

July 31, 2017 – VOLUME 14, ISSUE 7

## Drinking Water Bill Finally on the Move in Congress, Would Double Federal Drinking Water Investment

It's taken years of pushing, prodding and begging by ACPPA and other infrastructure advocacy groups, not to mention the Flint water crisis to sharpen Congress's focus, but drinking water infrastructure legislation is finally on the move on Capitol Hill.

On July 27, the House Energy & Commerce Committee approved [the Drinking Water System Improvement Act \(H.R. 3387\)](#). The legislation aims to make increased investment in drinking water infrastructure and support regulatory compliance by water providers.

H.R. 2287, which is sponsored by Rep. Gregg Harper (R-Miss.), passed the committee by voice vote underscoring the bipartisan support for the bill. The legislation would:

- Authorize \$8 billion over five years (fiscal years 2018 to 2022) for the Safe Drinking Water State Revolving Loan Fund (SDWSRF), doubling annual spending from \$863 million in FY 2017 to \$2 billion in FY 2022.
- Expand SDWSRF eligibility to include costs associated with preconstruction activities and replacing or rehabilitating aging treatment, storage, or distribution facilities.
- Create a strategic plan to develop an electronic system that allows water utilities to send their compliance data to states, and states then send the data to EPA.
- Reauthorize funding for voluntary source water protection programs.
- Encourage more readable and understandable consumer confidence reports and solidifies their electronic distribution.

<b>Annual Drinking Water SRF Authorizations in H.R. 2287</b>	
<b>Year</b>	<b>Authorization Amount</b>
2017	\$863 million (current year appropriated amount)
2018	\$1.2 billion
2019	\$1.4 billion
2020	\$1.6 billion
2021	\$1.8 billion
2022	\$2.0 billion

In a statement released after the bill's passage, Committee Chairman Greg Walden (R-Wash.) emphasized the bipartisan support for increasing investment and improving infrastructure. "Moving a serious reauthorization of any major environmental law, like the Safe Drinking Water Act, takes a lot of cooperation and willingness to talk out the issues and find common ground," Walden

said. "That common ground brought us to where we are today. H.R. 3387 focuses on three main principles: increasing funding to address drinking water systems' physical needs, aiding states and utilities with

compliance and operation of the drinking water program, and encouraging the wisest use of money that is spent.”


### ***Would Water Bill Provision Promoting Open Competition Undermine Engineer Judgment, Distort the Procurement Process?***

While committee action on the water infrastructure legislation is generally a positive development, one provision of the bill is potentially problematic. Section 7(c) would establish a new requirement that water systems seeking SRF money must consider, “the cost and effectiveness of relevant processes, materials, techniques, and technologies for carrying out the project or activity that is the subject of the expenditure” and certify to the state that the water system has made such consideration.

This language appears to be part of an on-going effort by polyvinyl chloride (PVC) pipe producers to force consideration of their product by arguing for so-called “open competition”. [Similar legislation has been rejected by many states and the plastic pipe industry is now taking its case to Congress](#). Groups representing pipe owners and engineers are opposed to the plastic pipe industry’s efforts, which threatens to supplant the independent judgment of engineers and distort the procurement process. We’re anxious to hear from ACPPA members about what impact you think section 7(c) provision would have on our industry. Send an email to [caklein@potomac-law.com](mailto:caklein@potomac-law.com).

### ***Senate Hearing Shines Spotlight on Water Needs***

The good news is that key senators also clearly understand the need to act in this area and are laying the foundation for legislation. In a hearing on [“Innovative Financing and Funding: Addressing America’s Crumbling Water Infrastructure”](#) held by the Senate Environment & Public Works Subcommittee on Fisheries, Water, and Wildlife on July 20, Subcommittee Chairman John Boozman (R-Ark.) called underinvestment in water infrastructure “a national emergency” and said “we need to find solutions before it is too late.” He concluded his statement: “The time to act is now. We have an incredible opportunity to develop an infrastructure bill that directly addresses America’s drinking water and wastewater infrastructure challenges.”

