

Maine Water News

A Publication of the Maine Water Utilities Association

March 2014, Number 174

I Have 99 Problems

Jefferson Longfellow, 2014 President

I have 99 problems, but they are all first world. It's an expression that my wife and I use, to keep things in perspective. Although we are not fans of Jay-Z, the rapper from whom the phrase is stolen, it is a great reminder that we have our health, shelter, and food; everything else stressing our lives is manmade.

Thoughts of these manmade problems drift to an ongoing situation with a nearby water district. It's been having some recent troubles staying under the Trihalomethane standard, and some of the local citizens are not happy. It seems that some don't like the fact that chlorine is added, since it is a poison. It makes me wonder: how did the addition of chlorine go from the miracle of the 20th Century to becoming a poison added to a public water supply? I am not, and would never advocate for, ignoring the latest Safe Drinking Water Act amendments, but when has meeting the goals become unacceptable?

Although I am not familiar with this particular water system's history, most of the systems in Maine were formed in the late 19th century to provide fire protection, with drinking water becoming a secondary concern. Only later, after several typhoid outbreaks, did the quality become a concern and steps were taken with chlorination, and in some cases with filtration. With the Safe Drinking Water Act, and subsequent amendments, the industry implemented needed improvements to drinking water quality during the past 40 years.

The real question is, when has meeting the goals for Trihalomethanes become bad? I have talked to a couple of customers in the system and have been asked if there was any immediate concern, I did not think so. One person stated that their teen daughter asked if they did not love her since she and her husband did not give the child bottled water to brush her teeth, like her friend's parents did. A second, a business owner, was frustrated that they had

to provide bottled water to their employees as a means to prevent a lawsuit later if one contracted cancer.

How have we, as a society, forgotten the effects of water borne diseases? Typhoid and cholera are now past memories regulated to history. Is Giardia no longer a concern, Cryptosporidium and the outbreak from the mid-1990's forgotten? Or is it that these acute diseases only happen elsewhere and a concern only when traveling? The revenge of Montezuma when in Central/South America, or the donation to eradicate polio in an isolated part of the world. As operators, we know that it only takes a few missteps and a real outbreak will happen.

Is it thought that water borne disease affects others? Or is it a limited understanding of analytical methods? I know that how systems are managed is much different from when I first entered the industry. Low/no total chlorine, just adding more, is no longer considered standard practice. The water industry has been called the silent services, are we too silent to show all of the work to deliver the safe product on a continuous basis? I don't have the answers.

Do we wait until there is an unreported spill of MCHM into the water supply to show the steps to prevent the grave illness on a daily basis? Or will it be too late? Do we now live in a world where any contaminant level above zero is unacceptable? I have heard it said, when it comes to analytical measurements, that zero is as much of an ambiguous value as infinity. Are the consumers of our product so disbelieving of anyone of authority? Has this been amplified with the availability of research available at one's fingertips, whether or not it is peer reviewed or from someone with an axe to grind, making the situation worse?

I would say that it is the luxury of our times that we have tap water at our disposal, that meets requirements of safety from research, but yet is considered risky. It is simply one of the 99 first world problems.

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Material of interest to the water supply profession will be considered for publication. Copy deadline is the 15th day of month preceding publication.

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2014 Annual February Meeting & Trade Show

Once again, this year's February Meeting and Trade Show was a great success. Even with the challenging weather conditions, we had over 600 attendees overall, and many new exhibitors at the trade show.

There was a great variety of topics spread over 20 technical sessions, which were well attended. New England Water Works Association offered valuable and informative training on centrifugal pumps, bacterial resistance to disinfection, replacing aging pumps, improving drinking water day-to-day operations, and social media.

MWUA's Program Committee put together sessions highlighting employee growth in an organization, the pros and cons of piping material, repair and maintenance, MEWARN.ORG, Freedom of Access Act, water quality, and math and hydraulics. Additional sessions included utilizing technology in work processes, current issues for trustees, and how to prepare for an active shooter. A new twist was added to the product demonstrations this year by hosting each demo at their respective exhibitor booths.

