

# MAINE WATER NEWS

*A Publication of the Maine Water Utilities Association*

May 2019, Number 205

## *President's Corner*

*Scott Abbontoni, 2019 President*

Happy Spring everyone! I never thought winter would end, did you? I have heard from a few utilities and their plans for the next few months. It looks like a very busy year ahead.

How many of you have heard in the past, "You have an easy job." or "All you guys do is ride around in a truck all day." I know I have. Where were these people the other night at 2:00 in the morning? How about Easter Sunday when they were getting the ham ready for dinner? On Easter I was in a valve pit trying to get the remnants of a treaded nipple out of a 2.5-inch female so I could get a galvanized plug in the hole so raw sewerage wouldn't overflow into the parking lot. Just another day.

As Rodney Dangerfield used to say "My son asked my wife for a B.B. Gun for Christmas. She got me a T-shirt with a bullseye on it ....No respect." and one of my favorites "When I was a kid I played in my sandbox, the cat kept covering me up." and something we could use these days "I get no respect. The way my luck is running, if I was a politician, I would be honest."

Sometimes I feel that the people in this industry don't receive the respect and credit they deserve.

Definition of respect:

a feeling of deep admiration for someone or something elicited by their abilities, qualities, or achievements

So, the other day I had my yearly Drs Appointment. The nurse takes me in and takes my blood pressure, temperature and the basic questions, looks at my chart and says "Oh I see that you had a flu shot that was good, the flu was bad this year the Dr will be in soon." The Dr comes in and is looking at my chart and talking and asking me questions at the same time "You still at the water district...yes" I decided to ask her about the controversial measles issue of parents not vaccinating their children. "The problem is if people don't get their children vaccinated at age 12-15 months, they can get the disease and spread it to other children who are not yet old enough to be vaccinated, and even you could get it just not as bad"

Where am I going with this? So, I say to the Dr, "So you and I are similar that we try to control and eliminate some diseases." I do have to say I got a really weird look at this point. "You do know that water districts and treatment plants are the first line of defense for disease? We treat and disinfect the drinking water to kill and inactivate pathogens that cause illnesses, can you imagine how many people would be sick in your office with waterborne diseases such as Giardia, Dysentery and Cholera?" Wow, she says, I guess I never thought of it that way. I go on to tell her about how we are overworked, underpaid and how there needs to be so much more money dedicated to the aging water industry. I also tell her that the water industry does not get the credit or respect that they deserve after all we just drive around in a truck all day. She laughed.

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

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I did a little research; did you know that in the US in the 1800s Cholera was widespread and today is almost eliminated? Nearly all cases in the US reported now are acquired during international travel. This is all because of you and I and all our Brothers and Sisters in this industry. You deserve respect.

Do not forget to sign up for the June Bi-monthly meeting and extravaganza in Houlton on June 13th. Chef Brian will be cooking his famous prime rib along with other delicacy's. Be there or be square.

This month's trivia question:

Where and when will the Vacuum excavation training take place?

Hint there are 2 of them

And that's the way it is May 2019.



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## Legislative Update

May 1, 2019

MWUA/MRWA Legislative Policy Committee (LPC) Report

By Roger Crouse, Committee Chair

With the Democrat Party trifecta sweep on the House, Senate, and Governor's Office in the November 2018 election, it was clear things would be changing in Augusta come January. However, for most legislative items of significance for water utilities, so far in the session, there is more of a feeling of déjà vu rather than change.

Here is a quick rundown of the major themes and bills for the 129<sup>th</sup> Legislative Session:

**Groundwater ownership** – Several legislators decided that the current model of private groundwater ownership in Maine is failing the Maine residents and the State would be a better steward of the resource. Consequently, several bills were submitted this session to place the ownership of groundwater in the public trust.

A public hearing for the following bills occurred on April 10<sup>th</sup> in front of the Committee on the Environment and Natural Resources (ENR).

