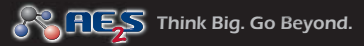


The Update

July/August 2008



EPA Publishes Ground Water Rule Fact Sheets

In June, the EPA released a series of quick reference guides to assist utilities with understanding and complying with the requirements of the Ground Water Rule (GWR). Fact sheets include:

- *General Rule Requirements;*
- *Monitoring Requirements;*
- *Sanitary Surveys; and*
- *Public Notification and Special Notice Requirements.*

The GWR establishes a risk-targeted approach to identify groundwater systems susceptible to fecal contamination. It further requires corrective action to address significant deficiencies identified in sanitary surveys for all public groundwater systems. States are currently in the process of applying for Primacy for this rule. By the end of 2009, systems will be required to: 1) begin compliance monitoring if currently providing 4-log virus inactivation/removal to demonstrate 4-log treatment of viruses prior to the first customer, or 2) begin triggered source water monitoring for fecal contamination if not providing 4-log virus inactivation/removal and notified of a positive total coliform sample. In addition, if a system at which a significant deficiency has been identified tests positive for fecal contamination, compliance with treatment technique requirements is mandated. Treatment technique requirements include providing 4-log

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Infrastructure funding has been recognized for many years as a critical need across the country. The American Society of Civil Engineers routinely ranks the condition of America's infrastructure, including that associated with the aviation, transportation, and drinking water/wastewater industries, among others. There are differing perspectives as to the best way to deal with the challenge of funding the needs of water and wastewater systems. This article highlights the

Differing Perspectives on Water Infrastructure Funding

opposing perspectives on an initiative currently under consideration in Washington that would

establish a Water Trust Fund for the repair, replacement, and rehabilitation of clean and drinking water infrastructure.

In January 2008, Representatives James L. Oberstar (Minnesota), Chairman of the House Committee on Transportation and Infrastructure, Eddie Bernice Johnson (Texas), Chairwoman of the Subcommittee on Water Resources and Environment, and Earl Blumenauer (Oregon), Member of the Ways and Means Committee, requested that the Government Accountability Office (GAO) study the ways to meet the nation's water infrastructure needs. Various governmental agencies have estimated that the nation faces a growing water infrastructure funding gap of between \$300-500 billion in the next twenty years when compared to current spending. To address this need, a proposed Water Trust Fund has been suggested. According to Congressman Blumenauer's website, the purpose of the proposed fund would be to provide a deficit-neutral and consistent source of revenue to support the repair, rehabilitation, or replacement of current water infrastructure. The request to the GAO by the Congressional Representatives was designed to support establishment of the Water Trust Fund. Trust funds are financing mechanisms established by law to account for tax receipts that are collected by the federal government and are dedicated or "earmarked" for expenditure for special purposes. Trust funds for the aviation and transportation industries have historically subsidized and continue to subsidize a portion of the costs to maintain these systems, although they fall short of meeting the total need. Supporters of the Water Trust Fund recognize that the existing gap between need and available funding is not going away without a sustainable source of funding. They also cite the fact that this is both an environmental issue and a health issue, and one that some feel the government has a responsibility to address.

According to the American Water Works Association (AWWA), which routinely tracks and provides comments and testimony on various legislative bills, studies, and reports, the public is best served by utilities that are self-sustaining through responsible water rate structures. As such, AWWA has expressed the opinion that assistance from the federal government should be in the form of a helping hand rather than becoming a regular part of utility finance. The AWWA feels that federal assistance through the Drinking Water and Clean Water State Revolving Loan

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COMPLIANCE

If you have any questions concerning the content of this newsletter, please contact Miranda Kleven, PE, at 701-746-8087 or Miranda.Kleven@ae2s.com. Web site links contained in this issue are posted as clickable links at www.ae2s.com/Updatelinks.

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(GWR Fact Sheets from first page)

virus inactivation/removal, elimination of the contaminated source, use of an alternate source, or correction of significant deficiencies. The informational materials referenced above can be downloaded at <http://www.epa.gov/safewater/disinfection/gwr/compliancehelp.html>. ■

Fall Conferences Around the Corner

As the days of summer fade, local water and wastewater professionals are preparing for upcoming annual conferences. Meeting dates and locations are shown below:

MN Annual AWWA Meeting: September 24-26 in Duluth, MN

ND Water and Pollution Control Conference: October 8-10 in Bismarck, ND

SD Water and Wastewater Association Annual Conference: September 10-12 in Pierre, SD ■

(Differing Perspectives from first page)

Funds is critical to meeting infrastructure needs and has and continues to support significant increases in these funds. However, AWWA has expressed concern regarding the proposed water infrastructure trust fund bills due to the fact that at this time no dedicated source of funding has been identified. AWWA has taken the position that it cannot support a water trust fund bill until the source of funding has been designated, and if the source becomes a federal water tax, it will strongly oppose the bill.

At present, approximately four hundred federal trust funds are in existence. Some of the largest trust funds include Social Security, Medicare, and the Highway Trust Fund. AWWA has assumed that a water trust fund would be supported through a federal tax levied against water rates, which would be a funding mechanism similar to those supporting other federal trust funds. Concerns expressed by AWWA regarding a water trust fund and the practice of utilizing federal water tax funds to support the trust include:

- Water utilities that are good planners subsidize those that are poor planners.
- Historically, Congress has siphoned off trust funds in an attempt to balance the federal budget.
- A percentage of the funding raised will go towards administering the program.
- A trust fund may encourage local governments to provide funding support to other infrastructure needs that are not federally subsidized creating even larger unmet needs for water infrastructure.

The proposed legislation has the potential to impact your water and wastewater utility. There are clearly two sides to this issue, both of which have a common goal of funding critical water infrastructure needs across the nation. *The Update* staff will continue to follow this important topic and report on the outcome of legislative discussions. ■

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