

MAINE



WATER

NEWS

May 2007

A Publication of the Maine Water Utilities Association

Number 133

WARning about that Chafing Feeling

William G. Alexander, Jr., President

The recent Patriots Day northeaster brought not only wind and five inches of rain to my area of the state that knocked out power supply to thousands of people but also provided an opportunity that made me pause to reflect about how we respond to emergencies or natural disaster events.

John Storer and I had appointments for several meetings in Washington, D.C. with Maine's Congressional delegation for the annual AWWA Fly In. We were going to discuss water infrastructure, the drinking water state revolving loan fund and water security issues. Specifically, why these issues are important to Maine water and wastewater utilities and the importance of sustaining the funds associated with them.

Our schedule was to fly out of Portland at 10:20AM. I checked the website at 6:00AM to find everything as on schedule even though the local news indicated that the airport had closed. I checked the FAA website only to find that flight status in the region's airports was normal. As the clock ticked by, I could feel my sense of frustration rising in search of some real-time information. Finally, I gave in and called the customer service line only to hear a busy signal! After several more attempts, I finally reached an operator who asked me to wait for the next available operator. The frustration that I felt during my efforts to locate real-time information about the status of our flights was chafing at my normally patient attitude. After one hour and twenty minutes on hold, I finally spoke to a human who was able to confirm that the flight was, in fact, canceled.

While we were able to respond to storm related calls at our utility, I could not help but wonder if we are always ready to meet our customer's needs when an interruption in water service occurs.

Are we as water suppliers ready for any emergency that may arise? Do we have the equipment and resources available? Where do we find these resources? How will we notify our customers of the status and safety of the local water supply? The answers to these questions already exist within your emergency response plan but another option is available to supplement your ERP. This option is called WARN and has been used in several other states within the United States with success.

WARN is an acronym for Water/Wastewater Agency Response Networks. If created, WARN could provide a mechanism to speed our response in the event of an emergency by identifying resources available among its members.

Do you need an operator with a specific skill set, how about another chemical feed pump, or a special piece of equipment specific to the water, wastewater community? Why not bring in the equipment and staff from the utility next door?

Water and wastewater utilities have needs that may be difficult to locate or replace in the event of an emergency. WARN would formalize relationships that many of us already have with neighboring utilities. This formalization of relationships via a written agreement could provide for better planning and response to emergencies through training and coordination. Response to a WARN request would be optional only if the utility can respond without compromising the security of its own system.

Simple speaking, a database could be created that would identify the location and quantity of resources. The database should be secure yet freely open and inexpensive to its members.

WARN would clearly state who is responsible for the costs, authority, etc. prior to an emergency. With this written agreement in place, emergency related costs would be reimbursable if a federal emergency is declared.

Maine Water News
is published bimonthly by
Maine Water Utilities Association
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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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(continued from page 1)

These emergencies do not have to be Federal or State declared events, but some type of event that would exhaust your resources. In the event of a disaster, one could assign a member utility to repair a transmission line while your remaining employees pump out a treatment plant to restore water.

The Maine Drinking Water Program has pulled together a leadership committee that consists of the MWUA, several water associations and regulatory organizations. In a few weeks there will be informational sessions to explain what WARN is about, looking towards creating a steering committee with the utilities from around the state. Take the time and look it over. While it is not mandatory, the benefit to your customers may be immeasurable in time of emergencies.

By continuing to provide timely, efficient and affordable service, we will prevent the chafing of our customer's moods.

Maine Legislature Deals With Many Pertinent Issues

March and April have been very busy months in Augusta with action taken on several fronts.

There were a number of water, wastewater or combination water/wastewater bills which would have secured the State Revolving Fund match. They served as great vehicles of communication in informing legislators of the need for the 5:1 match money. There were some interesting times in the State House as this was all unfolding. The most notable was that Monday in March when Governor Baldacci took the wrappings off his \$397 Million bond package and it was discovered that the Drinking Water SRF had been left out. Completely. Much could be said about that. The Directors plan to meet with CDC Director Dr. Dora Anne Mills in the near future. The first item on the agenda is advocacy for the water supply profession.

