



ASSOCIATION OF STATE DRINKING  
WATER ADMINISTRATORS

# YEAR IN REVIEW

## 2019



# LOOKING BACK

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## MARK MAYER

**2019 ASDWA PRESIDENT AND SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES DRINKING WATER PROGRAM ADMINISTRATOR**

### DEAR MEMBERS:

Thank all of you for your efforts every day ensuring safe drinking water is available wherever we go across our great Nation. I'd also like to extend my sincere gratitude to the ASDWA staff. Thank you all for your work behind the scenes making all our jobs much easier! We have accomplished much over the past year.

We started out 2019 with funding as our number one priority, and I do believe our collective voice has finally started to resonate with Congress. The extra effort to build relationships with Congressional staff and educate them on our mission and needs is beginning to bear fruit. After many years of flat or declining federal grant funds, we will receive a 4.2% increase in PWSS funding. Those congressional relationships also provided the opportunity to testify at a hearing of the Senate Committee on the Environment and Public Works. Lisa Daniels did a stellar job explaining the issues with PFAS and providing the state perspective. ASDWA's ability to work together collectively to frame issues in a factual and compelling way advances our reputation as a valuable resource to decision makers looking for information and facts related to drinking water.

Another part of our funding that we tackled was our member dues structure. Upon completion of our dues study, it became apparent that a new structure and increased fee schedule was warranted. Our new structure is more streamlined and ensures the balance of funds meets the requirement of our cooperative funding agreement with EPA. The revised dues schedule will take effect in 2021 and carries us through at least 2025. Be sure to build this into your budgets for next year!

It was a distinct honor for me to present the first ever Bridget O'Grady Excellence in Service Award to June Swallow at the annual conference in Tampa. The establishment of this annual award was a great way to honor Bridget and her tireless service to our industry by recognizing one of our members that emulates excellence.

Thank you for the opportunity to serve as ASDWA's 2019 President. One of my sons is currently in optometry school and he's embracing 2020 as a year of clarity. I'm confident that even though Shellie is not an optometrist, she, along with the rest of the board, will lead us with 20/20 vision, striving to bring clarity to the issues ahead!

Sincerely,

Mark Mayer



# LOOKING AHEAD

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**SHELLIE R. CHARD**

**2020 ASDWA PRESIDENT AND WATER QUALITY  
DIVISION DIRECTOR, OKLAHOMA DEQ**

## **DEAR MEMBERS:**

As ASDWA moves into 2020, we continue to be faced with many challenges, especially from regulations that are expanding in scope and complexity. We continue to feel the pressure “to do more with less.” However, for many states we have reached capacity. It will be important to work together to find ways to improve efficiency, deploy helpful technology, etc. to fulfill our public health protection missions.

We will be working closely with EPA OECA this year as the National Compliance Initiative kicks off. It is a new and different role that EPA is anticipating with additional federal inspectors and regional plans for implementation. I anticipate significant discussions with EPA HQ and more involvement of OECA at our upcoming meetings. I hope the continued dialogue will make this effort a win for both EPA and the states.

It is interesting to hear EPA talk about workforce development. This is an area where we, as state regulatory staff, must focus time and attention. If we can improve water system performance, we can improve compliance and public confidence in our nation’s water supply. Training is an area that EPA and states must work together to ensure field staff are prepared to perform their jobs properly. ASDWA will be working with EPA to provide training through workshops, regular ASDWA meetings, webinars, etc.

This year looks to be another busy one for regulatory proposals, final rulemakings, and Congressional actions. The comment period on the Lead and Copper Revised Rule ended in early February. ASDWA staff and state administrators submitted meaningful comments for EPA’s consideration. I hope we can see some changes to the proposed rule that make it more straightforward and less burdensome to Primacy agencies. The possibility of national PFAS Congressional Acts or rulemaking and other contaminants of emerging concern are also on our radar.

I would be remiss if I didn’t mention the new SDWIS Modernization effort. The new Governance Committee has been established and work will begin soon. This is going to be a monumental undertaking on which many of us will be working the next few years.

I look forward to working with everyone as we pursue our common goal of protecting public health and economic growth through safe drinking water. I hope to see you at upcoming ASDWA meetings and workshops.

