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# Maine Water Environment NEWS

## February 2019 ISSUE

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# Maine Water Environment NEWS



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February 2019 • Winter

A Publication of the Maine Water Environment Association

## President's Corner

By Stacy Thompson, Saco WRRD



I am already two months into my term as President of Maine Water Environment, wondering where the time has gone! Really it means we are just around the corner from Spring. No one prepared me for the increase in emails that I would receive, but I am muddling my way through and even manage to answer some!

We recently held our legislative breakfast at the Senator Inn in Augusta and I really must applaud our government affairs chair Tim Haskell for all the time and effort he puts into this association...so thanks Tim! I tried to thank him at the breakfast, but he proceeded to walk out the door! It is truly amazing to

see the dedication that is within the clean water, drinking water and storm water communities. Both the DEP commissioner Jerry Reid and the DHHS commissioner Jeanne Lambrew spoke and fielded questions from the audience. Both are extremely knowledgeable, and we look forward to working with them on such items as sustainable funding.

This year MEWEA is working hard to reach all corners of the state and broaden are collaboration with Maine Water Utilities (MWUA) and the Joint Environmental Training Coordinating Committee (JETCC). We started by expanding our training sessions offered at the MWUA trade show held at the beginning of February. Next, in lieu of the Spring Conference for this year, we will be heading up to the Northern Maine Community College in Presque Isle to assist JETCC with training offerings and some coordinating efforts. This will be held April 24<sup>th</sup> and 25<sup>th</sup>. The Fall Convention will be September 11<sup>th</sup>-13<sup>th</sup> at Point Lookout.

If your facility would like to host an Executive meeting this year, please feel free to reach out to me at [sthompson@sacomaine.org](mailto:sthompson@sacomaine.org). We have one meeting in May that we are looking to have hosted by a facility, so let me know! Enjoy the rest of the snow that is to come and just think Spring!

Paula Drouin does a great job of keeping our website and social media platforms up-to-date. For a schedule of events and training sessions, visit: <https://www.mewea.org/event-calendar/>. If there is anything you would like to see, feel free to reach out to me!

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\*For a complete Board Listing, please visit the MEWEA website at:

[www.mewea.org](http://www.mewea.org)

## Upcoming Executive Committee Meeting Dates:

May 17 – Location TBD

June 21 – Maine Municipal  
Association



## Know Any Deserving Professionals?

By Mac Richardson, NEWEA

There are plenty of people working in wastewater treatment and protecting our environment that deserve praise and recognition for their work and commitment. I bet you know a few. Yet every year the MEWEA and NEWEA awards committees are looking for worthy candidates for awards. For example, if you know of someone who has been working in operations at a plant or collection system for more than 25 years and has been a member of WEF/NEWEA for the last five years, that person is automatically eligible for the quarter century operator award. Self-nomination is encouraged. Fill out the form! In addition, annually each state in New England awards an Operator award and an Alfred E. Pelouquin award. The criteria for these can be found on the NEWEA website under "about us" or the MEWEA website under "resource guide". In addition to the awards mentioned above there are awards for laboratory, collection systems, lifetime achievement, communications, biosolids, stormwater and more. Please give some thought to those people you work with and admire and either send in a nomination or speak to Jeff McBurnie (our NEWEA State director) or me. It is a good thing to get people the recognition they deserve! 



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## US EPA Takes Action on Per- and Polyfluoroalkyl Substances

Jeff McBurnie, MEWEA Residuals Management Committee

On February 14<sup>th</sup>, the US EPA issued a statement outlining the agency's plans for addressing the concerns surrounding environmental exposure to per- and polyfluoroalkyl substances (PFAS) including two of significant potential impact, perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS).

EPA's short- and long-term strategies include the following:

- Moving forward with the process of setting drinking water Maximum Contaminant Levels (MCLs) for PFOA and PFOS.
- Strengthening enforcement authority by designating PFOA and PFOS as hazardous substances and setting groundwater cleanup standards.
- Considering adding PFAS compounds to the Toxics Release Inventory (TRI) and prohibiting the use of certain PFAS chemicals.
- Proposing additional PFAS monitoring in the next Unregulated Contaminants Monitoring Rule (UCMR) monitoring cycle.
- Expanding the scientific foundation for understanding and managing PFAS risks.
- Providing additional enforcement support and assistance to communities affected by PFAS exposure.
- Working collaboratively with other government agencies at all levels to develop an effective risk communication toolbox.

