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NACWA, WIN Continue to Press for Clean Water Funding in Job Creation Bill

NACWA and the Water Infrastructure Network (WIN) continue to press their case on Capitol Hill and at the White House that additional funding for clean water infrastructure should be included in any legislative effort designed to create more jobs. With national unemployment levels hovering around 10 percent, lawmakers are working to develop legislation designed to create jobs and put Americans back to work. NACWA and WIN members were among the first to advocate for clean water infrastructure funding in jobs bill when they met in November with Senate Majority Whip Richard Durbin (D-Ill.). A broadly disseminated WIN [white paper](#) shows that a \$20 billion investment in the Clean Water and Drinking Water State Revolving Funds, as part of any job creation effort, has the potential to create approximately 400,000 jobs in 2010.

Since this meeting, NACWA has briefed other senior leaders in Congress on the WIN/NACWA jobs creation proposal in an effort to build momentum for the proposal. Over the past two weeks NACWA has met with Rep. George Miller (D-Calif.), chief architect of the jobs creation proposal in the House and Chairman of the Democratic Policy Committee, and has shared the proposal with senior staff on the House and Senate Appropriations Committee, the House Transportation and Infrastructure (T&I) Committee, the Senate Environment and Public Works (EPW) Committee, and at the White House. NACWA will continue to meet with congressional staff about including clean water funding in any upcoming jobs bill and will keep members apprised of further developments. The *Clean Water Exchange* is calling on all municipal treatment works to seek their Representatives' and Senators' support for the inclusion of clean water funding in any forthcoming jobs proposal.

Congresswoman Edwards Introduces Green Infrastructure Legislation

Legislation, strongly supported by NACWA and other groups, that would promote the use of green infrastructure technologies as a way to address water quality challenges was introduced last week by Reps. Donna Edwards (D-Md.), Russ Carnahan (D-Mo.) and Steven Driehaus (D-Ohio). The [Green Infrastructure for Clean Water Act of 2009](#) (H.R. 4202) would create a competitive grant program to provide resources to communities to plan and implement green infrastructure projects that increase quality of life and environmental sustainability. Five Centers of Excellence on Green Infrastructure would be established to research best management practices and provide technical assistance to communities that are interested in adopting green infrastructure practices. The bill also would direct EPA to look at ways green infrastructure can be integrated in how it administers water programs. The *Clean Water Exchange* is calling on all municipal treatment works to seek their Representatives' support for this bill.

NACWA Continues Dialogue on Nutrients with EPA

Following up on earlier discussions, members of NACWA's Water Quality Committee met last week with

Ephraim King, director of the Office of Science and Technology (OST) in EPA's Office of Water, to learn more about the Agency's plans to revise its water quality standards regulations and several other ongoing activities related to nutrients. EPA is considering revisions to its water quality standards regulations to provide a mechanism for longer-term implementation of the controls necessary to meet a water quality goal. The "restoration standard" would allow a 15- to 20-year implementation horizon during which meeting key milestones and achieving interim goals would be considered compliance with the water quality standard. While this restoration standard could provide more flexibility under the Clean Water Act for addressing nutrient pollution, it may take some time before it is available to states. Current challenges, however, including the EPA Science Advisory Board (SAB) review of OST's guidance on using statistical approaches for deriving numeric nutrient criteria and EPA's efforts to develop federal nutrient criteria in Florida are the Agency's top priorities at the moment.

NACWA Weighs in with EPA Air Office on Data Request for Incineration

NACWA raised serious concerns last week over an information collection request (ICR) issued by EPA's Office of Air Quality Programs and Standards (OAQPS) to nine clean water agencies across the country seeking data on emissions from sewage sludge incinerators (SSIs). In a letter to the director of OAQPS, NACWA expressed concern over the cost to conduct the comprehensive emissions testing and the short timeframe in which EPA has given the utilities to complete the testing. The data is being collected to assist EPA in its development of maximum achievable control technology (MACT) standards for SSIs under Section 129 of the Clean Air Act (CAA). With costs exceeding \$50,000 per incinerator for the testing, some of the selected utilities will have costs approaching \$300,000. NACWA's letter noted these costs were not budgeted for, and in many cases the expenditure of this money would require approvals and bidding processes that could make it impossible to meet the Agency's Feb. 17, 2010, deadline.

Also of major concern is the limited amount of data EPA is collecting. By limiting its search to nine utilities, EPA is able to avoid the time-consuming process of seeking approval from the White House's Office of Management and Budget (OMB), but the Agency will only have data on 20 incinerators to use when developing standards for the over 230 SSIs in operation. Unfortunately, it is this review that would ensure that the data is being collected in an equitable and valid manner. NACWA will be participating in a Dec. 1 conference call with EPA and the nine agencies to discuss possible time extensions and NACWA's other concerns regarding the quantity of data being collected.

NACWA also met this week with Office of Water officials in its continuing effort to persuade the Agency not to regulate SSIs under Section 129 of the CAA. EPA continues work to develop a definition of non-hazardous solid waste to help it determine which combustion units should be regulated under Section 129 versus Section 112 of the CAA. NACWA has argued that sewage sludge is not a solid waste and SSIs should be regulated under Section 112, not Section 129.

For more information, contact:

Adam Krantz
Managing Director,
Government and Public Affairs
NACWA
akrantz@nacwa.org