Sincerely,

Shellie R. Chard

# WHO WE ARE

ASDWA is the professional association that serves the 57 men and women (and their staff) who lead and implement state drinking water programs.

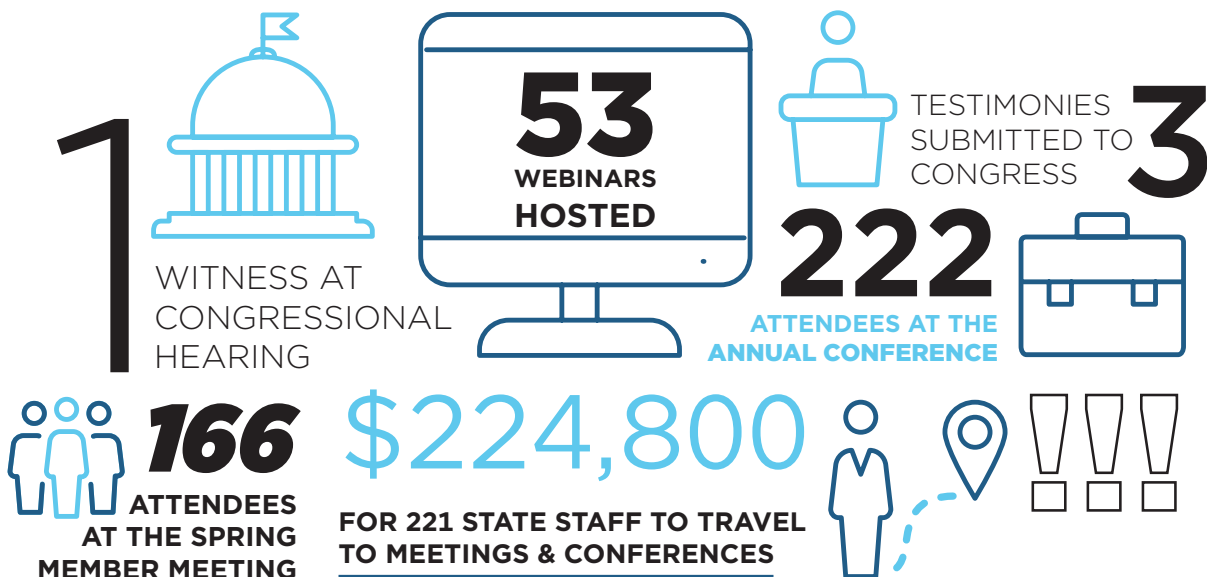
ASDWA staff are, in many ways, guardians of our nation's drinking water. We are conveners of ideas, facilitators of conversations, and interpreters that provide insight and context into the complex information that comprises our drinking water legislation and regulations. Ultimately, we are champions for the states. We take the lead on issues that affect states and assert positions to influence the kind of change needed to support them.

Our members and their staff are public servants in a noble profession – ensuring the safety of the nation's drinking water. They are on the front lines of protecting public health and the environment. They ensure that over 150,000 water systems in the U.S. comply with the 91 drinking water standards and that monitoring and reporting for the regulations is done properly. Some of our members' specific responsibilities include:

- Conducting regular inspections of the water systems, known as sanitary surveys.
- Ensuring systems have the technical, financial, and managerial capabilities to sustain present and future operations.
- Testing and certifying the water system operators to ensure they have the skills and knowledge to run the treatment plants and distribution systems, as well as certifying that analytical testing laboratories meet strict quality assurance/quality control (QA/QC) criteria.
- Administering loans for system improvements through the Drinking Water State Revolving Loan Fund (DWSRF). Managing source water protection programs that minimize contamination of the water going into a treatment plant.
- Reviewing plans and specifications for system improvements to ensure adherence to standard engineering principles, and issuing permits for source water and groundwater use.

