



**TESTIMONY OF
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EXECUTIVE DIRECTOR
OF THE
ARKANSAS RURAL WATER ASSOCIATION
ON BEHALF OF THE
NATIONAL RURAL WATER ASSOCIATION
BEFORE THE
UNITED STATES SENATE SUBCOMMITTEE ON
FISHERIES, WATER, AND WILDLIFE**

March 28, 2017

S. 518, The Small and Rural Community Clean Water Technical Assistance Act

Good afternoon Chairman Boozman and Members of the Committee. It is an honor to be here and we are grateful that you have included a voice for rural American at this hearing.

My name is Dennis Sternberg, and I am the Executive Director of the Arkansas Rural Water Association – a non-profit association of 563 small and rural community water utilities in Arkansas. I am also a representative of the National Rural Water Association which has over 31,000 community members. Our mission is to enhance drinking water and wastewater service, safety, compliance and quality in small and rural communities.

My main message to the committee today is that the small and rural communities in all states strongly support S. 518, the Small and Rural Community Clean Water Technical Assistance Act and we urge the committee and the Senate to pass it as soon as possible to help small communities with the operation of their wastewater utilities and compliance with all the federal regulations under the Clean Water Act. We are very appreciative of Senator Wicker and Heitkamp's sponsorship of the bill and I will explain why the legislation is helpful and merits enactment.

Most all of our country's sewer systems or wastewater utilities are small. Approximately 80 percent of the country's approximately 16,000 wastewater utilities serve a population of fewer than 10,000 persons. In Arkansas, for example, approximately 340 of the 370 community wastewater utilities serve small communities (i.e. less than 3 million gallons per day of flow). In Illinois, it is approximately 700 of 800; in Maryland, it is 130 of 170; and in Mississippi, it is approximately 270 of 300. Environmental Protection Agency's (EPA) lists of "publicly-owned treatment works" in these states are available on the internet at www.ruralwater.org/docs/potws.

Small and rural communities have more difficulty affording public wastewater service due to lack of population density and lack of economies of scale. This challenge is compounded by the fact that rural communities have lower average median household incomes and often have higher rates of poverty. Likewise, we have a much more challenging time complying with our federal Clean Water Act permits and operating complex wastewater treatment systems due to the lack of technical resources in small communities. While we have fewer resources, we are regulated in the exact same manner as a large community - and often operating similarly complex treatment systems that are smaller in scale but no less sophisticated to operate and trouble-shoot. Many small communities may only have one operator with multiple duties, not just wastewater treatment - while a large community may have a team of technical experts including engineers, chemists, and highly trained operators - all as part of their full-time staff. S. 518 provides a solution to the lack of technical resources in small communities by providing technical experts, we call them Circuit Riders, in each state to be shared by all small and rural communities who are in need of assistance. A Circuit Rider is a person with expertise in wastewater treatment operation, maintenance, governance and compliance who constantly travels the state to be available on-site to any community in need of assistance. For these Circuit Riders to be effective and helpful, they must be available to travel directly to any given community to work specifically with a community's unique treatment and personally educate that operator, mayor, or other local officials on how to solve their particular problem. They have to be available when the community needs the help which can be nights, winters, after natural disasters, weekends, etc. Also, they must be non-regulatory to gain the trust of the local communities. Every small community wants to provide quality wastewater to protect their citizens and the environment, but they need to know, often with hands-on demonstration, just how to operate their wastewater systems. Circuit Riders operate free of charge to small communities which often saves the community many thousands of dollars from having to hire consultants or open themselves to civil penalties under the Clean Water Act – they only work in the interest of the small community they are assisting.

I started working for Arkansas Rural Water Association as a Circuit Rider. In this position, I traveled to every, *yes every*, small town with a sewer system to help them at some point. I often visited communities just to check in on them, develop a peer-to-peer relationship and keep educating them on how to best operate their utilities.

The small town of Kensett, Arkansas provides a good recent example of technical assistance. Last year, the Kensett Waterworks called for help with their sewer systems concerning a problem with their activated sludge plant. The plant had suddenly become upset, the clarifier was not settling and they were experiencing pass-through to the chlorine contact chamber resulting in cloudy, dirty looking effluent and noncompliance. A rural water Circuit Rider traveled to the community and inspected the plant and their records and noticed a decline in the sample results over a four month period. After discussing several ideas, it was found that the return sludge pump didn't appear to be working properly. This finding led Circuit Rider to disassemble the pump and line to clean them. At this point, they found the cause of the problem – the line had been blocked by biological growth. After clearing the lines and pumps, the Circuit Rider recommended they feed some artificial enzymes and food supplements to try to jump-start the recovery of the plant. A follow-up visit after four days found that conditions had greatly improved. In addition to providing the technical solution to their problem, this assistance saved the community approximately \$1,000 per day in potential

finances. If enacted and appropriated, S. 518 would allow for thousands of similar assistance events each year, every Circuit Rider can visit over 20 communities in a month.

Senator Wicker had a similar bill pass about a year ago to provide small communities with Circuit Rider assistance for their drinking water treatment utilities. However, we have not been able to have that legislation, Public Law 114-98, specifically cited in the EPA appropriations bill which is preventing that technical assistance funding from reaching rural Arkansas, Mississippi, Illinois, Maryland and other states. Any assistance you can provide to correct this issue with EPA appropriations subcommittee is greatly appreciated. The reason why this authorization and the similar drinking water authorization need to be specifically cited in the appropriations bill is because they contain a critical mandate that the EPA must follow Congressional intent and give preference to the type of technical assistance that small communities find to be most beneficial. Again, we would be grateful for any help in getting this message to the EPA appropriations subcommittee.

The technical assistance provided in the example from Kensett, Arkansas, was funded by the Department of Agriculture. This technical assistance under the EPA would not be redundant with USDA assistance because there is currently a tremendous unmet need for assistance as a result of EPA's Clean Water Act regulations. In Arkansas, approximately one-third of our small wastewater utilities are having a very hard time modifying their treatment to comply with EPA's new standards for ammonia in their effluent. Any new EPA supported Circuit Riders would be focused on EPA rule compliance that is currently not being met and is not the focus of USDA funded technical assistance which is dedicated to furthering USDA's mission objectives.

The Small and Rural Community Clean Water Technical Assistance Act would authorize two new technical assistance provisions under CWA that are similar to provisions currently authorized under the Safe Drinking Water Act. First, S. 518 would establish a federal Clean Water Act (CWA) technical assistance program, administered by the EPA, to assist small public wastewater treatment systems (those serving not more than 10,000 people) in complying with CWA regulations. The bill would authorize \$15 million a year over five years for technical assistance. Second, the bill would authorize states administering Clean Water SRFs to use up to two percent of their state grant to fund technical assistance initiatives to small wastewater treatment works in their respective states. A similar program currently is authorized and operating within the states' Safe Drinking Water SRF.

This committee is very important to rural and small town America; every federal dollar that has been granted to the many thousands of small towns to build, expand, and maintain their drinking water and wastewater infrastructure through the state revolving funds was authorized by this committee. Also, every federal regulation under the Safe Drinking Water or the Clean Water Act was likewise authorized by this committee. We are grateful for the opportunity to testify today and grateful for the numerous opportunities this committee has provided rural America to testify and be included in the crafting of federal water and environmental legislation and policy.