

March 21, 2006

National Clean Water Policy Forum Approaches – Hotel Cut-Off is April 7

We look forward to seeing you in Washington in May when NACWA joins with the Water Environment Federation (WEF) to present the *National Clean Water Policy Forum*. The cut-off date to receive the special conference rate at the Capital Hilton is April 7. If you have not done so already, please call the Capital Hilton at 202.393.1000 to make your reservations today. Be sure to identify yourself as a *National Clean Water Policy Forum* attendee. We are looking forward to a timely, compelling program with dynamic speakers including political analyst Charlie Cook.

For the first time, we are planning a joint meeting of two Board Committees. On Monday, May 1, the Strategic Planning and Budget & Audit committees will meet together for the initial presentation of not only NACWA's FY 2007 budget, but also budget projections through the year 2011. This joint session will facilitate Board member consideration of the proposed and future budgets in the context of the Association's *Strategic Plan*. All Board members are encouraged to attend this session – whether or not they sit on the Strategic Planning or Budget & Audit committees.

The following committee meetings and special events should be of particular interest to Board Members:

Sunday, April 30, 2006

8:30 – 10:30 am	Strategic Planning and Budget & Audit Committees (Joint Meeting)
12:15 – 1:30 pm	Executive Committee

Monday, May 1, 2006

9:30 – 10:30 am	Legislative Policy Committee
10:45 – 11:45 am	Regulatory Policy Committee
12:00 – 2:00 pm	National Environmental Achievement Awards Luncheon
2:15 – 3:45 pm	Board of Directors Meeting

Please refer to the complete agenda for the *National Clean Water Policy Forum* for additional program sessions, events and details. We look forward to seeing you in Washington in May.

FY 2005 Audit Final

NACWA's *FY 2005 Audit* has been finalized and will be forwarded to the Board of Directors at the end of March. The National Office is in the process of preparing a response to the audit's accompanying Management Letter. Our response will include information on the Association's actions specific to all auditor recommendations. This response has been delayed due to the need for additional information from our bank with regard to the lockbox recommendation; however, we anticipate having that information soon so that we may complete our response.

NACWA/WEF/WERF Strategic Alliance Continues

As part of the ongoing Strategic Alliance between NACWA, the Water Environment Federation (WEF) and the Water Environment Research Foundation (WERF) monthly conference calls have continued between the presidents and executive directors of the three organizations. These calls have resulted in the identification of several matters that will likely warrant Board attention in the future. Included among these is a funding request to support the identification and exploration of existing mid-level leadership training offerings available to water and wastewater utilities. It is anticipated that the resulting information will facilitate the further evaluation of needs in this area.

The concept of a national institute for utility management is also receiving the attention of the Strategic Alliance partners. As currently envisioned, such an institute could provide a shared vision and common 'home' for numerous collaborative efforts related to utility management. Plans are also underway for a meeting of the officers of NACWA, WEF and WERF during the *National Clean Water Policy Forum in May*. The logistics for the meeting are currently being finalized, but it is likely it will take place on Wednesday morning, May 3, 2006. NACWA's Board of Directors will learn more about all of these initiatives in their May Board materials.

New Asset Management Initiative Underway

NACWA staff continues to work with representatives from the Water Environment Federation (WEF) and the Association of Metropolitan Water Agencies (AMWA) to secure a Memorandum of Understanding (MOU) among the three organizations for the development of a new publication on asset management tentatively titled, *A Practical Guide to Asset Management (Guide)*. The new *Guide* will build on the fundamentals contained in the 2001 handbook, *Managing Public Infrastructure Assets to Minimize Cost and Maximize Performance*. The Board approved NACWA's \$25,000 contribution to this new effort at its September 20, 2005, meeting. Following initial discussions with WEF and AMWA, NACWA prepared a draft MOU for consideration. Under the terms of the draft MOU, NACWA is responsible for selecting and managing the contractor that will prepare the *Guide*, and has contracted with CH2MHill, whose team will include many of the original authors from the 2001 document. A Project Review Committee, comprised of members of each of the sponsoring organizations, is being formed and we are ready to begin work just as soon as the MOU is signed.

Ensuring that the new *Guide* will be a valuable tool to the industry will require coordination with several ongoing efforts on asset management by other stakeholders. Most notably, the Water Environment Research Foundation (WERF) recently formed an Exploratory Team on asset management to guide the development of its research plan on the subject. Chris Hornback from the NACWA staff has been selected to be a member of that ET and will serve as the liaison between WERF's efforts and the NACWA/WEF/AMWA *Guide* development process. We look forward to providing another valuable publication to the Association's membership.

