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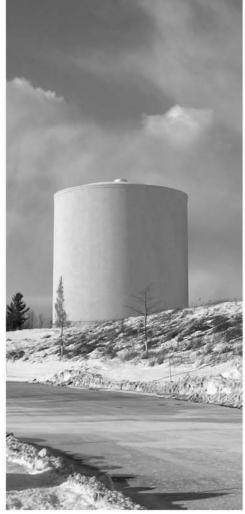
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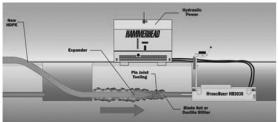
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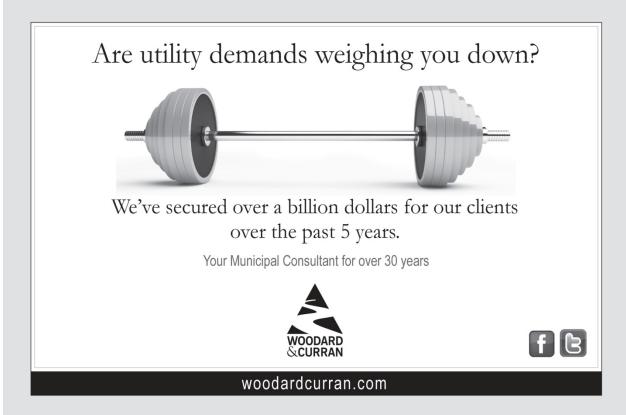
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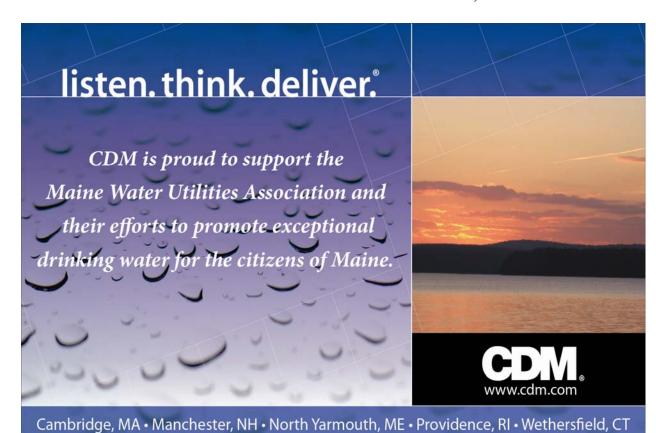
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Volume 90 2011

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Technical articles and other subjects of lasting interest are solicited. Advertising is accepted from Associate members of the association.

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### FINAL STATUS REPORT BILLS OF INTEREST TO THE WATER SUPPLY PROFESSION FIRST SESSION OF THE 125<sup>TH</sup> MAINE LEGISLATURE

### **STATUS CODE KEY:**

CO - Carry Over (to next session)
ONTP - Ought Not to Pass
OTP - Ought to Pass
PL - Public Law
P & S - Private & Special Law
RES - Resolve

L.D. TITLE STATUS

#### 1 An Act to Ensure Regulatory Fairness and Reform

PL 304

During the First Regular Session of the 125th Legislature, the Joint Select Committee on Regulatory Fairness and Reform held seven public meetings throughout the State and received hundreds of recommendations for regulatory reform from the public, the regulated business community, environmental advocacy groups and other stakeholders. The committee reached unanimous agreement on the provisions in PL 304 to implement a number of significant and critical regulatory reforms, to "ensure regulatory fairness, improve the business climate of the State, encourage job creation and retention and expand opportunities for Maine people". This law is comprehensive in amending numerous sections of statute including those administered by the Department of Environmental Protection, the Department of Economic and Community Development, the Department of the Secretary of State, the Department of Health and Human Services and the Commissioner of Public Safety. A number of changes to the structure and functions of the Board of Environmental Protection were made.

### 16 An Act to Revise Notification Requirements for Pesticides Applications Using Aircraft or Air-carrier Equipment

**DEAD** 

This bill proposed to reduce the distance for notification of the spraying of pesticides by aircraft or air-carrier equipment from 1,320 feet to 100 feet on the intended spray area to a person on the registry. Notification of pesticides applied by air-carrier into the crowns of fruit trees or Christmas trees would have been reduced from 500 feet to 50 feet. The bill was reported out of committee as Ought not to Pass.

### 156 An Act to Clarify the Regulation of Impacts to Significant Vernal Pool Habitats Under the Natural Resources Protection Act

The bill would have clarified that a landowner proposing to cause an impact to a significant vernal pool habitat would not be subject to regulation pursuant to the Department of Environmental Protection's vernal pool rules if the significant vernal pool habitat depression was not on property owned or controlled by that landowner.

This bill also would have clarified that, when a vernal pool habitat had not previously been determined to be significant and the Department of Environmental Protection or the Department of Inland Fisheries and Wildlife made a determination as to its

significance, the vernal pool habitat would be considered to be not significant if it was located in southern Maine and dried out after spring filling and before July 15th or if it was located in northern Maine and dried out after spring filling and before July 31st. The bill was reported out of committee as ONTP.

### 159 An Act to Foster Economic Development by Improving Administration of Laws Governing Site Location of Development and Storm Water Management

PL 359

The bill was amended to 1. Exempt trail management activities from review under the laws governing storm water management on snowmobile trails developed as part of the Maine Trails System under MRS, Title 12, section 1892; 2. Retain the provision in the bill that provides that rules adopted by the DEP after January 1, 2010 pursuant to the laws governing storm water management are major substantive rules, with certain limited exceptions in the rules governing storm water management for minor clerical corrections and technical clarifications; 3. Narrow the provision in the bill that proposes to create consistency between the laws governing site location of development and the Natural Resources Protection Act in standards pertaining to a development's effects on existing uses, scenic character and protected natural resources. The amendment requires the DEP to apply the standards adopted in rule pursuant to the Natural Resources Protection Act for significant vernal pool habitat to significant vernal pool habitat reviewed under the laws governing the site location of development. It prohibits the department from requiring a buffer strip adjacent to significant vernal pool habitat under the laws governing site location of development unless the buffer strip is established for another protected natural resource; 4. Retain the provision in the bill that provides that rules related to standards for development adopted by the DEP after January 1, 2010 pursuant to the laws governing site location of development are major substantive rules, except for standards for blasting and wind energy development or offshore wind power projects; 5. Direct the DEP to adopt rules to allow activities in, on or over high and moderate value waterfowl and wading bird habitat to be eligible for permit by rule under the Natural Resources Protection Act; 6. Authorize the Joint Standing Committee on Environment and Natural Resources to report out a bill relating to high and moderate value waterfowl and wading bird habitat to the Second Regular Session of the 125th Legislature; and 7. Strike the provisions in the bill that revises the thresholds for review by the DEP pursuant to the laws governing site location of development.

#### 219 An Act to Amend the Laws Governing Shoreland Zoning

DEAD

**DEAD** 

This bill proposed to reduce land that is subject to shoreland zoning and land use controls from 250 feet to 75 feet. A municipal ordinance dealing with shoreland zoning in effect on January 1, 2011 would have remained in effect until amended, changed or rescinded by that municipality.

### 222 <u>An Act to Provide for the Appointment of Division Directors in the Department</u> of Environmental Protection

This bill would have added division directors within bureaus of DEP to the list of major policy-influencing positions, resulting in their becoming unclassified service positions appointed by the Commissioner of Environmental Protection.

### 228 An Act to Revise Notification Requirements for Pesticide Application

PL 332

This legislation removes the registry of properties of residents, lessees and property owners who request advance notice of outdoor pesticide application. The current rules of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control will govern the notification requirements.

An amendment adds to the bill a provision that directs the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control to amend its rules governing the process for requesting notification of outdoor applications of pesticides to establish a distance from an aerial application of pesticides within which a person is entitled to receive notification of the application. The rule must further specify that an owner, lessee or other legal occupant of a sensitive area receive notification of aerial applications of pesticides made within 1,000 feet of the sensitive area.

### 240 An Act to Allow the Removal of Gravel Bars in the Sandy River

**DEAD** 

This bill would have allowed the removal or displacement of point gravel bars, which are an accumulation of gravel, sand and silt deposited on the inside edge of a stream bend, without requiring a permit from the DEP in the Town of Farmington. This bill received a unanimous ONTP report from the committee.

### 242 An Act to Prevent the Spread of Milfoil in the Songo River (Emergency)

**DEAD** 

This bill would have directed the Commissioners of Environmental Protection and Conservation to close the lock on the Songo River in the Town of Naples to prevent the upstream spread of aquatic invasive plant species.

### 252 An Act to Amend the Laws Governing Aquatic Nuisance Species

PL 47

This bill changes the definition of aquatic plant to includes any plant species that require a permanently flooded freshwater habitat as an aquatic nuisance species. It also provides that a vacancy of a public position on the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species may be filled by a person who does not represent a particular constituency, but who has demonstrated experience or interest in the area of threats to fish and wildlife posed by invasive aquatic plants and nuisance species, if after 6 months of a vacancy on the task force the Governor cannot fill that vacancy.

### 253 <u>Resolve, to Establish a Single construction Permit for Aboveground Oil Storage</u> Tanks in Gravel Pits and Quarries

**RES 26** 

This requires the DEP in consultation with the Office of the State Fire Marshal to establish a permit-by-rule process for obtaining a single construction permit for aboveground oil storage tanks that are used for the supply of diesel fuel and located in excavations for borrow, clay, top soil or silt and quarries that meets the requirements of MRS, Title 25, section 2483 and Title 38, sections 490D and 490Z.

### 292 An Act to Prohibit Placing the Carcass of a Dead Animal on a Frozen Body of Water for the Purpose of Baiting Covotes

**DEAD** 

This bill would have prohibited the placement of a dead animal carcass on the ice of

a brook, great pond or river for the purpose of coyote hunting.

### 297 <u>An Act to Allow Treasurers to Process Tax Lien Discharge and Sanitary</u> PL 104 District Sewer Lien Documents Using Facsimile Signatures

This bill allows municipal treasurers to use facsimile signatures in filing and processing tax lien documents and extends the use of facsimile signatures in the processing of sanitary district sewer liens.

#### 304 An Act to Promote the Hiring of Seasonal Workers

DEAD

This bill proposed to allow an employer to employ an employee for 10 weeks without being charged for unemployment benefits.

### 309 <u>An Act to Make Voluntary Membership in a Public Employee Labor</u> CO Organization In the State

This bill would amend the State's labor laws to ensure that public sector unions represent only those public employees who are members voluntarily.

### 331 Resolve, Regarding Legislative Review of Portions of Chapter 895: RES 31 Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission

LD 331, the resolve to adopt the Underground Facility Damage Prevention (Dig Safe) provisionally adopted rule, was significantly modified by the Maine Legislature. The final document, Resolve Chapter 31, accomplishes a number of things.

It removed all provisionally adopted changes to Chapter 895: Underground Facility Damage Prevention Requirements. It replace the definitions of "emergency" and "emergency excavation" in the rule with a definition of "emergency excavation" that is the same as the definition that appears in the Maine Revised Statutes, Title 23, §3360A. 1. B. (the underlying Dig Safe statute).

It modifies Section 4(B) of the rule to provide that the period after which a Dig Safe System ticket must be renewed is 60 days and that the ticket may be renewed twice. It modifies section 7(B)(1) of the rule governing the enforcement action procedure to change references to "notice of probable violation" to a more neutral terminology, such as "notice of investigation," and references to "probable violation" to a more neutral terminology, such as "possible violation".

It removes the part of Section 4(B)(1)(a) of the previously enacted rule that requires each excavator performing work in an excavation area to notify the Dig Safe System so the rule is consistent with 23 M.R.S.A. § 3360-A(3)(F). Specifically, the statute requires that the excavator directly responsible for performing the excavation make the necessary notifications.

Additionally, the rule was modified to reflect the fact that Title 23 was amended by Public Law 72 (see LD 407 below). Exemptions to the notice requirements of 23 M.R.S.A. §3360-A for authorized road grading and excavation in quarries now include borrow pits within the new exemption for quarries.

### 336 An Act to Preserve the State's Public Pension Fund

**DEAD** 

This bill would have increased the contributions of state employees and teachers by an additional 1% from July 1, 2011 to July 1, 2016. Cost-of-living adjustments from September 2012 to August 2018 would be affected as follows: 1) an annual pension of \$25,000 or less cost-of-living adjustments would not be limited, 2) those greater than \$25,000 but no greater than \$45,000 the cost-of-living adjustments would be reduced by 50% and 3) those greater than \$45,000 would not receive any cost-of-living adjustments.

### An Act to Exempt Artificial Wetlands and Artificial Significant Vernal Pool Habitats from State Regulation

**DEAD** 

 $\mathbf{CO}$ 

This bill would have exempted artificial wetlands and artificial significant vernal pool habitats from state regulation under the Natural Resources Protection Act.

### 359 An Act to Authorize a General Fund Bond Issue for Wastewater and Drinking Water Revolving Loan Funds

The funds provided by this bond issue, in the amount of \$15,500,000, would be used to fund revolving loan funds for drinking water systems and wastewater facilities and to secure federal grants.

### 379 An Act to Stop Unfunded Mandates Concerning Waste Discharge Licenses

**DEAD** 

This bill would have prohibited the DEP from imposing by rule any requirements that qualify as an unfunded mandate on a waste discharge licensee unless necessary to comply with a federal regulation.

### 407 An Act to Require Clarification of the Dig Safe Standards

**PL 72** 

LD 407 was enacted as Public Law 72. It amends the Dig Safe statute. It requires that excavators commence an excavation within 12 hours after providing notice to the system, or as soon thereafter as can safely be accomplished and that underground facility operators locate their facilities as soon as reasonably possible after receiving notification of an emergency excavation. PL 72 also modified the exemptions for quarries and borrow pits and it modified the unpaved public road grading procedure to allow for a 12 month grading period, once the appropriate notifications have been made.

PL 72 also established a Dig Safe Work Group, which has been tasked with examining: pre-excavation marking standards for excavators; marking standards for owners and operators of underground facilities; enforcement procedures and standards and the appropriate use of penalties; and clarification of incident reporting and ensuring that incident investigations involve appropriate fact-finding and do not assume or require inappropriate admission of fault. The Public Utilities Commission and the chair of the work group are to jointly submit a report to the Joint Standing Committee on Energy, Utilities and Technology that includes all findings and recommendations no later than January 15, 2012.

### 424 An Act to Revise the Laws Governing the Licensure of Public Water System PL 45 Operators

This bill adds distribution facilities to the list of public water systems that the Board of Licensure of Water System Operators shall classify. It authorizes the board to license persons to serve as operators of only public water systems in the State and allows the board to design or approve examinations. The bill requires a person who fails to renew that person's license within 2 years following the expiration of the license to take an examination as a condition of licensure. The bill increases the fee limit for the various water system operator fees from \$60 to \$95. The bill also has a separate fee for the examination and licensure of public water system operators.

#### 429 An Act to Clarify the Role of the Public Advocate

**PL 79** 

This bill was amended. Public Law 79:

- 1. Authorizes the Public Advocate to represent and promote the interests of the using and consuming public in appropriate proceedings of the Legislature and in regional or national forums, including but not limited to any proceeding of an independent system operator or the Federal Energy Regulatory Commission;
- 2. Requires the Public Advocate, when taking a position on any matter in any proceeding or forum, to exercise independent judgment to ensure the position is consistent with the requirements of the law governing the Public Advocate and promotes stabilization and lowering of prices paid by those members of the using and consuming public whose interests the Public Advocate is representing; and
- 3. Repeals the Railroad Crossing Information Council, on which the Public Advocate serves. The council serves as a repository of information concerning the establishment or maintenance of private railroad crossings and provides information and assistance to persons regarding private crossings of railroads.

### 434 An Act to Exempt Wetlands Created by Obstructions or Barriers from the Shoreland Zoning Laws

This bill would exempt freshwater wetlands that are created as a result of artificial or natural obstructions or barriers from regulation under the shoreland zoning laws.

### 459 An Act to Improve Municipal Reimbursement under the Maine Tree Growth Tax Law

This bill was a concept draft that proposed to amend the formula under the Maine Tree Growth Tax Law to ensure that municipalities were properly reimbursed.

### 515 An Act to Review State Water Quality Standards PL 194

This bill was amended. The amendment allows mercury testing once per year for facilities that maintain at least 5 years of mercury testing data. It establishes a new risk level of one in 10,000 risk level when calculating ambient water quality criteria for inorganic arsenic when the Department of Environmental Protection is calculating ambient water quality criteria. It provides that the department may use any unallocated assimilative capacity that the department has set aside for future growth if use of the unallocated assimilative capacity would avoid an exceedance or reasonable potential to exceed ambient water quality criteria. It provides that metals limits must be expressed as mass-based limits.

### 543 An Act to Protect Legislative Intent in Rulemaking

 $\mathbf{CO}$ 

This bill is a concept draft. This bill requires the review of agency rule-making authority and establishes clearer distinctions between major substantive rules and routine technical rules to ensure that legislative grants of rule-making authority are clear and specific enough to not result in agency misunderstanding of legislative intent or overly broad construction of the grant of rule-making authority

### 591 An Act to Prohibit the Use of Pesticides in Certain Circumstances

**DEAD** 

This bill would have prohibited the application of pesticides by aircraft. It also would have prohibited the use of pesticides for aesthetic purposes, removing vegetation in parks and removing vegetation along roadsides when it could be controlled by other means. This bill also would have required the examination of using naturally occurring pesticides as opposed to synthetic chemical pesticides.

### An Act to Set Aside One Percent of Committed State Funds for Food Projects

**DEAD** 

This bill would have required anyone receiving money appropriated or allocated by the Legislature for the construction of public improvement projects to use 1% of those funds to support food projects according to standards established by the Department of Administrative and Financial Services, Bureau of General Services.

### 616 An Act to Clarify Landowner Liability for Environmental Damage Caused by Others

**DEAD** 

This bill would have limited the responsibility for landowners for environmental violations caused by recreational or harvesting activities.

#### 621 An Act to Clarify Adverse Possession

**DEAD** 

This bill would have amended the adverse possession law to clarify in statute that certain actions taken near property lines would not support a claim for adverse possession. De minimus nonstructural encroachments and maintenance across boundary lines would be deemed to be permissive and not adverse, therefore defeating a claim that the actions show possession and use of the property as actual, open, notorious, hostile, under claim of right, continuous and exclusive for a period of at least 20 years.

### 670 An Act to Prohibit Certain Uses of Cellular Telephones and Handheld Electronic Devices while Operating a Motor Vehicle

**DEAD** 

This bill would have prohibited the use of a handheld cellular telephone and a handheld electronic device while operating a motor vehicle, except that cellular telephones that allow hands-free operations would have been allowed. The bill included exemptions for law enforcement officers, corrections officers, firefighters, authorized emergency vehicles, holders of commercial driver's licenses, physicians, municipal public works, Maine Turnpike Authority personnel and state transportation personnel, and all employees and contractors of the Department of Transportation while operating within the scope of their employment. The offense would have been a traffic infraction.

### An Act to Clarify the Taxing of Property of Quasi-municipal Organizations

**DEAD** 

This bill would have provided a property tax exemption for all property of public municipal or quasi-municipal corporations appropriated for public uses.

### 732 An Act to Reduce Costs for Businesses with Previous Utility Payment Records

**RES 32** 

The original bill would have provided that a public utility may not require an escrow or other initial start-up payment from a business customer that has an acceptable credit history with a previous public utility in the State. The bill was amended to direct the Public Utilities Commission, by rule, to require a transmission and distribution utility to consider a business owner's prior credit history with another transmission and distribution utility when determining whether to require a deposit for service to a new business of that business owner as long as the business owner requests this consideration and provides permission for the other transmission and distribution utility to share the credit history information. The rules must require that the transmission and distribution utility consider the business owner's prior credit history with the other transmission and distribution utility in the same manner it would consider the prior credit history of a business owner located in its own service territory

### An Act to Authorize a General Fund Bond Issue to Invest in Water and Sewer Infrastructure to Protect Public Health and to Facilitate the Expansion and Growth of Business

 $\mathbf{CO}$ 

This bill is a bond issue in the amount of \$30,000,000 to repair and reconstruct water and sewer systems that the Department of Environmental Protection considers to be the greatest threat to the public health and expansion of business.

#### 772 An Act to Amend the Auditing Requirements for Accounts of All Water Utilities

PL 77

Under current rules and decisions of the Public Utilities Commission, water utilities with revenues under \$50,000 are exempt from annual auditing requirements otherwise required by the commission pursuant to MRS, Title 35A, section 505. This amendment codifies this existing exemption. The amendment also provides that consumer-owned water utilities with revenues greater than \$50,000 but not exceeding \$250,000 are exempt from the commission's annual auditing requirements, but that such water utilities must cause to be conducted, in accordance with generally accepted auditing standards, an annual review of their accounts. Also, not less than once every 5 years and for any year used as a test year for ratemaking purposes, such water utilities must cause to be conducted an audit of their accounts. The amendment does not limit or affect any other reporting, review, auditing or other requirement imposed by a creditor of the water utility or by any other applicable law or government authority.

### 872 An Act to Clarify the Natural Resources Protection Act (Emergency)

**DEAD** 

This bill would have changed the setback for significant vernal pool habitat, high and moderate value inland waterfowl and wading bird habitat and shorebird nesting, feeding and staging areas to 75 feet. The bill would have also provided for compensation for property value losses due to the more stringent setback regulations.

### 909 An Act to Provide Additional Flexibility for the Funding of Infrastructure Improvements by Consumer-owned Water Utilities

PL 106

This bill modifies the streamlined ratemaking process available to consumer-owned water utilities by: 1. Repealing the requirement that to qualify for a rate increase under the streamlined ratemaking process, a consumer-owned water utility must have negative net income in the 2 consecutive fiscal years immediately preceding the year in which the rate increase is proposed; 2. Repealing the requirement that a consumerowned water utility proposing to use the streamlined ratemaking process file with the Public Utilities Commission balance sheets or financial statements for the 3 most recent years together with other annual financial information the commission may prescribe; 3. Clarifying that the consumer-owned water utility must file with the Public Utilities Commission and the Public Advocate all materials supporting the rate increase that are required to be filed under the MRS, Title 35A, section 6104, subsection 4A; 4. Repealing the requirement that when the consumer-owned water utility advertises the public meeting on its rate increase the notices must inform customers of the 10 person complaint process under Title 35A, section 1302; and 5. Increasing the amount of rate increases that may be accomplished through the streamlined ratemaking process. Under the amendment a consumer-owned water utility that has total revenues of at least \$750,000 may increase its rates up to 3% in any single ratemaking and up to 10% over 5 years; a consumer-owned water utility that has total revenues less than \$750,000 but at least \$250,000 may increase its rates up to 5% in any single ratemaking and up to 15% over 5 years; and a consumerowned water utility that has total revenues of less than \$250,000 may increase its rates up to 7.5% in any single ratemaking and up to 20% over 5 years.

The bill also directs the Public Utilities Commission to convene a work group to examine ways of ensuring that the capital requirements of these water utilities are provided for in an adequate and appropriate manner. The commission shall report the results of the examination and any recommendations for changes to laws to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2012. The Joint Standing Committee on Energy, Utilities and Technology may report out a bill to the Second Regular Session of the 125th Legislature relating to the subject matter of the report.

### 916 An Act to Clarify Notification Procedures during an Emergency Excavation

**DEAD** 

This bill would established steps that an underground facility operator must take in order to conduct an emergency excavation, including: immediately notifying the underground facility damage prevention system, otherwise known as "Dig Safe"; as soon as practicable, locating its underground facilities and marking the excavation area; and excavating the marked area after determining there are safe working conditions and upon the earlier of when the damage prevention system clears the area for excavation and when 4 or more hours have passed after notification to the system.

This bill also would have required an underground facility operator to commence an emergency excavation within 12 hours after notification to the damage prevention system unless the circumstances of the emergency require a greater amount of time as determined by the underground facility operator.

### 1015 An Act to Reduce Unnecessary Reporting Requirements for the Department of Environmental Protection PL 120

This bill would have repealed a number of reporting requirements of the Commissioner, or the Department, of Environmental Protection. The bill was amended to strike the original language and the title was changed to **An Act To Reduce Unnecessary Reporting Requirements Related to Natural Resources.** The final outcome, Public Law 120, exempts agricultural producers from the water withdrawal reporting program and removes the Commissioner of Agriculture, Food and Rural Resources from the list of commissioners to whom a water withdrawal report may be submitted.

#### 1041 An Act to Simplify and Enhance Pest Control Notification

**DEAD** 

This bill would have amended the notification process for pesticides applications. The bill would have directed that the registry established by the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control would be the only mandatory notification system for outdoor applications. It would have required all registrants to update or confirm their contact information annually. The bill would have amended notification requirements that currently apply to applications made using aircraft or air carrier equipment to provide that the requirements apply to outdoor applications generally. It would have required that the board determine the distances between properties and applications within which a land manager is required to notify a person whose property is on the registry of an application based on the type of equipment used to make the application; currently, these distances are set out in statute. The bill was voted out of committee ONTP.

## An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2012 and June 30, 2013

PL 380

This bill is the vehicle for Maine's 2012-2013 budget. There were amendments that received unanimous approval from the committee. One amendment addressed the 2011 SRF match shortfall and the other established a 10 year funding mechanism for SRF funding for both the drinking water and clean water programs. Specifically, the first amendment provides \$570,000 and \$850,000 to fully fund the required state matches for the Drinking Water and Clean Water SRF capitalization grants, respectively, for 2011. The second action involves the allocation of up to 15% of the guaranteed fixed annual payments under the contract to be awarded for the State's wholesale liquor activities associated with distributing and selling spirits and fortified wines sold by the State. That 10 year contract period runs from 2014 – 2023, with the first annual payment being due July 1, 2014. The allocations are to be used for federal matching purposes for the revolving loan funds for drinking water systems and for wastewater treatment facilities. It is expected that 15% of the annual payments will be adequate to fund the match requirements. This action of the committee, the Legislature and the Governor provide a stable long term funding solution to the perennial challenge of securing the 20% matches which are required for the two programs.

### 1061 An Act to Amend the Lien Process for Unpaid Water Rates

**PL 97** 

This bill gives all water utilities the right to place a lien for unpaid rates.

### 1077 An Act to Enhance Public Participation in Decisions Relating to the Large-Scale Extraction and Transportation of Water

**DEAD** 

This bill would have required the approval of all the voters of a municipality before a consumer-owned water utility, a municipality or the Maine Land Use Regulation Commission and another entity entered into a contract for large-scale water extraction or large-scale transportation of water. In the case of a consumer-owned water utility or a municipality, the voters would have had to approve the proposed contract at a town meeting. This would have also removed exceptions to the laws governing contracts for large-scale extraction of water and some of the exceptions to the laws governing contracts for large-scale transportation of water. The bill was voted out of committee ONTP 12 -1.

### 1120 An Act to Move the Land for Maine's Future Program to the Department of Agriculture, Food and Rural Resources

 $\mathbf{CO}$ 

This bill would have moved responsibility and resources for the Land for Maine's Future Program from the Executive Department, State Planning Office to the Department of Agriculture, Food and Rural Resources.

### 1129 An Act to Provide the Department of Environmental Protection with PL 319 Regulatory Flexibility Regarding the Listing of Priority Chemicals

This amended bill makes a number of changes to the priority chemical program.

- 1. It prohibits the Department of Environmental Protection from initiating rulemaking under the Maine Revised Statutes, Title 38, chapter 16-D unless the chemical at issue has been included in a regulatory agenda disclosed to the Legislature pursuant to the Maine Administrative Procedure Act or the rulemaking is in response to a petition by a person to adopt or modify a rule pursuant to the Maine Administrative Procedure Act.
- 2. It changes the name of the list of "chemicals of high concern" to "chemicals of concern." Conforming name changes are made throughout the amendment. By January 1, 2012, the department is required to remove chemicals from the original list that are exempt from regulation. A person may petition for removal of chemicals that don't meet the listing criteria.
- 3. By July 1, 2012, a new list of up to 70 "chemicals of high concern" must be developed by the Department of Health and Human Services, Maine Center for Disease Control and Prevention and published by the Department of Environmental Protection based on a finding of strong credible evidence of toxicity and one or more indicators of likely exposure.
- 4. The Department of Environmental Protection, in rule, is required to specify appropriate de minimis levels for each chemical of high concern. "De minimis level" is defined. For a chemical present in a product as a contaminant, the de minimis level is 100 parts per million. For a chemical that's intentionally added to a product by a manufacturer, the de minimis level is the practical quantification limit, which is the lowest concentration of the chemical that can be reliably and accurately measured.
- 5. The Commissioner of Environmental Protection is required to review the published list of chemicals of high concern at least every 3 years and may, with the

concurrence of the Department of Health and Human Services, Maine Center for Disease Control and Prevention, remove chemicals that no longer meet the listing criteria and may add chemicals that meet the criteria. The list of chemicals of high concern may not consist of more than 70 or fewer than 10 chemicals, unless fewer than 10 meet the listing criteria.

- 6. Effective July 1, 2012, a "priority chemical" may be designated only if the chemical has been listed on the list of chemicals of high concern.
- 7. The definition of "children's product" is amended by limiting it to those products intended, made and marketed for use by children under 12 years of age and other consumer products through which a child under 12 years of age or a fetus is likely to be exposed to a chemical of concern.
- 8. The definition of "consumer product" is narrowed to mean items sold for indoor use in a residence, child care facility or school, or for outdoor residential use if children may have direct contact with the items.
- 9. Definitions of "credible scientific evidence" and "practical quantification limit" have been added.
- 10. The criteria to be considered for designating a priority chemical are reduced from 6 to 3.
- 11. In determining whether a safer alternative is available, the Department of Environmental Protection may presume that a safer alternative is available if another state bans that chemical only if that state based its action on the availability of safer alternatives.
- 12. It provides that the Department of Environmental Protection may consider the extent to which a chemical is adequately regulated by the Federal Government or another state agency in Maine in exercising its discretionary authority under the law.
- 13. It provides that the following are exempt from the requirements for disclosing information for priority chemicals and from any sales prohibition:
  - A. Inaccessible components, except that the Department of Environmental Protection may adopt a rule based on a case-by-case evaluation to subject inaccessible components to those requirements; and
  - B. A priority chemical that occurs in a product component only as a contaminant, if the manufacturer had a manufacturing control plan and exercised due diligence.
- 14. It allows a manufacturer 30 days instead of 10 days to respond to the Department of Environmental Protection's request for a certificate of compliance.
- 15. It provides that any reporting requirements for products containing existing priority chemicals that have been adopted by rule by the Department of Environmental Protection are extended to the effective date of this legislation. It makes this provision retroactive to the date the reports are currently required, July 8, 2011.

### 1135 An Act to Protect the Rights of Property Owners

**DEAD** 

This bill would have required the State or a municipality or county to pay compensation for the enactment or application of land use regulations that reduced the fair market value of private property, with some exceptions. The owner would have been due compensation 180 days after making a written demand for payment. If the public entity did not pay the compensation, the owner could have filed the claim in Superior Court and would have been entitled to attorney's fees and other costs. If compensation were not paid within 2 years, the owner could use the property as permitted at the time the owner acquired the property.

### 1151 An Act Regarding Reporting Procedures of Lobbyists

PL 179

This bill requires the Commission on Governmental Ethics and Election Practices to display on its publicly accessible website monthly reports filed by lobbyists and an annual summary of those monthly reports, it eliminates the requirement that lobbyists and employers of lobbyists file annual reports with the commission, and it establishes the procedure for the commission to follow after a registration or report is filed late and defines "mitigating circumstances" for purposes of determining in which cases the commission may waive a penalty.

### 1153 An Act To Regulate the Bonded Indebtedness of the State

PL 391

This bill would have required that any indebtedness of units of local government having the power to issue bonded indebtedness, (which would include water and wastewater utilities) receive statewide voter approval. The bill also stipulated that bonded indebtedness authorized by the Legislature or sold by an authority must be sold in a competitive sale, unless an alternative mode of sale was approved by a vote of the authority's board and approved by the State Treasurer. MWUA, along with many others, testified in opposition to the bill. An amended version of the bill was enacted as Public Law 391, and all of the troubling provisions were stripped from the LD 1153. PL 391 requires that GARVEE bonds receive a 2/3 vote in each House of the Legislature.

### 1191 An Act to Encourage Business Development by Limiting the Time a Utility May Hold a Business Customer's Deposit

**RES 38** 

LD 1191 would have provided that a public utility may hold a deposit from a nonresidential customer for no longer than one year, after which time the deposit must be returned to the customer. The bill was amended to replace the bill with a resolve which directs the Public Utilities Commission to amend its rules to require that deposits paid by small businesses with impeccable bill-paying histories be returned to those businesses after a reasonable time period. The commission may consider establishing different rules for different-sized utilities to account for differences in the risk to ratepayers associated with defaults by businesses. The commission may consider basing eligibility for return of a deposit on the size of the deposit that was required of the business, such as a business whose deposit was less than \$10,000. The commission is directed to establish a reasonable time period, such as 5 years, before a business is eligible for a return of the deposit. Rules adopted pursuant to this resolve are major substantive rules pursuant to the MRSA, Title 5, chapter 375, subchapter 2A and must be provisionally adopted by January 15, 2012.

### 1216 An Act to Impose an Excise Tax on the Extraction of Water for Bottling

**DEAD** 

This bill would have placed an excise tax of one cent per gallon of water extracted from ground or surface water by a bottled water operator who packages the water for sale in containers of 5 gallons or less and who extracted more than 1,000,000 gallons in the previous calendar year. The report and tax were to be submitted monthly to the bureau according to their specifications. The bill was voted out of committee as ONTP.

### 1256 An Act Concerning Tort Claims and Governmental Entities

**DEAD** 

This bill would have amended the Maine Tort Claims Act to clarify the liability of a governmental entity for its negligent acts and omissions in the use of equipment, vehicles and machinery. "Use" would be defined as being employed by the governmental entity for its purposes or in connection with its activities. It would have imposed liability for the governmental entity's negligent acts or omissions regardless of whether an employee of the governmental entity was operating the vehicle, machinery or equipment at the time of the occurrence causing property damage or bodily injury. The governmental entity would not be liable for the negligence of any nongovernmental person or entity in the connection with the use of the vehicle, machinery or equipment. It also would have provided that the governmental entity may be jointly and severally liable with a nongovernmental persons or entity, but only if the negligent acts or omissions of the governmental entity were a cause of the property damage or bodily injury.

