



At a Glance

State Program Deficiencies and Inadequate EPA Oversight of State Enforcement Contributed to the Drinking Water Crisis in Jackson, Mississippi

Why We Did This Evaluation

To accomplish this objective:

The U.S. Environmental Protection Agency Office of Inspector General conducted this evaluation to examine the EPA's response and oversight related to drinking water contamination in Jackson, Mississippi. Specifically, our objective was to determine the circumstances of, and the EPA's response to, noncompliance with the Safe Drinking Water Act at the City of Jackson's community water system.

Mississippi, through the Mississippi State Department of Health, has primacy for the implementation and enforcement of the Safe Drinking Water Act for public water systems in the state. State applications for primacy must describe how the state will implement sanitary survey program requirements. The state is responsible for conducting sanitary surveys, which assess a water system's capability to treat and deliver drinking water. Additionally, when violations are found, they are entered quarterly into the Safe Drinking Water Information System.

To support these EPA mission-related efforts:

- *Ensuring clean and safe water.*
- *Compliance with the law.*

To address this top EPA management challenge:

- *Maximizing compliance with environmental laws and regulations.*

Address inquiries to our public affairs office at (202) 566-2391 or OIG.PublicAffairs@epa.gov.

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What We Found

The Mississippi State Department of Health, or MSDH, did not consistently enforce the Safe Drinking Water Act or provide adequate oversight for the Jackson public water system. The MSDH does not have implementation procedures for its compliance and enforcement program. Consequently, the MSDH did not take formal enforcement actions to compel Jackson to comply with the Safe Drinking Water Act.

The EPA was unaware of the extent of issues at Jackson until it conducted an on-site inspection of the system in February 2020. The findings of the inspection prompted the EPA to use its enforcement authorities. Although the EPA became more involved and proactive at the site, Jackson experienced a series of extreme weather events, and residents were continually placed on boil water notices, which culminated in failures of the water distribution system in February 2021 and August 2022. In August 2022, the EPA referred Jackson to the U.S. Department of Justice, which filed a civil complaint that led to the appointment of an interim third-party manager to operate, maintain, manage, and control the city's drinking water system.

The EPA may have taken enforcement action sooner had the MSDH conveyed information timely and accurately.

Recommendations and Planned Agency Corrective Actions

We make seven recommendations in this report:

- Five to the regional administrator for Region 4 to assess the MSDH's sanitary survey program; develop a methodology to verify the adequacy of sanitary surveys conducted by the MSDH; verify that the MSDH has procedures to ensure water systems report compliance monitoring data to the state and that the Mississippi Public Health Laboratory has appropriate procedures; train MSDH personnel on the Safe Drinking Water Information System/State Version software; and evaluate whether the MSDH is implementing procedures for the enforcement of drinking water regulations.
- One to the assistant administrator for Water to update an EPA guidance manual and an EPA training guide to include a sanitary survey checklist and a process for states to alert the EPA of public water systems with systemic issues that individually may not rise to the level of a significant deficiency.
- One to the assistant administrators for Water and Enforcement and Compliance Assurance to develop guidance on the applicability and use of the Safe Drinking Water Act section 1442(b) grant authority to address public health in an emergency situation.

The EPA agreed with our seven recommendations. The EPA provided acceptable corrective actions for Recommendations 3 and 7, which are resolved with corrective actions pending. Corrective actions for Recommendation 2 have been completed. The EPA's proposed corrective actions for Recommendations 1, 4, 5, and 6 did not fully meet our intent, and those recommendations remain unresolved with resolution efforts in progress.