More detail can be found at <https://www.epa.gov/pfas/epas-pfas-action-plan/>. 

## Water Policy Fly-In

Jeff McBurnie, Maine State Director, NEWEA

Wednesday, April 3rd, marks the start of the National Water Policy Fly-In and Congressional Briefing in Washington, DC. This annual event is led by the National Association of Clean Water Agencies (NACWA) and the Water Environment Federation (WEF) and is co-sponsored and supported by many of the other frontline water quality professional groups including NEWEA. This two-day event provides an opportunity for our organization to engage our Congresspersons and their staffs in discussions regarding the issues facing Maine's water quality sector, the most important being the sustainable funding of infrastructure upgrades. MEWEA will be sending a delegation of 4 to 5 representatives, including an elected official representing a community that has benefitted from government funding for infrastructure improvements. While in DC, the MEWEA group will participate in Water Policy Briefings, Federal Agency Roundtables, and several networking opportunities with other water quality professionals. If you would like to learn more or would like to share an infrastructure story, you can go to [www.waterweek.us](http://www.waterweek.us) or you can contact me at [jeff.mcburnie@casella.com](mailto:jeff.mcburnie@casella.com). 

## Mark Your Calendars! 2019 Events

**March 22** – Ski Day with NHWPCA – Wildcat Mountain Ski Area, Gorham, NH

**March 28** – Maine Sustainability & Water Conference, Augusta Civic Center

**April 3-4** – Washington, D. C. Fly-In, Washington D. C.

**April 20** – Urban Runoff, Deering High School, Portland

**April 24-25** – JETCC North Country, Presque Isle

**May 17** – Southern Maine Children's Water Festival – USM, Portland

**June 2-5** – NEWEA Spring Meeting - Wentworth by the Sea, Newcastle, NH

**August TBD** – Androscoggin Land Trust Paddle After Hours – Auburn – Gritty's

**September 11** – MEWEA Golf Tournament – Rockland Country Club'

**September 12 & 13** – MEWEA Fall Convention – Point Lookout

**September 21-25** – WEFTEC – Chicago

**October 2 & 3** – MMA Convention – Cross Insurance Center, Bangor

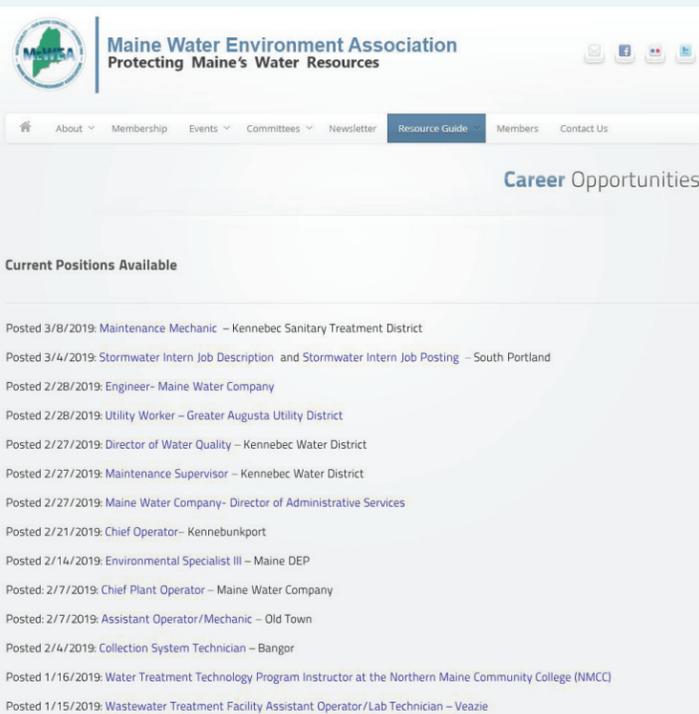
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Don't forget that MEWEA is happy to post current career opportunities on our webpage! Contact Paula Drouin at [pdrouin@lawpca.org](mailto:pdrouin@lawpca.org) to get your job posted.



Here's a listing of current opportunities. Go to <https://www.mewea.org/about-main-water-env-association-2/employment-opportunities/> for more information.

## This is an Advertisement for Underwood Engineers

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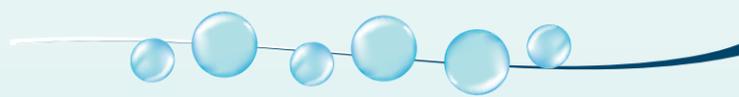


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## Have you Joined the "Maine Water Professionals Discussion Forum" on Facebook?

