

**August 31, 2017 – VOLUME 14, ISSUE 8**

## **ACPPA Launches Congressional Education Effort on Bureau of Reclamation Moratorium**

Five years is too long to drag your feet. That's the message ACPPA has taken to the halls of Congress in recent weeks as the association seeks to educate lawmakers about the Bureau of Reclamation's (the Bureau) long-standing moratorium on the use of pre-stressed concrete pressure pipe (PCPP) and its failure to respond to our petition to lift the moratorium.

In March 2012, ACPPA formally petitioned the Bureau to rescind a policy adopted in 1990 that PCPP and fiberglass pipe "will not be considered as options in [Bureau] specifications." The memo indicated the policy was intended to be "temporary" and that "[i]f and when the ongoing research investigations are able to identify and clear up the problems with these pipe options, they may again be used in the future." Despite meetings and substantive discussions between the Bureau, ACPPA, and its members subsequent to the moratorium in the 1990s, according to the Bureau's response to ACPPA's April 2011 Freedom of Information Act request, "[t]he policy that was issued in March 1990 is still in effect."

[ACPPA's petition](#), filed in 2012, reiterated details of the many improvements made to the PCPP manufacturing process and updates to American Water Works Association (AWWA) PCPP specifications. To date, the Bureau has not formally acted on the petition (though draft specifications have been provided to ACPPA). Aside from being an unjustified black-mark against the industry, the moratorium denies states where the Bureau is active the benefits of using PCPP, a durable and versatile product.

At present, the main hurdle appears to be disapproval from the Department of the Interior for the Bureau to hire engineers for their Technical Services team, which among their other project design tasks would generate the revised PCPP specification. ACPPA is urging lawmakers to weigh in with Interior Secretary Ryan Zinke to inquire about the status of the ACPPA petition, the reason(s) for the Bureau's delay in acting on it, the rationale for maintaining the moratorium for so long and the Bureau's internal timeline for acting on the petition and, as appropriate, lifting the moratorium.

Association members wishing to support our effort should contact ACPPA Counsel Christian Klein at [christian.klein@potomac-law.com](mailto:christian.klein@potomac-law.com) to discuss how best to weigh in with your lawmakers. 

## **Congress Returns to Long "Must-Do" List**

Whatever you found waiting for you when you got back to the office from vacation pales in comparison to what's on Congress' September to-do list. Lawmakers returning to Washington, D.C. on Sept. 5 after a

month-long August recess face a daunting array of issues, many “must do” and each its own political maelstrom.

### ***FY 2018 Appropriations***

First on the list is simply keeping the federal government’s doors open and lights on. The federal fiscal year ends on Sept. 30. In theory, every year Congress is supposed to send the president 12 individual appropriations bills for the next fiscal year, each of which provides money for government activities in specific areas (transportation, defense, etc.). Although it’s been a long time since Congress has actually gotten all 12 bills done (omnibus continuing resolutions have become the norm in recent years), even by the standards of the modern Congress, lawmakers are well behind. To date, the House has passed just one appropriations bill; the Senate has passed none.

The uncertainty has real-world economic consequences. At stake for our industry is several billion dollars in funding for various federal water infrastructure and other construction programs, including the Environmental Protection Agency’s (EPA’s) State Revolving Funds.

It’s hard to imagine that Republicans would let the government shut down, given that they control Congress and the White House and would take all the blame. However, at a recent political rally President Trump threatened to do just that if Congress didn’t provide funding for a border wall. Political rhetoric aside, however, the most likely scenario is another series of short-term continuing resolutions to provide money for months, weeks or days at a time as negotiations for a long-term CR covering all FY 2018 continue.

### ***Raising the Debt Ceiling***

Then there’s the issue of the debt ceiling. According to the Congressional Budget Office, the Federal government may run out of money and start missing payments as early as October if Congress doesn’t increase borrowing authority. Treasury Secretary Steven Mnuchin has called on Congress to do so by Sept. 27. In an effort to allay concerns, Senate Majority Leader Mitch McConnell (R-Ky.) said this summer that there’s a “zero percent” chance that Congress won’t raise the debt ceiling, but until legislators send the bill to the president’s desk and Trump signs it, uncertainty will loom about whether or not the U.S. government will be able to meet its fiscal obligations.

### ***Hurricane Harvey Relief***

Those two housekeeping issues alone would be enough to absorb all of Congress’s bandwidth for the next month, but the devastation wrought by Hurricane Harvey has added a whole new level of urgency and complexity. Although the federal government already has [many programs in place to provide assistance to victims of natural disasters](#), given the scale of damage from the recent storm, it’s likely Congress will create a special multi-billion-dollar package of measures to help Texas recover, as it did for the northeast after Superstorm Sandy. But given that the federal government is already low on cash, it’s likely the debt ceiling will need to be raised first. In fact, it’s likely the desire to quickly help victims of Harvey will be a catalyst to faster action on the debt ceiling bill.

### ***Tax Reform***

After the failure of efforts to repeal/replace/fix Obamacare, the Trump administration is anxious to chalk up a win and mindful of the need to fulfil campaign promises. With that in mind, tax reform is at the top of the administration’s agenda.

