

Maine Water News

A Publication of the Maine Water Utilities Association

May 2011, Number 157

Planning for Summer

Steve Cox, President

Jon Ziegler and I recently traveled to Washington DC to attend the 2011 AWWA/WEF Fly-in. The morning of the first day was spent with water utility professionals from all of the other 49 states. It was more or less a pep rally briefing us on talking points in preparation for “the water guys” storming Capitol Hill to meet with our respective delegates. I think I speak for Jon as well when I say I was proud to be from Maine. Our Senate delegates are very well respected in Washington and were mentioned numerous times as leaders on issues important to public water systems.

Topics we discussed included:

- Infrastructure replacement funding
- Importance of the Chemical Security Waiver for drinking water
- Science-based water system regulation
- Highlights of Maine ARRA projects

This year’s trip happened to fall on a week when everyone in Washington was distracted with budget issues. We were there to discuss planning issues that would have long term impacts to public water systems yet all the delegates, staffers and supporting government workers were focused on short term issues. “Will I have a job come Monday?”

I only mention this because it goes to show how dealing with daily brush fires can severely distract from our focus on longer term planning.

With construction season and spring maintenance underway in many systems, and right around the corner for others, we all need to occasionally look beyond what is directly in front of us and predict what opportunities may arise later in the construction season. Now is the time to sit down with Town Managers, Public Works Directors, Town Engineers and Planners and even MDOT representatives. Buy them a

cup of coffee and get a good understanding of projects that may develop as priorities shift or town budgets get approved in June. We have all taken advantage of project savings when coordinating with other projects such as sewer replacement or street reconstruction.

We are all aware of the Southern Maine Regional Water Council and the great things they do for long term planning in Southern Maine. I know the Greater Bangor area and Lewiston-Auburn have active groups, and I understand the Mid-coast systems, from Damariscotta to Brunswick, have recently established regular meetings to strategize long term planning and coordination. However, let’s not limit such efforts to formal groups or areas surrounding large utilities. Whether they are 20 miles away or just down the street, give your neighboring utilities a call; have breakfast, and share what is happening over the upcoming construction season. Who knows, you may develop a plan to share resources, negotiate multiple jobs with one contractor or simply carpool to the next training session.

Remember, “He who fails to plan, plans to fail”.



Roof Maintenance at Kennebec Water District

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Material of interest to the water supply profession
will be considered for publication. Copy deadline is
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The April Meeting

The April Bi-Monthly Meeting was held in Sanford at the Mousam View Place. The meeting began with a welcome from Mark Green, Sanford's Town Manager, and also Maine Municipal Association's current President. Dennis Knowles then provided some interesting background history and an overview of Sanford's water system.

Norm Lamie of the Maine Drinking Water Program took a moment to congratulate Dennis on his upcoming retirement. Norm stated that Dennis has been a great asset to the water profession, noting the many accomplishments and contributions that he has made to the profession throughout his career. Norm then went on to give a regulatory update, including the current status of the SRF program.

Jeff McNelly gave a detailed update on the current legislation that pertains to the water profession of Maine. A high point of the meeting was when the Jeff Nixon Award was presented by MWUA President Steve Cox to Dan Wells of Winthrop Utilities District for his exemplary dedication and commitment to MWUA and the water profession of Maine.

The technical program started off with TCS Communications representatives Dean Marengi and Todd Williams giving an overview of the FCC 2013 Mandate. They did a fantastic job of discussing what the requirements will be, and how water utilities can prepare in order to be in compliance with this mandate.

Matt Ashe and Kevin Gallerie of Camp, Dresser & McKee shared some accounts from working with clients that have experienced snow overload on their roofs. The attendees learned how to determine how to calculate snow density as well as proper snow removal techniques.

Jefferson Longfellow gave a quick overview of the inspection Kennebec Water District performs in the spring to examine and repair/maintain their buildings, tanks, etc. Walter Barschdorf, President of Independent Roof Services, then gave some excellent tips on how to properly maintain and care for roofs during the winter months when the weight of snow on roofs can be a concern, as well as throughout the year when repairs should be performed.

