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# **Vision and Priorities for the National Water Program**

## *Section 1*

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MEMORANDUM

FROM: Diane Regas  
Acting Assistant Administrator for Water

TO: National Water Program

SUBJECT: Moving the National Water Program Forward

During the first week of May, over 250 water program managers from EPA regions and headquarters offices gathered in Washington for the third National Water Program Meeting. We shared experiences and ideas and invested time in defining specific steps to make clean water and drinking water programs more effective. Although we touched on virtually every aspect of our water programs, we focused our discussion on how to better integrate the delivery of water programs.

Listening to the many discussions and presentations during these meetings, I was impressed with everyone's dedication to the mission of ensuring clean and safe water and the determination to move the National Water Program forward. While we develop a more comprehensive list of follow-up actions, we have already started work on a number of key recommendations from that meeting. Some examples include: 1) moving ahead with renewed attention to septics and other onsite systems; 2) initiating a thorough review of our management measures with both short and long term changes expected; 3) energetically pursuing action on information and data issues; and 4) looking at how we can better link the thousands of source water assessments being conducted with watershed protection efforts.

With the discussions at the National Program Meeting fresh in mind, I want to offer some thoughts on where the National Water Program stands today and where we are going.

First and foremost, we are all very fortunate that President Bush has nominated Tracy Mehan as the Assistant Administrator for Water. Tracy was the Director of the Office of the Great Lakes in the Michigan Department of Environmental Quality. Before that, he served at EPA and as Director of the Department of Natural Resources in the State of Missouri. Tracy is on-board as a consultant and will bring a valuable perspective to the table as we take on key challenges.

I have had the pleasure of working as Deputy Assistant Administrator for Water and, for the

past five months, Acting Assistant Administrator. I can't claim to be an unbiased observer, but I think that, on the whole, we are able to give Tracy the reins of a National Water Program that is fundamentally strong and effective.

We are approaching a major milestone for the National Water Programs. October 18, 2002 is the thirtieth anniversary of the enactment of the original Clean Water Act. The Safe Drinking Water thirtieth anniversary is just two years later.

Over the last three decades we have dramatically improved the quality of rivers, lakes and coastal waters and ensured safer drinking water. The Clean Water Act and the Safe Drinking Water Act are national success stories. Most Americans remember past water pollution problems and recognize the dramatic improvement in the health of surface waters and drinking water. Today, we can look back and know that millions of pounds of toxic pollutants have been removed from industrial discharges, almost every city has improved sewage treatment, and drinking water is free of microbiological and other contaminants.

We have done great things over the past 30 years, but big challenges are still out there waiting to be addressed. In addition, our success has given the public high expectations that we will continue to make rapid progress in improving water quality and will even eliminate pollution problems altogether. Most of you know the dimensions of the pollution problems we face.

- Too many people in this country still do not have basic water and sewer services. Many of these people live in areas along the U.S./Mexico border or on tribal lands, including those in Alaska.
- Too many waterbodies still do not meet clean water goals. States report that over one-third of the waters they monitored suffer from pollution problems serious enough to prevent basic uses like fishing and swimming. Over 20,000 of these waters were included on lists as needing restoration plans or TMDLs.
- States have issued over 2,500 advisories warning that fish are too contaminated for all to eat.
- One out of three beaches surveyed report at least one advisory or closing.
- Although discharges from industry and sewage treatment plants contribute to these pollution problems, in most watersheds across the country, the leading cause of pollution is an array of diffuse sources of polluted runoff from agriculture, logging, irrigation return flows, atmospheric deposition, construction, and sprawl.
- We still have a long way to go to ensure that the drinking water provided by tens of thousands of water systems, especially small systems, is free of microbiological and other contaminants.

- Lack of adequate management of Onsite/Decentralized Wastewater Systems has been identified as a major problem. Approximately 25% of existing U.S. households and 33% of new development use some form of onsite or decentralized wastewater treatment system. Based on recent data, between 10% and 25% of these systems are failing significantly.

In looking at all the challenges that we still face, it is reassuring to know that we have a solid foundation of core programs and a proven record of effective implementation of these programs in cooperation with our State and Tribal partners.

