



#### EXECUTIVE COMMITTEE

##### PRESIDENT

**Kishia L. Powell**

Chief Operating Officer and  
Executive Vice President  
DC Water  
Washington, DC

##### VICE PRESIDENT

**Thomas W. Sigmund**

Executive Director  
NEW Water  
Green Bay, WI

##### TREASURER

**Oluwole A. McFoy**

General Manager  
Buffalo Sewer Authority  
Buffalo, NY

##### SECRETARY

**Diane Taniguchi-Dennis**

Chief Executive Officer  
Clean Water Services  
Hillsboro, OR

##### PAST PRESIDENT

**Terry Leeds**

Director  
KC Water  
Kansas City, MO

##### CHIEF EXECUTIVE OFFICER

**Adam Krantz**

1130 Connecticut Ave NW  
Suite 1050  
Washington DC 20036

T (202) 833-2672

F (888) 267-9505

[www.nacwa.org](http://www.nacwa.org)

November 29, 2021

Chris Moore

U.S. Environmental Protection Agency  
1200 Pennsylvania Ave NW  
Washington, DC 20004

Submitted via the Federal eRulemaking Portal: <http://www.regulations.gov>

**RE: NACWA Comments on EPA's Proposed Information Collection Request; Comment Request; Estimating Benefits of Surface Water Quality Improvements (EPA-HQ-OA-2019-0292)**

Dear Dr. Moore:

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to submit comments on the U.S. Environmental Protection Agency's (EPA) recent Proposed Information Collection Request (ICR) and request for input on implementing a public survey to gather additional data to help Estimate the Benefits of Surface Water Quality Improvements (EPA-HQ-OA-2019-0292).<sup>1</sup>

NACWA represents the interests of more than 340 public clean water utilities of all sizes across the country that everyday provide an essential service of managing billions of gallons of the nation's wastewater and stormwater in a manner that ensures the continued protection of public health and the environment. NACWA's members are environmental stewards that invest billions of dollars in their infrastructure and treatment capabilities each year to meet specific water quality regulations and improve overall surface water quality for their communities.

NACWA and its members strongly support efforts to improve water quality—our utilities are engaged in this work each and every day—and also support collecting information from the public on the value of water quality improvements. However, we have specific concerns on EPA's proposed ICR approach (i.e., a benefit transfer method), the survey itself, and its overall purpose and goals of a survey of this kind.

Surveying the public as a means to close research information and address untested assumption gaps is a worthy goal. We support additional research by the research community to understand the value that people place on surface water quality and address each of the research gaps identified. However, extrapolating public perception via a narrowly constructed survey on willingness to pay for improved water quality as a means to adjust current regulatory policies and priorities that may impact specific watersheds or individual communities in different ways is not—in NACWA's view—an effective or appropriate way to achieve that goal. Asking the public to respond to a general hypothetical (i.e., asking if they would be willing to pay "more" for "better" water quality anywhere) is very different than presenting individuals with a specific relatable scenario (i.e., asking about a body of water they are familiar with and whether they are willing to

---

<sup>1</sup> 86 Fed. Reg. 53,960-53,961 (Sept. 29, 2021).

pay a certain amount of money to achieve a certain water quality outcome for that individual water body or watershed). Simply put, we have serious concerns and doubts about this survey and believe that it should not move forward in its current form.

NACWA understands that this survey is intended to gather data to improve known assumptions of previously conducted studies and collect data in the most cost effective and time sensitive manner, but the Association and its members have significant problems with the limited nature of this survey and how it could be used to quantify the need for more stringent water quality standards under the Clean Water Act.

EPA may have a goal of collecting data to help increase its understanding of certain water quality relationships and previous research assumptions (e.g., distance-decay, marginal rate of substitution, and value of human use), but the proposed survey collection approach could lead to significant statistical bias that then is used to demonstrate the need for increased water quality protections on point source dischargers, such as publicly owned treatment works (POTWs).

