

APWA Washington REPORT

July 2004

TRANSPORTATION

TEA-21 Reauthorization

FUNDING AGREEMENT REMAINS OUT OF THE GRASP OF CONFEREES

A House and Senate conference committee continues to meet this summer but has yet to achieve an agreement on a total funding level for a six-year transportation reauthorization measure. Although conferees have approved dozens of non-controversial staff recommended provisions in three public meetings since early June, lack of a funding agreement has stalled progress in reconciling substantive program and policy differences contained in the two massive House and Senate transportation bills.

At the second meeting on June 23, Senate conferees made an offer to House conferees to accept a funding level of \$318 billion, as passed in the Senate's SAFETEA bill. Since then several offers have been made from each side, but at the time of this writing, no agreement had been reached and the clock was ticking.

The House-passed bill, TEA-LU, would authorize \$284 billion for federal surface transportation programs over six years. Compounding difficulties in reaching an agreement are veto threats the Administration reiterated again in recent letters to Conference Chair James Inhofe (R-OK) and Conference Vice-Chair Don Young (R-AK). The Administration opposes the funding levels contained in both the House and Senate bills.

With just a few weeks left before Congress adjourns for the August recess, attention is already turning to the need for a fifth temporary funding extension, likely to authorize funding through Sept. 30, one year after the Transportation Equity Act for the 21st Century (TEA-21) expired. The fourth temporary extension expires on July 31.

Conferees have acknowledged that reconciling substantive program and policy issues hinges on a decision regarding the bill's total funding. APWA supports a six-year bill funded at no less than \$318 billion and is calling on conferees to expedite finalizing a bill at that level. There are 73 conferees, 52 from the House and 21 from the Senate. They are:

House Conferees: **Alabama:** Spencer Bacchus (R). **Alaska:** Don Young (R). **California:** David Dreier (R); Bob Filner (D); Gary Miller (R); George Miller (D); Richard Pombo (R); Bill Thomas (R); Henry Waxman (D). **Colorado:** Bob Beauprez (R). **Connecticut:** Christopher Shays (R). **District of Columbia:** Eleanor Norton (D). **Florida:** Corrine Brown (D); John Mica (R). **Illinois:** Judy Biggert (R); Jerry Costello (D); William Lipinski (D). **Iowa:** Jim Nussle (R). **Louisiana:** Jim McCrery (R). **Maryland:** Wayne Gilchrest (R). **Michigan:** John Conyers (D); John Dingell (D); Vernon Ehlers (R); Peter Hoekstra (R). **Minnesota:** James Oberstar (D). **Mississippi:** Charles Pickering (R). **Montana:** Dennis Rothberg (R). **Nevada:** James Gibbons (R). **New Jersey:** Robert Menendez (D). **New York:** Sherwood Boehlert (R); Jerry Nadler (D); Charles Rangel (D). **North Carolina:** Cass Ballenger (R); Howard Coble (R). **Ohio:** Steve LaTourette (R). **Oregon:** Peter DeFazio (D). **South Carolina:** John Spratt (D). **Tennessee:** John Duncan (R); Bart Gordon (D). **Texas:** Joe Barton (R); Tom Delay (R); Martin Frost (R); Eddie Johnson (D); Randy Neugebauer (R); Peter Sessions (R); Lamar Smith (R); **Virginia:** Tom Davis (R); Edward Schrock (R). **West Virginia:** Nick Rahall (D). **Wisconsin:** Ron Kind (D); Tom Petri (R); James Sensenbrenner (R).

INSIDE YOU'LL FIND

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Senate Conferees: **Alabama:** Richard Shelby (R). **Arizona:** John McCain (R). **California:** Barbara Boxer (D). **Connecticut:** Joseph Lieberman (D). **Florida:** Bob Graham (D). **Iowa:** Charles Grassley (R). **Kentucky:** Mitch McConnell (R). **Maryland:** Paul Sarbanes (D). **Mississippi:** Trent Lott (R). **Missouri:** Christopher Bond (R). **Montana:** Max Baucus (D). **Nevada:** Harry Reid (D). **North Dakota:** Kent Conrad (D). **Ohio:** George Voinovich (R). **Oklahoma:** James Inhofe (R); Don Nickles (R). **South Carolina:** Ernest Hollings (D). **South Dakota:** Thomas Daschle (D). **Utah:** Orrin Hatch (R). **Vermont:** James Jeffords (I). **Virginia:** John Warner (R).