- We have a proven tool for financing water infrastructure in the clean water and drinking water State revolving loan funds.
- We have basic, technology-based controls for industrial dischargers and sewage treatment plants.
- We have water quality standards and drinking water standards that are based on sound science.
- We have effective permit programs for both discharges to waters and for protection of wetlands.
- We have worked with States to develop effective programs for reducing runoff from a wide array of nonpoint sources.
- We have strong programs supervising public water systems, informing consumers of drinking water quality, and protecting sources of drinking water.

So, as we approach the end of three decades of hard work to ensure clean water and safe drinking water, what do we need to do next? In the short term -- over the 18 months between now and the 30<sup>th</sup> anniversary of the Clean Water Act -- there are a number of important efforts underway to refine and improve our core programs. Let me say at the outset that this list is in no specific order and there are any number of important projects not on this particular list.

- **Water Quality Standards** – We need to strengthen State water quality standards by expanding our water quality criteria in key areas, such as nutrients and pathogens, and by working with States and Tribes to assure that their standards are appropriate and fully protect designated uses. Because the standards are the foundation for our move to focusing on water quality, the standards, and public support for appropriate standards, will be an important determinant of our success.
- **Charting a Course For Effluent Guidelines** – We recently kicked-off a major review of the effluent guidelines program with the goal of involving a wide range of stakeholders in helping us set priorities for review and revision of industrial and

pretreatment effluent guidelines. This effort is especially important because, for the first time in several years, we have the opportunity to show that EPA can get this job done without judicial oversight.

- **Reducing Nonpoint Pollution** – It is critical that we continue and expand the work we are doing with States to strengthen section 319 programs and to support diverse and innovative efforts to reduce polluted runoff such as diversifying the kinds of nonpoint source projects financed through Clean Water State Revolving Funds. We will encourage states to use innovative funding mechanisms to provide SRF financing to non-traditional recipients, such as farmers and individual septic tank owners, with important needs. The number of states using their Clean Water State Revolving Funds to fund nonpoint source projects has grown rapidly, and we will continue encouraging states to increase this use of their Funds. Our immediate goal is that \$200 million in SRF funds be used for nonpoint source projects per year. Finally, we will increase our efforts to describe and communicate the environmental results of the Federal investment in nonpoint source programs, particularly with respect to nutrient and sediment loading reductions.
- **Water Monitoring and Reporting** – In April of next year, we expect to receive important new information from States about the health of our waters, including both general reports concerning water quality and specific lists of impaired waters. This new information is a good opportunity to present to the public more and better information about our progress in protecting the Nation’s waters.
- **Restoring Impaired Waters** -- Over the past several years, we have debated at length the specifics of how to restore polluted waters through the TMDL program. Whatever happens to the new TMDL rule, it seems clear that States and EPA will be doing a substantially larger number of TMDLs. And, there is great public interest in the details of each of these projects. Over the next year, we need to both resolve the basic regulatory ground rules and proceed with a steady effort to develop TMDLs that will reduce the number of polluted waters around the country.
- **Discharge Permit Program and Backlog, and Wet Weather Pollution** -- EPA, States and Congress all agree that the backlog in discharge permits is too large and that we need to substantially reduce it by next year. Congress expects us to follow-through on this commitment. While we undertake this work, we are challenged to better understand and explain the environmental importance of permits. We also need to find appropriate permit program solutions to address wet weather pollution including Sanitary Sewer Overflows (SSOs), Combined Sewer Overflows (CSOs), storm water, CAFOs, and mining operations, and come to grips with a range of other difficult permit program issues ranging from when new discharges should be allowed to impaired waters to control of ballast water from ships.
- **Implement New Legislation Enacted By Congress** – Last year, Congress passed

a number of new clean water initiatives – including the new beach safety legislation and the new wet weather grant legislation. Both of these new efforts are funded in the President’s budget and we need to launch these new programs successfully. In addition, Congress enacted a multi-faceted estuary bill and a comprehensive restoration plan for the Florida Everglades, both of which will require increased coordination with our Federal, state, and local partners to be successful.

- **Develop Drinking Water Regulations** – Since the reauthorization of the Safe Drinking Water Act in 1996, we have made good progress in developing new standards for contaminants in drinking water. Over the next year, we will be finalizing standards for radon in drinking water and establishing new requirements for control of microbiological contaminants in small surface water systems and ground water systems.