### 1382 An Act to Protect Homeowners Regarding Sewer Liens

**DEAD** 

This bill would have prohibited the enforcement of a lien on a property owner when the land is occupied by another person. It would have allowed the treasurer to bring a civil action against the person occupying the property for the unpaid assessments. This bill received a unanimous ONTP vote of the committee.

### An Act to Create Efficiencies in State Government by Transferring the Duties Of the Public Advocate to the Office of the Attorney General

Leave to Withdraw

This bill proposed to transfer the duties of the Public Advocate to the Attorney General effective January 1, 2013. By January 1, 2012 the Attorney General would be required to submit legislation to make all statutory changes necessary to terminate the Office of the Public Advocate and transfer the duties, powers and responsibilities to the Attorney General.

### 1470 An Act to Ensure Harvesting of Timber on Land Taxed Under the Maine Tree Growth Tax Law

This bill, a concept draft, proposed to ensure that future applicants for classification of land under the Maine Tree Growth Tax Law are eligible only if they are actually engaged in harvesting timber and not using the land as a property tax shelter without harvesting.

### 1564 An Act Concerning Certain Privileges Transferred to GNE, LLC by Great Northern Paper, Inc. (After Deadline)

This bill proposed to except from the rights, privileges, immunities or franchises that Great Northern Paper, Inc. may sell or transfer the right to take or use water conveyed to Great Northern Paper, Inc. by Private and Special Law 1917, chapter 94.

### 1574 An Act to Tax Water Used by Hydroelectric Facilities

**DEAD** 

This bill was a concept draft. It proposed to impose a state tax on the use of water by a hydro-electric facility to generate electricity for sale. The revenue from the tax, after a deduction for administrative costs, would be paid to the municipality where

the facility is located, less State administrative costs. This bill has been Indefinitely Postponed in the House.

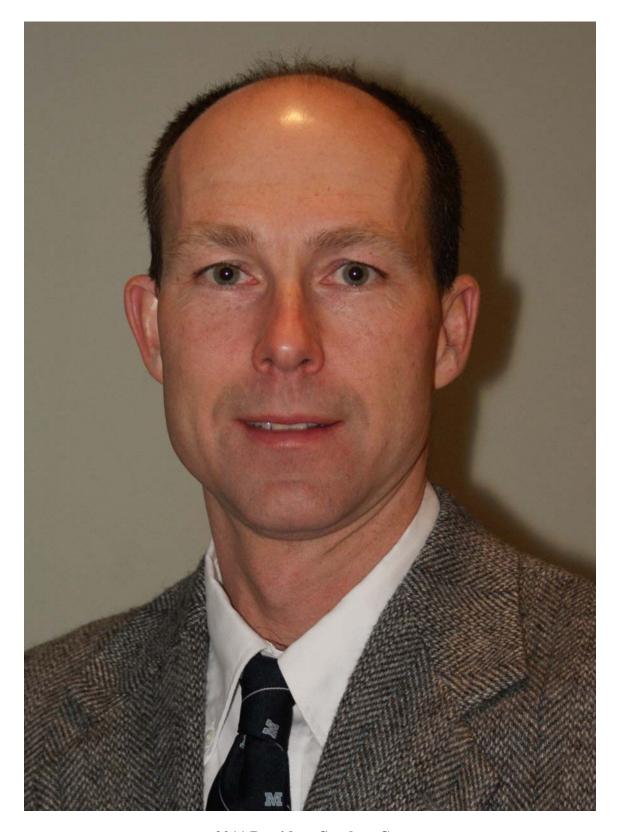
### **Accessing the Maine Legislature Website**

Whether the Maine Legislature is in session, or has adjourned, there is much in the way of legislative or other information that can be obtained from their website, which can be accessed at: http://www.maine.gov/legis/.

To determine the status of a current bill, or any dealt with during the most recent session, enter the LD number in the upper right hand corner of the home page and click on Find. That will take you to a summary page which also includes a number of options in the left hand column. When researching recently enacted legislation, a particularly useful option is Bill Text and Other Docs, as this page will provide the actual text of amendments and enacted legislation. Other options in that column will provide data on sponsors, roll call votes, House and Senate actions and other information.

The home page also provides a powerful link to a wealth of other information sources, such as past legislation, a recently enacted law digest and sessions laws of Maine. The Maine Constitution, Maine Statutes and Freedom of Access information can also be obtained.

Audio of committee hearings, live House and Senate video, hearing schedules and other real time or current information is available at the click of the mouse.



2011 President Stephen Cox

**CONFERENCE NO. 509** 

**JUNE 10, 2010** 

PRESQUE ISLE



### Welcome to Presque Isle James Bennet, Presque Isle City Manager

Welcome to Presque Isle. I came here from Lewiston where I spent eight years as Lewiston's City Manager. I have been here since March. As I made the decision to come here, I had to think a lot about my perception of the County, having only been up here once or twice early in my career. I had to think about what I was getting into. I have spent three months here and the best way I can describe Presque Isle is that it takes awhile to get here but its well worth it.

### Hard Water: Moving From an Antiquated Surface Water System to a New Groundwater Supply

Stephen Freeman, Superintendent, Presque Isle Water District



Presque Isle has always had a surface water supply. It's been mostly Presque Isle Stream which runs through the center of town. We had a water filtration plant which we upgraded in 1993. The federal government has many regulations for surface water supplies, starting with the Surface Water Treatment Rule and the Enhanced Surface Water Treatment Rule. We then moved to the Long Term 1 and 2 Rules. Also in play is the Disinfection By-product Rule - Stages 1 and 2. When we did the upgrade in 1993, the road map was there. Rules for surface water were getting more frequent and more rigorous, so we knew we had to do something different. We started to search for a groundwater supply, and our objective was to find water that had better

quality, required less treatment, and was less costly than the surface water supply.

We hired Brad Caswell, a hydrogeologist, who conducted a favorability study. He looked for sand and gravel pits hydrologically connected to the river. He went upstream and located two or three favorable sites. One was in Presque Isle and the other in Washburn. He located another site behind Wal-Mart as well.

Acting on his recommendation, we drilled test wells but did not find an appropriate source at that time. We were looking for a source that would provide two million gallons a day. The next site was a site now owned by McCain Foods. We obtained a two year option on the corner of that site in 2001and drilled test wells in 2002. The project also entailed production wells, a river crossing and a pump station. Our budget was \$2,300,000.

Production wells were completed in 2003. There are two 24 inch wells. Each well is fifty to fifty-five feet deep. The wells are 200 feet apart with one well 100 feet from the riverbank, and the other 120 feet away. After the installation of the wells we tested for yield. One well is rated at 1,400 gallons per minute, giving us exactly what we were looking for. The other is 1,200 gallons per minute. These wells are not operated together so one well backs up the other.

The river crossing project was permitted and bid in 2003, and constructed in 2004. In the permit we did a dry crossing, putting up a port-a-dam, doing the crossing in two sections. The dam has a triangle shaped steel frame covered with fabric which extends several feet beyond the frame. Water between the sections is pumped out giving you a dry crossing. These sections need to be continually pumped out but it does give you a dry crossing. Some siltation is created and construction was hampered by bad weather.



Pump station construction began in June of 2004 and was completed in March of 2005. It is 36 feet wide and about 60 feet long (2,200 square feet). It has a concrete foundation, and underneath the station is a 50,000 gallon contact tank. The pumps are rated at 700 gallons per minute. To get the capacity we need to run two pumps at the same time. Our average use at this time is 900,000 gallons per day. We have a liquid chlorine disinfection station. We also have an emergency propane generator. The total cost for these three projects was \$2,259,494 and was funded by the State revolving loan fund.

We started up on March 17, 2005, and it turned out that the two year

construction project was the easiest part of this whole process. The primary issue that arose was providing natural filtration by the aquifer. We had done all the tests in 2003. The wells were within 150 feet of the river so we had to do a microscopic particulate analysis. This is a test that evaluates whether or not the well water is being influenced by the surface water. We did this test for each well in late summer when river levels were low. The results of those tests were perfect. However, when we started up in March we had to do another set of MPA tests. We also had to do one more set during a high flow period in the spring. We did these tests in May of 2005 and were surprised at the results. The tests showed that the wells had enough algae in them to make the water quality questionable. We reported these results and were notified by the State that we had to do a water quality monitoring plan to see if the wells were under the influence of surface water.

We did additional tests and by October we were aware that we had a problem. We set up a water quality monitoring plan. We tested for physical parameters like turbidity and temperature. We also tested for chemical parameters like alkalinity, hardness, fluoride and color. We also tested for things like E-coli, Coliform and we did some more MPA tests as well. We provided these results to the State. Our purpose for this plan was to get a filtration credit. This is an approved treatment process but it requires a lot of work. In January of 2006 we tested according to this plan, compiled the information, and filed a report.



We continued testing for another year and a half, stopping in June of 2008. We had two years of monthly data on the MPA tests.

In January of 2008 the State said that the wells were GWUDI (Ground Water Under the Direct Influence) and outlined criteria to filtration. At this time we asked for an application for a filtration waiver. This was an easier way out than the filtration credit that we were originally seeking. In September of 2008 Wright Pierce filed a waiver application.

In February of 2009 a consent agreement was signed and Presque Isle was asked to

comply with the criteria to avoid filtration and install an ultraviolet disinfection system. The water quality in the wells is high; however because they are under the influence the chlorine disinfection works well with the coliform bacteria and the E-coli but it does not work well with Giardia and Cryptosporidium. In fact, cryto in cyst form is resistant to chlorine. We have not found these organisms in the well, but they do exist in the river so there is a risk that it can get into the well. The ultraviolet disinfection system works well on these organisms so it gives us another tool and broadens the scope of our disinfection process. We're in the midst of a project to install ultraviolet disinfection. Once that is done we will have addressed the issue of Ground Water Under the Influence.

We asked ourselves what happened under the high river conditions. Three factors may have come into play. The problems may have been caused by different flow patterns. The second factor was that when we did the test in 2003 the nearest McCain well was not operating, but when we began pumping that well was operating. Perhaps due to this we may have been overdrawing the aquifer. A third factor may have been the river crossing itself. This crossing went across the aquifer. The aquifer was disturbed, affecting the filtration capabilities. It may have been one or all three of these factors.

Another issue that developed as a result was lead corrosion in homes. We have been testing for lead and copper in homes since 1992 and never had a problem with lead in the surface water. We were monitoring twenty homes in the summer once every three years. With the new groundwater source we had to start sampling again. We had to do two consecutive rounds of testing, forty samples per round and we had to start over again on the lead and copper. We were shocked by the results. Twenty-two of the forty homes sampled exceeded 15 parts per billion, the actual compliance level being 45% and the required compliance level being 90%. The 90<sup>th</sup> percentile for lead was 81 ppb which is five to six times higher than the action level. We had a groundwater that had a pH of 7.5/7.6 and high alkalinity. We thought we would have had a scaling problem, not a corrosion problem. The state required us to do lead education and collect samples for water quality parameters such as pH etc., and we also were required to do a corrosion control study, which we did in-house.

The first corrosion control study completed by Wright Pierce suggested an increased dosage of 30%/70% poly/orthophosphate blend. This does control corrosion. We started first to draw O&M samples from customers with high lead levels so we could see if anything we were doing was resulting in improvement. We evaluated corrosion indices. The best one was the Langlier Saturation Index, which is temperature dependent. What we found was that the groundwater was slightly corrosive, but at higher temperatures it was slightly scaling. We also went back to the chemical supplies. We evaluated our phosphate chemicals which was a confusing process. In the end, after talking to many companies, we started using a 10%/90% Poly/Orthophosphate blend. By May of 2008 we were up to 2.5 ppm of orthophosphate and were making progress in reducing the levels of lead with only 9 of the 40 samples exceeding 15 ppb lead, making the actual compliance level 78%. The 90<sup>th</sup> percentile was 28 ppb. It was an improvement, but still twice the action level.

The State asked us to complete another corrosion control study as well as the filtration waiver application. Wright Pierce completed this study and the results recommended that if we were seeing improvement, we should stay with what we were doing, and if not switch to 100% orthophosphate. We did see improvement but the State was not happy with our progress. They overruled the study and told us to switch chemicals and double our dosage of orthophosphate, dosing at 3.5 to 4.0 ppm. This was a costly change but it took us in the right direction in the end.

We achieved compliance in early 2009. We are still testing those forty homes twice a year.

In the paper "Chloride-to-Sulfate Mass Ratio and Lead Leaching to Water" by Marc Edwards and others (July 2007 AWWA) it states that waters with CSMR greater than 0.5 increase the leaching of lead from solder.

The original objective was higher quality drinking water with less treatment and lower operating costs. We think we have achieved this. We do a lot less treatment and we add fluoride and phosphate, using less chemicals than before and the process is much simpler.

In 2004, the cost of the water filtration plant (electricity and chemicals) was \$.45/1,000 gallons. In 2005 this cost was \$0.31/1,000 gallons, and in 2008 the cost was /\$0.35/1,000 gallons. Our cost for groundwater is less than for surface water.

In summary, this switch was a long process. We spent four years searching for a site, and two years evaluating the site once we found it. We spent two years developing the site and five years solving the problems that arose. It was worth it but there will continue to be challenges.



### Easy Water: Moving Off the Aroostook River to a New Groundwater Supply

Alan Hitchcock, Superintendent, Caribou Utilities District

Caribou Water Company was formed in 1887. Currently it supplies 1,800 water and sewer customers and has ten employees. The system has thirty miles of pipe, four standpipes (1.5 MG) and a two MGD treatment pumping station. The District typically pumps 600 – 900,000 gallons per day.

Caribou was a surface water source. It was determined that we should switch to a groundwater source. When rules changed we were no longer in compliance. The Water Company was exploring

sites starting in the 1960's, but no successful sites were found. We began our own site investigations in the 90's. In 1995, we teamed up with Brad Caswell and located seven sites. The best site was across the river from the city. We secured two well sites, half a mile apart. We constructed those wells in 2005 and built the pumping station and treatment plant in 2006.

In 2005, we applied for money from CDBG, Rural Development and the Drinking Water Revolving Loan Fund. We purchased 100 acres of watershed. The project cost was \$3.8 million, and of that \$0.8 million came from grants and \$3 million from loans. Wright Pierce was the designer/engineer for the new facility. We did water sampling continually through the process, and the samples were analyzed for corrosion control and hardness. We blended water for about three months, and we were fully online by January 2007. We abandoned our filter plant by 2008. The pumping station cost \$1.3 million and the wells were in addition to that.

We also had a river crossing, but our experience was very different from Presque Isle's experience. In light of their experience, the state looked in great detail at what we should do. They determined we should use a trenchless river crossing, not because it was less expensive, but because we could. We hired ETTI out of Lisbon and it was a four day process. They started on one side, attempting to drill across. They had to go around and come back the other way, which was successful. This company was great to work with and we were very satisfied with this process.

The two wells are about a half mile apart on the east side of the Aroostook River right straight across from the City of Caribou. We pump down the River Road, and across the river we use the same crossing in the same vicinity as our sewer plant. These are twenty-four inch wells each capable of delivering two million gallons per day. We only operate one at a time using one for about two months, and then switching to the other one. The water is very different in each well. Even though they are close to the river they are over 150 feet from the river, so we didn't have the same issues that Presque Isle did.





Our design is similar to Presque Isle's. I insisted on having a clear well in case we had to disinfect. We are glad we did because we now meet the new groundwater requirements without any problem.

We have four tanks with a total of 1.5 million gallons of storage. Our treatment consists of chlorine, fluoride, and orthophosphate. We didn't have the corrosion problems Presque Isle did. We don't know why, because we didn't do anything differently. We share the same river, and the aquifers are close to the river but our water quality is somewhat different.

One benefit of the switch was less treatment. We used to put in about 2 mg/l of chlorine and now we are down to 0.2mg/l. We still add fluoride and K5 orthophosphate which seems to work well. We passed all our lead and copper tests from day one. We are down to a reduced monitoring level and have been there for three years. Another benefit is reduced cost. In the first year we spent \$40,000 less for chemicals and our labor force was reduced by one person. We also had a reduction in power cost. We get compliments from our customers on the water quality fairly often. We are also in compliance with THM's and HAA5's, which was our motivation for the switch. We used to flush hydrants twice and year, but now we flush once a year.

We have encountered a few problems. The water is much harder than it was and we do have a few complaints of calcium deposits in dishwashers, washing machines and also heating appliance issues. We sent a newsletter with suggested remedies and complaints have decreased. We are in an agricultural area, therefore we anticipated a nitrate issue. In our original testing we were around 5 mg, but our nitrate levels have decreased. An unanticipated benefit was that with the new transmission lines installed we have fewer main breaks.

The devil is in the details. For any project, do your homework. Anticipate future regulations. Hire good consultants, work with them, ask questions and check their work. Remember, your input is very valuable. There is no substitute for land options. Get the option up front and buy all the land you can afford. We didn't need it all at the time but we would buy more if we could. Do adequate water sampling. This is critical at the beginning. Stay involved and keep your trustees involved.

#### **Regulatory Update**

Larry Girvan, Field Inspector, Maine Drinking Water Program

I'm Larry Girvan, and I'm an engineer with the Drinking Water Program. My office is in Presque Isle. I oversee all of the public water facilities from the transient to the community systems. I'm glad you folks "from away" were able to come up here this morning. It takes a long time to become a "Mainer", and it takes about four generations in order to be from Aroostook County. That's my understanding.

One of the biggest things that has happened as of late, is that the Drinking Water Program has found that some sodium fluoride



was delivered to facilities in Maine, that was not approved for use in public water systems. This was a product that is sold through four different chemical providers in Maine, and it is manufactured in China. It was packaged in the same way with the same orange stripe, but without the NSF seal. It was not Underwriter Laboratory approved and we had questions as to how it was actually developed and what the chemical properties of this material were. There are 33 facilities in Maine that use sodium fluoride, and there were 9 that received this unapproved product. We made the determination that we would allow the material that was currently in the saturator to be used, and the rest had to be returned to the chemical provider. This incident has been a learning process. We have a new fluoride person in Augusta, and she is doing a great job. What we take away from this process is that we know that there are basically four chemical providers in Maine, and we know the employees that deliver these chemicals quite well. It is our responsibility as water providers to know what we are adding to water, and there should be a checklist. If

it doesn't meet the NSF criteria for potable water, then do not accept it. It is a message that is being delivered across the state. We need to check this every time chemicals are delivered.

The bond referendum, which included the SRF match, passed and I get my salary from part of that, so I do say thank you.

Concerning the SRF, according to Norm Lamie, it looks like the final deadline for applications will be in September.

The Wellhead Protection Grant Application letters will be going out this week. If you have questions concerning this grant, please call Andy Tolman.

The Groundwater Rule is now in effect. One of the things associated with this rule is that you must have a raw water sample tap. When I go to do a sanitary survey of the facilities this is one of the things I look for. If you do not have one, you need to install one. Under this new rule, if you get a positive compliance sample, you have to do four re-checks, then you have to do a check for raw water on each source that you have. Then you have to sample in the following month as well. It can get very expensive, and we all prefer not to go there.

Currently, the DWP's compliance department is working with utilities and private labs to start the electronic data laboratory transfer to the DWP. The sample results will be entered electronically rather than manually at the DWP which will speed up the process. We will know results more quickly.

There is an opening for a representative holding a Class 3 license on the Water Operator Board.

This October is the last opportunity to take the direct entry exam, as the ABC is no longer offering this option. You will have to move up through the process, and specific questions can go to Terry Trott.

We have a program for consolidating water systems. A privately owned facility can consolidate with a public facility. The DWP can grant funds to a consolidation project under the Consolidation Grant. This process is changing and there will be an application process.

Thank you.



### **DEP Update**

Bill Sheehan, Environmental Specialist, Maine Department of Environmental Protection

Hi, I am Bill Sheehan, and for those of you who don't know me I am the Environmental Specialist IV for this region. As far as DEP updates and regulations that apply to you guys on the water side, I do not have a lot to report. It is a quiet time for DEP.

There is a nutrient management regulation for water discharges, and we have been taking a pretty hard look at phosphorus. That regulation has been gyrating for about 4 years now. It is on the cusp of being ready to go, and it is an election year, so I am dubious

that it will actually come out, but it has gone through a couple of gyrations with the EPA's review. The EPA kind of likes what DEP is doing because we are setting up a matrix which considers phosphorus concentration and water quality. If there is a lot of phosphorus in the water, but if there is no noticeable environmental impact, then we might not impose regulations on discharges in that stretch of stream. If there is a higher amount of phosphorus or nutrients in a stretch of stream, and environmental impacts are noticed, then probably the discharges in that stretch of stream will get some limits in their licenses. EPA really just wants a line in the sand, or a number for discharging. We will have to see how that shakes out.

As far as construction projects from ARRA, they are starting to wind down. Our engineers and people who manage SRF funds have been very busy these past 18 months. We are anticipating a little bit more construction and a few more grants type projects coming, particularly with the passage of the bond.

The small community grant program has been funded for the first time in a few years. The only way that would impact you is via enhanced source water protection. We have been able to do a lot of projects in wellhead protection areas, and are trying to get good septic systems in areas where we really need to protect the water.



# Efficiency in the Works: Dollars and "Sense": Are You Finding All the Efficiency You Can?

Chuck Kelley, Industrial Instrumentation & Controls Instructor, NMCC; Owner of Kelly's Electronics and Limestone Water & Sewerage Districts Trustee

I want to give you a summary of some information that will be helpful to you in your operation. What is energy efficiency? No matter the source, efficiency tells us how well we are using the energy we have. An example is the incandescent lamp. We want to produce light from that lamp, but the energy going to that lamp is producing a good amount of heat. We want to find a better source for light so we can

save some energy. We need to convert energy from one form to another to be able to use it. It takes about 10,000 BTU's of fossil fuel to produce a kilowatt of power, but if we use that kilowatt of power to produce heat, we get just a little over a third of those BTU's back. We would be better off to burn the fossil fuel for heat. Look at the whole system and everything that goes into your operation to make a reasonable evaluation of operation efficiency.

Thinking about efficiency, how can we do things a little bit better? There are always opportunities or common sense remedies. Turn off the lights or upgrade your lighting. Efficiency Maine provides incentives. Look at building control strategies. Use setback timers for the heating systems in office areas. This will save you money. A lot of this can be used at home as well. I use these strategies in my own home and home office.

Everyone thinks that VFDs are the best thing. If you are running your pump at 100% speed all the time, these devices will not be helpful. They are not cost reducing in all situations.

Demand a review of power charges. They will look at the highest fifteen minute period of power you have used over the month. In some cases, you will pay an extra fee for having this power available for the whole year. The power factor component looks at the alignment between voltage and current. You may end up borrowing from the grid at peak times. The power factor allows for this. We can correct for the power factor. We are allowed a 10% shift before we are hit with any charges. If we exceed that then we have a fee assessed. Efficiency Maine has pre-established cash incentives for equipment to address these issues.

There are motors that have a higher rated efficiency and also those that are rated for VFD duty. It is important not to confuse the two. A premium efficient motor is not necessarily a VFD rated motor. VFDs can be more efficient, but the premium motor that uses less power can do the same amount of work, whereas the VFD rated motor is a motor that works better with VFDs.

You also may want to look at pumping. One opportunity is to use off-peak rate incentives. Perhaps this would motivate you to pump at night. A SCADA system may help you with this. Unaccounted for water obviously effects efficiency as well.

In order to improve efficiency, we need to know what our efficiency is, in order to know where we are going. The best way to do that is to set up a comparison by tracking kilowatt hours per million gallons pumped. Once we do that we can compare pumps within our system. You can look at which pump is more efficient and use that as your primary one.

Not many utilities in northern Maine use ozone for disinfection. It is a very energy-intensive form of disinfection. It is to your advantage to optimize this process. On the wastewater side, your pumps need to be sized properly, leaving some room for expansion. This is good on the planning side but not always good for the present efficiency of your system. Electric motors are the most efficient when they operate at this rated capacity. If we have a 50 hp pump and we're only using it for 30 hp then that motor is not operating at its most efficient level. A motor converts electrical energy to mechanical energy. If we are not getting the most mechanical energy out of that motor, then it is not efficient. It uses power just to make it turn and also power to move the load. As we add load it is more efficient until it reaches its limit.

If we are using the pump at less than its rated load, the VFDs can actually decrease its rated horsepower or operate it more efficiently. The other thing we can do is turn it off when the demand is lower.

Another area where we use a lot of power for wastewater operations is in aeration. This depends on the type of aerators. The fine bubble aerators are the best, in my opinion. You can monitor what is happening and modulate the aeration.

Once we have identified some opportunities for saving energy, we need a way to quantify how much we are saving. The easiest way is to calculate how many years it will take to pay back the expense.

Comparing the incandescent bulb to the compact fluorescent, we can get about the same amount of light from each. We would also need to compare the cost and the life of these bulbs. Finally, we compare the cost of power used and this is where we see the savings. This principle can also be applied to motors when we look at standard efficiency and premium motors. The purchase price is insignificant compared to other savings.

We also need to ask if we are on the best rate structure for our operation. In Limestone we are going to have to look at this in regards to our operation. Utilities have all different types of grids. Look at your utility's website to find different rates. You need to be on the proper rate structure.

Energy audits may be a way to identify some energy saving opportunities available to you. There are specific audits that target lighting, heating, ventilation, and pumping. Efficiency Maine will do a free walk through audit to identify some common sense things. From there you can go to a detailed process audit which will look more carefully at your system. A comprehensive audit will require an engineering firm.

An infrared inspection is another way to identify energy saving opportunities. A device reads the temperature and detects the amount of radiation being given out by an object. The infrared camera gives us a visual image of these levels. The best time to do the inspection is at dawn or dusk and at cooler temperatures. This technology detects the radiation given off. It cannot see through the surface; it only detects the radiation on the surface. Some surfaces emit infrared radiation better than others.

The first two rules of thermodynamics are that energy cannot be created or destroyed. Heat always moves from a hot area to a cold area. Just like water, heat is always trying to equalize. Heat moves by conduction, convection, or radiation. Conduction is our best friend when we use infrared technology. It shows the signature pattern of the heat migrating from the hot surface to the cold surface. Convection is our worst enemy because the heat is transferring but we can't see it happening. It could cause our images to give us false information. Radiation is what we are detecting. This technology is used in electrical inspections. Many insurance companies require infrared inspections to look for overload and bad connections. We also need to consider safety regulations when doing these inspections. Mechanical inspections also tell us where there are problems. We can view tank levels as well. The big area is in building inspections and finding voids in insulation, for example. It can be used to detect water leaks in a roof. Scans will also identify air leakage.

A good percentage of our power use comes from devices like computers, home entertainment centers, and cell phone chargers that are plugged in but not being used. They still use some power, and this is called phantom power. The best remedy for this is a power strip. When you are not using them turn off the power strip. Little things add up.

This information needs to be presented to managers and they need to get behind this mindset. Efficiency Maine provides a guidebook to walk you through these procedures. This book is available online. Grant opportunities do exist from time to time. Another resource is Portfolio Manager, an online resource that compares your energy usage to that of similar operations. It is available at www.EnergyStar.gov. It gives you an energy use index.

A kilowatt energy usage monitor reads out in kilowatt hours, and it monitors a variety of things to check the efficiency of appliances. It is available at Radio Shack. For commercial usage, there are power meters which monitor kilowatts, power factor and real usage. It also keeps track of demand and it has a software interface to provide historical data and alarms that can be used. At home, the Energy Detector tells you how many dollars per hour you are using. It doesn't save energy but keeps you thinking about it.

#### **August Golf**

The  $25^{\text{th}}$  Annual Golf Tournament was held August 11, 2010 at the Val Halla Golf Course in Cumberland.

#### 2010 Golf Tournament Sponsors

- ♦ American Flow Control
- Badger Meter, Inc.
- ♦ Camp, Dresser & McKee, Inc.
- ♦ Clow Valve
- ♦ E.J. Prescott Co.
- Ferguson Waterworks
- Ford Meter Box Co., Inc.
- **♦** GAC Chemical Corp.
- Hews Company, LLC
- Horton, McFarland & Veysey CPA's
- Maine Water Works Supply Corp.
- ♦ Natgun Corp.
- ♦ SEA Consultants/Kleinfelder
- ♦ Tata & Howard, Inc.
- ♦ TD Bank
- ♦ Ted Berry Co. Inc.
- **♦** Ti-Sales
- ♦ Verrill Dana, LLP
- **♦** Weston & Sampson Engineers
- Woodard & Curran, Inc.
- ♦ Wright-Pierce Engineers

Results of 2010 Golf Tournament		
1st Place Team:	Closest #3:	
Brian McGuire	Peter Goodwin - 6' 11"	
Mike Pelkey	Bruce Berger - 16' 1"	
Josh McGuire	Josh McGuire - 20'0"	
Porter Jervais		
	Closest #11:	
2nd Place Team:	Greg Leighton - 4' 0"	
Walter O'Leary	Keith Levasseur - 8' 5"	
Steve Prescott	Porter Gervais - 17' 5"	
Rosie Santerre	Brad Allen - 18' 0"	
Jason Chadwick		
	Ladies Long Drive #14:	
3rd Place Team:	1st - Nicki Pellenz	
Steve Cox		
Greg Leighton	Men's Long Drive #14:	
Jeffrey McClure	1st - Bill Boucher	
Peter Goodwin	2nd - Josh McGuire	
	3rd - Brad Allen	





#### **August Clambake**

The clambake was held at Thomas Point Beach attracting over 450. As always the food was good and there were many opportunities to catch up with old friends and network with new ones. The Brunswick & Topsham Water District were gracious hosts as always. The Public Awareness Committee provided support for the golf event. The Program Committee and other volunteers pitched in and did all that needed to be done to make this event a success.







#### **CONFERENCE NO. 511**

#### **OCTOBER 14, 2010**

#### **SOUTH BERWICK**



#### **Welcome to South Berwick**

Warren Spencer, Trustee, South Berwick Water District

On behalf of the South Berwick Water District and its employees, we welcome you to South Berwick. I'm going to regress for one minute. Do you remember when water used to come in only one flavor: Wet? This summer my grandchild came up to visit from Florida, and had a great time playing with the sprinkler and the hose, but he had a tantrum when he couldn't find any bottled water. Astronauts have been working on a system that converts urine and sweat into drinking water, but a reliable source says that the system is being copied from the bottled water

industry.

And we have all heard about the preacher who got pulled over on the turnpike. The trooper saw an empty bottle of wine in the car and asked if he had been drinking. The preacher said, "Only water." The trooper said "But that's a wine bottle." The preacher replied, "He did it again!"

I now want to introduce you to our superintendent, John Leach.

#### **Overview of South Berwick Water District**

John Leach, Superintendent, South Berwick Water District

South Berwick Water District was incorporated in 1959 with assets purchased from the South Berwick Water Company. The district is governed by a board of five trustees who are elected and it has three full time employees. We serve approximately 1,400 customers in the town of South Berwick and two small portions of Berwick as well. We have four water supplies. Our oldest supply was developed in 1937 and upgraded in 1983. It consists of seven two and a half inch shallow drilled well points, a twelve inch gravel packed well, and a six inch bedrock well. Our Blackmor Road supply was originally developed in 1961 with two gravel packed wells that were



abandoned due to poor water quality. It now has three drilled bedrock wells. The Willow Drive supply is our biggest supply. It currently produces about 300 gallons per minute. It was developed in 1986 and upgraded in 2003. It houses an iron and manganese filtration system. Our newest source is on the Junction Road. It has a twelve inch drilled bedrock well and a capacity of 150 gallons per minute, developed in 2003. Our storage consists of two 500,000-gallon side-by-side tanks. The original one was upgraded in 1983.



**Regulatory Update** *Eben Joslyn, Maine Drinking Water Program* 

We seem to have gotten out of the drought phase that we were facing this summer. On the flip side, I'm sure you are enjoying some increases in revenue from it all. Another hot topic, for a number of reasons, is fluoride in drinking water. We recognize water systems that do a good job optimizing and maintaining their fluoride systems and staying in compliance with those rules. We have begun putting out efficiency awards for these systems. Last year there were twenty-three systems that received awards. New awards will be announced soon. We appreciate all

that you are doing in this area.

Tied to SRF, in 2011 the EPA will be doing the needs survey. They will be evaluating water utilities whose population is greater than 3,300 people served. There are currently twenty-five water systems on the list to be contacted. You can contact Norm Lamie for additional questions. Participation in this survey helps the EPA evaluate needs for the next twenty years. It helps them to make a case to Congress as to why the SRF program should continue to be funded. Particularly, in Maine we have a great deal of infrastructure needs.

There is a Revised Total Coliform Rule that is in the comment stage. One of the proposals tied to it is an elimination of the non-acute total coliform violation. In the future, E-coli will be the trigger for a violation of this new rule. The rule is to be finalized in the next three years.

Make sure that fluoride and other chemicals used in drinking water meet the NSF Standard 60. NSF isn't the only certifying agency. There is also the Water Quality Association and the Underwriters Laboratory. They can be used interchangeably. Materials need to be certified to Standard 61 for drinking water

Internally we are wrestling with P.E. requirements for plans and specifications reviews across the board. The Board of Professional Engineers says that any project that is going to be \$10,000 or more needs a P.E. stamp on the plans.

There is a hearing in November regarding Revised Sub-surface Waste Water Rules. There needs to be clarification of some of the rules. Contact David Braley for more information.

We are putting on a seminar in conjunction with MWUA and others titled "Risk Management, Resiliency and Emergency Preparedness for Water and Waste Water Systems". This seminar will be held November 9<sup>th</sup> at the University of Maine in Portland. Six training contact hours will be credited. Lunch will be provided. A mailing will be going out.

