

WATER SYSTEM EMERGENCY, SECURITY, AND RESILIENCE

Internal deliberative pre-decisional - FOR USE BY 2024 PRESIDENT-ELECT TRANSITION TEAM MEMBERS ONLY

ISSUE SUMMARY:

EPA by statute and long-standing Presidential order has the lead federal responsibility for ensuring the security and resiliency of the nation's drinking water and wastewater utilities, including a critical role as first responders during water emergencies which may endanger public health. Natural disasters, intentional or accidental contamination, supply chain disruptions, and failing infrastructure jeopardize the ability of the water sector to fulfill its public health and national security missions. EPA's water emergency response, security, and resiliency program provides emergency response trained staff for managing field operations, such as damage assessments, as well as other technical assistance to help restore the Nation's critical water infrastructure after an emergency.

KEY POINTS:

Agency Roles and Activities during Water Emergency Response

- The President, under Presidential Policy Directive—44, may designate EPA as the Lead Federal Agency responsible for leading the federal government's response to an emergency at water and wastewater systems akin to the role FEMA serves under the Stafford Act.
- EPA's Office of Water has the responsibility to lead and train the EPA Regions in ensuring that the Agency has the capabilities to fulfill its Lead Federal Agency role, in addition to the emergency response roles triggered by a Stafford Act emergency or major disaster declaration and by water crises on a more local level which have the potential to endanger public health.
- During major disasters, the Office of Water works with FEMA and the U.S. Army Corps of Engineers (USACE) to, among other tasks, assess damage at water systems, provide technical assistance and subject matter expertise, conduct sampling, and lead FEMA mission assignments, such as the recent assessment and repair of water infrastructure damaged by wildfires in Maui, HI.
- FEMA and USACE depend on EPA to lead the federal government's response to water emergencies.
- For example, EPA has taken lead roles in the response to and recovery from water crises, including water systems with elevated water lead levels in Clarksburg, WV, and Benton Harbor, MI; the leakage of stored jet fuel into a drinking water source in Oahu, HI; arsenic contamination of a public well in Coachella Valley, CA; and the drinking water crisis in Jackson, MS.
- EPA's water emergency response, security, and resiliency program relies on close partnerships with the water sector, state emergency response and water program officials, and other federal agencies—most notably the Department of Homeland Security (DHS), FEMA, USACE, and the intelligence community.

Agency Actions Supporting Water Emergency Response, Security, and Resiliency

- Under the federal Homeland Security structure, each of the 16 critical infrastructure sectors has a Sector Risk Management Agency (SRMA) which serves as the federal lead agency responsible for enhancing that sector's security and resilience; EPA is the SRMA for the Water and Wastewater Systems sector, and the Office of Water serves as the primary lead for this mission.
 - Water, along with Energy, Communications, and Transportation, are critical to the operations of almost all other infrastructure sectors, as well as each other, and are fundamental to the delivery of the basic societal functions for communities.

- EPA works with the Department of Defense (DoD) to help secure water systems which support Defense Critical Infrastructure (DCI), to include hosting DCI water system resilience webinars and conducting in-person workshops for DoD installations and their water suppliers.
 - For example, EPA conducted workshops at Fairfax Water, which serves Fort Belvoir, VA, and Aurora Water, which serves Buckley Space Force Base, CO to discuss water-related concerns and risks that may affect the military mission.
- EPA leads implementation of SDWA Section 1433, which requires community water systems serving greater than 3,300 people to perform risk and resilience assessments, develop emergency response plans, and certify their completion to EPA every five years: EPA is currently entering its second cycle supporting SDWA 1433 compliance.
- EPA provides tools, guidance, exercises, and direct technical assistance aimed at mitigating high risks to the water sector (e.g., floods, droughts, wildfires, climate change, supply chain disruption), and conducts exercises and technical support to about 6,500 water and wastewater utilities each year.
- For example, the EPA Flood and Drought Resilience Guides and associated technical assistance support water utilities in determining the risk to flooding and drought in their geographic region, and then identifying specific capital improvements (and funding sources) to mitigate the risk.
- EPA's Creating Resilient Water Utilities initiative provides innovative, readily accessible electronic tools and direct technical assistance to enable water systems to adapt to extreme weather events: In FY24, EPA conducted 34 extreme weather technical assistance projects supporting water utilities with risk assessments.
- EPA leads the federal government's efforts to plan for, monitor, and rectify potential supply chain disruptions impacting the availability of water treatment chemicals and other critical materials needed for system operation.
 - EPA negotiates among manufacturers, distributors, and water sector utilities to ensure that the sector has sufficient supplies of chemicals to provide safe drinking water and to treat wastewater: EPA leverages its authority under SDWA Section 1441 and its role under the Defense Production Act to advocate for the sector during supply chain crises (e.g., as occurred during COVID).
 - EPA actively shares information on disruptions with the water sector; provides direct technical assistance to affected water systems; and conducts supply chain resilience assessments with individual water systems.
- EPA provides direct technical assistance to states in developing state emergency drinking water supply plans, as required under SDWA, which includes establishing roles and responsibilities among water utilities, primacy agencies, and emergency services during water supply emergencies.

ONGOING/UPCOMING REVIEWS FOR FY2024:

- The FY 2025 President's Budget for EPA includes resources to enhance the Agency's water emergency response capabilities as well as to provide direct assistance to affected communities.
- SDWA Section 1433 certification deadline for development/review of large community water system (serving greater than 100,000 people) risk and resilience assessments is March 31, 2025.

KEY EXTERNAL STAKEHOLDERS:

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| <input checked="" type="checkbox"/> Congress | <input checked="" type="checkbox"/> Industry | <input checked="" type="checkbox"/> States | <input checked="" type="checkbox"/> Tribes | <input checked="" type="checkbox"/> Media | <input checked="" type="checkbox"/> Other Federal Agency |
| <input type="checkbox"/> NGO | <input checked="" type="checkbox"/> Local Governments | <input checked="" type="checkbox"/> Public | | | |

MOVING FORWARD:

EPA will provide water technical expertise and field response support during FEMA-led responses to major disasters, build internal Agency capabilities to rapidly respond to drinking water crises, develop water sector resiliency guidance, offer all hazard resiliency and climate change training and direct technical assistance to water and wastewater systems, implement Congressionally mandated SDWA Section 1433 requirements, and monitor and respond to water supply chain disruptions.