Maine Wastewater Control Association offered energy management case studies, MSDS name change and safety updates, Gizmos and Gadgets, and CMOM and asset management.

Tuesday night's Meet and Greet was packed and allowed plenty of time for attendees to network and interact with other water and wastewater personnel, as well as the exhibitors.

The luncheon presentation on Wednesday was a great success, given by Kenneth Wagner, PhD, a certified Lake Manager focusing on water supply protection and lake management. Wagner described the impact of blue green algae on drinking water supplies, as well as surface water quality trends in the Northeast. The water resource management information provided will benefit attendees and their respective utilities.

Overall, this year's conference was a great success. Thank you to our co-sponsors, NEWWA and MWWCA, for once again contributing pertinent and invaluable information at your technical sessions. We would also like to thank the exhibitors for their support of our trade show. It is a great benefit for MWUA to be able to offer such a variety of session topics and exhibitors' products and services at this event.

April Meeting to Feature UV and Newest Water District

The technical program for the April meeting, to be hosted by the Mechanic Falls Water Department will include a discussion of the ultraviolet disinfection process at Lake Auburn. That new treatment regime supplies the customers of both the Auburn Water District and the Lewiston Department of Public Works. Bringing any new treatment process on line can be a challenging occurrence, particularly when the responsibility is shared between two water systems. Mike Broadbent of Auburn and Kevin Gagne, from Lewiston, will provide an overview of the challenges, the approach used to address them and their progress to date.

The New Gloucester Water District will, in a few months, begin serving clean, safe water to its customers in the Upper Village section of New Gloucester, where residents and businesses have lived with wells impacted with petroleum and/or salt for many years. Paul First, New Gloucester's Acting Town Manager and Darrin Lary of Wright-Pierce Engineers will provide an account of the collaboration that was necessary to make that all happen.

In planning this event, the Program Committee has taken steps to ensure that the frost will be out of the ground – somewhere. Superintendent Steve French has indicated that we should expect a very nice meal.

So, there are two reasons to join us on the 10th. We will plan on seeing you there; bring a neighbor. For more info and to register, please see the registration form on Page 8 of this newsletter, or visit www.mwua.org.

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By-Law Amendments up for Vote at April Meeting

As was noted in the January 2014 issue of Maine Water News, there will be a vote on amendments to the by-laws at the April bimonthly membership meeting on April 10th in Mechanic Falls.

The proposed amendments, if adopted, will allow for one board member to be an Associate member. The proposed changes are as follows:

Section 3.5 Associate Member. A person, firm, or corporation or other entity engaged in supplying materials, services or advice to the water utilities of Maine may apply for membership as an Associate Member. An Associate Member has no voting rights as a member and, except as otherwise provided in Section 4.6, is ineligible to hold office in the corporation, but may accept committee assignments.

Section 4.3. Nominations. Nominations for Directors shall be presented at the October meeting of the corporation by the Nominating Committee or from the floor by any member of the corporation. Only Individual Members, Retired Members, Honorary Members and (to the extent provided in Section 4.6) Associate Members in good standing may be nominated. The Nominating Committee shall notify the membership of the corporation, in writing, of their selections for the nomination of Directors at least 10 days prior to the October meeting. The Nominating Committee shall consist of the succeeding five past Presidents of the corporation who are members in good standing and who are not serving as Directors. The most recent Past President serving on the committee shall chair the committee.

Section 4.6, Associate Member as Director. An Associate Member, or, in the event that an Associate Member is an entity, an individual who shall have been designated by the Associate Member to represent the Associate Member for this purpose, may serve as a director or, if elected, as an officer of the corporation; provided, however, that no more than one Associate Member or individual designated by an Associate Member may serve as a director or officer of the corporation at any time.