Transportation Conformity

NEW RULE INCLUDES REQUIREMENTS FOR NEW OZONE, PM2.5 STANDARDS

The US Environmental Protection Agency (EPA) has issued a final rule amending existing transportation conformity regulations to incorporate new stricter standards for ozone and fine particulate matter. The new rule establishes the criteria and procedures for determining whether transportation activities within a state conform to the requirements of the state implementation plan.

Transportation conformity is required under the Clean Air Act to ensure that federally supported highway and transit project activities are consistent with the purpose of a state air quality implementation plan. The purpose is to ensure that transportation projects do not create new air quality problems or worsen existing ones.

Specifically, the rule describes the general requirements for conducting conformity determinations for the new air quality standards, such as the conformity test(s) that apply in new standard areas. In addition, the rule includes fine particulate matter (PM2.5) as a criteria pollutant subject to transportation conformity and outlines the specific conformity requirements that would apply in PM2.5 non-attainment areas. The rule also codifies conformity guidance issued in response to an earlier federal court decision.

Additionally, the rule includes a few miscellaneous revisions to clarify the existing regulation and improve implementation. Of particular interest are: (1) streamlining the number of triggers that require a new conformity determination and (2) allowing transportation planners to base regional emission analyses on assumptions available at the beginning of the conformity process.

The rule is effective August 2, 2004. *For more information, contact Meg Patulski, State Measures and Conformity Group, Transportation and Regional Programs Division, U.S. Environmental Protection Agency, 734-214-4842.*

Air Quality

243 COUNTIES DESIGNATED OUT OF ATTAINMENT WITH PM2.5 STANDARD

The US Environmental Protection Agency (EPA) has announced that 243 counties in 21 states are not in attainment of the new fine particulate matter (PM2.5) air quality standard. Since these represent preliminary designations, states will have an opportunity to contest them. State submissions to EPA identified 143 counties as out of attainment. EPA is expected to make formal designations in November 2004.

EPA issued the new standard for PM2.5 in 1997. It is currently working on a rule to implement it (See related article above). A proposed rulemaking could appear later this year with a final rule expected spring 2005. States will be required to submit their implementation plans for attaining the standard in February 2008 and will need to reach attainment between 2010 and 2015.

States with areas designated as out of attainment include: Alabama, California, Connecticut, Delaware, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, Montana, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and Wisconsin.

Rural Road Safety

STUDY IDENTIFIES FACTORS CONTRIBUTING TO RURAL ROAD FATALITIES

A new study from the US General Accounting Office reports that road environment is one of four factors contributing to fatalities on the nation's rural roads. Crashes on rural roads (roads in areas with populations of less than 5,000) account for over 60 percent of traffic deaths nationwide.

According to the report, *Federal and State Efforts to Address Rural Road Safety Challenges* (GAO-04-663), roadway characteristics that contribute to rural crashes include narrow lanes, sharp curves, trees and animals. The report also cites human behavior, vehicle design and the care victims received after a crash as primary factors.

The report lists several challenges that hinder efforts to improve rural road safety. These include:

- Not all states have adopted safety belt and impaired driver laws that might curb behavior contributing to rural road fatalities
- States are limited in using federal-aid highway funds for certain rural roads and most rural roads are the responsibility of local governments with limited resources for costly projects to improve road safety
- The nature of rural areas makes it difficult to provide adequate emergency medical care.

Transportation for Individuals With Disabilities

FINAL RULE ON ACCESSIBILITY OF “OVER-THE-ROAD BUSES” (OTRBs) PUBLISHED

A final rule became effective July 7 spelling out the ways intercity transit agency operators must transmit a copy of a request for accessible bus service. This final rule makes minor changes to the interim final rule published in the Federal Register on February 6, 2001 (66 FR 9048). (Intercity bus companies are private businesses operating between cities and may--especially in less populated areas--be the only transportation available for persons who cannot or do not drive. Over-the-Road applies to buses that have baggage storage areas under the seating areas.)