MWUA had the opportunity to testify before the Appropriations and Financial Affairs Committee and to also answer questions during their work session on the various bond initiatives. DWP Director Nancy Beardsley also testified before the committee and fielded many questions from committee members. She also pulled the late night and weekend duty to ensure the committee did not lose sight of the importance of the Drinking Water SRF match.

The joint effort the association was involved in with the Maine Wastewater Control Association to secure both the water and wastewater matches proved to be invaluable. The efforts of Representative Pat Flood, who sponsored one of the water/wastewater bills and who sits on Appropriations, were instrumental in carrying our message. In addition, members of leadership (including Senator Martin – who knows first hand of the challenges facing water and wastewater systems) were well aware of the need for the match money.

When it was all said and done, LD 1796 An Act to Authorize Bond Issues for Ratification by the Voters for the June and November 2007 Elections was enacted. It includes \$3.4 Million (2 years of match) for the Drinking Water SRF match, plus \$14.9 Million for wastewater construction grants and their SRF match requirements. The transportation, water and wastewater portions will go to the voters in June.

LD 968 Resolve, Regarding Legislative Review of Portions of Chapter 587: In-stream Flow and Water Level Standards, a Major Substantive Rule of the Department of Environmental Protection was the long awaited “flow rule” that was of concern for a number of reasons. Related to that issue was LD 774, An Act to Coordinate the Implementation of the In-stream Flow and Water Level Rules among the Department of Environmental Protection, the Drinking Water Program of the Department of Health and Human Services and the Public Utilities Commission. In addition, LD 1359 An Act to Ensure the Availability of Existing Drinking Water Sources of Supply, which was legislation submitted by MWUA to ensure that the use of a water resource for water supply should be considered at least as important as the use of a resource to protect aquatic life.

The final outcome was not an easy thing to accomplish; however a number of concerns that had been expressed by water utilities were satisfactorily addressed. Most importantly the rule was taken out of the Clean Water Act; the regulation will be adopted as a state water use rule. The watershed protection benefits of a system’s existing source will be part of the economic and technical feasibility determination made when issuing a withdrawal certificate or an amended withdrawal certificate. System design capacity, the amount of water that is available for water system purposes, will be determined by the Drinking Water Program and it will be an annual volume.

Accompanying statutory changes specify that the rules will include a mechanism whereby the protection of aquatic life and other uses will be balanced with the objective of allowing community public water systems to use their existing water supplies to provide water service (i.e., the LD 1359 language). The Office of Public Advocate stepped in and agreed to assist the Drinking Water Program in making the economically affordable determination, after the Public Utilities Commission chose not to be involved in that aspect of the withdrawal certificate process.

It appears that LD 1153 An Act to Allow Affordable Housing Discretionary Water and Sewer Fee Waivers will be adopted in an amended form. This bill, which addresses affordable housing, will grant the governing body of water, sewer and sanitary districts the discretionary authority to adopt a discounted impact or connection fee for newly constructed affordable housing. The discount is to be applied across all ratepayers; in addition, customers will have to be notified annually of the discount and how that subsidy is being dealt with.

It appears that LD 1348 An Act to Amend the Maine Tort Claims Act will be carried over to the Second Session. This bill raises the limitation on damages under the act from \$400,000 to \$1,000,000.

LD 1685 Resolve, to Develop a Comprehensive Water Use Plan for Maine was heard on April 17. It appears this bill may be amended to serve as a vehicle to accomplish the recommendations of the groundwater workgroup which met throughout last summer and to also incorporate key elements of the comprehensive planning bill. The Ground Water Committee that was proposed in the groundwater workgroup report recommendations (consisting of State agency staff) would be replaced by a Water Resources Planning Committee consisting of State agency staff and members of the public with water resources expertise. There will be a work session on LD 1685 on May 10, the same day as the hearing on LD 1743 An Act To Create the Freshwater Resource Board.

