

Drips & Drops



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Affordability: What Does it Mean for Small Systems?

Introduction

On August 1, 2003 The National Water Advisory Council (NDWAC) sent its final report on affordability to the Administrator of USEPA. The NDWAC was asked by USEPA to examine how affordability is determined by the Agency and, if appropriate, make recommendations for change. The NDWAC added two recommendations to the report to address concerns they had that were an outgrowth of their deliberations. The NDWAC recommended that USEPA convey to Congress its' logistical and ethical concerns with variances that mitigate against the use of variances as a means to achieve affordable compliance and suggest Congress reconsider the provision in the SDWA.

The NDWAC also recommended that USEPA augment the incremental approach (rule by rule affordability determination) with reasonable cumulative (the affect of several rules) affordability guidelines that could be used by states to determine the eligibility for small system variances and/or financial support. The NDWAC is concerned that the incremental approach alone does not sufficiently address the cumulative costs of several rules and other operating cost burdens (e.g. infrastructure replacement) that collectively may be "unaffordable" for some systems.

Additional changes that the NDWAC recommended include a removal of the discussion in the report related to modifications to the method for allotting Drinking Water State Revolving Fund (DWSRF) program funding. The NDWAC felt that such an action was premature and instead, recommended that USEPA determine if, as a result of the current DWSRF allocation formula, small public water systems are being disproportionately denied funding from State DWSRF programs due to inadequate funding being available. The final report also modified a recommendation related to DWSRF disadvantaged community programs and the methods used to determine disadvantaged communities. The NDWAC recommended that USEPA encourage states without an existing program to develop them.

What does this mean for small systems?

This is one small step in the process of having Congress reconsider the provisions of the SDWA concerning small systems affordability. Do not believe "relief is just around the corner". The NDWAC forwarded their report to USEPA and USEPA must consider their recommendations and take action., if deemed appropriate. Even if USEPA takes action and follows the recommendations of the NDWAC, Congress then may consider the recommendations. Making changes to the law is many, many steps ahead.

The recommended course of action for small systems is to work closely with the State Primacy Agency and the State Rural Water Association to explore all the options available when expensive treatment is required and the community cannot afford the treatment costs.

Comment:

This report, along with minutes of the May, June and July meetings of the NDWAC, is posted on the Office of Ground Water and Drinking Water's website at: www.epa.gov/safewater/ndwac/council.html under Meeting Summaries.