Additionally, the final rule addresses communications received in response to the interim final rule's request for comment on: (1) Should the Department reconsider its decision to allow extensive use of on-call bus service; (2) should the Department propose requiring acquisition of accessible buses in some situations where on-call service is not permitted; and (3) are there other ways of restoring the balance between the Department's objectives of ensuring accessible buses and service for passengers with disabilities and mitigating the economic impacts on small businesses.

The Department's interim final rule made changes to the September 1998 final rule (63 FR 51670). Specifically, the interim final rule removed the provision requiring compensation to passengers who do not receive required service; clarified the information collection requirements; postponed the date for bus companies to submit information on ridership on accessible fixed route service and the acquisition of buses; and designated a different address for regulated parties to submit the required information. *For further information contact: Linda C. Lasley, Office of the Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 7th Street, SW., Room 10424, Washington, DC 20590, 202 366-4723.*

ENVIRONMENT

Water Infrastructure

SENATE COMMITTEE PASSES \$41 BILLION WATER INFRASTRUCTURE LEGISLATION

The Water Infrastructure Financing Act, legislation providing \$41 billion in new funding over five years passed the Senate Environment and Public Works Committee (EPW) June 24, 2004.

Introduced by Committee Chairman Sen. James Inhofe (R-OK) and Fisheries, Wildlife and Water Subcommittee Chairman, Sen. Michael Crapo (R-ID) S. 2550, the legislation, S. 2550, provides

- \$20 billion for the Clean Water SRF
- \$15 billion for the Drinking Water SRF

The bill contains provisions revising the 20-year old funding distribution formula. The new formula is designed to reflect population shifts over the past 30 years. The change reportedly would generally benefit Western and Southern growth states and provide less funding to Eastern states. Currently, funding is based on EPA's needs survey.

A number of amendments of critical importance are contained in S. 2550 including a requirement that projects funded under the bill be covered by the Davis-Bacon prevailing wage mandates; a requirement directing the Secretary of Interior to study the geographic scope of the Perchlorate contamination problem; and the establishment of a federal water resources planning council aimed at protecting the nation's water supplies from terrorist attack. The legislation also calls for:

- \$40 million to review lead levels in school drinking water systems
- \$20 million to address lead in Washington DC's drinking water system
- \$5 Billion to assist communities with drinking water compliance problems such as arsenic
- \$1 Billion in grants for wet weather projects

APWA's Legislative Action Center at <http://capwiz.com/apwa/issues/bills/?bill=6045311> has the text of the bill. *For additional information and a section-by-section summary, please contact Heather Doucet in APWA's Washington Office at 202-408-90541 or email hdoucet@apwa.net.*
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EPA Appropriations

HOUSE SUBCOMMITTEE CUTS CLEAN WATER STATE REVOLVING FUND (SRF)

The Clean Water State Revolving Fund (SRF) is in for a \$500 million cut in FY 2005 under the legislation approved by the House Appropriations Subcommittee on VA/HUD and Independent Agencies which includes the Environmental Protection Agency. Overall, EPA would decrease more than \$600 million to about \$7.7 billion.

Historically, the SRF has been funded at about \$1.35 billion since FY1996. Administrations during that time usually requested around \$850 million and Congress upped it to \$1.35 billion. APWA has supported higher SRF figures.

Environmental Management Project

APWA & ICMA PARTNER ON ENVIRONMENTAL MANAGEMENT SYSTEMS

APWA, in partnership with the International City/County Management Association (ICMA), is launching a project to promote the benefits of environmental management systems (EMS) to local governments. An EMS is a best practices tool that enables local government officials to set goals related to managing their facilities' environmental impacts and to establish planning, staffing, and operational procedures needed to achieve those goals.