“The passage of a drinking water bill is a major development. ACPPA and other organizations have for years been sounding alarm bells about the public health risks of chronic underinvestment in drinking water infrastructure,” ACPPA President Richard Mueller said. “We look forward to working with the House and Senate in a bipartisan manner to continue to improve the legislation, move it forward, and make enacting this bill one of the signature achievements of the 115<sup>th</sup> Congress.” 

## **Apprenticeship Bill Would Support Industry Partnerships**

On July 20, Senators Tim Kaine (D-Va.) and Rob Portman (R-Ohio) introduced the [Building U.S. Infrastructure by Leveraging Demands for Skills \(BUILDS\) Act](#).

The bill provides Department of Labor-administered grants to industry partnerships in a range of infrastructure sectors. The agency would be instructed to consult with other federal agencies including the Departments of Transportation and Energy in order to support local work-based learning opportunities.

Infrastructure businesses already face issues finding and retaining technical talent; across many industries retirements are looming and too few trainees are in the pipeline. According to a report by the [Departments of](#)

[Education and Labor](#), there are 68 percent more projected openings in infrastructure jobs over the next five years than there are students training for these jobs. If the Trump administration follows through on its promise to generate \$1 trillion of additional investment in infrastructure programs, which the Georgetown University estimates would create 11 million new jobs, those issues will only grow worse.

“Even without a significant [new] investment, infrastructure industries are already struggling to meet workforce demands,” Kaine said in his statement introducing the bill. “To ensure infrastructure investments benefit businesses, workers and the economy, the [United States] must invest in the creation of a diverse pipeline of workers with skills necessary to access in-demand opportunities.”

The BUILDS Act would support grants to targeted industry partnerships including any combination of employers, training providers, labor organizations, local workforce boards and other stakeholders. To qualify, participating organizations would be required to develop complementary classroom curriculum to support learning on the job, provide mentors, recruit out of social service agencies and perform other talent-development activities while providing support and training to assist participants through every phase of the employment process. The system would allow students to earn wages while developing skills and earning credentials along defined career pathways.

Stay tuned to *Actionline* for updates on the BUILDS Act as well as Washington’s general effort to help businesses find and develop technically skilled workers. 

### Workforce Insight from the National Skills Coalition



“As policymakers begin to consider options for scaling up our nation’s infrastructure investments, they should ensure that any legislation includes dedicated investments in proven workforce policies and strategies that connect employers with jobseekers with necessary skills, and that the broadest possible range of jobseekers are able to enter into and succeed in new job openings.

“To ensure that infrastructure investments benefit businesses, workers, and the economy as a whole, the U.S. must invest in the creation of a diverse pipeline of workers with the skills necessary to access in-demand opportunities. Strategies like apprenticeship, career pathways, integrated education and training, and sector partnerships can expand and diversify the pipeline of skilled workers, but significant gaps in training capacity threaten to undermine the full economic benefits of infrastructure investments.”

**To read the full report, visit [www.nationalskillscoalition.org/resources/publications](http://www.nationalskillscoalition.org/resources/publications).** 

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# Pressure Pipe Post

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ACPPA's Monthly Source for Industry News

July 2017

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To keep members aware of the activities of government and standards organizations, we regularly sweep public databases and publications for the industry-specific terms indicated below. We then provide our members with links to documents identified in the search. Please note that in some cases the URLs may link to subscription-only databases. The purpose of this service is to identify emerging threats and trends as well as opportunities for collective action by ACPPA.

## **NEWS RESULTS**

### **Coal Ash/Fly Ash**

#### **Scientists Used Coal Ash from the Chesapeake Energy Center to Build Oyster Reefs off the Eastern Shore. Where is the Project Now?**

07/18/2017 [https://pilotonline.com/news/local/environment/scientists-used-coal-ash-from-the-chesapeake-energy-center-to/article\\_e66a49f2-1406-531f-9932-fa4ded0a6790.html](https://pilotonline.com/news/local/environment/scientists-used-coal-ash-from-the-chesapeake-energy-center-to/article_e66a49f2-1406-531f-9932-fa4ded0a6790.html)

In the early 1990s Virginia Power was churning out almost 175,000 tons of coal ash each year in Chesapeake and needed a way to recycle it. The company, now Dominion Energy, would soon discover plenty of ways.