Trevor Hunt will be talking about issues coming up with the Water Operator Board. Designated operators are responsible for their system's compliance. If you are doing contract operations with small water systems, make sure that you have roles well defined and that they understand what the responsibilities of a Designated Operator are. This insures that you are working together to make sure that they are staying in compliance.

Related to operator license renewals, the process has been streamlined. There is only one form and one check that must be submitted when you are renewing your license. The number of TCH's required is for the highest license. For example if you have a Class 4 Treatment, Class 3 Distribution license, then you need to have the contact hours to maintain the Class 4 license.

There will be changes to the website that will help operators track their training and renew their licenses.



#### **2010 Nominating Committee Report**

John Storer, Chair, Auburn Water District

This year I resigned from the Board of Directors due to increased responsibilities at Auburn Water District. Per the bylaws of the Maine Water Utilities Association, the Nominating Committee consists of the five past presidents of the association who are members in good standing and not currently on the Board, the most recent serving as committee chair. The other members are Judy Wallingford of Aqua Maine, Inc., Bill Alexander of Brunswick-Topsham Water District, Dave Parent of Sanford Water District and Brian Tarbuck of Greater Augusta Utilities District.

Each year we must come up with criteria to select candidates for the Board of Directors. The current Directors whose initial terms are expiring and desire to be nominated for a second term will be given preference. In this situation, this would apply to Kathy Moriarity of Bangor Water District (our current president), and Steve Cox of Aqua Maine, Inc. (our current vice president). They would make up two of our candidates. As we were looking to fill the third

slot we reached out to the committee chairs to see if we could get some feedback. We would nominate at least one and no more than three for each position. We did not want to turn this into a popularity contest.

We had good discussion and we tried to seek candidates whose participation on the Board reflected the diversity of the corporate membership, also factoring in leadership skills and character. We did not want multiple candidates from one organization. We also wanted unanimous consent on our nominees. We had many qualified candidates which made me very proud of our organization.

The remaining nominee is Al Hitchcock of Caribou Utilities District. Al represents a groundwater supply. He has been active on the legislative front and is a passionate advocate for the profession. The committee nominates Kathy Moriarity, Steve Cox and Al Hitchcock for Director. The bylaws allow us, at the October meeting, to take nominations from the floor for a candidate. We are open to that.

The Nominating Committee would like to find a way to have an Associate Member be active on the Board. We appreciate their support and importance. We also were concerned with the absence of a Legislative Committee chair. Jeff has stepped up to handle it but we would like to see a member come forth to lead that committee.

A motion was made to accept the slate of candidates as presented by the Nominating Committee. The motion was seconded and passed unanimously.

#### **Maine's Water Resources Planning Committee**

Robert G. Marvinney, PhD, State Geologist & Director, Maine Geological Survey

Water resources policy has seen decades of discussion. The Ground Water Protection Commission, in the late 1970s charged the Maine Geological Survey with aquifer mapping and recommended aggressive steps to protect ground water quality. The Bulk Water Transport Law of 1987 came about due to a perceived threat to Maine's abundant resources from parched areas of the United States. It restricted transport in containers larger than 10 gallons. The Water Supply Study Commission (1987-1989) stated that the state should develop a water



resources management strategy. They established a temporary Water Resources Management Board to develop the strategy. The Water Resources Management Board (1989-1990) recommended that the state adopt the general definition of "Reasonable Use". This required data collection and conservation. They recommended the establishment of a permanent citizen board to address policies, prioritize management, and identify areas of limited local supply, among other things.

The Sustainable Water Use Policy Process (2000-2002) was a stakeholder group with emphasis on maintaining in-stream flow and recommended water use reporting. The Water Use Reporting Law of 2002 addressed how much water is being used when and where, defined consumptive use, and established reporting thresholds.

A ground water regulations working group (2005-2007) addressed water issues on a watershed basis; this effort resulted in the creation of a Water Resources Planning Committee, and also established the significant well permit. The issues driving water policy included a failed referendum to tax bottled water, citizen concerns in small towns (Fryeburg) and recognition that pump and load facilities (for bottled water operations) did not get significant oversight. The In-stream Flow Rules (Chapter 587) set thresholds for streams and ponds, below which water withdrawals for other purposes are limited. It was based on natural flows during six seasons and provided a certification process for public water systems that cannot come into compliance.

The Site Location of Development Act states that any activity that triggers this regulation and which includes ground water withdrawal must undergo hydrogeologic review and monitoring. The Bulk Water Transport Law states that the transport of water across town lines in containers larger than ten gallons is prohibited, unless exempted. LURC rules which address water use require a finding of "no

undue adverse affect" and "harmonious fit"; this requires hydrogeologic review and monitoring. The Natural Resources Protection Act (NRPA) requires a permit for any well producing 50,000 gallons per day, and hydrogeologic review and monitoring.

The Water Resources Planning Committee was established by the Legislature in 2007 (PL 2007, Chapter 399). It is a stakeholder group with representation from major water users, state agencies, conservation groups, and well drillers. The committee's activities and investigations are governed by three phases. Phase 1 focuses on improving water information in watersheds where the potential exists for conflicts in water use – i.e. is there really a problem in a given watershed? Phase 2 convenes planning groups in watersheds that are at risk, in order to develop water management plans. Phase 3 makes recommendations to the Legislature in the event that Phase 2 does not adequately resolve problems.

The Water Resources Planning Committee includes the following participants:

- Agricultural Council of Maine
- Maine Potato Board
- Maine Water Utilities Association
- Maine Rural Water Association
- Maine Ground Water Association
- Ski Maine Association
- H2O for Maine
- Nestle Waters North America

- Maine Geological Survey
- Maine DEP
- Maine Drinking Water Program
- Maine Dept. Agriculture
- Maine IF&W
- LURC
- Maine Audubon

The Watersheds-at-Risk Analysis intended to answer this basic question: Does Maine have a statewide issue with water withdrawals or is there a subset of watersheds in which we should focus efforts? The analysis used available drainage basins, water use information, population, precipitation, and stream-flow equations. The issues that surfaced were that there was no accounting for inflows on major streams. There also was double counting of some water use. This analysis is currently being updated to look at seasonal supply and demand, using revised basins, monthly stream-flow equations, and seasonal/monthly water use. This update should be completed by December of 2010.

The purpose of the 2008 - 2009 work on the Freeport watersheds was to improve information on aquifers and stream flows. It was also meant to develop a semi-quantitative model to assist with predicting impacts of additional ground water use. There were stream measurement sites at Harvey Brook and Merrill Brook. In summary, high quality stream discharge measurements at selected locations over a wide range of flows allowed for the calculation of monthly mean discharge. There were five sites with 10+ measurements each. This is a vital component of the entire modeling effort. Two monitoring wells were drilled to assess stratigraphy and establish head near ground water divides. A detailed three dimensional ground water model was built to assess water use and sustainability. Results are expected in early 2011.

It was directed by the 124th Legislature, PL 2009, Chapter 13, that the Citizen Trade Policy Commission (22 members) and the Water Resources Planning Committee (16 members) conduct an examination of the potential legal impacts of international trade agreements on the State's ability to manage its ground water resources, including but not limited to the potential consequences of permitting foreign companies to extract ground water.

We discussed numerous trade agreements, including:

- GATT General Agreement on Tariffs and Trade
- GATS General Agreement on Trade and Services
- NAFTA North American Free Trade Agreement
- CAFTA Central American Free Trade Agreement
- IIA International Investment Agreements

Disputes under the above agreements are resolved through international arbitration tribunals, not US courts. Tribunal decisions may not set precedent for future tribunals.

The review process was compiled of five joint meetings of the WRPC and CTPC from June through December of 2009. The public hearing was held in October of 2009, and was attended by about thirty people. The Waren report, Slater brief, and the Hall brief were reviewed. It was recommended that

Maine continue to develop regulations that are clear, reasonable, have a sound basis, are applied equitably, and that are established through due process. Another recommendation was to encourage the development of a better system for consultation between the State and the U.S. Trade Representative, and to encourage Maine's Congressional Delegation to insist on the codification of these two specific tribunal decisions:

- NAFTA tribunal in Methanex v. United States: The major finding in this case was that environmental laws are not discriminatory.
- Glamis decision: The major finding here was that environmental laws can change.

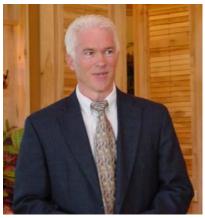
It was suggested that future contracts between governmental units and private investors include a waiver of any right by investors to seek compensation through international investment arbitration. Providing support for the Citizen Trade Policy Commission and encouraging the U.S. Trade Representative and Maine's Congressional Delegation to continue to carve water out of future international trade agreements were also recommended.

The research undertaken for this report did not identify any decisions that shed light on the specific issue of whether a legislative change to a public trust rule governing ground water would improve the chances of a Maine regulatory statute withstanding a challenge based on a trade treaty.

In New Hampshire the Groundwater Commission decided that permitting should be required for wells greater than or equal to 57,600 gpd (40 gpm), and there should be reporting for withdrawals of 20,000 gpd. They are still debating whether groundwater is in the public trust, although many lawyers say it is. On international trade, "Clear, consistent environmental regulations likely would be upheld" from challenges brought through trade agreements. They are also debating increased municipal involvement in permitting of large withdrawals.

In Vermont permitting is required for wells greater than or equal to 57,600 gpd (40 gpm). The rules have been in place as of July 1, 2010 with no undue adverse impact on existing uses. It is also consistent with town and regional plans. Reporting is required for withdrawals of 20,000 gpd. In regards to issues of the public trust, Act 199 declared groundwater as "held in trust for the public" but qualifies that meaning. They still debate potential impacts of international trade.

Here in Maine many advocacy groups are campaigning for placing groundwater among the resources held in trust for the public and changing Maine's legal doctrine from the "Absolute Dominion" rule. They are also campaigning for significant well permitting and more local involvement.



#### **Uranium in my Cranium**

Scott Whitney, Water Quality Compliance, Maine Drinking Water Program

A "nuclide" is a term applicable to all atomic forms of an element. Nuclides are characterized by the number of protons and neutrons in the nucleus, as well as the amount of energy contained in the atom. A "radionuclide" is an unstable form of a nuclide.

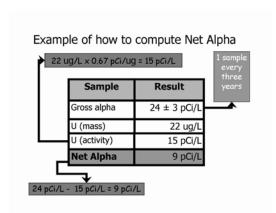
Most drinking water supplies have low or no radioactive contaminants. Of those that do, most of the radioactivity is naturally occurring. Certain rock types (such as granite) have trace amounts of mildly radioactive elements. These consist of "parent" and "daughter" radionuclides.

For example, ground water with high radium levels tends to have low uranium levels and vice versa, because Ur-238 is the parent of Ra-226. Most drinking water supplies have low or no radioactive contaminants. Radionuclides are likely to occur in mountainous and coastal regions of the state and in the "Sebago Pluton". They also are likely to occur in granitic formations and bedrock wells.

They are very unlikely to occur in man-made sources such as mining, nuclear weapons, or nuclear power plants. They are also very unlikely to occur as a result of hospital or medical treatments,

industry, laboratories or pharmaceuticals. They are very unlikely to occur north of Bangor in shallow dug wells or in surface water supplies.

In December 2000, the EPA revised the radionuclide regulation which had been in effect since 1977, effective December 8, 2003. This applies to all community water systems, both ground and surface water supplies when testing for naturally occurring radioactivity. This maintains the same maximum contaminant level (MCL) standards for Gross Alpha at 15 pCi/L (picocuries per liter) and combined radium 226/228 at 5 pCi/L. It set a new MCL standard for uranium at 30  $\mu$ g/L (micrograms per liter) and a new maximum contaminant level (MCL). The goal (MCLG) standard for all three is 0.



This also required systems to test for gross alpha emitters (GA) with a test cost of \$60. Systems are also required to test for radium 228 (beta emitter) at a cost of \$165. GA may be substituted for radium 226 (alpha emitter), if GA < 5 pCi/L. Uranium is now part of the TE6 inorganics test, typically once every three years. The inorganics screen cost is \$270.

If the GA is greater than 5 pCi/L, then combined radium 226/228 must be measured. The cost for this measurement is \$215. If the GA is greater than 15 pCi/L, then uranium and radon must be measured for a cost of \$48 combined. GA compliance is based upon GA minus uranium activity equaling a "Net GA". Historically a GA

test is required every four years for public water systems.

To compute the "Net GA" the uranium mass was converted by multiplying the measured value by 0.67 pCi/μg. The converted uranium activity (14 pCi/L) was subtracted from the measured gross alpha (24 pCi/L) yielding 10 pCi/L "net alpha". The "net alpha" value was used to determine compliance with the gross alpha MCL (15 pCi/L). The system is in compliance with the uranium MCL and is required to collect a uranium sample in the next three year compliance period. The system is in compliance with the gross alpha MCL and is required to collect another gross alpha sample in the next three year compliance period.

Only community water systems designated by the State as vulnerable must monitor for beta particle and photon activity. No water system in Maine would meet this criterion, therefore all are exempt.

Systems must collect four consecutive quarterly samples for gross alpha and radium-228. A sample must be taken for each hydraulically separate source. Samples must be taken at the entry point to the distribution system after all treatment, and at the first faucet downstream. Compliance is determined by calculating an annual running average. The State may waive the final two quarters, if the results of the first two quarters were below the detection limit (BDL).

"Grandfathered" data may be used in lieu of the initial monitoring requirement, if samples were collected between 06/01/00 and 12/08/03. However, a baseline of results for GA (alpha emitter) and radium-228 (beta emitter) is still a requirement.

Systems do not have to sample at each entry point to satisfy the initial monitoring requirements if the primacy agency has determined that through examination of appropriate historical data, and an examination of monitoring data taken between June 2000 and December 8, 2003, that each entry point is expected to be in compliance.

EPA encouraged states to have systems monitor for uranium before the effective date of the Radionuclides Rule. A system that sampled for uranium before December 8, 2003 and had a sampling result of less than the 30  $\mu$ g /L MCL, can grandfather the data if the Primacy Agency permits it. If levels are greater than or equal to the MCL the systems must, when directed by the Primacy Agency, take four consecutive quarterly samples during the initial monitoring period. EPA is encouraging systems that have high levels of uranium to be proactive and initiate plans to resolve the public health risk.

A system can stay on a reduced monitoring schedule as long as the results support the schedule. How often a system will have to monitor will depend on the concentration of the contaminant. A result above the MCL means quarterly monitoring for a system. The system must continue taking samples every quarter until four consecutive quarterly samples are below the MCL, either as the result of a treatment situation or a new source. Systems are only required to conduct quarterly monitoring at the entry point at which the sample was collected and for the specific contaminant that triggered the system into the increased monitoring frequency.

The harmful health effects from exposure to radioactive compounds result from the ability of ionizing radiation to chemically change the molecules of biological tissues. Long-term exposure may result in the increased risk of genetic effects and other effects such as cancer, precancerous lesions, benign tumors, and congenital defects. The regulated radionuclides are known carcinogens. They predominantly cause bone cancer but also cause ovarian, testicular, breast, thyroid, and liver cancers. Children and other sensitive sub-populations are particularly sensitive to radionuclide carcinogenic effects. The regulated radionuclides are also toxic to organs and cells of the kidney and liver.

The State Toxicologist reports that GA provides little toxicological risk data because alpha particles can be very weak and uncommon compared to uranium. For radium it is found that drinking two liters of water per day at the MCL for seventy years gives you a 2.5:10,000 person increased risk of cancer. The uranium testing tells us that, assuming half the radioactivity is due to uranium-234, drinking two liters of water per day at the MCL for seventy years gives you a 1:10,000 person increased risk of cancer or kidney toxicity.

Radionuclide drinking water standards are enforceable to all community water systems going through new well approval and may be applied to some non-transient and transient systems at high risk, as deemed by the compliance officer, in consultation with the State Toxicologist. At a minimum, notification letters are sent to any public water system with radionuclide levels in exceedance of the MCL.

Compliance with the Radionuclide Rule for GA radium results in a reduced risk of cancer and kidney and liver toxicity, and for uranium it reduces the risk of kidney toxicity and bladder cancer.

The best available treatment technologies for GA is cation exchange, and reverse osmosis (RO). For radium 226/228 it would be cation exchange, lime softening, and RO. Uranium requires anion exchange, lime softening, RO, and enhanced coagulation/filtration. Point of use (POU) ion exchange and RO devices are also allowed, but must comply with DWP's POU Policy.

In 2002 – 2006 the New England radionuclides fate and transport study was conducted by UNH with support from NEIWPCC, Vermont DEQ and other New England States. This study focused on small community water systems with their own domestic septic system (e.g. mobile home parks). The study evaluated chemical reactions/radionuclide levels found in septic sludge, and sludge spreading. The study concluded that organics in the soil tended to "bind-up" radionuclide, making them more or less inert. Most often, background radionuclides levels in the soil are greater than disposal backwash levels. Domestic septic effluent has a positive dilution factor. Based upon data gleaned from that study, in 2006 the DWP, Radiation Control Program, and DEP met to establish a policy concerning filter backwash disposal. Systems must comply with NRC Regulation (ref: 10 CFR Part 20), not meeting the definition of a "radioactive waste". In general terms, the filter backwash effluent should not exceed 60 pCi/L radium, or 300 pCi/L uranium, otherwise, a DEP wastewater discharge permit may be required.

Radon is a gas that has no color, odor, or taste and comes from the natural radioactive breakdown of uranium in the ground. Exposure to radon occurs by two main sources: radon indoor air and radon in ground water. Only about 1-2% of radon in air comes from water sources. Radon gas escapes from the water into the air during hot water situations such as showering, washing dishes, and cooking. Radon is typically found in mountainous, coastal regions and the Sebago Pluton. It also naturally occurs in granitic formation and deep drilled bedrock wells.

There is a proposed federal radon rule. Rulemaking at U.S. EPA is still on hold. The State of Maine maximum exposure guidelines (MEG) for radon in water of 4000 pCi/L (2 pCi/L for air) was adopted in January 2007. The MEG applies to all new community water systems, ground water supplies

(or ground & surface water mixed). All new wells for non-transient and community water systems must sample for radon. The goal is to protect people from exposure to radon.

Fifty-five community public water systems out of 378 have exceeded the MEG of 4,000 pCi/L. Thirty-three percent of private (nonpublic) groundwater wells in Maine exceed the MEG. Several municipal water districts currently use aeration treatment for corrosion control, VOC's, and/or radon removal. These communities include Eustis, Waldoboro and Stonington.

Drinking two liters of water per day at the MEG for 70 years gives you a 3:1,000 person risk of developing lung cancer or stomach cancer. Radon drinking water standards are enforceable to all community water systems going through new well approval and may be applied to some non-transient and transient systems at high risk as deemed by the compliance officer, in consultation with the State Toxicologist. At a minimum, notification letters are sent to all public water systems with a radon level in exceedance of the MEG.

Compliance with the radon standard reduces risk of lung cancer from inhalation. Radon is the second leading cause of lung cancer behind cigarette smoking. Compliance reduces risk of stomach cancer due to radon ingestion.

The best available treatment technology is high performance aeration, capable of up to 99.9% removal. This treatment is recommended. Examples of this treatment would be packed tower aeration, diffused bubble aeration and shallow tray aeration. Granular activated carbon (GAC) is not as effective but may be used in certain instances. Treatment must be installed by a registered radon mitigator; a list of registered mitigators can be found at the following website: <a href="http://www.maine.gov/dhhs/eng/rad/Radon/mitigators.pdf">http://www.maine.gov/dhhs/eng/rad/Radon/mitigators.pdf</a>.

In 2004 the Waldoboro Water Department identified uranium exceedance in their primary source, a bedrock well. The level for raw water uranium was  $100-120~\mu g$  /L with raw water radon at  $5{,}000~-8{,}000~pCi/L$ . In 2004~-2005 they were placed on quarterly sampling for uranium. In February of 2005 the RAA MCL violation was issued. The water system drilled several new wells looking for lower/acceptable levels of uranium and radon. They found three high yield wells (200 gpm+) that were identified as acceptable for uranium at 15, 37, and 42  $\mu g$  /L; the radon level was 1,500 pCi/L.

In May 2006, a treatment system with the new wells went online. Post treatment uranium results were three ppb, and radon passed at 6 pCi/L. Aeration also alleviated a previous lead exceedance. It is important to check water quality (pH, alkalinity, etc.) when treatment changes to ensure water doesn't become more corrosive causing lead and copper issues. Since 2006, Waldoboro has been in compliance with all water quality requirements.

The State Lab recently lost its certification for radium-228 analysis. Your District Compliance Officer has a list of labs certified to do this test. Check your required test list for 2010 to see if radium-228 sampling is due this year. The State Lab will send notice to all affected public water systems, providing information for the three labs certified to perform radium-228. Those labs are Pace Analytical Services (Pittsburgh, PA), Southern Analytical Lab (Oldsmar, FL.) and MWH Lab (Monrovia, CA.)

For additional information check out the following websites:

Radionuclides: http://water.epa.gov/lawsregs/rulesregs/sdwa/radionuclides/index.cfm

Radon: <a href="http://www.maine.gov/dhhs/eng/rad/Radon/hp\_radon.htm">http://www.maine.gov/dhhs/eng/rad/Radon/hp\_radon.htm</a> or <a href="http://water.epa.gov/lawsregs/rulesregs/sdwa/radon/basicinformation.cfm">http://water.epa.gov/lawsregs/rulesregs/sdwa/radon/basicinformation.cfm</a>

Maine Drinking Water Program: <a href="http://www.medwp.com">http://www.medwp.com</a>

**CONFERENCE NO. 512** 

#### **DECEMBER 2, 2010**

**BELFAST** 

#### **Welcome to Belfast**

Joe Slocum, Belfast City Manager



Thank you very much. My first impression is that I wish I was more interested in the City Manager's Association than I am, because I think it is very important. I am very impressed to see the number of people in this room that know so much about water and get together to interact and get to know each other.

I have been in Belfast for 3 ½ years now. I realize I know almost nothing about the water industry. I think Maine is fortunate to have towns and cities and villages that are so tightly knit. When my kids where in middle school, I was always stunned at the number of people attended the 7<sup>th</sup> grade basketball games, but were not from either town.

Belfast is a great place to live and work. It is a unique blend of people. When I interviewed for this job, I was asked how I was going to work with a town that is about 50% of

people who have lived here for generations, and 50% from other parts of the world. I said that would let everyone come to the table and get them in the same room together.

I know it is important educate the community and make them aware that water and wastewater services don't just happen. It is easy to use all the facilities, but not think about what goes into providing those facilities and services.

This is a great community, and I hope all of you are able to come back and continue to collaborate.

#### Overview & History of the Belfast Water District Keith Pooler, Superintendent, Belfast Water District

Hello, for those of you who don't know me, my name is Keith Pooler and I am the superintendent for the Belfast Water District. On behalf of the trustees, staff, and customers of the district, I want to welcome you all and thank you for coming to Belfast and giving us the opportunity to share our little corner of the water world with you today.

I'll start today by giving you a little background about myself. I was born and brought up in Belfast and have lived here my whole life. For the last thirty-one years of my life I have been



digging and working in the streets and roads of Belfast. Starting with the city in 1979, I spent eleven years with the public works department, the last three as a foreman and then superintendent, before coming to the water district, where I have worked for twenty years now. I was a foreman at the water district for the first fifteen years, and the last five years I have been the superintendent. I have a Class III Treatment and Distribution Operators License, and just recently joined MWUA's Education and Operations Committee. I have been a member of the Belfast Fire Department for twenty-six years and have been an officer for twenty years at the department.

I have been married to my wonderful wife Odean for thirty-one years and we have two sons. Josh, my oldest son, is a sub-sea engineer and works on the Q 4000, an oil rig in the Gulf of Mexico. If that name sounds familiar, it is because that was the oil rig that pumped in all the material that finally plugged the well and stopped the oil leak from the Deepwater Horizon disaster in the Gulf. My youngest

son John is on his third, and hopefully last, tour of Iraq as a first Sergeant for the US Army. A little side note for all of you, I usually don't talk a lot unless I have a chance to brag about my family.

Before I attempt to talk to you about the Belfast Water District, I want to take a moment and thank MWUA for asking Belfast to host the December conference. Being pretty new to the conferences, (this one and one more will make two that I have attended) I was hesitant when asked if Belfast would be interested in hosting. I didn't have a clue what is involved in hosting a meeting. But I was assured that it was painless and MWUA would take care of everything, and I foolishly believed that, so I said: "What the heck". Then a few weeks ago I saw the program, and my name was on the program, and I realized I had fifteen minutes to speak about Belfast Water District to all of you.

I would like to give you a brief history of Belfast Water District from 1887 to present day. The need for a water supply for fire protection following the devastating fires which swept through downtown Belfast in 1865, and again in 1873, prompted the city to purchase Kirby Lake, which we know today as the Muck. After a period of ten years, it was determined that the water supply was no longer adequate for fire protection for Belfast businesses. Belfast voters, in a special election, decided overwhelmingly to accept a proposal of Parks & Wheeler, civil engineers in Boston, Massachusetts, to create a water company. In 1887 the Belfast Water Company was formed.

Construction began at Litter River, with the creation of a 185 foot long dam near the mouth of the Little River, on a fifty-five acre reservoir with an average depth of twenty feet. A handsome brick pump house at Little River constructed along the north side of the dam, having two turbine pumps and an auxiliary steam pump, quickly became a landmark. The water company generated its own power at the dam utilizing the steam pump when the flow of water diminished, usually a period of two months during the summer. The pump house was modified during World War II with the addition of a lookout cupola used by Civilian Defense for a clear view of the bay in search of enemy submarines. Construction of the distribution system began with a main which ran from Little River to a standpipe, having a capacity of 263,000 gallons. It was constructed on Wilson's Hill, the highest point in the city and three miles from Little River. A neighbor living on Wilson's Hill was given his water for free for informing the Water Company when the standpipe was full to overflowing. Cast iron mains were laid from the standpipe to the intersection of Main and High Streets. The trenches for these mains were all dug by hand, using shovels and pick axes through the layers of ledge.

There were forty hydrants located in the primary streets of the downtown for fire protection, and in 1888 four water fountains were erected on the corners of Church, Main and High Streets for man and beast, to the delight of the townspeople. Operating costs of the water plant and distribution system, as it remains today, were met by the collection of revenue from its customers. By 1891 there were fifty operating fire hydrants, and 317 private and manufacturing water services.

In 1918, city officials approached Parks & Wheeler about purchasing the water company, to which they agreed. In 1919, by legislative charter the State created and incorporated the Belfast Water District, a quasi-municipal non-profit entity, separate from the city and supported by consumer revenue. The Board of Trustees would be appointed by the Belfast City Counsel. At their first meeting on October 25, 1919, the new three person Board voted to purchase from the Belfast Water Company the entire water plant, all properties, franchises, equipment, rights and privileges.

By 1927 the Belfast Water District supplied a population of about 5,000, with 12.75 miles of water mains. With the acquisition of watershed properties around the upper and lower reservoirs (thus reducing the runoff from animal pastures and cultivated lands), and the addition of the purification plant, the quality of the water greatly improved and to this day serves as a backup source of supply for its customers.

Following two days of steady rain, both upper and lower reservoirs were in flood stage. On October 17, 1943, an additional 4.5 inches of rain fell, making it the heaviest rainfall ever recorded in 65 years. The water rose to 5.5 feet over the spillway, forcing ten foot granite blocks to fall off the south face of the dam. The weakened dam finally breeched and the combination of the enormous force of water propelling granite blocks in the direction of the bridge on Route 1, and a wall of water rushing in from the bay on a wild incoming tide, took out the already weakened bridge. All of Waldo County was

experiencing flooding of streets and residences from the torrential rainfall. The pump house was also flooded and windows and doors were blown out.

In the early 1950's the poultry processing business began in Belfast which eventually, at one time, made Belfast the broiler capital of the world. The large amount of water these companies needed brought on large changes for the water district. In the peak years the two companies, Penobscot and Maplewood Poultry used close to 1.5 MGD. History shows that the large demand and need for a higher quality source had Belfast Water District scrambling to find more water. They found it on what is called the east side of Belfast in the Goose River aquifer. In 1959, the first well (Smart Road Well) was drilled to a depth of fifty-five feet and developed to produce 1,100 GPM of pristine water. Six miles of fourteen inch and twelve inch water main was laid from this well down Route 141 and across the Passy River, connecting to the existing mains in the city.

In 1965 a second well (Jackson Pit Well) was drilled and developed to produce an additional 600 GPM from the same aquifer, and connected to the transmission main on Route 141. The three sources became enough to satisfy the demand, and were operated together for some twenty-five years. This era was jokingly called the "good tasting, bad tasting days of the water district" because the poultry plants used so much water Monday through Friday that they would take almost all the water the two wells could produce, while the rest of the town was supplied by the Little River Source. Even though Little River was a far cry from the Muck, it had to be heavily chlorinated to make it safe for drinking, and it was a river source with a small filtration plant, therefore making it almost impossible to control turbidity and such. On the weekends, Little River was shut down and the wells were the sole source, so the customers would fill water bottles, wash their cars, and some even joked about waiting to take baths until the weekends.

In 1980, the last poultry plant shut down and Little River was no longer needed, so to the delight of all customers, the two wells have been Belfast's water source to this day. In the mid 1990's, Charlie Cawley brought MBNA to Belfast and built three large complexes, one of which we are in right now. The elevation of the buildings and Belfast's existing water tanks brought on new challenges. A few years before in the late 1980's, the water district had built a booster station and separated the system into two pressure areas with the higher elevations relying on the pumps to give them adequate system pressure. They built a 1,300,000 gallon tank at the same elevation as the existing two tanks to provide more water during peak demands. However, not long after MBNA's first building was operational, a large structure fire in this upper elevation taught us that the booster station was not going to cut it on its own. In 1998, a fourth 750,000 gallon standpipe was built at an elevation of 100 feet higher than the three existing standpipes, and larger pumps were installed in the booster station to fill the new tank.

The ice storm of 1998 was a challenge for the District because power was down to both wells for over a week. About twenty-four hours after the storm had started and power was out, we had a main break and lost a few feet of water in the tanks. On the third day without power (and knowing we were not going to get it back anytime soon), we calculated that the tanks only had enough water for maybe one more day. We got on the phones and with the help of the local EMA, found a trailer mounted standby generator at the Massachusetts National Guard in Rowley, Massachusetts. I met them in Portland a few hours later and brought it back to Belfast. Our electrician met us at midnight and wired it to our Jackson Pit Well in a couple of hours. After quite a few fuel filters and a lot of coffee, we got the generator to run and by mid-morning we could see the tanks were gaining. We got power back three days later, and the best thing about the whole experience is that we had permanent standby power at both wells by the end of the year.

Since the turn of the century, we have added many security measures to the system after the falling of the twin towers, added redundant river crossings, upgraded to SCADA on all of the telemetry, and built a website complete with online bill payment for our customers. We have drilled a third well in the Goose River Aquifer that is not hooked into distribution at this time, but has been flowed at a mind boggling 3,000 GPM, and it is of superior quality. Belfast Water District has replaced thousands of feet of water main and made numerous improvements to the distribution system, including last year's 8,700 feet of twelve inch ductile, which replaced 121 year old ten inch cast iron running from Little River to our hospital, along Route 1.

Today, Belfast Water has two operational wells and one future well, forty miles of transmission and distribution mains, four standpipes with a total capacity of 3,300,000 gallons, two booster stations, and three garages.

The main office is the original Little River pump station built in 1887, and Belfast Water



Belfast Water District Office in 2010

currently has 1.984 water services supplying water to 4,950 customers, five trustees (with about seventy years of combined time served on the Board), and seven full time employees (with about 130 years of combined dedicated service to the Water District). Those last two figures are pretty amazing to me, and also unheard of for the most part today, except in the water world, in my opinion. I'm sure everyone here will agree that working for a water district or department is not glamorous and you won't become a millionaire, but it gets in your blood and it gives me personally a great sense of pride that we are providing a vital resource to our customers 24 hours a day, 7 days a week, 365 days a year.

# **Regulatory Update**Norm Lamie, Maine Drinking Water Program



The Belfast Water District has done a beautiful job in renovating the pump station and office space as well. It is an amazing facility, and I would like to encourage Keith Pooler to submit it to the American Waterworks Association as a historical waterworks structure, as it is a historical landmark for the water industry.

Thank you for the opportunity to update you on the Drinking Water Program. You will need to submit your SRF applications by the end of September. We had 51 projects submitted this year totaling \$37,000,000. For comparison, last year

we had 62 projects totally \$40,000,000. Last year we were able to contribute \$17,000,000 towards these projects. This year it appears that we will likely contribute \$15,000,000. We will have a public meeting for comments in January.

I believe it is going to be difficult to get the match for the SRF fund. The best option would be having the state match come from the general fund. Another option would be a general obligation bond issue, and yet another would be a Revenue Bond with repayments coming from interest earnings from prior SRF loans. We will have a white paper available which will explain these various options.

Also coming up in 2011 is the EPA Needs Survey, which identifies what water systems need over the next 20 years throughout the United States. The last time this survey was done was 2007, and only one utility from Maine (Portland Water District) could participate in the survey because of its size. We have convinced the EPA to let us participate in a larger scale. Utilities with 3,000 customers or more can now participate, which now includes over 25 utilities in Maine. We will be contacting you concerning this survey, and it is a relatively simple process. We are working on contacting smaller utilities to get similar information from them as well.

Water operator license renewals are due December 31<sup>st</sup>. This is a two year license period, so we urge you to check your license to see if you need to renew this year so that you can send your paperwork in on time.

#### **2010 Nominating Committee Report**

John Storer, Chair, Auburn Water District

Good Morning everyone, I'm John Storer from Auburn Water and Sewerage Districts. I am here on behalf of the Nominating Committee, which is made up of the five immediate past presidents that are not currently on the Board. We had a meeting with the intention of coming up with candidates for the three vacancies on the Board.

We nominated Kathy Moriarty and Steve Cox, both finishing up their first terms, to be Directors for a second term, and we also nominated Al Hitchcock, Superintendent of the Caribou Utilities District. So we came up with those three candidates, and our nominations were presented at the October Bimonthly meeting. Per Maine Water Utilities Association's bylaws, we solicited for any other nominations at this meeting and received none.

