



EPA NATIONAL DRINKING WATER ADVISORY COUNCIL

NDWAC Members

September 8, 2010

Gregg Grunenfelder,
Chair
Olympia, WA

Ms. Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington D. C. 20460

Jeff Cooley
Vacaville, CA

Dennis Diemer
Oakland, CA

Dear Administrator Jackson:

Elston Johnson
Austin, TX

On behalf of the National Drinking Water Advisory Council (NDWAC), I would like to express the Council's appreciation for your leadership in using all of the statutory authorities available to the Agency to protect the nation's drinking water.

Maria Kennedy
Rancho Cucamonga, CA

Timothy Kite
Decatur, IL

During our July meeting in Washington, we discussed the Agency's efforts to protect drinking water from excess levels of nutrients. We were pleased to hear how the Agency worked with state representatives and organizations, including the Association of State Drinking Water Administrators, the Association of State and Interstate Water Pollution Control Administrators, and the Ohio River Valley Water Sanitation Commission, to form the State-EPA Nutrient Innovations Task Group. The Task Group's August 2009 report "An Urgent Call to Action" underscores the importance of national leadership to support and require a consistent and holistic approach to protecting drinking water.

Olga Morales
Dona Ana, NM

Douglas Owen
White Plains, NY

David Saddler
Sells, AZ

Lisa Sparrow
Northbrook, IL

Carl Stephani
Unionville, CT

Hope Taylor
Durham, NC

Bob Vincent
Tallahassee, FL

Jennie Ward-Robinson
College Station, TX

The presentation on nutrients provided by EPA water program Office Directors Denise Keehner and Ephraim King initiated a robust discussion on the impacts of excessive nutrient levels in our nation's waters and drinking water sources. Nutrient pollution is a problem for drinking water systems across the country and Council members identified problems they face in their own communities where nutrients are impacting ground and surface waters. The problems range from excessive levels of nitrate that can lead to methemoglobinemia (blue-baby syndrome) to taste and odor issues associated with eutrophication of surface waters. Increased levels of nutrients

June Weintraub
San Francisco, CA

can spur harmful algal blooms that release associated cyanotoxins. Higher levels of total reactive nitrogen and organic carbon can increase the formation of disinfection by-products during drinking water treatment. For drinking water utilities, all of these problems pose a concern for public health and addressing any of them can present a considerable challenge due to additional costs for both infrastructure and technology upgrades.

The Council believes that implementing a holistic, multiple barrier approach to protect and attain clean and safe water needs to be a critical component of your ongoing work to protect the nation's drinking water using all available authorities. We support a more complete use of existing tools as well as development of an accountability framework that encompasses all sources of nutrients – including point and non-point sources - which is built on the principles of transparency and stewardship. It is often less expensive to prevent the contamination of drinking water supplies than to treat contaminated waters to potable levels. It is also more equitable that those who cause contamination bear the costs rather than those who rely on the source water for their drinking water. This is seen most starkly in disadvantaged communities where the costs to construct, maintain, operate, and repair drinking water systems may represent a significant portion of household resources than in affluent communities.

As EPA moves to address challenges posed by nutrients, the Council urges the Agency to recognize and consider some additional issues that should be included in any solution. We believe these suggestions will help EPA develop cost effective, optimized solutions and avoid what have historically been costly “end-of-pipe” solutions.

First, an educational component is vital to the success of any strategy for addressing nutrient threats to our drinking water. The public needs to understand the costs and consequences of nutrient pollution; the necessity for personal, corporate, and community stewardship; and the costs and benefits of nutrient control strategies. They need a trusted, independent source of information. We encourage EPA to act as that trusted source and develop materials for broad dissemination through the Web to engage communities more broadly in fostering stewardship of water resources.

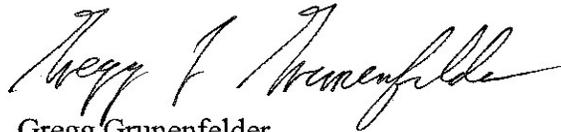
Second, in developing a holistic approach to reduce nutrient pollution, it is important to consider the perspectives that regulators, land use planners, public health, and water professionals bring to the table. Communication among these professionals is needed to develop effective programs that balance regulatory and voluntary approaches to reduce nutrient pollution. Active communication will foster common principles, provide information on best management practice effectiveness, and facilitate adoption of appropriate standards or practices. The Agency, however, should not rely entirely on controls at the local level. Source water issues often cross jurisdictional boundaries and conflicts of interest are common. A broader federal influence can help to overcome parochial decisions that result in environmental injustice. The Agency, working with State and local partners, can provide a more consistent definition of source water protection. EPA can also play a role in educating the federal family on the intersection of their activities with local decisions that affect source water quality. The Council

recommends that EPA engage decision makers at the federal, state and local levels across disciplines to better define source water protection and to improve understanding of the relative costs and benefits of prevention versus treatment approaches.

Finally, the Council encourages the Agency to develop holistic solutions that consider watershed-based approaches and evaluate all contributions of nutrient pollution (e.g., non-point sources, atmospheric deposition, livestock production, wastewater, and stormwater). Solutions need to account for all contributors including those where EPA may not have a clear regulatory role. For example, the Council discussed the large pollutant contribution from non-point sources and the difficulty in achieving necessary reductions in nutrient input to receiving waters based solely on point-source regulations. In addition, the Council specifically discussed the threat posed by on-site wastewater treatment or septic systems, which are not regulated at the federal level. On-site systems are a chronic problem in many parts of the country, but are difficult to control at the local level, particularly in communities where sole responsibility for maintaining systems lies with individual homeowners. This is a concern in small, rural, or disadvantaged communities where the costs of replacing failing systems could represent a significant portion of household resources and may be further complicated by additional socio-economic factors such as illiteracy and language barriers. Addressing the risks posed by these types of systems may be challenging due to the lack of a clear EPA role; however, watershed-based solutions that fail to consider the communities and all sources of pollution will reduce their chance of success.

Thank you for considering our advice on protecting drinking water sources from nutrient pollution. The NDWAC members look forward to continuing to fulfill our role of providing EPA with valuable advice and feedback. If you have any questions, please contact Thomas Carpenter, Designated Federal Officer for the NDWAC at (202) 564-4885.

Sincerely,



Gregg Grunenfelder

Chair

National Drinking Water Advisory Council

Enclosure

cc:

Peter Silva, Assistant Administrator for Water

Cynthia C. Dougherty, Director, Office of Ground Water and Drinking Water

Denise Keehner, Director, Office of Wetlands, Oceans, and Watersheds

Ephraim King, Director, Office of Science and Technology