

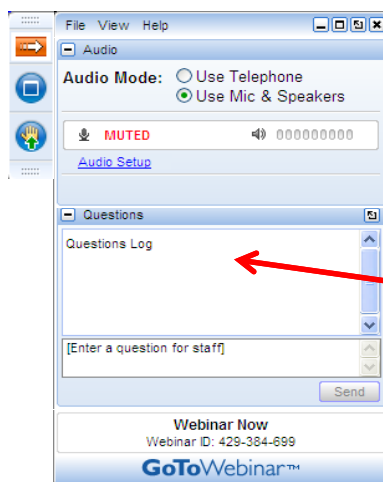
# WEF Government Affairs Webcast:

## Mid-2019 Federal Regulatory and Legislative Update

June 13, 2019  
1 - 2:30 PM EDT

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## 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.**

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## Agenda

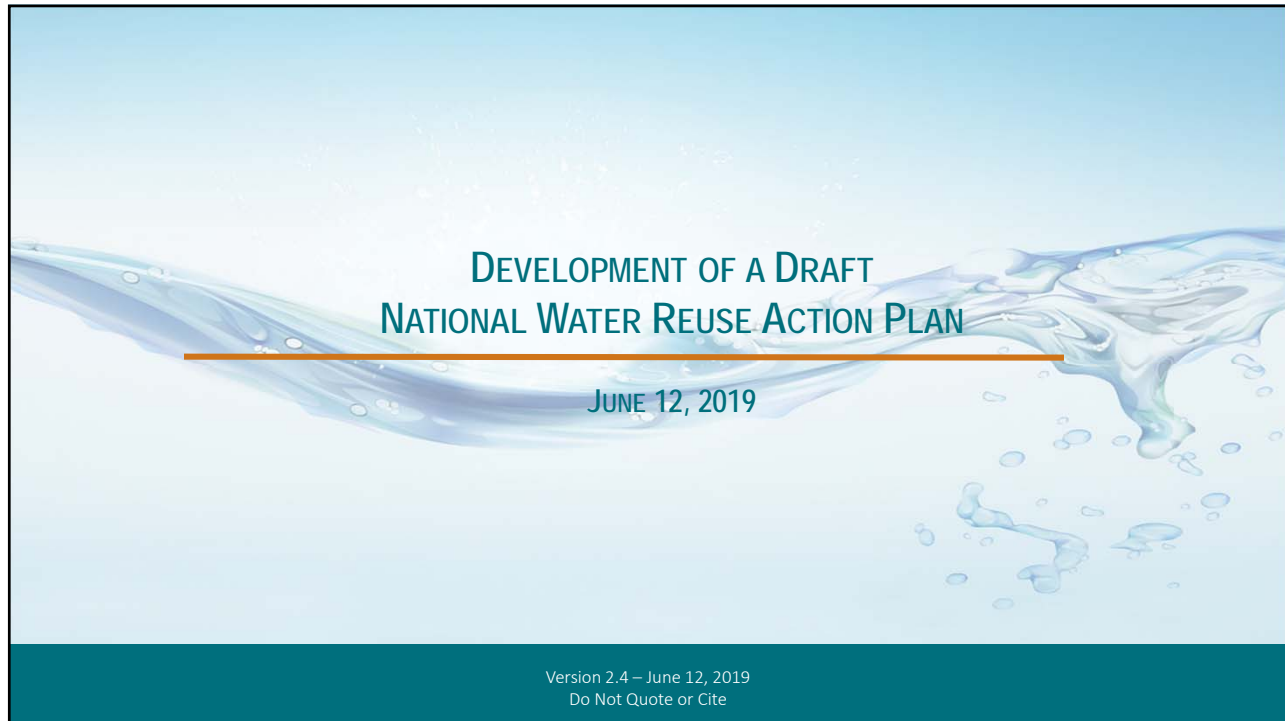
- **Introduction**
- **Regulatory Update – Claudio Ternieden, Senior Director, & Dr. Patrick Dube, WEF**
- **Water Reuse Effort** – Jeff Lape, US EPA Office of Science and Technology
- **Peak Wet Weather Rulemaking** – Chris Kloss, US EPA Office of Wastewater Management
- **Affordability Report** – Janet Clements, Corona Environmental Consulting
- **Legislative Update** – Steve Dye, Legislative Director, WEF
- **Q&A**

