

Reducing Noncompliance with Drinking Water Standards at Federal Public Water Systems

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EPA's Initiative to Reduce Noncompliance with Drinking Water Standards at Federally Owned and Operated Water Systems

- To improve drinking water quality and reduce potential impacts to the public's health, EPA and its partners in states, tribes, and territories are focusing increased attention on public water systems, including federally owned and operated systems.
- EPA and its co-regulators are undertaking a national initiative to improve compliance at Safe Drinking Water Act-regulated drinking water systems, regardless of system size, through increased compliance monitoring, assistance, and enforcement.
- This advisory informs federal agency owners and operators of public water systems about this effort and raises awareness about the importance of complying with the Safe Drinking Water Act.

About the Drinking Water National Initiative

A goal of one of EPA's national initiatives is to ensure clean and safe water by improving compliance at community water systems (CWSs), which are public water systems (PWSs) that serve the same people year-round and are regulated under the federal Safe Drinking Water Act (SDWA). This includes CWSs that are owned and operated by federal agencies. EPA is making federal facilities aware of this initiative so they can promptly take steps to address and prevent any noncompliance at their drinking water systems.



The SDWA was established to protect the quality of drinking water in the U.S. The SDWA focuses on all waters actually or potentially designed for drinking use, whether from above ground or underground sources. Section 1447 of the SDWA (42 U.S.C. § 300j-6) requires federal agencies to comply with federal, state, interstate, and local requirements to protect drinking water. Noncompliance with such requirements may subject federal agencies to enforcement and possible penalties by applicable regulators.

There are approximately 50,000 regulated CWSs. In FY 2020, approximately 34 percent of the nation's CWSs violated at least one drinking water standard. In addition, there were monitoring and reporting violations at more than 32 percent of CWSs, and health-based violations at seven percent of CWSs. These numbers include federally owned or operated CWSs, some of which may serve military families and communities with potential environmental justice concerns.

Ongoing Efforts to Improve Federal Agencies' SDWA Compliance

EPA is working closely with primacy state, territorial, and tribal agencies to improve federal facility drinking water compliance across the country by using a full range of compliance assurance tools, including compliance monitoring, compliance assistance, and enforcement.

EPA will be working with federal, state, tribal, territory, and local government partners to increase compliance at all types of public water systems and for all activities regulated under the SDWA to ensure protection of drinking water for consumers at and near federal facilities. In addition to addressing health-based and reporting and monitoring violations at CWSs, EPA is also working to improve federal agencies' compliance at noncommunity, non-transient public water systems (e.g., schools, office buildings, medical centers, detention facilities), non-community, transient public water systems, which constitute the largest portion of the federally owned/operated public water systems universe (e.g., campgrounds), and underground injection controls (e.g., large capacity cesspools).

As part of these efforts, EPA's Federal Facilities Enforcement Office (FFEO) will begin sending lists of federally owned or operated PWSs with health-based violations and/or monitoring and reporting violations (which may result in underreporting of health-based violations) to respective federal agencies on a regular basis. Our hope is that this information will provide an opportunity to address noncompliance, identify trends in types of violations and ensure that federal agency noncompliance with the SDWA is reduced as part of this larger effort. FFEO will closely monitor corrective actions taken at these facilities and share compliance information, where appropriate, with primacy states, territories, tribes and/or EPA regional regulators.

Federal agencies are encouraged to assess their SDWA compliance status on a regular basis using EPA's Enforcement and Compliance History Online (ECHO) tool (see "About ECHO" box).

About ECHO

ECHO (<https://echo.epa.gov/>) allows regulated entities, including PWSs, to check their compliance status. A Detailed Facility Report in ECHO indicates whether a PWS has violations.

ECHO provides a quarterly breakdown of compliance history that describes instances of noncompliance. These can include a health-based violation, a monitoring and reporting violation, or a public notice violation along with any associated enforcement actions. (Note: In some cases, there may be a data lag between the most current compliance status and the most recent available quarterly information in ECHO. For more information see: <https://echo.epa.gov/help/sdwa-faqs>)

EPA and states are also developing drinking water webinars and other compliance advisories that will cover a range of diverse topics that may be useful to the federal facility community. Look for future postings on EPA's website or on www.FedCenter.gov.

More Information

The following resources can help you identify and proactively correct violations and achieve sustained compliance.

Overview of this Initiative

- Overview: <https://www.epa.gov/enforcement/national-compliance-initiative-reducing-noncompliance-drinking-water-standards-community>
- Compliance Advisory regarding this initiative: <https://www.epa.gov/sites/production/files/2021-04/documents/complianceadvisory-communitywatersystemncigeneral.pdf>

Technical Resources, Assistance and Training

- EPA's SDWA main webpage: <https://www.epa.gov/sdwa>
- SDWA and Federal Facilities: <https://www.epa.gov/enforcement/safe-drinking-water-act-sdwa-and-federal-facilities>
- FedCenter resources
 - Compliance Assistance – SDWA: <https://www.fedcenter.gov/epacorner/assistance/>
 - Facility Regulatory Tour: <https://www.fedcenter.gov/assistance/facilitytour/>
- EPA's Drinking Water training page: <https://www.epa.gov/dwreginfo/drinking-water-training>
- EPA's Quick reference guides to Drinking Water rules: <https://www.epa.gov/dwreginfo/drinking-water-rule-quick-reference-guides>
- Rural Community Assistance Partnership: Provides resources and training for small, rural drinking water and wastewater systems: <https://www.rcap.org/>
- Association of State Drinking Water Administrators webinar page: <https://www.asdwa.org/past-events-webinar-recordings/>
- The Water Environment Federation: is a nonprofit association that provides technical education and training for water quality professionals: <https://www.wef.org>
- The National Rural Water Association and their State Associations: Provides training and on-site technical assistance to small and rural water and wastewater systems: <https://www.nrwa.org>
- American Water Works Association: Offers trainings, webinars and other resources for water utilities: <https://www.awwa.org/>

Disclaimer

This Compliance Advisory addresses select provisions of EPA regulatory requirements using plain language. Nothing in this Compliance Advisory is meant to replace or revise any EPA regulatory provisions or any other part of the Code of Federal Regulations, the Federal Register, or SDWA. This advisory shall not be relied upon by any regulated entity in defense of or in response to any enforcement actions brought against the entity by the EPA or any local regulating agency.