Everyone was served an excellent lunch, and was dismissed to enjoy the rest of the beautiful spring day.

Japan Nuclear Power Accident Spurs Questions About Water Supply Safety

The recent earthquake and tsunami in Japan and the resultant disaster at their nuclear power plant have raised questions about the safety of surface water supplies in this country. A summary from the Center for Disease Control is as follows: *Elevated levels of radioactive material in rainwater have been expected as a result of the nuclear incident after the events in Japan, since radiation is known to travel in the atmosphere. There have been reports received that several states including Pennsylvania and Massachusetts have detected elevated levels of radiation in rainwater following recent precipitation events.*

A number of Maine water systems have monitored their supplies for Iodine 131; to date results have been below detection limits. The Health and Environmental Testing Laboratory conducts this test and the cost is less than \$100. Additional information can be found at: <http://www.cdc.gov/niosh/topics/radiation/RadBasics.html>.

People, Places or Things Photo Contest & Rigs & Gigs Contest

The MWUA Public Awareness Committee will be holding two contests at the 2012 February Meeting & Trade Show. The "People, Places or Things Photo Contest" is meant to be fun and to recognize some of those interesting, funny, amazing and odd people, places or things that public water systems deal with every day. The contest is open to anyone who works in the water or wastewater profession. Photos, old or new – as long as it is a water system photograph and shows people, places or things related to providing public water service – are eligible. Please – no kids playing at the beach or scenic mountain pools that are not a source of drinking water. Three prizes will be awarded: \$100 for 1st Place, \$75 for 2nd Place and \$50 for 3rd Place.

The Rigs & Gigs contest is open to anyone who works in the water or wastewater industry (no vendors please). Criteria for the contest consist of safety, efficiency and originality. A successful entry will be a simple mechanical device or procedure that is designed to provide a safer, simplified, efficient or more original means of performing a routine task or function in the maintenance, operation or construction of a water or

wastewater system.

Three prizes will be awarded: \$100 for 1st Place, \$75 for 2nd Place and \$50 for 3rd Place. The rules for both contests will be included in the 2012 February Meeting & Trade Show conference brochure. Start brainstorming about the device you would like to enter soon... the February Meeting & Trade Show will be here before we know it!



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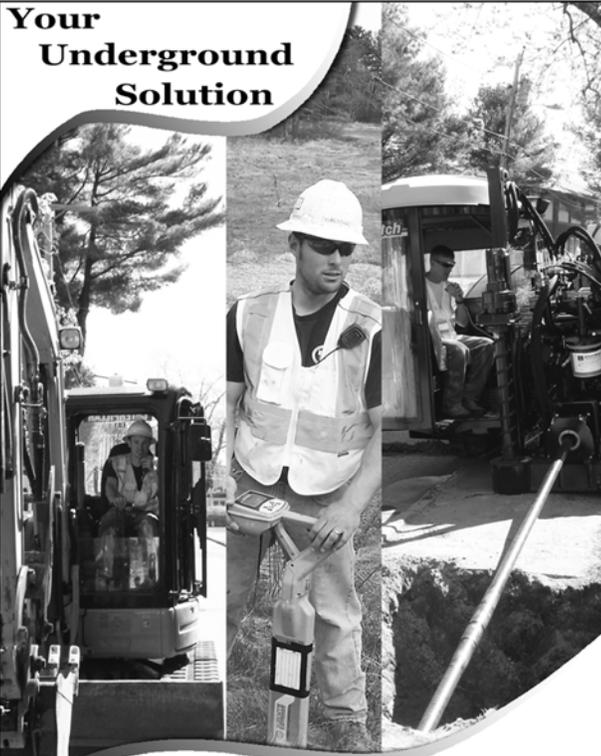
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Legislature Deals With Additional Legislation

Action at the Legislature heated up in March and April, as many pieces of legislation were dealt with. This report will highlight the bills of most importance to the water supply profession. A more complete report will be included in the 2011 Journal, once the session adjourns.