In [a statement issued last month](#), the “Big Six” tax negotiators (McConnell, Mnuchin, House Speaker Paul Ryan (R-Wis.), National Economic Council Director Gary Cohn, Senate Finance Committee Chairman Orrin Hatch (R-Utah) and House Ways and Means Committee Chairman Kevin Brady (R-Texas)) said their goal was to enact a bill that “reduces tax rates as much as possible, allows unprecedented capital expensing, places a priority on permanence and creates a system that encourages American companies to bring back jobs and profits trapped overseas.” In that same statement, they indicated they had abandoned the much-maligned idea of transitioning to a new border adjustment tax system that would have effectively posed a 20 percent tax on imports.

A lingering question is how aggressive tax “reform” will actually be. Ryan and other congressional leaders have long talked in terms of comprehensive, structural changes to dramatically simplify the code. However, given the press of other business and limited time left to legislate in 2017, it looks more and more likely that this year’s “reform” may just wind up being a package of tax cuts.

### ***What About Infrastructure?***

As with tax reform, we’ve heard a lot of talk about infrastructure in recent weeks but have seen little detail from the administration. The major theme being sounded by White House officials is using federal money to attract more private investment. While ACPPA has long supported increased use of mechanisms like private activity bonds and the Water Infrastructure Finance and Innovation Act (WIFIA) to leverage private capital, we also support more direct federal funding and will continue to make that point in conversations on the Hill and with administration officials. There’s a possibility that tax and infrastructure legislation could move together in an effort to attract support from infrastructure-friendly Democrats.

### ***And What About All the Other Stuff?***

Aside from all the foregoing, there are other hot issues on congressional agenda. Authorization for the Federal Aviation Administration (FAA) expires at the end of September and although legislation has been approved by relevant committees, neither chamber has voted on a bill. Improving career technical education is still a high priority and an important opportunity. The House unanimously passed a workforce development bill earlier this year, but the Senate hasn’t done anything with it.

It’s going to be a busy fall for everyone in Washington, D.C. Stay tuned as ACPPA continues to navigate the halls of power on the industry’s behalf. 

## **Canada Infrastructure Bank Gets Royal Assent**

Infrastructure legislation may be on the slow track in Washington, D.C., but in Ottawa things are moving forward. In recent weeks, the Budget Implementation Act for 2017 [received royal assent](#), the final stage in Canada’s legislative process.

Among other things, the budget bill establishes a new Canada Infrastructure Bank, “an arm’s-length organization that will work with provincial, territorial, municipal, Indigenous and private sector investment partners to transform the way infrastructure is planned, funded and delivered in Canada.”

The CIB will coordinate the investment of an estimated \$35 billion in revenue-generating infrastructure projects and seek to attract more private sector capital so more projects can be built. According to the

Canadian government, \$5 billion will be available for “green infrastructure projects, including those that reduce greenhouse gas emissions, deliver clean air and *safe water systems*, and promote renewable power.”

In related news, former Royal Bank of Canada Chief Financial Officer Janice Fukakusa was [recently named](#) as the first chair of the CIB board.

The bank is expected to be operational later this year. More information is available at [www.infrastructure.gc.ca/CIB-BIC](http://www.infrastructure.gc.ca/CIB-BIC). 

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# Pressure Pipe Post

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ACPPA's Monthly Source for Industry News

August 2016

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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**

### **Health and Environment**

#### **Protecting the People Downstream**

08/28/2017 [http://www.mswmag.com/editorial/2017/09/protecting\\_the\\_people\\_downstream](http://www.mswmag.com/editorial/2017/09/protecting_the_people_downstream)

Sometimes a city tackles a major problem only because legislation requires it. Almost 30 years ago, the city of Grand Rapids, Michigan, embarked on a massive sewer separation project simply because it was the right thing to do. Today's total victory over combined sewer overflows is not only a credit to city staff and elected officials, but also the will of Grand Rapids' residents and ratepayers.

#### **Sen. Blumenthal to EPA: Act Now on Coal Ash Contamination in Puerto Rico**

08/25/2017 <http://www.latinorebels.com/2017/08/25/sen-blumenthal-to-epa-act-now-on-coal-ash-contamination-in-puerto-rico/>

U.S. Senator Richard Blumenthal (D-Conn.) today wrote U.S. Environmental Protection Agency Administrator Scott Pruitt urging action to address potentially toxic chemicals being deposited in landfill from a coal-burning power plant in Guayama, Puerto Rico.

#### **EPA Bowed to TVA in Nation's Largest Coal Ash Disaster, Records Show**

08/23/2017 <http://www.timesfreepress.com/news/business/aroundregion/story/2017/aug/23/epa-bowed-tva-nations-largest-coal-ash-disaster-records-show/445232/>

The Environmental Protection Agency knew the coal ash at the center of the nation's largest spill had dangerous levels of arsenic in it but ignored its own supervisor's recommendations on how to protect workers from it, documents say.

