

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WSG 172

Date Signed: December 17, 2003

MEMORANDUM

SUBJECT: OECA Designation of Regional Counsel to Concur on State Primacy Matters  
Under the Safe Drinking Water Act (SDWA)

FROM: John Peter Suarez, Assistant Administrator  
Office of Enforcement and Compliance Assurance

TO: Regional Administrator, Regions I-X  
Regional Counsel, Regions I-X

Under the current SDWA Delegation 9-4, the Regional Administrators are required to obtain concurrence from the Assistant Administrator for OECA on each decision of whether to approve or disapprove a State's application to assume primary enforcement authority (primacy) for each rule promulgated under the SDWA. OECA has participated in numerous primacy reviews with the Offices of Regional Counsel and has every confidence in the sufficiency of the Regional reviews. I hereby designate the Regional Counsel for each Region to act under SDWA Delegation 9-4 as the AA for OECA and to concur, or non-concur, on State applications for primacy under the SDWA.

Our goal continues to be to ensure a consistent national SDWA program. In the event that a Regional review should raise any questions or issues of national significance, I encourage you to discuss these with Water Enforcement Division. If you have any questions with regard to this memorandum, please contact Mark Pollins, Director, Water Enforcement Division, at (202) 564-4001.

Attachment: SDWA Delegation 9-4

cc: William Diamond, Director, OGWDW  
Regional Water Division Directors