Second Session Bills Moving Toward Resolution

The Second Session of the 126th Maine Legislature has a mid-April adjournment date; however, it is expected that legislators will be in town for at least a few days after that. Over the past couple of months a number of bills have been disposed of; others are still in process.

LD 1177 An Act To Implement the Recommendations from the Discontinued and Abandoned Roads Stakeholder Group is a carry-over bill from the First Session. As was noted in the last issue of the newsletter, the deliberations on this matter have been

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very contentious. It is anticipated that a divided report will be forthcoming from the State and Local Government Committee.

LD 1694 An Act to Improve the Water Quality of Inland Waters would have appropriated \$100,000 annually to the Department of Environmental Protection to provide \$80,000 to the Maine Lakes Society in its implementation of the LakeSmart program and \$20,000 for the purpose of analyzing the data gathered by the Maine Volunteer Lake Monitoring Program. This bill never had a hearing; the sponsor asked that the Environment and Natural Resources Committee report the bill out as Ought Not to Pass, which they did.

LD 1626 An Act to Leverage Expert State-based Resources for Emergent Intervention and Long-term Comprehensive Resource Protection of Lakes was heard by the Inland Fisheries and Wildlife Committee. LD 1626 proposed to increase watercraft registration fees by \$7 for residents and to establish a \$35 fee for nonresidents. It also would have directed the Department of Environmental Protection to establish a program to use the revenue from the increased fees to work on removing invasive aquatic plants that exist in lakes of 10,000 acres or more in area, and to establish a long-term management program to prevent future infestation of invasive aquatic plants. The last work session was held on February 11th. A divided report is anticipated from the committee.

LD 1744 An Act to Protect Maine Lakes sought to make a number of changes to the laws governing the DEP's Lakes Assessment and Protection Program. There was extensive testimony at the public hearing. As this issue of the newsletter goes to the printer, the Environment and Natural Resources Committee is divided on the issue, in that they have a majority report and two minority reports.



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The majority report amends the Lakes Assessment and Protection Program and specifically addresses education; the monitoring of lakes and conducting research; compliance monitoring and enforcement; water quality and habitat protection, restoration and maintenance; and partnerships. The report prohibits the use of fertilizers within 50 feet of great ponds, with exceptions for agricultural purposes, or to establish turf or buffer vegetation. It also appropriates \$40,000 to the DEP to provide to the Maine Lakes Society for implementation of the LakeSmart program as well as \$20,000 for the purpose of managing and analyzing data gathered by the Maine Volunteer Lake Monitoring Program and \$10,000 to Maine JETCC for training purposes.

The two minority report options are different in that one is limited to the appropriations noted above in the majority report and the other option is limited to those same appropriations but it specifies that the appropriations would be disbursed by means of a competitive bid process.



LD 1755 An Act to Amend the Mandatory Shoreland Zoning Laws to Exclude Subsurface Waste Water Disposal Systems from the Definition of "Structure" was heard before the Environment and Natural Resources Committee. That bill was amended and given a new title: An Act To Amend the Mandatory Shoreland Zoning Laws To Exclude Subsurface Waste Water Disposal Systems, Geothermal Heat Exchange Wells and Wells or Water Wells from the Definition of "Structure". The amendment retains the provision of the bill that excludes subsurface waste water disposal systems from the definition of "structure" in the laws governing shoreland zoning but adds provisions to exclude geothermal heat exchange wells and wells or water wells from the definition. The amended bill received a unanimous endorsement from the committee and is moving through the process

LD 1619 An Act To Amend the Law Governing Conflicts of Interest with Respect to the Public Utilities

Commission, as originally printed, would have required the Governor to appoint a replacement for a member of the Public Utilities Commission whose recusal from a proceeding due to a conflict of interest prevented the Commission from having a quorum. That would have been accomplished via a lottery from a list maintained by the Governor of 5 qualified persons approved by the Energy, Utilities and Technology Committee.

