

The *Clean Water Exchange* is pleased to provide you with this December *News Alert*, providing updates on important legislative, regulatory, and legal issues affecting the clean water community.

Clean Water Exchange Members Urged to Weigh in as Water Sector Pushes for Clean Water Funding in Stimulus Bill

With the nation's economy now officially in a recession and unemployment on the rise, discussions surrounding the content of a second stimulus bill continue to advance. On November 17, Senate Majority Leader Harry Reid (D-Nev.) and Senate Appropriations Committee Chairman Robert C. Byrd (D-W.Va.) released a draft \$100.3 billion economic recovery package that includes \$1.75 billion in funding for wastewater provided through the Clean Water State Revolving Fund (CWSRF) and \$750 million for the Drinking Water State Revolving Fund (DWSRF). The House stimulus bill (H.R. 7110) had \$6.5 billion for the CWSRF and \$1 billion for the DWSRF. Though these efforts stalled in the Senate, President-elect Barack Obama has now pledged to create 2.5 million jobs in two years, primarily by dedicating federal dollars to "ready to go" infrastructure projects – meaning they have been designed, engineered and have cleared environmental and other bureaucratic hurdles – as part of a \$500-700 billion economic recovery package. Democrats hope to send a spending package that could exceed \$500 billion to the White House by Jan. 20. The National Association of Clean Water Agencies (NACWA), Water Environment Federation (WEF), and the American Public Works Association (APWA) have ramped up their efforts to broaden support in Congress and on the Obama transition team for a \$10 billion wastewater infrastructure component in the form of grants. This number is consistent with the U.S. Conference of Mayors request for \$18.75 billion for ready-to-go water and wastewater projects. The Mayors' figure was based on the original House proposal (H.R. 7110) that included a total of \$60 billion for infrastructure. However, now that Obama and congressional leaders are discussing a package of between \$500-700 billion over two years, the mayors have adjusted their original ask of \$18.75 billion to a two year infrastructure investment agenda of \$37.5 billion for water and wastewater infrastructure projects.

Readers of the Clean Water Exchange are urged to discuss this issue with your Members of Congress to make the case for wastewater infrastructure spending in any second economic stimulus package. The opportunity also exists to set up meetings with legislators during the current Congressional recess, which runs into the second week of January.

Obama's Energy and Environment Appointments Unveiled

With the 2008 election over, NACWA, WEF, and APWA are engaging the transition team for President-Elect Barack Obama to highlight the clean water community's priority issues in the coming year. Obama's transition team is moving forward with advancing potential appointments and refining its position on key clean water policy issues. And while Obama has not yet officially announced his choices to fill key environmental posts in his administration, transition-team officials are now confirming that Lisa Jackson will head the U.S. EPA, Steven Chu will be secretary of energy, Nancy Sutley will head the White House Council on Environmental Quality, and Carol Browner will fill a new post that some are calling "energy czar." The President-Elect's transition team has not yet decided on a candidate for secretary of interior. Obama is expected to formally introduce his environmental team next week.

Center for American Progress Releases Report on Chemical Security

The Center for American Progress (CAP), a Washington, D.C., think tank headed by John Podesta, who is currently on leave to oversee the transition for President-elect Barack Obama, recently released a [report](#) recommending a number of revisions to the chemical security program which can greatly affect the wastewater industry. Because of the influence CAP has with the incoming administration and Congress, it is believed that the views expressed in the report will carry significant weight in the chemical security discussion that will take place in the coming year. Among other things is a recommendation for replacing certain chemicals with safer alternatives, referred to as inherently safer technologies (IST). "Adopting safer and more secure alternatives is the only certain way to prevent a catastrophic chemical release," the report said, adding that that the switch would be affordable and "provide the most economical solution to chemical security."

The report is especially timely as the 111th Congress is expected to consider legislation early in 2009 that would reauthorize and make permanent the Chemical Facilities Anti-Terrorism Standards (CFATS), set to expire in October 2009. The Water Sector was successful in ensuring that POTWs were exempted from the current CFATS regulations, but the changing political climate and increased Democratic majorities in the House and Senate make it very unlikely that the water sector will be able to retain its exemption in the reauthorizing legislation. The remaining battle will be over any requirements mandating the use of Inherently Safer Technology (IST) and over which agency; the Department of Homeland Security (DHS) or EPA has the primary responsibility for the program.

Changes to EPA Pesticide Rule Helps Environment, Improves Water Quality

Reversing its long-standing stance that antimicrobial pesticides used in homes and businesses do not impact water quality due to 'dilution and degradation,' EPA recently unveiled a proposed rule that would require pesticide manufacturers to submit a significant amount of new information on the antimicrobial products they wish to sell in the United States. This EPA [proposal](#) would make significant improvements to the assessment procedures for down-the-drain pesticide products, increasing our understanding of their full life-cycle impacts before they are approved by EPA.

During a November 6 public workshop, EPA described the 'Down-the-Drain' model that it will use to assess the impacts of antimicrobial pesticides on the wastewater treatment process itself and the aquatic environment. When it first developed its data requirements for pesticides, EPA did not account for the unique uses of antimicrobial pesticides (e.g., spray disinfectants and toilet cleaners) and did not require any environmental impact data for those pesticides used indoors, assuming that anything that made its way down the drain to a wastewater treatment plant would have little impact due to dilution, degradation along the way, and eventual treatment.

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