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## Regulatory Topics


- **PFAS & Biosolids Update** – Dr. Patrick Dube
- **Methods Update Rule for Analysis of Effluent**
- **Coliphage Criteria**
- **Chlorides Criteria**
- **Other**

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## Agenda



- Draft National Water Reuse Action Plan (WRAP) Context
- Building the Draft Action Plan
- Preliminary Ideas
- Working Schedule and Next Steps
- Discussion/Questions/Brainstorming

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The slide has a dark teal header with the word "Agenda" in white. A small recycling symbol is in the top right corner. The agenda items are listed in black text. The background features a water splash graphic. A dark teal footer bar contains the version, disclaimer, and page number.

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## Water Reuse Action Plan (WRAP) Announcement



"The Water Reuse Action Plan will seek to foster water reuse as an important component of integrated water resource management. EPA will facilitate discussions among federal, state, and water sector stakeholders and form new partnerships to develop and deploy the plan. A draft of the plan is scheduled for release and public review in September at the Annual WaterReuse Symposium in San Diego."

– Press Release, February 27, 2019

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## Discussion Framework Posted and Docket Open



### EPA Seeks Public Input for Development of National Water Reuse Action Plan

"The EPA is seeking public input on the development of an action plan to accelerate the application of water reuse as a safe, reliable, and sustainable way to meet the country's current and future water demands ."

"To facilitate public input... EPA released a Discussion Framework...which provides helpful background..."

"EPA will accept public input...through July 1, 2019..."

– Press Release, April 18, 2019

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## Discussion Framework (4-18-19)



- Vision
- Business Case - Impetus for Action
- Use Cases – Possible Examples of Types and Fit-for-Purpose Applications of Water Reuse
- Examples of Efforts Potentially Related to a Water Reuse Action Plan
- Potential Areas of Focus
  - Technological Improvements
  - Regulatory/Policy Aspects at All Levels of Government
  - Financing
  - Fit for Purpose
  - Information about Water Use and Availability
  - Outreach Opportunities
- Example Collaborators and Potential Owners of Actions in a Water Reuse Action Plan
- The EPA Water Reuse Team
- Informing Development of the Water Reuse Action Plan
- Water Reuse and Related Forums
- Relevant Published Literature

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## What is the Scope of 'Water Reuse'?



- Water reuse includes other common terms including: recycled water, reclaimed water, alternative water supplies, improved water reliability and water resource recovery.
- Source water for reuse can include municipal wastewater, industry process water, stormwater, agriculture runoff and return flows, oil and gas produced water, and cooling water.
- These source waters are reused after they are appropriately treated to meet "fit for purpose specifications" for a particular end use.
- Examples of reuse applications include: agriculture and irrigation, potable water supplies, groundwater replenishment, industrial processes, and environmental restoration.
- For purposes of this draft WRAP, seawater desalination is not included.

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## Water Reuse Action Plan – Guiding Principles/Goals



1. Advance consideration of water reuse as part of integrated water resources management to support water resiliency, sustainability, and security.
2. Assure public health and environmental protection.
3. Build on the extensive experience, literature, and research that already exists.
4. Use real-life examples of water reuse to inform and serve as models to replicate.
5. Encourage new levels of integration, coordination, and partnerships.
6. Enable more profound progress on water resources protection at the watershed scale.
7. Identify transformative actions at the federal, state, and watershed/community level.
8. Call for Action to create momentum for long-term commitments and action.

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## Our Working Approach

- Built a “Discussion Framework” to Create the Water Reuse Context
  - Extensive vetting across the water sector
  - Posted to EPA website on April 18
- Distill Ideas and Potential Actions from Different Sources
  - Docket - Collecting Public Input and Ideas (through July 1, 2019)
  - Literature Review and Synthesis
  - Participation in Existing Outreach Forums
  - WaterReuse Association Convenings and Report
  - International Experiences
- Identifying Unique and Compelling Examples of Water Reuse (Case Studies)
- Identify Possible Actions
  - Criteria to Assess Action Impact and Utility

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## Federal Partner Profiles



- Example attributes:
  - Overall Mission
  - Current Water reuse roles and actions
  - Reuse partners and stakeholders
  - Points of contact
- Communication Tool for Externals
- Basis for Enhanced Integration and Discussion of New Action

Water Reuse Partner Profile  
[Organization Name]  
[City, State]

**Water Reuse Role** [Briefly describe your organization's relationship to and/or role in water reuse.]

**Focal Area** [List your organization's primary reuse action areas (e.g., technology, policy, finance, research, community outreach).]