For the three nominees, we went through the process of having a ballot. All the nominees were voted in, with Kathy Moriarty and Al Hitchcock receiving the three year terms. Steve Cox will be filling the remainder of my term, which has two years left. We have excellent candidates, and I am glad to see that someone from the County will be serving on our Board. It is important to remember that this is a Maine association, and Maine is from Kittery to Madawaska.

#### **Annual Committee Reports**

#### **Program Committee 2010 Annual Report**

Jefferson Longfellow, Co-Chair, Kennebec Water District



I would like to thank all the Program Committee members for their time and dedication to this committee.

The December 2009 Bi-Monthly meeting was in Kittery, and the topic was Kittery's land acquisition. The Annual February Meeting and Trade Show was held in Portland and was a joint venture with MWWCA and NEWWA. This year, all the events were held under one roof at the Holiday Inn By the Bay. Some of the sessions facilitated by MWUA included "Water Words that Work" and "Preparing for Waterworks Exams". On Tuesday,

"Unidirectional Flushing" was a popular session to attend, and we also had training on "The New Wave of PR and Drinking Water Utilities", as well as "Managing Revenues, Depreciation, and Expenses During Tough Times".

The April meeting was held in Gardiner, and asset management of tanks was discussed, as well as leasing as a financing option. In June we went up to Presque Isle, where we heard from Presque Isle and Caribou about their transition from a surface water to a ground water supply. Attendees also gained valuable knowledge about system efficiency, and what can be done to increase efficiency in day-to-day operations.

The August golf tournament was held at Val Halla Golf Course in Cumberland, and there were about 95 golfers in attendance, which is more than the previous year. The Clambake was held the day after the golf tournament at Thomas Point Beach in Brunswick, and 500 +/- meals were served, which is also more than last year as well. The October Meeting was held in South Berwick, and the topics were groundwater and Uranium 238.

The 2011 February Meeting will be held in Portland again on the 8<sup>th</sup> and 9<sup>th</sup>, which is a Tuesday and Wednesday. Some topics that will be covered by MWUA are "Communicating Effectively with the Public" and "A Day in the Life of an Operator". There will be a product demonstration period on the second day, and also a session on "Communication in the Social Network World".

NEWWA will be co-sponsoring again, and they plan to hold sessions on "Contact Time in Disinfection" and "Energy Management – the Triple Bottom Line". MWWCA will also be holding

training sessions at the 2011 February Meeting. "Instrumentation and Controls", "Biosolids Management", "Technical Writing", and "Choosing the Right Equipment for your Plant" are some of the training topics they will cover.

For the April 2011 Meeting, we plan to be in Sanford, and for June, we are heading east to Eastport. The 2011 August golf tournament and clambake will be held at the same locations as last year. The October bi-monthly meeting will be in Rumford, and in December we will head to the Damariscotta region.

### Water Resources Committee 2010 Annual Report

Dina Page, Co-Chair, Bangor Water District

The committee meets ten times per year. We rotate the meeting place between Bangor, Vassalboro, Augusta, Topsham, and Portland in an effort to balance driving distances among members. Meetings last from 9:30 to noon. Agendas are sent out a few days before the meeting and minutes are distributed a week or two after. You can go to the website to read past minutes. There are eleven regular members and an additional twenty-four virtual members who receive agendas and minutes but do not regularly attend.

One of the committee's accomplishments this year was that we submitted comments concerning the proposed changes to the Maine Subsurface Wastewater Disposal Rules.



The fourth annual source water protection seminar was titled "Forestry, Farming and Filtration: Productive Lands and Water Supplies Can Coexist". It was held in September and about thirty-five people attended. This was about one third of the number from the previous year, but our date was in the same week as the NEWWA meeting at the Samoset and we think that may have impacted attendance. Twenty-three attendees returned evaluations and were virtually unanimous that the program met their expectations, provided the knowledge they expected, and answered their questions.

The committee had seven goals for the year and met all seven to some degree. The committee compiled three summaries of water resources topics which could be training topics and forwarded them to the Program and Education committees for consideration as training topics. We also sent an invitation letter to college and university professors, who are involved in environmental work, seeking their participation in the committee. As a result, Robert Sanford (USM), Dan Buckley (UMF), Peter Milligan (UMA), and David Putnam (UMPI) have become virtual members of the committee.

The committee also discussed the various definitions for source of supply in state statutes and rules, and we have a longer term goal of reconciling them. A plan was developed for facilitating remote committee attendance (when meetings are held at the Augusta office), and we adopted co-chairs to lessen the load on any one individual and to facilitate transition. Jennifer Grant was elected to be a co-chair to join Dina Page as the other co-chair of this committee for 2011.

# **Public Awareness Committee 2010 Annual Report** *Mary Jane Dillingham, Co-Chair, Auburn Water District, Lewiston Water Division*

This year was the second year for the MWUA Scholarship. The purpose of the scholarship is to award \$1,000 to high school graduates interning at a water or water & wastewater facility enrolled in secondary education. We awarded three 2009 scholarships at the 2010 February Trade show.

This was also the second year for the Drinking Water Week Newspaper Insert. It was 16 pages distributed throughout



Maine in May of 2010 in major newspapers, and was authored by MWUA members.

The PAC staffed a booth at the Annual Trade Show, and also hosted the MWUA logo contest. The new logo was developed with the assistance of the Bangor Daily News this year. The MWUA website was redesigned this year as well, and the PAC was proud to have a hand in that process.

The committee was able to assist with registrations at the golf tournament and clambake in August.

The Children's Water Festival was held in May at USM in Portland, and in October at UMaine in Orono. The PAC exhibited at both these festivals, showing the kids how to test drinking water for bacteria. The May event was attended by Elizabeth Andrews, Julia Couture, Kirsten Ness and Mary Jane Dillingham. Jeff McNelly, Elizabeth, June Mooney, and Gary Stevens and daughters staffed the October event. IDEXX supplied the materials for the water testing activity free of charge.

The committee also staffed the MWUA booth at the Maine Water Conference in March, and at the Maine Municipal Association Conference in October, both held in Augusta.

For the first time this year, the PAC organized a calendar raffle for the scholarship fund. Drawings for cash prizes began December 1, and the winners were posted on the MWUA website to encourage people to visit the site.

#### Future Goals:

- 1. Scholarship fund drives February Trade show and other events
- 2. 2011 newspaper insert in May during Drinking Water Week
- 3. Children's Water Festival May 2011 in Portland
- 4. Maine Water Conference Assist with staffing
- 5. MWUA website continue to improve as directed by Board
- 6. Tradeshow Staff booth, solicit for scholarship fund, administer contests
- 7. Maine Municipal Association assist with involvement
- 8. Redesign outreach materials
- 9. Organize MWUA presence at career fairs for students

Thank you to all the committee members for being active and committed. Thank you also to Jeff McNelly, Elizabeth Andrews and the Board of Directors for their support.



#### Education & Operations Committee 2010 Annual Report Eric Gagnon, Co-Chair, Brunswick & Topsham Water District

We are pleased to say that the Education and Operations Committee had great successes in 2010. Our members show great pride and dedication in the planning of sessions that include timely topics, which often start from vague ideas. The operator forums were a large part of our success in past years and that continues to hold true in 2010. The operator forums not only allow presentation of subject matter from great instructors, they allow active participation from attendees. This discussion allows a wealth of knowledge to be

shared among fellow operators which cannot be found in your typical cookie cutter class. The forum topics for 2010 included basic cross connection survey, safety, and a meter and service line sizing forum that has three more locations to cover before the end of the year.

Not to be overshadowed by the operator forums, there were other MWUA classes that hit high marks in 2010. Our annual office session covered the liens and collections process and continued to be a well attended session. The topics for the 2011 office session are being narrowed down by the committee. There wasn't a better example of timely and engaging topics in 2010 than the chloramination class. This class included presenters who shared their successes and pitfalls which created great discussion among the entire group.

Our main goal is to continue to focus our energy on creating engaging and timely topics. We will continue to partner with NEWWA, JETCC, and other organizations to be sure that operators around the

state have access to the education they require. We will continue to poll our peers for timely topics and be sure to have sessions that are not only educational but engaging. On tap for 2011 are a few operator forums: safety compliance, SCADA security, and trenchless technology. The committee is also considering these topics for 2011: Total Coliform Rule, the legislative process, well rehabilitation, problem solving/gadgets that work, and many others.

The committee is always looking for new training topics and ideas for future sessions. We like to gather ideas from hot topics discussed during the operator forums, compiling suggestions from class evaluation forms, and just networking with our peers. The committee would like to expand the pool of suggestions to include the new MWUA website and discussion forum. We plan to work with other committees to be sure the MWUA website develops to be the hub for all general water utility research and continuing education in the state.



# Water Use Efficiency Committee 2010 Annual Report

Jim Wallace, Co-Chair, Portland Water District

I am pleased to report to the Board and membership that the Water Use Efficiency Committee had another successful year in 2010. Our main focus continues to be the promotion of efficient use of water by providing training, education, and guidance in managing water resources and water use. To do that, we hold bi-monthly meetings where we share information, which we then use to develop an annual training session.

Our process is pretty simple. The committee meets every other month and discusses what we are doing and what we wish we were doing

in regards to water use efficiency. Usually at every meeting, someone will offer up a subject that they heard is going on at the state, New England or national level, and we talk about it. Many of these discussions turn into agenda items for our annual training session.

In 2010 we held five meetings in Kennebunk, Hallowell, Bangor, Waterville and Topsham. The attendance at our meetings is generally between four and seven members. On two occasions, one member successfully participated for the entire meeting by phone.

In terms of committee participation, our members represent the DEP, DWP, PUC and a number of larger utilities. I would like to note that we are trying to be conscious of that fact that many utilities may not have the resources that we might have, so we are trying to keep things simple and reasonable. We are still a fairly new committee, as we have been active for only two and a half years. During the past year, we did gain four new members and now have a total of twelve. However, we would welcome anyone who wanted to attend, even for a single meeting. We need to hear more ideas on how we can help the industry.

After two years of significant contribution, Ryan Lynch from York Water District is stepping down as co-chair; however, he wants to remain an active member of the committee. At our most recent meeting, Kevin Luttrell from Bangor Water District was elected as our new co-chair and we are looking forward to the interest and energy that Kevin will bring to his new role.

Our main deliverable of the year was the second annual training session. This year we decided to focus our topics towards the smaller system operators. The session was well attended and the reviews were very positive.

At this time we do not have a three year plan. However, we are committed to helping to create benchmarks for water use efficiency that relate to Maine utilities and to creating practical training sessions that provide operators with knowledge that they can easily bring back to their utility and use to improve their efficiency.

We continue to look for ways to share data and our lessons learned with anyone who is interested, and hopefully convince more and more utilities that water use efficiency is an important component of a successfully operated utility.



**NEWWA 2010 Annual Report** 

Craig Douglas, NEWWA Maine State Director, Brunswick-Topsham Water District

It was another busy year for New England Water Works Association (NEWWA). On the digital front, NEWWA is hoping to release their new website at the beginning of the year that will allow members to seamlessly sign-up for training and review past training history. We have also overhauled the association accounting and training tracking systems to keep up with industry standards.

Regional education efforts continued to be a central theme for the association. A range of coalition centered outreach efforts in all the New England states continues to bolster regional training efforts.

Through the dedicated efforts of committees, the Association saw the presentation of three symposia. The tenth annual Water Resources Symposium (Ten Year Perspective on Water Resource Issues in New England: Where Have We Been and Where Are We Going?), was held on October 28, 2010 with nearly 100 participants. This session was developed through the joint efforts of the Water Resources, Groundwater, and Conservation Committees. The twelfth annual Laboratory Operations Symposium (Current Issues Impacting Drinking Water Labs: Don't Get Caught Unprepared) was held in March of 2010 under the aegis of the Laboratory Operations Committee. The twelfth annual Water Quality Symposium (The Operations Challenge Triad: an Issues and Answers Case Study Approach) was held on May 12, 2010, through the efforts of the Filtration Committee.

NEWWA hosted a Sustainability Congress in June with approximately 110 attendees with a focus on water resources and case studies of how differing stakeholders can work together to achieve win-win situations. This year has also had a focus on bottled water and striking the balance between environmental, public, agricultural, industrial and commercial water uses. Certainly this will continue to be a hot topic moving forward.

The NEWWA Board has initiated a mission sharing initiative to replace the revenue sharing from the spring conference. Each state can apply for a \$2,000 (Massachusetts - \$4,000) grant to inspire excellence in the drinking water profession, public confidence in tap water, and water resource stewardship. MWUA's application focused on source water protection and development of a regional tour. Additionally, NEWWA's Board has been looking at actively funding a public outreach program including elements of the tap water delivers program that would target public transit, ball parks, billboards and newsprint, to name a few.

I appreciate the opportunity to serve as Maine's Director and please feel free to call or email me (<a href="mailto:cwdouglas@btwater.org">cwdouglas@btwater.org</a>) if you have any questions or comments that you would like addressed.



# **Determining When a Rate Case is Needed**

Lucretia Smith, Maine Public Utilities Commission

It should be fairly simple that when the cash going out exceeds the cash coming in, the rates are not adequate. Keeping rates low may not be the best for ratepayers. It can cause deferred maintenance that will have to be paid for in the future, and it also causes much larger increases in the future. Comments we have received show that customers prefer smaller more frequent increases than larger infrequent ones. The utility may also be ineligible for funds from lending agencies that compare rates within the state as a part of the review process. Customers will not know the real cost of the water

being used and therefore may not make changes to reduce their consumption and ultimately cause some utilities to find additional sources.

To calculate revenue requirements for rates, consider the following. Use an actual 12 month period as a base for setting rates. It does not have to be a calendar year. Keep in mind that the older the test year, the less likely it is that it represents actual costs going forward. Make adjustments to the test year for known measurable changes, such as COLA's approved by Trustees. This helps mitigate the impact of regulatory lag.

Book depreciation must be recorded even if not included in rates, unless a waiver is granted by MPUC. Depreciation of a plant paid for by Contributions in Aid of Construction by individuals or through grants or principal forgiveness is offset by CIAC amortization.

Statutes allow for the inclusion of a contingency in determining revenue requirements for a consumer owned water utility. The contingency is 5% of revenue requirements if revenues are greater than \$85,000, or 10% if revenues are \$85,000 or less. Statutes and rules no longer require keeping a contingency account. Contingency allows added flexibility due to regulatory lag. It also reflects an increased period of time for rate cases by consumer owned water utilities. The longer the period between the test year and the rate year, the more likely it is that an amount should be added for contingency. Contingency should be used instead of increases to individual O&M accounts, just in case those costs increase.

Consumer owned water utilities are allowed to include both principal and interest payments in revenue requirements. The level of debt payments should be forward looking. If initial payment is not due until in the middle of the rate year, consider averaging debt payments over the period between rate cases. Sinking fund requirements can be included in revenue requirements (i.e. Rural Development loans). If a district earns interest income on funds set aside and has access to the interest received, revenue requirements should be reduced by these amounts.

Budgets do not have to be formal. They should be on a cash basis to ensure all immediate cash needs (such as payroll and chemicals) can be met. A budget allows for both inflows (revenues) and outflows, including debt payments. Budgets help prevent cash flow surprises and allow planning to determine if a utility can afford plans with their current rates. If the revenues do not exceed the outflows, it is past time for a rate change! In budgeting, consider revenue changes as they relate to capital needs, short term and long term and debt repayment, increased operational costs, and regulatory changes.

Look at your sales over the last several years to see if there has been a continued decrease of average consumption per account which results in a decrease in revenues. Decreases due to closing of industry or changes in the customer base are also something to consider. These changes typically have a major impact on revenues. If a large percentage of your revenue comes from one customer, be aware of any potential changes in that customer's usage. Can your system handle increased usage and at what point would you need to find a new supply or add additional capacity?

If there is an increased period between sending the bills and receiving payments, an increase in disconnection notices and an increase in account write-offs, then these will all decrease the cash flow to the utility.

It is also important to consider capital needs and debt repayment. Are there short-term projects that need to be done in the next two years or projects planned for the future in either case? How do you plan on funding these projects through current revenues or debt financing? Will there be a change in the level of debt repayment due to new bonds or bonds being paid off?

You also need to budget for increased operational costs. For example, there may be increases in health insurance costs, or also annual changes such as cost of living increases in salaries. Consider changes in your operations that affect other costs such as chemicals, power and fuel costs. Costs are also changing in areas such as new training requirements due to new hires or new processes. Regulatory changes also need to be taken into consideration. It is important to take into account drinking water rules and increased testing requirements in case of any changes that need to be made to facilities to meet new rules. Take into account the new Chapter 660 Rule to see if you will need to make billing changes, and also review the mapping requirements of the PUC as well.

In summary, the mechanics of a rate case starts with picking a test period. The easiest is a calendar year but also consider the most recent 12 months if it is June or later. Review the total cash flows for that period from sales, jobbing that is likely to continue, rental of water property (such as cell towers), and interest income. Do not include cash received for grants, principal forgiveness or CIAC, as these amounts are usually for a specific project and are not likely to be ongoing.

For the same 12 month test period, determine your O&M costs, and review these costs to determine if there are any that are unlikely to continue (one-time expenditures). Also, review the costs to determine if they best reflect the likely costs going forward. Warm winter costs may be too low for repairs to main breaks, and cold winter costs may cause the opposite. Consider using a three year average for these types of expenditures. You may also want to consider adding an adjustment to reflect COLA's or known increases in costs such as insurance premiums or chemicals.

If you use something other than actual historic account balances as a basis for calculation, explain what you did, because if there is a Commission investigation, you will be asked. For the same 12 month test period, determine your debt costs to see what the utility actually paid for principal and interest during that period. Determine if any of the bonds currently outstanding will be paid off in the next 12 months, and if there are any new debt obligations that will require payments in the next 12 months or period estimated between rate cases. Be sure to include any sinking fund requirements. The total of current continuing debt obligations, plus the new debt obligations, should be included in revenue requirements for consumer owned utilities. Investor owned utilities will consider cost of debt when calculating return on rate base.

Revenue requirements equal the sum of estimated O&M costs, estimated depreciation, estimated debt repayment, and contingency. Compare this total to estimated revenues in order to determine if there is a revenue shortfall. If there is a shortfall, the utility should consider a rate increase. Consider also the date of last rate increase and the impact on the town. Problems have incurred in the past when the town only became aware of potential increases after approving the town budget, which includes fire protection. Also, be aware that rate changes during winter have a higher impact on customers due to increased heating needs.

If you have any questions, please contact me at 287-1383, or lucretia.smith@maine.gov. Also, please visit the MPUC website at: http://www.maine.gov/mpuc/.

#### **The Rate Case Process**

Stephanie Morancie, Maine Public Utilities Commission

Title 35-A, Section 6104 requires direct notice to customers and a public notice sent out at least 14 days prior to the hearing. The notice must include the amount and percentage of rate change by rate class. The date, time, location and purpose of the public hearing must also be included in the notice.

The customers have a right to request information relating to the present and proposed rates. They also have a right to an open and fair hearing, as well as the right to further hearings before the PUC, and the Public Advocate must be available for assistance. If there is a petition for the PUC to investigate the proposed rates, it must include the signatures, printed names and addresses of the customers to be considered valid, and the petitions must be available to the customers at the utility.



Section 6104 also recommends that the notice include the date of the last rate change, the reason the current rate change is necessary, and the number of customer signatures required for a petition to result in a PUC investigation. No longer than thirty days after the public hearing, but no sooner than ten days, the water utility must file its final proposed rates with the PUC with rates effective thirty days after this filing. If no petition received, the rates may go into effect as proposed.

Customers have thirty days to file a petition with the PUC for an investigation of the rate proposal. Petitions must be signed by 15% or 1,000 of the water utility's customers, whichever is less, and the utility may challenge the petition and the validity of the signatures. If a petition is received and the utility does not challenge it, the PUC will suspend the rates for a period of three months. Additional suspensions totaling nine months may be issued by the PUC to complete the investigation.

PUC staff and the Public Advocate will issue data requests on the rate filing. Data requests look at the accounts included in revenue requirements and reasons for changes from the previous years. Responses may be required in writing or orally. At least one technical conference between the PUC staff, Public Advocate, utility and petitioner will be held in Hallowell to discuss the filing and to answer questions. The PUC staff may hold a public meeting in the utility's municipality to address concerns of the customers, but usually only if requested by the customers. Sometimes the PUC will also gather extra information through phone conferences.

Section 6104-A (Streamlined Ratemaking) first defines water utility size. "Large consumerowned water utility" means a consumer-owned water utility with total annual revenues of at least \$750,000 during the most recent fiscal year. "Medium consumer-owned water utility" means a water utility with total annual revenues of less than \$750,000 and at least \$250,000. "Small consumer-owned water utility" means a water utility with total annual revenues of less than \$250,000. A water utility must have negative net income in the two consecutive fiscal years immediately preceding the year in which the rate increase is proposed. The consumer-owned water utility must file with the Commission supporting documentation demonstrating the two years of negative net income as provided in this subsection. Notice and filing requirements are similar to the regular 6104 case, except that this allows for a ten person complaint instead of a petition.

Title 35-A, Section 6104-A sets a maximum rate increase that a water utility can propose under this section. For a large consumer-owned water utility 2% of current rates is the maximum, for a medium consumer-owned water utility 3.5% is the maximum, and for a small consumer-owned water utility 5% is the maximum. The cumulative total of rate increases under this section may not exceed 10% over five years.

Title 35-A, Section 307 deals with general increases in rates. Usually these cases involve Sections 307 through 310. The Commission usually opens an investigation on these cases, and notification to customers is needed, along with a date for intervention. Once the investigation is opened, these cases proceed like a petitioned 6104 case.

Title 35-A, Section 1322 regulates orders temporarily suspended, altered or amended. The commission can temporarily alter rates, with a utility's consent, if there is an emergency, or for other reasons as well. This takes effect and remains in force as described by PUC order.

Title 35-A, Section 312 allows temporary rates during a rate proceeding. The Commission can temporarily approve undisputed amounts during a rate case. A utility files a temporary schedule of rates, then notifies customers of the rate change. Refunds might be needed if the commission approves a lower amount in its final order.

All MPUC Rules can be found on our website at http://www.maine.gov/mpuc/. Any questions concerning water utilities can be directed to Stephani Morancie at 287-1368 or stephani.morancie@maine.gov. You may also contact Lucretia Smith at 287-1383 or lucretia.smith@maine.gov.

#### ANNUAL FEBRUARY MEETING & TRADE SHOW

Holiday Inn By the Bay, Portland



2010 President's Remarks
Kathy Moriarty, Bangor Water District

I want to thank everybody who made this year successful, from the staff to vendors and members who spent countless hours of volunteer effort to make the Association the organization it is. The vendors and associate members, Ron Miller and the Portland Water District for hosting us, co-sponsors NEWWA and MWWCA, Jeff McNelly and Elizabeth Andrews, committees and committee chairs, and the Board of Trustees have all contributed greatly. Thank you everyone for attending.

I would now like to turn it over to MWUA 2011 President, Steve Cox with the official passing of the gavel.

**2011 President's Remarks** *Steve Cox, Aqua Maine, Inc.* 

On behalf of the Board of Directors I'd like to thank Kathy for her service as President of the Association for 2010. Under Kathy's leadership the association completed the office relocation to Augusta, and we are in a great place. This centralized location near the State Capitol and other state agency offices puts us in a great position to effectively carry out our mission and strengthen the association. As only the second female President of the association, Kathy's passion for the water profession, her effective communication skills, and attention to detail have made for an easy transition for me. However, one of the Directors did point out to me that in her last newsletter article, she actually quoted Van Gogh. It gives me great honor to present the Past President plaque to Kathy Moriarty, General Manager of the Bangor Water District, 2010.

As I was thinking of how to best address you folks this afternoon, my grandfather's wisdom was clear to me. He frequently said, "Better to keep your mouth shut and appear an idiot, then open it and prove it." However, I was told I needed to come up with something more than two sentences.

I remember as a freshman in college, I took academics very seriously...so much so that I could have probably taught the classes better than some of the professors at times. I came home that first spring break and my Dad sensed that I was down a little and probably missing out on things. With a wink and a smile he said, "Hey, sometimes you can't let books get in the way of your education." That came from a strict 37 year veteran educator. Now I bring this up, not because I want you all to transfer to the University of Maine system for the best 4 ½ years of your life, but because this Maine Water Utilities show is the perfect opportunity to get away from your office, desk, and computer and open your mind to new ideas and meet new people in the water industry. Create relationships with other utilities and new vendors. Grasp concepts that may challenge the way you have always done things. For the next two days do as much listening as you do talking.

When the Maine Water Utilities Association first began in 1925, the education component of the Association was targeted almost strictly at the membership. As the years passed, the education component of our mission has spread much farther than what was originally intended. It now seems like we spend as much time educating the public about what we do as we spend educating ourselves.

We recently had a regulator in our industry giving an orientation presentation to the Energy, Utilities and Technology Committee where he informed them that "water utilities are often run by lay people." Now that is hardly a responsible or even accurate statement, especially as I look around this room at the leadership each and every one of you brings to your respective communities and water systems as well as the State of Maine and New England. Just because some of us prefer to wear flannel on a cold winter's day should not diminish the professionalism in our industry. We need to continue to self promote our industry after a century of quietly minding our own business. I think of all the things that are new to the Maine Water Utilities Association since I became involved:

- New and improved website
- Annual newspaper supplement
- Outreach efforts such as the Children's Water Festival and student job fairs
- Legislative breakfasts
- Scholarship program
- Source Water Symposium

These are all efforts that will help to favorably promote the water utility profession, and I urge you to become involved. Now that Kathy has passed the gavel in my direction, clearly the Association will be led this year by a layman. With lots of guidance from Jeff, Elizabeth, recent past presidents, and the leadership of the current board, we will have a productive 2011.



Scholarship Recipient Daniel Gibson receives scholarship from Kathy Moriarty, Mary Jane Dillingham and Kirsten Ness



Peter Garrett Receives Doherty Award from Andrews Tolman



Mary Jane Dillingham Receives
Presidents Award from Kathy Moriarty



Dana Ayers Receives Sid Anthony Award from Judy Wallingford



Wiscasset Water District Receives Excellence In Operations Award from Paul Cote

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# **2011 February Meeting Trade Show**

Holiday Inn By the Bay





## **2011 February Meeting Exhibitors**

A. Chapman Company	Maine CDC Drinking Water Program
A.C. Electric Corp.	Maine Municipal Bond Bank
A.E. Hodsdon Engineers	ME Municipal Employees Health Trust
American Concrete Industries	ME Public Employees Retirement Sys.
Associate Measurement Co.	Maine Rural Water Association
Atlantic Pump & Engineering	MEWARN
AutomaTech Inc.	Monson Companies Inc.
Camp, Dresser & McKee, Inc.	Natgun Corporation
Champlin Associates, Inc.	New England Env. Equipment, Inc.
Comprehensive Environmental, Inc.	Northeast Laboratory Services
David F. Sullivan & Associates	Northern Data Systems
Dirigo Engineering	Poland Spring Water Co.
E.H. Wachs	POND Technical Sales Inc.
E.J. Prescott	Preload Inc.
Eastern Analytical, Inc.	RCAP Solutions, Inc.
Easton Winwater Works	Rehau Industries, Inc.
ETTI	Ritec Environmental
Extech Acuren	Sediment Control Systems, Inc.
Ferguson Waterworks	Sigma Corporation
Flow Assessment Services	Statewide Aquastore,Inc.
Ford Meter Box Co.	Stultz Electric Motor & Controls
Fuss & O'Neill	Tata & Howard, Inc.
G.L. Lyons Associates	TD Bank
GAC Corp.	Ted Berry Co. Inc.
Glatfelter Public Practice	Thomas Agency, Inc., The
HACH Company	Ti-Sales
Hydron, Inc.	Urecon, Ltd.
IntegraSense LLC	USDA Rural Development
Itron, Inc.	Utilitronics
Jack Farrelly Company	Weston & Sampson Engineers
JM Eagle	Wise Company, The
John Hoadley/Maine Water Works	Woodard & Curran
Layne Christensen Company	Wright-Pierce

# Thank you to the 2011 February Meeting & Trade Show Sponsors

Trade Show Preview	Coffee, Muffins & Donuts
Orange Level - \$50	Orange Level - \$50
Fuss & O'Neill	Layne Christensen Company
Layne Christensen Company	Ti-Sales
Green Level - \$100	Woodard & Curran, Inc.
Clow Valve	Green Level - \$100
Flow Assessment Services	E.J. Prescott Co.
John Hoadley & Sons, Inc./MWWSC	Preload, Inc.
Preload, Inc.	
Blue Level - \$250	
E.J. Prescott Co.	
G.L. Lyons Associates	
Wright Pierce Engineers	

#### **CONFERENCE NO. 514**

#### **APRIL 14, 2011**

**SANFORD** 



Mark Green, Town Manager of Sanford/President of Maine Municipal Association

My name is Mark Green, and I am the town manager here in Sanford. I am also the current president of Maine Municipal Association, which I think many of you here get your health insurance, worker's compensation, and other insurance through. When Dennis called me and asked me to come here, one thing I have never gotten good at is speaking in public. The only time I like to do it is when I am welcoming people to Sanford, and when I'm told to be really short. So you are going to get a welcome, and it is going to be very short.

I really feel like I was blessed when I got hired here. It's a great town. We have very strong elected leadership, which means I don't have to prod them to get things done; they are prodding me all the time. They want the town to grow, which makes it a fun place to work. Since I've been here we have built a new police department that is heated geothermally, built a new public works administration building, added on to one of our fire stations, developed a downtown plan, and have essentially cleaned up the hazardous waste in our mill yard which is right in the center of our community. We have taken two of the mills by eminent domain, which was a huge step for us. We just received a grant for \$3.7 million for one of our mills, which puts us over the top. Renovation on this mill will probably start next spring. We have another large mill that is under contract with a nationally known developer out of Manchester, New Hampshire. All these things are moving the town forward and there is great consensus in the community to do these things. I feel like I am really fortunate to have landed here.

There are a few other things I want you to know about Sanford. First of all, we have our airport in the southern part of Sanford which has the third longest runway in the State. We have put about \$10 million into it in the last few years, renovating the runways and upgrading the taxiways and ramp areas. We are hoping to see this develop and become an economic machine for the town. I know a lot of us have had a rough three years (we certainly have in Sanford), but we are starting to see that turn around. We have two fairly sizeable retail developments going up this summer, and we are starting to see building permits pick up in our town, and I hope you are seeing that in your town as well.

We also have a national collegiate baseball team, the Mainers, that plays in Goodall Park, where Babe Ruth actually hit a home run way back in the day. The people here love it and have done a great job of renovating it. This team plays teams from New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island, and this year we are going to play against Old Orchard Beach, which is starting its own team. If any of you want to come watch Old Orchard Beach get their butts kicked, please come and watch the Mainers take them on.

Another thing that is really neat is that Sanford is actually home to two water districts. Our good friend, Sanford Water District, which we work very closely with, is located here and provides water to our community. We work together and get along very well. We are also in many ways the home of Kennebunk, Kennebunkport and Wells Water District. Their main water source actually starts in Sanford on 1,200 acres that the town owns and where the airport is located. They own a big chunk of land down in South Sanford, and we have a great partnership with KK&W Water District in working to protect the land and make sure their source is protected.

And with that, I'd like to welcome you once again to Sanford. I hope your conference is great, and I'm glad I don't have to stay for the technical part, because that's when I would fall asleep. You guys do a great job. Keep protecting our water sources, and keep our State in as great a shape as it is. Thank you very much.



#### **System Overview**

Dennis Knowles, Superintendent, Sanford Water District

Around 1977, I was teaching at a vocational school which received a one year grant from the Department of Education to train operators throughout the state, and I was selected as one of the facilitators for this program. This was my first involvement with the Association, because it was suggested that I contact the MWUA to help in organizing this training program. So that is how I got into the water profession.

I started working in the water profession at Bangor Water District. I then inquired about a position opening at Sanford Water District, and found that they needed a little technical help, so I took the job, and that's how I came to Sanford.

Sanford's main pumping station and system were completed back in 1905. Inside we had an iron treatment system, simply aerated with water through trays and then passed through filters. This has been torn down. We have a construction crew with a backhoe and a wheeler, and if we do major construction, we get an excavator in to help us.

The District was formed in 1929 as a private company. After the recession, they decided to form a district, perhaps to be able to borrow money.

Right now we are pumping an average of 2 MGD of groundwater. It had grown to 2.5 or 2.6 MGD, but for the past few years it has dropped to 1.5 MGD, supplying about 80% of Sanford's community of 22,000 people. We have eight wells spread over 5 separate wellhead protection areas. The outwash plains of KK&W's source of supply watershed start in the Sanford area, and allow the use of gravel packed wells.

There are three trustees elected by the voters of Sanford. Roland Cote is the President, John Cochin is the Clerk, and Roger Durant is the Treasurer.

In the 1940's and 1950's, the total pumpage for the district was around 300 MGY, but we had just the one pumping station. In 1955 we ended up with an inadequate water supply and a major demand for water. In the 1960's, Sanford hired a company to come in and find water, but they did not find any. A couple of years before I came to the water district, a few more wells had been dug, but when I came to Sanford in 1980, one of the things I was really focusing on was to find more water. We started drilling more holes and eventually found more water. Over the last couple of years, we are pumping less water which resulted in us having to raise our rates.

We have a GIS system that shows the town, and our water mains run about 9 to 10 miles from one end to the other. We have three tanks that are on the opposite end of town from the airport. We have quite a range in pressure throughout the system, even though it is all one system.

The Littlefield tank was originally used by the mills for water storage for their processing. The water district moved and reconstructed it, and you can still see where it was welded together. We have a





solar panel next to the tank for our SCADA system to monitor the pressure levels in the tank. We received some stimulus money that we used to install the TideFlex system into this tank to generate water circulation. It was determined that this system was not going to work for our Grammar tank due to the difference in tank sizes, so we installed a Solarbee mixer into this tank. It's quite a small mixer and it floats at the top of the tank. Both these systems have been working well for us.

