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Please support the following MWWA priorities....

Massachusetts Water Works Association has identified the following legislative priorities for the 2017-2018 session. We would appreciate your support.

An Act to Amend the Lead Law to Include Water Piping—House Bill 3243—
Sponsor: Representative Russell Holmes—This bill amends the Lead Disclosure Act, Section 197A of Chapter 111 of the MA General Laws, to include notification to prospective buyers of lead plumbing or water piping, in addition to existing disclosures of lead paint and plaster. In light of the tragic water contamination incident in Flint, Michigan, this is an important bill to ensure protection of public health, especially of infants and small children who are most susceptible to lead poisoning.

An Act providing for the Establishment of Sustainable Water Resource Funds—Senate Bill 1126/House Bill 2116—Sponsors: Senator Jamie Eldridge; Representative Carolyn Dykema—This bill would encourage the use of “water banking” by cities and towns. Water banking can be an effective management tool for communities to mitigate, or offset, the impacts of increased demands on water resource intensive services, balance the water budget, assist in restoring and protecting instream flow, promote water conservation, and ensure an adequate level of service is available for the provision of potable water as well as the treatment and management of wastewater and stormwater. It would allow cities and towns to collect a reasonable charge to be used for measures to remedy and offset these impacts and to deposit the charge in to a separate municipal account for drinking water, wastewater or stormwater. The use of water banking by communities will facilitate the generation of physical savings of water as well as economic savings.

While some of our legislative priorities have been sent to study, MWWA still supports future legislative action addressing the following:

Delegation of the NPDES Program: Governor Baker had filed legislation which would allow the Commonwealth to pursue delegation of the wastewater/stormwater program from the US Environmental Protection Agency. Communities across the nation are beginning to recognize that regulations within



the historically isolated water resource “sectors” (i.e. drinking water, wastewater and stormwater) are becoming increasingly interrelated. As such, more progressive communities are already beginning to think about how they could manage these systems in a more economically viable and integrated way. Ironically, any system or community interested in pursuing the merits of an Integrated Water Management Plan have been thwarted due to the permitting “silos” administered under separate regulatory authorities (drinking water, wastewater and stormwater programs). Integrated planning is not cheap or easy, but if done effectively, can help communities prioritize water resource needs, investments, and benefits – including infrastructure and the environment. Delegation of the NPDES program will help facilitate this effort and will make it easier for municipalities to effectively coordinate with one agency rather than two.

Additional Funding for Water Infrastructure: The Commonwealth faces a huge funding gap of almost \$40 billion for water infrastructure improvements. Water and sewer rates have been rising, but our ratepayers cannot foot this bill alone. Representative Carolyn Dykema had filed legislation which would authorize creation of a \$1 Billion Water Infrastructure Bond for a capital outlay program of maintenance and improvements to municipal drinking water, wastewater and stormwater infrastructure. The grant funding would be distributed to municipalities based on a formula similar to Chapter 90 transportation funding.

Evaluate Cost/Benefit in Environmental Rules: Cities, towns and water and wastewater districts are governed by environmental rules and regulations administered by state agencies under the Executive Office of Energy and Environmental Affairs (EOEEA). These rules and regulations apply to the operation of public drinking water systems, wastewater collection and treatment facilities and stormwater management. Compliance with such rules is costly with annual expenditures reaching into the hundreds of millions of dollars for some communities. Senator Moore and Representative Roy had filed legislation that would require the Massachusetts Executive Office of Energy and Environmental Affairs to complete a regulatory impact statement on any rule, regulation, guidance document or policy that they propose.

Protect Grandfathered Water Withdrawals under the Water Management Act: Representative Alice Peisch had filed legislation that would amend Section 2 of MGL 21G, the Water Management Act (WMA), further clarifying the definitions for the permit program and the registration statement to be consistent with the regulations. The bill also amends Section 5 of MGL 21G, making it clear that all properly filed WMA Registrations statements shall entitle the registrants to their registered water use volumes without conditions and stipulates that no regulations may be promulgated that would allow the imposition of conditions.

If you have any questions or desire additional information from Massachusetts Water Works Association, please contact the following individuals:

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