

# Vermont Environmental Report

## Clean Water Act of 1977 Will Change Rules for Small Vermont Communities

Congressional observers in Washington, D.C. and water quality officials in Vermont are hailing the passage of the Clean Water Act of 1977. The Clean Water Act was passed by Congress on the very last day of this year's Session on December 15 and was signed into law by President Carter on December 28, 1977.

The new legislation contains 78 changes in the 1972 Water Pollution Control Act Amendments (PL 92-500). In many important ways the new Act responds to the sewage treatment needs of small, rural communities. As Jackie Shaeffer, a staff member of the Senate Public Works Committee explained it, the fact that the new bill responds to the needs of smaller towns in states like Vermont and West Virginia is no accident.

The new bill was hammered out over a period lasting more than six months, in the Senate Public Works Committee, in public hearings, then on the Senate floor, and finally in a Conference Committee to resolve differences between the Senate bill and one passed earlier by the House of Representatives. Particularly as the law affects rural communities, it represents the point of view of two key members of the Senate Public Works Committee. One of those two key members is Vermont's Senator Robert Stafford. Stafford is the ranking Republican on the Public Works Committee. The other key member is the Committee's Chairman, Senator Jennings Randolph of West Virginia.

Both Stafford and Randolph come from rural states. Just how rural these two states are is explained by Jackie Shaeffer when she says about Vermont, "If you use census definitions of rural places as settlements of 2,500 people or less, then 68% of the folks in Vermont live in places that are classified as rural (by federal measures.)" West Virginia, Ms. Shaeffer adds, just happens to be the

second most rural state in the nation.

These facts, the views of Senators Randolph and Stafford on water quality issues, and the power they hold on the Senate Public Works Committee, combined to assure a fair hearing for the needs of small, rural communities.

These are just some of the key changes in the new law that will affect sewage treatment alternatives.

### (1) Federal Money for Private Systems

Individual, privately-owned sewage treatment systems will be eligible under the new Act for federal construction grants providing three conditions are met. First, a municipality must apply for the grant and must certify that public ownership of the system is NOT feasible. Second, the municipality must guarantee that the system will be properly operated and maintained. And third, the total cost and the environmental impact of the individual system must be less than the cost of a centralized system.

### (2) "Four Percent" for Alternatives

Rural states will be required to set aside 4% of their construction grant funds to be used only for alternatives to conventional sewage treatment works for municipalities having a population of 3,500 or less, or for highly dispersed sections of larger municipalities.

### (3) Incentives for Innovative Treatment Processes

Under the new Act the Environmental Protection

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Agency (EPA) will now make grants of 85% (as opposed to the previous 75%) toward the construction cost of treatment facilities that use "innovative or alternative wastewater treatment processes and techniques." And, if these innovative systems later fail to meet "performance standards," EPA may then provide grants for 100% of the cost of modifying or replacing the system.

### (4) Evaluation of Alternatives

After September 30, 1978, EPA will not provide funds for a construction project unless a municipality has fully evaluated "innovative and alternative wastewater treatment processes..." Such processes would provide for such things as the re-use of water, recycling techniques, and land treatment. The municipality is also instructed to take account of the "most efficient use of energy and resources."

### (5) Money for Projects that are NOT Cost-Effective

EPA may now finance the construction of innovative treatment plants even if they are NOT the most cost-effective, providing that the "life-cycle cost" of such innovative treatment plants does not exceed the life-cycle cost of the most cost-effective alternative by more than 15%.

### (6) Clearinghouse on Alternatives

EPA will establish a national clearinghouse on alternative treatment technologies. This clearinghouse will collect and distribute information on new treatment methods. It will serve federal and state agencies, towns, institutions, universities and individuals.

In addition to such amendments that concern sewage treatment alternatives, the Clean Water Act of 1977 contains at least two other changes that may directly affect Vermont municipalities that are building sewage treatment facilities.

### (7) Water Conservation

Before determining how much reserve capacity (extra room that is built into a treatment plant to meet anticipated growth) to finance, EPA must now consider "efforts to reduce the total flow of sewage and unnecessary water consumption."

### (8) Design & Construction Grants May Be Combined

Where communities have fewer than 25,000 people and where the cost of a sewage treatment plant is less than \$2 million, EPA may now combine Design and Construction grants into a single grant. This should save time and paperwork for small towns.

Water quality officials and informed commentators in Montpelier have responded positively to the new Clean Water Act.

William Brierley of the Environmental Engineering Division of the Vermont Agency of Environmental Conservation said that he felt that the most important element in the new law is the money it would provide. Vermont will get \$22.5 million in 1978, and \$25 million in 1979, 1980 and 1981. "Without that money," said Brierley, "the program is dead, alternative systems, everything."

Michele Frome, who is directing VNRC's Sewage Treatment Workbook Project, struck a note of caution. She talked about the regulations that EPA will have to adopt before the new law can be implemented. "What systems will be considered 'innovative and alternative'?" she asked. "What measures will a town have to take to guarantee the proper operation and maintenance of individual systems?"

Reginald "Tex" LaRosa, Acting Commissioner of the Water Resources Department, was full of praise for the efforts of Senator Stafford to get a law that will respond to the needs of small communities in Vermont. "Historically," LaRosa said, "the economic bias has been for centralized facilities." Now alternatives will have a place in the sun.

## UVM Announces Lake Seminar Series

Dr. Alan Cassell of the UVM Water Resources Research Center has announced a series of six seminars on the general subject of "Understanding the Management & Restoration of Lakes."

The Seminar series will address a wide range of lake management and restoration topics and each of the seminars will be led by water resource specialists who are experts in their fields. Some of the topics include:

"Legal Aspects of Lakes," "Quebec's Lake Program," and the experience of the "Cobboossee Watershed Program in Maine."

For more information on this series that began on Tuesday evening, February 14 and that will close on Tuesday evening, May 2, -- write or call Ms. Flossie M. Vernal, Secretary, Vermont Water Resources Research Center, 601 Main Street, Burlington, VT., 05401.