

Fact Sheet

Office of Compliance's Compliance Advisors for Sustainable Water Systems (formerly OECA Circuit Rider Program)

Purpose: Inform and engage EPA's state and tribal drinking water and wastewater partners about EPA Office of Compliance's (OC) Compliance Advisors for Sustainable Water Systems Program (OC Compliance Advisor Program or Compliance Advisors).

What is the Compliance Advisor Program: The OC Compliance Advisor program brings one-on-one technical assistance right to the door of those drinking water and wastewater systems serving small communities with compliance problems, many of which are in areas of potential environmental justice (EJ) concern. OC's program complements other technical assistance programs supported by the EPA's Office of Water, USDA Rural Development, and other organizations.

Why is EPA offering the OC Compliance Advisor Program? To protect water quality and drinking water, EPA and its partner agencies use a variety of tools to promote compliance, ranging from inspections and enforcement to technical assistance like the OC Compliance Advisor Program. For both the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA), small systems constitute the largest percentage of systems with compliance challenges.

What assistance can the Compliance Advisors provide? As noted above, the Compliance Advisors will provide one-on-one direct technical compliance assistance to operators of small wastewater and drinking water systems nationwide, including in Indian country. These systems may be under-resourced and lack sufficient financial, managerial, and technical expertise to manage their operations to achieve and maintain compliance. Examples of the types of technical assistance that Compliance Advisors can provide include:

- supporting the review and understanding of permit or rule requirements and resolving reporting/recordkeeping issues,
- troubleshooting and diagnosing non-compliance at small systems (plant optimization, diagnosing plant inefficiencies or malfunctions, and addressing the underlying causes of noncompliance),
- providing hands-on education based on preliminary assessment of needs (such as management and operations including inventorying of assets or financing options),
- assessing rates and financial impacts of proposed options,
- sharing appropriate reference materials such as manuals, standard operating procedures, and checklists to improve compliance, and
- providing customized group training for neighboring operators to facilitate mutual assistance and mentoring.

Systems in Indian country can also receive technical assistance on other water-related noncompliance issues such as spill prevention control and countermeasures (SPCC) and underground injection control (UIC).

The Compliance Advisors are limited to providing technical assistance and cannot provide capital funding, conduct operation and maintenance activities, or develop detailed engineering studies.

Compliance Advisors will plan to visit a group of 4-5 systems in a single week depending on the complexity of the systems and travel time. Small drinking water systems are typically less time intensive than mechanical wastewater systems.

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Compliance Advisors serve as part coach and part consultant. They can help troubleshoot issues, develop recommendations to return systems to compliance and increase the technical capacity of operators so they can maintain compliance.

During the COVID-19 travel restrictions, the Compliance Advisors have been conducting remote technical assistance with system operators. The operator sends videos/photos that are then discussed remotely. While this interim approach can't replace on-site visits, which are preferred, Compliance Advisors have been able to provide effective technical assistance remotely to systems that have adequate connectivity.

The Compliance Advisors will develop and periodically update a recommendations report (approximately 10-15 pages) for each system that documents the site visit and includes a prioritized list of activities to achieve and/or maintain compliance. Technical support from the Compliance Advisors is anticipated to last 12-18 months for each system, typically with two site visits per system.

What types of systems are eligible? Compliance Advisors can provide technical assistance to small public wastewater and drinking water systems that meet the criteria listed below. While publicly owned systems (towns, municipalities, water districts) are the top priority for EPA Regions and states, when there is a compelling need and the selection criteria are met, other systems such as unincorporated communities, sub-divisions, homeowner associations and trailer parks may also be eligible.

Selection Criteria

1. System has **problems attaining and/or maintaining compliance** with the SDWA and/or CWA requirements;
2. System agrees to participate and exhibits a good faith effort to comply. To succeed, systems will need to respond promptly and have **operator(s) who are engaged and willing to work with the Compliance Advisors**;
3. **System is small** (generally a system serving a population less than 10,000); and
4. System is **reasonably close** (within a two-hour drive) **to additional systems** that would be in the same group.

