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How to Participate Today

The screenshot shows the GoToWebinar interface. At the top, there's a menu with 'File', 'View', and 'Help'. Below that is the 'Audio' section, which includes a 'Sound Check' indicator and three options: 'Computer audio' (selected), 'Phone call', and 'MUTED'. Under 'MUTED', there are dropdown menus for 'Transmit (Plantronics Savi 7xx-M)' and 'Receive (Plantronics Savi 7xx-M)'. Below the audio settings, it says 'Talking: Liz Davis'. The 'Questions' pane is highlighted with a red border and a red arrow pointing to it. It contains a text input field with the placeholder '[Enter a question for staff]' and a 'Send' button. At the bottom of the interface, it says 'Webinar Housekeeping', 'Webinar ID: 608-865-371', and the 'GoToWebinar' logo.

- Audio Modes
 - Listen using Mic & Speakers
 - Or, select "Use Telephone" and dial the conference (please remember long distance phone charges apply).
- Submit your questions using the Questions pane.
- A recording will be available for replay shortly after this webcast.

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Government Affairs Update

- Regulatory Update - What to Expect from EPA and the Administration in 2020 (Claudio Ternieden, WEF Senior Director, Government Affairs)
- Water Reuse Update - Next Steps for EPA's Water Reuse Action Plan (Greg Fogel, Policy Director, WaterReuse Association)
- Legislative Update - What to Expect from Congress in 2020 (Steve Dye, WEF Legislative Director)



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Recent & Pending Key Regulatory Issues

- The Maui Case
- Waters of the United States (aka WOTUS)
- Peak Wet Weather Rulemaking
- Affordability
- Nutrients Survey



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County of Maui, Hawaii, PETITIONER v. Hawaii Wildlife Fund, ET AL.

- Maui Case: County of Maui v. Hawai'i Wildlife Fund, U.S., No. 18-260.
- Current Status:
 - Council voted to settle the case; the County Mayor refuses to implement the decision and to inform Supreme Court of settlement dispute - the parties are in litigation and the case was heard by the Supreme Court November 6, 2019, but no decision has been issued.



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Waters of the United States (aka WOTUS)

- EPA has been working on repealing (which they did in October of 2019 - become effective December 23, 2019) and revising the definition of "waters of the United States" to "clarify federal authority under the Clean Water Act";
- THAT "revision" rule was proposed in late 2018 and was promised that a final rule would be proposed by January 2020;
- We have information that Trump is expected to announce this rule this coming Sunday at the Farm Bureau convention in Austin, Texas - EPA Administrator Wheeler is expected to attend;
- More information on the history and recent activity on this rulemaking, go to: <http://www.epa.gov/wotus-rule>



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Peak Wet Weather Rulemaking

- In April 2018, EPA announced a new rulemaking to look at issues associated with the management and treatment of peak flows during wet weather events at publicly owned treatment works (POTWs) with separate sanitary sewer systems. Through this rulemaking, EPA will evaluate changes to its National Pollutant Discharge Elimination System (NPDES) regulations to establish a transparent and lasting framework to permitting peak flow management options;
- Before proposing any changes to its NPDES regulations, EPA is undertaking an extensive stakeholder engagement effort to encourage individual input for developing a rule that will support a consistent approach to permitting, allow for innovative flexibility, and protect human health and the environment;
- EPA expects to issue a proposed rule by the end of 2019; final is scheduled for the Summer Spring of 2020....
- For more information: <https://www.epa.gov/npdes/peak-flows-sewage-treatment-plants>



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Affordability

- The National Association of Clean Water Agencies, Water Environment Federation and the American Water Works Association co-funded a new study looking into how EPA evaluates affordability - which is then used to decide how much a community can spend on wastewater and drinking water projects;
- The water sector hopes this study will assist U.S. EPA respond to recommendations from the congressionally-mandated NAPA review of the Office of Water's existing affordability policies;
- The proposed framework is an alternative to current reliance on median household income as a singular measure of affordability in regulatory decision-making;
- The Core elements of the proposed framework reflects:
 - Recognition that individual households bear the total cost of all the water services they receive.
 - With modern America's bi-modal income distribution and highly community-specific costs of living, no one metric can serve as a bright line for when water service is affordable for individual households
 - Understanding the implications of affordability for water policy requires both considering the capacity of low-income households to afford service and the community's (the water system's) financial capability (i.e., its ability to reliably provide service and make necessary improvements over time).



