



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

Office of Ground Water and Drinking Water

Mr. J. Alan Roberson  
Association of State Drinking Water Administrators  
1401 Wilson Boulevard, Suite #1225  
Arlington, Virginia 22209

Dear Mr. Roberson:

Thank you for your letter to the U.S. Environmental Protection Agency (EPA) requesting a deadline extension for incorporating asset management into states' capacity development strategies. I appreciate our ongoing partnership with state drinking water programs and with the Association of State Drinking Water Administrators (ASDWA).

EPA shares ASDWA's commitment to ensuring that all consumers have access to safe drinking water, which can only be sustainably achieved when a system has technical, managerial and financial capacity. Because small, rural and disadvantaged communities are often most in need of capacity development support, having a robust Capacity Development Program is critical to addressing many of the challenges, including those listed in your letter, and supporting the most vulnerable communities.

Many states are actively working on or have completed updates to their strategies and are on schedule to meet the December 31, 2021, deadline. Due to the concerns expressed in your letter, EPA agrees that it is appropriate to extend the deadline for those states unable to meet it. Through this memo EPA is extending the deadline to December 31, 2022. EPA and ASDWA agree that robust capacity development strategies are critical to our work and requests that states that are able to do so submit their strategies by the end of this year. States who will be working towards the extended deadline or need an additional year due to their biannual legislature should let their EPA Regional Capacity Development Coordinator know of their plans and set up a consultation.

To enable EPA to continue providing tailored tools and technical assistance for revising state capacity development strategies, the EPA would appreciate if the state would include the following in their notification:

1. The plan on how the state will update their strategy with the extension, including timetable and milestones.
2. The date of consulting with the EPA Regional Capacity Development Coordinator. The state's intended use of EPA resources and technical assistance.

Under the Safe Drinking Water Act (SDWA), EPA must withhold 20 percent of a state's Drinking Water State Revolving Fund (DWSRF) capitalization grant unless the state is implementing its capacity development strategy. On October 23, 2018, the America's Water Infrastructure Act (AWIA) was signed into law; AWIA Section 2012 amends SDWA and requires state drinking water programs to

consider and include as appropriate asset management into their state capacity development strategies. On December 2, 2019, EPA released the [\*Implementation of Capacity Development Program- Related Safe Drinking Water Act Amendments in the America's Water Infrastructure Act Memorandum\*](#).

EPA provides national and state-specific support. Recent examples include updating asset management and capacity development program documents, conducting webinars to promote asset management activities and best practices, conducting regional quarterly asset management calls, providing one-on-one evaluations, and assisting with seeking stakeholder input. After receiving feedback from the states for additional guidance at the National Capacity Development and Operator Certification Virtual Workshop last year, an EPA-State Workgroup was created to develop the [Capacity Development Strategy Worksheets](#). EPA appreciates ASDWA's participation in this workgroup and valuable input on the worksheets. The purpose of these worksheets is to guide states and EPA Regions to identify strengths and weaknesses in the capacity development strategies and ensure that the SDWA and AWIA requirements are met. EPA also hosted a webinar<sup>1</sup> and a discussion roundtable led by the Environmental Finance Centers (EFCs). States also have the option to work with the Wichita State and University of New Mexico EFCs to receive individual assistance to incorporate asset management and other improvements into their capacity development strategies.

EPA views the AWIA requirements as an opportunity to re-energize proactive drinking water measures, like asset management and capacity development, and to work with states on innovative ways to increase compliance with drinking water regulations. EPA will continue to collaborate with and support states in revising their strategies to promote asset management and in implementing their Capacity Development Programs. We look forward to our continued collaboration with ASDWA in these efforts, and we welcome opportunities to provide additional training, tools or other assistance to states.

Thank you again for your letter. If you have any questions, please contact me or your staff may contact Anita Thompkins at [Thompkins.Anita@epa.gov](mailto:Thompkins.Anita@epa.gov) or (202) 564-5673.

Sincerely,

Jennifer L. McLain  
Director, Office of Ground Water and Drinking Water

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<sup>1</sup> The webinar, *Capacity Development Strategies: Incorporating Asset Management*, was hosted on March 22, 2021. The webinar slides are available at <https://www.epa.gov/dwreginfo/2021-03-22-capacity-development-strategies-incorporating-asset-management>, and the recording is available at <https://www.youtube.com/watch?v=OTZQ2NLuNFw>.