LD 219: An Act To Amend the Laws Governing Shoreland Zoning, had its hearing and it is expected that the work session will be held the first part of May. There was extensive testimony on LD 219, as there was at the end of April for bills dealing with vernal pools, wading bird habitat and related issues. It would not be surprising to see some sort of stakeholder meetings on these topics this summer; in fact the DEP Deputy Commissioner indicated that there would be such meetings this summer

with a report back to the Legislature in January of next year.

LD 211: An Act To Improve the Water Quality of Hall Pond in Paris would have prohibited the operation of all motorboats, snowmobiles, ATVs and personal watercraft on Hall Pond in the Town of Paris. Hall Pond is the water supply for the Hebron Water Company. That bill was reported out of committee as ought not to pass; however the Department of Inland Fisheries and Wildlife fishing regulation book will, in the future, have an "S Code" for bodies of water which are water supplies. The S Code will notify anglers that there may be special laws or regulations on those waters.

LD 424: An Act to Revise the Laws Governing the Licensure of Public Water System Operators, has been reported out of committee as ought to pass amended. The bill allows for the administration of exams by a 3rd party (i.e. on-line testing) and those fees are not governed by the fee limits specified in the statute. 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. The bill became law without the Governor's signature.

LD 909: An Act To Provide Additional Flexibility for the Funding of Infrastructure

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Improvements by Consumer-owned Water Utilities, was a concept draft offered by the Maine Rural Water Association which "seeks to provide additional flexibility to consumer-owned water utilities for the funding of infrastructure improvements". MWUA worked with MRWA, representatives of water systems, the Office of the Public Advocate and the PUC concerning this legislation. It appears that the streamlined ratemaking provision in 35-A MRSA §6104-A will be amended to eliminate the requirement

that a water utility must have negative net income in the 2 consecutive fiscal years immediately preceding the year in which the rate increase is proposed. Also, it is hoped that the maximum rate increases that may be proposed over a 5 year period will be adjusted upward

LD 1061: An Act To Amend the Lien Process for Unpaid Water Rates, allows all water utilities the right to place a lien for unpaid rates. The current law only provides consumer-owned water utilities with this option. The bill was reported out of committee as ought to pass.

LD 1077: An Act To Enhance Public Participation in Decisions Relating to the Large-scale Extraction and Transportation of Water is a bill that the association is strongly opposed to. It would require municipal ratification for any contract or agreement between a consumer-owned water utility and another entity that involves the large-scale extraction of water or the large-scale transportation of water. It has serious implications in that, among other things, it would affect the installation of new commercial water service, emergency or routine interconnections between water utilities and it would undermine Maine’s “absolute dominion” rule governing water rights.

LD 1153: An Act To Regulate the Bonded

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Indebtedness of the State, is a bill which has been brought forward by the State Treasurer. At first blush it appears that the bill was written to apply to State agencies and authorities. However, the definition of “authority” in the bill captures units of local government created by the Legislature with the power to issue bonded indebtedness, which would include water and wastewater utilities. Any financial obligation of indebtedness would require statewide voter approval on bonded indebtedness. Additionally, the bill stipulates 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 is approved by a vote of the authority’s board and approved by the State Treasurer based on market conditions.

MWUA has collaborated with MRWA to seek an opinion on this bill. The association will consider and likely bring forth an amendment to address the concerns presented by requiring a state wide vote on a local bond issue.

LD 1191: An Act To Encourage Business Development by Limiting the Time a Utility May Hold a Business Customer’s Deposit would provide 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 hearing has been held and the issue is still being deliberated by the Energy and Utilities Committee.

