



KMU DISPATCH

DECEMBER 3, 2019

ENVIRONMENTAL PROTECTION AGENCY

EPA Takes Steps to Advance PFAS Action Plan

The U.S. Environmental Protection Agency (EPA) is asking the public for input on potentially adding certain per- and polyfluoroalkyl substances (PFAS) to the list of chemicals companies are required to report to the agency as part of the Toxics Release Inventory (TRI). PFAS are a large group of man-made chemicals used in consumer products and industrial processes. In use since the 1940s, PFAS are resistant to heat, oils, stains, grease, and water—properties which contribute to their persistence in the environment.

As EPA considers whether to add these chemicals, the agency will use public comments and information received in response to its Advance Notice of Proposed Rulemaking (ANPRM) for two purposes:

- 1) help the agency determine whether data and information are available to fulfill the TRI chemical listing criteria; and
- 2) use the input to help evaluate the extent and usefulness of the data that would be gathered.

If EPA decides to move forward with adding PFAS chemicals to the TRI, the agency will publish a proposed rule and seek public comment on the proposal.



The EPA continues moving forward with the drinking water standard setting process outlined in the Safe Drinking Water Act (SDWA) for PFOA and PFOS which are chemicals in the PFAS family. As a next step, EPA will propose a regulatory determination for PFOA and PFOS by the end of this year. The Agency is also gathering and evaluating information to determine if regulation is appropriate for other chemicals in the PFAS family.

WATER RATE CHECKUP TOOL WORKSHOP

JANUARY 22, 2020 | FEBRUARY 18, 2020 | MARCH 31, 2020

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That's How We've Always Done It

On January 28, 1986, the space shuttle Challenger exploded over the Atlantic Ocean, killing all seven passengers including an elementary school teacher. The 122 ft long shuttle, which weighed over 4.5 million pounds, was taken down by a single failed O-ring in the Solid Rocket Booster (SRB). NASA managers had known since 1977 that contractor Morton-Thiokol's design of the SRBs contained a potentially catastrophic flaw in the O-rings, but they had failed to address this problem properly. NASA managers also disregarded warnings from engineers about the dangers of launching posed by the low temperatures of that morning and failed to adequately report these technical concerns to their superiors.



This month, members of KMU's Regional Training Group and Safety Compliance Management Program are being trained to identify and address safety culture issues similar to the one in the Challenger explosion. How many times have you heard the following statement? "We've always done it this way, and no one has ever been hurt."



This safety culture case study is designed to wrap up an entire year of training on KMU's Common Sense Safety Program. This program is designed to make it easy for city and utility employees to recognize hazards and eliminate them before they cause an injury. This program will continue to reinforce the proper attitudes and behaviors in these organizations in 2020.



Do you have an "O-ring problem" in your city or utility that hasn't been fixed? Do you want to learn more about our program? We are currently planning our 2020 RTG and SCM safety training calendar. This is a perfect time to join the program and start the new

decade off with an emphasis on safety. KMU currently offers comprehensive on-site training to 59 communities throughout all training groups in our program. For more information contact Brian Meek, Director of Training and Safety at (620) 241-1423 or bmeek@kmunet.org.

20/20

APR. 29 - MAY 1
HYATT REGENCY | WICHITA

APPA Washington Report

By Paul Ciampoli, News Director, American Public Power Association

When it comes to a wide range of significant electric policy issues, the American Public Power Association (APPA) sees value in partnering with other trade groups and industry participants to make its voice heard on issues such as transmission costs, wholesale markets and cybersecurity, said Delia Patterson, Senior Vice President, Advocacy & Communications and General Counsel at the Association.

In a recent example of what Patterson described, APPA and the National Rural Electric Cooperative Association (NRECA) in October sent a letter to members of the Pacific Northwest congressional delegation in which the groups said that the Bonneville Power Administration and the federal hydropower it markets “will continue to provide value to the region and nation for decades to come.” Patterson made her comments at a Women in Energy breakfast held on Oct. 16. at an Energy Bar Association meeting in Washington, D.C.

She said that when it comes to various power industry issues, her first thought is how can APPA “align ourselves with others in the industry on an issue – we tend to do better and I think anybody tends to do better when you’re in a coalition.”

She said that “it’s very important for all of us to know where various stakeholders are on different issues. You just never know where you’re going to find support.” APPA needs to know which parties “within the beltway and outside the beltway that are on the same page with us,” Patterson said.

“Although we feel like we’re a little different as public power, we do have a lot in common with our IOU [investor-owned utility] and co-op brethren,” Patterson noted. “We’re not aligned on every issue, but there are many issues that we’re aligned on,” the APPA official said.

Patterson said that APPA is usually on the same page with the Edison Electric Institute, which represents IOUs, and the NRECA, when it comes to cybersecurity issues. When it comes to issues tied to the North American Electric Reliability Corporation, “we’re similarly aligned.”

