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Water Construction Bill Sails through the House

On Oct. 23, the U.S. House of Representatives approved the Water Resources Reform & Development Act (WRRDA)([H.R. 3080](#)) in resounding bipartisan fashion by a vote of 417-3, demonstrating that lawmakers can put aside their political differences (at least occasionally!) to tackle our nation's challenges.

The legislation authorizes \$8 billion in funding for U.S. Army Corps of Engineers' construction programs and streamlines environmental reviews to speed project delivery. Projects included in WRRDA are:

- The Sabine-Neches Waterway project in Texas and Louisiana to improve navigation for large ships;
- Mid-Chesapeake Bay Island ecosystem restoration in Maryland;
- The Fargo-Moorhead Metropolitan area project in Minnesota and North Dakota to reduce risks from floods;
- The American River Watershed Program in California to reduce flooding in the Natomas Basin near Sacramento;
- The Comprehensive Everglades Restoration Plan as well as channel deepening and port improvement in Jacksonville, Florida;
- The Savannah Harbor expansion project in Georgia;
- Hurricane and storm damage risk reduction at West Onslow Beach, Surf City, and North Topsail Beach in North Carolina;
- Flood risk management for the Ohio River shoreline in Kentucky;
- Coastal improvement in Hancock, Harrison, and Jackson Counties in Mississippi;
- Lower Ohio River locks and dams improvement in Illinois and Kentucky;
- The Little Calumet River basic flood control project in Indiana; and,
- Measures to fight the spread of Asian Carp in the Great Lakes region.

While the bill is similar to the Senate version ([S. 601](#)) passed in May, several key differences must be addressed before final legislation can be delivered to President Obama for his signature.

S. 601 provides \$12 billion for waterway construction and improvement over the next decade, \$4 billion more than the House bill. Additionally, the Senate gives the executive branch authority to determine which projects will be undertaken, while the House requires congressional review and approval. Critics have argued S. 601 cedes too much authority to the president, since the Army Corps of Engineers would approve projects in the future without congressional input.

A conference committee of both House and Senate members will be tasked with reconciling the two bills. Given the strong bipartisan support in both chambers, observers are optimistic these differences will be resolved quickly and a final conference report will be completed in the next few months.

ACPPA expressed its support of WRRDA in an Oct. 22 [letter](#) to the House Transportation & Infrastructure (T&I) Committee leadership, highlighting that the legislation will create jobs, spur economic growth, and enhance the nation's economic competitiveness in a fiscally responsible manner.

The WRRDA process also has important implications for other federal infrastructure programs. The T&I Committee has a new chairman this year – Rep. Bill Shuster (R-Pa.) – and this is the first major piece of legislation he's shepherding through Congress. So far, Shuster is getting high marks for his political acumen and coalition building. There are hopes that the positive atmosphere he is helping to create will smooth the way for next year's highway reauthorization and set the stage for more aggressive action on the sewer and drinking water funding front.

Stay tuned to *Actionline* as the story develops.

Concrete Leadership in a Solid Industry

Actionline recently sat down with Jim Tully, the chairman of the board for the American Concrete Pressure Pipe Association (ACPPA) to discuss his experiences and the association's priorities.

Actionline: Tell us a little bit about your background. How long have you been in the industry and how did you wind up in your current position?



Jim Tully, director of business development at Munro Ltd. and ACPPA's chairman of the board

Tully: I've been working in the water pipe industry for more than 33 years in a variety of engineering and business development positions. I started my career as a project manager for Canron Pipe, a company based in Canada. I was the principal and owner of an engineering firm providing consulting services to the water pipe industry. Munro Ltd. was one of my clients when they were setting up their facility to manufacture concrete pressure pipe in 2004. I joined Munro and became director of engineering and business development.

Actionline: How has the industry changed in the time you've been involved in it?

Tully: There have been a number of consolidations throughout the water pipe industry over the years. Smaller players have been acquired by larger ones, which is especially true in the concrete pressure pipe industry.

Actionline: Let's talk about the future. What do you see as the most significant strategic challenge facing the long-term health of the concrete pressure pipe industry? What role can ACPPA play in helping members deal with that challenge?

Tully: Our most significant challenge is to ensure the market share of concrete pressure pipe increases in relation to alternative materials. Water infrastructure owners and those who specify water pipe must buy into the ACPPA value proposition in order for that to happen. They have to be convinced that concrete pressure pipe is the best material for their projects at time of design and purchase and offers the lowest lifecycle cost overall to minimize expenditures and maintenance. We have to provide useful materials that assist them in understanding the benefits of concrete pressure pipe and we have to make it easy for them to design their projects. We're helping our members by developing those materials.

Actionline: ACPPA has a fairly deep value proposition for a small organization. Are there any specific areas you want to emphasize or improve during your time as chairman?

Tully: You are correct. We are not a large organization, but that means we don't have a lot of bureaucracy so we can move quickly to create useful materials. I want infrastructure owners and those who specify water pipe to think of ACPPA as the go-to source for reliable, technical information about the use and applications of concrete pressure pipe.

Actionline: As a Canadian, what have you learned about American politics during your time with ACPPA? How does that differ from Canadian politics?