The summary of LD 1743 reads as follows: “This bill provides for the creation of the Freshwater Resource Board to protect Maine groundwater, to protect the rights of all persons who own homes, farms and businesses over the groundwater and to protect the surface water that benefits from groundwater and the plants and wildlife that benefit. The bill provides for the continuation of water removal by water bottling interests when the removal of water does not threaten these goals. The bulk water transport permitting process is amended to make clear that transport for bottling is permitted. The bill transfers the authority to issue bulk water transport permits from the Commissioner of Health and Human Services to the Freshwater Resource Board and to also convey the power to set fees to carry out this law from the commissioner to the board.”

There are a whole host of unsettling issues that have been identified in this bill; the association will be providing appropriate testimony.

As this issue of Maine Water News goes to press a number of other bills are being heard or scheduled for work session. An update which, hopefully, will cover the remaining bills of the 123rd will be provided in the July issue.

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Nominations Due for Drinking Water Commission Staff Merit Award

The Drinking Water Commission is seeking nominations for the 2007 Staff Merit Award. The criterion for nomination is: That member of the Drinking Water Program that best exemplifies the DWP's motto: "Working Together for Safe Drinking Water".

The Maine Public Drinking Water Commission established the Annual Staff Merit Award to recognize that member of their staff who has, in the opinion of the Commission, made a significant contribution to the Drinking Water Program operations.

Nominations should be submitted no later than May 25, 2007 to the Review Committee, c/o Cheryl Pratt, DWC Secretary, Drinking Water Program, 286 Water Street, 3rd Floor, Augusta, Maine 04333-0011, or e-mail to: cheryl.pratt@maine.gov. All nominations are held in strict confidence and are destroyed after selection. Nancy Beardsley has elected to exclude herself from nomination due to her position on the Drinking Water Commission.

Efficiency Maine Participation On the Rise

Program Helps Maine Businesses Lower Electricity Costs and Usage Improve the Bottom Line

By Virginia Archambault, Outreach Coordinator

Damage from recent storms has prompted businesses and organizations to undergo reconstruction and repairs to buildings and equipment. Electricity rate increases have business owners wondering what to do about rising costs. And global warming has become an issue of high concern, with pressure to 'go green' and protect the environment growing stronger everyday.

The Efficiency Maine Business Program, a program of the Maine Public Utilities Commission, offers free advice to Maine businesses and organizations of all sizes seeking to reduce electricity usage and costs. Cash incentives up to \$200,000 are available to help purchase high-efficiency lighting and other electric equipment.

Since April 2003, more than 900 business and organizations have participated in the program, and reduced their electricity usage by an estimated 42,478,114 kilowatt-hours! This lower usage translates to a combined savings of over \$6,371,000 in electricity costs for the program participants.

"Our primary goal is to help businesses and other organizations use electricity more efficiently," notes David Kyle, program manager of the Efficiency Maine Business Program. "Lowering usage can save energy, lower costs, and help to improve the bottom line of any organization."

Efficiency Maine program representatives are available to talk with businesses and associations about



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how the program works, to conduct training sessions and to participate in industry trade shows.

For more information call toll-free: 1-866-376-2463 or visit: www.energymaine.com.

Bureau of Labor Standards: Safety Update

Weight-Pierce is partnering with MWUA to offer a course which is designed to assist you in meeting the Bureau of Labor (BLS) Safety Standards by informing you of: Bureau of Labor Standards Compliance Directives, the penalty structure and the latest updates. The instructor is Steven Greeley, the Occupational Safety & Health Supervisor at the Bureau of Labor Standards.

The session will be held on May 22nd at the Fire Department in Houlton.

3.0 ME DWP & ME DEP Credits will be issued. The cost to attend is \$45. Register on-line at: www.wright-pierce.com or call 1-888-621-8156.

Get an MBA in a Day

The Maine Business Advantage forum will celebrate the energy of entrepreneurs, identify problems and concerns of small and micro-enterprises, craft solutions that enhance small business vitality, and foster a climate of optimism and opportunity. Features include: Round Table conversation among business owners, a Response Panel of policy and business leaders, and networking and enrichment opportunities.