Adopting an EMS can mean money saved, reduced insurance premiums, improved bond ratings, and greater regulatory flexibility, as well as improved confidence on the management of environmental issues.

To raise awareness of the benefits of EMS among public works directors, APWA will hold an EMS educational session at this year's Congress in Atlanta, facilitate three regional learning events at chapter meetings, and produce EMS-related content for its publications and website. ICMA also will be hosting a web-based training program on EMS that will be jointly marketed to public works directors and local government managers. The project will be advised by an EMS Local Government Advisory Committee consisting of APWA and ICMA members.

This project is a collaborative effort involving APWA, ICMA and the U.S. Environmental Protection Agency (EPA). EPA's Office of Water is providing funding through a cooperative agreement. This effort builds on work sponsored by EPA since 1997 to train and assist over 30 local governments as they adopt environmental management systems. For more information, log onto: <http://www.peercenter.net>.

For more project information, contact Mark Tibbetts in APWA's Washington Office at 202-408-9541 or email mtibbetts@apwa.net. Additional EMS related information will be available at APWA's Resource Center: <http://www.apwa.net/ResourceCenter/> search under Public Works Administration and Management.

Drinking Water Council

EPA SEEKS NOMINATIONS FOR ADVISORY GROUP

EPA is inviting seeking qualified individuals to serve a three-year term as members of the National Drinking Water Advisory Council (NDWAC). The Council, consisting of 15 members, was established by the Safe Drinking Water Act (SDWA) to provide practical and independent advice, consultation, and recommendations to the Agency on the activities, functions, and policies related to the implementation of the SDWA.

Persons selected to serve on the Council will receive compensation for travel and a nominal daily compensation while attending meetings. The Council holds two face-to-face meetings each year, generally in the Spring and Fall. NDWAC members may also be asked to serve on one of the Council's workgroups to assist EPA in addressing specific program issues. These workgroups convene approximately four times a year, with two meetings by conference call.

Selected members will serve on the Council for a three-year term with the appointed term ending on December 15, 2007. *Please contact Heather Doucet in APWA's Washington Office at 202-408-9541 or email hdoucet@apwa.net if you are interested in applying. Nominations must be received by August 31, 2004.*

Electronic Environmental Reporting

EPA LAUNCHES INFORMATION EXCHANGE PROGRAM

An electronic information management system for States to submit environmental reporting data to the Environmental Protection Agency (EPA) has been launched.

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The National Environmental Information Exchange Network provides real-time monitoring and accepts online data reports. The Network will help dramatically to reduce the paperwork burden. The Network is also being used for data submissions required under the Clean Air Act and for the Toxics Release Inventory.

EPA to date has \$65 million in grant money to make available to states interested in developing information exchange systems. Since Michigan's Department of Natural Resources system has become functional, more than 300 of the 1140 industrial facilities submitted reports. Facilities are seeing a savings of about \$2000 annually.

In the past, Data Monitoring Reports (DMRs) were submitted through the mail requiring data to be transferred to EPA's Permit Compliance System and keyed in manually where the states estimate an error rate of about 10 percent.

Safety and Pollution Training Tool

ONLINE SAFETY AND ENVIRONMENTAL TRAINING FOR AUTO REPAIR FACILITIES LAUNCHED

The Local Government Environmental Assistance Network (LGEAN), managed by the International City/County Management Association (ICMA), has partnered with the Coordinating Committee For Automotive Repair (CCAR) to make online training in safety and pollution prevention available to local governments.

"S/P2" is CCAR's Internet-based training to address the key safety and pollution prevention issues faced by professionals working in automotive service and collision repair. S/P2 was developed by CCAR in concurrence with U.S. Environmental Protection Agency (EPA) and Occupational Safety and Health Administration (OSHA) standards, which require that shop personnel be trained at least annually on safety and environmental regulations.

CCAR makes S/P2 available in separate versions for mechanical repair/service and auto body/collision repair. Each version of S/P2 is available for a \$299 annual subscription per facility. The S/P2 program tracks individual progress through the training, evaluates test results, and provides printable certificates of completion.