**Website** [Provide link to information on reuse, if applicable.]

**Point(s) of Contact** [Name, title, email, phone number(s).]

**Mission Statement or Goals for Water Reuse**  
[Describe your organization's mission in relation to water reuse.]

**Near-Term Priorities on Reuse**  
[List any organizational priorities for the next 6-12 months.]

**Reuse Activities**  
[Highlight a few key reuse projects your organization has led or supported within the past five years and the key programs/authorities through which they were implemented.]

**Future Reuse Support**  
[List any planned reuse activities for the next 1-5 years.]

**Reuse Partners and Stakeholders**  
[List some of the key groups (Federal, state, tribal, local, etc.) you have partnered with on reuse activities.]

**Additional Information**  
[Please add any other information on your organization's reuse activities and priorities not already covered.]

Water Reuse Partner Profile

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## WRAP Quick Stats To Date



115	Pieces of literature reviewed
17	Federal partner agencies engaged
10	Public forums attended
37	External stakeholder meetings conducted
>500	Action ideas identified: <ul style="list-style-type: none"> <li>• &gt;200 from stakeholder meetings</li> <li>• &gt;300 from literature review</li> </ul>
10	Docket comments received

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## Example Outreach and Engagement Forums



Event	Event Date	Total Number of Attendees
Resource Revolution of Water Reuse (Wharton, IGEL, Suez)	2/27/2019	200
WaterReuse California Annual Conference (Garden Grove, CA)	3/15/2019	
ACWA Mid-Year Meeting (Alexandria, VA)	3/19/2019	60
ASDWA Member Meeting (Alexandria, VA)	3/25/2019	120
Water Policy Fly In (Washington, DC)	3/31/2019	300
National Tribal Water Council	4/8/2019	16
National Blue Ribbon Commission for Onsite Non-potable Water Systems	4/11/2019	35
WaterReuse Association Convening (Los Angeles, CA)	4/18/2019	45
Maryland Department of the Environment	4/23/2019	10
WaterVent	4/24/2019	80
State/EPA SRF Workgroup	4/26/2019	80
WaterReuse Association Convening (Washington, DC)	5/9/2019	50
Federal Partner Convening	5/10/2019	20
UNC Water Microbiology Conference (Chapel Hill, NC)	5/13/2019	50
NACWA Pretreatment and Pollution Prevention Workshop (Tacoma, WA)	5/15/2019	225
Idaho Reuse and Operators Conference (Boise, ID)	5/21/2019	200
WaterReuse Webinar	5/21/2019	221
Club 20 - Western Colorado Fly-In (Washington, DC)	5/22/2019	24
ACWA ASDWA Webinar Series	6/5/2019	40
AWWA Annual Conference and Expo (Denver, CO)	6/9/2019	
ASDWA/EPA Data Management Users Conference (Atlanta, GA)	7/22/2019	
ACWA Annual Meeting (Austin, TX)	8/27/2019	
Annual WaterReuse Symposium (San Diego, CA)	9/8/2019	

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## Water Reuse Association Convenings