**OUR MEMBERS ARE ON THE FRONT LINES OF PROTECTING PUBLIC HEALTH AND THE ENVIRONMENT.**

## ASDWA By the Numbers



# THINKING STRATEGICALLY

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## STRATEGIC PLAN

The rising number of complex drinking water issues and increased public expectations for communication on them continue to place increased demands on ASDWA's and its members' time and energy. We must act with intention and alacrity, so in 2019, ASDWA completed its first strategic plan to maintain a keen focus on the most critical issues for ASDWA's members. This plan, which covers 2020 to 2022 was developed over several months through a process that included Board and staff surveys, Board and staff workshops, and Board review and adoption. The plan focuses on four goals:

- Create and continuously enhance member value
- Positively impact the development of policies, regulations, and legislation that support state drinking water programs
- Amplify ASDWA impact with key partnership and proactive communications
- Empower a high-performing team

The staff has incorporated the plan's priorities into their 2020 workplans, and will meet regularly to assess progress and course correct as needed. Each year, ASDWA will report on progress in this report.

## DUES STUDY

ASDWA's revenues have traditionally been split between states' dues and Federal funding from a cooperative agreement with EPA. Over the past decade, the percentage of our annual revenues from EPA had ranged from 43% to 65%. Given the ongoing Federal budget challenges, and the fact that dues had not been raised for at least 10 years, the Board and staff evaluated several different dues alternatives with the goal of keeping the EPA portion of ASDWA's annual revenues to less than 50%. In August 2019, the Board approved a new dues structure for 2021-2025 that meets this goal. It also simplifies the dues structure from ten tiers to five, and provides a 1% annual dues increase after 2025.

## RELATIONSHIPS AND PARTNERSHIPS

Relationships and partnerships continue to be the way things get done. This work takes a lot of time and ASDWA staff must be strategic in how it pursues each, to assure the most value to its members.





## **Congress**

In Congress, ASDWA continued to build relationships with members and staff this past year. As a result, ASDWA is truly becoming the trusted source of information for the potential impacts legislation will have on state drinking water programs and the water industry. In May 2019, ASDWA was represented by Past President Lisa Daniels as she testified in front of the Senate Committee on Environment and Public Works hearing, “Examining Legislation to Address the Risks Associated with Per- and Polyfluoroalkyl Substances (PFAS).” Lisa’s testimony, which drew from her experience with PFAS in Pennsylvania, effectively highlighted for elected leaders, the challenges states are facing in addressing PFAS. In 2020, ASDWA will continue to strengthen its relationships with key stakeholders on the Hill and will continue to expand its network to reach the members and staff whose decisions could potentially impact state drinking water programs.

## **EPA**

ASDWA’s closest partner is EPA, and we continued to engage regularly with EPA staff and leadership throughout 2019. ASDWA staff provided state perspectives to EPA to inform their development and implementation of national drinking water regulations and continued to be a voice for states and a trusted advisor to EPA on security and preparedness, source water protection, SDWIS modernization, the Area-Wide Optimization Program (AWOP), implementation of the America’s Water Infrastructure Act, and the Annual Drinking Water Workshop. Though ASDWA most often works with EPA’s Office of Groundwater and Drinking Water, staff also strengthened relationships with two additional offices within EPA, the Office of Science and Technology through the National Water Reuse Action Plan and the Office of Enforcement and Compliance

Assistance through their work on the National Compliance Initiative for Drinking Water.

Two significant national drinking water regulations were proposed in 2019, the perchlorate regulation in June and the Lead and Copper Rule Revisions (LCRR) in November 2019. The last regulatory action on perchlorate was EPA’s final regulatory determination in 2011. This year, EPA detailed four possible regulatory options, including a Maximum Contaminant Level (MCL) of 56 µg/L, two additional possible MCLs that bracketed 56 µg/L, and a fourth option to not regulate perchlorate. ASDWA’s comments stayed neutral on the policy decision on whether to regulate perchlorate and focused on the necessary next steps.

EPA’s long-awaited LCRR proposal contained many new regulatory requirements for water systems and states. ASDWA convened its members and delivered 52 pages of detailed recommendations to EPA for the final LCRR, as well as a 28-page spreadsheet that estimates the number of state staff hours for the LCRR transactions between the water systems and states.

## **Public**

ASDWA continued in 2019 to increase its social media presence, to build a broader following and interest in the issues affecting state drinking water programs. With all of ASDWA staff now on Twitter, we’re becoming more vocal and influential in public conversations about drinking water. ASDWA’s website has increasingly become a popular resource for the public, with a 67% increase in page views in 2019 from 2018, and a 70% increase in unique visitors. ASDWA will continue to think strategically about what to say and how to say it to make the most impact for its members.