The forum will be held at Jewett Hall, University of Maine at Augusta from 8:30AM - 3:30PM on June 1, 2007. The registration fee is \$15 and includes lunch and a reception.

Sponsors include: MicroNet, the Entrepreneurship Working Group, the Maine Small Business Development Centers, the Department of Economic and Community Development and, the Maine Community College System. For more information, contact Jim McGowan at 767-5210 ext. 4107.

Well Rehabilitation & Maintenance Class Set for May

This NEWWA workshop was developed to assist water utility superintendents and managers in assessing their groundwater supplies with an eye towards preventive maintenance and well rehabilitation as cost effective alternatives to new source development.

The workshop will begin by covering fundamentals such as types of wells, terminology, well construction and materials. Utilizing a "life of the well" focus, a segment on the mechanism of well plugging (how and why) will follow.

Moving toward maintenance strategies, the workshop agenda will then concentrate on techniques and applications for unplugging wells, the economics of well development and purchasing well rehabilitation services. The final two workshop segments will focus on utility experiences with well rehabilitation and maintenance.

The session will be held 9:00AM – 4:00PM on May 24, 2007 at the Best Western Senator Inn in Augusta. The registration fee is \$50 and 0.6 CEUs will be issued. To register call NEWWA at (508) 893-7979.

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Water System Operators Take Note

Examination dates & deadlines for applications for 2007

| | |
|---------|--|
| May 19 | Applications for June exams are due |
| June 26 | Examinations, Augusta |
| Sept. 8 | Applications for October exams are due |
| Oct. 23 | Examinations, Augusta |
| Oct. 25 | Examinations, Presque Isle |

For additional information, contact the Board of Licensure of Water System Operators at 287-5699.

Effective Project Management Rescheduled

April's Effective Project Management sessions have been rescheduled for June 6th at the Portland Water District and June 7th at the University of Maine Hutchinson Center in Belfast.

The seminar will focus on communication and relationship management as a means to have greater control, creativity and innovation around project management challenges. Anyone who manages projects, or will be managing projects, will find the session beneficial.

Strategies will be explored, tools will be presented and the importance of good performance coaching will be discussed. The focus will be on practical and relevant examples that you will be able to implement following the completion of the workshop.

The registration fee is \$50 in Portland (lunch is on your own) and \$60 in Belfast (a bagged lunch will be provided). 0.6 CEUs will be issued. To register call NEWWA at (508) 893-7979.

Tort Claims or Court Pains?

Can your Water District survive a claim of negligence?

This half day workshop will concentrate on 2 main themes - the Maine Tort Claims Act and its relation to water district activities, and how to survive a deposition with an attorney. Although this subject may seem a bit dry on the surface, it applies to all district employees as soon as they go to work on the road each day. Is your crew able to remember where it was and what it was doing on a certain day last year when a certain "accident" occurred? Are you prepared to face a claim of \$400,000 from someone who claims they "suffered" as a result of your work? Do your employees know how to handle themselves when they have to face an attorney and answer some questions on behalf of their work for the district?

The workshop will present this information in an easy to understand format and include a healthy dose of humor based on an actual case here in Maine. A mock deposition will be performed which will emphasize the do's and don't's of talking to an attorney.

Classes will be held on July 17th at the Mexico Town Hall and on July 19th at Governor's Restaurant in Houlton. For more information visit www.mwua.org or call the office at 832-2263.

Satellite Dish for Sale

MWUA has a used Hughes Network Satellite Dish for sale. No reasonable offer will be refused. Contact the office at 832-2263 for details.

Mark Your Calendar

The June Office Session - a networking opportunity for office personnel will be held on June 19th at the Caribou Inn & Convention Center and on June 21st at Pineland Farms in New Gloucester. Brochures will be mailed before Memorial Day.