Tully: I follow the political scene in Canada and try to keep abreast of developments which affect our industry. Although I have never lived in the United States, I watch what's happening with interest, especially when it comes to allocation of funds for infrastructure projects. While there are significant differences between our two systems of government, we share the same problem regarding infrastructure deficits. It is useful to learn from each other's approach to ensure our governments address this problem.

ACPPA would like to thank Jim Tully for taking the time to share his insights.

Government Shutdown Ends, Default Averted...For Now

On Oct. 16, Congress approved legislation ([H.R. 2775](#)) to end the two-week federal government shutdown and increase the debt ceiling. President Obama signed the bill into law almost immediately after it was sent to his desk.

The federal government officially closed on Oct. 1 after lawmakers were unable to come to agreement on a continuing resolution for appropriations (CR) for FY 2014. The GOP's effort to derail the Affordable Care Act (ACA or "Obamacare") was at the heart of the matter. Republicans wanted concessions such as repealing the ACA's medical-device tax to raise the borrowing limit, while the White House refused to budge on the question of dealing with policy issues as part of a debt or appropriations deal. The U.S. Treasury Department warned that failure to raise the debt ceiling by Oct. 17 "would be unprecedented and has the potential to be catastrophic."

The continuing resolution sets discretionary funding at an annualized rate of about \$986 billion, slightly less than the fiscal year 2013 levels after the Budget Control Act's automatic spending cuts ("sequestration"). Additionally, the debt ceiling is suspended through Feb. 7, 2014. However, government funding once again expires on Jan. 15, 2014, setting up another showdown early next year.

While the Highway Trust Fund wasn't affected by the government shutdown, project interruptions were reported because of permitting delays resulting from furloughs at the Environmental Protection Agency and the U.S. Army Corps of Engineers. According to the Federal Highway Administration, 129 projects in 35 states were undergoing environmental impact statements, which were slowed because of the shutdown. Likewise, the Army Corps of Engineers furloughed most of its staff and was therefore unable to issue Section 404 permits for construction activities involving dredging and fill material discharge near water.

ACPPA is continuing to educate lawmakers about the uncertainty caused by routine budget battles and the impact it has on economic confidence. Congress must enact tax and fiscal policy reforms that provide certainty to construction markets while laying the foundation for economic growth and job creation.

To see how your House member voted on the CR, click [here](#).

To see how your Senator voted on the CR, click [here](#).

Court Declares EPA Must Issue Coal Ash Rules

On Oct. 3, the U.S. District Court for the D.C. Circuit decided in favor of a coalition of public and environmental health organizations seeking to force the Environmental Protection Agency (EPA) to develop and implement a set of federal regulations dictating the disposal of coal ash, a byproduct of coal combustion used in the manufacturing of concrete.

The court indicated it will release a statement within 30 days of the judgment explaining its rulings.

Appalachian Voices v. McCarthy was filed in April 2012 after the groups alleged the EPA failed to make adequate and timely progress on updating regulations in regards to the classification of coal ash following a 2008 spill that released 5.4 million cubic yards of wet coal ash at the Kingston Fossil Plant in Tennessee. The ruling requires the agency to set a deadline within 60 days to update rules regarding the disposal of coal ash. In 2010, the EPA proposed regulations that would have classified coal ash as a hazardous material; however, nothing came of the proposal.

Earlier this year, Rep. David McKinley (R-W.Va.) introduced the Coal Residuals Reuse & Management Act ([H.R. 2218](#)) in the House, which prevents the EPA from developing burdensome regulatory standards for recycling coal ash. The measure would utilize minimum federal standards and leave the adoption of coal combustion residuals permit programs up to individual states. The bill passed the House on July 25 and is currently awaiting Senate action.

To encourage your lawmakers to protect the continued beneficial recycling of coal ash from burdensome federal regulations, go to ACPPA-action.org today!

TRIP Report: Urban Roads to Worsen with Highway Funding Shortfall

On Oct. 3, TRIP, a national transportation research group, released "[Bumpy Roads Ahead: America's Roughest Rides and Strategies to Make our Roads Smoother](#)," a report examining urban pavement conditions, transportation funding, and economic development in U.S. cities.

The study highlights how inner-city road conditions will continue to worsen at current surface transportation funding levels. TRIP estimates that in order to maintain the existing roadways through 2032, the country needs an additional \$146 billion investment. To make modest enhancements, an extra \$374 billion is needed and \$670 billion is required to improve urban road conditions significantly.

The study also found that more than one-quarter (27 percent) of the nation's major urban roads contain substandard pavement, which costs the average urban driver \$377 annually – up to \$800 each year for motorists in certain areas – totaling \$80 billion nationwide. Additional pavement conditions and vehicle operating costs for urban areas with populations of 250,000 or greater can be found in the [full report](#) and [appendices](#).

Our nation's surface transportation infrastructure will further deteriorate if lawmakers don't identify new revenue sources for the Highway Trust Fund (HTF) by October of next year. According to [data](#) released by the Congress Budget Office, in FY 2015 the HTF will be unable to support any highway or transit spending, jeopardizing more than \$50 billion in annual investment.

Visit ACPPA-action.org to urge your lawmakers to find new revenue streams to maintain the HTF.