#### **NC is Awash in Tons of Coal Ash. So Why Did it OK Storing Imported Ash from India?**

07/11/2017 <http://www.newsobserver.com/news/local/article160870764.html>

A byproduct of burning coal to make electricity, ash poses both a social problem and a business opportunity.

#### **Effect of Fly Ash on the Pore Structure of Cement Paste under a Curing Period of 3 Years**

07/08/2017 <https://www.highbeam.com/doc/1G1-497730143.html>

The service life and durability of concrete structures strongly depend on the transport properties of the concrete. These transport properties are highly related to their microstructure, especially the pore structure of the hydrated cement paste.

#### **Why the Mortar of the Ancient Romans Has Lasted Millennia**

07/05/2017 <http://tjcnewspaper.com/why-the-mortar-of-the-ancient-romans-has-lasting-millennia>

The conglomerate-like concrete was used in many architectural structures, including the Pantheon and Trajan's Markets in Rome...Fly ash is similar to the volcanic ash that Romans used in their mix.

## **Infrastructure Policy**

### **Competition Trumps Cronyism**

07/18/2017 <http://dailycaller.com/2017/07/18/infrastructure-competition-trumps-cronyism/>

Rehabilitating the nation's roads, bridges, tunnels, etc. at a time when governments at all levels are cash-strapped will be a daunting task. But an even greater challenge will be replacing our vast network of leaking, corroded underground water pipes. By one estimate, leaking pipes lose 2.6 trillion gallons of water a year, or 17% of all the water moved in the United States.

### **A \$1 Trillion Gap: Could Traditional and Alternative Bundling Approaches Help Revive North America's Water System?**

07/13/2017 <https://www.spglobal.com/our-insights/A-1-Trillion-Gap-Could-Traditional-And-Alternative-Bundling-Approaches-Help-Revive-North-Americas-Water-System.html>

The recent public health crisis in Flint, Mich. has cast a bright spotlight on water quality issues and increased public scrutiny on how aging and deteriorating North American water infrastructure is operated and maintained.

## **Water & Wastewater Systems**

### **[Arizona] Broken Pipe Leads to Untreated Wastewater in Nogales Wash**

07/26/2017 <https://www.usnews.com/news/best-states/arizona/articles/2017-07-26/broken-pipe-leads-to-untreated-wastewater-in-nogales-wash>

Authorities say a broken pipe has resulted in untreated wastewater getting into the Nogales Wash.

### **[China] Burst Pipe Shoots Water More than 100 Meters into the Air**

07/25/2017 <https://www.msn.com/en-us/video/downtime/burst-pipe-shoots-water-more-than-100-metres-into-the-air/vi-AAoOkvc>

A spectacular clip has emerged from China of a burst pipe shooting a jet of water more than 100 metres into the air. The incredible footage shows the giant column of water filling the skyline in Quijing, Yunnan Province on July 23. According to local media, the pipe burst at a power station which was under construction.

### **[New York] Possible Central Sewage System for North Creek Explained**

07/13/2017 <http://www.suncommunitynews.com/articles/the-sun/possible-central-sewage-system-for-north-creek-explained/>

Sewer Commission Chairman Matt Parobeck presented the Johnsburg Town Board last month with the engineer's report containing options and the recommendation for a centralized wastewater system in the Hamlet of North Creek.

**[South Carolina] Want to Go for a Dip? Columbia Man Upset About Muddy Water Coming from City Line**

07/11/2017 <http://www.wfxg.com/story/35852888/want-to-go-for-a-dip-columbia-man-upset-about-muddy-water-coming-from-city-line>

The City of Columbia is in the process of launching plans for a major upgrade of water infrastructure in aging neighborhoods. It will take two years to complete, but an another example of why that work is needed popped up over the weekend.

**Water Sources****The Next Water Source**

07/26/2017 <http://waterwelljournal.com/next-water-source/>

The U.S. Geological Survey released in April its first nationwide assessment of brackish groundwater in more than 50 years.

**[Texas] City Water Search Advances**

07/20/2017 [http://www.oaoa.com/news/government/city\\_of\\_odessa/article\\_c07ca0f8-6d41-11e7-9b5a-3700830d7ec0.html](http://www.oaoa.com/news/government/city_of_odessa/article_c07ca0f8-6d41-11e7-9b5a-3700830d7ec0.html)

The Middle Pecos Groundwater Conservation District has granted an export permit for millions of gallons of water that could become a new long-term water supply for Odessa, a development that comes as the city also seeks to improve the notoriously chalky taste of its drinking water.