## Non-Government Organizations

With partner organizations in DC and elsewhere, ASDWA continued its efforts to amplify members' voices and needs and coordinate activities. This includes regular outreach to state environmental associations such as ACWA, ECOS, NGA, and GWPC. ASDWA staff also routinely communicated with the water utility associations such as AWWA, AMWA, NRWA, and the Water Research Foundation (WRF).

## Federal Agencies

ASDWA increased its collaboration with other Federal agencies such as the Centers for Disease Control and Prevention (CDC) on Legionella and other waterborne pathogens. ASDWA also increased its work with the U.S. Department of Agriculture (USDA) on source water protection.

Many times, being part of a larger collaborative effectively leverages everyone's work on an issue. ASDWA continued its participation in two collaboratives that represent a broad range of stakeholders, the Lead Service Line Replacement Collaborative and the Source Water Collaborative.



# INTERNAL TRANSFORMATION

A significant area of importance for ASDWA is our commitment to improving our organizational health and driving internal transformation. In parallel with the development of ASDWA's first Strategic Plan in 2019, ASDWA initiated a handful of new projects aimed at evaluating our long-standing internal processes, more clearly defining our vision, strategy, and culture, and further solidifying the foundation upon which the future success of our organization rests. Our goal is not only to improve ASDWA's ability to serve our members with excellence and efficiency but also to ensure our capacity to grow and adapt quickly to future challenges.

In 2019, the ASDWA Personnel Manual was updated to both modernize and streamline our office policies and procedures, creating a more accessible and inclusive resource as part of fostering a positive and healthy working environment for all ASDWA staff. ASDWA also underwent a detailed assessment of our digital infrastructure, including a review of our cybersecurity policies and procedures, as we move towards the development of an IT strategic plan to more closely align our technology with our organizational mission and goals. In every way, ASDWA is transforming itself into a more modern and agile organization, well-equipped to meet the challenges of supporting our members.

## STAFF CHANGES

The biggest internal transformation has been the retirements of two long-serving ASDWA staff members, Bridget O'Grady and Darrell Osterhoudt, whose 40 years of combined experience in drinking water were invaluable to our members and the entire drinking water community. While it's impossible to replace their knowledge and experience, ASDWA has been incredibly fortunate to welcome two new water policy analysts, Wendi Wilkes and Kevin Letterly, to our organization. Both Wendi and Kevin bring refreshing energy, new skillsets, and innovative perspectives to a wide range of drinking water policy challenges. ASDWA is very excited about what the future holds, as we work with our new staff to shape the future of ASDWA.

## MEMBER RECOGNITION

ASDWA's members have taken up the unseen, often thankless, task of ensuring the safety of the nation's drinking water. The tireless work of our members so often inspires us, so it's important to recognize those individuals who have made notable contributions to protecting public health through their careers. With that in mind, the first annual "Excellence in Service" award was created as a memorial to our colleague Bridget O'Grady who passed away shortly after her retirement. The award recognizes those whose work with state drinking water programs demonstrate commitment and outstanding professional performance. It's most fitting that ASDWA presented this new award to one of our longest-serving members, June Swallow of Rhode Island's Department of Health, whose remarkable career in drinking water exemplifies excellence in service.



*Pictured: Bridget O'Grady and colleagues*



# Project Highlights

In 2019, ASDWA shifted to incorporating more project-based efforts in order to expand the resources and opportunities for collaboration for their members.



**Contaminants of Emerging Concern:** In 2019, ASDWA and the Association of Clean Water Administrators (ACWA) completed a project that offers several recommendations for states, federal agencies, and chemical manufacturers and producers to better detect, characterize and manage contaminants of emerging concern.



**Groundwater-Based Source Water Protection:** ASDWA developed a white paper (jointly released with the Groundwater Protection Council [GWPC]) as an educational handout for state water programs, water utilities, and stakeholders to talk about the importance of protecting groundwater sources of drinking water.



