

Rural Water Policy Advisory [6/25/2018]

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Fix EPA Funding Update: All Senators Can Help Fix It: The Chairman of the Senate Environment and Public Works Committee (Senator John Barrasso - WY) is planning on sending a letter to the Administrator of the U.S. Environmental Protection Agency (Scott Pruitt) urging him to fix the EPA technical assistance funding problem. In order to make the strongest impression possible on the EPA Administrator, we need your Senators to co-sign the letter. If your Senators are willing to consider co-signing the letter with Chairman Barrasso, please provide us with your Senator's staff contact and we will ensure they receive the final letter and have an opportunity to co-sign (and include you on the communication). We believe the final version of Barrasso's letter will be released this week.

What Needs to be Fixed?: In 2012, EPA was provided discretion over the allocation of annually appropriated Safe Drinking Water Act technical assistance funding. The Agency used that discretion to eliminate the two full-time circuit rider-type positions that were operating in all states. Instead of retaining the circuit rider-type assistance, the Agency redirected the funding to consultants, universities, webinars, and non-profits that don't represent small and rural communities.

Only Congress Can Fix It: In response to the concern raised by our rural and small communities, Congress enacted Senators Wicker (MS) and Heitkamp's legislation in 2015 to mandate that the Agency direct the technical assistance funding to where it is most helpful. The ["Grassroots Rural and Small Community Water Systems Assistance Act"](#) requires that the Agency provide a "preference" in determining the awarding of the funding. This operative "preference" provision ensures Congressional intent is followed by requiring the Agency to direct funding to organizations that small and rural communities find are most beneficial ([section 4](#)). The Agency essentially disregarded the law when it neither used, considered, or implemented "preference" authorization in the competition for the funding (October 20, 2017, [Request for Applications](#)) nor in the awarding of the funding ([April 11, 2018, Announcement](#)). The Agency actually programmed the funding before the fiscal year 2018 Consolidated Appropriations Act had been enacted and the provisions had significantly changed from the previous year's provisions.

Senators Message to EPA: Senators will be urging EPA to adhere to the intent of The Grassroots Rural and Small Community Water Systems Assistance Act (PL 114-98) and give preference to the organizations that small communities find to be most beneficial and effective when awarding technical assistance grants. In a June 2017 [letter to the EPA](#), a group of Senators stated that PL 114-98 directs the EPA to provide on-site technical assistance funding in a manner most effective to small and rural communities and that the implementation of PL 114-98 would soon reestablish on-site technical assistance in our states. However, this has not occurred despite the [Agency's July 2017 letter](#) to the contrary. The most effective form of technical assistance for these water systems is on-site, full-time technical assistance positions (i.e. circuit riders). This allows trusted and experienced individuals to travel directly to the communities and train them face-to-face on how to deal with their specific treatment and compliance issues. Since 2012, the funding for these most effective forms of on-site technical assistance has been reduced significantly and on-site assistance is becoming more and more remote. Small and rural communities are finding that their preferred technical assistance organizations are being ignored and these grants are being awarded to organizations that are not in the same state. Awarding these grants to organizations that are not the preferred assistance by each state's small and rural communities makes compliance that much more difficult. Local communities know what organizations are in the best position to help them and their preferences must be the predominant consideration when awarding these technical assistance grants.

Let Us Know if Your Senator Can Help?: Thank you, and please [send us](#) your staff contacts with any Senators willing to consider supporting the effort.

National Rural Water Association

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The National Rural Water Association is the country's largest public drinking water and sanitation supply organization with over 30,000 members. Safe drinking water and sanitation are generally recognized as the most essential public health, public welfare, and civic necessities.

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