



September 18, 2019

Mr. David Ross
Assistant Administrator
Office of Water
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Mr. Ross:

The coalition of local government organizations that supported the Water Infrastructure Improvement Act (Public Law No: 115-436), adopted by Congress December 2018 and signed into law January 2019, are very interested in working closely with the U.S. Environmental Protection Agency (EPA) to implement the new integrated planning and permitting policy. This policy is an important tool for local governments to comprehensively deal with wastewater and stormwater investments to fulfill our primary goal of providing adequate and affordable wastewater services and achieve national goals of clean and safe water.

We are concerned, however, that the Agency has not reached out to our groups since passage of the bill. Based on our members' experience with Clean Water Act (CWA) permits, we believe our members could provide a valuable sounding board as the Agency considers policies and guidance to implement the new policy. We support a successful integrated planning policy and can better assist the Agency by learning how you plan to move ahead and engage our organizations during this process.

To that end, we ask the following questions:

1. Has EPA contacted any of the roughly 770 communities impacted by combined sewer overflows (CSO) or sanitary sewer overflows (SSO) consent decrees and compliance schedules to inform them of the opportunity to enter, on a voluntary basis, into an integrated plan, and/or revisit the terms of their consent decrees and long-term control plans (LTCPs)? What is the process the EPA will use to reach out to those communities?

2. Likewise, for communities facing penalties and enforcement actions under Total Maximum Daily Load (TMDL) compliance, has EPA reached out to them with the opportunity to enter into an integrated plan? If not, when does EPA plan to undertake the outreach and how do they plan to do?
3. Keeping in mind that states implement many CWA permits and standards, what will be the role that states play in integrated planning? Does the EPA plan to place greater emphasis on state regulator participation in the enforcement process involving CWA obligations and the development and approval of plans to achieve compliance? What additional guidance and direction will EPA give to the states to assist them in approving permits and enforcement orders with integrated planning concepts?
4. What role does EPA envision for U.S. Department of Justice in these processes of 1-3 above?
5. How does EPA headquarters plan to engage and educate its regional offices and state regulators on the new law to ensure that everyone has the same understanding on how it works and what is allowed under the law?
6. When does EPA estimate that the position of the Ombudsman will be filled?
7. What sort of technical assistance does EPA envision to help communities that are interested in moving forward with developing an integrated plan?

We would appreciate a response from you regarding these questions and would welcome the opportunity to meet with you to discuss these items further. We stand ready to provide as much support as possible to ensure a successful integrated planning and permitting policy.

Please reach out to our staff: Judy Sheahan (USCM) at 202-861-6775 or jsheahan@usmayors.org; Carolyn Berndt (NLC) at 202-626-3101 or Berndt@nlc.org; Julie Ufner (NACo) at 202-942-4269 or jufner@naco.org; Leslie Wollack (NARC) at leslie@narc.org; Nathan Gardner-Andrews (NACWA) at 202-833-3692 or NGardner-Andrews@nacwa.org; or Sean Garcia (APWA) at sgarcia@apwa.net.

Sincerely,



Tom Cochran
CEO and Executive Director
The U.S. Conference of Mayors



Clarence E. Anthony
Executive Director
National League of Cities



Matthew D. Chase
CEO and Executive Director
National Association of Counties




Adam Kranz
Executive Director
National Association of Regional Councils
Water Agencies

Leslie Wollack
Chief Executive Officer
National Association of Clean

A handwritten signature in black ink that reads "Scott Grayson". The signature is written in a cursive style with a long horizontal line extending to the right.

Scott Grayson
Executive Director
American Public Works

cc: Dr. Andrew Sawyers, US EPA
Arnita Hannon, US EPA