

April 4, 1997

Dear Colleague,

I am pleased to transmit a copy of the draft State Source Water Assessment and Protection Programs guidance which EPA has prepared pursuant to the requirements of Sections 1453 and 1454 of the Safe Drinking Water Act (SDWA), as amended in August, 1996. I ask that you provide us any comments you may have on this draft by June 13, 1997.

The 1996 Amendments to the SDWA establish the Act as an *environmental* law, better integrated within itself. The new law goes beyond a simply regulatory approach to add a new "prevention" orientation, one that seeks to prevent problems by increasing public water systems' capacity to provide safe drinking water, and by protecting the source waters from which we draw our drinking water. As the report of the House Commerce Committee on the 1996 Amendments states, the new law "creates a new program under which States exerting primacy must conduct an assessment of source water areas.... to determine the [susceptibility] of sources of drinking water" to contamination. In addition to these State source water assessment programs, the amendments provide many options and substantial funding for States to undertake source water protection programs and activities.

What may not be evident on the face of the law, but is vital to how it functions, is the extent of the linkages among different parts of the law. These linkages, together, create almost a tapestry of provisions, integrated across the whole program. For example, the source water assessments will be critical to implementation of the ground water disinfection rule as well as for permanent monitoring relief. Furthermore, these assessments will assist the watershed approaches now being implemented in the States, as well as programs under the Farm Bill and other federal statutes, to better focus these programs to protect public health through protecting the nation's source waters. In the same way, effective capacity development programs are necessary to the success of the provisions for small system variances and exemptions, and efforts for technical and compliance assistance. Thus, because the amended SDWA now functions in an integrated way, the prevention programs in general -- and source water assessment and protection in particular -- are critical to the effective operation of many of the regulatory provisions and new flexibilities in the law.

We plan to continue our consultation process by engaging all stakeholders in many ways to facilitate a full discussion of this draft guidance. This draft reflects comments on an October, 1996 draft of a discussion guide on this topic, comments on a December 27, 1996 final discussion guide, results of the January 7/8 national source water protection stakeholders conference, and the March 13/14, 1997 meeting of the Source Water Protection Working Group of the National Drinking Water Advisory Council. Each Region will be holding stakeholder meetings in April and May so as many stakeholders as possible can participate in discussions. We will also meet with a workgroup of regional office and State representatives, and in early June will meet again with the Source Water Protection Working Group of the National Drinking Water Advisory Council. We plan to publish the final guidance on or before the statutory deadline of August 6, 1997.

I look forward to receiving your comments on the draft guidance. Please send them to Comment Clerk, Water Docket MC-4101, Environmental Protection Agency, 401 M Street, SW, Washington, D.C., 20460.

Sincerely,

/S/

Robert Perciasepe
Assistant Administrator

Enclosure