We have a few wellhead protection zones, and we just recently added a future well site that we also protect. We used part of our stimulus money to revamp one of our stations and to add storage. During the ice storm, we found that we really needed a generator at this station, so we installed that as well.

We currently have approximately 3,000 radio read meters installed, which covers about half of our system. We are working on installing more throughout the rest of our system. These meters have benefited Sanford Water District by improving accuracy and reducing reading and billing time.

#### **Regulatory Update**

Norm Lamie, Maine Drinking Water Program

Thank you and good morning. Dennis, as one old-timer to another old-timer, thank you for everything that you have done, not just for Sanford, but also for the entire State of Maine. Thank you for everything that you have done for the water utilities in the State of Maine, including working with the Maine Water Utilities Association, serving on the Board of Directors and as President, and serving on the Water Resources Committee; there are just so many activities you have provided for the entire State of Maine. Thank you. We really appreciate it.



Last week we were anxiously awaiting a decision by Congress on adoption of the FFY 2011 budget. Last Friday, April 8<sup>th</sup>, a decision was made and we are revising the 2011 Drinking Water State Revolving Fund to reflect the DWSRF allocation in the budget. We will file the application for 100% of the Maine allocation. EPA Region has informed us we can request a partial drawdown for that portion for which we currently have a state match available. The amount of funds currently available for the 2011 DWSRF state match is \$1,322,430. That will allow us to draw down \$6.6 million of the expected \$8.3 million Federal Capitalization Grant. We have two years to acquire the balance of the state match and request a drawdown of the 2011 allocation.

Speaking of the state match, the DWP has reviewed alternative funding options to provide the 20% state match for the future state match. The BEST option is having the State Match come from the General Fund. The "BETTER" option is a General Bond Issue. The "GOOD" Option is using a Revenue Bond with repayments coming from interest earnings from prior SRF loans.

The 2011 DWSRF Needs Survey is under way. Twenty-five randomly selected utilities have been asked to provide information on SRF funded drinking water infrastructure needs for the next 20 years. This information will be compiled and will be used for SRF state allocations over the next four years. As of today, five surveys have been returned. The first one through the door came from Jon Ziegra for Boothbay Region Water District.

Wellhead Protection, Source Water Protection and Capacity Development Grants are all due Friday, April 29<sup>th</sup>. We hope to see lots of competition. Grant awards will be announced by June 1, 2011. Some of these grants used to have a rolling acceptance. If not received by April 29<sup>th</sup>, they will go into the fall batch of awards.

More information about radionuclide testing resulting from the Japanese nuclear power plant can be found at the following website: http://www.epa.gov/japan2011/. A Statement on Radiation Concerns for Maine Residents is as follows:

"The United States Environmental Protection Agency has two real time radiation monitoring systems (RADNET) in the State of Maine: one in Portland and one in Orono. The Kittery Water source is tested quarterly because of proximity to Seabrook. Maine has three additional sources of data. These

sources are the Physics Department at the University of Maine in Orono, the State Health and Environmental Testing Laboratory in Augusta, and the Portsmouth Naval Shipyard in Kittery. All the data that have been gathered since the middle of last week have remained extremely low but have detected radioactive iodine. The dose to a Maine resident from these levels would be one thousand times less than you are exposed to every day just living on Earth. We are able to measure these extremely low levels due to very sensitive laboratory equipment that can measure the equivalent of 1 part per quadrillion."

LD 424: An Act To Revise the Laws Governing the Licensure of Public Water System Operators is headed for the Governor's desk for signing. This bill increases the maximum allowable fees to \$95 for any one item, separates exams from licensing, and allows for third party exams. Rules will also need to be updated; there will be public input and hearings in the fall. Call a Board member to voice your opinions.

The CCR template information with water data results from 2010 has been mailed to all community public water supplies. Small systems can use this template to comply with the CCR rule requirements. Larger systems can use the water data results from these forms to publish their own CCR's. CCR's are due by July 1, 2011.

2011 Drinking Water Required Test Lists were mailed to all public water systems (T's, NTNC's, and C's). This list should be used to keep track of when water samples are due to be collected throughout the year. If you notice any discrepancies in either of these forms or have questions, please call your District Compliance Officer. I remind you that any compliance lab work must be done by a certified lab and results must come directly from the lab. Systems are not obligated to use the state lab.

Is your utility having difficulty getting documentation from your chemical supplier that the chemicals you're receiving were certified to NSF/ANSI Standard 60? Does the packaging have NSF labels? Do you receive certificate of analyses stating NSF certification of the chemicals that you add to the water you provide to your customers? You need to be concerned if your chemical suppliers are not providing sufficient documentation regarding this rule that went into effect several years ago, and you need to look at alternate suppliers.

In the past we have not been too concerned about acrylamide and epichlorohydrin because the thought was that no PWS in Maine was using any application that contained them. However, we ran into a case with one groundwater system that was using a sequestering agent (that contains acrylamide) for iron. It appears that there are chemicals that contain acrylamide and/or epichlorohydrin currently available to water systems. There are presently no PWS reporting to us, as required, if they are using the chemicals.

The Code of Federal Regulations requires that systems using such chemicals strictly control the dosing so that there is no contamination of the water. There is no reasonable way to test for acrylamide and epichlorohydrin in drinking water and no way to remove them. Regulating amounts occurs through treatment technique rather than being based on an MCL. The PWS is required to send certification about their dosages to us once a year.

Carlton Gardner has drafted a letter to be sent out to surface water systems that filter and use coagulants/flocculants. Also, we could get a list of municipal systems that are removing iron and send to them as well.

I want to remind you that Monday, April 18<sup>th</sup>, is Patriots Day, and the state offices are closed. Tuesday, April 19<sup>th</sup>, is a State Shutdown Day.



Todd Williams

# The FCC 2013 Mandate: What it Means for SCADA Wireless Communications

Todd Williams, RF Systems Specialist, TCS Communications Dean Marengi, Vice President, TCS Communications

First of all, I would like to thank the association for inviting us, and we appreciate the opportunity to give you guys some useful information. My name is Todd Williams, and I have been in the radio industry for over 15 years, and Dean Marengi has over 30 years in inland mobile radio, with a concentration in SCADA wireless over the past 10-15 years.

What we are going to do today is go over what narrow banding is and how it affects you folks. This presentation was really put together for public safety, since recently I have been

spending about 80% of my time with these departments trying to get them into compliance with the mandate.

Licensees operating in the VHF and UHF bands traditionally have employed systems that operate on channel bandwidths of 25 kHz. Narrowbanding refers to a requirement by the FCC that all existing licensees implement equipment designed to operate on channel bandwidths of 12.5 kHz or less by January 1, 2013. What that means is that for anything you operate right now that wideband has to be either converted or modified to operate on narrowband by that deadline. Any equipment that is not capable of operating on channels of 12.5 kHz or less will need to be replaced.

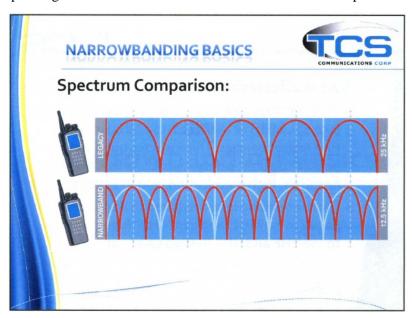


Figure 1

This mandate affects any users operating in VHF (150-174 MHz) or UHF (421-512 MHz) utilizing Part 90 frequencies. This includes but is not limited to public safety, public works, utilities, hospitals, higher education, and K – 12 schools. Narrowbanding is not required in 800 MHz, low band (30 – 50 MHz) and 220 MHz. It only applies to the VHF and UHF Part 90 spectrum.

The purpose of this mandatory narrowbanding is to promote more efficient use of the VHF and UHF land mobile spectrum. Today, this spectrum is highly congested, and there are not enough channels available for licensees to expand their systems or to implement new systems. As

existing licensees convert to narrowband, new channels will become available for licensing. Back in the late 1990's, the FCC started the process of producing a mandate to create what is called "spectrum efficiency", essentially to make more room in the existing spectrum.

Figure 1 demonstrates how the channelization plans for the VHF and UHF bands will change as a result of narrowbanding.

After January 1, 2011, the FCC will no longer accept applications for <u>new</u> VHF or UHF systems that operate on channels exceeding 12.5 kHz emissions. The FCC will also no longer accept applications

for <u>modification</u> of VHF or UHF systems that increase the station's authorized interference contour and that operate on channels exceeding 12.5 kHz after January 1, 2011.

By January 1, 2013, all existing licensees must have completed the necessary modifications to their respective FCC licenses to reflect the new narrowband emissions. Any licensee that does not have the required narrowband emissions added to their respective licenses by this date will have their license terminated, regardless of the expiration date listed. All existing licensees must be operating on equipment with a bandwidth of 12.5 kHz or less.

The FCC has cancelled the deadline of January 1, 2018 requiring the use of 6.25 kHz efficient technology in VHF and UHF systems. All the current FCC narrowbanding rules relate only to the requirement to migrate to 12.5 kHz efficient systems in the 150 - 174 MHz and 421 - 512 MHz bands. The FCC has, however, issued a recommendation that those users intending to migrate to narrowbanding consider going straight to 6.25 kHz efficient technology.

In order to plan for these deadlines, affected users need to aggressively develop a strategy to meet the narrowbanding deadlines in order to avoid the cancellation of their existing wideband FCC authorizations. Although the migration deadline may seem far off, the long lead times and interim deadlines make it necessary to begin developing these strategies now.

To prepare for the migration, users should start assessing radio systems and begin planning for replacements or upgrades. Inventory current equipment to determine what can be converted and what needs to be replaced prior to January 1, 2013. A budget should be established for all necessary procurements. The significant funding required makes it important to plan well in advance. To move to narrowband operations, users must apply for new frequencies or modify existing licenses. Users that are licensed for a 25 kHz-wide channel is not guaranteed two 12.5 kHz channels. Licensees will have to justify to the FCC why they need additional channels. Consideration of applications for new narrowband licenses will follow the same process as a new license application. As agencies migrate to narrowband operation, however, the pool of available frequencies will increase.

If you are operating a wideband (25 kHz) system in the VHF or UHF land mobile band, you may continue to do so <u>until</u> January 1, 2013. As a practical matter, however, you may want to start planning and preparing for your narrowband conversion now.

We will now describe some important reasons why you want to get started sooner rather than later: interference, safety and budgetary factors. As other licensees complete their transition to narrowband (12.5 kHz) channels, new channels will likely become available for licensing. It is possible that new operations could be licensed within your operating area on a channel that is only 12.5 kHz removed from a channel on which your 25 kHz system is licensed to operate. The likely result is interference to your operations. The best way to protect yourself against such interference is to implement your own narrowband conversion now.



Dean Marengi

Before the potentially interfering operations are initiated, the other licensee probably will be expected to notify you of the potential for interference. However, you will not be able to prevent the new licensee from deploying its system. Therefore, unless you complete your transition to narrowband, you will be increasingly at risk of interference from new narrowband operations by other licensees.

Many agencies use their VHF and UHF systems for important safety-related communications, both during emergency situations and in the course of day-to-day operations. For these agencies, it is particularly important that the transition to narrowband equipment be achieved as smoothly as possible and with the minimal amount of disruption to system operations. The more time you have to plan how to carry out your transition, the less likely it is that your critical operations will be disrupted during the cut-over process.

Many agencies typically are subject to a rigorous budgetary process, whereby it may take many months to obtain approval for large

expenditures. You will need to factor the duration of this budgetary process into your determination as to when to initiate narrowbanding efforts. If you do not allow enough time for the obligatory "red tape", your agency may find itself unable to meet the FCC's January 1, 2013 deadline. Although it is not imperative that you take any action today, there is at least one thing that you should make sure <u>not</u> to do: do not buy any more equipment that operates only in a 25 kHz mode.

Licensees should modify their existing licenses to add a narrowband emission designator prior to commencing narrowband operation. Agencies should seek professional assistance for license modification, as this process can be complicated and require more extensive coordination. Once the narrowband transition is complete, licensees should modify their licenses by removing the wideband emission designator. If this is not done, the wideband emission will be automatically removed after the January 1, 2013 deadline.

One common misconception is that narrowbanding is a requirement to "go digital". The FCC's narrowbanding rules do not dictate that any particular type of equipment modulation be employed. You may continue to operate analog equipment, even after the January 1, 2013 deadline, provided your equipment meets the FCC's narrowbanding (12.5 kHz) standards. However, you may want to use the FCC's narrowbanding requirements as an opportunity to upgrade to digital technology, which is less susceptible to adjacent-channel interference and offers capabilities and features not available on analog systems.

Another myth is that the licensee will end up with twice as many channels. Compliance with the FCC's narrowbanding requirements will not necessarily entitle you to license two 12.5 kHz channels where previously you had one 25 kHz channel. In general, each licensed 25 kHz channel will be converted into a 12.5 kHz channel having the same center operating frequency. If you would like to add additional channels to your license(s), you will need to apply for those additional channels in accordance with the FCC's rules.

Assuming that narrowbanding is the same thing as "rebanding" is also a myth. Rebanding refers to a process that is currently underway in the 800 MHz band, whereby some licensees are being required to retune or replace this equipment in order to operate on alternative 800 MHz frequencies. The purpose of this rebanding effort is to alleviate interference to public safety licensees in the 800 MHz band. This rebanding process has nothing to do with mandatory "narrowbanding", which is a requirement that applies only to VHF and UHF spectrum users.



## What You May Find in the Spring

Jefferson Longfellow, Kennebec Water District

For those of you who don't know me, my name is Jefferson Longfellow and I'm from the Kennebec Water District, which is in the Waterville, Winslow and Fairfield area. In a few minutes we are going to talk about roofs because of the incident that happened at the Kennebec Ice Arena where the roof collapsed and caused a big surprise to a lot of people. But first I have put together a presentation of things I have found over the years during our spring inspections.

The upper ring to one of our concrete tanks had started to deteriorate and fall off. The upper ring was actually non-structural

coating, but it doesn't look good when you see pieces of it on the ground. The tank was under warranty by the manufacturer even though at the time it was about 10 years old, therefore they brought in people to fix it.

Another incident we had was on one of the district's pumping station's roof. We had a leaky roof on a different building, and decided to do a full system-wide evaluation. We found that this pumping station was in much worse shape, due to a several inch deep pond found on the roof. It had become so saturated on the roof that the actual structure of the building had deteriorated to the point where we had to

more or less tear the building down. It was replaced with a wood frame building with a new foundation and steel siding.

Another one of our pumping stations had a wood shingle roof. We had previously tried putting various coatings on it, but it eventually needed to be replaced due to the shingles being completely dried out by the sun.

On another flat roof on one of the district's buildings the roof cracked open far enough to stick your fingers inside. We did some planning and eventually had the whole roof replaced. The insulation underneath this roof was so saturated that it was dripping water. Probably a little more attention to inspection every spring could have helped to prevent this or catch it earlier.

The process of going through and repairing these roofs actually took many years. There was an initial evaluation was done in 1997, and it took about 13 years to budget and prioritize.





#### **Reflections After The Thaw**

Matthew J. Ashe, Jr. & Kevin Gallerie, Camp, Dresser & McKee, Inc.

Good morning. Here is some winter 2010-2011 snowfall data for Boston:

- Season total was 7<sup>th</sup> highest on record
- Maximum (1995-1996): 107.6 inches
- Through March 22, 2011: 79.3 inches
- Average: 41.8 inches

January total was 3<sup>rd</sup> highest on record

- January 2005: 43.1 inches
- January 1996: 39.8 inches
- January 2011: 38.3 inches

In southern New England, January 2011 was atypical. Boston received 38.3 inches of snow, which was the 3<sup>rd</sup> highest on record. There were about ten snow events in succession from



Matthew J. Ashe, Jr.

January 1<sup>st</sup> through February 2<sup>nd</sup>, and temperatures were mostly below 30°F. There was little or no melting between storms, which meant that snow on roofs kept accumulating. The design snow load for roofs in MA, RI & CT is typically 30 - 40 pounds per square foot (psf). Typical snow loads for Maine range from 50 psf to over 100 psf.

In January and February of 2011, Massachusetts had a record number of roof collapses (> 100). Most of the collapses occurred on metal buildings, commercial buildings, garages and sheds. There were very few residential homes with collapses. Structural engineers throughout southern New England are currently evaluating roof structures for snow load.

In February of 2011 CDM evaluated snow load in Woonsocket, RI. CDM evaluated snow load on twenty schools and municipal buildings. Due to the snow load on the roofs, there was a system wide school closure. CDM determined remedial efforts and advised the contractors undertaking the snow removal operation.

In Plainville, CT, CDM evaluated snow load on five different schools, which resulted in partial building closures dependent on magnitude of snow load and capacity of framing. CDM advised the owner on how to measure snow load, and also on their snow removal operations.

The owner of an industrial building in Wallingford, CT measured snow loads at 28 psf (86 psf at drifts). CDM was asked to review drawings which showed 30 psf (90 psf at drifts). CDM was also asked to verify the design loads shown on the drawings by independent calculations. We took visual observations of structure and advised.

A structural engineer can identify potential overload by reviewing the susceptible elements, such as metal buildings, flat roofs, long spans, cantilevered canopies, lightly constructed canopies and awnings, and steel joists. A structural engineer can also measure the actual snow load and advise. A structural engineer can identify signs of potential distress by visible deformations of roof line or ceiling, excessive sagging in roof members, and sagging in sprinkler piping or conduit. Other things to look for include gaps between sprinkler heads and ceiling, unusual noises (creaking, cracking, banging, metal groaning), bowed walls, new cracks in walls and ceilings, doors or windows that are difficult to open/close, new roof leaks, and broken screws, bolts and welds in steel construction.

The density of snow varies. The code assumes a density of 20 to 27 pounds per cubic foot (pcf) for the State of Maine, corresponding snow depth would range from 2.5 to 5 feet. In January 2011 measurements for flat roofs were as follows:

Woonsocket, RI: 17 pcf – 25 pcf

Plainville, CT: 21 pcf Wallingford, CT: 21 pcf

These were values for snow that had "consolidated". Other engineers reported 18 pcf in other locations. It is difficult to judge snow load by snow depth. Anyone who has shoveled snow in New England knows that the density of snow can vary significantly. Because the density of snow can vary over a wide range, the best way to determine the load on a roof is to measure it. This allows a comparison to the psf value used in roof design.



Kevin Gallerie

The tools to use for snow load measurement are a four inch diameter PVC pipe, plastic shovel with no metal edges, a five gallon bucket, a six inch wide plastic putty knife (or wood shingle), fishing scale (digital is preferred), and a tape measure or yard stick. First insert the four inch diameter PVC pipe into snow vertically. Shovel down along the side of the pipe to expose the bottom. Slide the plastic putty knife (or wood shingle) under the pipe. If using a digital scale, zero the scale with the bucket hung from the scale at this time. Lift the pipe up using the putty knife or shingle to hold the snow in the pipe, and hold the bottom of the pipe over the bucket and let the snow fall into the bucket. Record the weight of the snow in the bucket, and multiply by the appropriate conversion factor to obtain lbs/ft<sup>2</sup>. Measure the depth of the snow to calculate the density of the snow.

In preparation for the snow season, collect drawings and other construction records. The drawings may show the design snow load of your building, and the drawings will also show locations of roof drains, and other records such as calculations, specifications, and shop drawings for original construction and any renovations. Engage the services of a structural engineer who can determine what snow load the roof should be able to support, and can conduct a condition survey to identify any areas weakened by deterioration or other unsafe conditions. You will also

want the engineer to be able to identify undocumented renovations and/or added loads, undocumented rooftop equipment and projections that may create drifts, and can determine if re-roofing has altered load conditions (weight of roofing added or removed). A structural engineer can give advice specific to your building(s) and facilities.

Based on input from the structural engineer, prioritize facilities, or part(s) thereof, considering the critical structures needed in emergencies, the number of occupants, the impact on operations, the capital investment (property and technology), and other criteria. Know who you will call for snow removal efforts, such as roofing contractors. Also, know the location of critical items such as column grid lines (these can be marked on the interior of parapets), roof drains (these can also be marked on the interior of parapets), and areas on the ground where snow can be deposited safely.

It is important to remember that certain types of construction such as arches, frames, and



continuous construction may become unstable if the snow is removed from only a portion of the roof. A structural engineer can define a sequence for snow removal. It is also important to draft message(s) to the media regarding public safety, impacts to operations or service, closings, etc.

Most roofs are designed and constructed such that snow removal is rarely needed. The usual approach is to just let it melt. Always keep the drains and drainage paths clear. It is very difficult and labor intensive to remove snow from a large roof area, and it can also become quite costly.

If you do need to remove

snow from your roof, be sure to evacuate the building if you have any concern, and make sure the roof can support workers. Start from edge and work in towards the center of the roof. Use shovels with plastic blades, and remove large drifts, snow on or around cantilevers, overhangs, light construction, and drains. Make drainage paths between drains and along valleys, and make sure to clear gutters, scuppers, and downspouts. Be careful not to damage parapets and projections (flashing). Remember to dress for cold and/or wet weather, wear protective gear (hardhats, safety goggles, etc), be cautious of slippery surfaces (roofs, ladder rungs), keep snow and ice from accumulating on shoe treads and soles, and attend to fall prevention.

Do not use shovels with metal blades or edges, or tools that could puncture or tear roofing. If you choose to use a snow blower, make sure the roof can support the snow blower's weight and that all the snow is being thrown off the roof. Keep in mind that the blades of snow blowers can damage roofing as well. Do not pile snow on a roof since the concentration of snow pile weight can overload a roof, and likely create a drift during the next storm. If you pick snow up, it must go off the roof! Do not push snow across the roof surface with shovels, and be sure not to create an unbalanced load condition. When shoveling snow off the roof, make sure no snow is blocking exits, and don't throw snow on items that protrude from the building and could be damaged (canopies, air conditioners, light fixtures). Also, do not throw snow on an adjacent construction or property that could be damaged.

Keep in mind that the roof doesn't need to be bare. Carry snow to the edge of the roof or place it on tarps and drag them to the edge. Once the snow is on the ground, use plows, excavators and trucks to haul it away. Melting the snow is another option.

## **Some Facts about Roofs**

Walter E. Barschdorf, President, Independent Roof Services, Inc.

I would like to talk about the different types of roofs you have on your buildings. I know Kennebec Water District had a couple different types of roofs. Some types you may run into include low slope roofing which is typically a water proof membrane, TEO, or Thermal Elastic Olefin which is a light membrane and is very popular today, regular black EPDM, and PVC which is the most notorious unreinforced membrane that tended to shatter miserably. We also have SIS, or double coverage roofing which is the old asphalt based organic material, slate roofing which is a very nice roof, asphalt shingles, structural panel metal roofing and architectural metal roofing. There are many others.



With the steep slope, it is important to realize that none of them are waterproof. This type of roof keeps the water out of the building by shedding.

Types of roofs that you might want to keep your eye on during the winter when snow loads are heavy are older roofs with wood, concrete, or TACTO decks. TACTO tends to fail by swelling up and sucking in water if it gets wet repeatedly.

Gypsum is another roof deck product that can be planks that you buy and put down on the frame. Gypsum is a strange product because it will suck in a lot of water and hold it. We recently designed a new roof on a structure that did not have any columns, but petitions that were held by a channel or groove at the top. A reroof was done over the previous roof, which trapped a tremendous amount of moisture within that deck. Once the deck was completely removed, and the entire structure lifted about 4 inches, some of the walls ended up floating inside, since the groove was too high for the walls to reach after the roof lifted.

When you examine your roofs in the spring, look for pieces of broken or crushed deck, or any unusual running of water. Look for damage from trees or tree limbs falling and puncturing roof membrane. Also keep an eye on chunks of ice and icicles that fall off high level roofs and land on lower level roofs.

Many different kinds of debris can also damage roofs, therefore it is important to do a close examination and remove any debris that you find. I was once inspecting the Augusta Armory's roof, and found an arrow sticking out of the roof. Some of the things found on roofs can be bazaar. It is extremely important to keep the roof drains, gutters and down spouts free of debris in order to protect your roof as well. Also look for any missing or broken shingles or snow guards. Flashing may also be damaged and move out of place.

Also look for holes or cuts in the roof membrane, sections of the membrane that may have been loosened by wind, or loose or missing edge metal. Membranes can also be misplaced or torn off by wind.

A tremendous asset when you are doing an inspection is a pair of binoculars, which enables you to stand back and safely look at the roof configuration, locating any missing or damaged shingles. Depending on the type of building structure you have, you can actually do some inspections from the attic. Inspect the plywood boards, studying them for any stains. If you do find stains, find out if it is fresh and where it is coming from. If you find a rotten or broken area in the attic, make note of that, and then inspect that area from the top of the roof as well. It is a good idea to inspect your attic on a sunny day in order to find places where you see light leaking in so you can seal those up.

Snow removal is very expensive. When dealing with buildings that were designed prior to 1984 or 1985, it was probably designed to hold about 40 lbs of snow load per square foot, if you are lucky. It that is the case, then it is a good idea to have this building checked out by a structural engineer. It is important to insulate your roof correctly, that way your roof can hold even more snow load than what it was designed for.

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## In Memory

## **Rubye Clyde Webb Grady**

Rubye Clyde Webb Grady, 86, passed away peacefully in the presence of her family on December 5, 2010. Rubye was born on May 5, 1924, in Robinsonville, Mississippi. Rubye and her husband Pat served as secretary and assistants to the Maine Water Utilities Association for a number of years. She enjoyed her work for the Association and putting out the Journal and the Maine Water News. Her greatest joy, however, was dealing with the members at the meetings, especially the clambake. Rubye had a remarkable talent for remembering names and could greet almost everyone she encountered on the job. She was recognized by the Maine Water Utilities Association with an Honorary Membership which she cherished.

## **Russell Mathers II**

Russell Mathers II, 58, died January 7, 2011 in Auburn. He was the Town of Wilton's Wastewater Treatment and Water Superintendent. He was born in Butler, PA, was educated in the schools of Hopewell Junction, New York and served in the US Army. Russ was hired in 1987 as a plant operator and advanced to the position of Superintendent. He and his staff were known for their innovative approach to operations, often doing their own repairs and even creating their own parts. He was known for his musical and artistic abilities. He is survived by his wife, Jody, a son and stepson and a daughter.

## Jacqueline Louise (Gilson) Morgan

Jacqueline Louise (Gilson) Morgan, 26, of Pittston, Maine died unexpectedly on January 24, 2011 at the Norwood Hospital in Norwood, Mass. She was born in Augusta on May 18, 1984. Jacqueline had been employed by the Greater Augusta Utility District. She was a graduate of Hall-Dale High School, and had attended the University of Maine at Augusta.

## Ulyesse J. Bernier

Ulyesse J. Bernier, 63, passed away unexpectedly at his residence on Feb. 27, 2011. He was born November 21, 1947, in Caswell, the son of Odule and Yvonne (Ouelette) Bernier. He attended Caswell and Limestone schools, graduating from Limestone High School in 1966. He was employed from 1999 to present by Loring Development Authority of Maine as a water treatment plant operator. Mr. Bernier was a fun loving man who was good to everyone he met. He will be remembered by his family as a wonderful son, husband, father and brother.

## Myron L Estabrook, Jr.

Myron L. Estabrook, Jr., 90, passed away on April 16, 2011 in Portland. He was born May 27, 1920 to Myron and Sadie Estabrook of Yarmouth, Maine. During WWII he served in the Army for over four years having been assigned stateside duty and eventually joining General Patton's 3<sup>rd</sup> Army in Europe. Myron was employed by the Yarmouth Water District for 39 years retiring in 1984 as superintendent. He was a Red Sox fan, enjoyed hunting and driving his antique truck. He was a member of the Yarmouth

Volunteer Fire Dept and the American Legion. Spending time with his family was what he enjoyed the most. He is survived by his wife, 2 daughters and a son, 3 brothers and a sister, 5 grandchildren, and a great-grandson.

## George "Bud" J. Murdock

George J. "Bud" Murdock, innkeeper and proprietor of The Ocean House Hotel in Port Clyde, passed away June 9, 2011, in Rockport. He was born in Chelsea, Mass., on Dec. 20, 1933. He and his family spent many summers on Monhegan Island at the summer home of their grandparents. In 1979 he and his wife purchased the Monhegan Store. Bud purchased The Ocean House Hotel in Port Clyde in 1984. He served for 15 years as chairman of the Port Clyde Water Commission. Murdock is survived by his four children, his children's mother, two stepchildren, his sister, grandchildren and great-grandchildren.

## **Weston Bradford Haskell III**

Weston Bradford Haskell III died on Aug. 18, 2011, as the result of a construction site accident in Searsport. Wes was born April 1, 1953, in Boston, MA. Wes studied engineering at the University of Maine, Orono and graduated in 1992 with a bachelor's degree in mechanical engineering. While Wes studied engineering at the University of Maine, he began working at Bangor Water District as a part-time laborer. By 1991 he had been promoted to the position of data systems manager. In 1993 Wes moved to Massachusetts and became superintendent of Wareham Fire District Water Department. He returned to the Bangor area in 1997, and served as general manager of Old Town Water District until 2006 when he became district engineer and assistant general manager at the Bangor Water District. Wes spent many years dedicating his time to the water profession, and he also served on the national licensing board for water system operators. He retired in the final two years of his life, and developed his career as a consulting engineer. He will be greatly missed and his many contributions to the water profession will be felt for years to come.

\*

## **Past Presidents**

1926-50 DAVID E. MOULTON*					
1951	SIDNEY S. ANTHONY*	1981	FRED E. GIVEN		
1952	ROMIE K. NEWCOMB*	1982	DAVID A. SWEET		
1953	ALLAN F. McALARY*	1983	R. PATRICK GRADY		
1954	LEANDER G. SMITH*	1984	HECTOR LeCOURS*		
1955	FRANCIS L. HATCH*	1985	RONALD R. GRAY		
1956	EARL A. TARR*	1986	A.B. PALMER, JR.*		
1957	WM. G. HARTWELL*	1987	PETER L. CALDWELL		
1958	HERMAN BURGI, JR.*	1988	EDWARD B. BURGESS		
1959	DONALD P. JOHNSTON*	1989	DENNIS T. KNOWLES		
1960	J. ELLIOT HALE*	1990	JEFFREY L. McNELLY		
1961	LYNDALL K. PARKER*	1991	JEFFREY P. NIXON*		
1962	MAURICE H. BURR*	1992	GEORGE PETERS		
1963	JAMES W. BATES	1993	NORMAND R. LABBE		
1964	J. PORTER HENNINGS*	1994	NORMAND R. LAMIE		
1965	CECIL W. MANN	1995	DONALD L. WARE		
1966	E. S. LITTLEFIELD*	1995	DAVID MICHNIEWICZ		
1967	PAUL G. BUTLER*	1996	WAYNE ROGALSKI		
1968	M. A. PACKARD, JR.	1997	NORMAN J. CYR		
1969	W.D. MONIE*	1998	STEPHEN L. FREEMAN		
1970	ROBERT VARNEY*	1999	JAMES W. WEST		
1971	JOSEPH TAYLOR	2000	RICHARD L. KNOWLTON		
1972	SHERMAN SMITH*	2001	SCOTT MINOR		
1973	HARRY WOOSTER	2002	DAVID PARENT		
1974	GERARD F. LAUREN*	2003	JEFFREY LACASSE		
1975	PELEG BRADFORD*	2004	MICHAEL NADEAU*		
1976	LYBRAND GOLDSMITH*	2005	JUDY WALLINGFORD		
1977	STANLEY MELIN*	2006	BRIAN TARBUCK		
1978	ALTON JOHNSON*	2007	WILLIAM G. ALEXANDER, JR.		
1979	EARLE A. TARR, JR.*	2008	GORDON JOHNSON		
1980	JOHN E. LOMBARD	2009	JOHN STORER		
		2010	KATHY MORIARTY		

Deceased\*

## Board of Directors Meeting May 13, 2010 Bangor Water District

The May meeting of the Board of Directors was held at the Bangor Water District in Bangor, Maine. In attendance were President Moriarty and Directors Johnson, Gobeil, Frasier and Executive Director McNelly. Also in attendance were Mary Jane Dillingham and Craig Douglas. It was noted that Cox was absent because he was attending a meeting with the Maine CDC that MWUA was invited to attend.

## Communications

It was noted that Dillingham and McNelly had received good feedback on the Drinking Water Week Insert. McNelly reported that he received a call from someone in regards to taxing water being shipped out of the state. Moriarty passed around an article concerning National Drinking Water Safety Week written by a Dr. Joan Pellegrini.

## Executive Director's Report

McNelly reported that he communicated with a Maine Municipal Association staff member who indicated that MMA would not be able to take over any administrative work for MWUA until at least 2011. McNelly will call MMA Executive Director Chris Lockwood concerning this issue.

It was reported that MWWCA held their conference at Hollywood Slots. President André Brousseau was pleased with the outcome.

## Directors' Reports

Frasier reported that the Brunswick & Topsham Water District had a utility permit denied by the town of Brunswick for an extension to the Marines and Army National Guard. The water district will be approaching the site form a different direction, and hopes to complete this project.

Gobeil reported that KKW Water District held their open house last weekend and that it was a success.

Moriarty reported that she attended the meeting with the governor concerning the signed proclamation for Drinking Water Week. It was noted that the meeting went well, and perhaps the best thing that came out of the meeting was that the Drinking Water Program felt this cause was important and sought support from the governor on this issue.

Moriarty also brought a pamphlet entitled "Working Together for Safe Drinking Water" that was distributed by the Drinking Water Program. It was noted that this was a good source of information, and it may be a good idea for MWUA to try to distribute something much like it in the future.

Moriarty noted that Bangor Water District is next on the list for the DEP's Chapter 587 In-Stream Flow Rule review. Andy Tolman and Terry Trott attended a meeting with Moriarty to begin the process of verifying Bangor's system design capacity.

It was also noted that the Boston main break was handled well by the water utilities in Massachusetts. It was reported that they should be commended on all levels, including the planning for this type of situation.