**State Approaches to Building Water System Regulation:** ASDWA published a white paper that reviews federal rules and guidance on Legionella control and shares case studies from states in varying regulatory, political, and resource realities. The white paper outlines nuanced flexibilities in regulations drawing from EPA water supply guidance for states to consider for implementation.



**Building Water System Operator Certification:** ASDWA developed a white paper that provides recommendations for specific knowledge, skills, and abilities needed by certified operators to run a building water system that, in some cases, are different from a traditional water system operator.



**Developing Lead Service Line Inventories:** ASDWA developed an assessment of states' experience developing lead service line (LSL) inventories. The white paper summarizes the experiences and lessons learned from states that already conducted or are preparing to develop comprehensive inventories of service line materials.



**State CEC Rule Development and Management Strategies Toolkit:** In response to states' needs for assistance setting their own standards, ASDWA began development of a toolkit to help them move from a potential risk from a contaminant of emerging concern (CEC) in drinking water to managing an acceptable level of risk, and potentially creating a state-specific CEC rule to establish a Maximum Contaminant Level or treatment technique.

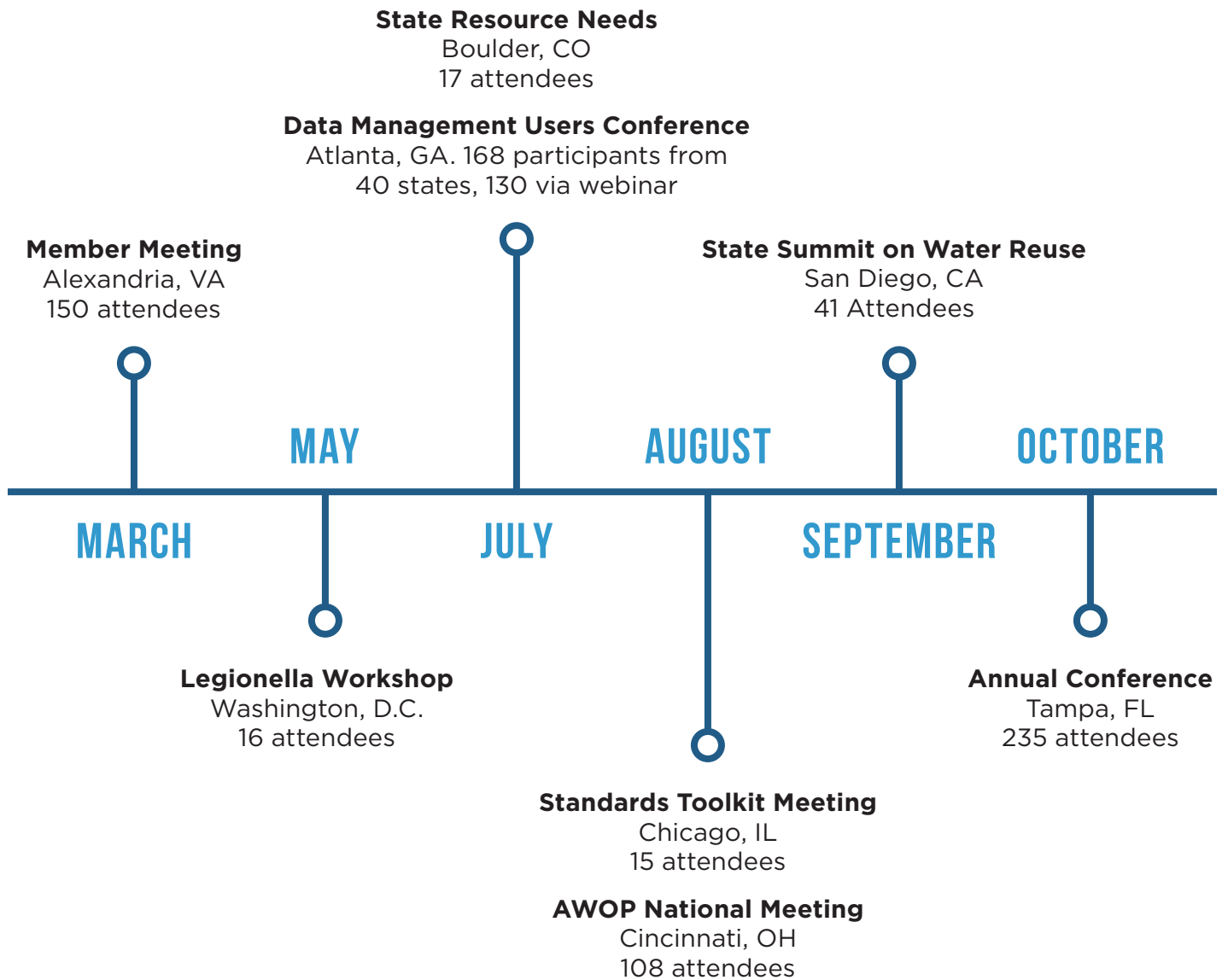


**PFAS - Source Water Protection Decision Tree:** ASDWA started developing a guide to identify potential PFAS contamination sites and consider fate and transport that will help states update their source water assessment maps. The guide will also provide options for proactive approaches state primacy agencies and source water protection programs can take to prevent pollution, to conduct outreach and education, and to implement PFAS source controls.



**State Resource Needs:** ASDWA started working with Cadmus on an update to the 2013 Insufficient Resources for States Report. This project will continue to emphasize the burden on state drinking water programs by collecting state financial and program data and highlight emerging drinking water issues by including state experiences specific to lead in schools, PFAS, and risk communication.

# ASDWA 2019 Events





# CERTAINTY VS UNCERTAINTY

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**ALAN ROBERSON**  
EXECUTIVE DIRECTOR, ASDWA

## DEAR MEMBERS:

It's been said that the only things certain in life are death and taxes, but after another year working on drinking water policy issues – and 2019 marked my 28th year – I would add “change” and “uncertainty” to that list.