For more information on the S/P2 training for local governments, visit the LGEAN web site at <http://www.lgean.org/html/sp2.cfm> or call toll-free at 1-866-477-2669.

Army Corps Of Engineers Funding

HOUSE APPROPRIATIONS COMMITTEE APPROVES FY2005 FUNDING FOR CORPS

The House Appropriations Committee has approved a \$28 billion Energy and Water spending bill for fiscal year 2005. The measure provides a total of \$28.0 billion in new discretionary spending authority for the U.S. Army Corps of Engineers. The total bill is \$734.5 million above fiscal year 2004 and \$49.6 million above the President's budget request.

For FY 2005, the Corps of Engineers is to receive \$4.83 billion. That recommendation is nearly \$800 million over the President's budget request for FY 2005.

In addition to the significant increases the Committee approved over the lower Administration requests, it is important to note the dramatically lower figures posted for "savings and slippage." This figure, which recently was as high as 30 percent in some categories, increases the amount of funding directly available to the Corps. "Savings and slippage" is a factor traditionally utilized to allow for anticipated "savings" due to "slippage" in construction timeframe. This, in fact, serves to limit the real dollars made available to projects. The decreases in savings and slippage essentially fully funds most Civil Works projects for FY 05. Some of the biggest project winners include the following:

- Oakland Harbor – \$35 million
- Inner Harbor Navigation Canal Lock, LA - \$20 million
- McAlpine L&D - \$80 million;
- Kentucky L&D: \$45 million;
- Ohio Environmental Infrastructure - \$22 million;
- L&D 2, 3, & 4 – Monongahela River, PA - \$42 million
- Houston – Galveston Navigation Channels, TX - \$24 million
- Marmet Lock, WV - \$70 million;
- Flood Control Projects (Section 205) - \$25 million

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Given the limited resources available for FY 2005, the Committee adopted several priorities to guide its decisions for FY 2005. They include: funding the operation, maintenance, repair, and rehabilitation portions of the Civil Works Program; completing ongoing projects already under construction; completing ongoing studies that will yield the greatest economic benefits for the nation and the highest possible return on taxpayer investment; and, fulfill prior commitments made to local sponsors, including beach nourishment projects.

To ensure better planning, the Committee also directed the Corps of Engineers to prepare and submit a comprehensive five-year budget plan for the Civil Works program beginning in FY 2006.

The House Energy and Water measure is expected to be considered soon by the full House. The Senate is working on their bill, but has not yet scheduled Committee action.

Land Use Planning Rule

INTERIOR DEPARTMENT PROPOSES ENLARGING STATE/LOCAL/TRIBAL PLANNING ROLE

States, counties and tribal governments would have a larger role in developing federal land management plans under a proposed rule from the Interior Department.

Amending the Bureau of Land Management (BLM) planning regulations, the proposal would recognize and define "cooperating agency status" and instruct BLM to include qualifying state/local/tribal agencies in the development of land use plans, thus incorporating local knowledge and addressing local interests and values. Environmental groups have questioned whether the rule would limit public participation.

Comments on the proposed rule will be accepted until September 20, 2004 and should be sent to Director (630), Bureau of Land Management, Eastern States Office, 7450 Boston Boulevard, Springfield, VA, 22153, Attention RIN 1004-AD57. Hand-delivered comments should be sent to 1620 L Street, NW., Suite 401, Washington, DC 200036. Send electronic comments to <http://www.blm.gov/nhp/news/regulatory/index.htm> or email WOCComment@blm.gov

Water Pollution

SEVENTEEN STATES ELIGIBLE FOR EPA'S WATERSHED INITIATIVE GRANTS

Eligibility for EPA's Fiscal 2004 round of Watershed Initiative grants, totaling \$15 million, has been directed to 14 watershed areas in 17 states. They are: (1) the Nashua River in MA and NH; (2) the Ipswich River in MA; (3) the Passaic River in NJ; (4) the Schuylkill River in PA; (5) Cape Fear in NC; (6) the Sangamon River in IL; (7) the Kalamazoo River in MI; (8) Fourche Creek in AK; (9) The upper Mississippi River in IA; (10) the Bear River in UT, ID, and WY; (11) Lake Tahoe in CA and NV; (12) the Siuslaw River in OR; (13) the Dungeness River in WA; (14) the Kenai River in AK.

