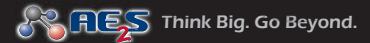


The Update

August 2010



Total Coliform Rule Sessions

As reported last month, the US Environmental Protection Agency (USEPA) is proposing revisions to the original 1989 Total Coliform Rule (TCR). The major revisions will pertain to three areas of the original rule: monitoring frequency, Maximum Contaminant Level, and public notification. According to the USEPA, the proposed rule will require public water systems that are vulnerable to microbial contamination to identify and fix the problems. The proposed rule will also establish criteria for systems to qualify for and stay on reduced monitoring, thereby providing incentives for improved water system operation.

The USEPA hosted three public meetings in Washington, D.C., Chicago, IL, and San Francisco, CA during the first part of August to discuss its recently proposed revisions to the TCR, as well as the public health impact due to the possible degradation of drinking water quality in distribution systems. The USEPA will also conduct a national webcast on August 26 from 10:30 am - 2:30 pm CDT.

For more information on this topic and for information on the webcast, please visit http://water.epa.gov/lawsregs/rulesregs/sdwa/tcr/regulation_revisions.cfm#whitepapers or contact AE2S. ■

NPDES Electronic Reporting

The USEPA is considering mandating an electronic reporting system for the National

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The North Dakota Game and Fish Department has confirmed the existence of Zebra mussel veliger (microscopic free-swimming stage of the Zebra mussel) in the Red River near Wahpeton, ND. Zebra mussels are an aquatic nuisance species introduced to North America in 1988. The Zebra mussel poses

Zebra Mussels Detected in Red River in North Dakota

a potential multi-billion dollar threat to industrial, agricultural, and municipal water supplies. Zebra mussels are known for inhabiting intakes and pipes of public water supply facilities, irrigation systems, power plants, and industrial facilities. They grow and reproduce inside of pipes and constrict flow, which reduces capacity. There are a number of methods to prevent the Zebra mussels from attaching to surfaces, including utilizing repellent construction materials, antifouling coatings, chemicals, and thermal treatment. Reactive measures are more labor intensive and include high-pressure water jetting, carbon dioxide pellet blasting, and freezing. These actions can be coupled with retrofits to prevent further fouling. New technologies currently being researched include ultra-violet (uv) light, acoustical vibration, and a number of different coating systems.

In addition to removing aquatic vegetation from boats, bait buckets, trailers, etc. and draining water from bilges and motors of boats and other watercraft before leaving a water body, the North Dakota Game and Fish Department is developing a new rule change. The change would require complete removal of water from livewells and baitwells prior to leaving the water body, meaning fish and bait could no longer be transported in a livewell containing water. More information on this topic can be found at <http://gf.nd.gov/multimedia/news/2010/07/100701.html> or by contacting AE2S. ■

Chemical Security

In November 2009, the House of Representatives passed a bill entitled “Chemical and Water Security Act of 2009” (HR 2868), which would have authorized the Department of Homeland Security (DHS) to designate substances of concern that could have the potential for death or injury resulting from a chemical facility terrorist incident. This bill raised concerns due to non-employees having access to sensitive information. The bill would require the USEPA to set standards to regulate the security of public drinking water systems. One of the provisions would allow the government to require water and wastewater facilities to use inherently safer technologies (ISTs), which has raised concern because a facility deemed “high risk” could have to change its disinfectant chemicals (i.e., switch from gaseous chlorine to liquid chlorine or on-site generation).

The bill would also direct DHS to: maintain a list of chemical facilities that are of sufficient security risk; assign each of these facilities to one of four risk-based

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(NPDES Reporting from first page)

Pollutant Discharge Elimination System (NPDES). Benefits of electronic reporting include processing cost reduction for facilities and states, improved data quality and accuracy, accessibility and transparency of the data to the public, and improved ability to address noncompliance resulting in better protection of water quality. The electronic reporting system would also follow the new USEPA Drinking Water Strategy principle of data-sharing.

It is anticipated that the electronic reporting rule will be published in the Federal Register in April 2011, at which time the comment period would open.

For more information on this topic please visit <http://yosemite.epa.gov/oepi/RuleGate.nsf/byRIN/2020-AA47> or contact AE2S. ■

(Chemical Security from first page)

tiers; establish standards and procedures for security vulnerability assessments and site security plans; require each facility owner to submit and implement the aforementioned assessments and plans; establish performance standards for site security plans; and establish a program to award grants for training and education for chemical facility employees and emergency response providers.

On July 28, 2010, a similar bill (S. 3598) was referred to the Senate Committee on Environment and Public Works (EPW) entitled "Secure Water Facilities Act". Under this bill, USEPA would continue to administer security for water and wastewater facilities, with the additional requirements and coordination with DHS. The Senate will be in recess until September 9, 2010, and Senate leadership has not yet scheduled a vote by the full Senate on HR 2868 or scheduled a markup date for the Senate EPW Committee. If neither bill is passed before the final adjournment, AWWA Government Affairs Legislative Director Tommy Holmes believes there will be an extension of the current Chemical Facility Anti-terrorism (CFAT) program which does not include the water sector.

AE2S will continue to follow this topic and will report any changes in future issues of *The Update*. For more information on these bills, please visit www.thomas.gov. ■

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