In the area of Federal Energy Regulatory Commission jurisdiction, the three trade groups are on the same page with respect to FERC’s Order No. 841. That decision adopted rules aimed at removing barriers to the participation of energy storage resources in wholesale power markets operated by regional transmission organizations and independent system operators. APPA, NRECA, EEI, the National Association of Regulatory Commissioners and

American Municipal Power are jointly appealing Order No. 841 before the U.S. Court of Appeals for the D.C. Circuit on jurisdictional grounds.

“Something like FERC jurisdiction – that, to me, is an existential threat to what we believe in, what we control and local authority,” Patterson said. She knew even before asking Emily Fisher, general counsel and corporate secretary at EEI, and Randy Elliott, regulatory counsel at NRECA, that “they would be on board for appealing that order.”

Meanwhile, APPA, NRECA and EEI agree on the need for reforms of the Public Utility Regulatory Policies Act of 1978 (PURPA). FERC in September proposed to modernize its regulations under PURPA.

“We work really well together with NRECA on PMA and TVA issues,” she said. APPA and NRECA earlier this year voiced opposition to renewed federal efforts to sell the transmission assets of three federal Power Marketing Administrations (PMAs) and the Tennessee Valley Authority’s (TVA) transmission assets and change the current cost-based rates structure for all four of the PMAs.

When it comes to wholesale power markets, APPA is generally aligned with NRECA, consumer advocates, states, end users and renewable energy supporters, Patterson noted.

APPA is also in agreement with NRECA, consumer advocates and end users with respect to transmission issues. In August, the two trade groups were joined by more than 40 entities in sending a letter to FERC that said the agency should strive to ensure that transmission costs remain at a reasonable level for consumers as it weighs possible changes to its transmission incentives and return on equity policies.

In a recent blog, Patterson wrote that the “robust pace of transmission development over the past decade indicates that there is no need for FERC to loosen the incentive purse strings now to get transmission projects built.”

Patterson told the group of energy attorneys that “it’s important to understand generally where different folks are situated within the industry.” If attorneys in the energy sector are working on a particular issue, they should think about “who am I likely to be aligned with? Could we form a coalition?”



EVENT CALENDAR

December 16, 2019**Groundwater Wells - O&M**

Medicine Lodge, Kansas

December 17, 2019**Distribution System Rules**

El Dorado, Kansas

January 14, 2020**Asset Management (AM KAN Work!)**

El Dorado, Kansas

January 15, 2020**Rates & Financial Planning Workshop**

El Dorado, Kansas

January 21, 2020**KanCap Elected Officials Training**

El Dorado, Kansas

January 22-23, 2020**T&D Switching Workshop**

McPherson, Kansas

January 22, 2020**Water Rate Checkup Tool Workshop**

McPherson, Kansas

January 27, 2020**Distribution System Rules**

Chanute, Kansas

January 28, 2020**Surface Water Treatment**

Emporia, Kansas

February 11, 2020**Asset Management (AM KAN Work!)**

Hays, Kansas

February 12, 2020**Rates & Financial Planning Workshop**

Hays, Kansas

February 12, 2020**KanCap Elected Officials Training**

Hays, Kansas

February 18, 2020**Water Rate Checkup Tool Workshop**

Colby, Kansas

February 24, 2020**Groundwater Wells - O&M**

Clay Center, Kansas

February 24-28, 2020**Mobile Crane Operator Certification**

McPherson, Kansas

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2019

THE ACADEMY

Webinars

Register now for Webinars

Learn from your office! Individual webinars are \$109 (or sign up for a series at a discounted rate). Register today at www.PublicPower.org under Education & Events. Non-members can enter coupon code **KMU** to receive the member rate.

Wireless Pole Attachments Series (Nov. 5-Dec. 3)

- Three webinars covering the latest legal and regulatory developments and key issues at the federal, state, and local levels.

Disaster Recovery and Resilience Funding Series (Nov. 13-Dec. 11)

- Three webinars focused on the challenges utilities face when working to secure and retain federal grant funding.

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CAREER CENTER

WATER/WASTEWATER PLANT SUPERVISOR**City of Norton**

The City of Norton, Kansas, is accepting applications for the position of Water/Wastewater Plant Supervisor, to work under the general direction of the City Administrator. Position supervises and participates in the operation, maintenance and repair of the water plant and wastewater plant facilities, lift stations, water wells and water tower.

ENVIRONMENTAL SERVICES MANAGER City of Olathe

The City of Olathe is recruiting an experienced Environmental Services Manager with proven management capabilities who can lead and control the operations of the Environmental Services Division. The scope of this role encompasses oversight for state-of-the-art facilities which includes, laboratory services, plant maintenance, wastewater treatment and water production. Also has management oversight for the industrial pre-treatment program.

To post a classified ad to our Career Center page, please email text to kmu@kmunet.org.

CAREER CENTER**Communications:**

Do you have important news or photos from a city event? Send materials to dnisly@kmunet.org.