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Nutrients Survey

- On October 22, EPA made available a voluntary screener survey which is intended to collect basic information from all secondary treatment facilities nationwide;
- EPA requested that participants submit their surveys by November 26, 2019, but is still accepting responses;
- For more information: <https://www.epa.gov/eg/potw-nutrient-survey>



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Federal Advocacy
for Water Reuse
in 2020

Greg Fogel
Policy Director
WateReuse Association

January 16, 2020

WATERREUSE

WATERREUSE

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How We Advocate

Authorize	Appropriate	Implement
<ul style="list-style-type: none"> • Congress authorizes or reauthorizes programs 	<ul style="list-style-type: none"> • Congress provides annual discretionary spending for programs 	<ul style="list-style-type: none"> • The Administration writes rules and guidance documents and administers programs



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Authorize

Water Resource Development Act (WRDA) 2020


- The WaterReuse Association will advocate to **reauthorize three programs**:
 - USBR's Title XVI-WIIN Water Reclamation and Reuse Program
 - Pilot Program for Alternative Water Source Grants Program
 - Clean Water State Revolving Fund Program
- Inter-agency Working Group on Water Reuse


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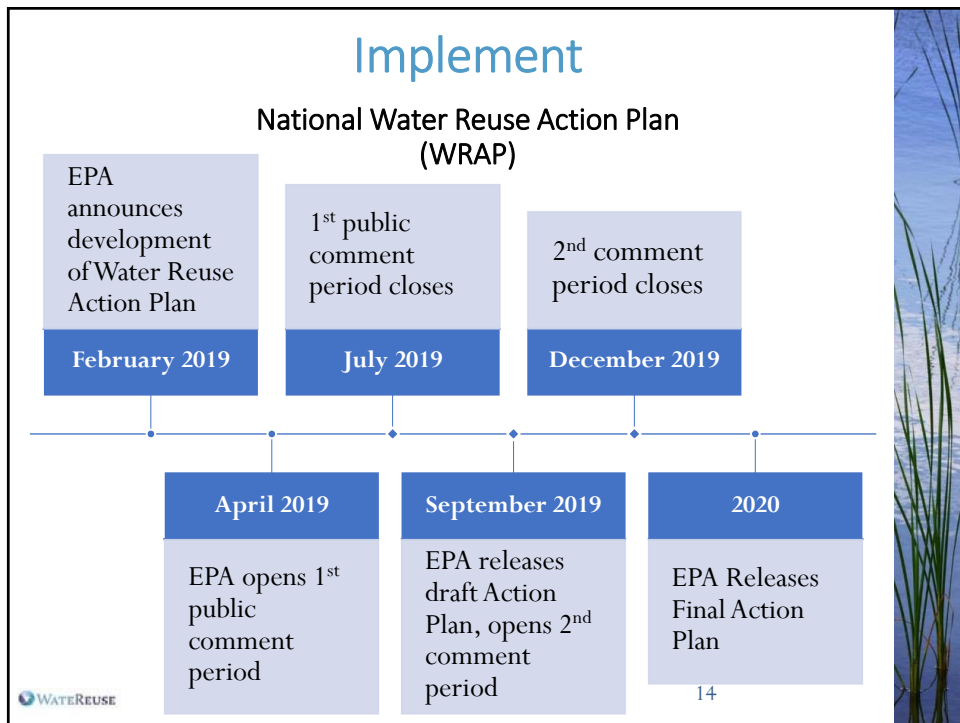
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Appropriate

	FY2018 Level	FY19 Level	FY20 Level
Title XVI-WIIN	\$20,000,000	\$20,000,000	\$20,000,000
Desalination and Water Purification Program	\$17,800,000	\$19,800,000	\$20,000,000
CWSRF	\$1,694,000,000	\$1,694,000,000	\$1,638,826,000
DWSRF	\$1,163,233,000	\$1,164,000,000	\$1,126,088,000
WIFIA	\$63,000,000	\$68,000,000	\$60,000,000
Drinking Water Infrastructure Resilience and Sustainability Program	N/A	N/A	\$3,000,000
Sewer Overflow and Stormwater Reuse Grants	N/A	N/A	\$28,000,000