EPA's first question in the survey illustrates this conundrum specifically, "to collect information that *will be used* to help guide future environmental policy decisions" (emphasis added) where it should clarify that this information *may or might be* used to further policy discussions and is intended to be informational in nature and assist the Agency's research efforts or something similar. In addition, EPA's ability to "record" and use survey responses *even if answers are changed* only further muddies how the Agency could use the data to shape the outcome it desires.

Before the Office of Management and Budget (OMB) approves EPA's ICR, EPA must update the sample frame and sample methodology in its final Supporting Statement. Details remain unclear on how the Agency plans on *randomly selecting* participants from either an "existing internet panel" or "recruited directly via mail." It is imperative from a statistical standpoint that the survey must be completely at random and not target or recruit participants.

It appears that if the Agency chooses the internet-based delivery route, the survey will not be sent via email or via a graphical user interface (i.e., a pop-up advertisement), but would rather be delivered to an already pre-defined or curated suite of paneled participants that have known socioeconomic characteristics. It is unclear which characteristics the Agency will be selecting for and further, the fact that participants can be "tailored to match sociodemographic benchmarks to improve its representativeness" is especially troublesome if this non-market evaluation is not randomized and *targets* individual sociodemographic characteristics. Without more information or transparency on how this survey will be delivered or assurances that it will be random, it is impossible to know whether EPA can execute this ICR without any inherent participant biases.

NACWA also finds it troubling that EPA will pursue a "novel approach" for addressing participants that fail to respond to the survey. While it is unclear how EPA will deliver the survey (mail-based or internet-based), if EPA selects the more cost-effective internet panel method, it *already has* extensive data on the panel (e.g., participant household information) which could itself present a statistical conflict of preference bias if certain households do not participate in the survey.

Additionally, the Supporting Statement fails to include any information on how the Agency plans to correct for participant bias, which is fundamentally needed to achieve statistical confidence. For example, some respondents may be more inclined to pay anything for an opportunity to improve water quality. If these participants respond in greater number and over-estimate their respective percentage of the U.S. population that pay taxes, how does the Agency plan to correct for these biases? From the information shared it is unclear how the Agency plans on ensuring the survey is evenly-distributed to a random participants of all backgrounds across a variety of factors which may impact willingness to pay for water quality improvement (e.g., number of participants with a greater environmental awareness or consciousness).

NACWA suggests some control questions on background environmental knowledge be added to the survey along with participants employment history, current place of residence, and language questions.

NACWA also suggests the following:

- Survey Slide 21 – The Y-Axis, “Outdoor Water Quality” scale is unclear, as is the figure itself. The chart attempts to demonstrate *if a policy is adopted* that the water quality in the region would improve slightly and remain so in perpetuity. The figure assumes that once the target level water quality is achieved, the costs to ratepayers would end, which is misleading. The Clean Water Act does not allow for anti-backsliding or anti-degradation and therefore costs to the ratepayer would not simply go away over time.
- Survey Slide 22 – This slide attempts to make the connection that policy decisions made as a result of this survey will financially impact ratepayers, yet on its face fails to acknowledge that many Americans (and quite possibly many of the survey participants) cannot afford the rising costs of water services that are driven by aging infrastructure and greater regulatory requirements.

Lastly, NACWA strongly believes that this type of information gathering would be better housed within an academic institution or non-governmental entity, like the Water Research Foundation, rather than at EPA. The fact that participants, either internet-based panel or mail recruitment, will be compensated for their participation poses some serious questions on the validity and true utility of this survey. The possibility for this data collection to shift beyond the mere incentive of closing research gaps and spill over towards actual policy efforts and heightened water quality regulations is gravely concerning.

NACWA recommends OMB decline this ICR or request more information of EPA on the above reasons.

If you have any questions, please contact me by phone at 202/533-1839 or by email at [eremmel@nacwa.org](mailto:eremmel@nacwa.org).

Sincerely,



Emily Remmel  
Director, Regulatory Affairs