**EPA’s Small Community Advisory Subcommittee (SCAS) Meeting Summary**

February 9th, 2024

**Meeting Welcome and Roll Call**

SCAS Co-Chairs Supervisor Ann Mallek and Mayor Katie Rosenberg welcomed new and returning members to the meeting. SCAS Co-Chairs reminded members of the meeting goals and turned to John Lucey for an EPA welcome.

**EPA Welcome**

John Lucey, Associate Administrator EPA’s Office of Congressional & Intergovernmental Relations, expressed his gratitude for the Subcommittee and welcomed members to the first SCAS meeting of the year. Associate Administrator Lucey highlighted a shared mission amongst members recognizing their commitment to public service as elected and appointed officials across the U.S., the mission for cleaner air, safe drinking water, and a sustainable environment for the communities that is represented. It is because of this shared mission and vision that EPA Administrator Michael Regan recently invited new and returning members to serve as an advisor to the Agency, by way of this Subcommittee.

Associate Administrator Lucey stated that EPA is well underway with advancing the goals of the Biden-Harris Administration. Many of these goals involve combating the climate crisis, modernizing the Nation’s aging infrastructure, and prioritizing overburdened communities that have longstanding environmental harm and pollution. This is being accomplished using a whole-of-government approach that jointly involves tribal, state, and local partnerships and collaboration.

Associate Administrator Lucey mentioned that in previous years, the SCAS has provided input the Agency on a variety of topics including, the Bipartisan Infrastructure Law, electrifying vehicles in smaller communities, the PFAS Drinking Water Regulation, Waters of the U.S., and more. Not many understand the various levels of environmental issues of concern from smaller towns like SCAS members and EPA relies on this insight as to develop policies, enforce regulations, and provide technical assistance to communities that need it the most.

Associate Administrator Lucey thanked the Subcommittee and looks forward to receiving advice and recommendations on EPA’s evolving programs and initiatives.

**Local Government Advisory Committee’s (LGAC) Recommendations on EPA’s Proposed Lead and Copper Rule Improvements**

LGAC Workgroup Chairs Miki Esposito, Assistant Director of the Los Angeles County Public Works Department and Gary Brown, Director of the Detroit Water and Sewerage Department, presented draft [recommendations](https://www.epa.gov/system/files/documents/2024-02/lcri-signed-reccomendations_2_20_24.pdf) on EPA’s proposed Lead and Copper Rule Improvements. Workgroup Chair’s requested insights from the SCAS on the following points:

* EPA has lowered the small water system size from 10,000 to 3,300. Do small communities above 3,300 customers, but less than 10K customers have comments/concerns about this?
* If a water system exceeds the limits, small systems can either provide point-of-use devices or replace all lead bearing plumbing materials if they can get access to residence rather than meeting corrosion control treatment—unless the state thinks a specific small system has the technical capabilities to do a corrosion control study. What are water system from smaller communities thoughts on this?

**SCAS Point of Discussion**

Regarding the proposed lowering of the definition of small systems from 10,000 to 3,300 residents, SCAS members raised a variety concerns. First, communities of this size have limited revenue, with little differentiation in resources between the two proposed thresholds. If flexibilities were no longer waived for communities between 3,300 and 10,000 residents, there would need to be a corresponding funding mechanism to support compliance. There would also need to be little to no match requirement for planning and implementation, from municipalities no longer considered “small” under the new regulation.

Beyond funding, technical assistance is an important factor for small communities. SCAS members highlighted that the expertise and worker retention of small water system operators has declined over the last ten years. The technical assistance offered is often via a website recording or dependent on completing a complex application. If the goal is to support compliance, implementation must involve a person coming into a facility, or at the least, connecting via one-on-one videoconferencing. A bigger concern with changing the threshold in the definition is the series of known and unknown impacts it would have on state regulations and guidelines. States often use EPA’s definition of small systems to determine different funding resources and requirements. Changing this for one specific rule could set a dangerous precedent, with the potential for a cascading, harmful fiscal impact. Furthermore, the change could impact regionalization efforts, where rural communities are working to combine operations to share resources and lower cost.

The SCAS believes that EPA should incentivize this trend wherever possible. However, in some states there are population thresholds for this action, which are based on federal water regulations. SCAS members from western Massachusetts noted that it’s already difficult to connect communities with under 5,000 people to regionalization efforts, and this proposed change would further exacerbate the challenges associated with these efforts. In response to the question of who authors relevant guidance under the LCRI, the SCAS appreciates EPA’s evidence-based approach and overall supports EPA taking on this responsibility. However, if this responsibility is delegated to states, they recommend that EPA provide templates and deadlines for completion.

Members also request that, wherever possible, communities be allowed to access funding and technical assistance directly from EPA – rather than an intermediary government or organization – as this makes a notable difference in efficiency and efficacy for small communities.

**Public Comments**

Steve Via, American Water Works Association, provided comments to the Subcommittee based on the meeting’s discussion.

**Meeting Wrap Up and Closing**

SCAS Co-Chairs Supervisor Ann Mallek and Mayor Katie Rosenberg thanked Subcommittee members for their discussion and adjourned the meeting.