

# Regulations Coast to Coast

Regulatory & legislative updates from across the U.S.

**R**egulations—at federal, state and local levels—have the potential to deeply affect the water quality industry. In addition to the national Water Quality Assn., regional and state associations work to stay ahead of changes and coordinate with legislators to advocate for the industry. WQP asked three of these organizations—the Eastern, Minnesota and Pacific Water Quality Assns.—to provide their latest updates on the regulatory and legislative fronts.

## Facts Over Emotions

In 2015, the Eastern Water Quality Assn. (EWQA) and Water Quality Assn. (WQA) will continue to work toward a positive outcome in reversing the septic law in Delaware that affects homeowners, communities and the environment.

Delaware is not unique in passing legislation that could adversely impact owners of water softeners that vent to septic systems; similar legislation has been passed in other states as well.

WQA and EWQA members have adopted a proactive approach to avoiding negative legislation and instead implementing laws that relies on facts rather than emotions.

The industry is fortunate to have WQA as a partner, and everyone in the industry is familiar with its training and certification. What water professionals may not know is that WQA continues to champion legislative solutions nationwide

that impact our careers, lifestyles, communities and the environment.

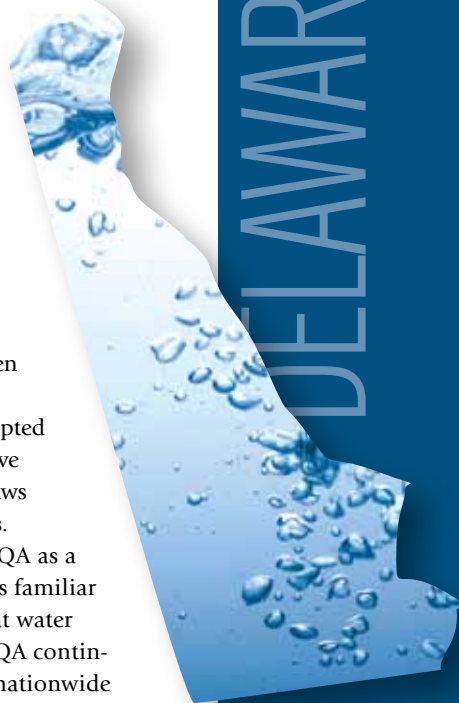
WQA's Water Quality Research Foundation pioneered a scientific study on water softeners and their impact on septic systems. The research conducted by Dr. John Novak of the Virginia Polytechnic Institute and State University proves that water softeners installed and maintained by certified water treatment professionals can enhance the life of a septic system. Other studies in Texas, Illinois and California reflect similar results.

Illinois recently granted WQA a revision to the water softener and septic law with its approval for WQA's request of NSF-approved water softeners venting into septic systems.

EWQA also is honored to have a legislator as a member: a water treatment business owner by the name of Russell Prescott, who is familiar with both sides of the discussion. During the EWQA fall 2013 event, he presented a session on how to help the industry by educating lawmakers about our industry.

EWQA will continue to champion positive legislative impact for the industry. In April, member Tim Jansen of Wel-Dun and I visited three New York state legislators and shared our willingness to provide them with information on current technology for consideration during deliberation and lawmaking. I expressed our hope that legislators will call EWQA and/or WQA at any time of day or night to get the facts about positive water treatment solutions.

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## A Time for Change

2014 was a busy and active year for the water quality industry and members of the Minnesota Water Quality Assn. (MWQA). Members and committees were active on many fronts in an effort to stay ahead of these changes and help our industry to meet regulatory changes and requirements.

After the state of Minnesota's proposed adoption of the Uniform Plumbing Code, MWQA was actively involved with the development and introduction of language to be submitted by the Plumbing Board to amend language within the code prior to state acceptance and approval. Minnesota water professionals are fortunate that MWQA has an appointed seat on the Plumbing Board—this and an active MWQA governmental affairs committee allowed for the proposed language to be accepted by the Plumbing Board and included in the proposed amended language introduced for state approval.

Also changed were the requirements for individual licensing, continuing education and renewal for individual and business licenses. MWQA's education committee met with the Minnesota Department of Labor and Industry to determine exact requirements and how to fulfill them. MWQA had instructors certified, and several periods of instruction were created, approved and presented during the year to provide individuals with required continuing education units to meet the new requirements.

