

# CHANGING THE ODDS FOR THE LITTLE GUYS

ASSISTANCE TO REDUCE SNC, ADVANCE EJ AND ACCESS BIL FUNDINGS FOR SMALL COMMUNITIES

ACWA

*August 2023*

# Panel

- Sean Rolland, Deputy Director, ACWA  
Moderator
- Michael Deane, Chief, Clean Water State Revolving Fund Branch  
Office of Wastewater Management, USEPA
- Barbara VanTil, Chief, Water Branch  
Office of Compliance, USEPA
- Catherine Allen, Chief, Sustainable Communities and Infrastructure Branch  
Office of Wastewater Management, USEPA

# Discussion Goals

Improve public health and clean waterway protections for small communities through equitable, accessible, and coordinated technical and financial assistance.

## Session Goals:

- Build stronger linkages between environmental programs and financing (CWSRF) programs to better support small communities
- Identify several concrete follow-up actions related to financial and technical assistance that support states and small communities.
- Promote sustainable return to compliance through technical and financial assistance

## **BIL Implementation Key Priorities**

- Increase investment in disadvantaged communities
- Make rapid progress on lead service line replacement
- Address PFAS and emerging contaminants
- Resilience, climate, One Water innovation
- Support American workers and renew the water workforce
- Cultivate domestic manufacturing – “Build America, Buy America” (BABA)

## Clean Water SRF

# Bipartisan Infrastructure Law SRF Funding

SRF Funding Program	Total Funding	State Match	Additional Subsidy	Eligible for Additional Subsidy
Clean Water SRF General Supplemental	\$ 11,713,000,000	10% in 2022 - 2023 20% in 2024 - 2026	49%	Disadvantaged Communities
Drinking Water SRF General Supplemental	\$ 11,713,000,000	10% in 2022 - 2023 20% in 2024 - 2027	49%	Disadvantaged Communities
Clean Water Emerging Contaminants	\$ 1,000,000,000	0%	100%	No restrictions
Drinking Water Emerging Contaminants	\$ 4,000,000,000	0%	100%	At least 25% for Disadvantaged Communities or systems serving less than 25,000 people
Drinking Water Lead Service Lines	\$ 15,000,000,000	0%	49%	Disadvantaged Communities

# CWSRF Funding in the BIL: Overview

- EPA is making \$12,713,000,000 in **additional** capitalization grants available to the state CWSRFs over the next five years.
- Most of this money may fund any project eligible under the CWSRF; some funding is targeted towards projects focused on “emerging contaminants.”
- **States have the authority to waive repayment on some of this new funding** (e.g., forgive some or all of the loan’s principal or provide grants).

Clean Water for Communities	\$12.7 billion
General: Clean Water State Revolving Funds	\$11.7 billion
Addressing Emerging Contaminants: Clean Water SRFs	\$1 billion

# CWSRF BIL Fund Eligibilities

## Emerging Contaminant Funds

- Eligible: CWSRF-eligible projects that address substances and microorganisms, including manufactured or naturally occurring physical, chemical, biological, radiological, or nuclear materials, which are known or anticipated in the environment, that may pose newly identified or re-emerging risks to human health, aquatic life, or the environment.
- Not Eligible: Projects that address contaminants with water quality criteria established by EPA under CWA section 304(a), except for PFAS.

## 2% Technical Assistance Reserve

- BIL created a new eligible use of the CWSRF.
- States may use up to 2% of this funding to nonprofit organizations or state, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works (POTWs).

# Roles and Responsibilities

## EPA

- Award and manage capitalization grants to states
- Provide training to states
- Develop guidance and provide technical support to states
- Conduct programmatic and financial oversight

## States

- Establish priority setting systems based upon state needs
- Solicit projects based on state priorities
- Set disadvantaged community definition and affordability criteria
- Develop Intended Use Plans which are lists of projects the state intends to fund in priority order
- Set loan terms (including interest rates and additional subsidization)
- Manage the day-to-day operations of the SRF programs, including managing the loan portfolio, to ensure long-term financial health of the programs

# All communities need access to safe, clean, and reliable water

- **Need:** Small and underserved communities need support to apply for funding and to manage systems.
- **Goal of WaterTA:** WaterTA will build the pipeline of quality funding projects from disadvantaged and underserved communities, in collaboration with states, tribes and territories. WaterTA will build managerial, financial, and technical capacity.
- **Partnership with states:** A core value of EPA WaterTA is to compliment existing efforts by states and other stakeholders - and to collaborate and coordinate.