NACWA Engages EPA on Update of Policy on Significant Non-Compliance

NACWA and leaders of its Facility & Collection Systems and Legal Affairs committees plan to meet in the coming weeks with the U.S. Environmental Protection Agency (EPA) about guidance being developed that would broaden the criteria for determining significant non-compliance (SNC). The guidance would build, in part, on a 1995 policy memo from Steve Herman, then the EPA Assistant Administrator for Enforcement and Compliance Assurance (OECA) that sought to address violations of non-monthly averages in National Pollutant Discharge Elimination System (NPDES) permits.

A few states have copies of a draft of the new EPA guidance, which was discussed at a recent meeting of the Association of State and Interstate Water Pollution Control Administrators (ASIWPCA), but the draft has not been made available to other groups. NACWA has learned through conversations with various state officials that the new guidance would address discharges that result from sanitary sewer overflows (SSOs), combined sewer overflows (CSOs), stormwater runoff, and concentrated animal feeding operations (CAFOs). So far, state officials say they are pleased with the draft because it gives them flexibility to design their own programs.

NACWA has had several conversations with officials at OECA, who said they would welcome the opinions and thoughts of clean water agencies on the SNC issue. During a recent conference call with NACWA staff, committee members emphasized that the existing universe of what is considered SNC should not be expanded. One concern is a request by environmental activists that a municipality's failure to have an approved long-term control plan (LTCP) be considered SNC. Representatives of activist groups sent a letter to OECA in February urging EPA to list municipalities as in SNC if they have not complied with key parts of the CSO Control Policy. One state official who is privy to the draft guidance said no state would accept such a concept, calling it "arbitrary."

NACWA also would urge the Agency to include a provision in any SNC policy that would allow cities listed as being in SNC to have an opportunity for due process to challenge such a listing or provide information to update or correct the status if an improper SNC determination were made.

An updated draft of the policy that would be shared for comment with a broader range of interests, including municipalities, is expected in the early summer.

Water & Wastewater Leadership Center Looks to the Future

March 26 will mark the beginning of the sixth session of the Water & Wastewater Leadership Center. The two-week program, held at the University of Carolina Kenan-Flagler Business School, is full with 30 registrants. Based upon the recommendation of the Water & Wastewater Leadership Center Curriculum Committee the follow-up Alumni Program has been expanded from a two-day to a three-day program. The hope is that a longer, richer program will attract more participation from alumni. The Water & Wastewater Leadership Center joint venture also recently approved the dates for the fall 2006 and spring 2007 classes, which are as follows:

Alumni Program: September 11-13, 2006

Two-Week Program: March 18-30, 2007

NACWA National Environmental Achievement Awards Committee Completes Deliberations

At the February meeting, the Awards Committee selected 15 individuals and 20 agencies to be honored at our National Environmental Achievement Awards (NEAA) events to be held in conjunction with the *National Clean Water Policy Forum* in Washington, DC. Consistent with the Committee's instructions, the National Office has pursued Gulf Coast region nominees, in addition to Marcia St. Martin from New Orleans, in the NEAA Special Recognition category. We have identified two additional potential honorees that the Awards Committee is currently evaluating. Their decision-making process is slated to be completed by Wednesday, March 22, when

the final ballots are cast. At that time, a complete list of the 2006 NEAA awardees will be distributed to the Board.

In a related matter, the Association's National Environmental Achievement Awards themselves will have a new look this year. The new awards feature our new name and what is becoming known as the NACWA 'swoosh' found in the 'A' of our logo. Not only do the new awards clearly reflect the Association's forward-looking attitude and image – but also provide a cost savings over the previous award. We look forward to presenting them in May.

NACWA President Announces Committee News

NACWA President, Donnie Wheeler, recently announced changes to both the Association's committee structure and leadership. The name of NACWA Pretreatment & Hazardous Waste Committee has been changed to the Pretreatment & Pollution Prevention Committee, to more accurately reflect the scope of the efforts. The leadership of the Committee now rests in the hands of Ben Horenstein, Manager, Environmental Services, and East Bay Municipal Utility District, Calif., who will serve as Chair, and Vice Chair, Martie Groome, Laboratory & Industrial Waste Supervisor, City of Greensboro, N.C. Guy Aydlott recently retired from the Hampton Roads Sanitation District, and in doing so left his role as chair of the Pretreatment Committee. Guy's contributions to NACWA initiatives have been numerous and significant – and are greatly appreciated by the Association.