MWUA presented an amendment to LD 1619 which would have removed the lottery provision and replace it with authorizing the Governor to make a temporary appointment of a former Public Utilities Commissioner or if none is available a former Supreme or Superior Court Justice. The amendment also added an emergency preamble.

That amendment was presented in an effort to resolve, in a timelier fashion, an investigation before the

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Verrill Dana_{LLP}
Attorneys at Law

Public Utilities Commission into a lease agreement and contract for bulk water sales between Fryeburg Water Company and Nestle Waters of North America. That investigation had been suspended due to the lack of a quorum, resulting from the recusal of two of the Commissioners.

The final amendment, which represented the unanimous report of the committee, authorizes the Governor to appoint, subject to confirmation by the Legislature, 3 individuals to be alternate commissioners

of the Public Utilities Commission. An alternate commissioner will be randomly selected to be appointed a temporary commissioner to a proceeding at the Public Utilities Commission if a quorum is not available due to conflict of interest, disability or other reason. This amendment is also moving through the process



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bimonthly meeting will be held on June 19th. The Greenville Division of Maine Water Company will be hosting and the venue is The Birches in Rockwood.

Cabins, which accommodate either 4 or 8 people, are available for about \$50 per person per night. Individuals or groups can make reservations directly or one can contact Jeff McNelly at the MWUA office (jmcnelly@mwua.org) to be included in a cabin.

If you contact the office, specify either Tuesday, June 17 or Wednesday June 18 (or both). You will be invoiced for your lodging reservation, whether you show up or not.

Contact the office with additional questions.



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2014 Training Session Schedule

The following MWUA training sessions have been scheduled:

- 4/10/14 Bi-Monthly Meeting, Mechanic Falls
- 4/15/14 Water System Maintenance, Caribou
- 4/16/14 Water System Maintenance, Belfast
- 4/18/14 Water System Maintenance, S. Berwick
- 4/24/14 Safety Class, Bangor
- 4/30/14 UV Session, Augusta
- 5/22/14 Safety Class, Portland
- 6/19/14 Bi-Monthly Meeting, Greenville

We will have upcoming training sessions on the following topics (dates/times TBD):

- ◆ MDOT Utility Coordination
- ◆ Main Extension Rule & associated issues
- ◆ Ethics / Sanitary Survey
- ◆ Backflow Prevention
- ◆ Office Session with focus on Customer Service (tentatively scheduled for week of 7/15)
- ◆ Energy Use Efficiency
- ◆ Pipe Locating / Leak Detection
- ◆ Class III & IV Exam Prep

Make Plans Now for June Meeting

In order to avoid conflicting with the AWWA Annual Conference and Exposition (ACE 14) to be held the week of June 8th in Boston, the MWUA June

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<input type="checkbox"/> Water System Audits	<input type="checkbox"/> Onsite Inventory Trailers	<input type="checkbox"/> Hot Tapping
<input type="checkbox"/> Manhole Rehabilitation	<input type="checkbox"/> Fusion Machine Rental	<input type="checkbox"/> Distributor Managed Inventory



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One Call System Still an Elusive Animal

The January newsletter noted that LD 965 An Act to Improve Maine's Underground Facility Damage Prevention Program was being worked by the Energy Utilities and Technology Committee.

That is still the case. The focus of the discussions is still the desire to have a true one call system. MWUA's position has been, and still is, that we can support a one call system if it is workable.

Currently under consideration is a scenario whereby water and sewer systems and municipalities would be classified as underground facility participants. The participants would not be required to be members of the Dig Safe system. It would be necessary for participants to provide maps showing the location of their infrastructure. Dig Safe would issue tickets directly to participants; however excavators would be required to meet with underground facility participants prior to excavation if the request for such a meeting were made. At this time it is contemplated that a Dig Safe Advisory Board will be created.

The issue of the cost for participation by underground facility participants in the system is a somewhat thorny issue that the association is following closely.