*Water Technical Assistance  
(WaterTA)*

**EPA WaterTA**

**Supports**

**Communities to:**



Identify water challenges



Plan for solutions



Increase community engagement



Build technical, financial, managerial capacity



Develop application materials to access water infrastructure funding

# One WaterTA Initiative, Multiple WaterTA Programs

BIL Funded OW WaterTA		Base Funded OW WaterTA			
<p><b>BIL Environmental Finance Centers (EFCs) (Regional and National)</b></p> <p><i>About \$100 million funded</i></p>	<p><b>BIL Pilots</b></p> <p><i>Closing America's Wastewater Access Gap</i></p> <p><i>Lead Service Line Replacement Accelerators</i></p> <p><i>H2O Community Solutions Teams</i></p>	<p><b>Multi-Media EFCs</b></p> <p><i>Capacity for up to \$52 million</i></p>	<p><b>Clean Water Rural Small Tribal TA Grants</b></p> <p><i>FY20 – FY23 \$77 million appropriated</i></p>	<p><b>OGWDW Training &amp; Technical Assistance for Small Systems</b></p> <p><i>FY21 – FY22 \$47.4 million</i></p>	<p><b>Other OW WaterTA</b></p> <p><a href="http://www.epa.gov/waterta">www.epa.gov/waterta</a></p>

## How Communities Access WaterTA

There are multiple pathways:

- Recommendations from State or Region
- Directly with TA Providers
- EPA website WaterTA Request form
- Collaborative EPA/State Efforts



**WaterTA**

## Request Assistance

Request support by filling out simple online [WaterTA Request Form](#)

## Learn More

Please visit [epa.gov/waterTA](https://epa.gov/waterTA) for more information



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## Water Technical Assistance Request Form

First name

Last name

If you would like a response, please include your email address and/or phone number.

Email

Phone number

Please format your phone number as (XXX) XXX-XXXX

# Technical Assistance Provider Map on SCOWT

<https://clearinghouse.epa.gov/ords/wfc/f?p=259:37>

SCOWT – Searchable Clearinghouse of Wastewater Technology  
 Helping communities make informed choices about innovative, alternative, and reuse wastewater technologies

Home About Acknowledgements Submit Feedback or Resource Technical Assistance Providers

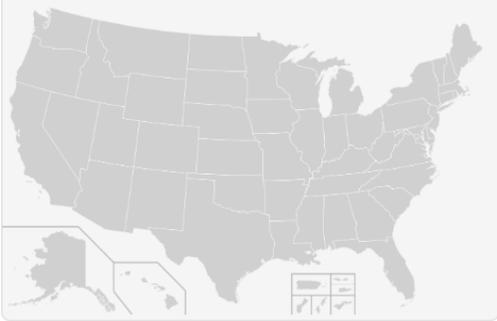
## Technical Assistance Providers

The map below is intended to help connect communities with organizations that are part of EPA's technical assistance program. Technical assistance (TA) providers may be able help with local issues related to centralized and decentralized/onsite wastewater management as well as water reuse.

Click on the map to help determine which organization(s) may be able to provide technical assistance in your state or territory. TA providers assist federally recognized Tribes within any states or territories that they service. Contact information for each technical assistance provider is included below for inquiries about services, availability, and intake processes.

