



1 CLEAN AND SAFE WATER GUIDE

PURPOSE

Conserving clean water and ensuring environmental justice are not two separate goals, but can only be achieved together. The intent of this Guide is to provide an overview of federal laws and policies related to water quality that facilitate public participation and advocacy. The guide explains the meaning behind specific portions of the laws and how to utilize them.

WHAT ARE THE BIGGEST OBSTACLES FACING CLEAN AND SAFE WATER?

Typically, water pollution is discussed in the context of pollution spills, drinking water contamination, and poor quality. Often overlooked is that water pollution is more likely to occur in communities of color and lower-income communities due to a history of racially discriminatory policies and enforcement. Examples include:

- **Community flooding due to poor stormwater management as a result of legacies of discrimination in land-use planning and housing development**
- **Exposure to lead contamination in drinking water**
- **Cumulative water-related risks (lead contamination, exposure to polluted waterways, etc)**
- **Community voices and water needs that have been excluded from the development of water management policy**
- **Exposure to contaminated fish.**

HOW DO I KNOW IF MY WATER IS POLLUTED?

This section provides information on:

- **Databases and resources that communities can utilize to understand pollution levels, toxicity, and contamination in both drinking water and surrounding waterways.**
- **Community science and your own data and findings since community residents are most familiar with their surrounding environment and local knowledge is critical.**
- **Cumulative impacts of the numerous polluting sources contribute to health impacts in communities. Government entities often focus on compliance by individual permit-holders. Communities can and should advocate for agencies to take a broader, more holistic view of pollution and consider the multiple sources and cumulative impacts on a community.**

BOUNDARY WATERS
CANOE AREA
WILDERNESS, MINNESOTA
/ NATE PTACEK

RECOMMENDATIONS

1. CITIZEN SUITS

Environmental laws are only effective to the extent they are enforced. The government included provisions in the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA) to allow individuals the ability to bring lawsuits against polluters, acknowledging that individuals play a critical role in identifying polluters and holding

them accountable. The intent of these provisions is to supplement government action. However, because government agencies may also use their discretion to choose not to bring enforcement action when there has been a violation, citizen suits play an important role when the government cannot or will not act.

2. STORMWATER PERMITTING

Stormwater pollution is a common cause of sewage overflows, basement sewage backups, increased local flooding, among other water quality problems. This section can be used as guidance to:

- **Better understand stormwater and how it fits into EPA's responsibilities to protect our nation's waters and**
- **How to improve water quality in your community through green infrastructure.**

3. EPA'S RESIDUAL DESIGNATION AUTHORITY

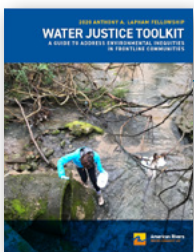
In addition to traditional stormwater permitting for municipal separate storm sewer systems (MS4s), industrial pollution, and construction, the EPA can use its "residual designation" authority to require National Pollutant Discharge Elimination System (NPDES) permits for other stormwater discharges or category of discharges on a case by case basis when it determines that:

- **The discharge contributes to a violation of water quality standards**
- **There is a significant contributor of pollutant to federally protected surface waters, or**
- **Controls are needed for the discharge based on waste load allocations that are part of Total Maximum Daily Loads (TMDL) that address the pollutant(s) of concern.**

4. RE-DESIGNATION PROCESS

Water bodies in the United States are given a "designated use," and based on the water bodies' "designated use," Water Quality Standards (WQS) are implemented. The WQS regulation requires states to specify goals and

expectations for how each body of water is used. Re-designation is an opportunity to change the status of a water body so that it needs to meet a higher standard of water quality.



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