



At a Glance

Why We Did This Review

We initiated this review to determine how the U.S. Environmental Protection Agency (EPA) helps states and territories ensure that small community water systems with serious violations come into compliance with health-based standards and Safe Drinking Water Act (SDWA) requirements.

Small community water systems provide drinking water to 3,300 or fewer residents year-round. These 42,199 systems represent 82 percent of the community water systems in the United States and serve an estimated 24.4 million people. This evaluation focused on Puerto Rico, Texas and Kansas, located within EPA Regions 2, 6 and 7, respectively.

This report addresses the following EPA goals and cross-agency strategies:

- *Protecting America's waters.*
- *Protecting human health and the environment by enforcing laws and assuring compliance.*
- *Launching a new era of state, tribal, local, and international relationships.*

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Drinking Water: EPA Needs to Take Additional Steps to Ensure Small Community Water Systems Designated as Serious Violators Achieve Compliance

What We Found

EPA efforts to bring small systems into compliance through enforcement and compliance assistance resulted in some improvement over time. In October 2011, the EPA classified 2,252 small community water systems as serious violators, including 193 systems with Tier 1 violations. Tier 1 violations reflect the most serious public health-related violations, and require public notification to customers within 24 hours. The 84 systems in Puerto Rico, Texas and Kansas represented 45 percent of the 193 serious violators with Tier 1 violations identified in 2011.

The EPA can better protect the public from contaminated drinking water, including nearly 200,000 people in Puerto Rico still lacking safe drinking water.

For these 193 systems, within 3 years, 43 of those systems (or 22 percent) had returned to compliance. However, for the 84 systems in Puerto Rico, Texas and Kansas, only 14 percent had returned to compliance; 72 systems (86 percent) remained noncompliant as of April 2015. We reviewed 10 systems in each of the three locations. Each system faced specific challenges that made compliance difficult. In many cases, the EPA and states applied enforcement and compliance tools at their disposal to help the systems. Four systems attained compliance and several others made progress. However, at systems where serious noncompliance persisted, the EPA and states need to engage in a long-term, system-specific approach to bring about compliance.

Across the three regions, we found inconsistencies in adherence to the EPA's Enforcement Response Policy. Within our sample, 10 of the systems never received a formal enforcement order, only three of 20 enforcement orders met the timeliness standard in the Enforcement Response Policy, and few cases were escalated by the EPA or state when noncompliance persisted. Without assurance that necessary enforcement action has been taken, human health risks may continue at these small community water systems.

Recommendations and Planned Agency Corrective Actions

We recommend that the Regional Administrator for Region 2 coordinate the multiple efforts underway in Puerto Rico to improve compliance at priority systems and track whether public notice is distributed to customers. We recommend that the Regional Administrator for Region 7 take steps to ensure compliance with the Enforcement Response Policy. Further, we recommend that the Assistant Administrator for Enforcement and Compliance Assurance require regions to provide annual justification for the lack of formal enforcement action as appropriate, and to establish a coordinated Action Plan for achieving workgroup goals that draws on expertise and tools across the agency, including inviting other federal agencies. The agency agreed with all of our recommendations and proposed adequate corrective actions. All report recommendations are resolved.