Projects will focus on reducing agricultural runoff and urban and industrial runoff and the relationship of water quality and habitat restoration. Additional, emphasis will be placed on project that have a market-based approach.

More information is available at <http://www.epa.gov/owow/watershed/initiative>.

Environmental Management System Software

GUIDE AVAILABLE ASSESSING SOFTWARE FOR ENVIRONMENTAL MANAGEMENT ACTIVITIES

A new guide, prepared by the Global Environment & Technology Foundation (GETF), compares "off the shelf" software products specifically designed to support an organization's development, implementation, and subsequent management of its environmental management system (EMS). The assessment focused primarily on managing environmental issues. For more information, click on the following URL:

<http://www.lgean.org/html/whatsnew.cfm?id=766>

Water Quality

GAO RECOMMENDS LEAD GROUP TO COORDINATE WATER QUALITY DATA COLLECTION

A General Accounting Office (GAO) report recommends that Congress designate a lead organization to coordinate the collection of water quality data to ensure better information for water management decisions. Representative John Duncan (R-TN), chairman of the House Transportation and Infrastructure's subcommittee on Water Resources and the Environment, requested the report titled, "Watershed Management: Better Coordination of Data Collection Efforts Needed to Support Key Decisions."

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The report finds that 15 federal agencies as well as states and private groups all collect some kind of data on water quality. Released June 28, 2004, the report points out:

- There is little, if any coordination between the agencies
- Each of the organizations have different reasons for collecting data, use different methods for collecting data, and are often unaware of what types of data are collected by which agencies.
- The storage of collected data varies. (Some data is placed on EPA's Storage and Retrieval System (STORET) and some is on USGS' National Water Information System)
- 31 states store some of their data on EPA's system while others still maintain paper files. Some data is collected by agencies and groups and stored internally.

Agencies that collect water quality data include the Environmental Protection Agency (EPA), services within the Department of Agriculture, including the Natural Resources Conservation Service and the Forest Service, departments within the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, and the National Ocean Service; the Army Corps of Engineers, the Interior Department including the U.S. Geological Survey (USGS), the Fish and Wildlife Service, and the Bureau of Reclamation, the Bonneville Power Administration and the Tennessee Valley Authority.

If coordination among the agencies were improved, the GAO concludes that better data could be provided about water quality conditions and the health of the watershed. The report recommends that the National Water Quality Monitoring Council, co-chaired by USGS and EPA and consisting of a variety of interest groups, could best fulfill the role of coordinating data collection. But it points out that the council does not have decision-making authority or funding.

The report is available at <http://www.gao.gov/cgi-bin/getrpt?GAO-04-382>

Brownfield Revitalization Grants

EPA ANNOUNCES 265 BROWNFIELD GRANTS

The U.S. Environmental Protection Agency (EPA) has announced 265 brownfield revitalization grants, equaling \$75.4 million in all, for 42 states, Puerto Rico and five tribes. The announcement, made by EPA Administrator Mike Leavitt took place in Milwaukee. For details on the recipients, visit www.epa.gov/brownfields.

Brownfield Rehabilitation Proposals

GRANTS AVAILABLE FOR BROWNFIELDS/SMART GROWTH PROJECTS

The U.S. Environmental Protection Agency's (EPA's) Office of Policy Economics and Innovation is issuing a request for initial proposals (RFIP) to support the efforts of communities to integrate smart growth principles and practices into their brownfield redevelopment programs, related planning and/or revitalization activities.

Proposals will be considered for community involvement activities, such as neighborhood planning or community visioning that are associated with the smart growth redevelopment of brownfield redevelopment generally in a city, county, state, or on tribal lands. Applications are due by August 24, 2004. *For more information, click on the following URL:* <http://www.lgean.org/html/whatsnew.cfm?id=768>

IN THE STATES/PROVINCES

Arsenic Contamination

MEETING NEW STANDARD COULD COSTS OVER \$100 MILLION IN PHOENIX METRO AREA

With the new standard reducing the acceptable level of arsenic in water from 50 parts per billion to 10 parts per billion, communities surrounding Phoenix, AZ, the nation's fifth-largest city, will spend at least \$100 million to bring the area into compliance with the federal standards for arsenic in drinking water by 2006.

