

America's Water Infrastructure Act Now and into the Future

**PA AWWA
71st ANNUAL CONFERENCE
April 17, 2019
Hershey, PA**

**Patti Kay Wisniewski
Drinking Water Section
US EPA Region 3**

4/12/2019

U.S. Environmental Protection Agency





**AWIA 2018:
Risk Assessments and
Emergency Response Plans**

Vulnerability

Assessments – get ‘em back

- EPA intends to retire the vulnerability assessments.
- Utilities may request EPA return documents
- Must submit to EPA by email to WSD-Outreach@epa.gov on utility letterhead
- **Include:** utility name, PWS ID#, address, point of contact
- Must make the request not later than the **initial date** by which the community water system must certify a risk and resilience assessment to EPA as required under Section 2013 of AWIA.

§2013 Community Water System Risk & Resilience

BT Act 2002

Vulnerability Assessment (VA) →

Terrorism or Intentional Act →

Submit VA to EPA →

Emergency Response Plan →



AWIA 2018

Risk & Resilience Assessment

All-Hazard

Submit certification to EPA

Prepare/Update & certify to EPA

Directs EPA to recognize voluntary consensus standards

Directs EPA to provide baseline threat info



Certification Due Dates

Risk Assessment

Population served
≥100,000

**March 31,
2020**



Population served
50,000-99,999

**December
31, 2020**



Population served
3,301-49,999

**June 30,
2021**



ERP

- Certify ERP not later than 6 months after completion of the risk assessment

Overview

AWIA Section 2013 (a) – (f)

- Replaces SDWA Section 1433 (from 2002 Bioterrorism Act)
- **Applies to community water systems serving > 3,300 people**
- Conduct Risk and Resilience Assessments and update Emergency Response Plans
- Submit **certifications to EPA** by specified deadlines
- Review risk assessments and ERPs **every five years**
- Coordinate with local emergency planning committees
- Maintain records

Risk and Resilience Assessments

- Consider risks from malevolent act and natural hazards
- Include:
 - Pipes/conveyances, source water, water collection/intake, pretreatment, treatment, storage and distribution, electronic, computer, or other automated systems (including security);
 - Monitoring practices;
 - Financial infrastructure;
 - Use, storage or handling of chemicals;
 - Operation and maintenance; and
 - May include capital and operational needs for risk management

Emergency Response Plans

- Prepare or revise an ERP that incorporates findings from the risk assessment
- Include:
 - ❑ Strategies and resources to improve resilience, including physical security and cybersecurity;
 - ❑ Plans, procedures, and equipment for responding to a malevolent act or natural hazard;
 - ❑ Actions, procedures, and equipment to lessen the impact of a malevolent act or natural hazard, including alternative source water, relocation of intakes, and flood protection barriers;
 - ❑ Strategies to detect malevolent acts or natural hazards.

Coordination

- Coordinate with local emergency planning committees when preparing or revising the risk assessment **and** ERP
 - EPA recommends coordination with federal, state, local, and private sector partners

Record Maintenance

- Maintain the risk assessment and ERP for **5 years after the due date for certification**

Certification

- Each CWS must certify to EPA that the CWS completed the risk assessment and ERP
 - **Do NOT send** the actual risk assessment or ERP!
 - Include only the CWS name, date of completion, and statement of completion
 - EPA will provide an optional certification template for the risk assessment and ERP

Certification Due Dates

Risk Assessment

Population served
 $\geq 100,000$

March 31,
2020



Population served
50,000-99,999

December
31, 2020



Population served
3,301-49,999

June 30,
2021



ERP

- Certify ERP not later than 6 months after completion of the risk assessment

Submittal of Certifications

- EPA will provide three options for submittal:
 - 1) Regular mail
 - 2) Email
 - 3) **Secure online portal**
 - ❖ Under development
 - ❖ Will provide online receipt
- Detailed information on submittal procedures will be provided by August 1, 2019
 - Baseline threat information, plus risk assessment and ERP tools, will be published by this date
- EPA requests that all CWS **WAIT** until after August 1, 2019 to submit risk assessment and ERP certifications

