

August 29, 2016

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The Honorable Lisa Murkowski
Chairman
Energy & Natural Resources Committee
304 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Fred Upton
Chairman
Energy & Commerce Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Maria Cantwell
Ranking Member
Energy & Natural Resources Committee
304 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Frank Pallone, Jr.
Ranking Member
Energy & Commerce Committee
2322A Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Murkowski, Chairman Upton, Senator Cantwell and Representative Pallone:

I am writing on behalf of the nearly 300 municipal clean water agency members of the National Association of Clean Water Agencies (NACWA) to urge adoption of key provisions related to the energy-water nexus in comprehensive energy legislation currently being negotiated by the House and Senate conference committee.

The wastewater treatment process consumes large amounts of energy which can account for between 10% and 30% of a utility's annual operating budget. Nationally, drinking water and wastewater treatment processes account for approximately 4% of the nation's total energy consumption. Given the importance of energy to wastewater treatment, national energy policy is an important focus for NACWA's members.

NACWA strongly supports several provisions in S. 2012 as passed by the Senate, the *North American Energy Security and Infrastructure Act of 2016*, which address the energy-water nexus and urges their adoption in a final conference package. These provisions will aid wastewater treatment plants in achieving improved energy efficiency through deployment of innovative research and technologies. These provisions include:

- Section 4101, which establishes an Interagency Coordination Committee to coordinate federal research on important energy-water nexus projects. Improved coordination among federal agencies on matters such as funding for research and development (R&D) can help target funding for energy-related R&D activities by clean water agencies;

- Section 4102, which authorizes a pilot grant program for entities that demonstrate unique, advanced, or innovative technology-based projects to enhance energy efficiency at water, wastewater, and water reuse facilities. This program provides an excellent opportunity to advance cost-saving technologies at clean water agencies; and
- Section 1201, which includes an authorization for the Department of Energy's Industrial Assessment Centers to provide technical assistance to drinking water and wastewater treatment utilities. This will enable these utilities to gain access to the latest research on energy-related technologies, data, and resources.

Finally, NACWA supports authorization provisions in both the House (H.R. 8) and Senate bills (Sec. 3162 and Sec. 7112, respectively) establishing the WaterSense program, a voluntary certification and labeling program for water efficient consumer products administered by the Environmental Protection Agency (EPA). However, we request that a technical correction be made to the authorizing language to ensure that the program does not certify products that have adverse water quality impacts and that can potentially lead to violations of the Clean Water Act (CWA).

For example, point-of-use self-regenerating water softeners (SRWS) discharge a salty brine into wastewater collection and treatment systems that can make it difficult for clean water agencies to meet CWA permit requirements, as well as to produce recycled water, a source of supply that has become of paramount importance to States suffering under drought conditions. Our concern is that the authorization language as currently written could allow EPA to develop WaterSense specifications for products such as SRWS. We therefore request that the WaterSense authorization include the following language (amended for Section 3162 of H.R. 8):

Section 324B(a)(2)(C) is amended as follows:

“(v) ensuring that performance criteria for any WaterSense label do not allow the addition of constituents that directly or indirectly cause or contribute to the degradation of waste streams treated by publicly owned treatment works, recycled water quality, or create adverse impacts to water quality in receiving waters; and”

We also offer for consideration the following proposed report language to provide an explanation for this modification.

“When developing the criteria for the WaterSense label, U.S. EPA should ensure that the performance criteria do not directly or indirectly contribute to the degradation of waste streams treated by publicly owned treatment works, to the quality of recycled water, or to water quality in receiving waters.”

Thank you for your consideration of NACWA's put to the conference committee. If you have questions regarding our requests, please do not hesitate to contact Kristina Surfus (ksurfus@nacwa.org) or Patricia Sinicropi (psinicropi@nacwa.org) with any questions.

Sincerely,



Adam Krantz
Chief Executive Officer
National Association of Clean Water Agencies

Cc: Senate and House Energy Conferees