#### **Judge Kicks TVA's Ash**

08/07/2017 <http://insights.globalspec.com/article/6107/judge-kicks-tva-s-ash>

A federal judge ruled against the Tennessee Valley Authority (TVA) and how it stores coal ash near its four-unit coal-fired Gallatin power plant. The ruling comes after a trial that claimed TVA violated the Clean Water Act by storing coal ash in unlined storage ponds. The Southern Environmental Law Center argued that TVA's practice violated the act.

**Local Infrastructure****[California] Water Main Break Floods Downtown Monterey Business**

08/24/2017 <http://www.montereyherald.com/business/20170824/water-main-break-floods-downtown-monterey-business>

After a 16-inch water main failed Wednesday night, Visionary Health Care Services in downtown Monterey flooded — for the second time this year.

**[Oregon] Seeking Efficiencies Through Major Upgrades to Portland's Water Works**

08/14/2017 <http://www.route50.com/infrastructure/2017/08/portland-water-infrastructure-upgrades/140219/>

Local water rate-payers were served with the latest round of bad news in early August when Oregon's largest city decided on the most expensive, long-term option to add filtration technology to its pristine, Bull Run watershed. Water users in Portland pay among the highest rates in the country, largely because of a decade-long run of major capital improvements kicked off in 2006 when the U.S. Environmental Protection Agency ruled cities must cover their urban reservoirs.

**[California] Underground Infrastructure Upgrades take Shape**

08/13/2017 <http://www.petaluma360.com/news/7286985-181/underground-infrastructure-upgrades-take-shape>

While Petaluma's potholed streets are noticeably in need of repair, just below the pavement improvements to the city's less visible infrastructure are taking shape. A multi-million dollar effort to replace an aging downtown water main recently wrapped up as a handful of other critical water and wastewater-related infrastructure projects are underway to improve service for the city's more than 60,000 residents.

**[Connecticut] Jewett City Road Work not Making Life Easy for Local Businesses**

08/10/2017 <http://www.norwichbulletin.com/news/20170810/jewett-city-road-work-not-making-life-easy-for-local-businesses>

Road work has reduced Slater Avenue in Jewett City to one lane for the majority of the summer so far, creating traffic delays and congestion.

**Materials****Utilizing of Waste Ceramic Powders as Filler Material in Self-Consolidating Concrete**

08/29/2017 <https://www.highbeam.com/doc/1G1-501598923.html>

Using filler materials finer than 0.125 mm is quite effective on the fresh state properties, strength and durability of self-consolidating concretes. Most common filler materials used in self-consolidating concretes are minerals, blended cements and natural or artificial pozzolans. In this study, usability of granulated waste ceramic powder as filler material in self-consolidating concretes was investigated.

**Influence of Rice Husk Ash on Strength and Permeability of Ultra-High Performance Concrete**08/29/2017 <https://www.highbeam.com/doc/1G1-499654580.html>

Hereby paper presents the results of the research on determining the impact of cement and aggregate type on the formation of hardening temperature and mechanical properties of concrete. In the study, the six cement types, which contain up to 70% of main non-clinker constituents and four types of aggregate (basalt, granite, limestone and gravel) were used.

**Technology****Elon Musk: Can Tesla, SpaceX Innovator Revolutionize Tunnels?**08/14/2017 <http://www.desertsun.com/story/money/2017/08/14/elon-musk-tesla-boring-co-spacex-tunnels/516244001/>

If it were anyone else, the notion of digging hundreds of miles of tunnels to create a new subterranean transportation network under congested cities would seem like pure science fiction.

**Workforce****Wanted: Qualified People Who will Work for Yesterday's Wages**08/03/2017 <http://nashvillepublicradio.org/post/wanted-qualified-people-who-will-work-yesterdays-wages>

The economy in Bend, Oregon, is booming. Population has increased by 20 percent since 2010, driven by an influx of technology and service workers, and retirees, according to economist Damon Runberg at the Oregon Employment Department. This small city in the foothills east of the Cascades Mountains is also a prime tourist destination for skiers, kayakers, mountain bikers and microbrew enthusiasts. All that growth is creating demand for workers in construction, retail, hospitality, professional services and manufacturing.

**REGULATORY RESULTS****Infrastructure****The White House | Executive Order | Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects**08/24/2017 <https://www.gpo.gov/fdsys/pkg/FR-2017-08-24/pdf/2017-18134.pdf>

America needs increased infrastructure investment to strengthen our economy, enhance our competitiveness in world trade, create jobs and increase wages for our workers, and reduce the costs of goods and services for our families. The poor condition of America's infrastructure has been estimated to cost a typical American household thousands of dollars each year.

**Water Supply**

**Army Corps of Engineers | Proposed Rule; Reopening of Comment Period | Use of U.S. Army Corps of Engineers Reservoir Projects for Domestic, Municipal & Industrial Water Supply**

08/24/2017 <https://www.gpo.gov/fdsys/pkg/FR-2017-08-24/pdf/2017-17779.pdf>

The U.S. Army Corps of Engineers (USACE) is reopening the public comment period for the notice of proposed rulemaking that appeared in the Federal Register of December 16, 2016.

**LEGISLATIVE RESULTS**

**Water Supply**

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

08/08/2017 <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.

