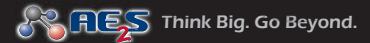


The Update

February 2010



Algal Blooms and Hypoxia Research and Control

A bill to establish a national algal bloom and hypoxia program was recently submitted to the House of Representatives from the House Science and Technology Committee. The purpose of the program will be to develop and coordinate a comprehensive and integrated strategy to address harmful algal blooms and hypoxia, and provide for development and implementation of comprehensive regional action plans to reduce harmful algal blooms and hypoxia.

Algal blooms can decrease sunlight and use up available oxygen in marine and freshwater environments (hypoxia), and some can produce toxins that can be detrimental to plants and animals. In some instances, hypoxic waters do not have enough oxygen to support fish and other aquatic animals.

AE2S will continue to follow this bill and will report any status changes in future newsletters. To read the full text of the bill, visit <http://www.awwa.org/publications/StreamlinesArticle.cfm?itemnumber=53222>. ■

Chemicals of Concern

The US Environmental Protection Agency (USEPA) intends to establish a "Chemicals of Concern" list and is beginning the process that may lead to regulations requiring significant risk reduction measures. The USEPA plans to establish the list under the existing Toxic Substances Control Act (TSCA). The USEPA has identified four groups of chemicals that are

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The US Environmental Protection Agency (USEPA) is requesting comments on rulemaking to strengthen national stormwater regulations and a comprehensive program to reduce stormwater discharges from new development and redevelopment. There is typically increased stormwater volume in new developments and redevelopments because they generally increase impervious areas. These developments can also introduce pollutants such as fertilizers, sediments, and vehicle emissions which also contribute to the impact of increased stormwater.

Stormwater Program

The USEPA is requesting input on ways to strengthen the stormwater program, including strategies of keeping stormwater onsite by utilizing technologies such as stormwater reuse or infiltration. There are five key regulatory considerations being proposed for comment:

1. Expand the area subject to federal stormwater regulations.
2. Establish specific requirements to control stormwater discharges from new development and redevelopment.
3. Develop a single set of consistent stormwater requirements for all municipal separate storm sewer systems (MS4s).
4. Require MS4s to address stormwater discharges in areas of existing development through retrofitting the sewer system or drainage area with improved stormwater control measures.
5. Explore specific stormwater provisions to protect sensitive areas.

Comments for the new rulemaking must be submitted by February 26, 2010. The USEPA intends to take final action in November 2012. To support the rulemaking, USEPA is proposing three different questionnaires for different groups to gather data about current stormwater management practices, including newly developed and redeveloped sites. The groups include the owners, operators, developers, and contractors of newly and redeveloped sites; the owners and operators of MS4s; and states and territories. The USEPA has submitted the questionnaires for comment. After review of the comments, the questionnaires will be distributed for completion.

Directions on submitting comments for the rulemaking and the complete text of the Federal register and questionnaires can be found at <http://cfpub.epa.gov/npdes/stormwater/rulemaking.cfm> or by contacting AE2S. ■

2010 AWWA Fly-In

American Water Works Association (AWWA) will conduct its annual Water Matters! Fly-In in Washington DC, March 24-25. The purpose of the Fly-In is to advance AWWA's legislative issues and relay key messages to Capitol Hill via meetings with the constituents of Congress and their staff. The Fly-In also boosts AWWA's name recognition among members of Congress and helps further

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raising serious health or environmental concerns.

The four chemical groups include: phthalates, commonly found in plastics such as PVC and other building materials; short-chain chlorinated paraffins (SCCPs), mainly used in extreme pressure lubricants in the metal processing industry; polybrominated diphenyl ethers (PBDEs), commonly used in flame retardants; and perfluorinated chemicals, which are used in Teflon and Scotchgard products.

Once the chemical is listed under the TSCA, chemical companies can provide information to the USEPA that demonstrates that their chemical does not pose an unreasonable risk. The USEPA will seek formal review and comment on the regulatory actions as they are proposed. More information on this topic can be found at <http://www.epa.gov/oppt/existingchemicals/> or by contacting AE2S. ■

(2010 AWWA Fly-In from first page)

establish AWWA members as authoritative sources of knowledge and expertise on drinking water issues. Last year's topics included Chemical Security, Climate Change, and Drinking Water Appropriations.

It is likely that Chemical Security will again be a key issue as the House passed bill HR 2868, allowing the USEPA to set standards to regulate the security of public drinking water systems. The bill also requires utilities to describe roles and responsibilities that employees are expected to perform, which are then reviewed by a "recognized bargaining agent." AWWA's concern is that some sensitive information would be in the hands of non-employees.

Climate Change will remain a key topic as well, with a number of bills currently being reviewed. These include topics such as the WaterSense program and grant programs to address or mitigate climate-related impacts on water quality or quantity. Senate bill 1035 was recently introduced, and its goal is "to enhance the ability of drinking water utilities in the United States to develop and implement climate change adaptation programs and policies and for other purposes."

AE2S will follow the topics of the AWWA Fly-In and revisit after the event. More information can be found at <http://www.awwa.org/Government/Content.cfm?ItemNumber=3821&navItemNumber=1618> or by contacting AE2S. ■

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