LD 197, *An Act To Convene a Working Group To Authorize a Public Trust for Maine's Groundwater and To Impose a 2-year Moratorium on Large-scale Groundwater Extraction*

LD 413, *An Act To Ensure the Rights of Citizens to Groundwater in the State*

LD 1358, *An Act To Further the Public Interest in All Maine Waters*

LD 1474, *An Act To Ensure Water Equity and Accountability for the People of the State*

Numerous utilities and other allies attended the public hearing to voice concerns over these bills. Due to this strong showing, most of the voices heard on the 10<sup>th</sup> were those in opposition to the bills.

The legislative work session was held on April 24<sup>th</sup>. During the work session the ENR committee voted "ought-not-to-pass" on all but LD 1417. LD 1474 was then referred to the Committee on Energy, Utilities and Technology (EUT). The fate of LD 1474 is uncertain but unlikely to go anywhere.

A close cousin to the groundwater ownership theme is the taxation of the water extracted for bottling. A public hearing for LD 1074-*An Act To Establish a Tax on Water Extracted for Bottling in Order To Secure the Economic Future of Rural Maine* was heard before the Committee on Taxation. Most testimonies were in opposition to the bill. The work session has not been scheduled

**Septic System Inspection** – Bills requiring the inspection of septic systems at the time of property transfer inside and outside of the shoreland zone have been submitted this session. The requirement for the inspection of septic systems located within the shoreland zone passed the legislature two years ago but was vetoed by the Governor. The bill has resurfaced again this year as LD 216 *An Act To Protect Water Quality by Standardizing the Law Concerning Septic Inspection in the Shoreland Zone*. The LPC presented testimony in support of this bill. LD 216 has been passed by the legislature and signed by the Governor. It takes effect on January 1, 2020.

**Water Resources Planning Committee** – In 2017 the Legislature passed a bill creating Water Resources Planning Committee. However, the bill was vetoed by Governor LePage. The bill came back again this year as LD 199- *An Act To Create the Water Resources Planning Committee* with only slight variation. The LPC will be providing testimony in support of this bill with several recommended amendments on February 28, 2019. This bill has passed both the House and Senate with the amendments we suggested.

**Sustainable Funding** – LD 347 - *An Act To Provide Sustainable Funding for Drinking Water and Wastewater Infrastructure* would create a State grant program to fund water and wastewater infrastructure projects. For this one, you must go way back to 2009 to find the original bill. As with the 2009 version, our sister organization, the Maine Water Environment Association, is the leading force behind the bill with MWUA and MRWA providing support. The LPC testified in support of this bill. It appears that the EUT committee will attempt to utilize the funds from the wholesale liquor contract as the source of funding. However, revenues from the wholesale liquor contract will not be available until after 2024. The fate of this bill is uncertain.

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## April 2019 Bi-Monthly Meeting

Sanford Water District was our host for the April Bi-Monthly Meeting. We were welcomed by Sanford's City Manager, Steven Buck.

Dave Parent, Superintendent of Sanford Water District provided us with some history and an overview of the water district.

Terry Trott presented DWP's Update at the meeting:

- System Testing Sheets are out. Additional copies are available on DWP's website.
- Consumer Confidence Reports are due to the customers by July 1st. If you are providing a link to a web located version remember that it needs to be a direct link. **Remember** to send a copy and the distribution letter to DWP.
- Lead and Copper Rule letters about operator responsibilities should be arriving soon. Three important items are:
  - ◊ Sampling Pool
  - ◊ Sampling Instructions
  - ◊ 141A Form
- Community systems seem to be taking the Revised Total Coliform Rule revisions in stride. When defects or deficiencies are found prompt attention and correction needs to be followed through.
- Last year and this year DWP has started combining the SOC waiver application process with the source water protection information collected and maintained through sanitary surveys. For community systems the waiver process and the sanitary survey process is three (3) years .
- Next year many systems are scheduled for asbestos testing. The default for testing is that DWP has a record of systems with AC pipe and unless DWP was/is informed that all of it has been removed the test requirement will be issued. DEP doesn't match SRF main replacements with AC pipe inventory. Review your inventory ahead of time and make sure you have sampling location available that is served by AC pipe. The rule says to take the sample under conditions when asbestos contamination is most likely to occur. Please keep this in mind.
- Rule changes will be in the future. DWP will keep organizations and systems informed.