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Regulatory Reform Moves Forward

The public hearing on LD 1784 An Act To Reform Regulation of Consumer-owned Water Utilities was held on March 4th.

The text of the bill is, essentially, the Public Utilities Commission's recommendation for an incremental approach to reform of the regulatory requirements imposed upon consumer owned water utilities.

Succinctly, LD 1784 would allow the Commission to grant exemptions from all or specified portions of Title 35-A to individual consumer-owned water utilities or a class of consumer-owned water utilities. An exemption would have to be granted in accordance with rules adopted by the commission. The exemption would have to be in the public interest and could not result in unjust or unreasonable rates or have a negative impact on the provision of safe, adequate and reliable service.

MWUA, and many others, supported an amendment offered by the Southern Maine Regional Water Council. That amendment, the product of several meetings of the water supply profession over the past few months, is viewed as an alternative to LD 1784 that provides greater predictability of outcome.

In the work session the Energy Utilities and Technology Committee chose to use the Commission approach. A number of issues were discussed during the work session, including whether there should be a public hearing associated with a request for exemption(s), whether the status quo should be maintained on consumer complaints/protection, rescission of exemptions, continuation of the annual Commission assessments, and other issues.

The details will be evident when the committee analyst brings the committee amendment back to them for language review.

HOST: Steve French, Superintendent, Town of Mechanic Falls

LOCATION: American Legion, 41 Elm St, Mechanic Falls, ME 04256

DIRECTIONS: From South: I-95 N to Exit 63 (US-202), turn left onto US-202 (W. Gray Rd), turn right onto ME-26A, stay straight to go onto Shaker Rd/ME-26, continue to follow ME-26. Turn right on S. Main St (ME-11), turn right onto Elm St.
From North: I-95 S to Exit 75 (US-202), merge onto Washington St, turn right onto Poland Spring Rd (ME-122), turn left onto Hotel Rd (ME-122), turn right onto ME-26, turn right onto S. Main St (ME-11), turn right onto Elm St.

PROGRAM

8:00AM – 8:30AM **Registration & Continental Breakfast**
 8:30AM – 8:40AM **Introduction & Welcome to Mechanic Falls, Maine**
John Hawley , Town Manager
 8:40 AM – 9:00 AM **Overview of Mechanic Falls Water Department**
Steve French , Superintendent
 9:00AM – 9:45AM **Business Meeting**
Regulatory Update, Norm Lamie, P.E., Maine Drinking Water Program
Legislative Update, Jeffrey McNelly, Executive Director
Vote on proposed Bylaws amendments
 9:45AM – 10:00AM **Break**

TECHNICAL PROGRAM

10:00AM – 10:45AM **Ultraviolet Disinfection: The Lake Auburn Experience**
Mike Broadbent, Auburn Water and Sewer District
Kevin Gagne, Department of Public Works, Lewiston
 10:45AM – 11:00 AM **Q & A**
 11:00AM – 12:00 PM **How to Start a New Drinking Water System: The New Gloucester Experience**
Paul First, Acting Town Manager of New Gloucester
Darrin Lary, Wright-Pierce Engineers

12:00 PM – 12:15PM **Q & A**
 12:15PM **Lunch**

Jefferson Longfellow
President

Bruce Berger, Chris Curtis, Andrew Reid
Program Coordinators

REGISTRATION FOR APRIL 10, 2014 BI-MONTHLY MEETING

Please return registrations by: April 3, 2014

2.0 Training Contact Hours / 1.0 DEP Credit Hour

Name(s): _____

Affiliation _____

		Late Registration (after 4/3/14)			
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<i>Vendors / Associate Members</i>	_____ @	\$25_____	\$30_____	\$35_____	\$40_____
<i>Water Systems serving less than 4,000 Customers</i>	_____ @	\$15_____	\$20_____	\$25_____	\$30_____

Total enclosed: _____

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