the Rulemaking Process
  - EPA-HQ-OA-2018-0259 Strengthening Transparency in Regulatory Science
- National Water Regulatory Policy Wrap Up for EPA  
FY2018 Webinar: August 2, 2018, 1-2:30 pm

# New England WEA EPA Region 1 Update

Presented by:

Bob Fischer

Chair, NEWEA Government Affairs Committee



## New England Water Environment Association

Linking Member Associations with  
Important Federal Policies and  
Local Trends

June 28, 2018








## EPA REGION #1

- Connecticut
- New Hampshire
- Massachusetts
- Rhode Island
- Vermont
- Maine



## EPA REGION #1 ISSUES

- Aging and Failing Infrastructure
- Affordability/Sustainability
- PFOS/PFOA
- Integrated Planning
- Wet Weather/CSO/Blending
- Nutrients and Nutrient Criteria
- Recruitment and “Brain Drain”
- Resiliency/Climate Change
- Increased Regulatory Requirements

[WWW.NEWEA.ORG](http://WWW.NEWEA.ORG)

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## Kentucky-Tennessee WEA EPA Region 4 Update

**Saya Qualls, Hazen & Sawyer**  
Co-Chair, KY-TN Government Affairs  
Committee



## Region IV Regulatory Issues

Saya Ann Qualls, PE  
TN GAC Co-Chair



**KY-TN WEA**

## Region IV Hot Topics

Federal Perspective



**KY-TN WEA**

- PFOS and PFOA
- Nutrient Management
  - WWTP Optimization
  - Permitting (November 2018 workshop)
- Timeliness of permit reviews
- Power Plant ELGs
- Cooperative Federalism



## Region IV Hot Topics

State Perspective



- Resolving Litigation
- Streamlining review of TMDLs, WQS, variances
- W/WW resiliency
  - Infrastructure funding
  - Agency funding
- Cooperative Federalism
  - EPA Regions-State
  - EPA Regions-Regulated Community (MAs)

Questions?



**KY-TN WEA**

# WEA of Texas EPA Region 6 Update

**Julie Nahrgang, Executive Director**  
Water Environment Association of Texas



Water Environment  
Association of Texas

## Trends in Region 6 New Sheriff in Town

Julie Nahrgang, WEAT | TACWA

WEF GAC, June 28, 2018

## Trending Topics in R6

#Blending Rule

#Groundwater Discharge

#Cooperative Federalism



## Blending Rule



## Groundwater Discharge

*(Clean Water Act Coverage of Discharges of Pollutants via a Direct Hydrologic Connection to Surface Water)*

#EPA Comments due May 21

#Issue regarding NPDES expansion

#Connect the dots hydrological theory vs. Congress CWA

#Predictable Weigh In



## R6 - Now Under New Management!

#Cooperative Federalism

#Lean Management

#Perspective on Enforcement






## California EPA Region 9 Regulatory Issues



**Christopher Stacklin, P.E.**  
 Chair, WEF Government Affairs Committee,  
 Regulatory Subcommittee  
 WEF COP Director - Sustainability  
 WRF Antibiotic Resistance Project Advisory  
 Committee Member  
 WRF Issue Area Team, Resource Recovery






## EPA Region 9 Priorities

**EPA Appointment of Mike Stoker to Region 9 Administrator** [5/18/2018]

- Top priority: Remediating and closing Superfund sites


**U.S. EPA Region 9 Legal and Enforcement Priorities** [4/6/2018]

- Mobile sources - Region 9 is leading the nation, particularly in working with the states on trucking regulations;
- Drinking water - Region 9 has started implementing a drinking water plan, especially for lead and arsenic in water, and dealing with the smaller water systems prevalent in the Region;
- Lead - Region 9 is working with state agencies on a guidance plan and various action items;
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) enforcement, particularly in imports; and
- Superfund and site cleanup - Broad enforcement priorities for the Region include clean up related to vapor intrusion, urban lead, groundwater, and at abandoned mine sites.