**1 How to Use This Page**  
 Click here for a brief walkthrough of the search tool.

**1 Select State or Territory**



THEN

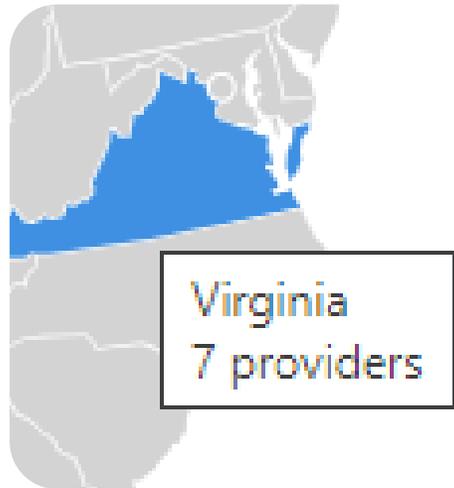
**2 Narrow Search Results with Filters (Optional)**



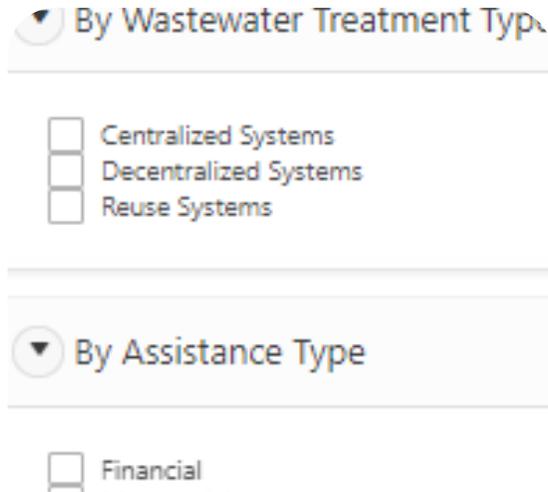
## Technical Assistance Provider Map

- ❖ An interactive interface that provides a list of EPA program Technical Assistance (TA) Providers
- ❖ Using the Map and Filter tools various users can narrow down the specific TA providers that best match their needs
- ❖ All TA Provider contact information is listed in the results as well as direct links to the TA Provider websites

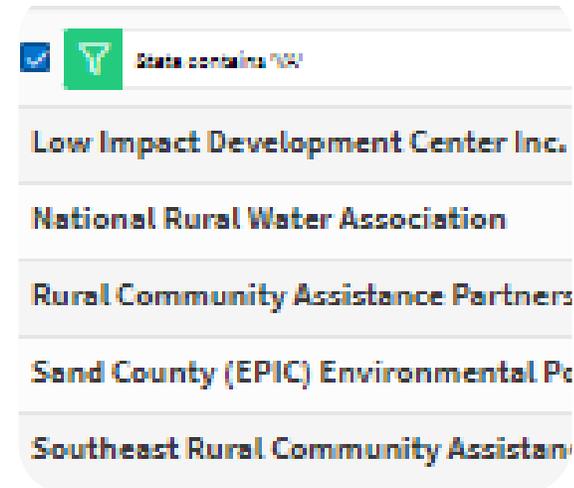
# Technical Assistance Provider Map Process



First Choose  
State(s)



Pick Filters of  
Interest



View Results



## Compliance

# What is the Compliance Advisor Program?

- Provides hands-on, one-on-one technical assistance to operators of small **wastewater** AND **drinking water** systems, in support of national compliance initiatives.
- Focused on smaller systems (generally < 10k population served) that may be under-resourced and lacking sufficient financial, managerial and technical expertise.
- Complements traditional inspection and enforcement tools.
- Initiated by OECA working closely with Office of Water

Small Communities

## Compliance

# Compliance Advisors have helped:

- As of August 2023, program has or is supporting a total of 256 systems
  - 51 wastewater systems
  - 205 drinking water systems
  - In 27 states and Puerto Rico
- Approximately 84% are in overburdened or underserved communities
- Planning to help more than 100 new small DW/WW systems starting summer/fall 2023
- Hands-on, one-on-one technical assistance over a year+



# Compliance Advisor Program successes

- Customized solutions to meet small communities' unique needs:
  - Helped a new tribal drinking water operator develop the skills to operate the system and return to compliance
  - Developed a storage tank inspection SOP that is also now used by a state
  - Developed an O&M manual for a small system that could not afford to hire a consultant
  - Created a color-coded sampling schedule for a small system to ensure compliance samples were taken when required
  - Helped a tribal system resolve 93 of 116 significant deficiencies