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The April Meeting

The April bimonthly meeting was held at Bintliff's Ocean Grille in Edgecomb. Wiscasset Superintendent Chris Cossette welcomed us to town and Jeff Hinderliter, who wears the hat of Planner, CEO - and likely other functions - provided a summary of all that is happening in the gateway to midcoast Maine. Frankly, it was eye opening.

The food was tremendous and the technical program was even better. The assemblage of tank manufacturers and contractors discussed repairs, rehab, coatings, all manner of tank options and a whole host of interesting and useful tank facts. We even learned that you can buy a tank that comes on a pallet.

A big "Thanks" goes out to Bruce Stevens of F.R. Mahony & Associates who brought his vendors together for the program.

June Meeting to be Held in Bethel

The Bethel Inn Resort will be the site of the upcoming June 14th bimonthly meeting. The technical program will include a session on the Emergency River

Crossing Replacement in Bethel and the Kennebec Water District's 16" River Crossing Breaks (2 in 10 days). The program will conclude with Steve Cox, of Aqua Maine, leading a discussion on formulating a Tabletop Emergency Exercise. There will also be a business meeting with regulatory and legislative updates.

For those who would like to play golf at Sunday River the day before the meeting, contact Greg Cataldo at gcataldo@woodardcurran.com. There will also be a cookout Wednesday evening (June 13th) at the River View Resort. If the price of lobsters comes down, it will be Surf and Turf. If they're still at \$10 a pound, it'll just be the Turf. The drop dead deadline to sign up for the cookout is June 1st. Contact Jeff McNelly at 832-2263 or email: jmcnelly@mwua.org to register or learn more about the menu.

2006 Lobbying Costs Available

As in the past this is a simple calculation. It amounts to 0.05177 times the 2006 membership dues. Corporate members who require additional information or have other questions can contact the office at 832-2263.



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Drinking Water Commission Raises AFM FEES

At its April 11th meeting the Maine Drinking Water Commission voted to increase the Alternative Funding Mechanism fees in order to continue funding the five positions that are funded by this program. Minimum fees will be increased from \$35 - \$45, and the per capita rate will increase from \$0.30 to \$0.40.

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CONFERENCE NO. 491

June 14, 2007

Bethel

Location: Bethel Inn Resort, On the Common, Bethel, ME. 04217 (207) 824-2175

Directions: From the Maine Turnpike: Exit 63 (formerly exit 11) then Route 26 North to Bethel

PROGRAM

8:30AM – 9:00AM Registration and Continental Breakfast

9:00AM – 9:10AM Welcome to Bethel

9:10AM – 9:45AM Business Meeting
• Legislative Update
• Regulatory Update

TECHNICAL PROGRAM

9:45AM – 10:15AM Bethel’s Emergency River Crossing Replacement
Al Hodsdon, A.E. Hodsdon Consulting Engineers

10:15AM – 11:00AM Kennebec Water District’s 16 inch River Crossing Breaks 2 in 10 Days
Lessons Learned and Ultimate Replacement
Jefferson Longfellow, Kennebec Water District

11:00AM – 11:15AM Break

11:15AM – 11:45AM Formulating a Tabletop Emergency Exercise
Steve Cox, Aqua Maine

11:45AM – 12:00PM Wrap Up Q & A

NOON Lunch

William G. Alexander, Jr.
President

Jefferson Longfellow, Greg Cataldo
Program Coordinators

2.0 Training Contact Training Hours will be granted for this session.

PLEASE RETURN RESERVATIONS BY TUESDAY, MAY 29, 2007
PREPAYMENT IS APPRECIATED. RESERVATIONS MUST BE HONORED.
Casual Attire Requested

Registration form for MWUA June 14, 2007 Membership Meeting

Name: _____ Company Name _____

Address: _____ City _____ State _____ Zip _____

Telephone _____ Fax _____ Email _____

Register by May 29

Registrations Received After May 29

Water Systems serving more than 4000 Customers
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\$25

Total enclosed: _____

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WEDNESDAY ACTIVITIES

SUNDAY RIVER GOLF

\$85 Green Fees
Pre-registration is required.
Registration Deadline – June 7th
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