Secondary considerations:

1. System is preferably located in an area of **potential Environmental Justice (EJ) concern**.
2. If a system is under an **enforcement order**, ensure that the technical assistance complements and does not interfere with required actions.
3. Potential Compliance Advisor assistance would **complement (not duplicate) technical assistance** provided by other providers such as the Water Finance Centers, Rural Community Assistance Partnership, National Rural Water, USDA, etc.
4. Systems with **capital-intensive structural needs or systems that are severely under-staffed** are less likely to benefit from Compliance Advisor technical assistance.

What are some of the tools available to identify potential candidates for the Compliance Advisor Program?

Compliance Advisor Assistance Map is a GIS map to help EPA Regions identify publicly owned treatment works (POTWs) and community water systems for potential support under the Compliance Advisor program. This tool is available on [ECHO](#) to users with an ECHO.gov login. Once logged in, go to the Data Visualization Gallery under the "Analyze Trends" tab and select "Circuit Rider Assistance Map (beta)".

EJSCREEN is an EJ mapping and screening tool that provides EPA with a nationally consistent dataset and approach for combining environmental and demographic indicators. This tool is publicly available at <https://www.epa.gov/ejscreen> by selecting "Launch the EJSCREEN Tool".

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What are the expectations for EPA regions, states or tribes participating in the OC Compliance Advisor Program?

- Ensure that nominated systems meet the criteria listed above.
- Provide information to help the Compliance Advisors prepare for the site visits, such as permits, inspection reports, monitoring reports, capacity development reports, etc.
- Coordinate with local technical assistance providers to ensure that the system is not currently receiving technical assistance for the same issues the Compliance Advisors will address.
- Participate, as appropriate, in conference calls, meetings, and site visits with the Compliance Advisors.
- Review draft recommendation reports developed by Compliance Advisors.
- Continue to conduct compliance inspections.

Where are OC Compliance Advisors active? As of June 2021, Compliance Advisors have been assigned in all 10 EPA regions and cover 47 wastewater and 98 drinking water systems in 13 states and Puerto Rico. Three of the assigned circuits will provide technical assistance to tribes or Alaska Native Villages.

How can States/Tribes work with their EPA Region to apply for Compliance Advisor Assistance? States and tribes interested in Compliance Advisor assistance should contact their EPA region to nominate systems. OC will accept additional applications for Compliance Advisor technical assistance on an on-going basis. Groups of systems will be selected based on the criteria above and will be scheduled based on available resources and the priority assigned to it by the Region. Requests for Compliance Advisor assistance will only be accepted from EPA regional offices as submitted using the OC Compliance Advisor Application Form.

Who do I contact with questions or to nominate systems for Compliance Advisor visits? Contact your EPA Regional NPDES or SDWA Compliance Branch Chief:

Region 1: NPDES - Denny Dart: dart.denny@epa.gov

SDWA - Sharon Hayes: hayes.sharon@epa.gov

Region 2: Doug McKenna: mckenna.douglas@epa.gov

Region 3: NPDES - Stacie Pratt: pratt.stacie@epa.gov

SDWA – Rick Rogers: rogers.rick@epa.gov

Region 4: Mary Jo Bragan: bragan.maryjo@epa.gov

Region 5: Nefertiti DiCosmo: dicosmo.nefertiti@epa.gov

Region 6: Bryant Smalley: smalley.bryant@epa.gov

Region 7: Jodi Bruno: bruno.jodi@epa.gov

Region 8: Colleen Rathbone: rathbone.colleen@epa.gov

Region 9: NPDES - Eric Magnan: magnan.eric@epa.gov

SDWA: Elizabeth (Thanne) Berg: berg.elizabeth@epa.gov

Region 10: Jeff Kenknight: kenknight.jeff@epa.gov

For additional information on OC's Compliance Advisor Program, please contact Seth Heminway: heminway.seth@epa.gov or John Kosco: kosco.john@epa.gov.