Donnie also has created an Emerging Pollutants Workgroup, which will join the Mercury Workgroup and Pathogens Workgroup under the umbrella of the Association's Regulatory Policy Committee. This new workgroup will bring the expertise and experience of the Association's Water Quality, Pretreatment, and Biosolids Management committees to bear on the important issue of emerging pollutants. The Workgroup will be chaired by David Tucker, Laboratory Supervisor, City of San Jose Environmental Services Department, San Jose, Calif., and will tackle issues such as endocrine disrupting compounds (EDCs), pharmaceuticals and personal care products (PPCPs), and industrial chemicals such as nonylphenols.

Donnie also announced that Adel Hagekhalil, Division Manager, Wastewater Engineering Services Division, City of Los Angeles Bureau of Sanitation, Calif., will serve as Co-Chair of the Facility & Collection System Committee along with current Co-Chair, Marty Umberg, Sewer Chief Engineer, Metropolitan Sewer District of Greater Cincinnati, Ohio. Departing from the leadership is Karen Pallansch, Engineer-Director, Alexandria Sanitation Authority, Alexandria, Va., who contributed significantly to the Committee's achievements and will continue her active involvement in the Association.

NACWA Annual Meeting /Board Elections Slated for July

Changes to the Board *Policies & Procedures* last year moved the Annual Meeting from its historic location in May to July so that it might occur at the same time as the adoption of the Association's annual budget. The same policies also call for the Nominating Committee to provide a notice of election to all members not later than sixty days prior to each annual meeting. Consistent with these directives, Association members can expect to hear from the Nominating Committee in early to mid May with regard to open Board seats and those seats up for re-election. Board members with questions regarding the upcoming elections may feel free to contact either Ken Kirk or Paula Dannenfeldt at the National Office.

Pre-Trial Conference Approaches in *Metropolitan Water Reclamation District of Greater Chicago v. NACWA/Farnan* Announces Retirement

At the urging of the judge, a pre-trial conference in the matter of *Metropolitan Water Reclamation District of Greater Chicago v. NACWA* has been scheduled for April 17, 2001 (see *January 31, 2006 Board materials, Attachment 16*).

NACWA Executive Director, Ken Kirk, will represent the Association in these negotiations, accompanied by legal counsel. In other news regarding MWRDGC, NACWA has learned that John C. Farnan, General Superintendent, has announced his retirement, effective May 4, 2006.

NACWA Welcomes New Staff

Recent weeks have seen two new additions to NACWA's National Office staff. Claudine Bodin has returned to the Association as our Managing Director, Member & Internal Services. In 1997-98 Claudine served as our Manager, Communications & Public Affairs. She has worked most recently with the U.S. Department of Agriculture, Forest Service, as a communications consultant. Claudine received her bachelor's in English Literature from Mount Holyoke College and has a master's degree in corporate public relations from Boston University.

Edward Gerety has joined the National Office staff as Executive Assistant to the Executive Director. Edward comes to our staff with several years of experience assisting organization leaders, most recently the White House's Director for the Interagency Council. Edward is a native New Yorker who received his bachelor's degree in Business Administration from the University of Georgia and is currently working on his Master's in Business Administration at George Washington University.

You may have also seen the name of Byron DeLuke on our staff list. Byron currently serves as Clean Water Funding Task Force Coordinator, a position created by – and funded through – the Association's Clean Water Funding Task Force. Prior to moving to Washington, Byron worked for the Teton County Weed & Pest Program in Jackson, WY., combating the spread of non-native species, mosquitoes, and viruses into Teton Valley. He is a native of Western New York and received his bachelor's degree in Environmental Studies from the University of Richmond.

Former NACWA President Bob Hite Facing Health Challenges

Our friend and colleague, Bob Hite recently underwent surgery related to the continuing treatment of cancer. He is currently at home recovering, but faces significant continuing treatment. We invite you to keep Bob and his family in your thoughts. The following information is provided should you wish to contact him:

Robert Hite
648 Humboldt Street
Denver, CO 80218-3636
Telephone: 303.321.2204

We look forward to seeing you all in May for the
National Environment Achievement Awards, NACWA's Board of Directors Meeting
and the *National Clean Water Policy Forum!*