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<https://www.facebook.com/groups/778718278939822/>



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## New England Brew Summit

On March 1st, 2019, Sandy Perry and Ben Pearson represented the Maine Water Environmental Association at the New England Craft Brew Summit held in Portland. The summit is in its 4th year and attracts professionals working within and around the craft beer industry from around the Northeast and beyond. MEWEA was a vendor during the event which had several hundred participants and provided several information fact sheets regarding brewery wastewater, chemical management, and stormwater at breweries. The information was helpful to many folks who stopped by to see what MEWEA was all about. Beyond the fact sheets, several great conversations were had with brewers, distillers, and even a vineyard owner. Whether the owners discharge to a sanitary sewer collection system or utilize a septic tank, each person had a similar interest in how to better manage their wastewater.

While both types of systems have their pros and cons, it appeared that the users of septic systems were more interested in discussing their setups and the best way to approach wastewater. Many of these septic system users are located in rural areas and manage their wastewater differently than sewer system users. Though both septic and sewer users remarked that the fact sheets, particularly on chemical management, were helpful.

With the potential impact from high organic loadings on treatment plants, getting this information out and acting as a technical resource is a good idea. The Industrial Pretreatment Committee will continue to prepare more fact sheets to help provide information and also will continue to work with Maine Brewers Guild to help educate brewers about what can be done in their daily operations to limit the impact. To get even more exposure, MEWEA should look to present some helpful topics at future events so that brewers can continue to see us as a resource.



Ben Pearson and Sandy Perry represented MEWEA at the New England Craft Brew Summit in Portland. The boom in the beer industry means it's more important now than ever that we work with breweries to understand and manage their wastewater discharges. MEWEA was also an event sponsor

This is your newsletter – if you have news you would like to pass along or an opinion to express that would be of interest to the membership of MEWEA we are always interested in receiving material and will make every effort to incorporate your submissions.

## How are ya doin'?

By Mac Richardson, LAWPCA

Two events recently got me thinking about the performance of wastewater treatment plants. The first was when our independent insurance agent called with concerns about the eight MEPDES permit exceedences (violations) we reported in 2018, and the second was a tour of Bates College students.

Taking the second item first, when conducting the tour we stepped into the lab where the day's Imhoff cone was sitting in its cradle minding its own business when I picked it up and announced to the touring students, "This is our effluent for today – each day we take a sample and are required to have less than 0.3 ml per 1,000 mL (one liter) of solids settle out after one hour. When you come by, take a look. Personally, I think it is hard to even see that small a level in this Imhoff cone". My impression was that the students found the requirement to be a pretty tough standard, and more rigorous than they might have expected.

The second event started when our insurance agent asked if we had experienced any permit violations in 2018. I replied that yes, in fact, we had reported eight (8) such exceedences/violations in 2018. A few days later the independent agent forwarded a request from one of the insurance companies from whom they were requesting a quote on our liability insurance. It said:

Can you describe in detail each violation?

What have you done to correct each violation?

We will require mitigation measures to be on file.

Are you under any compliance order from the health department or the state? If so, have you complied accordingly.

Until I have answers to the above the company will not release the quote.

In response I sent copies of each incident report/explanation of violation report that we sent to the DEP, and indicated that we are not under any compliance order from the health department or DEP for these permit exceedences. But it all got me to thinking – How many opportunities do we have to exceed our permit in a year? I went through our MEPDES permit and calculated that conservatively we have over 3,115 opportunities to exceed our MEPDES permit limits annually. That calculation, by the way only counts a monthly average exceedence as one violation, not as 30 violations (which such an exceedence can be counted). Looking a bit further, four of our exceedences were the result of our CSO/bypass structure activating at less than 32 mgd (our permit minimum prior to bypass) due to some equipment issues with a new control device that we had to program and work to get the set points right and with a power outage that did not bring our automated controls back into function as expected.

I don't mean to complain in any of this. We do our jobs and produce the best effluent we are able to each day. What I do want to suggest, however, is that there is some understanding of how well our facilities operate day in and day out, and the pretty tough standards that we are held to. I suppose what this also suggests is that we do need to reach out to our communities and let people know what we do and the standards to which we are held.