5 Year Review and Revision

- Each CWS must review and, if necessary, revise the risk assessment every five years after the certification deadline
 - Submit a certification to EPA that the CWS has reviewed and, if applicable, revised the risk assessment
- Each CWS must review and, if necessary, revise the ERP every five years following review of the risk assessment
 - Incorporate any revisions to the risk assessment into the ERP
 - Submit a certification to EPA that the CWS has reviewed and, if necessary, revised the ERP not later than 6 months after the CWS has reviewed the risk assessment

Use of Previous Risk Assessment and ERP

- A CWS may use a risk assessment or ERP developed prior to enactment of the AWIA
- To meet certification requirements, a previous risk assessment or ERP must:
 - Include all assessment or response components listed in the law; and
 - Reflect the current condition of the CWS.
- If required assessment or response components have been omitted, the CWS may add those components
- If the CWS has undergone modifications, the CWS may update the risk assessment or ERP where needed

Use of Standards and Tools

- EPA does not require the use any standards or tools to develop a risk assessments or ERP under AWIA
 - CWS are only required to follow the law
- The use of standards (e.g., AWWA methods) and tools from EPA and others is recommended
 - Methods and tools can facilitate the development of sound risk assessments and ERPs
- No method or tool “guarantees” compliance with AWIA
 - The CWS must ensure it complies with all AWIA requirements
 - Alternate methods cannot be used in place of AWIA requirements

**Stay
Tuned For
Updates!**

America's Water Infrastructure Act of 2018: Risk Assessments and Emergency Response Plans

On October 23, 2018, America's Water Infrastructure Act (AWIA) was signed into law. The law requires community (drinking) water systems serving more than 3,300 people to develop or update risk assessments and emergency response plans (ERPs). The law includes components that the risk assessments and ERPs must address, and establishes deadlines by which water systems must certify to EPA completion of the risk assessment and ERP.

EPA's Water Security Division is currently working to develop the tools, resources and procedures that water systems need to comply with Section 1433 of the AWIA. This site will be updated with new information as that work progresses.

Google EPA + AWIA

<https://www.epa.gov/waterresilience/americas-water-infrastructure-act-2018-risk-assessments-and-emergency-response-plans>



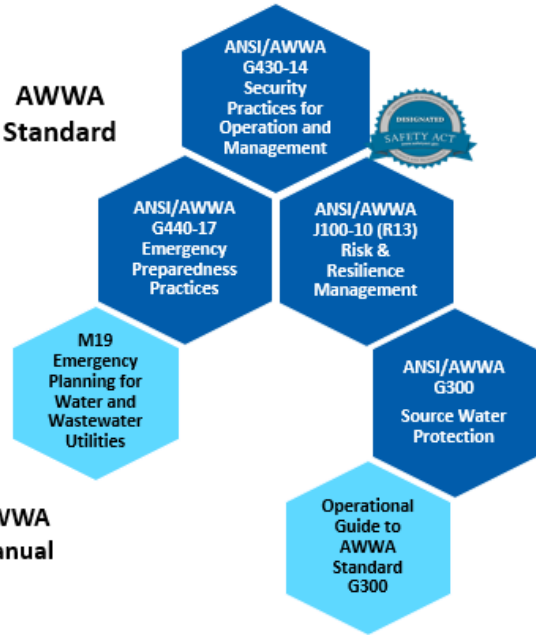


Develop an all-hazards approach to risk and resilience management

AWWA Utility Risk and Resilience Certificate Program Coming Soon!

Online Course Length: 10 hours/1.0 CEUs

AWWA Risk & Resilience Resource Suite



§2018 Source Water

Timeframe	Key Implications
Effective Immediately	State must promptly notify a community water system of a release impacting source waters
Effective Immediately	Access to EPCRA Tier II data from any facility within a delineated source water area





Questions?

Patti Kay Wisniewski

215-814-5668

Wisniewski.patti-kay@epa.gov