Johnson reported that Portland Water District is seeing more projects be reactivated that were put on hold due to the economic crisis. It was also reported that Portland is pursuing a permitting from the DWP to use a well near Sebago Lake as a backup water supply. A one month test has been completed, and the well will be put online for further evaluation.

Johnson also reported that Portland Water District is moving forward with their UV treatment plant for next spring, and they will be requesting a deadline extension.

## Approval of Minutes

Corrections to the minutes were noted, and on a motion by Johnson and a second by Gobeil, the Board meeting minutes from April 1, 2010 were unanimously approved.

## Old Business

## 2010 Goals

Storer was not in attendance; therefore the draft of organizational goals has not been completed. 2010 Goals is to be left on the agenda for the next meeting.

## Office Update

McNelly reported that a number of office locations had been viewed. The ad hoc committee will be meeting to discuss the options, and the plan is to have a recommendation for the Board at the June meeting.

## Website Update

It was reported that the new website is under way with a new template and host. It was noted that it is important for committees to have input, and all ideas should be emailed to the website committee. It was mentioned that it may be a good idea from someone from the committee to connect with NEWWA's website committee. There will be a new program called WordPress to update the new website, which the MWUA admin will be able to use, and the plan is to make the website as user friendly as possible. Moriarty noted that if MWUA can get the new website up and running and move to a new office this year that would be a great accomplishment.

## **Management Training**

It was reported that MWUA received an invitation from JETCC concerning a meeting on the 20<sup>th</sup> to discuss a management training class. It was noted that MWUA may be able to provide funding and training for this type of class, but MWUA needs to make sure the resources are available. It was noted that management training is important because many times employees get promoted due to length of employment, but do not have proper education or skills. It was mentioned that the DWP plans to support this management training financially.

## Chapter 660

McNelly reported that he attended a meeting in April concerning the PUC Chapter 660. It was noted that smaller utilities are seeking exemptions from some sections of the rule. There was a lengthy discussion concerning this issue, and it was decided that MWUA should support all utilities, included large and small, by advocating to have a standardized rule that all utilities can conform to. It was reported that utilities have until June 1<sup>st</sup> to submit their comments concerning Chapter 660.

## Dig Safe

Cox sent a memo concerning the Dig Safe Stakeholders meeting. It was reported that the attendees of the meeting recognized the barriers discouraging membership. It was also noted that they are working to fix the 30-day renewal ticket issue, and they recognized that utilities cannot be responsible for locating assets not owned by the utility. McNelly noted that he feels there could be rulemaking because of these issues, and the Board will most likely see these issues come up again.

## Financial Review

McNelly pointed out that the 2010 budget had been altered to reflect the fact that MMA is not doing any administrative work for MWUA. It was noted that only an estimated \$12,000 of the \$90,000 given to MWUA to spend on education and outreach had been used. There was a discussion concerning ways to spend the rest of the \$90,000. One idea mentioned was a guide or pamphlet to be handed out at seminars put on by MWUA (such as a Chloramine guide to hand out at the Chloramination sessions to be held in June). Another idea mentioned was to publish a pamphlet much like the DWP's "Working Together for Safe Drinking Water". Another idea is to use the money to enhance the MWUA library, or create a PSA. Dillingham is to call Terry Trott of the DWP to ask about funding for a PSA. It was noted that spending this \$90,000 will add value to the MWUA membership.

## Committee Updates

## Legislative and Regulatory Affairs

McNelly reported that MWUA is focusing on getting the word out about the bond by sending a packet to water utilities including a sample letter to local newspapers, "Vote Yes on June 8" flyers, a primary and backup project list, and other documents to assist them in informing their customers. It was mentioned that Johnson's article that did not make it into the insert will be sent out as a press release to major newspapers.

McNelly reported that he is trying to set up a meeting with the governor's staff regarding getting the SRF match into the general fund. It is important to focus on getting this into the general fund because of the time spent every year on the bond.

## **Program**

McNelly reported that the June meeting will be held in Caribou/Presque Isle, and preparations are in good shape. It was reported that McNelly will try to meet with water utilities in Aroostook County before the June meeting to encourage attendance. T-shirts with the new logo will be made for attendees of the June meeting.

It was reported that the clambake location and caterer is confirmed, as well as the golf location, but the Committee is lining up backup venues incase Thomas Point Beach falls through.

## Ed & Ops

McNelly reported that the Committee has lined up a Cross Connection Control session as well as a Chloramination session in June. The Water Resources Committee is preparing for their session in September entitled "Farming, Forestry and Filtration".

## Public Awareness

Dillingham reported that the Committee is working on making tickets for the Calendar Raffle, and is ready to launch the game.

Dillingham also reported that the Committee would like input from the Board concerning what steps to take concerning the insert for next year. The Board felt that it is important to produce something for the public every year. Dillingham is to contact Erica Bonenfant of the DWP concerning the specifics and cost of the DWP's "Working Together for Safe Drinking Water" pamphlet, to see if that is something MWUA could produce next year. As reported above, Dillingham is to contact Trott concerning a PSA. It was decided that the Committee should continue to do the insert for next year, unless they find something to replace it.

It was reported that MWUA would have a booth at the Children's Water Festival, and will be expecting an estimated 800 children to attend.

The press releases concerning the scholarship and award winners were sent to the newspapers on May 12<sup>th</sup>. New Business

## NEWWA Update

Douglas reported that NEWWA is looking for ways to boost their membership, since New England and AWWA membership is down this year. It was reported that the mission sharing has been confirmed and it will be included in their budget next month. It was noted that NEWWA is looking at ideas for training sessions, and any ideas will be forwarded to the Ed & Ops Committee. It was also reported that NEWWA is updating their website as well.

Douglas reported that he will be running for vice president of NEWWA and is circulating nomination papers so he can be placed on the ballot.

## Election of Treasurer pro tem

It was decided that McNelly is to contact Ziegra concerning his ability to work on budget. Frasier offered to serve as Treasurer pro tem if Ziegra cannot continue as Treasurer.

## Annual Board Timeline

McNelly has not prepared at timeline yet.

## Adjournment

The meeting was adjourned by unanimous consent.

## Board of Directors Meeting June 3, 2010 Aqua Maine, Inc., Rockport

The June meeting of the Board of Directors was held at Aqua Maine, Inc. in Rockport, Maine. In attendance were President Moriarty and Directors Johnson, Cox, Frasier and Executive Director McNelly.

## **Executive Session**

Johnson brought the Board into the session, and Moriarty brought the Board out of the executive session. It was decided that the administrative assistant of MWUA should receive an increase in hourly wage.

## Communications

It was noted that McNelly received article clippings from the Jehovah's Witnesses in response to the Drinking Water Week Insert. Moriarty reported that she replied to a letter MWUA received from SOH2O (Save Our Water). Executive Director's Report

McNelly reported that he attended the NEWWA Sustainability Congress and felt that it was a good way to interact with the environmental community. It was reported that around 70 people were in attendance. Directors' Reports

Frasier reported that, as of June 4<sup>th</sup>, he will no longer be a member of the Board of Licensure of Water System Operators. The MWUA Board thanked Frasier for his 14 years of service on the board. It was mentioned that this position opening is a great opportunity for someone to step up and advocate for the people they are representing. It was reported that McNelly, Kirsten Hebert, Dan Wells, and Dave Parent are to meet with DWP Director Roger Crouse concerning Board issues. The MWUA Board may recommend a Class III operator to replace Frasier. The MWUA office will obtain the a list of Class III operators.

Cox reported that Aqua Maine conducted a tour of their plant for the PUC and the interveners of the recent rate case. It was noted that the tour went extremely well.

Johnson reported that the PWD is working on revising their policies. Johnson mentioned that employees of PWD will no longer be permitted to use cell phones while driving. Another issue being addressed is the outsourcing of backflow device testing.

Moriarty reported that BWD's pre-stressed concrete tank is being completed. It was also reported that BWD is conducting a feasibility study for a wind project in their watershed.

## Approval of Minutes

On a motion by Johnson, the Board meeting minutes from May 13, 2010 were unanimously approved. Old Business

## 2010 Goals

Storer was not in attendance; therefore the draft of organizational goals was not available for discussion. The 2010 Board of Directors Goals were left on the agenda for the next meeting.

## Office Update

McNelly presented a memo concerning an office recommendation from the Office Re-location Committee. The memo was reviewed by the Board, and after discussion, the Board voted to approve the recommendation of 150 Capitol Street, Augusta. The Board also voted to authorize McNelly to sign the lease, with the lease being effective August 1, 2010.

## Website Update

A draft of the new website was emailed to the Board prior to the meeting. The Board agreed that the new setup looked great. It was mentioned that the next step is to get feedback from all committees, and also the MWUA members, to

obtain ideas for website content. It was decided that the MWUA office is to do an email blast to all members with a PDF of the website and to request ideas. It was also mentioned that the next issue of the Maine Water News should include a message to membership requesting ideas as well. Another idea is to discuss the website at the bi-monthly meeting. Then next Website Committee meeting is scheduled for June 7<sup>th</sup>.

## **Management Training**

It was reported that Cox, McNelly and Moriarty attended a JETCC meeting, at which the Management Candidate School was discussed. It was reported that the training will accommodate 15 wastewater people and 5 water people. The training occurs once a month for one year, geared toward the midlevel manager positions. Topics include the engineering, regulatory, and informational aspects of management. All students receive a diploma and TCH credits at the end of the training. The enrollment fee is \$750/person, but this price can be decreased by organizations donating money towards this fee. It was reported that the DWP is donating \$1,000 to lower this fee. On a motion by Moriarty, and a second by Cox, the Board unanimously voted to donate \$1,000 of MWUA's educational funds to lower the fee as well, and the Board also voted to coordinate speakers for a session on regulations and also a session on dealing with city councils and utilities.

It was reported that about 40 people attended the morning portion of the JETCC session, and that this session was geared towards the development of future training sessions. It was decided that a request for new topics be included in the next issue of the Maine Water News.

## Chapter 660

It was reported that McNelly submitted comments regarding Chapter 660 to the PUC on May 28<sup>th</sup>. The probability of the PUC reviewing the comments and changing the rule was discussed. The Board expressed their appreciation for the time McNelly had spent on those comments.

## Dig Safe

It was agreed that McNelly would coordinate a meeting with MWUA representatives, PUC staff and others to discuss Dig safe issues.

## Board

## Financial Review

McNelly reported that he had met with Ziegra to review the MWUA financials. Ziegra is to send a reporting format spreadsheet to the MWUA office. It was noted that it may be possible to copy data from QuickBooks to the MWUA financial spreadsheet. McNelly and Andrews are to follow up with Ziegra.

## Committee Updates

## Legislative and Regulatory Affairs

McNelly reported that he sent articles concerning the bond vote to Maine newspapers. McNelly also reported that he collaborated with André Brousseau to send a letter to the Portland Press Herald concerning the same. Moriarty reported that she sent a letter to the Bangor Daily News.

## **Program**

McNelly reported that the June Bi-Monthly Meeting is in good shape. It was noted that McNelly will email all attendees regarding the Wednesday night cookout information.

It was noted that guests will be invited to the Clambake, and the Board Members will be assigned to welcome those guests.

It was noted that the sponsorship letter for the annual golf tournament will be mailed on June 4th.

## Ed & Ops

McNelly reported that the Committee is preparing for the Office Session to be held on June 17<sup>th</sup> in Caribou, June 29<sup>th</sup> in Belfast, and June 30<sup>th</sup> in Gray. The Cross Connection Control session with NEWWA is also in the works.

McNelly reported that the Water Resources Committee is preparing for their session in September entitled "Farming, Forestry and Filtration", and the Water Use Efficiency Committee is working on their session in September as well. A session to be developed in concert with the Utility Financial Officers group is being planned for late October.

## **Public Awareness**

It was reported that the lunch meeting with Bangor Daily News concerning the DWW Insert was a success. Many ideas were discussed at the meeting.

It was also reported that the PAC Committee attended the Children's Water Festival.

## New Business

## September Planning Meeting

It was noted that people should come prepared with their ideas for this year's planning meeting. It was mentioned that this is a great way to find out what the membership is looking for from MWUA. It was decided that the 2<sup>nd</sup> vice president should take responsibility to set this meeting up, with support from the MWUA office. It was decided that Moriarty, Cox and Gobeil are to meet concerning the agenda, and have a report for the next Board meeting.

## CDC Accreditation Meeting

It was reported that Cox attended this meeting. Cox reported that they filled out a questionnaire, and the results will be put into a report that has not yet been finalized.

## Job Fairs/Career Day Collaboration

Moriarty reported that participating in job fairs might be a good opportunity to collaborate with wastewater personnel. It was reported that Moriarty has spoken with André Brousseau concerning this initiative, and Moriarty is to contact the University of Maine to look into participating in job fairs.

## **DWP Staff Merit Award**

The Board discussed nominees for the DWP Staff Merit Award. After reviewing the attributes and capabilities of various personnel, McNelly was directed to submit a letter of nomination.

Adjournment

On a motion by Frasier, and a second by Cox, the meeting was adjourned by unanimous consent.

## Board of Directors Special Meeting July 13, 2010 Portland Water District

A special July meeting of the Board of Directors was held at the Portland Water District in Portland, Maine. In attendance were President Moriarty and Directors Johnson, Cox, Storer, Ziegra and Executive Director McNelly. Also in attendance were Dave Parent of Sanford Water District, Craig Douglas of Brunswick-Topsham Water District, and Dave Kane and Ronald Miller of Portland Water District.

Moriarty brought the special meeting into session and reviewed the items to be discussed.

## Item #1: Update on relocation of MWUA office

McNelly presented a memo concerning the status and timeline of the MWUA office relocation, and McNelly updated the Board on the progress that has been made on this matter.

## Item #2: Discussion of Proposed Letter to "The Source"

There was a discussion concerning a proposed letter from Parent and McNelly to "The Source" (NEWWA's quarterly newsletter) concerning an article entitled "Bottled Water – Is It Really Evil"? by NEWWA member Tim Stinson and an article titled The Boardroom, by Louis Schoolcraft, II -, Director at Large.

The Board reviewed the letter to "The Source" and various comments were made. Parent noted that, while this was a letter to "The Source", a primary purpose of the letter was to suggest that NEWWA, as an organization, needs to be mindful of any positions, or opinions, relative to the bottled water industry, as said positions or opinions could be used by some to support misinformation campaigns such as the one which previously have resulted in 14 pieces of legislation in Maine. It was also noted that some felt there should be a response to this article, and doing nothing should not be an option.

Storer made a motion to send the letter to The Source and that motion was seconded by Ziegra,

During the ensuing discussion, additional points were raised. Johnson reported that he did not read "The Boardroom" article as negative and emphasized that if you are going to respond, you must know what your message is. Moriarty was in agreement with this, noting that, while she was not opposed to the content of the letter, she was concerned about the tone of portions of the letter and did not feel it was appropriate to send the letter.

Storer stated that he liked the Stinson letter, and that the proposed response built on that and would not cause irreparable harm.

Cox discussed the fact that bottled water is different than tap water, and asked whether the Board has been asked by Poland Spring to send the letter.

Johnson asked what the letter did for our legislative agenda. Parent restated his concern of an anti-bottled water sentiment on the NEWWA Board and how that could fuel an anti bottled water dialogue that could have negative implications for MWUA in future legislative deliberations and discussions.

Ziegra asked why MWUA needs to be so focused on being positive.

Following this discussion, the Board voted 2 -3 against the motion; Storer and Ziegra for and Cox, Johnson and Moriarty opposed.

## Item #3: Opportunities for Future Cooperative Efforts with NEWWA to Improve Membership Value

There was discussion of issues which had been raised by member Bruce Berger, specifically that MWUA members question the value of NEWWA membership. He opined that this has been a concern for a number of years and is not a new issue. The specific issues include:

- Training too expensive
- Do not see value in CEU's Vs. TCH's
- Training Classes to far away (often requires overnight stay to attend)
- Feel disconnected
- Events/committee meetings mostly held in Milford or Massachusetts
- NEWWA Spring Conference and Trade Event too close to the MWUA February Trade Show

## • Recent events concerning NEWWA Nominating Committee

Moriarty proposed that some or all of these issues could be discussed at NEWWA's September meeting in Rockport. McNelly updated the Board on recent discussions he had with NEWWA Executive Director Ray Raposa at a breakfast meeting. Douglas noted that now would be a good time to develop a list of things the Board would like to see from NEWWA in order to improve membership value. Douglas also reported that he would like to encourage others to be more involved and communicate to a greater extent with NEWWA.

## Item #4: Update on NEWWA Director Election Process

Douglas reported that he had been successful in securing enough signatures to be placed on the NEWWA ballot as one of the candidates for vice president.

## Adjournment

On a motion by Storer, and a second by Cox, the meeting was adjourned by unanimous consent.

## Board of Directors Meeting August 5, 2010 Kennebec Water District, Waterville

The August meeting of the Board of Directors was held at Kennebec Water District in Waterville, Maine. In attendance were President Moriarty and Directors Gobeil, Frasier, Ziegra, Johnson, Cox, and Executive Director McNelly. Also in attendance for a portion of the meeting to give a Program Committee updated was Jefferson Longfellow. Jeff LaCasse was also in attendance.

## Communications

McNelly informed the Board of an article concerning timber harvesting in Kittery. The article indicated that there is a concern that the timber harvesting may damage the habitat of endangered animals. Executive Director's Report

McNelly had no report.

## Directors' Reports

Cox reported that Aqua Maine will have a tour of their membrane plant on the first Monday of September.

Gobeil reported that KK&W Water District is having trouble with the quality of fluoride they have been receiving. Gobeil also noted that fluoride is becoming inconsistently available and the price of fluoride is increasing as well. It was mentioned that the discontinuance of using fluoride may be an option, but the whole community must agree to stop using fluoride.

Moriarty reported that BWD is in the process of hiring a Class 3 water treatment plant operator. It was noted that the District put together a math test for the applicants to take in order to identify which of the applicants had the mathematical skills necessary for the job. The results ranged from a score of 92 to 48. BWD put this math test together because the job opening deals with UV, ozone, chloramines, etc., which all require the important mathematical knowledge that goes with the Cass 3 license.

## Approval of Minutes

After corrections to the June Board minutes, and on a motion by Frasier, and a second by Cox, the Board meeting minutes from June 3, 2010 were unanimously approved.

On a motion by Cox, and a second by Johnson, the special Board meeting minutes from July 13, 2010 were unanimously approved.

## Old Business

## Draft of 2011 Organizational and Board Goals

Moriarty proposed that Cox, Gobeil, and Moriarty meet to work together on the 2011 goals. The draft of the 2011 goals will then be presented to the Board.

## Office Update

McNelly reported that the phone lines have been installed in the new office in Augusta. On August 17<sup>th</sup>, the bare essentials for the office will be moved, and the computers/phones/printers etc. will be set up and networked. McNelly noted that two used desks have been purchased, as well as a conference table and chairs, which will be delivered in couple of weeks. Purging of old files will happen after the golf tournament and clambake. McNelly will be working out of the new office the week after the clambake, and the office will be totally moved in by the end of August.

It was decided that the September Board meeting will be moved to the 8<sup>th</sup> and will be held at the Boothbay Region Water District, and the October 7<sup>th</sup> Board meeting will be held at the new MWUA office, with an open house to be held afterwards. It was decided the Board should attend the open house, as well as committee chair members.

## Website Update

It was reported that the website is up and running. It was noted that some people think the forum should be able to be accessed without logging in. Moriarty mentioned that a portion of the planning session should be dedicated to generating ideas for content for the new website. McNelly also noted that it is time for a website committee meeting.

## **Management Training**

It was reported that the association is responsible for coordinating speakers for a session on regulations and also a session on best management practices, as part of the JETCC management training. It was noted that it may be a good idea to open up the regulatory section of this training to more than five water people, so that more utilities can benefit from this training. Potential topics to be included in the regulatory training are water quality, the PUC process, and the Dig Safe process. McNelly is to contact JETCC concerning the schedule, to find out what the specifics are and to see if it would be possible to expand the regulatory section to more than five people.

## PUC Rulemaking: Dig Safe

McNelly reported that the sections of the rule that are problematic are being discussed. It was mentioned that the Commission's current policy is that a miss-mark is considered a reckless and negligent act, but the guidance as to how this is decided is a gray area. Johnson reported that PWD has docket with Dig Safe with a proposed recommendation.

McNelly will contact seek information on the Advisory Board to see if it is feasible for the MWUA Board to be part of this board. It was noted that the MWUA Board needs to be very clear on its position since it this issue will be going to the legislature.

McNelly noted that any Dig Safe comments need to be sent to him by August 6<sup>th</sup>.

PUC Rulemaking: Disconnection Inquiry

McNelly reported that comments have been made directly concerning the disconnection inquiry.

**Board Planning Timeline** 

McNelly has not yet completed the Board timeline, and will report next meeting.

## Financial Review

It was decided that Ziegra and McNelly will work together on a final budget proposal, and bring the proposal to the Board at the September meeting.

## Committee Updates

## Legislative and Regulatory Affairs

McNelly reported that some thought should be put into how much time he should be spending on advocating for a bond as a vehicle for the SRF match, and other potential scenarios as well. McNelly reported that he had received a commitment from both a Republican Senator and a Democrat Senator to have the match be in the DHHS budget.

## **Program**

Jefferson Longfellow attended a portion of the meeting to update the Board on the Program Committee. It was reported that the registration numbers for the clambake are at 453, and 88 for the golf tournament.

Longfellow reported that the October bi-monthly meeting will be held at the Red Barn in South Berwick. It was noted that the registration fees for this meeting will be high because of the higher fee that the Red Barn charges. It was also noted that southern Maine's hosting options have higher fees and this is to be expected. Uranium 238, and arsenic, are the topics being considered for this meeting.

It was reported that MWWCA is interested in being involved in next year's February Trade Show, and that the Program Committee has begun planning for the show. It was mentioned that a letter of agreement of some sort between MWWCA and MWUA should be negotiated concerning MWWCA's involvement in the Trade Show.

## **Education & Operations**

McNelly reported that the Water Use Efficiency Session agenda has been finalized, and the session will be held on September 9<sup>th</sup>. It was reported that the committee met to discuss the chairs and the vision for the next three years.

McNelly reported that the Farming, Forestry and Filtration session is being planned for the end of September, and that a Utility Finance Officers session is being planned for October. It was also noted that NEWWA is holding a Preventative Maintenance for Centrifugal Pumps session October 19 – 21 in three locations. McNelly noted that he, along with Andy Tolman, will be speaking on water regulation in Maine at the NEWWA Water Resources Symposium in October

It was reported that McNelly, Kirsten Hebert and Dave Parent met with Roger Crouse concerning the Water Operator Board. It was noted that there will be a meeting at the Bath Water District on August 19<sup>th</sup> concerning the online on-demand testing. It was decided that the Board will recommend John Storer for the open position on the Water Operator Board. Frasier is to call Storer concerning this recommendation.

## Public Awareness

It was reported that the PAC Committee will attend the Northern Maine Children's Water Festival.

Gobeil reported that he may be available to help staff the MWUA booth at the MMA annual conference on October 12 - 13.

## New Business

## Planning Meeting

It was reported that Moriarty, Cox and Gobeil will meet to plan for this meeting.

Meeting with NEWWA Board on July 29

It was reported that McNelly, Parent and Moriarty attended the NEWWA Board meeting on July 29<sup>th</sup> to discuss NEWWA's membership value and recent communications concerning bottled water. A couple of hours were spent discussing these topics. Bottled water issues were discussed, from both NEWWA and MWUA points of view. It was noted that neither organization has a position on bottled water. There was also a discussion of the state association representatives meeting prior to the legislative season in order to discuss common interests.

There was a discussion concerning MWUA taking a position on bottled water. It was decided that MWUA will look at each situation individually, focus on the resource, and consider what sort of impacts taking a position would have. It was noted that a committee will be assigned to review and evaluate these issues in the future.

## **DWP Staff Merit Award**

McNelly reported that the Board's recommendation was not awarded the Staff Merit Award.

## **Director Vacancy**

It was reported that Storer resigned from the MWUA Board. The bylaws were reviewed, and on a motion by Ziegra, all directors were in favor of Jeff LaCasse serving as Director for the remainder of the year. LaCasse accepted this position. Moriarty noted that she will send a thank you letter to Storer for his time served on the Board. Adjournment

On a motion by Gobeil, and a second by Johnson, the meeting was adjourned by unanimous consent.

## Board of Directors Meeting September 8, 2010 Boothbay Region Water District, Boothbay

The September meeting of the Board of Directors was held at the Boothbay Region Water District in Boothbay, Maine. In attendance were President Moriarty and Directors LaCasse, Gobeil, Frasier, Ziegra, Johnson, Cox, and Executive Director McNelly.

## Communications

McNelly informed the Board that he attended a meeting at SEA Consultants/Kleinfelder in Augusta concerning the implementation of asset management. No decisions were made, and they are currently discussing the options.

## Executive Director's Report

McNelly had no report except for the above mentioned meeting.

## Directors' Reports

Cox reported that Aqua Maine will be holding an open house on the 20<sup>th</sup>. The new plant has been up and running for about three weeks, and other than a few minor glitches it is functioning well. Cox also noted that he was impressed with the new MWUA office and the fact that it has wireless internet. It was noted that the process of getting an embroidered new MWUA logo should be started as well. Cox also reported that they are going though the process of painting a tank and installing a mixing system, but because the price of the mixing system is over \$10,000, DWP is requiring Aqua Maine to have an engineer's stamp on the plans.

Johnson reported that PWD's stimulus project was audited by the EPA, and PWD passed the inspection. PWD is also starting a UV disinfection pilot next week. Johnson also noted that the City of Portland is adopting a residential sprinkler code. Johnson reported that PWD had an e-coli hit in their ground water supply. It is not clear as to the cause of this, but it could have to do with construction occurring close to the contaminated location and also low rain fall. Johnson also mentioned that PWD is currently hiring for an engineering position.

It was also reported that Cox, Johnson, Dennis Kinney and Chris Cossette attended the DOT Utility Coordination Group meeting. It was also noted that it may be wise for the Board to discuss taking a position concerning DOT's impact on infrastructure and the ability for the State to pay for infrastructure projects. It was also noted that it is becoming increasingly more difficult to obtain escrow accounts for larger projects. Another meeting is not yet scheduled, but the plan is to have two DOT Utility Coordination Group meetings a year. It was decided that Johnson will schedule a time to meet with MDOT staff.

LaCasse reported that KWD currently has an open office position, and they have received 100 applicants. LaCasse also reported that KWD is required to notify their customers concerning a Coliform hit.

Gobeil reported that KK&W is starting a pilot project on radio read meters. They currently have 100 out in the field to monitor how they are working. It was also noted that badly-timed construction occurring in downtown Kennebunk is causing traffic problems. The construction is also on a time restraint since DOT will be re-building a bridge in the same area in two weeks.

Moriarty reported that BWD has had an abnormal amount of leaks in the past month. The cause is unknown, but there is a possibility it could be due to dry weather.

## Approval of Minutes

After corrections to the August Board minutes, and on a motion by Johnson, and a second by Frasier, the Board meeting minutes from August 5, 2010 were unanimously approved.

## Old Business

## Planning Session and Draft of 2011 Organizational and Board Goals

It was reported that Moriarty, Cox and Gobeil met at the new MWUA office for a meeting concerning the upcoming planning session to be held on October 26<sup>th</sup>. It was reported that the meeting went well, and it was decided that each committee will discuss their 2010 goals, and then work on the 2011 goals in a brainstorming session. It was noted that attendees will be asked to bring their training topic ideas to the meeting to discuss in a brainstorming session as well. There will also be discussion concerning the value of MWUA membership. Matt Zetterman of Kennebec Water District will be asked to give a tour of the MWUA website, and ideas concerning content will be discussed.

Goal setting for 2011 was not talked about at the planning session meeting, but there will be another meeting concerning this subject, and a report will be ready for the next Board meeting. It was noted that it is important to start working on the 2011 goals now.

## Office Update

McNelly reported that most everything has been moved to the new location, and furniture and a fridge have been purchased for the new office. It was mentioned that the walls need some art, and McNelly reported that some older journal pictures will be put up.

## Website Update

McNelly reported that the website committee had a meeting a few weeks ago. It was noted that if anyone has water pictures to put on the homepage of the website, to please forward them to the office. The forum was discussed at the website meeting, and the fact that they are pushing the forum to be used more often. The Revised Total Coliform Rule has been posted on the forum in hopes that people will discuss this topic online.

Membership only access was also discussed at the website meeting, and it was noted that MWUA is in the process of posting a "directory of products and services" on the website for members. A notice to Associate Members will go out before the dues notices in an effort to boost membership numbers.

It was also reported that Matt Zetterman has spent at least 40 hours of unpaid time on the new MWUA website, and it was decided that MWUA will give him a Visa gift card to show appreciation for his time on this project.

## **Management Training**

It was reported that McNelly spoke to Leeann Hanson of JETCC concerning the management training candidate school. It was noted that the water districts of Bangor, Portland, Old Town, Hampden and Brewer have all enrolled employees in this school. It was also noted that if a person from a utility that is both water and wastewater enrolls in this training, they will fill a wastewater slot instead of a water slot, since the water slots are limited.

McNelly also reported that speakers are still needed for the presentation on "Best Management Practices".

## Open House Planning

It was reported that there will be an open house at the new MWUA office on October 7<sup>th</sup> from 1pm – 4pm. Committees/committee chairs, the DWP, DEP, and the PUC will all be invited. Punch and light hors d'oeuvres will be served. It was noted that rsvps should be requested in order to plan for food and drink amounts.

## Board Planning Timeline

McNelly has not yet completed the Board timeline, and will report next meeting.

## NEWWA State Director

The new state director will be announced at the NEWWA Annual Conference. The Board discussed potential nominees to fill the position. McNelly will find out when the deadline is for nominations.

## Financial Review

## 2011 Budget

The Board discussed the 2011 budget at length. The fact that the 2011 budget calls for \$60,000 more revenue was brought to the attention of the Board.

It was decided that increasing bi-monthly meeting prices may discourage attendance; therefore the prices will remain the same. It was noted that MWUA's training prices are very reasonable compared to other associations, which encourages attendance. The Board discussed the fact that bi-monthly meetings are attended by people who value the training, and also those who value the networking. It was decided that MWUA will reach out to gain higher attendance numbers at these meetings.

McNelly reported that it is important to focus on membership this year. It was decided that an increase in dues will not occur this year, in order to aid in increasing membership numbers. It was decided that the Board and McNelly will focus on increasing membership and membership value.

It was noted that the biggest change to the 2011 budget is that there was no allowance for outsourcing included. It was also mentioned that there is \$18,000 in reserve transfer funds, which can be used if need be.

On a motion by LaCasse, and a second by Cox, the Board unanimously voted to approve the 2011 budget of \$390.800.

## Monthly Reporting Format

The Board discussed what is important to them to see on the monthly financial reports. McNelly and Ziegra will work on the report format, and have a draft by the next board meeting.

## Committee Updates

## Legislative and Regulatory Affairs

It was reported that MWUA needs to take a position concerning Dig Safe in the legislature.

It was reported that McNelly spoke with Roger Crouse of DWP concerning the SRF match, and it was noted that staff is working on a white paper draft concerning the annual SRF match.

## Program

McNelly reported that the committee has been working on the February Trade Show. Sessions to be developed by the committee include "Water Words that Work" and "A Day in the Life of an Operator".

## **Education & Operations**

McNelly reported that the committee is working on the programs scheduled for the end of this year.

It was noted that Storer declined the open position on the Water Operator Board, therefore the position is still open. It was reported that the Water Operator Board's next meeting is September 16<sup>th</sup> concerning the online on-demand testing. It was decided that LaCasse and Frasier will work on another recommendation for this position. McNelly is to email the list of Class 3 Operators to the Board.

## Nominating

It was reported that the meeting scheduled for the 7<sup>th</sup> of September was cancelled. The due date for nominations is October 1<sup>st</sup>, and an election is required. It was noted that the Nominating Committee may want to discuss the nomination/election process with the Board in the future.

## Public Awareness

It was noted that there may not be enough people to staff the Children's Water Festival and the MMA convention booths. It was reported that the Board has been selling raffle tickets for the Scholarship fund.

## Water Resources

It was reported that the committee is working on the Forestry, Farming and Filtration session to be held on September 23<sup>rd</sup>. It was also noted that the committee is commenting on the Total Coliform Rule.

## Water Use Efficiency

It was reported that the committee has the Managing Your System and Supply for Water Efficiency session on September 9<sup>th</sup>, and about 50 people have registered.

## New Business

## Chapter 587 Stakeholder Meeting

It was reported that a meeting is scheduled for the 30<sup>th</sup> to discuss Chapter 587.

## Recommendations – Administrative Assistant Options

McNelly reported that he has been in contact with MMA concerning administrative assistance for some time now. McNelly expressed how important it is for him to have an assistant that is able to turn around projects quickly. MMA informed McNelly that this may be a problem for them to provide that level of service. It was also noted that there is an uncertainty concerning the budget and MMA's costs. It was also noted that the Association now has a new office, therefore it is fitting that the Association have its own assistant.

McNelly recommended the current assistant, Elizabeth Andrews, become the Association's assistant. On a motion by Ziegra, and a second by Gobeil, the Board accepted McNelly's recommendation. It was decided that a compensation package would be developed.

## NEWWA \$2K Revenue Sharing

It was reported that there is \$2,000 in revenue sharing with NEWWA that MWUA needs to decide how to spend. It was reported that the committee chairs and directors should be polled on ideas as to how to spend the money, and what projects this money could be used towards. McNelly is to find out what guidelines there are concerning where the money spent, and also a deadline.

## Job Fair

It was reported that MWUA will attend the UMO Job Fair. The importance of collaborating with other associations was noted, and the job fair is a good way to do accomplish this. Moriarty and André Brousseau of MWWCA have agreed that sharing a booth at the fair is a good idea. Brousseau will talk with the MWWCA Board concerning this idea. The deadline to register is October 1<sup>st</sup>. Moriarty reported that she will be sure the booth is staffed.