# Technical Assistance Webinar Series: Improving CWA-NPDES Permit Compliance

- Supports the joint EPA and Authorized State [Significant Noncompliance \(SNC\) Rate Reduction National Compliance Initiative \(NCI\)](#).
- Intended for plant operators, municipal leaders, technical assistance providers, and compliance inspection staff from federal, state, tribal and local governments.
- Every plant is unique and plant operators are able to discuss operational changes.
- Over 10,000 people have participated over the past 4 years. Past webinars are available on EPA's website.
- For more info, see <https://www.epa.gov/compliance/technical-assistance-webinar-series-improving-cwa-npdes-permit-compliance>



# Improving Small Municipal WWTP Compliance: A National Symposium

## Who?

Federal, State and Tribal  
NPDES Regulators (days 1-3),  
Contractors and Grantees  
(days 1 and 2 only)

## When?

Tues. October 25 through  
Thurs. October 27, 2022  
  
11am-5pm EST Daily

## Where?

Zoom online meeting  
**Please register [HERE](#)\***

## What is the purpose of this symposium?

*To share tools with regulators that can be used to improve compliance and reduce Significant Noncompliance (SNCR) at small municipal wastewater treatment plants*

**Compliance**

**SNC**

## **Compliance Advisories**

- [Clean Water Agencies Increasing Attention to Significant Noncompliance Dischargers](#)
- [Federal Facility Compliance Under EPA's National Compliance Initiative to Reduce Significant Noncompliance with CWA NPDES Permits](#)
- [Compliance Tips for Small, Mechanical Wastewater Treatment Plants](#)
-  [Compliance Tips for Small Wastewater Treatment Lagoons with Clean Water Act Discharge Permits \(pdf\)](#) (882.57 KB)
-  [Tips for Submitting Timely, Accurate, and Complete NPDES Discharge Monitoring Reports \(pdf\)](#) (213.05 KB)

## Lagoon Action Plan Collaboration

# Overview

## Why Lagoons?

- EPA estimates that lagoons comprise about one-quarter of the wastewater treatment utility systems in the country.
- Lagoon communities may struggle to meet new water quality requirements (E.g., ammonia, nutrients).

## Project History

**2019-2020:** Identified various EPA offices working on small community efforts separately and began cross-office collaboration

**2021-2022:** Developed Lagoon Action Plan to address compliance concerns, improve water quality, and strengthen the technical, managerial, and financial (TMF) capacity of lagoon wastewater treatment systems



