December 9, 2010

The Honorable Peter Silva
Assistant Administrator for Water
U.S. Environmental Protection Agency
Washington, DC 20460

Dear Assistant Administrator Silva:

For years the Association of Metropolitan Water Agencies (AMWA) has urged EPA to use its existing authorities to prevent pollution from entering drinking water supply sources. AMWA’s longstanding policy positions on pollution prevention and source water protection compel us to once again encourage EPA to emphasize pollution prevention in all their programs and reauthorization efforts. We agree with the agency’s viewpoint in the Clean Water Strategy that it is more effective, from both an environmental treatment and cost perspective, to control pollutants at the source when feasible, where they are generated and are more concentrated, than it is to remove them at the consumer’s expense after they have been released into the environment and entered a water body or supply source.

As EPA’s Office of Water is more closely considering the nexus between its Clean Water and Drinking Water Strategies, AMWA urges you to utilize the authorities EPA currently has to further protect our nation’s drinking water sources by improving efficiencies in the current statutory authority under the CWA and SDWA. In particular, AMWA urges EPA to:

1. Require wastewater dischargers to notify the downstream water utility when a SSO, CSO, NPDES discharge violation or blending event occurs.

2. Better align the CWA and SDWA by developing water quality criteria standards for all contaminants that are regulated in drinking water, particularly those with acute effects, such as Cryptosporidium. AMWA members have urged states to consider drinking water contaminants when defining impaired waterways within their borders.

3. Require an intra-agency review process for all regulatory programs that brings elements of the CWA and SDWA programs together for the development of new policy, regulation and guidance development.

4. Include the Office of Pesticide Registration as it moves forward in developing the CWA and SDWA nexus.

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Diane VanDe Hei
Executive Director
EPA has long cited the importance of protecting our nation’s source waters, most recently through the Administrator’s Urban Waters Initiative. By better aligning the standards setting process and regulatory requirements of the SDWA and CWA, EPA will move another step closer toward a more protective and holistic watershed management framework that will preserve watersheds for future supplies of drinking water and many other benefits, including: ecosystem protection, economic revitalization, public enjoyment and overall quality of life.

AMWA encourages EPA to continue to support source water protection efforts, including increased funding for watershed protection programs and training as well as continued support of source water protection coordinators at EPA regional offices. We applaud efforts by EPA’s Office of Pesticides to consider drinking water protection in the pesticide registration process, and encourage similar efforts to incorporate water quality protection for drinking water in other program areas. Promoting information sharing and collaborative policy development within the Clean Water and Safe Drinking Water programs will help ensure that policies consider benefits and impacts to protection of the nation’s water supply.

In closing, with the commissioning of a National Research Council study to develop the “Green Book,” EPA acknowledged the need for a policy shift, beyond programmatic “stovepipes” that focus on a single media and a sole purpose, to a more sustainable framework that looks at environmental problems more holistically. Searching for and establishing a nexus between the CWA and SDWA is a good step in the direction of establishing a more comprehensive, systematic approach toward watershed management. However, in the long term, EPA should widen its examination of negative impacts on water quality to include other media (such as land use and air disposition) and simultaneously recognize additional benefits of source water/watershed protection (e.g., such as the land as a carbon sink, the health of ecosystems and the improved quality of life in the community).

AMWA welcomes the opportunity for a dialogue with the Office of Water to discuss the real and critical challenges that lie in the path of effecting change.

Sincerely,

Diane VanDe Hei
Executive Director

cc: Nancy Stoner, OW
    Cynthia Dougherty, OGWDW
    Jim Hanlon, OWM