On the positive side, 2019 was a year of several major accomplishments for ASDWA. First, we created our first three-year Strategic Plan for 2020-2022, providing the framework to ensure that we are strategic in our approach to fulfilling our mission, and that staff is empowered, efficient, and supported in their work. The Plan allows staff to focus on your highest priorities.

Second, we effectively increased our presence and recognition on the Hill, with more focus on building relationships with Congressional staffers. Lisa Daniels, ASDWA's Past President, testified in May on the potential risks from Per- and Polyfluoroalkyl Substances (PFAS) – the first time ASDWA has testified to the Senate Environment and Public Works Committee in a long time. Collecting stories on the impacts flat funding has on primacy agencies for the past decade resulted in a 4.2% increase in PWSS funding. While this increase doesn't close the funding gap, it's a small step in the right direction.

Third, the Board approved a new 2021-2025 Dues structure that enables a gradual dues increase over a five-year period, and reduced the number of tiers ten to five. This structure provides additional financial stability and integrity by reducing our dependence on EPA.

Finally, ASDWA completed its work on a groundbreaking project – State CEC Rule Development and Management Strategies Toolkit. This toolkit provides timely resources for primacy agencies directed to develop their own state-level standards for contaminants of emerging concern (CEC). While PFAS were the impetus for this toolkit, the resources are helpful for any CEC.

In 2019, EPA continued its regulatory development and implementation work by publishing two proposed drinking water regulations – the proposed perchlorate regulation and the proposed Lead and Copper Rule Revisions (LCRR), and ASDWA responded with comments that represent the interest of our members. This coming year we will focus efforts on how to help members maximize their benefit from America's Water Infrastructure Act (AWIA) and the grant programs established under the Water Infrastructure Improvements for the Nation (WIIN).

Indeed, significant change and uncertainty will continue. I foresee ASDWA tackling a number of key questions in 2020 with EPA and other drinking water stakeholders, including: Which contaminants should be the next to be regulated be? How should PFAS be regulated? What about unregulated contaminants such as cyanotoxins and Legionella? How does water reuse (especially direct potable reuse) fit into the Safe Drinking Water Act (SDWA) regulations? How might the regulatory development process be optimized to better respond new drinking water concerns? How might the discussion of targeted SDWA amendments be started? .

My thanks to Mark (and the ASDWA Board) for his guidance and steady hand in these uncertain times. More to come!

Sincerely,

Alan Roberson



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