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Fiscal Year 2020 Appropriations Update						
Program	FY19 Omnibus	Pres. FY20	Senate FY20 Draft	House FY20 Draft	FY20 Final	Function
Clean Water SRF	\$1.7B	\$1.1B	\$1.6B	\$1.8B	\$1.6B	Wastewater & Stormwater Loans
Drinking Water SRF	\$1.2B	\$863M	\$1.1B	\$1.3B	\$1.1B	Drinking Water Loans
WIFIA	\$68M	\$25M	\$73M	\$45M	\$60M	All Water Infrastructure Loans
USDA Loans & Grants	\$2.02B	\$1.7B		NA	\$1.45B	Rural Communities Loans and Grants
Water Workforce Grants		\$1M	\$1M	\$1M	\$1M	Western US Water Recycling and Reuse
AWIA – Sewer Overflow Control Grants		\$61M	\$20M	\$90M	\$28M	Grants for CSO, SSO, and SW Infrastructure
National Priorities Water Research	\$5M				\$6M	Grants for Water Research




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Key Bills to Watch

- **WRDA 2020 - Coming Spring 2020!**
 - CW SRF Reauthorization
 - WIFIA Reauthorization
 - Etc...
- **H.R. 1497*** - Water Quality Protection and Job Creation Act of 2019, by Rep. Peter DeFazio
- **H.R. 3521** - Wastewater Infrastructure Workforce Investment Act of 2019, by Rep. Greg Stanton
- **H.R. 1764*** - NPDES permit terms extension legislation, by Rep. John Garamendi

* = *Calls-to-Action up on WEF.org*



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Water Quality Protection and Job Creation Act of 2019 (H.R. 1497)

PASSED BY COMMITTEE 10/29/19

Sponsor: Chairman Peter DeFazio (D-OR)

Co-sponsors: Grace Napolitano (D-CA), Don Young (R-AK), and John Katko (R-NY)

The key provisions of the bill include (FY20 - 24):

- Clean Water SRF reauthorized at \$16B/5 years
- 1% CW SRF set-aside for wastewater workforce development assistance to utilities of \$140M/5 years. **(WEF PROVISION)**
- State management assistance at \$1.295B/5 years
- Watershed pilot projects at \$110M/5 years
- Redefines "alternative water source projects" as wastewater, stormwater, or by treating wastewater or stormwater and authorizes \$150M/5 years
- Extends authorization for grant assistance for CSO, SSO and stormwater projects for \$1.125B/5 years.



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PFAS Update - *Federal Only*

US EPA - Proposed Determination to OMB for PFOA and PFOS *"following through on its commitment in the Action Plan to evaluate PFOA and PFOS under the Safe Drinking Water Act."* (Dec. 3)

National Defense Authorization Act (NDAA) - CWA and CERCLA not included.

- WEF Call-to-Action:
<https://wef.org/advocacy/water-advocates2/>

PFAS Receivers Fact Sheet:
<https://www.wef.org/pfas>

Additional WEF resources:
<https://wef.org/biosolids/>



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H.R. 535, The PFAS Action Act of 2019

- Passed House Jan. 10, 2020, by a vote of 247-159
- Senate Environment & Public Works Comm. Chairman John Barrasso (R-WY) said the bill has “no prospects in the Senate.”
- WEF wrote the House detailing concerns: <http://www.wef.org/wef-comment-letter-re-h.r.-535-the-pfas-action-act>
- WEF also co-signed a water sector letter: <http://www.wef.org/h.r.-535-house-letter-pfas-action-act/>

Key CERCLA provisions:

- Requires EPA within one year to designate PFOS and PFAO as hazardous substances under CERCLA.
- Within 5 years EPA shall determine if additional PFAS substances should be designated as hazardous.
- Requiring a study of USEPA's actions under CERCLA to clean-up PFAS contaminated sites.



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H.R. 535, The PFAS Action Act of 2019 (continued)

CWA provisions:

- Require EPA by 9/30/2021 to develop effluent standards, pretreatment standards, and water quality criteria for PFAS chemicals introduced or discharged by industries, other than publicly owned treatment works.
- Authorizes \$100 million in funding to support POTWs to implement mandates related to pretreatment standards.

SDWA provisions:

- Requires EPA in two years to finalize an MCL under SDWA for PFOA and PFOS.
- Requires EPA to expedite regulations for additional PFAS under SDWA.
- Requires EPA to regularly issue drinking water health advisories for additional PFAS.



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H.R. 535, The PFAS Action Act of 2019 (continued)

Additional provisions:

- Authorizes \$125 million to fund the PFAS Infrastructure Grant Program for each of the fiscal years 2020 and 2021, of which \$25 million is to assist affected community water systems that have previously implemented eligible treatment technologies.
- Creating a tool on USEPA website to help the public understand testing results for their well water and connect them to local health and government resources and \$1 million to support this activity.
- Adding the term "disproportionately exposed communities" to the category of "disadvantaged communities."



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