## 2019 Legislation to Monitor



**LD 16 An Act To Authorize a General Fund Bond Issue To Invest in Infrastructure To Address Sea Level Rise, sponsored by Rep. Brennan.** \$50 million to improve waterfront and coastal infrastructure in municipalities to address sea level rise. Referred to Appropriations & Financials Affairs Committee (AFA).

Status: No public hearing scheduled. Will want to support.

**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, sponsored by Rep. Sylvester.** This legislation will place a 2-year moratorium on large scale water extraction beginning 11/1/19. It directs the Commissioner of DEP to convene a working group to develop a plan for a Maine Water Trust, including the necessary statutory and regulatory standards. The Trust shall establish the "absolute dominion and control of the state ... over all groundwater in the state." The Commissioner shall submit a report with the group's recommendations on 1/15/21. Membership in the group includes a "geologist or hydrologist," but no direct representatives of the drinking water or wastewater communities. Referred to the Energy Utilities & Technology (EUT).

Status: Public hearing on 2/19/19 @ 1:00. Monitor.

**LD 199 An Act To Create the Water Resources Planning Committee, sponsored by Rep. Sylvester.** Would create the Water Resources Planning Committee with the Department of Agriculture, Conservation & Forestry to make recommendations on the use of water resources. Referred to Agriculture, Conservation & Forestry (ACF).

Status: No public hearing scheduled. Monitor.

**LD 216 An Act To Protect Water Quality by Standardizing the Law Concerning Septic Inspection in the Shoreland Zone, sponsored by Rep. Fay.** This bill extends to inland shoreland areas the requirement that subsurface wastewater disposal systems on property located within a shoreland area be inspected prior to a sale of the property. Currently, that inspection requirement applies only to the sale of property located within a coastal shoreland area. Referred to the ENR Committee.

Status: Testified in favor. Tabled

**LD 319 An Act To Standardize the Laws Concerning Property Transfers and To Protect Water Quality, sponsored by Rep. Keschl.** Nearly identical to LD 216, this bill extends to inland shoreland areas the requirement that subsurface wastewater disposal

systems on property located within a shoreland area be inspected prior to a sale of the property. Currently, that inspection requirement applies only to the sale of property located within a coastal shoreland area. Referred to the ENR Committee.

Status: Testified in favor. Tabled

**LD 327 An Act to Revise Maine's Environmental Laws, sponsored by Rep. Tucker.** This concept draft, sponsored by ENR House Chair Tucker, is obviously a vehicle for whatever changes the Committee may decide are necessary as the session proceeds. Referred to the ENR Committee.

Status: No public hearing scheduled. Monitor.

**LD 335 An Act to Require the State to Distribute 25 Percent of Adult Use Marijuana Retail and Excise Tax Revenue to Generating Municipalities.** Providing as FYI only. Communities would keep 25% of tax revenue from marijuana sales in that community. Would not affect their state disbursement formula. Nothing about sharing with water or wastewater.

Status: FYI Only

**LD 347 An Act To Provide Sustainable Funding for Drinking Water and Wastewater Infrastructure, sponsored by Rep. DeChant.** This concept draft proposes to find funding sources to capitalize the State Water and Wastewater Infrastructure Fund. It is a major initiative of MEWEA this year. Referred to EUT.

Rep. DeChant has resigned from the Legislature to take a new job. This bill is being transferred to Sen. Vitelli. We have asked for a delay in the hearing so Sen. Vitelli can get up to speed on the bill.

Status: Testified in favor along with 11 others. None against.

**LD 413 An Act to Ensure Citizens the Right to Groundwater in the State, sponsored by Rep. Riseman.** This concept draft "proposes to change the laws governing groundwater to recognize that the citizen's of the state collectively own the state's groundwater."

Status: Tabled in the House pending reference. Monitor.

**LD 430 An Act to Establish and Promote a System of Safe Disposal of Expired Marine Flares.** Establishes methods and procedures for safe disposal of marine flares. Has marine debris issues and stormwater issues, which we have testified on behalf of before.

Status: Hearing set for Monday February 25, before Criminal Justice and Public Safety.

**LD 453 An Act to Ensure the Integrity and Accountability of Persons Who Are Elected to Public Office.** Concept draft bill. Would propose to enact measures designed to ensure the integrity and accountability of persons who are elected to public office.

Status: FYI Only. Monitor.

**LD 492 An Act to Extend From 6 Months to One Year the Notice Period Required Under the Maine Tort Claims Act.** Exactly as title describes.