## Lagoon Action Plan Collaboration

# Accomplishments/Key Tasks

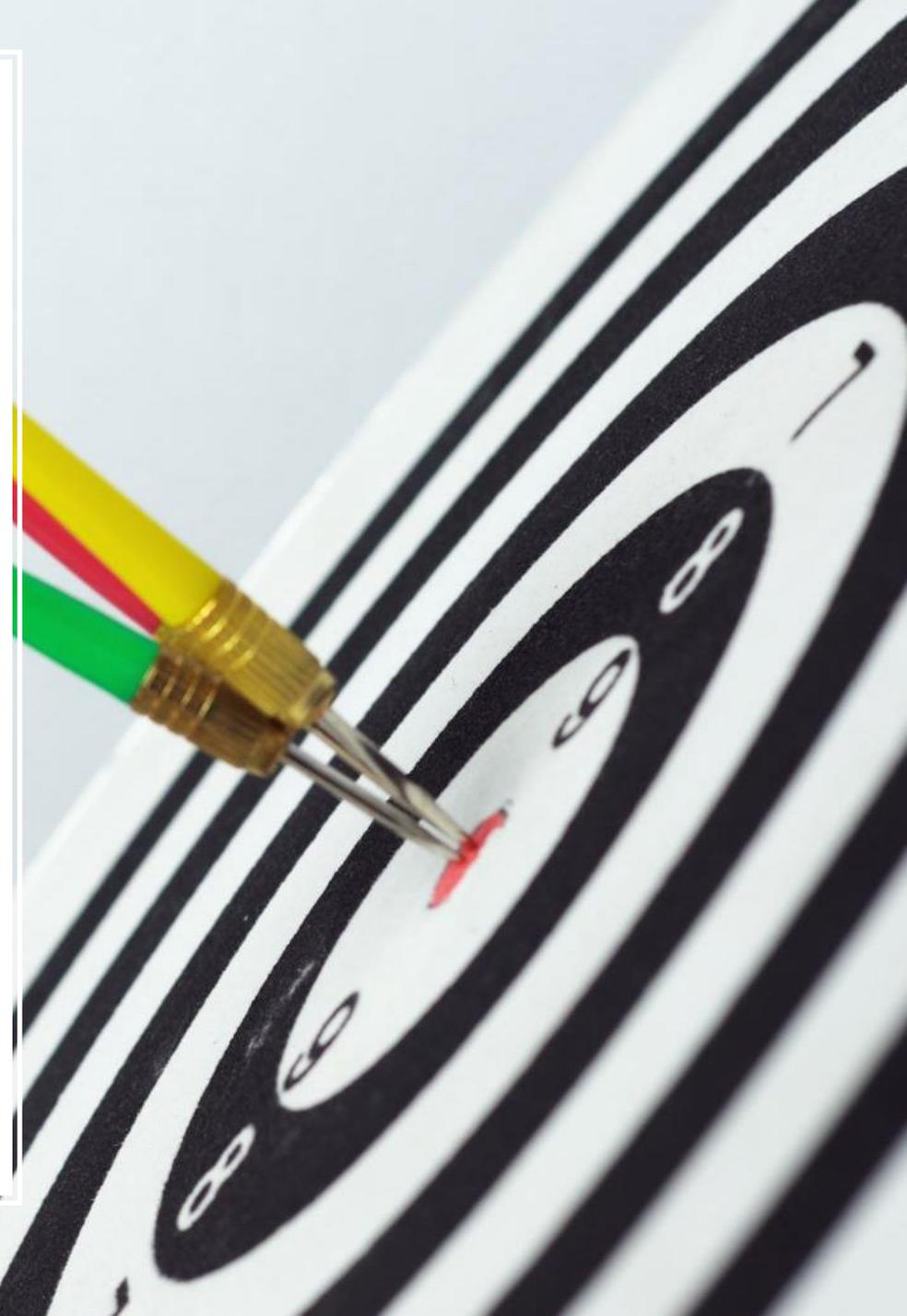
- **March 2022**, Published [Compliance Tips for Small Wastewater Treatment Lagoons with Clean Water Act Discharge Permits](#)
- **May 2022**, Published Inventory of Lagoons and report describing the number and location of communities with lagoons, types of lagoons (e.g., aerated, facultative).
- **October 2022**, Published Lagoon Wastewater Treatment Action Plan
- **October 2022**, Awarded ~\$2 Million to West Virginia University and Michigan Tech University to accelerate innovative and alternative wastewater treatment technologies in lagoon and pond systems serving small communities.
- **November 2022**, Selected 29 new Environmental Finance Centers nationwide
- **December 2022**, Published notice that lagoon cleanouts are eligible expenses under the CWSRF Program.
- **April 2023**, Selected 18 new grants to Rural, Small, and Tribal Technical Assistance providers

Website with more information on lagoon-related activities: <https://www.epa.gov/small-and-rural-wastewater-systems/lagoon-wastewater-treatment-systems>

