



# washington dc update

August 31, 2009

## **EPA Reconsiders Perchlorate Regulation**

As expected EPA is reconsidering its decision not to regulate perchlorate. The agency is taking an initial step aimed at further reviewing previous and new comments on a broader range of alternatives for interpreting available perchlorate data. The focus is exposure at sensitive life stages—pregnant women, infants and children. The Agency’s publication of a Supplemental Request for Comments was in the August 19, 2009 Federal Register. The notice seeks comments on a broader range of alternatives for interpreting available data:

- On the level of health concern;
- On the frequency of occurrence of perchlorate in drinking water; and,
- On the opportunity for health risk reduction.

Attached is the EPA news release and hyperlinks to key information.

## **Perchlorate Related Research: Fuel Cell Reactors for Bacterial Demineralization**

Often research in one area can lead to new applications in another. This is certainly true in perchlorate research, where the microbial treatment methods have continued to produce effective, less energy-dependent perchlorate treatment methods. There is now potential for microbial treatment methods (currently at the laboratory scale) that would reduce the energy requirement for demineralization and provide applications in wastewater treatment (see the attached article). Years ago I was fortunate to participate on a Project Advisory Group for an AWWARF project headed by Bruce Logan at Penn State. Dr. Logan’s research on fluidized-bed reactors for treatment of perchlorate lead to several patented treatment processes. His research has progressed to application of bacteria “fuel cells” to provide treatment of wastewater and application to demineralization. In the water treatment/energy nexus that is critical to sustainability, this research certainly has intriguing potential.

We often measure the cost of regulations, but we are fortunate when there are broader benefits of the ongoing research efforts. Dr. Logan and his fellow researchers provide an excellent example.

## **S 787, Clean Water Restoration Act – Update from Texas**

With health care and other issues at the forefront and with several Senators placing “holds”, S 787 is certainly not expected to move to the Senate floor very quickly. In this interim, there is an opportunity to work with the House-side on the issues that concern WESTCAS and the water community. In Texas, Senator Cornyn hosted a roundtable to discuss the issues, receive input on the problems, and request State and national associations such as WESTCAS to provide comments. Senator Cornyn has placed a “hold” on S 787 and requested more in-depth review.

The latest update on S 787 is that retaining the term “navigable” may be a difficult or impossible task. It is apparent that this not deleting this term has become the warning bell to those wanting to reform the CWA. As a result, the water community may be left with the alternative of adding and carefully structuring “exemptions” as a means to deal with the dilemma.

