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Environmental Protection
Agency

Office of Water
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Information for the Public on Participating with States in Preparing Capacity Development Strategies

“It’s Your Drinking Water....”

Capacity Development Under the 1996 Amendments to the Safe Drinking Water Act

“What is the Safe Drinking Water Act?”

Originally passed in 1974, the Safe Drinking Water Act is a federal law enacted to protect the public’s health from contaminants in drinking water. Under the law, the U.S. Environmental Protection Agency sets national standards for drinking water, which the States must meet or exceed. If a State fails to meet its responsibilities, the federal government can step in and enforce the standards.

Congress amended the law in the spring of 1986 and, most recently, in August of 1996. The 1996 Amendments made a number of significant changes to the law, including:

- Authorizing State Revolving Loan Funds to provide low- or no-interest loans to water systems upgrading their facilities.
- Requiring EPA to consider the cost and benefits of each new drinking water regulation the Agency issues.
- Providing increased opportunities for public involvement in drinking water issues.
- Increasing the resources available to small drinking water systems, which often have the most difficult time complying with federal and State regulations.

“What do we mean by ‘capacity?’”

Capacity refers to a water system’s *ability* to consistently provide safe drinking water for its customers. To do that, a water system must have the technical abilities, managerial skills, and financial resources to meet State and federal drinking water regulations.

Don’t let the term mislead you. Capacity doesn’t mean just having enough safe drinking water available for everyone in a community.

Technical, managerial, and financial capacity are individual yet highly interrelated dimensions of capacity. Each dimension of capacity is defined as follows:

Technical capacity refers to the physical infrastructure of the water system, including but not limited to the source water adequacy, infrastructure adequacy (including well(s) and/or source water intakes, treatment, storage, and distribution), and the ability of system personnel to implement the requisite technical knowledge.

Managerial capacity refers to the management structure of the water system, including but not limited to ownership accountability, staffing and organization, and effective linkages.

Financial capacity refers to the financial resources of the water system, including but not limited to the revenue sufficiency, credit worthiness, and fiscal controls.

“What is capacity development?”

Capacity development is an effort by the States to help drinking water systems improve their finances, management, infrastructure, and operations so they can provide safe drinking water consistently, reliably, and cost-effectively.

As a first step, each State will prepare its own capacity development strategy. Although the details will vary depending on the particular needs of the State’s water systems, each strategy will specify how the State will identify and rank water systems that need assistance.

“What sort of help will the States provide?”

That will depend on what the water systems need. Each State is unique, and its water systems face a variety of problems and challenges. The significance of these challenges, even their root causes, may depend on where a particular system is located. For example, many systems in the east are old and need to replace outdated pipes and other distribution facilities. Systems in the southwest may be newer, but like water systems in every region of the country, many need to extend their distribution systems to reach rural customers who now must haul their drinking water for miles. In each case, State assistance may be required to correct these situations.

Among the types of aid that States may offer their water systems are:

- Helping the owners of new or existing systems prepare sound business plans that identify how much money they need to operate the system, where that money will come from, and how they will fund major purchases or upgrades of capital equipment.
- Training system operators in how to detect leaks, which waste water and may endanger public health by allowing water in the pipes to become contaminated.
- Helping system managers track revenues and expenses so they can set water rates that accurately reflect the true costs of providing safe drinking water.

“Why are the States doing this?”

The 1996 Amendments to the federal Safe Drinking Water Act set aside tax dollars for a Drinking Water State Revolving Fund. States can lend these dollars, at below market rate, to water systems that must upgrade or replace equipment or facilities. The Amendments also require each State to prepare and implement capacity development strategies—or risk losing some of its revolving fund allotment.

The U.S. Environmental Protection Agency is advising the States on how they may want to help their water systems. EPA also is developing, with input from the States and other interested parties, the criteria it will use to decide whether a State plan meets the requirements of the Safe Drinking Water Act Amendments. The actual contents of its plan, however, is for each State to decide.

“How will my local water system benefit from all this?”

In the past, water systems have had few options for obtaining resources and assistance. The State capacity development effort represents a real opportunity for systems to get the help they need. Besides managerial advice, operator training and certification, and technical support, water systems may be eligible for help in funding capital improvements and efforts to protect their water sources from contamination.

“How will I benefit from all of this?”

Enhancing and ensuring the technical, financial, and managerial capacity of water systems offers great potential for correcting and preventing noncompliance with safe drinking water standards and for ensuring reliably safe drinking water. The consumer’s benefit from this initiative is simple: the provision of safe and reliable drinking water in a cost effective manner.

“What are the opportunities for public involvement?”

Under the 1996 Safe Drinking Water Act Amendments, when preparing its capacity development strategy, a State must ask members of the public for their advice on various strategy components, among them:

- How the State will identify and rank water systems that need capacity improvements.
- How the State will help water systems comply with national drinking water standards, encourage systems to work together, and support the training and certification of system operators.
- How the State will measure progress in improving the capacity of drinking water systems.

Not only must the State ask for the public’s input on these and other matters. The State also must consider and include as appropriate the public’s most helpful ideas in its capacity development strategy.

“How can the public get involved?”

It's up to each State to decide how it will identify interested members of the public and how it will solicit their comments and advice. Some States may opt for a formal process, others may take a more informal approach. Likely avenues for public involvement include:

- Public hearings
- Written comments
- Public notification
- Advisory groups
- Focus groups
- Direct contacts with key organizations

“How can I help?”