## Annual Evaluation Process

It was decided that the personnel evaluation form needs significant revisions. Moriarty noted that she would like to see a scale of 1-5 instead of 1-4. Cox noted that each question should have a section for comments since a number does not always say enough. McNelly noted that the current process is largely quantitative and that it should be more qualitative. He also state that he would like to see a section concerning what the Board would like to see as his goals for the next 3 years.

All the changes to the evaluation form will not be finalized in time for this year's evaluation, therefore it was decided that minor changes will be made to the form for immediate use, and the subcommittee of Cox, Frasier and LaCasse will work on updating the evaluation form for next year.

Moriarty is to send the evaluation form with goals to the Board, and the Board is to return it by September 24<sup>th</sup>. Moriarty and McNelly will review the evaluations by October 1<sup>st</sup>, and then recommendations and adjustments to McNelly's salary will be discussed. McNelly is to put together draft executive director goals and will email them to the Board.

## Adjournment

By unanimous consent, the meeting was adjourned.

## Board of Directors Meeting October 7, 2010 MWUA Office, Augusta

The October meeting of the Board of Directors was held at the MWUA office in Augusta, Maine. In attendance were President Moriarty and Directors LaCasse, Gobeil, Frasier, Ziegra, Johnson, Cox, and Executive Director McNelly. Also in attendance to give an update on the Water Operator Board and Legislative Committee was David Parent. Mary Jane Dillingham was in attendance as well to give an update on the Public Awareness Committee.

## **Executive Session**

The Board was brought into executive session concerning McNelly's salary. There was no decision made.

## Communications

McNelly informed the Board that the Maine Pulp and Paper Foundation has requested that he participate in a compensation survey that they are facilitating. It was decided that McNelly will participate in this survey.

## Executive Director's Report

McNelly had no report.

## Directors' Reports

Moriarty reported that Bangor Water District received a letter from the Maine DEP informing the District that they are in accordance with Chapter 587. Moriarty also reported that Homeland Security performed a SCADA assessment at Bangor Water District as well. It was reported that it was a very detailed assessment, and it was noted that Moriarty felt that this type of assessment may possibly become mandate in the future. It was also noted that Bangor Water currently has an old SCADA system, and is the process of getting an updated system. Moriarty noted that Norm Lamie of Maine DWP is considering the available options concerning ways to spend the leftover ARRA money.

Frasier reported that a Brunswick/Topsham Water District customer is attempting to change the public/private fire protection rules. It was reported that this customer has contacted Frasier and McNelly concerning this endeavor, and Frasier has pointed him in the direction of the Maine PUC. Frasier also reported that the Redevelopment Authority in the Brunswick/Topsham area has requested that the District operate and maintain their facilities, but the Trustees are not willing to do so at this time.

Gobeil reported that their SRF project is wrapping up, and it has gone well so far. They are currently going through their "end of the year" push, and their revenue and pumping is up for the year.

Ziegra reported that this has been a good year for Boothbay Regional Water District as well. It was noted that the District was awarded an ARRA funded project. It was also reported that the District will be going to court concerning \$500,000 worth of liens on a project they are trying to finish.

Johnson reported that Portland Water District currently has UV pilots up. Johnson reported an uptick in use and development, and an increase of almost 50% in services applied for this year. It was also reported that the District is purchasing Ford Transit Connect vans as new company vehicles.

LaCasse reported that Kennebec Water District is preparing to do some underwater work, and is looking for divers to hire. It was reported that the District has 4 broken sluice gates. It was also reported that they are moving forward with the fixed based metering systems, and they have applied for SRF funding for this project.

Cox informed the Board that DWP is requiring any projects that exceed \$10,000 to be stamped by a Professional Engineer. Cox reported that Aqua Maine installed some materials to promote mixing in their Millinocket tank, and an engineer's stamp was required for this project.

## Approval of Minutes

After corrections to the September Board minutes, and on a motion by LaCasse, and a second by Ziegra, the Board meeting minutes from September 8, 2010 were unanimously approved.

## Old Business

## Draft of 2011 Organizational Goals

The draft organizational goals were reviewed by the Board. It was decided that the fourth goal, "Maintain a strong, effective legislative presence as a clearinghouse for dissemination of legislative issues" will be revised into two

separate goals: "Maintain a strong, effective legislative/regulatory advocacy" and "Serve as a clearinghouse for dissemination of legislative issues". It was also decided that the secondary bullets on the draft organizational goals will not be included in the finalized version.

It was decided that the organizational goals will be kept as draft goals with MWUA's mission statement included for the planning session. The goals will be finalized after the planning session, and it was decided that the Board will use the finalized goals to produce the Board's goals. The subcommittee of Cox, Moriarty and Gobeil will work on the Board goals. It was noted that McNelly will be working on his goals, and will strive to finalize them. McNelly will also be working on his job description as well.

## **Management Training**

It was reported that McNelly has been in contact with JETCC and is working on finding out which sessions MWUA needs to find speakers for.

## **Board Planning Timeline**

McNelly has not yet completed the Board timeline, and will report next meeting.

## Water Operator Board

It was also reported that Tim Sawtelle has been contacted to fill the open position on the Water Operator Board. It was decided that LaCasse will call Terry Trott of the Maine DWP to find out what Sawtelle needs to do to proceed. Financial Review

## Financial Review

McNelly reported that it looks like MWUA will have \$135,000 in the working balance at the end of this fiscal year. It was reported that MWUA will be mailing out the Drinking Water and Back Flow Prevention magazine this coming year, which can be taken out of the Capacity Development workplan.

## Monthly Reporting Format

McNelly and Ziegra have put together a spreadsheet for financial reporting, which will be brought to the Board for review.

## Committee Updates

## Legislative and Regulatory Affairs

Parent attended a portion of the meeting to update the Board concerning the process of finding a chair for this committee. It was noted that finding a chair for this committee is challenging due to what is required of them. The option of dividing the responsibilities between co-chairs or a chair and vice-chair was mentioned. It was reported that this committee is in need of new members. The Board discussed candidates for the legislative committee, and it was decided that LaCasse is to call Tarbuck concerning Begin becoming part of the committee. Moriarty is to call Wallingford, and Gobeil is to contact Minor. Parent is to call Portland Water District concerning a member from their District becoming part of the committee as well. Moriarty is to email all the committee members concerning attending the planning session.

It was noted that there were few changes to Dig Safe's proposed rule. It was reported that McNelly will attend the hearing, but in the meantime he will require all comments to be sent to him by the 15<sup>th</sup>.

It was reported that it is possible to petition to revise Chapter 660, if the new rule is not satisfactory.

It was reported that the Maine DWP is working on a white paper in order to make changes concerning the SRF match. It was reported that the DWP is evaluating other state's processes to see what could benefit Maine.

It was reported that McNelly attended a meeting at York Water District concerning Chapter 587. McNelly reported that DEP and DWP were at the meeting, and it was also noted that the Maine Turnpike Authority should have been in attendance, since the DEP was concerned about the non point source pollution of Chase's Pond resulting from the Turnpike.

It was also mentioned that McNelly and Parent plan to meet with NEWWA 2 -3 times a year concerning the legislative effort.

## Program

It was reported that the committee is working on the February Trade Show, and the planning for this is in good shape.

## Education & Operations

McNelly reported that the committee is working on the programs scheduled for the end of this year, and they are in good shape.

## **Nominating**

It was reported that Alan Hitchcock of Caribou Utilities District, one of the nominees for Director, noted that he would not be able to attend each board meeting for this upcoming year. It was decided that McNelly will work on installing conference calling equipment so that Hitchcock will be able to attend remotely if needed. It was also noted that meeting in Aroostook County is an option as well.

## Public Awareness

Dillingham attended a portion of the meeting to update the Board on this committee. Dillingham reported that the Scholarship fund is currently at \$2,309. On a motion by Cox and a second by Johnson, it was decided that the net

income from this year's golf tournament in the amount of \$2,500 would be donated to the scholarship fund. It was also mentioned that it might be a good idea to start a new account for the scholarship fund now that there is enough money in the account to be carried over to future years.

Dillingham reported that the 2011 Drinking Water Week Insert's title will be "The Value of Water". It was noted that this will be a 16 page full color insert, and the process for creating this insert has started. It was mentioned that Brian Tarbuck is writing an article concerning budgeting for advertisements in the supplement.

It was reported that an associate member directory is currently being put together for the MWUA website.

Dillingham reported that a MWUA booth will be staffed at the Northern Maine Children's Water Festival on October 12<sup>th</sup> in Bangor. It was also reported that MWUA will have a booth at the MMA Convention as well. Kirsten Ness is working on updating the boards for the tri-fold display.

## Water Resources

It was noted that the committee may be commenting on the Total Coliform Rule, and that this committee has a meeting coming up this month.

## Water Use Efficiency

It was reported that the committee's training session went very well.

## New Business

## Water Operator Board

Parent attended a portion of the meeting to update the Directors on the water operator board. It was reported that the WOB was considering creating a rule to allow online testing. Trevor Hunt, Chair of the WOB, has proposed a statutory change in order to accommodate the online testing fees. It was reported that Hunt is asking MWUA for support and assistance in pursuing this change.

The Board discussed in depth the issues with the WOB including relevancy and inadequate financial documentation.

After discussion and deliberation, on a motion by Ziegra and a second by Johnson, all Directors were in favor of supporting in principle the board of licensure of water system operator efforts to establish on-demand computer based testing for operator certification while maintaining the option of traditional testing by amending existing Maine State Law and Rules. It was decided that the Board will support Hunt in this cause. Ziegra will call Hunt to touch base concerning this subject, but Moriarty will contact Hunt first in order to discuss the Board's decision.

## NEWWA \$2K Revenue Sharing Funds

It was reported that the committee chairs will be contacted concerning ideas on how to spend this money.

## Job Fair

It was reported that Moriarty and others will be staffing a booth at a job fair on October 20<sup>th</sup>. It was noted that it would be a good idea to attend future job fairs as well, it was decided that McNelly will make a list of utilities in Maine to hand out at job fairs.

## MDOT Utility Corridor Issues

McNelly reported that a meeting was being scheduled with local representatives to discuss MDOT issues and problems and that interested water utility personnel would be invited.

## Annual Awards

The Directors were reminded to come up with qualified people to nominate for these awards.

## Personnel Evaluation

Due to the open house scheduled for 1pm, the Director's meeting was cut short, and this topic was not discussed. This topic will stay on the agenda for next month's meeting.

## Adjournment

On a motion by Ziegra, the meeting was adjourned by unanimous consent.

## Board of Directors Meeting November 4, 2010 Kennebec Water District, Waterville

The November meeting of the Board of Directors was held at the Kennebec Water District in Waterville, Maine. In attendance were Directors LaCasse, Frasier, Ziegra, Johnson, Cox, Administrative Assistant Andrews and Executive Director McNelly. Jefferson Longfellow was also in attendance for a portion of the meeting in order to give an update on the Program Committee.

## Communications

McNelly reported that a risk management seminar will be held on November 9<sup>th</sup>, and MWUA has been asked to send a representative to welcome the attendees. It was reported that LaCasse and Cox plan to attend this seminar; Cox agreed to welcome the attendees.

## Executive Director's Report

McNelly noted that he intends to write a letter to Governor Elect LePage to congratulate him, and to articulate issues that MWUA feels should be addressed. .

## Directors' Reports

LaCasse reported that he attended the UFO financial session, and that it went well. It was reported that KWD is reviewing their options for auditors. Lacasse also reported that KWD had a major fail of their filtration computerized system. They are currently working on upgrading their control systems.

Frasier reported that BTWD is trying to avoid the use of chloramines by changing their filter media and modifying their water treatment process.

Johnson reported that Westbrook and Portland are adopting sections of Life Safety 101 concerning residential sprinkler installation.

Ziegra reported that BRWD is going to court concerning a project they are trying to finish up; they are calling in the performance bond. It was also noted that they are starting their ARRA funded projects, and a \$12 million Bigelow lab is planning to be built and put on their water system.

Cox reported that Aqua Maine has had discussions concerning Chapter 140, and understanding what they are supposed to submit according to this rule. Cox also reported that the solar component to their membrane plant has been installed and is running well.

## Approval of Minutes

After corrections to the October Board minutes, and on a motion by Frasier, the Board meeting minutes from October 7, 2010 were unanimously approved.

## Old Business

## Board Planning Timeline

McNelly has not yet completed the Board timeline, and will report next meeting.

## Water Operator Board

It was also reported that Tim Sawtelle has sent his application in to fill the open position on the Water Operator Board.

## NEWWA \$2K Revenue Sharing Funds

McNelly reported that the Water Resources Committee has come up with the idea of a source tour to be funded with the revenue sharing funds. McNelly is to contact Ray Raposa of NEWWA as to if this idea is eligible for the funding.

## Financial Review

## Year End Financial Review

McNelly reported that the auditor is meeting at the MWUA office next week.

## Monthly Reporting Format

McNelly presented the Board with a new draft format for the monthly financial reporting. McNelly requested that the Board review the new format and submit comments to McNelly as soon as possible.

## Committee Updates

## Legislative and Regulatory Affairs

## PUC/Dig Safe/Chapter 660

It was noted that it is important to review the Chapter 660 rule and the changes that were made. It was reported that Chapter 660 needs more clarifications, as well. It was agreed that the association would follow up. Options include meeting with the commissioners and submitting legislation to rectify the concerns.

It was reported that the Portland Water District's hearing on the Dig Safe violation is today.

## MDOT Issues

It was reported that on November 23<sup>rd</sup>, there is a meeting scheduled for utilities to meet with Senator Earle McCormick and Representative Sharon Treat concerning issues with MDOT, such as permitting, road opening permits, escrow, and other issues.

## SRF Match

It was reported that there is a committee meeting this Friday at which an alternate way to receive the SRF match will be discussed.

## Water Operator Board

It was reported t ha the Board of Licensure was requesting support for an amendment to the licensure statute, which would increase the cap to \$110 and have it be applicable for any one of a number of rule fees. McNelly noted that the Legislative Committee will review the statutory changes and provide input to the Board, who should then take a position concerning this issue.

## **Upcoming Session**

McNelly noted that there will be some changes in legislative and regulatory affairs due to the newly elected Governor. McNelly reported that he attended a lunch at Verrill Dana with LePage, at which LePage noted that he is interested in reviewing the rule making process.

It was reported that the Planning Session produced the idea of a "Day on the Hill", which will give utility managers a chance to meet and discuss different issues that affect their utilities, and then meet with their representatives to discuss these issues.

McNelly reported that MWUA will once again use Verrill Dana and Shirley Churchill for this legislative session. It was reported that there may be extra legislative expenses incurred this year. McNelly also mentioned that Shirley Churchill would like to purchase a set of the updated statutues, estimated to be \$2,500. It was noted that MWWCA may pay for half of this cost.

It was reported that keeping up with infrastructure is a problem that is not going away, and it was also mentioned that only a small percentage of money awarded or being spent went to renovating infrastructure. It was noted that an educational session for town managers and trustees concerning infrastructure is a good idea. It was reported that the audience at the MMA Conference should be targeted with this idea. It was also reported that "The Townsman" is a good publication to target with an article on the importance of infrastructure.

It was noted that, due to the new governor being elected there may be fewer water bills this year.

It was noted that the Board should discuss what they would like to see concerning results from this legislative session, and come to a position on a number of different issues that will benefit both small and large utilities.

## Program

Jefferson Longfellow attended a portion of the meeting in order to update the board on this committee. It was reported that the December Bi-Monthly Meeting will be held at the Hutchinson Center in Belfast. It was also mentioned that it will be on the 2<sup>nd</sup> instead of the 9<sup>th</sup> because of the MRWA events that take place the second week in December. It was noted that the bi-monthly meeting will focus on rates and depreciation, and the MWUA committee reports will also be presented at this meeting.

Longfellow reported that the February show is coming together, and the brochure is in the works. It was noted that the complimentary booths at last year's trade show will need to be relocated.

It was reported that the next committee meeting will focus on the April bi-monthly meeting that will be held in Sanford.

## **Education & Operations**

McNelly reported that the committee is working on selecting locations and dates for their upcoming operator forum, "Meter and Service Sizing". The committee also has some NEWWA sessions and a SCADA security session in the works.

## **Public Awareness**

It was reported that the Northern Maine Children's Water Festival went well, even though there was a dead period in the morning. It was also mentioned that all Calendar Raffle Tickets must be returned to the MWUA office by November  $15^{th}$ .

It was reported that the 2010 Drinking Water Week Insert received a 2<sup>nd</sup> place award at the New England Newspaper Association Annual Convention. McNelly noted that an article concerning budgeting for advertising in the 2011 insert will be included in the November issue of the Maine Water News.

## Water Resources

It was reported that Paul Hunt is stepping down as chair of this committee. McNelly will contact Dina Page to see if she is willing to be a co-chair. The committee is working on ideas for their 2011 annual seminar. It was also noted that this committee has lost some members, and is in need of new members.

## Water Use Efficiency

It was reported that the committee met last Tuesday. It was reported that making water use efficiency attractive to members was discussed, as well as identifying the costs and benefits of water use efficiency. The committee has talked about using the data from the annual reports on the PUC's website for various bench marks.

## New Business

## Meeting of Regional State Association Legislative Contacts

McNelly reported that he and David Parent attended a meeting the previous week for representatives from different associations who deal with legislation. It was reported that state associations plan to meet a couple times a year in order to communicate on legislative issues.

## Annual Awards

It was reported that McNelly will be putting an article in the November issue of the Maine Water News concerning nominations for these awards.

## Personnel Evaluation Form Revision

This topic will stay on the agenda for next month's meeting.

## McNelly Personnel Evaluation

This topic will stay on the agenda for next month's meeting.

Annual Planning Session – Follow Up

It was reported that a "Day on the Hill" will be planned, and will be modeled after the AWWA Fly In. There will be a breakfast in the morning and a rally, and then managers of utilities will meet with legislators to discuss a few major talking points, and also have a supplemental handout to give them as well. It was noted that it is important for each utility to be aware of the issues in the profession that pertain to their own utility, and to use personal experiences when speaking with legislators. It was also suggested that utilities should invite their representatives/senators to plant tours.

It was also reported that John Storer is reviewing the MWUA by-laws concerning nominating an Associate Member to the Board of Directors.

It was also noted that ways to draw people to the website and forum were discussed at the planning session as well.

## Disposition of NEWWA and AWWA Journals

It was decided that the old NEWWA and AWWA Journals should not be discarded, but stored away for future reference.

## 2011 Meeting Locations

It was decided that the meeting locations will be decided at the next Board meeting. It was noted that a meeting in Millinocket or another northern location should be an option, as Al Hitchcock of Caribou Utilities District will be a Board member in 2011.

## Adjournment

On a motion by Johnson, and a second by Frasier, the meeting was adjourned by unanimous consent.

## Board of Directors Meeting December 9, 2010 MWUA Office, Augusta

The December meeting of the Board of Directors was held at the MWUA Office in Augusta, Maine. In attendance were Directors LaCasse, Johnson, Cox, Gobeil, President Moriarty, and Executive Director McNelly. Also in attendance for a portion of the meeting was Alan Hitchcock.

## Communications

McNelly reported that MWUA has been invited to MMA's 1st Annual Recognition Luncheon on January 25th.

McNelly also noted that he would be putting together a basket of Maine goods for NEWWA to raffle off at their Water for People Auction.

## Executive Director's Report

None given.

## Directors' Reports

LaCasse had no report.

Gobeil reported that the State approved \$1.35 million worth of pipe construction towards a new well source located about 2 miles away from KKW's pump. It was reported that the public was notified through a public meeting, and there will be an official press release as well.

Gobeil also reported KKW's 2010 SRF project was completed under budget; therefore they are expanding the project and plan to have it completed by April.

Johnson reported that PWD had a SRF project completed on Peak's Island.

Cox reported that the final tie-in for the Aqua Maine filtration plant has been completed. Cox also noted that a static mixer has been added prior to the mag meter.

Moriarty reported that BWD has hired Ricky Pershken as their new district engineer. It was also reported that BWD experienced a lead standard exceedance issue, but successfully met all public education requirements within 30 days.

## Approval of Minutes

On a motion by LaCasse and a second by Cox, the Board meeting minutes from November 4, 2010 were unanimously approved.

## Old Business

## Meeting Locations for 2010

It was decided that the dates and locations for the Board meetings of 2011 are as follows:

Date	Location
January 6	MWUA Office, Augusta
February 7 (Monday)	Holiday Inn By the Bay, Portland (1:00PM)
March 3	Brunswick & Topsham Water District, Topsham
April 7	Kennebec Water District, Waterville
May 5	Bangor Water District, Bangor

June 2	Aqua Maine, Millinocket
August 4	Portland Water District, Portland
September 1	Caribou Utilities District, Caribou
October 6	KKW Water District, Kennebunk
November 3	Boothbay Region Water District, Boothbay
December 8	MWUA Office, Augusta

## **Board Planning Timeline**

McNelly has not yet completed the Board timeline, and will report next meeting. It was noted that the president and/or vice president shall keep and revise this document when necessary.

## Water Operator Board

It was reported that Jim Cohen is working on moving the process along in order to secure the Governor's approval of Sawtelle filling the vacant position on the Board of Licensure of Water Operators.

## NEWWA \$2K Revenue Sharing Funds

McNelly reported that he contacted Ray Raposa of NEWWA concerning the Water Resources Committee's idea of a source tour to be funded with the revenue sharing funds. Raposa is sending a check to fund this idea. When more details have been finalized, they will be forwarded to NEWWA..

## Annual Awards

It was reported that the Board has not received any feedback concerning the annual awards, and this process should be looked at to see if there is a more efficient way to collect nominations. The Board discussed recommendations for the awards

## Personnel Evaluation Form Revision

The personnel evaluation form has not yet been revised, and will stay on the agenda for the next meeting.

## Financial Review

The financials were presented to the Board in the new reporting format.

## Committee Updates

## Legislative and Regulatory Affairs

Moriarty mentioned that she has contacted Judy Wallingford and Rick Knowlton of Aqua Maine concerning cochairs of the legislative committee. Moriarty is to contact Wallingford again concerning this position. Cox is to contact Brian Tarbuck and Andy Begin of GAUD concerning the same.

## PUC Rulemaking - Dig Safe & Chapter 660

It was reported that Bangor Water District had an issue with the gas company digging before they could complete their dig safe requirements.

McNelly reported that sections of Chapter 660 need clarification and that there are conflicts between the order adopting the rule and the rule. There was discussion as to the next logical step(s) to resolve the situation.

## **MDOT**

McNelly reported that he has been in contact with Jim Cohen concerning what to do with the issues pertaining to permits, escrow accounts, relocation, etc.

## SRF Match

McNelly has been working on contacting LePage and his staff concerning the SRF bond.

## Water Operator Board – Statutory Fees

It was reported that the WOB has made progress on the revisions to the statute.

## Legislative Breakfast

It was reported that the 2011 Legislative Breakfast is scheduled for February 17th.

## Program

It was reported that the 2011 February Brochure is currently being printed and should be in the mail within the next few weeks. The MWUA Office is to send out the notice concerning February Trade Show duties, etc. The banquet checklist will also be sent to Moriarty and Cox. It was reported that the planning for the 2011 February Meeting is in good shape.

It was also reported that the bi-monthly meeting locations and dates are set. The December bi-monthly meeting went well, but it was noted that it should be a priority that McNelly attend as many bi-monthly meetings as possible.

## Education & Operations

It was reported that the Meter & Service Sizing Operator Forums are currently being held at four different locations, and Jefferson Longfellow and Mike O'Brien of Kennebec Water District are conducting these forums by using examples and the AWWA M22 Manual.

It was also noted that this committee has many training sessions planned for after the February Meeting.

## Public Awareness

It was reported that the calendar raffle is directing people to the MWUA website, as the MWUA office is currently drawing the tickets. It was reported that the Directory of Products and Services is in the works. It was also noted that authors are needed to write articles for the 2011 DWW Insert, "The Value of Water".

## Water Resources

It was reported that Dina Page and Jennifer Grant are to be the 2011co-chairs of this committee. McNelly also noted that the committee plans to comment on the subsurface wastewater rules.

## Water Use Efficiency

It was reported that the committee has a meeting coming up in January.

## New Business

## Annual Audit

Once McNelly receives the lobbying costs, he will forward them to the auditor. The audit will need the lobbying costs in order to be finalized.

## Sportsman's Alliance of Maine Environmental Congress

McNelly reported that he, along with State Geologist Robert Marvinney made a presentation at this event and. McNelly reported that he met Tim Bell, the new executive director of the Sportsman's Alliance of Maine.

## NEWWA State Leadership Award Nominees, State Director Position Opening

It was reported that the position of State Director is vacant and needs to be filled within four months.

There were no recommendations from the Board concerning the State Leadership Award.

## Letter of Recommendation for Dr. Marvinney

McNelly brought and circulated a letter of recommendation for Dr. Robert Marvinney to keep the position of State Geologist at the DEP. After revisions were made, the Board approved the letter.

## **Executive Session**

On a motion by LaCasse and a second by Cox, the Board was brought into executive session in order to discuss the 2011 compensation packages for the MWUA staff.

## Adjournment

Due to this board meeting being LaCasse's last, the Board thanked him for his service. The Board and the MWUA staff were thanked for their time and dedication.

The meeting was adjourned by unanimous consent.

## Board of Directors Meeting January 6, 2011 MWUA Office, Augusta

The January meeting of the Board of Directors was held at the MWUA Office in Augusta, Maine. In attendance were Directors Hitchcock, Johnson, Cox, Gobeil, Ziegra, Frasier, President Moriarty, and Executive Director McNelly.

## Communications

It was noted that an online directory of products and services is now available on the MWUA website. Executive Director's Report

No report.

## Directors' Reports

Moriarty mentioned the public alert concerning the fluoride. Moriarty also noted that CMP is installing new "smart meters", and is wondering how these meters are different than water meters. Gobeil is to send Moriarty information on how KK&W is dealing with inquiries concerning this subject.

Hitchcock had reported that things are going well at Caribou Utilities District.

Gobeil reported that KK&W is receiving calls from customers concerning fluoride levels in drinking water.

Ziegra reported that a meeting has been organized between seven different utilities in his region concerning partnering and other issues. Ziegra also reported Boothbay Region Water District is taking advantages of the DWP grant called "Operator Expense Reimbursement Grant" that will refund money spent on the training of water operators to receive their water operator license. It was also reported that their project is going well, and since they are coming in under budget, they are expanding the project. Ziegra also noted that he will be attending a workshop in Waldoboro for dam owners.

Johnson reported that PWD's UV project is under way. Johnson reported that he will be on a panel concerning asset management at the NEWEA conference. It was also mentioned that PWD discovered a person that was stealing water from a water main, and the person agreed to pay the fees without going to court. It was also noted that PWD has an asset management tech position open.

Frasier reported that BTWD is busy designing water mains.

Cox noted that Aqua Maine has also received calls concerning fluoride.

## Approval of Minutes

After corrections were made, on a motion by Gobeil and a second by Johnson, the Board meeting minutes from December 9, 2010 were unanimously approved.

## Election of Officers

Moriarty nominated Cox for president, and on a first by Cox and a second by Johnson, all were in favor. Ziegra was nominated for vice president, and on a first by Frasier and a second by Johnson, all were in favor. Ziegra nominated Frasier as treasurer, and on a second by Gobeil, all were in favor. Johnson nominated Gobeil as secretary, and on a second by Johnson, all were in favor. Cox thanked Moriarty for her time spent as president, and the great job she did in keeping Cox informed.

## Old Business

## Board Planning Timeline

McNelly passed out a draft of the Board Planning Timeline, and he requested that the Board send any comments/revisions concerning this timeline to him.

## NEWWA State Director Position Opening

Moriarty reported that she had been contacted by NEWWA Nominating Committee Chair Chris Woodcock concerning this position, and mentioned some candidates that he would like to see fill this position. The Board discussed possible candidates for this position. It was decided that Moriarty is to contact a potential candidate concerning this position. It was noted that the deadline to recommend a candidate for this position is March of 2011.

Johnson reported that David Kane of PWD brought ideas to the NEWWA Board concerning raising awareness of watersheds and to promote proper use of watershed lands. 5k walks in watersheds were mentioned, as well as park stamps for watershed trails (if someone gets a certain amount of stamps, they get a coupon or discount, etc.).

## Water Operator Board

McNelly reported that he will check with Jim Cohen to see if the Governor's approval of Tim Sawtelle filling the vacant position on the Board of Licensure of Water Operators was secured.

## Annual Awards

It was decided that Peter Garrett is to receive the Jim Doherty award, and Ziegra is to call Andy Tolman to see if he will write the presentation speech. It was reported that Dan Wells will receive the Jeff Nixon award, and McNelly will write the presentation. Dana Ayers is to receive the Sid Anthony award, and Cox will see that Rick Knowlton or Judy Wallingford write the presentation. Wiscasset Water District and Presque Isle Water District will both receive the Excellence in Operations award. Johnson to call Tata & Howard to see if they will write the presentation speech for Wiscasset, and Hitchcock is to contact Wright-Pierce to see if they will write a presentation speech for Presque Isle. Moriarty is to give the President's award, and will write the presentation.

## Personnel Evaluation Form Revision

Cox reported that he has been reviewing different versions of evaluation forms, and the Board is to send their evaluation forms from their respective utilities to Cox for review.

## Financial Review

The financials were reviewed.

## Committee Updates

## Legislative and Regulatory Affairs

It was reported that LD1 has been submitted concerning streamline regulations. McNelly is to monitor the status of this bill.

## PUC Rulemaking - Dig Safe & Chapter 660

McNelly reported that it is unclear as to what the status is concerning Chapter 660. It was noted that Steve Levy of MRWA met with PUC concerning the issues with this rule.

It was reported that it is possible that a bill will be submitted clarify the language of the Dig Safe rule.

It was reported that there may be bills submitted in the future concerning residential sprinklers, and it is important for the association to consider taking a position on this issue.

## MDOT

It was reported that Cox and McNelly met with Jeff Tweedie of MDOT concerning road opening permits, relocation of facilities/costs, and other issues. The dialogue was productive and it is hoped that future discussions would also be fruitful.

## SRF Match

It was reported that MWUA submitted a SRF General Obligation bond bill in concert with MWWCA for the 2011 -2013 SRF match requirements. (15.5 Million over 3 years). It was reported that McNelly spoke with some of LePage's transition team members concerning the SRF fund as well.

## Water Operator Board - Statutory Fees

McNelly reported that he assumes the bill has been submitted, and has not received an update.

## Legislative Breakfast

McNelly requested that the Board send photos of SRF/ARRA related projects to the office to include in the slideshow. It was also mentioned that the water shortage crisis in Ireland may be another topic to focus on for the slideshow.

## **Program**

It was reported that the 2011 February Brochure has been mailed, and NEWWA will be doing a circulation of the brochure as well. The product demo session is coming along, and McNelly has been working on the trade show floor layout. It was reported that the MWUA office will be making calls to exhibitors from last year who have not yet signed up for this year. It was also reported that Bruce Berger and McNelly are working on a session called, "How to Hire a Professional Service Provider" for the February meeting as well.

## Education/Operations

It was reported that the committee has a meeting next week, and they are working on their upcoming 2011 training sessions. It was also reported that MWUA will be mailing, to regulated utilities, copies of the periodical Drinking Water & Backflow Prevention magazine.

## Public Awareness

It was reported that the calendar raffle is over, and the committee is preparing the 2011 raffle, which will be available at the trade show. The committee is looking for authors to write articles for the 2011 DWW Insert as well.

## Water Resources

McNelly reported that this committee has a meeting coming up, and the co-chairs for 2011 will be Dina Page and Jennifer Grant. It was reported that comments were submitted on the subsurface wastewater rule revisions.

## Water Use Efficiency

It was reported that the committee is working on a relational database, dealing with unaccounted for water, which will be created in Access. Once it is finalized, they plan to make it available to Maine utilities.

## New Business

## AWWA Fly In

It was reported that McNelly plans to contact Raposa concerning who is attending this fly in this year. Cox and Ziegra plan to attend.

## Adjournment

The meeting was adjourned by unanimous consent.

## Board of Directors Meeting February 7, 2011 Holiday Inn By The Bay, Portland

The February meeting of the Board of Directors was held at the Holiday Inn By The Bay in Portland, Maine. In attendance were Directors Hitchcock, Johnson, Moriarty, Gobeil, Ziegra, Frasier, President Cox, and Executive Director McNelly.

## Communications

McNelly reported that the MWUA office received a letter from Verrill Dana concerning their fired employee and the repercussions of his actions.

It was also noted that McNelly would be speaking to New England Water Association Raposa concerning promotion of the February meeting, the NEWWA state director position, and other issues.

## Executive Director's Report

No report.

## Directors' Reports

Moriarty reported that Bangor Water District suffered a flood due to a main break. The District had flood insurance, therefore the damages will be covered by this insurance. Moriarty also reported that she sent out an email to other water districts concerning the tracking of leaks, and noted that creating a database for leak tracking data may be a good project for the Water Use Efficiency Committee.

Gobeil reported that KK&W Water District is still working on their expanded SRF project, and they are also negotiating with IF&W concerning an easement relocation.

Ziegra reported that the Boothbay Region Water District is meeting with MDOT concerning bridge construction. Ziegra also noted that litigation has begun concerning the project that has been an ongoing battle for the district, and that the contractor has filed for bankruptcy.

Hitchcock reported that the ISO has been in his office concerning flow testing. It was also reported that Caribou is constructing an extension of the bypass, and the utilities district is relocating some infrastructure to accommodate that.

Johnson reported that Portland Water District has an RFP out on design services for the UV plant and will be accepting proposals.

Cox reported that Aqua Maine is the general contractor for the UV plant on Vinalhaven, and they plan to be completed by March. Cox also reported that Aqua Maine is doing some fire flow testing.

## Approval of Minutes

On a motion by Johnson and a second by Frasier, the Board meeting minutes from January 6, 2011 were unanimously approved.

## Old Business

## NEWWA State Director Position Opening

Moriarty reported that she had contacted John Storer concerning the state director position, and he would like to be considered for this position. The Board decided that they would nominate Storer for the position. Cox will contact Storer first, then respond to the letter from Nominating Committee Chair Chris Woodcock concerning this open position, with the nomination of John Storer.

