



Fact Sheet

Public Participation in the DWSRF Program

WHAT IS THE DWSRF?

The Drinking Water State Revolving Fund (DWSRF) program was established by the 1996 Safe Drinking Water Act (SDWA) Amendments. The program authorizes grants to States to capitalize revolving loan funds. States use funds to provide loan assistance to eligible public water systems for infrastructure improvements needed to continue to ensure safe drinking water. The program also emphasizes the prevention of drinking water contamination by allowing States to reserve a portion of their grants to fund set-aside activities that encourage enhanced water systems management and source water protection.

SAFE DRINKING WATER ACT AND PUBLIC PARTICIPATION

One of the goals of the 1996 Amendments is to provide better information to the general public on the quality of drinking water. The Amendments emphasize public participation and the consumer's right-to-know to ensure that the choices States make with respect to drinking water program implementation are responsive to public needs. Several provisions of the SDWA specify that the State provide the public with data and analyses and give them the opportunity to review and comment on drinking water program implementation regulations, strategies, and procedures.

One such public involvement requirement involves the DWSRF program. As part of its annual capitalization grant application, a State must prepare an Intended Use Plan (IUP) that describes how it intends to use DWSRF funds to meet the objectives of the SDWA and further public health protection goals. A State make its IUP available for public review and comment.

WHAT ARE A STATE'S PUBLIC REVIEW OBLIGATIONS?

A State must seek "meaningful" public review and comment on the IUP and describe its procedures in the capitalization grant application which must also explain how major comments and concerns were addressed. The State must provide for public review and comment on several elements of the program, including:

- The short and long-term goals of the DWSRF program.
- The priority system used for ranking individual projects.
- The priority lists of projects, both those to be provided assistance in the near future (i.e., fundable list) and those that are eligible for assistance (i.e., comprehensive list).
- The financial status of the DWSRF program.
- A description of the amounts and intended uses of funds that the State will use for set-aside activities.

A State must also seek public comment if it substantially changes the use of funds from what was originally described in the IUP and before adding a project to the project priority list, unless the project is needed to address an emergency or has been previously identified through the public participation process.

WHAT IS “MEANINGFUL” PUBLIC REVIEW?

There are no specific requirements in the SDWA as to what constitutes meaningful public review. Generally, any State process that allows adequate time for the public to comment and also allows the State to address and respond to major comments will meet the public participation requirements. Examples of activities conducted by States to provide public access include:

- └ distributing the IUP to a wide audience
- └ holding public meetings/hearings or participating in conferences
- └ publishing newsletters
- └ mailing program information to water systems and other interested parties
- └ developing Internet websites
- └ publishing newspaper notices
- └ producing radio or television community public service announcements
- └ establishing advisory groups to help develop policies and review programs

HOW ARE STATES INVOLVING THE PUBLIC?

- └ Many States utilize newsletters to keep the public informed of activities being conducted to implement the DWSRF and drinking water programs. Newsletters can be an effective vehicle for keeping the public and water systems abreast of changes in program status and can convey the goals, objectives, and accomplishments of the States as they work to assure safe drinking water for their citizens. **Oregon’s Pipeline** and **South Carolina’s Newsleak** provide information about their DWSRF and drinking water programs. Oregon’s newsletter has included excerpts from the State’s IUP outlining the goals and objectives for activities funded by set-asides. *The Loan Arranger*, distributed by **Michigan**, describes the activities of the DWSRF and its sister Clean Water SRF programs.
- └ While most States hold public meetings, they are often scheduled at inconvenient times in major metropolitan areas which makes it difficult for representatives from small rural communities to participate. Recognizing this, **Arizona’s** program has taken to the road and traveled to numerous communities to present the program to the public and potential loan recipients. The State also holds an annual water financing conference to introduce the program to the public and other interested parties. Although the majority of the more than 140 attendees at the first year’s conference in Phoenix were owners and/or operators of small systems, the program is moving to hold workshops in five locations throughout the State to reach a wider range of communities. The Arizona program has found its strategy to be a success. The vast majority of loans closed within the first two years of the program went to small systems (both publicly- and privately-owned) located throughout the State.
- └ While **Vermont** and **Maine** have conducted many of the activities listed above, they have also gone high-tech by developing Internet web sites to disseminate information about their programs to water systems, other interested parties, and the general public. Both States provide their IUPs on the Internet for public access. They also provide application materials, information about other program requirements, and information about related programs such as capacity development.

HOW CAN I OBTAIN MORE INFORMATION?

Information about the DWSRF program is available on the EPA Office of Ground Water and Drinking Water (OGWDW) homepage [www.epa.gov/safewater/dwsrf.html]. The website also has a list of State and Regional contacts and links to State DWSRF programs. You can also call the Safe Drinking Water Hotline at 1-800-426-4791 for more information.