With all of the changes this past year and those that lie ahead in 2015, MWQA is continuing to work with state and industry leaders to represent the industry at all levels. Today more than ever, water conditioning/treatment professionals need to stay at the forefront of an ever-changing environment, where regulations and codes are constantly being altered. We have to stay engaged with the local, state and national entities that drive the changes that affect our industry.

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## From Drought to Democrats

In 2014, the drought was only one of the major issues California's legislators faced, in addition to the many other new bills and laws relating to water. California became the first and only state in the nation to establish a maximum

contaminant level specifically for chromium-6 (hexavalent chromium) in drinking water. The drinking water standard for hexavalent chromium became effective July 1, 2014.

Also as of July 1, 2014, the administration of the state Drinking Water Program (DWP) has transferred from the Department of Public Health (DPH) to the State Water Board. This transfer of responsibility aligns the state's drinking water and water quality programs in an integrated organizational structure to best position the state to both effectively protect water quality and public health as it relates to water quality and meet current needs and future demands on water supplies.

California voters approved a \$7.5 billion water bond to fund everything from new storage projects to drinking water treatment plant updates. Much of this is expected to be approved by the Democratic-controlled state legislature, which looks to spend \$532 million from the water bond, which was formerly known as Proposition 1.

The controversial part of the water bond, which voters approved, was whether to spend money building new reservoirs. The California Water Commission—an obscure agency whose nine members are appointed by the governor—will be the decision-making entity. The commission has not yet made decisions on how to spend the money from the November bond; however, it has a timetable spelled out in the bond language to write regulations that will define the ranking of projects by "public benefits."

Although December 2014 was a wet month, California remains in a serious drought. The Sierra Nevada snowpack is at only 40% of its normal levels, and most major reservoirs are less than half full.

SB 1014 also was introduced last year. In an effort to manage the societal and environmental impacts of unused medications,

SB 1014 would have required producers of pharmaceuticals, as defined, to create, finance and manage a collection system for California consumers to safely and conveniently take back unwanted pharmaceuticals—a system structured after an existing program in Canada that the industry has efficiently operated for 15 years. This bill died in appropriations.

Many of the bills associated with water that were sent to the capital in the past year met the same fate in the appropriations committee; however, work continues in several areas, one of the foremost being point-of-entry (POE)/

point-of-use (POU) regulations.

WQA/Pacific Water Quality Assn. (PWQA) Legislative Advocate Pete Conaty now is a member of State Water Resources Control Board (SWRCB) Drinking Water Transition Advisory Group. It has been well worth the effort to get a seat at the table for the first time for the water quality industry. One of the most important things to come out of the group is a package that it is preparing of updated regulations on various subjects, including a set of POE/POU regulations.

Several other committees and advisory groups were attended by PWQA members this year, including the ongoing Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) committee attended by Mark Felton (a past PWQA president), and California's State Water Resources Control Board Ground Water Monitoring Stakeholders Group meeting and the Latino Caucus, both of which I attended. The November 2014 election brought in 27

new Assembly members and five new senators without legislative experience. Additionally, four former Assembly members were elected to the Senate, and two Assembly members from some years ago are returning as senators. The election denied the Democrats a two-thirds supermajority in the Senate or the Assembly.

In the Senate, 27 seats were needed for a supermajority, and the election raised the Republican's share of the 40-member Senate to 14—a one-vote margin. The Democrats had hoped to win enough seats in this election to retain that supermajority. Having a supermajority is important to the majority party because it allows it to pass bills without the support of the other party. This is especially true during the state budget process. In the Assembly, 54 seats were needed to retain the supermajority, but the Democrats lost three seats.

The Democrats still control both houses of the state legislature, the governor's office and all statewide constitutional officers; however, they

will need some Republican votes to pass bills that require a two-thirds vote.

PWQA supported several candidates this year who were successful in either being re-elected or attaining new seats.

PWQA is set to host its annual Legislative Days on March 23 and 24. With the changes in legislative seats, there will be many new legislative staffers. The result is that we will need to educate and inform these new legislators and staffers about who we are and what we do. We also will need to reacquaint ourselves with those legislators we have worked with in the past and remind them who we represent. This year's Legislative Days event promises to be one of the most productive and important we have had. **WQP**

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