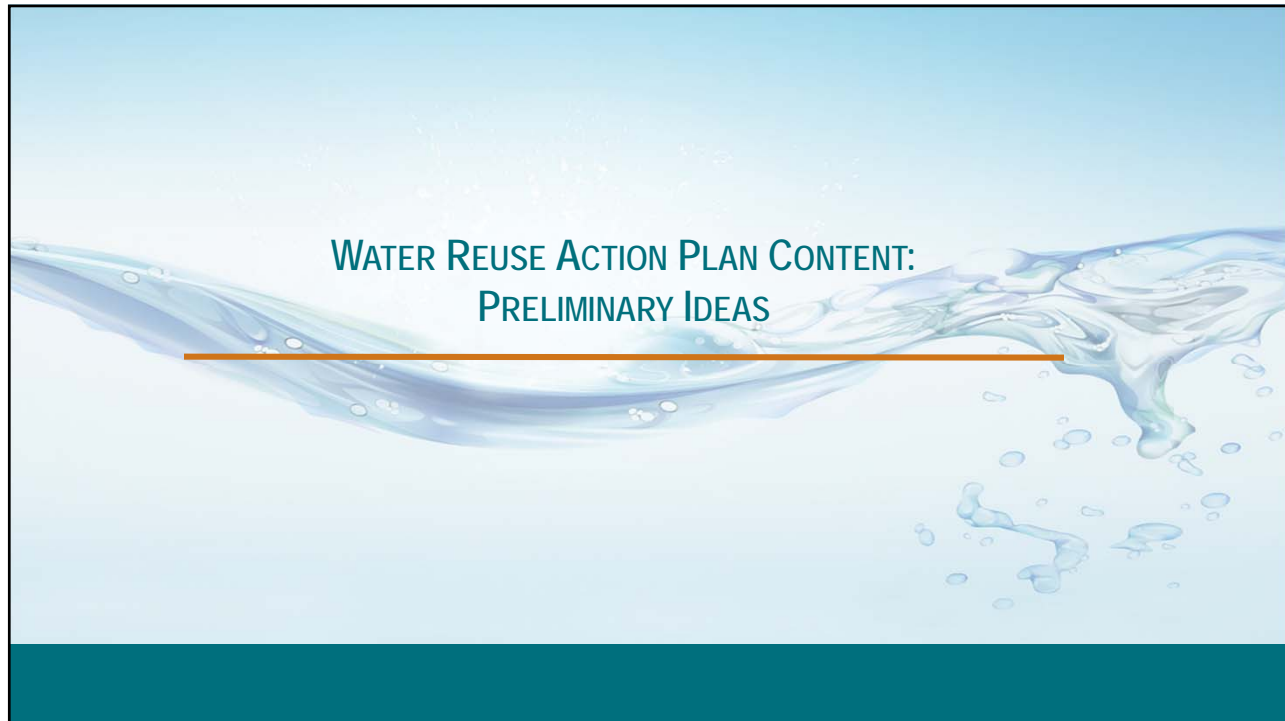
- Los Angeles, CA (April 18)
  - 45 attendees, including EPA and USDA-NRCS
  - Identified over 500 ideas, potential actions, and problems to be solved
  - Spectrum of use applications (e.g., agriculture, industrial, nonpotable, potable)
- Alexandria, VA (May 9)
  - 60 attendees, including EPA, USDA-NRCS, DoE, and FDA
  - Refining ideas from 1st session and outlined criteria
  - Convening report expected be posted to the public docket



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## Water Reuse Action Plan – Working Ideas of Attributes and Characteristics



- Length – Less than 30 pages
  - Appendices online
- Inclusive...not exclusively a Federal action plan
- Action Characteristics
  - New and transformative; not an assembly of existing actions
  - Short, middle, and long term time scale
  - Reflect the spectrum of partners
  - Different scales of action: Federal, regional, state, tribal, local, watershed
  - Geographic diversity
  - Reflects the full spectrum of water reuse experience and implementation status
- Encourages leadership, program coordination, and integration
- Call for Action - Motivates, excites, prompts passion and ideas

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## Draft WRAP Outline

### Section 1.0 - Business Case for a National Water Reuse Action Plan

- Section 1.1 - Drivers and Needs for Water Reuse
- Section 1.2 - The Opportunity to Reuse Water
- Section 1.3 - Scope and Use Cases for Water Reuse
- Section 1.4 - Reuse in the Context of Integrated Water Resources Management
- Section 1.5 - Public Health & Environmental Considerations
- Section 1.6 - Reflections from our International Partners
- Section 1.7 - The Building of the Draft WRAP

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## Draft WRAP Outline (cont.)

### Section 2.0 - Actions to Support Considerations of Water Reuse in the Context of IWRM

- Section 2.1 -- Enable Integrated and Collaborative Action at the Watershed/Basin Scale
- Section 2.2 -- Coordinate and Integrate Federal, State, and Tribal Policies to Support Water Reuse
- Section 2.3 -- “Fit for Purpose Specifications” to Protect Public Health, Environment and User Needs
- Section 2.4 -- Promote Treatment Technology Development, Deployment, and Validation
- Section 2.5 -- Improve Access to and Availability of Water Information (Quality and Quantity)
- Section 2.6 -- Enable Financial Support for Water Reuse
- Section 2.7 -- Integrate and Coordinate Research on Water Reuse
- Section 2.8 -- Facilitate Development of Outreach and Communication Materials that Engender Public Understanding and Acceptance of Water Reuse
- Section 2.9 -- Develop Water Reuse Metrics that Create Goals and Measure Progress toward Greater Use of Water Reuse to Achieve Water Sustainability, Security and Resilience

