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The Authoritative Resource on Safe Water SM

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Water Organizations Begin Work on Farm Bill

Organizations representing drinking water and wastewater interests have begun meeting in Washington to look for opportunities to enhance conservation and source water protection features in the omnibus Farm Bill, which is up for reauthorization in this session of Congress.

Congressional leaders have said they want to have a Farm Bill passed by September, which means the water community will have to act quickly on its interests. Our interests include increasing funding for conservation programs that protect sources of drinking water and allowing water utilities access to funds to lead local source water protection projects, if they wish.

A major challenge will be making sure that any enhanced source water protection programs do not appear to be new drinking water programs. The House and Senate agriculture committees will be very careful not to trigger jurisdiction by other committees, including those that oversee drinking water. If additional congressional committees claim jurisdiction, the programs at issue would be quickly dropped from the bill.

Discussions Continue on Possible Revisions to Total Coliform Rule

Representatives from drinking water stakeholder organizations and from the U.S. Environmental Protection Agency (EPA) met today to discuss revisions to the Total Coliform Rule (TCR) and a potential distribution system rule. The purpose of the meeting was to discuss whether a committee under the Federal Advisory Committee Act (FACA) should be organized, and if so, what TCR/distribution issues it should focus on.

In leading off the meeting, Cynthia Dougherty, head of EPA's Office of Ground Water and Drinking Water, indicated that she is "leaning towards" a FACA, but that the agency is committed to revising the TCR through the six year review process whether or not there is a FACA.

Most participants agreed that there were numerous aspects of the TCR that deserve evaluation and potential revision. These include sample frequency, use of total coliform as an indicator, action levels or corrective action requirements as an alternative to an MCL violation, public notice, and sanitary survey requirements. While significant change to the rule is possible, EPA signaled its reluctance to eliminate total coliform as an indicator or to make changes that would interfere with implementation of the recently finalized Ground Water Rule.

There appeared to be a common concern among stakeholders that a great deal of additional knowledge was needed before there could be a sound basis for developing a distribution system rule. However, some believe that initial steps toward a federal cross-connection control and backflow prevention requirement could be justified based on current understandings and data. Research, data collection, and utility education and training programs are also likely to be discussed if an advisory committee is convened.

We expect an EPA decision on whether or not to form a FACA within a month. EPA will generally define the scope of the FACA and the group itself will devote its first meeting or two to building more detailed consensus on the scope and on questions that need to be answered to support a decision. If a FACA is formed, it is not likely to meet until early summer, and is expected to run for 12-18 months.

Today's meeting included representatives from AWWA, the Association of Metropolitan Water Agencies, National Association of Water Companies, National Rural Water Association, the Association of State Drinking Water Administrators, Clean Water Action, Natural Resources Defense Council, and of course, EPA. We made the point that the public health and medical communities also need to be involved.

As always, please get in touch with your AWWA Washington Office if you have questions or comments.