Jeff McNelly from the Public Utilities Commission provided an update related to their regulatory activities. Jeff reported that they have not spent a lot of time on the water supply inquire or the Chapter 62 rulemaking recently as the attorney assigned to the water group has been immersed in the CMP transmission corridor case. They are hoping that once the decision has been made, they will be able to spend some time on these two matters. Jeff reminded everyone that their annual reports need to be in an Excel format. Also, that the new template that was included with the request for the 2018 report needs to be used. There were changes made to the worksheets and these were noted, so that should facilitate the process. The goal is to be able to extract all of the reports from PUC's Case Management System, compare and analyze key fields so they can utilize those fields as key indicators.

Bruce Berger from MWUA gave an update on MWUA and the legislative update.

Terry Trott announced that her retirement date is June 1, 2019; however as of May 1, 2019 she will no longer be at the office. Bruce Berger presented Terry with MWUA's Lifetime Achievement Award.

## Legislative Update Cont'd

**Labor Rights** –The most significant labor bills would allow public employees to strike, would require arbitration of all issues including wages, pensions and insurance in the event labor negotiations are not successful, and would allow union bargaining agents access to a public employers facilities- including email systems- for the conduct of union business. Members of the LPC have provided testimony in opposition to these bills. These bills have largely been approved at the committee level along party lines, with Democrats supporting the bills. Most have a divided report coming out of Committee and are awaiting action by the full legislature. It is unknown if the Governor will sign the bills.

One note- the Governor signed a bill on April 12 that affects our membership: LD 278- An Act regarding Pay Equality. The law provides that an employer cannot ask for compensation history from a prospective employee until AFTER an offer of employment has been negotiated with the employee which includes terms of compensation. This means that employment applications cannot include a place for salary history from previous employment. This bill will be effective 90 days after the legislature adjourns.

If you have questions on any legislation, feel free to send me an e-mail at [rcrouse@kennebecwater.org](mailto:rcrouse@kennebecwater.org).

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**PROGRAM**

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- 8:00 AM – 8:15 AM **Registration & Continental Breakfast**
- 8:15 AM – 8:25 AM **Introduction & Welcome to Houlton, Maine**, *Marian Anderson, Town Manager*
- 8:25 AM – 8:50 AM **History of Houlton and the Houlton Fires**, *Leigh Cummings and Jason Howe, Local Historians*
- 8:50 AM – 10:00 AM **Business Meeting**
- Regulatory Update**, *Mike Abbott, Director, Maine Drinking Water Program*
- PUC Update**, *Jeff McNelly, Director, Telephone & Water Division, Maine Public Utilities Commission Representative*
- Legislative Update**, *Roger Crouse, General Manager, Kennebec Water District*

10:00 AM – 10:15 AM **Break**

**TECHNICAL PROGRAM**

- 10:15 AM – 12:00 PM **What are PFOA/PFAS/PFOS and how do they impact my utility?** *Morgan Roper, Project Engineer, Woodard & Curran*
- Understanding and treating for PFAS**, *Norm Labbe, PE, retired Kennebunk, Kennebunkport & Wells Water District and member of Governor's Task Force*
- PFAS effect more than just our drinking water**, *Jeff McBurnie, Director of Permitting & Regulatory Affairs, Casella Organics and member of Governor's Task Force*

12:00 PM – 12:15 PM **General Discussion and Q & A**

12:15 PM **Lunch**

**Scott Abbontoni**  
*President*

**William Terry & Bruce Berger**  
*Program Coordinators*

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**REGISTRATION FOR June 13, 2019 BI-MONTHLY MEETING**

Please return registrations by: May 30, 2019

**4.0 DWP Training Contact Hours**

**4.0 DEP Training Credit Hours (pending approval)**

**Name(s):**

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**Affiliation** \_\_\_\_\_

# of Attendees	Regular	Late registration (after 5/30/19)	Total Due
Member	@ \$65.00 each	@ \$80.00 each	\$
Non-member	@ \$80.00 each	@ \$95.00 each	\$

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*Cancellations: Due to costs incurred by the Association, if you must cancel, we request that you do so at least 7 business days before a scheduled class. You may cancel by phone or by email ([cwade@mwua.org](mailto:cwade@mwua.org)). If you do not cancel at least 7 business days before the class you will be charged for the class.*

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