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## Example Types of Actions

- 1) Technological improvements
- 2) Policies to address barriers and create incentives
- 3) Financing enhancements
- 4) Performance metrics
- 5) Water information use and availability
- 6) Public communication and outreach on water reuse

**Example Technological Improvement**  
Monitoring and Sensors – Promote development of a new generation of monitoring technologies to collect real-time, robust, quality data to verify that reuse water meets “fit-for-purpose” quality specifications

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## Early Action Ideas – Potential Examples



- Apply source control measures (e.g., Pretreatment Program) to protect water reuse end product quality
- Enhance pharmaceutical take back programs to discourage disposal of spent pharmaceuticals and drugs to municipal sewer and private onsite septic systems
- Assess and integrate water reuse research across the federal and water sector to optimize its utility and identify critical research gaps
- Clarify NPDES permit applicability/approaches to recognize reuse
- Build a compendium of available federal funding sources that can be used for water reuse
- Acknowledge water reuse eligibility in Federal funding
- Compile existing thresholds for water reuse fit-for-purpose specifications for the spectrum of available end uses.
- Facilitate State dialogues and compile example State approaches

### *Example Action Attributes:*

- ✓ *Champion*
- ✓ *Partners/collaborators*
- ✓ *Feasibility*
- ✓ *Impact*
- ✓ *Significance and Anticipated Outcome*
- ✓ *Key Implications*
- ✓ *Timeline and Milestones*

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## Example Action - Federal Policy on IWRM

- Frames the importance of federal policies and programs which are coordinated and integrated to support consideration of water reuse
- Inset box presents draft policy statement:
  - *The federal government supports a basin/regional scale integrated water resources management (IWRM) approach developed at the local user level to meet the water needs of sectors including agriculture, industry, drinking water, and ecosystem protection. An integrated approach commonly involves a combination of water management strategies (e.g., water supply development, water storage, water use efficiency, and water reuse) and engages multiple stakeholders and needs, including the needs of the environment.*

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## WRAP Element – Reuse Case Studies



- Showcase a variety of geographically diverse reuse applications (e.g., industrial, agricultural, environmental) at a range of scales Key Interests:
  - How did the action happen?
  - Key learnings
- Examples
  - Monterey One Water (CA)
  - Big Spring (TX)

### *Example attributes:*

- ✓ *Compelling story*
- ✓ *Successful approaches*
- ✓ *Barriers overcome*
- ✓ *Lessons/best practices*

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## Working Timetable for Draft WRAP Development

Action	Scheduled Date	Completed Date
Press Release and Announcement of Development of Draft Water Reuse Action Plan	-	2/27
Press Release with Discussion Framework and Public Docket Opening		4/18
WaterReuse Association Convening	4/18 and 5/9	4/18 and 5/9
Federal Partner Convening #1	5/10	5/10
Annotated Outline & Early Action Examples	5/22	5/20
Federal Partner Convening #2	5/31	5/31
Compilation of Ideas/Actions from the Literature	6/7	
Federal Partner Convening #3	6/21	--
Docket Closes	7/1	--
First Draft	7/10	--
Federal Partner Convening #4	8/9	--
FRN Package for Review and Signature	8/28	--
Federal Register publishes notice and Draft WRAP goes live on Docket	9/3 to 9/6	--
Presentation and Overview of Draft WRAP at WaterReuse Conference	9/8	--

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# Water Reuse Portal – Public Input and Updates



- Website:
  - <https://www.epa.gov/waterreuse/water-reuse-action-plan>
  - Repository for ongoing public and stakeholder input
  - Relevant updates on WRAP development
  - Forecast external engagement forums
  - Forum to post the draft Action Plan

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## DISCUSSION/NEXT STEPS

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## Discussion



- Feedback on working organization and themes in the WRAP Outline?
- Any particularly good outreach and engagement forums we should be aware of?
- What are the key criteria to assess potential actions against?
- How do we assure a balanced WRAP?
  - Geographic balance and diversity
  - Sector balance and diversity
  - Timescale – short, mid and long term actions
  - Securing actions from a range of partners/stakeholders
- Identify particularly unique and compelling examples of water reuse?
- Communication prior to release?
- Ideal timing for release?