LD 1216: An Act To Impose an Excise Tax on the Extraction of Water for Bottling is troubling in that it imposes an excise tax on targeted businesses for the privilege of extracting groundwater. The concern the association has is that the extraction of groundwater is not a privilege in this state; rather it is a right that comes with the ownership of property. This bill is almost a mirror of LD 237, which was submitted and defeated two years ago. The association will be diligently working to kill this bill.

The next 6 – 8 weeks promise to be very busy at the State House.

Program	FY 2011	Est. FY 2012	Est. FY 2013
DWSRF	\$9.42 Million	\$9.42 Million	\$9.42 Million
CWSRF	\$11.8 Million	\$12 Million	\$12 Million

For 2011, both DHHS and DEP have most of the required 20% match; the shortfall amounts to less than \$1 million for each program.

LD 359: An Act To Authorize a General Fund Bond Issue for Wastewater and Drinking Water Revolving Loan Funds is a vehicle that the Legislature could choose to use to obtain the matches.

The preferred solution is to have the annual matches be part of the agency budgets. Typically the state procures the 20% State match through General Obligation bonds. Combined, it is estimated that Maine is paying more than \$900,000 per year in interest costs alone, not including principal repayment, as the result of bonds that have issued over the past 10 years.

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The SRF Update

The association continues to collaborate with the Maine Wastewater Control Association in an effort to secure the annual State Revolving Fund capitalization grant match. With passage of the federal budget in D.C., we now have a better idea of the allocation for 2011, 2012 and 2013. The allocations are as follows:

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HOST: Nancy Seeley, Superintendent, Passamaquoddy Water District

LOCATION: June 9th Thursday- Eastport Chowder House: 167 Water Street Eastport, Maine 207-853-4700

GOLF: June 8th Wednesday at St. Croix Country Club (U.S. Route 1 Calais, Maine, www.stcroixcc.com). Starts at 10:00 AM & the fee is **\$37.00** (includes green fees and 1/2 a cart). Any questions, please call Mike Pelkey 1-800-873-3292 or Bruce Berger 207-751-5371

COOKOUT: June 8th Wednesday evening cookout & fun at Harris Point Shore Cabins (24 Harris Point Rd.) For room reservations call Harris Point Cabins @ 853-4303. ***Please bring your own food and cookout supplies!*

DIRECTIONS: To Eastport Chowder House: Follow U.S. Route 1 North from Ellsworth. Follow U.S. Route 1 to Route 190 in Perry (also County Road). Follow Route 190 East to Washington Street in Eastport. Follow Washington to end. Take left onto Water Street. Follow Water Street to Row Place on right Eastport Chowder House is on left.

PROGRAM

- 8:00AM – 8:30AM **Registration & Continental Breakfast (coffee, juice and Danish)**
- 8:30AM – 9:00AM **Introduction/Welcome to Eastport/Passamaquoddy Water System History**
Nancy Seeley, Passamaquoddy Water District
- 9:00AM – 9:30AM **Regulatory Update**
- 9:30AM – 9:45AM **Business Meeting – Legislative Update**
Jeffrey McNelly, Acting Chair of the MWUA Legislative Committee
- 9:45AM – 10:00AM **Break**

Casual attire requested!

TECHNICAL PROGRAM

- 10:00AM – 10:45AM **Managing Your Water Treatment Plant for Maximum Performance**
Albert Hodgdon III, A.E. Hodgdon Engineers
- 10:45AM – 11:30AM **How to Develop a GIS & Asset Management Program Without Spending Too Much**
Craig Douglas, Brunswick-Topsham Water District
- 11:30AM – 12:15PM **Eastport’s Wastewater System – The Road to Compliance**
Rebecca Reynolds, RCAP Solutions
- 12:15PM – 12:30PM **Q & A**
- 12:30PM **Luncheon**

Steve Cox
President

Erin Smith, Bruce Berger
Program Coordinators

Registration for June 9, 2011 Bi-Monthly Meeting
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Will you be playing golf on June 8th? Please circle: YES or NO

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