## Water Operator Board

McNelly has no report concerning the status of the open position on this Board.

## Annual Awards

It was reported that Berger is to moderate the award presentations at the business luncheon. It was reported that all presenters are prepared. Since Dan Wells of Winthrop Utilities District cannot attend the luncheon to receive his award, the award presentation will be at the April Bi-Monthly Meeting.

## Personnel Evaluation Form Revision

Cox reported that he has been reviewing different versions of evaluation forms, and the Board is to send their evaluation forms from their respective utilities to Cox for review. Cox reported that he will plan a meeting concerning the revision of the evaluation form.

## Financial Review

It was reported that the February Trade Show booths are essentially sold out, and that attendance is high. It was noted that after the February Meeting, the MWUA office will send out dues reminders to unpaid members. McNelly mentioned that the Water Use Efficiency Committee plans to create an Access database to track unaccounted for water, and that he is seeking potential funding for this project. It was also reported that McNelly's health insurance went up by 11%. It was reported that McNelly has received the draft audit, but has some questions that he plans to discuss with the auditor. McNelly is also looking into remote conferencing for the MWUA office. The cost could be significant. Committee Updates

## Legislative and Regulatory Affairs

It was reported that this committee recently had a meeting at the MWUA office. At this meeting the committee motioned to recommend to the Board that MWUA take the position of opposing the portion of the Governor's Regulatory Reform Proposal which calls for moving the CDC DWP from the DHHS to the DEP. The Board discussed this recommendation, and on a motion by Ziegra, and a second by Frasier, the Board unanimously voted to support the Legislative Committee's recommendation.

The committee has reviewed LD 219, and is opposed to the section of the bill that proposes to reduce the shoreland zone from 250 to 75 feet for sources of water supply and their direct watersheds.

## PUC Rulemaking - Dig Safe & Chapter 660

McNelly reported that Consumers Assistance Division is working on reconciling the discrepancies concerning Chapter 660.

McNelly also reported on the legislative resolve to enact the provisionally adopted Dig Safe Rule. He stated that this would be an opportunity to attempt to rectify issues associated with the emergency excavation provision and the notice of enforcement investigation.

It was noted that MWUA needs to assemble issues concerning the PUC and strategize as to how to best resolve some or all of them.

It was also reported that water utilities have met to discuss the possible elimination of annual PUC report requirements, as well as the elimination of some or all of the portions of Chapter 140.

## SRF Match

It was reported that material has been circulated concerning the SRF Match. It was noted that the Governor's Deputy Chief of Staff is not responding to requests to meet with the Governor, therefore representatives are preparing to meet and discuss the next steps to take.

## Water Operator Board - Statutory Fees

McNelly has not received an update.

## Legislative Breakfast

McNelly reported that the invitation has been circulated, and he also requested that the Board send photos of SRF/ARRA related projects to the office to be included in the slideshow.

## Program

It was reported that the April Bi-Monthly Meeting will be held in Sanford.

## **Education/Operations**

It was reported that there is a Managers Breakfast and also a Trenchless Technology seminar in March. McNelly also noted that there are plans to collaborate with NEWWA on some training sessions in the spring.

## Public Awareness

It was reported that the 2011 calendar raffle has begun. The committee is looking for the 2011 DWW Insert articles as well.

## Water Resources

The committee is working on developing topics for their next training session. They discussed the new recommended fluoride standard, revision of the Maine subsurface wastewater rules and other pertinent topics.

## Water Use Efficiency

It was reported that the committee is working on a relational database, dealing with unaccounted for water, which will be created in Access. Once it is finalized, they plan to make it available to Maine utilities.

## **New Business**

## AWWA Fly In

It was reported that Greg Cataldo plans to be involved with the AWWA Fly In. Cox is to contact Cataldo concerning this involvement.

## Adjournment

On a motion by Ziegra and a second by Moriarty, the meeting was adjourned by unanimous consent.

## Board of Directors Meeting March 3, 2011 Brunswick & Topsham Water District, Topsham, Maine

The March meeting of the Board of Directors was held at the Brunswick & Topsham Water District in Topsham, Maine. In attendance were Directors Frasier, Ziegra, Gobeil, Moriarty, Hitchcock, Johnson, President Cox, Executive Director McNelly and Administrative Assistant Elizabeth Andrews. Craig Douglas of Brunswick & Topsham Water District attended a portion of the meeting as well.

## Communications

No report.

## Executive Director's Report

No report.

## Directors' Reports

Johnson reported that Portland Water District has been receiving proposals for their UV project. It was also reported that a gas company in the Portland area is replacing their gas mains. The Portland Water District was notified that the gas company will be undertaking 750 projects that will be spread over twelve years.

Frasier reported that Brunswick & Topsham Water District is reviewing their billing practices relative to sprinklers and private mains.

Ziegra reported that Boothbay Region Water District's "calling in the bond" issue is continuing. It was also reported that Woodcock & Associates has been working with the District on preparations for a rate increase. Ziegra also reported that Wiscasset Water District is planning to replace main on Route 1 in Wiscasset this summer. He also mentioned that the district is pursuing a DEP 319 Grant.

Gobeil reported that ETTI is doing a bore job for KK &W Water District.

Moriarty reported that Bangor Water District is preparing to file a rate case. The District is also going out to bid for their UV reactor project.

Hitchcock reported that Caribou Utilities District has been working on completing their mapping for the PUC. The District plans to begin preparations for a rate increase midyear, and they also recently lowered their fluoride levels to 0.7 mg/l. It was also noted that construction work continues for the continuing Caribou bypass.

Cox reported that Aqua Maine is working on three different rate cases. The UV installation on Vinalhaven goes on-line this Monday, and there are a few more small tasks to be completed on this project. It was also mentioned that Judy Wallingford is assisting at Aqua Florida. It is unknown how long she will be working there.

## Approval of Minutes

On a motion by Ziegra, and a second by Johnson, the Board meeting minutes from February 7, 2011 were unanimously approved.

## Old Business

## NEWWA State Director Position Opening

Cox has requested some material from Storer, and once he receives it, he will contact NEWWA with MWUA's recommendation of John Storer for this position. It was also reported that Cox will be attending the meeting of state association officers that NEWWA holds before their spring conference.

Craig Douglas attended a portion of the meeting to give an update on NEWWA. It was reported that they are working on planning meetings between the State Associations in order to discuss legislation. It was also noted that membership numbers are down for AWWA as well as NEWWA. NEWWA is working on a new website that will include the ability for members to view their training records. It was also noted that Tom Brennan of Poland Spring Water is now a member of NEWWA's Water Resources Committee.

## Water Operator Board

McNelly reported that Tim Sawtelle has not yet been appointed to the open position on this Board, and progress appears to be slow.

## Annual Awards

Cox reported that Dana Ayers was honored and pleased to receive the Sid Anthony Award. It was also reported that that Chris Cossette of Wiscasset Water District was very appreciative of receiving the Excellence in Operations award, and has received favorable press as well. McNelly reported that Dan Wells of Winthrop Utilities District will be presented with the Nixon Award at the April Bi-Monthly meeting, and Steve Freeman of Presque Isle Water District will be presented with the Excellence in Operations Award at the North Country Convention in Presque Isle on April 13.

## Personnel Evaluation Form Revision

Cox reported that he has received many different versions of evaluation forms. A meeting with Cox, Frasier and LaCasse will be scheduled in order to revise the Personnel Evaluation Form.

## AWWA 2011 Fly-In

It was reported that Cox and Ziegra have their reservations confirmed for attending the AWWA Fly-In. Cox reported that they have scheduled appointments with Michaud and Collins, and they are trying to confirm appointments with Snowe and Pingree as well.

## Financial Review

It was reported that all the invoices from the February Meeting & Trade Show have been paid, and McNelly will be working on invoicing for NEWWA and MWWCA. McNelly also reported that he is preparing the Capacity Development invoice for Terry Trott of the DWP. It was also noted that work on the 2012 budget needs to commence soon.

The audit report was distributed to all Board Members, as well as a copy of the letter from the auditor with his recommendations. McNelly is to contact the auditor to discuss the recommendations.

McNelly reported that he had contacted Healey Associates concerning the change in renewal date for health insurance. It was reported that changing the renewal date is not recommended due to the likelihood of higher rates. It was decided that McNelly will contact the insurance company at the end of the quarter to review the rates again.

## Committee Updates

## Legislative and Regulatory Affairs

## Dig Safe/PUC Rulemaking

It was reported that a hearing on the Dig Safe rule was held and Dan Wells, Ron Miller, and McNelly were among those testifying. The issue of reckless and negligent findings was discussed, as well as the problem of prohibiting emergency excavation for four hours.

It was also noted that perhaps administration and enforcement of the Dig Safe program should be moved from the PUC to another state agency. It was decided that the Board should review how other state departments are structured. It was also mentioned that, although the mandatory membership issue has not been discussed in depth at this time, this topic is something that may be brought up.

## Chapter 140

McNelly reported that he has spoken with a PUC staff attorney concerning this rulemaking and that MWUA is working on submitting comments. Since the technical specifications for this proposed amendment are not yet available to the public, McNelly reported that we will request that the rule making be postponed until the specifications are accessible. There was discussion concerning the inconsistencies and ambiguities of the requirements in this amendment, such as the format of the data that will be submitted to the PUC. Another issue discussed was the confidentiality of the information that will be provided to the PUC.

## Southwest Harbor Intervention

McNelly reported that he unsure of the status of this issue, but that the PUC has issued a Notice of Investigation concerning a seasonal customer's water bill of over \$4,000. After the Board discussed this matter, it was decided that no limited or full intervention will be pursued at this time. McNelly will monitor this docket closely, and he will also check with Jim Cohen concerning the details of limited vs. full intervention. It was also decided that South West Harbor may contact MWUA for input.

## SRF Match

McNelly reported that he and Andrew Gilmore had met with about half of legislative leadership, the State Treasurer, and had discussed the SRF issues with many legislative committee members. It was reported that McNelly

is to email Associate Members in order to have them write a letter of support for the SRF Match. McNelly noted that the Day on the Hill may be arranged for sometime in April.

## Water Operator Board - Statutory Fees

It was reported that there was a hearing the previous day concerning the Water Operator Board Statutory amendments, and it went well. There was discussion of leaving the fees out of the statute entirely, while others are advocating for more details concerning the fees, broken down by subcategories.

## Governor's Regulatory Reform Proposal

It was reported that a lengthy amendment to this proposal is being heard today, and there is no inclusion of the suggestion of moving the DWP to DEP, therefore this issue seems to be resolved. McNelly will continue to monitor this proposal and associated amendments.

## Legislative Breakfast

It was reported that the breakfast went very well, and Cox provided an excellent overview of drinking water SRF needs.

## Program

It was reported that the February Meeting went well, and this committee recently met and discussed how to improve this meeting. It was reported that the April bimonthly meeting will be held in Sanford, and the topics for this meeting include narrow banding requirements that will take effect in 2013 and 2018 and an "After the Thaw" round table discussion. The June bimonthly meeting will be held in Eastport, and the committee is working on topics for this meeting.

## Education/Operations

It was reported that the Trenchless Technology seminar went extremely well, and the Managers Breakfast Forum is scheduled for Monday, March 7<sup>th</sup>. The committee rescheduled their next meeting to March 15<sup>th</sup>.

## Public Awareness

It was reported that the DWW Insert articles need to be submitted to this committee as soon as possible. McNelly also noted that the Committee is opening its own checking account for the scholarship fund. It was reported that the Committee is working on selling their tickets for this year's calendar raffle. The Maine Water Conference is on March 16<sup>th</sup> at the Augusta Civic Center, and the Committee will be exhibiting at this conference.

## Water Resources

It was reported that the committee is working on a plan for its annual fall seminar. They have been focusing on the science behind regulations.

## Water Use Efficiency

It was reported that the committee is working on an unaccounted for water database. McNelly noted that he is looking into funding for this project. Due to the large scale of this project, this committee may not produce a training session this year.

## Website Committee

It was reported that the Website Committee needs to meet again to review what could be improved.

## **Adjournment**

On a motion by Gobeil and a second by Cox, the meeting was adjourned by unanimous consent.

## Board of Directors Meeting April 7, 2011 Kennebec Water District, Waterville, Maine

The April meeting of the Board of Directors was held at the Kennebec Water District in Waterville, Maine. In attendance were Directors Frasier, Ziegra, Gobeil, Moriarty, Johnson, President Cox, Executive Director McNelly and Administrative Assistant Elizabeth Andrews. Jeff LaCasse and Jefferson Longfellow of Kennebec Water District also attended a portion of the meeting.

## Communications

McNelly reported that he received an email from Chris Cossette of Wiscasset Water District expressing his thanks for the Excellence in Operations Award. Chris also requested that MWUA prepare a press release concerning this award.

It was also reported that David Paris has requested to sit in on one of MWUA's Board meetings.

McNelly noted that Kennebec Savings Bank had unauthorized access to their online banking, and McNelly will monitor any updates on this situation since MWUA has accounts with this bank.

## Executive Director's Report

No report.

## Directors' Reports

Ziegra reported that one of their longtime trustees is retiring at the end of April.

Moriarty reported that they are preparing for a rate increase. Moriarty also reported that they are working with a UMO professor on testing for radio isotopes in their water. Nothing has been found so far.

Frasier reported they received an eight page appeal from Highland Green and Highland Estates concerning charges for private fire protection.

Johnson reported that they are moving forward with their 3% rate increase.

Gobeil reported that he received plans from DOT concerning a road re-building project that has been in the works for seven years. Gobeil mentioned that after reviewing the plans, he noticed that 1,000 feet of DOT's project has already been completed. Gobeil has contacted DOT to inform them of this discovery.

Cox had no report.

## Approval of Minutes

After revisions were made, on a motion by Ziegra, and a second by Frasier, the Board meeting minutes from March 3, 2011 were unanimously approved.

## Old Business

## Water Operator Board

It was decided that McNelly will call Trevor Hunt concerning the status of Tim Sawtelle's appointment to this Board.

## Annual Awards

McNelly reported that Rick Davee will be presenting the Excellence in Operations award to Presque Isle Water District at the North Country Convention next week.

## Personnel Evaluation Form Revision

Cox reported that he will schedule a meeting in order to revise the Personnel Evaluation Form.

## AWWA 2011 Fly-In

It was reported that Cox and Ziegra attended the AWWA Fly-In. Cox reported that they met with Collins, Pingree, and representatives from the offices of Michaud and Snowe. Cox also reported that he was informed that the SRF funding was cut by 60%.

## Financial Review

McNelly reported that the income from the February meeting has not yet been fully collected. It was also reported that the office will be invoicing for the 2011 Journal ads, and McNelly is preparing to work on the budget for 2012.

## Committee Updates

## Legislative and Regulatory Affairs

McNelly reported on a number of bills, including:

LD 211: An Act To Improve the Water Quality of Hall Pond in Paris: It was reported that this bill proposes to prohibit boats, ATVs, etc. from operating on this pond, which is Hebron's water supply. It was reported that McNelly testified in favor of this bill, but the current status of is bill appears to be ought not to pass.

LD 219: An Act To Amend the Laws Governing Shoreland Zoning: It was reported that MWUA is advocating to leave the width of land subject to shoreland zoning at 250 feet, instead of the proposed 75 feet, on public water supplies, and watersheds of public water supplies.

LD 240: An Act To Allow the Removal of Gravel Bars in the Sandy River: It was reported that this LD 240 affects Farmington, and they are in favor of this bill.

LD 253: Resolve, To Establish a Single Construction Permit for Aboveground Oil Storage Tanks in Gravel Pits and Quarries: It was reported that Patty Aho, DEP Deputy Commissioner, contacted McNelly, requesting that we become involved. McNelly reported that Andy Tolman of the DWP is to be contacted to see if he is willing to get involved.

LD 292: An Act To Prohibit Placing the Carcass of a Dead Animal on a Frozen Body of Water for the Purpose of Baiting Coyotes: It appears this bill will probably die.

LD 359: An Act To Authorize a General Fund Bond Issue for Wastewater and Drinking Water Revolving Loan Funds: It was reported that it appears the Governor may be on board for this bill. McNelly reported that he asked Roger Crouse of DWP if the interest and payments can be used as a match. It was reported that the DEP and wastewater community are against using interest and payments as a match. Roger Crouse and Nancy Beardsley are working on this together, and there is a meeting scheduled with the DHHS Commissioner on April 28<sup>th</sup>.

LD 909: An Act To Provide Additional Flexibility for the Funding of Infrastructure Improvements by Consumerowned Water Utilities: This bill was proposed by MRWA, and a meeting of water utility representatives was held to discuss this bill in detail. An effort will be made to improve the streamlined rate increase process.

LD 1061: An Act To Amend the Lien Process for Unpaid Water Rates: It was reported that this bill was proposed by Aqua Maine. Rick Knowlton and Steve Levy have testified in favor.

LD 1077: An Act To Enhance Public Participation in Decisions Relating to the Large-scale Extraction and Transportation of Water: It was reported that David Parent has contacted Senator Jonathan Courtney, in an effort to have

this bill re-referred to the Energy and Utilities Committee. It was also reported that many MWUA members have been making contacts concerning this bill and that talking points were being developed.

LD 1191: An Act To Encourage Business Development by Limiting the Time a Utility May Hold a Business Customer's Deposit: It was reported that currently, businesses can retain a deposit as long as the depositor is a customer. It was reported that if this bill requires water utilities to return a deposit after one year, it could cause issues if it applies to services that require utilities to keep deposits longer than one year (main extensions, new service install, seasonal services, inspections, etc.).

## **Program**

Jefferson Longfellow attended a portion of the meeting to give an update on this committee. It was reported that the April Meeting will be held in Sanford on the 14<sup>th</sup>.

There was also discussion concerning the proposed restructuring of the February Meeting and Trade Show schedule, and how it will affect luncheon, tradeshow and training attendance. It was noted that private fire protection is a good topic for one of next year's training sessions.

It was reported that the June meeting will be held in Eastport, the October meeting will be in Rumford, and the December meeting will be in Damariscotta. The clambake and golf tournament will be held at the same locations as last year.

## Education/Operations

It was reported that this committee has a couple NEWWA sessions planned for May and June. There is a Meter Breakfast Forum planned for April 28<sup>th</sup>, and an Electrical Safety Seminar scheduled for the first two weeks of May. The committee is also working on training for the next fiscal year.

## Public Awareness

It was reported that the committee attended and exhibited at the Maine Water Conference. The DWW Insert may be 12 pages instead of 16, due to low ad sales, and since Mary Jane Dillingham will be undergoing surgery on April 14<sup>th</sup>, Kirsten Ness may be taking over this project as needed. It was also reported that the committee is working hard to sell the calendar raffle tickets.

## Water Resources

It was reported that the committee is working on its annual fall seminar entitled "The Science behind Drinking Water Protective Setbacks". They are also exploring watershed tours funded with NEWWA money. McNelly noted that it may also be a good idea to look into plant tours as well.

## Water Use Efficiency

It was reported that the committee is working on an unaccounted for water database, and is looking into outsourcing the construction of the database. McNelly noted that he is looking into funding for this project. It was mentioned that it may be a good idea to involve Dana Ayers of Aqua Maine and Tim Case or Jason Wise of Wright-Pierce in this project, and invite them to a meeting.

## **New Business**

## 2012 Management Candidate School - \$2500 Budget Request

It was reported that JETCC is requesting that MWUA donate \$2,500 towards next year's Management Candidate School. It was decided that McNelly will contact JETCC to get more details, and bring back to the next Board meeting for review.

## NEWWA Letter: Water Foundation

The Board reviewed a letter from David Paris of NEWWA concerning a proposed Water Foundation. It was reported that there are no specifics as of yet since this idea is in the early planning stages. It was reported that NEWWA is working on targeting larger grants, and they would need this foundation as a separate entity to accomplish that. It was reported that it appears that this foundation would help develop public outreach, and, although it seems like an ambitious goal to achieve, many feel that it should at least be attempted.

McNelly is to contact David Paris to get more details, and to discuss a letter of recommendation from MWUA.

It was also noted that Cox and Craig Douglas attended the NEWWA state association meeting that was held before their Worcester conference. It was reported that LD 1077 was discussed at this meeting, and Cox received some positive comments after the meeting concerning the points that Cox made concerning this bill.

## MDOT Utility Taskforce – Underground Utilities

Johnson reported that MDOT's Jeff Tweedie has asked him to organize an underground utilities meeting, comprised of mostly water and wastewater people. Johnson also noted that he will contact MWWCA to see if they would like to be involved. It was reported that one of the topics to be discussed at this underground utilities meeting is the OSHA 1926 rule concerning construction around power lines that applies to cranes and derricks. Johnson will be working on getting invitations out within the next few weeks.

## Fire Protection Taskforce

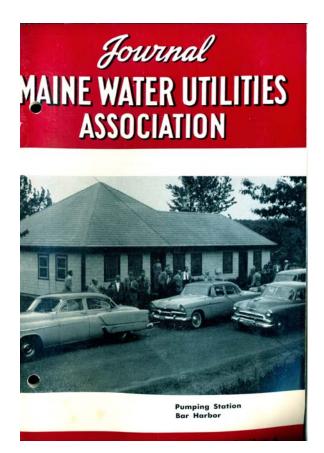
It was noted that pulling together a taskforce concerning fire protection will be discussed at the next board meeting.

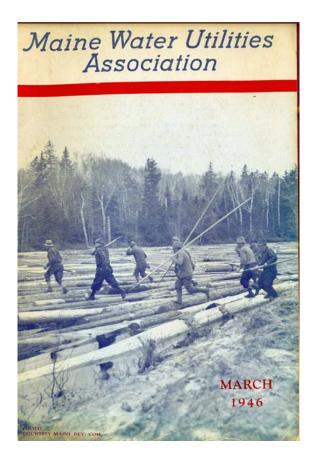
## Reschedule May Meeting

It was decided that the next meeting will be held on May 10<sup>th</sup> instead of May 5<sup>th</sup>, at Bangor Water District.

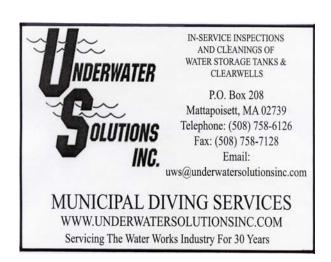
## Adjournment

On a motion by Gobeil and a second by Ziegra, the meeting was adjourned by unanimous consent.





## From the MWUA Journal Archives



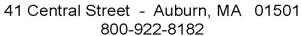
MWUA 86<sup>th</sup> Annual February Meeting & Trade Show February 7 & 8, 2012 Portland, Maine





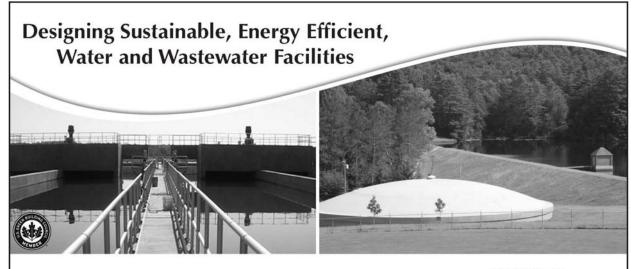
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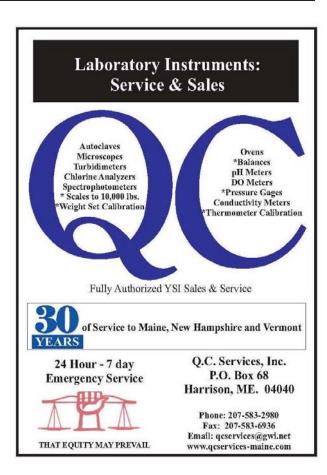
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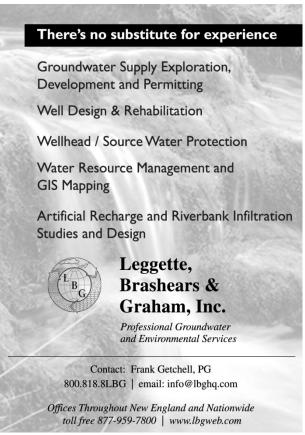
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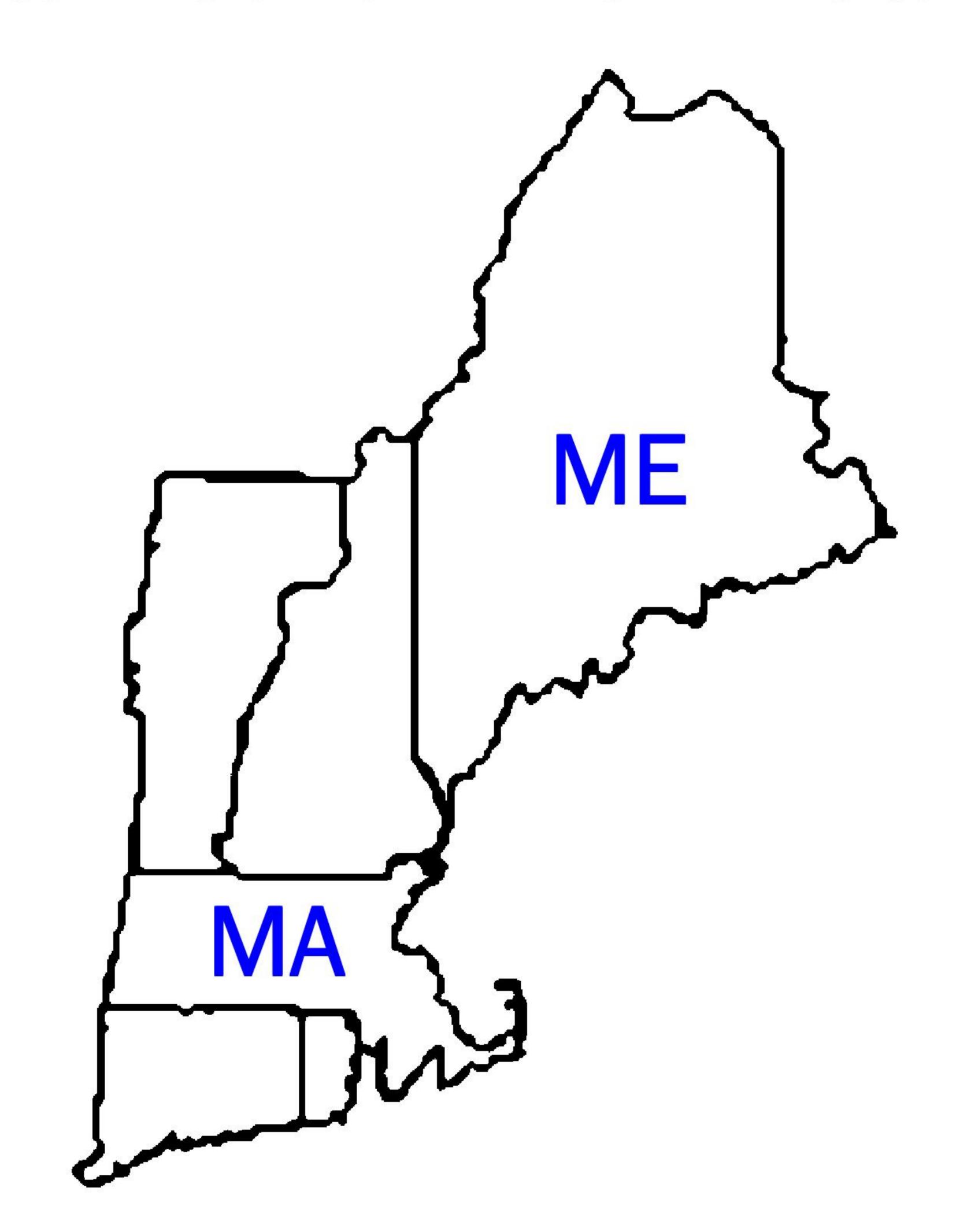
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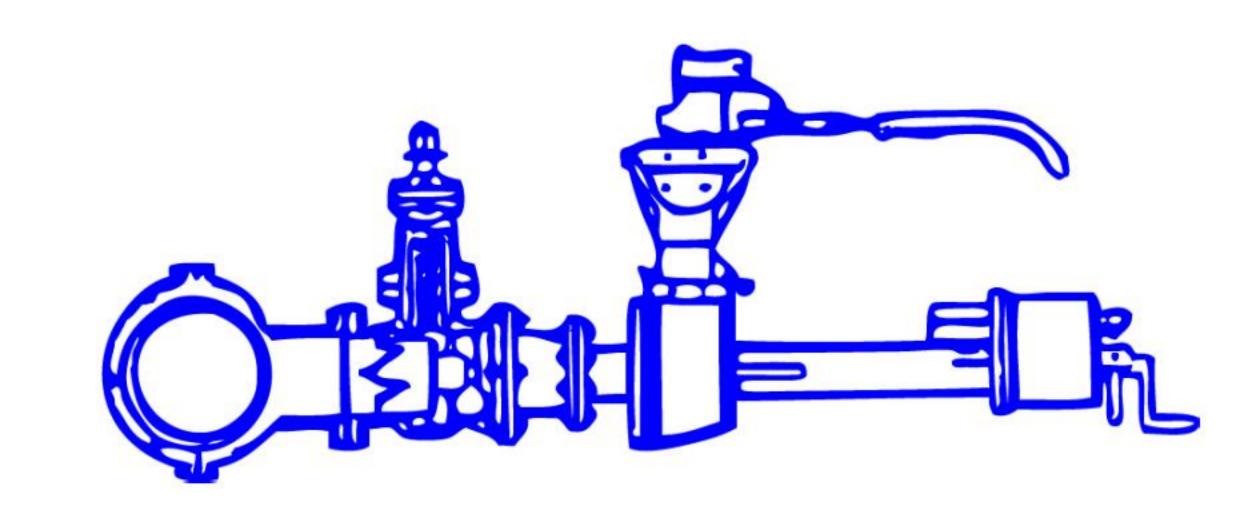
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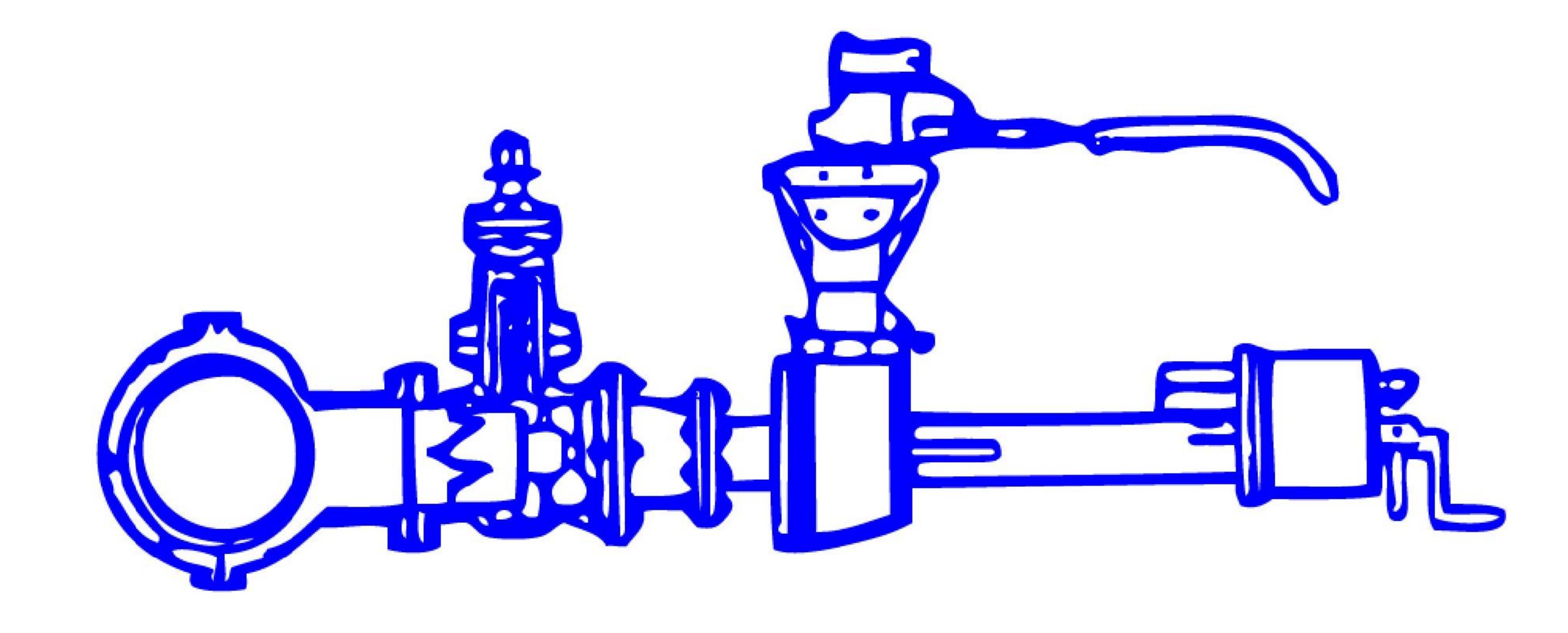


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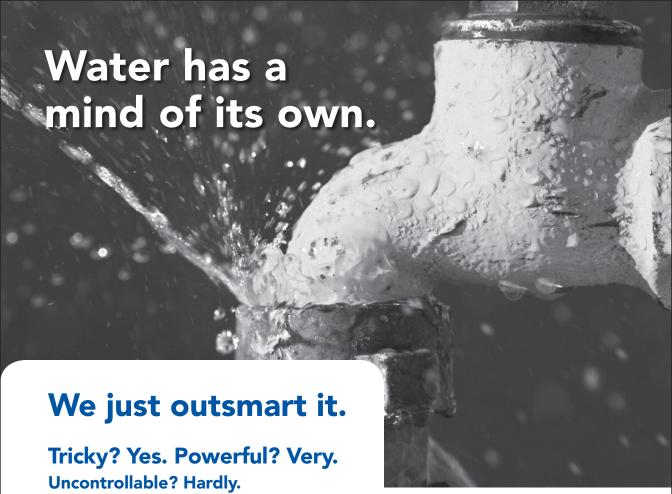
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