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## Peak Wet Weather Flow Rulemaking

**Chris Kloss**

Chief, Municipal Branch – Water

Permits Division

US EPA Office of Water

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## Janet Clements, Senior Economist, Corona Environmental Consulting

### **Developing a New Framework for Household Affordability and Financial Capability Assessment in the Water Sector**

- *WEF, AWWA, and NACWA*
- *Consultant team: Raftelis, Corona Environmental Consulting, and the Galardi Rothstein Group*

Hyperlink -- <http://bit.ly/developing-new-framework-for-affordability-report-final>

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## Objectives

- Develop new framework for household affordability and financial capability assessment
- Provide alternative to Median Household Income as a singular measure of household affordability in regulatory decision-making.
- WEF, AWWA, & NACWA hope the report will assist U.S. EPA in reviewing and modifying its existing affordability policies.

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## Guiding Criteria

Framework should:

- Reflect all/combined water service costs
- Reflect the households that are most economically challenged
- Reflect local essential costs of living

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## Report Key Findings

- No household affordability metric is “perfect or clearly better in every respect.”
- Permittees should be allowed and encouraged to provide supplemental metrics/information
- Additional analysis is needed to assess the benchmarks associated with the recommended metrics
- Affordability also requires considering the water system’s financial capability, meaning its ability to reliably provide service and make necessary improvements over time.

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## Report Recommendations

Two-part metric to capture household burden and the level of economic stress on households in a community:

- **Household Burden Indicator (HBI):** Cost of basic water service (i.e. drinking water, wastewater, and stormwater) as a percent of the 20th percentile of community household income (lowest quintile income)
- **Poverty Prevalence Indicator (PPI):** Percentage of households in the community at or below 200% of federal poverty level.

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## Legislative Update

- Infrastructure Package
- CW SRF Reauthorization
- FY20 Appropriations
- Other Key Legislation and Policy Items

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## Water Quality Protection and Job Creation Act of 2019 (H.R. 1497)

*Sponsor: Chairman Peter DeFazio (D-OR)*

*Co-sponsors: Grace Napolitano (D-CA), Don Young (R-AK), and John Katko (R-NY)*

### The key provisions of the bill include (FY20 – 24):

- Clean Water SRF reauthorized at \$4B/year
- State management assistance at \$300M/year
- Watershed pilot projects at \$120M/year
- Redefines "alternative water source projects" as wastewater, stormwater, or by treating wastewater or stormwater and authorizes \$75M/year
- Extends authorization for grant assistance for sewer overflow and stormwater reuse projects from 2020 to 2024.

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Program	FY18 Omnibus	FY19 Omnibus	Pres. FY20	House FY20 Draft	FY20 Ask	Function
Clean Water SRF	\$1.7B	\$1.7B	\$1.1B	\$1.8B	\$2.8B	Wastewater & Stormwater Loans
Drinking Water SRF	\$1.2B	\$1.2B	\$863M	\$1.3B	\$1.3B	Drinking Water Loans
WIFIA	\$63M	\$68M	\$25M	\$45M	\$50M	All Water Infrastructure Loans
USDA Loans & Grants	\$1.06B	\$2.02B	\$1.7B	NA	\$2.5B	Rural Communities Loans and Grants
Title XVI	\$54M	\$59M	\$3M	\$67M	\$100M	Western US Water Recycling and Reuse
AWIA – Sect. 221 Grants			\$61M	\$90M	\$450M	Grants for CSO, SSO, and SW Infrastructure

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## Other Key Legislative and Policy Items

- Stormwater Infrastructure Funding Task Force
- Grants (\$1M/yr) for water workforce development
- Grants (\$25M/year for 2 years) to non-profit entities for technical assistant to POTWs
- Emergency Supplemental included:
  - \$53.3 million for Clean Water SRF
  - \$296 million for Drinking Water SRF
- H.R. 1764 – NPDES permit terms extension legislation

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## Water Advocates Program

- **WEF.org – Advocacy tab**
- **New Website:**
  - <http://wef.org/advocacy/water-advocates2/>
- **Joining the Program is easy:**
  - <http://wef.org/advocacy/water-advocates2/>



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## Questions or Additional Info:

### WEF

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