<https://www.epa.gov/newsreleases/epa-announces-appointment-mike-stoker-region-9-administrator>  
<https://www.sfgate.com/science/article/New-EPA-administrator-in-San-Francisco-says-12945205.php>  
<https://www.sfbay.org/calendar/eventdetail.aspx?id=G182905/G182905>






## Drought Resiliency Actions

Drought and severe weather are driving water reuse-related regulations and activities

- CA-NV AWWA and CWEA Sign Agreement to Work Together on the Future of Operator Certification [6/7/2018];
- A Proposed Framework for Regulating Direct Potable Reuse in California [6/6/2018];
- California Draft Amendment to the Recycled Water Policy [5/9/2018];
- Guidance Framework for Direct Potable Reuse in Arizona [2/7/2018];
- California Urban Water Agencies, Adapting to Change: Utility Systems and Declining Flows [11/28/2017]; and
- Wet Weather Regulations for Wastewater Treatment Plants. [4/17/2018]

<http://cweawaternews.org/ca-nv-awwa-and-cwea-sign-agreement-to-work-together-on-the-future-of-operator-certification/>  
[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/direct\\_potable\\_reuse.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/direct_potable_reuse.html)  
[https://www.waterboards.ca.gov/water\\_issues/programs/water\\_recycling\\_policy/#proposed\\_wrp](https://www.waterboards.ca.gov/water_issues/programs/water_recycling_policy/#proposed_wrp)  
<https://wateruse.org/wp-content/uploads/2018/02/NWR-Guidance-Framework-for-DPR-in-Arizona-2018.pdf>  
<https://www.cwua.org/pubs/2018/1/10/shjmtzq04ar61oijj8bnv67zxb>  
<https://www.epa.gov/newsreleases/epa-announces-effort-update-wet-weather-regulations-wastewater-treatment-plants>




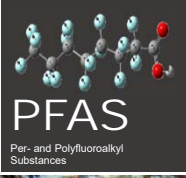
## Direct Hydrologic Connection

Hawai'i Wildlife Fund V. City of Maui  
[2/1/2018]


- Hydrologic connection from point source to jurisdictional surface waters;
- Would groundwater be regulated under the Clean Water Act or under the Waters of the United States or neither or both?; and
- Clean Water Act Coverage of “Discharges of Pollutants” via a Direct Hydrologic Connection to Surface Water [EPA-HQ-OW-2018-0063; FRL-9973-41-OW]. [2/20/2018]
  - 58,336 comments

<http://cdn.ca9.uscourts.gov/datastore/opinions/2018/02/01/15-17447.pdf>  
<https://www.regulations.gov/document?D=EPA-HQ-OW-2018-0063-0001>




**PFAS**  
Per- and Polyfluoroalkyl  
Substances



**CS**



**Pharmaceuticals and Sharps  
Waste**

## Actions to Watch

### Organics Diversion

- AB 341, statewide approach, goal of 75 percent recycling, composting or source reduction of solid waste by 2020, e.g. co-digestion.

### Per- and Polyfluoroalkyl Substances (PFAS)

- OEHHA Proposition 65 Listing. [11/10/2017]

### Microplastics

- 2018 Legislation: SB-1422, SB-1263, ACR-246 (active); AB-2379 (inactive);
- Ocean Protection Council: 2018 California Ocean Litter Prevention Strategy; and
- U.S. EPA requires two Los Angeles area plastics manufacturers to protect local waterways. [5/16/2018]

### State-wide Pharmaceutical, Sharps Take-back

- SB-212 Solid waste: pharmaceutical and sharps waste stewardship;
- Based on State of Washington Secure Drug Take-Back Act, which established the first statewide drug take-back program in the nation [3/22/2018]; and
- New York State Senate Passed S-7354. [4/25/2018]

<http://www.calrecycle.ca.gov/swfacilities/compostables/anaerobicdig/>  
<https://oehha.ca.gov/proposition-65/cmr/chemicals-listed-effective-november-10-2017-known-state-california-cause>  
<https://leginfo.legislature.ca.gov/faces/billsSearchClient.xhtml?quickSearchBoolean=true&quicksrchSelect=billkeyword&quickSearchParam=microplastics>  
<https://www.opc.ca.gov/2018/06/litter-strategy-update/>  
<https://www.epa.gov/newsreleases/us-epa-requires-two-los-angeles-area-plastics-manufacturers-protect-local-waterways>  
[https://www.epa.gov/sites/production/files/2018-03/documents/microplastics\\_expert\\_workshop\\_report\\_final\\_12-4-17.pdf](https://www.epa.gov/sites/production/files/2018-03/documents/microplastics_expert_workshop_report_final_12-4-17.pdf)  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=2017201805B212](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=2017201805B212)

## Questions or Additional Info

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Sept. 29 – Oct. 3, 2018  
New Orleans, LA  
*Registration is Open!*

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