## *Lagoon Action Plan Collaboration*

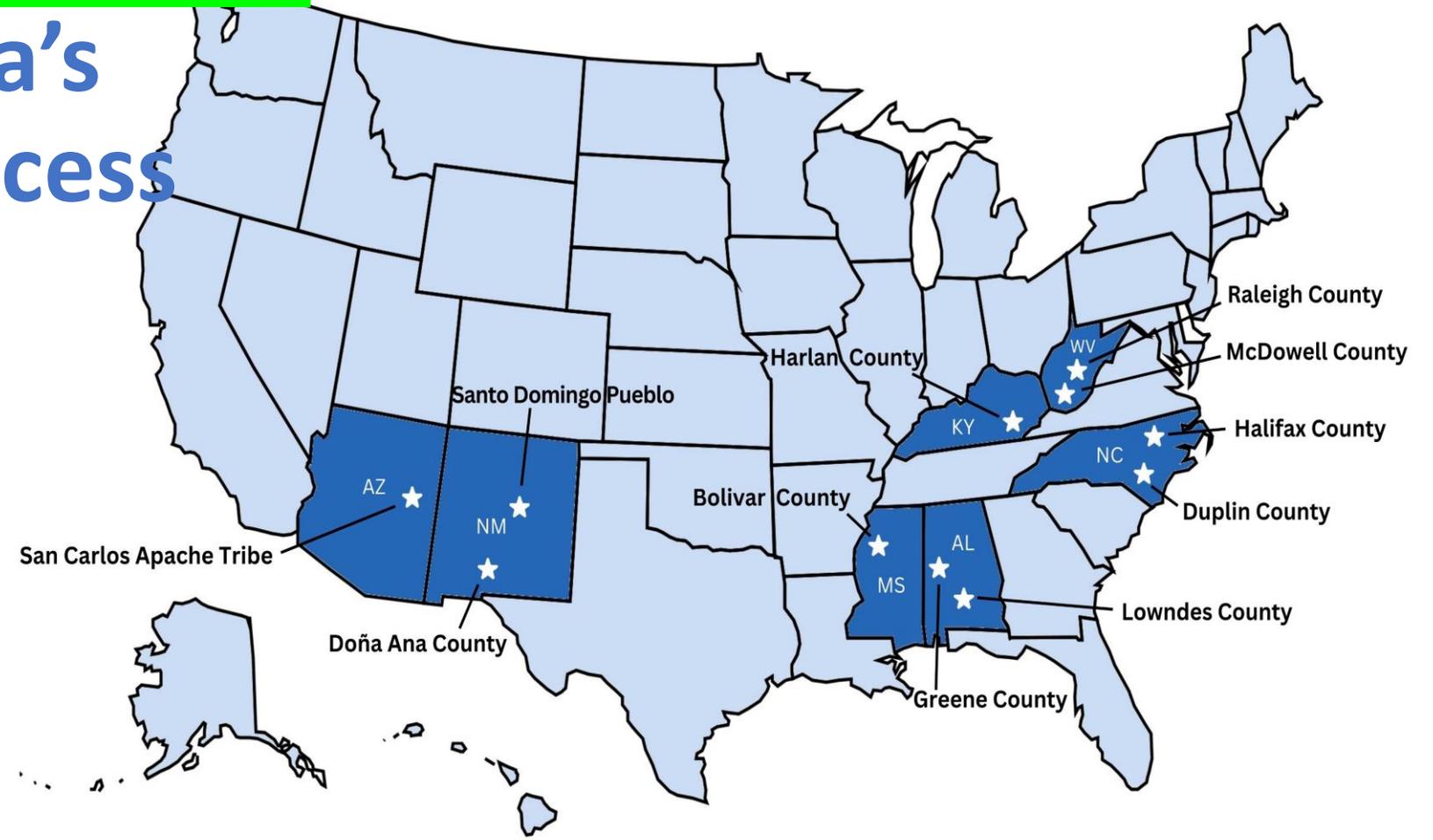
# Implementation Priorities

- In collaboration with Regions and States, build an understanding of funding accessibility needs for lagoon systems.
- In collaboration with EPA Regions and ACWA, identify 1-3 states facing compliance issues/permit issues that are interested in cleaning out their lagoon systems/accessing funding
- Develop communication materials targeting lagoon communities with compliance, operations, workforce, management, and financial challenges.
- Working with states, continue to coordinate with WaterTA providers and OECA'S Compliance Advisors Program on direct assistance to lagoon communities.



*Decentralized Systems Collaboration*

# Closing America's Wastewater Access Gap



**Strategies**

**Discussion**

**Next Steps**

***Thank you!***