We will be conducting an intensive process to review the science and costs related to arsenic in drinking water and come to a decision about a new arsenic standard. The Agency has asked the National Academy of Sciences (NAS) to perform a review of a range of 3 ppb to 20 ppb, and we will likely continue the same compliance dates for systems as are identified in the January 2001 rule. This means that systems that are at or near 20 ppb should be planning now to lower the arsenic levels in their finished waters. The process that we are now following to work with the NAS and the National Drinking Water Advisory Council will provide useful information that will help us reach a sound decision on arsenic in a timely manner.

- **Drinking Water Contaminant Selection** – In addition to developing new drinking water standards, we will be working hard to evaluate unregulated contaminants that should be regulated under the Safe Drinking Water Act in the years to come. This Spring, we will publish for comment notice of the contaminant selection process we expect to follow in the future and will identify contaminants to be regulated in the next several years. We will also be seeking comment on which of the existing drinking water standards should be the highest priority for review and revision.
- **Source Water Protection** -- After several years of work by EPA and the States, we expect that source water protection programs will emerge over the next several years and take on an increasingly important role in the National Water Program.
- **Persistent Bioaccumulative Toxics (PBTs)** – In 2002 and 2003, we will continue to participate in a cross-agency effort to produce measurable results in reducing the use and release of priority PBT pollutants in the environment and in reducing exposure to PBTs, especially to sensitive and vulnerable populations.

This is a challenging list of projects and there is lots of important work that is not on this list, whether it’s building our programs in Indian country, developing cooling water intake regulations, managing the wetlands program, protecting estuaries, or overseeing State Revolving Loan Funds.

While I expect that the new management team will be closely involved in all the projects I just mentioned, I expect that they will also be looking for ways to give the National Water Program new energy and direction. Over the next several months, as some of the pressing, holdover issues are addressed and Tracy Mehan is confirmed as Assistant Administrator, the time will come to think about longer-term, strategic directions for the water programs.

It is hard to say what new directions might emerge for the National Water Program in the coming years. But, we should expect to be asked what new directions we think are called for and we should be ready to put some ideas on the table. Here are some of the strategic questions I hope the new management team will think about.

- **Partnerships** -- The water program needs to reach across organizational boundaries and build strong partnerships with other federal agencies, other government agencies, and with private entities. It is only through the combined work of all of us that our clean water goals will be achieved.
- **Program Integration** -- Clearly, better integration of water programs at the State, watershed and waterbody level has the potential to accomplish our clean water and drinking water goals more effectively. As I indicated above, we are working now to assemble specific recommendations for enhancing program integration based on the work at the recent National Water Program meeting.
- **Water Infrastructure** -- There is growing concern that the nation is unprepared to deal with pressing water infrastructure financing needs and some have estimated that we have a shortfall in funding of over \$20 billion per year. Without new investment and better management approaches, growing populations and aging facilities could erode some of the important water quality gains of the past decades. We need to complete our own analysis of this problem and work with Congress to ensure that there is a common understanding of this problem. If Congress chooses to develop legislation, we must be ready to participate in this effort.
- **Suburban Growth** -- As we gradually get the remaining pollution problem areas cleaned-up, we will increasingly focus on prevention of future problems and our attention is likely to turn to the water quality impacts of unsustainable development and suburban growth. To enhance prevention, we can provide new tools to help local governments, stakeholders and others plan for growth in ways that protect sources of drinking water, protect precious water resources, plan for adequate infrastructure, and contribute to a high quality of life in urban areas.
- **Innovation** -- Innovation is an ongoing challenge – today’s innovation quickly becomes tomorrow’s tradition. The Agency is refocusing and re-energizing the innovations effort and water programs need to be part of this process. We need to continue to build on innovations work, such as water pollution trading, strategically promoting the use of environmental management systems and other innovative tools

like asset management, while continuing to look for smarter, cheaper, faster ways to run the water programs.

- **Valuing All Our Employees** – The increasing diversity of our workforce is a terrific opportunity for us to bring in new ways of looking at our work. As we become more diverse, we can strengthen our partnerships with different communities outside the Agency. Taking full advantage of this strength will require us to adapt our organization, making sure that many voices can be heard.

As we approach the end of three decades of hard work to ensure clean and safe water, we can be proud of our accomplishments and challenged by the difficult problems that are before us. Judging from the energy and enthusiasm I saw among people at the National Water Program meeting, the next few years will include great strides toward cleaner and safer waters.

cc: Administrator  
Assistant Administrators  
Regional Administrators