

**July 5, 2010**

**Congress In Recess; *Briefing* Published In Advance Of Independence Day**

Congress is going in recess, and the *Monday Morning Briefing* is being published early due to the Independence Day holiday. The *Briefing* will resume publication after Congress returns the week of July 12. In the interim, *Special Briefings* will be issued if required for breaking news. The AMWA office will be closed July 5.

**New Issue Videos On AMWA Website**

AMWA staff members provide updates on legislative, regulatory and security developments affecting the drinking water sector in new podcasts recently posted to the AMWA website. Visit [www.amwa.net](http://www.amwa.net) and click on the podcast image.

**Recess Arrives Without Introduction Of Water Security Bill**

New legislation to update security rules at water and wastewater facilities was not introduced in the U.S. Senate before Congress departed Washington for the Independence Day recess. Sen. Frank Lautenberg (D-N.J.) had planned to introduce a water security bill before this week, but he will now have to wait at least until Congress returns to session.

Sen. Lautenberg's staff had previously told AMWA that his new bill would be similar to the House-passed H.R. 2868, which would require water systems to periodically update vulnerability assessments, complete site security plans and consider replacing certain hazardous treatment chemicals with so-called "inherently safer technologies" (IST). Draft versions of the new legislation have not been circulated to the water community.

Meanwhile, the Senate Homeland Security and Governmental Affairs Committee is rumored to be planning a markup of legislation to reauthorize the Department of Homeland Security's CFATS chemical facility security program before the end of July. Thus far, the only CFATS bill before the committee would merely extend the existing program largely unchanged for five years. It is likely that committee Democrats would offer an amendment to require some sort of IST review as part of the process, but it is not clear whether such an amendment would attract enough votes to pass the committee.

**FY11 EPA Budget Remains Uncertain**

The failure by Congress to consider an annual budget resolution for the first time since 1974 has left EPA and other federal agencies with little idea of the funding levels they will receive when the 2011 fiscal year begins in October.

Normally, the budget resolution serves as a blueprint for total federal revenues and spending for the next five years. While non-binding, the resolution typically provides guidance that congressional appropriators follow as they allocate discretionary spending levels to various federal agencies and departments.

This year, however, the House Budget Committee is only offering a one-year budget enforcement resolution that would set an overall discretionary spending limit of \$1.121 trillion in 2011. However, the resolution does not detail how this total should be divided among the 12 House appropriations subcommittees that are charged with drafting individual spending bills. As a result, it is unclear how many dollars the Interior and Environment Subcommittee will have to work with and how much may be available to fund EPA.

In February, the Obama Administration recommended cutting EPA's FY11 budget to \$10 billion – \$500 million less than the agency received in 2010.

### **Comments Submitted On EPA's Six-Year Review**

On June 29 AMWA submitted comments on EPA's second Six-Year Review of existing drinking water standards. The comment letter is available on AMWA's Regulatory Committee page, [www.amwa.net/cs/members\\_only/regulatory\\_committee\\_notes](http://www.amwa.net/cs/members_only/regulatory_committee_notes). The letter urges EPA to gather additional information, such as current treatment objectives and dose ranges, to inform a potential rule revision for acrylamide and epichlorohydrin. Similarly, the letter recommends that EPA collect additional information from laboratories about the viability of lowering the method reporting level for regulatory compliance for tetrachloroethylene and trichloroethylene. The letter also recommends that the compliance "monitoring location for nitrate and nitrite remain at the entry point to the distribution system as nitrification is unlikely to lead to an MCL violation in the distribution system of utilities using chloramines." EPA could potentially announce its work on revising any of the regulations noted in the Six-Year review notice later this year.

### **EPA's Children's Health Protection Committee To Meet**

EPA's Children's Health Protection Committee will meet in Washington, D.C, July 21 and 22. Among the agenda items on July 21 are discussions of the prenatal exposures workgroup as well as the Office of Water's voluntary lead testing in drinking water initiative. The meeting is open to the public and additional information is available in the July 2 *Federal Register*: <http://edocket.access.gpo.gov/2010/2010-16177.htm>.