**REGULATORY RESULTS****Drought****Army Corps of Engineers & Environmental Protection Agency | Proposed Rule | Definition of “Waters of the United States”—Recodification of Pre-Existing Rules**

07/27/2017 <https://www.gpo.gov/fdsys/pkg/FR-2017-07-27/pdf/2017-13997.pdf>

The agencies are publishing this proposed rule to initiate the first step in a comprehensive, two-step process intended to review and revise the definition of “waters of the United States” consistent with the Executive Order signed on February 28, 2017, “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule.” This first step proposes to rescind the definition of “waters of the United States” in the Code of Federal Regulations.

**Water Infrastructure****Department of Transportation | Notice | Notice of Funding Opportunity for the Department of Transportation's Nationally Significant Freight and Highway Projects (INFRA Grants) for Fiscal Years 2017 and 2018**07/05/2017 <https://www.gpo.gov/fdsys/pkg/FR-2017-07-05/pdf/2017-14042.pdf>

The Nationally Significant Freight and Highway Projects (INFRA) program provides Federal financial assistance to highway and freight projects of national or regional significance. This notice solicits applications for awards under the program's FY 2017 and FY 2018 funding, subject to future appropriations.

**Water Supply****Environmental Protection Agency | Notice | Program Requirement Revisions Related to the Public Water System Supervision Programs for the State of Connecticut, the Commonwealth of Massachusetts, the State of New Hampshire, the State of Rhode Island and the State of Vermont**07/17/2017 <https://www.gpo.gov/fdsys/pkg/FR-2017-07-17/pdf/2017-14836.pdf>

Notice is hereby given that the State of Connecticut, the Commonwealth of Massachusetts, the State of New Hampshire, the State of Rhode Island, and the State of Vermont are in the process of revising their respective approved Public Water System Supervision (PWSS) programs to meet the requirements of the Safe Drinking Water Act (SDWA).

**Susquehanna River Basin Commission | Notice | Actions Taken at June 16, 2017, Meeting**07/03/2017 <https://www.gpo.gov/fdsys/pkg/FR-2017-07-03/pdf/2017-13914.pdf>

As part of its regular business meeting held on June 16, 2017, in Entriiken, Pennsylvania, the Commission took the following actions: (1) Approved or tabled the applications of certain water resources projects; and (2) took additional actions, as set forth in the supplementary information herein.

**Department of the Interior | Notice | Quarterly Status Report of Water Service, Repayment, and other Water-Related Contract Actions**07/03/2017 <https://www.gpo.gov/fdsys/pkg/FR-2017-07-03/pdf/2017-13958.pdf>

Notice is hereby given of contractual actions that have been proposed to the Bureau of Reclamation (Reclamation) and are new, discontinued, or completed since the last publication of this notice.

**LEGISLATIVE RESULTS****Drought****H.R. 23 | Introduced by Rep. Valadao, David [R-Calif.] | Gaining Responsibility on Water Act of 2017**Passed House on 07/18/2017 <https://www.congress.gov/bill/115th-congress/house-bill/23?>

To provide drought relief in the State of California, and for other purposes.

**H.R. 3275 | Introduced by Rep. McNerney, Jerry [D-Calif.] | Water and Energy Sustainability through Technology Act**

Introduced on 07/18/2017

<https://www.congress.gov/bill/115th-congress/house-bill/3275?>

To provide drought relief through innovation, increased water supply, and regional adaptation and self-sufficiency, and for other purposes.

**Sewer**

**H.R. 3238 | Introduced by Rep. Sanford, Mark [R-S.C.] | Disaster Assistance Equity Act of 2017**

Introduced on 07/18/2017

<https://www.congress.gov/bill/115th-congress/house-bill/3275?>

This bill amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act to modify the definition of "private nonprofit facility" to include any facilities (including roads, bridges, sewer systems, and other critical community infrastructure) owned or operated by a common interest community that provide essential services of a governmental nature.