Officials in Scottsdale, AZ believe they will spend between \$60 million and \$64 million. Mesa, AZ officials have estimated a cost between \$11 million to \$23 million.

There are over 200 small water systems in the state that are expected to pay between \$80 and \$150 million to bring their systems into compliance with arsenic-standard levels.

In anticipation of the new standard, Phoenix put in its first arsenic-detection facility costing \$1.7 million. It uses chlorination and an absorption media that removes arsenic before the treated water goes to a distribution center.

Texas Faces E-Waste Problem

REPORT CALLS FOR LEGISLATIVE ACTION

A report by the Texas Campaign for the Environment says that the state of Texas "faces a surge of toxic electronic trash over the next 10 years and taxpayers could be hit with a \$606 million cleanup bill." The report says "computers, televisions and many electronics contain toxic materials that should not be buried with municipal garbage in landfills."

It urges state lawmakers to follow Maine's lead in forcing manufacturers of monitors, laptops and TVs to take responsibility for safe recycling of equipment bearing their brand names. *The report is available at* http://www.texasenvironment.org/e-waste/poison_pcs_texas1.htm

Electronics Recycling Act

SCHWARZENEGGER POSTPONES ELECTRONICS WASTE LAW STARTUP UNTIL NOVEMBER 2004

California's Electronic Waste Recycling Act (S.B. 20), the nation's first law to impose recycling fees on new computer monitors, televisions, flat panel screens, and other products containing cathode ray tubes, scheduled to go into effect July, has been postponed.

Gov. Arnold Schwarzenegger (R) has signed a bill postponing the start of California's landmark electronics recycling program. The program will now begin on November 1. The extension allows lawmakers time to make "technical" changes to the state program, specifically, language clarifying which agency would collect the fees.

The law will require retailers to collect from consumers an extra \$6 for products with video display screens between four inches and 15 inches in size, \$8 for 15-inch to 34-inch screens and \$10 for screens 35 inches and larger. The generated fees will be used to help pay "authorized" electronic waste collectors and recyclers to operate free and convenient collection programs. The state Board of Equalization will be responsible for collecting the recycling fees.

Infrastructure Financing

STATE BOND PACKAGE FOR KEY PROJECTS HELD UP IN MAINE.

A coalition of spokespersons for Maine infrastructure and conservation interests and the Maine State Chamber of Commerce has cautioned that the state will have to cancel millions of dollars' worth of transportation, water quality and land conservation projects if legislators cannot agree on a bond package to send to the voters in November

They called upon legislators to compromise on a borrowing plan in a special summer session. Projects at stake include road and bridge repairs, replacement of century-old sewer lines, protection of valuable conservation lands and construction and repair of piers.

Greg Dore of Skowhegan, representing the Maine Better Transportation Association and the Maine Chapter of the **American Public Works Association**, said the proposed \$11.75 million transportation bond would leverage more than \$40 million in matching federal funds for projects such as the Gorham bypass and a river crossing in Skowhegan. If no bond passes, \$10 million in projects will have to be canceled, he said.

New Canadian Minister

CANADIAN PRIME MINISTER APPOINTS NEW ENVIRONMENT MINISTER

A former Minister of Intergovernmental affairs (from 1996-2003), Stéphane Dion, has been appointed environment Minister by Canadian Prime Minister Paul Martin.

A former professor of political science at the University of Montreal and a senior research fellow at the Brookings Institution in Washington, DC, he was first elected to the House of Commons in 1996 and re-elected in 1997, 2000 and 2004.

Contributors to this month's APWA Washington Report are: Beth Denniston, Heather McTavish Doucet, Jim Fahey and Mark Tibbetts

The APWA Washington Report is edited by Beth Denniston

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