Status: FYI Only. Monitor.

**LD 537 An Act To Authorize a General Fund Bond Issue To Support the Gulf of Maine Research Institute's Establishment of a Near-shore Coastal Sensor Network, sponsored by Rep. Blume.** Proposed \$2M bond. Referred to AFA.

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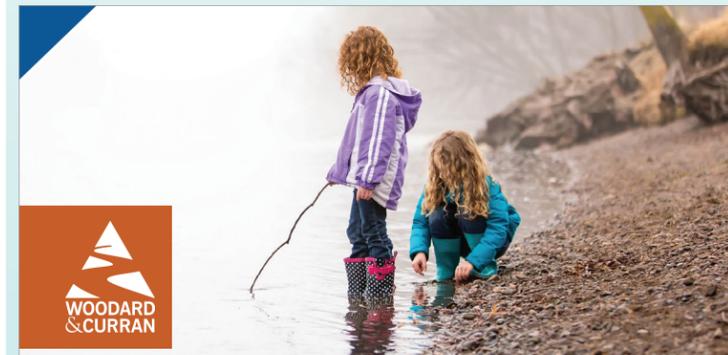
## 2019 Legislation to Monitor (cont'd)

Status: Support as ongoing effort on MOCA working group.

**LD 543 An Act To Protect Public Health through Subsurface Wastewater Disposal System Inspections, sponsored by Rep. Blume.** This bill extends to all property the requirement that subsurface wastewater disposal systems be inspected prior to a sale of the property. Currently, that inspection requirement applies only to the sale of property located within a coastal shoreland area. This is even broader than LDs 216 and 319. Referred to the ENR Committee.

Status: Testified in favor. Appears this bill will be worked and LD 216 and 319 will be incorporated.

**LD 563 An Act to Help Municipalities Prepare for Sea Level Rise.** This bill amends the State's growth planning and land use laws to reflect that addressing the effects of sea level rise is a state planning and regulatory goal. The bill amends the laws regarding the State's coastal management policies to direct state, local and certain federal agencies responsible for regulating, planning, developing or managing coastal resources to conduct their activities affecting the coastal area consistent with the policy of encouraging the assessment of and planning for the effects of the rise in sea level. The bill provides that a coastal municipality or multimunicipal region that includes a coastal municipality, if the municipality or region adopts a growth management program under the State's growth planning and land use laws, may include in its comprehensive plan projections regarding sea level changes and the potential effects of the rise in sea level and may develop a coordinated plan for addressing the effects of the rise in sea level.



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The bill also provides that "coastal municipality" means a municipality or township in the coastal zone as identified by a coastal program administered by the Department of Marine Resources.

Status: Hearing scheduled for 2/27 @ 9:00 am State and Local Government

**LD 565 An Act To Establish the Maine Coastal Risks and Hazards Commission, sponsored by Rep. Blume.** Creates a 21 member Commission to study coastal hazards and report every 4 years to the Legislature with recommendations and how to address the hazards, starting in 2022. Referred to ENR Committee.

Status: Hearing scheduled 3/1 @ 10:00 am ENR. Should testify in favor.

**LD 582 An Act To Increase Vegetative Buffers in the Shoreland Zone, sponsored by Rep. Fay.** Concept draft. Proposes to increase from 75 to 150 feet the vegetative buffer in shoreland zones to protect from nonpoint source pollution. Will also repeal the grandfathering of certain parcels from buffer requirements. Referred to ENR Committee.

Status: No public hearing scheduled. Should testify in favor.

**LD 590 An Act To Promote Climate Resiliency Measures To Protect Beaches and Near-shore Infrastructure, sponsored by Rep. Blume.** This concept draft seeks to identify creative approaches to the regulation of shoreland development to protect beaches and near-shore critical infrastructure from sea level rise and storm damage. Referred to ENR Committee.

Status: Hearing scheduled 3/1 @ 10:00 am ENR. Should testify in favor.

**LD 774 An Act to Protect Maine Beaches and Shoreline.**

Status: Hearing scheduled 3/1 @ 1:00 ENR.

**LD 785 Resolve regarding education, and proper use of pesticides.**

Status: No hearing set yet.

**LD 906 Act Regarding Coal Tar Paving Products.** Same as prior year bill to ban use of coal tar-based pavement sealing products.

Status: Hearing set for March 7, ENR. We should support.

Still waiting for more bills to be printed, only up to 999 right now.

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