You can get involved as an individual, or as a member of an organization active in public issues. A good way to start is by contacting the agency in your State that regulates drinking water systems to find out what's already being done. Ask to be placed on the agency's “interested party list” to be notified of public hearings and other activities.

You can also contact organizations such as:

- The American Water Works Association
- State Rural Water Associations
- Rural Community Assistance Programs (RCAP)
- Local government organizations
- Your State representative or State senator

When you contact these groups, ask to be put on their mailing lists. You may want to see if they have home pages on the Internet's World Wide Web. Such web sites often are updated frequently and can be a good source of timely information. And electronic mail, or e-mail, can be an effective means of rapid communication with these groups and their leaders.

Whether you decide to participate as an individual, or as a member of an organization, it's important that you become informed about drinking water issues and that you make your voice heard.

“Where can I get more information?”

There are many sources of information about drinking water issues. **The agency in charge of regulating water systems in your State is a good place to start.** Here are some other organizations that might be helpful:

American Water Works Association
Public Affairs Department
6666 West Quincy Avenue
Denver, CO 80235
Phone: (303) 347-6284
Web: <http://www.awwa.org>

Groundwater Foundation
P.O. Box 22558
Lincoln, NE 68542
Phone: (800) 858-4844
Fax: (402) 434-2742
Web: <http://groundwater.org>

Association of Metropolitan Water Agencies
1717 K Street, NW
Suite 1102
Washington, DC 20036
Phone: (202) 331-2820
Fax: (202) 785-1845

Know Your Watershed
1220 Potter Drive
Room 170
West Lafayette, IN 47906-1383
Phone: (317) 494-9555
Fax: (317) 494-5969

Association of State Drinking Water
Administrators
1120 Connecticut Avenue, NW
Suite 1060
Washington, DC 20036
Phone: (202) 293-7655
Fax: (202) 293-7656

League of Women Voters Education Fund
1730 M Street, NW
Washington, DC 20036
Phone: (202) 429-1965
Fax: (202) 429-0854

Environmental Working Group
1718 Connecticut Avenue, NW
Suite 600
Washington, DC 20009
Phone: (202) 667-6982
Fax: (202) 232-2592
Web: <http://www.ewg.org>

National Association of Water Companies
1725 K Street, NW
Suite 1212
Washington, DC 20006
Phone: (202) 833-8383
Fax: (202) 331-7442

Friends of the Earth
1025 Vermont Avenue, NW
Suite 300
Washington, DC 20005
Phone: (202) 783-7400
Fax: (202) 783-0444

National Drinking Water Clearinghouse
West Virginia University
P.O. Box 6064
Morgantown, WV 26506-6064
Phone: (800) 624-8301
E-mail: webmaster@estd.wvu.edu
Web: <http://www.ndwc.wvu.edu>

Natural Resources Defense Council
1200 New York Avenue, NW
Suite 400
Washington, DC 20005
Phone: (202) 289-6868
Web: <http://www.igc.apc.org/nrdc>

National Rural Water Association
2915 South 13th Street
Duncan, OK 73533
Phone: (405) 252-0629
Web: <http://www.cais.com/nrwainfo>

Rural Community Assistance Program
602 South King Street
Leesburg, VA 22075
Phone: (703) 771-8636
Fax: (703) 771-8753
Web: <http://www.rcap.org>

U.S. Department of Agriculture
Rural Utility Service
1400 Independence Avenue, SW
Washington, DC 20250
Phone: (202) 690-2670
Web: <http://www.usda.gov/rus>

U.S. Environmental Protection Agency
401 M Street, SW
Washington, DC 20460
Water Resource Center
Phone: (202) 260-7786
Safe Drinking Water Hotline: (800)
426-4791
Web: <http://www.epa.gov/OGWDW>

U.S. Geological Survey
Hydrologic Information Unit
419 National Center
Reston, VA 22092
Phone: (703) 648-6818

EPA Regional Offices

EPA Region 1
(CT, ME, MA, NH, RI, VT)
Phone: (617) 565-3478

EPA Region 2
(NJ, NY, PR, VI)
Phone: (212) 637-3725

EPA Region 3
(DE, DC, MD, PA, VA, WV)
Phone: (215) 566-5701

EPA Region 4
(AL, FL, GA, KY, MS, NC, SC, TN)
Phone: (404) 562-9424

EPA Region 5
(IL, IN, MI, MN, OH, WI)
Phone: (312) 353-4919

EPA Region 6
(AR, LA, NM, OK, TX))
Phone: (214) 665-7101

EPA Region 7
(IA, KS, MO, NE)
Phone: (913) 551-7030

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(CO, MT, ND, SD, UT, WY)
Phone: (303) 312-6260

EPA Region 9
(AZ, CA, HI, NV, AS, GU)
Phone: (415) 744-2125

EPA Region 10
(AK, ID, OR, WA)
Phone: (206) 553-1230

Sidebar #1

What is a Public Water System?

The Safe Drinking Water Act (SDWA) defines a public water system as “a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves at least 25 individuals. Such term includes (i) any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system, and (ii) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.”

According to SDWA, “the term ‘community water system’ means a public water system that (A) serves at least 15 service connections used by year-round residents of the area served by the system; or (B) regularly serves at least 25 year-round residents.”

“The term ‘noncommunity water system’ means a public water system that is not a community water system,” according to the SDWA.