

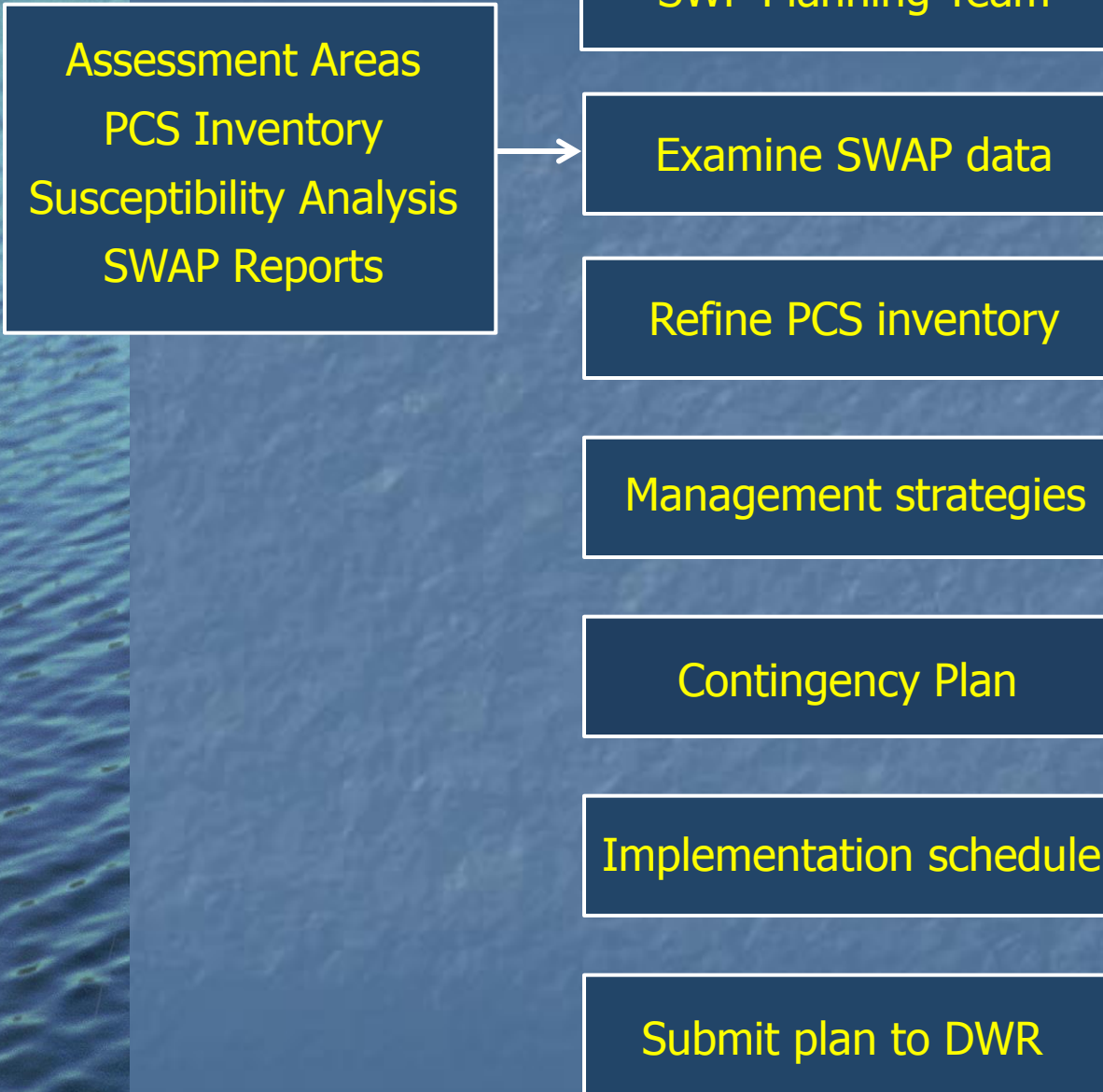


# NC Drinking Water Protection Program

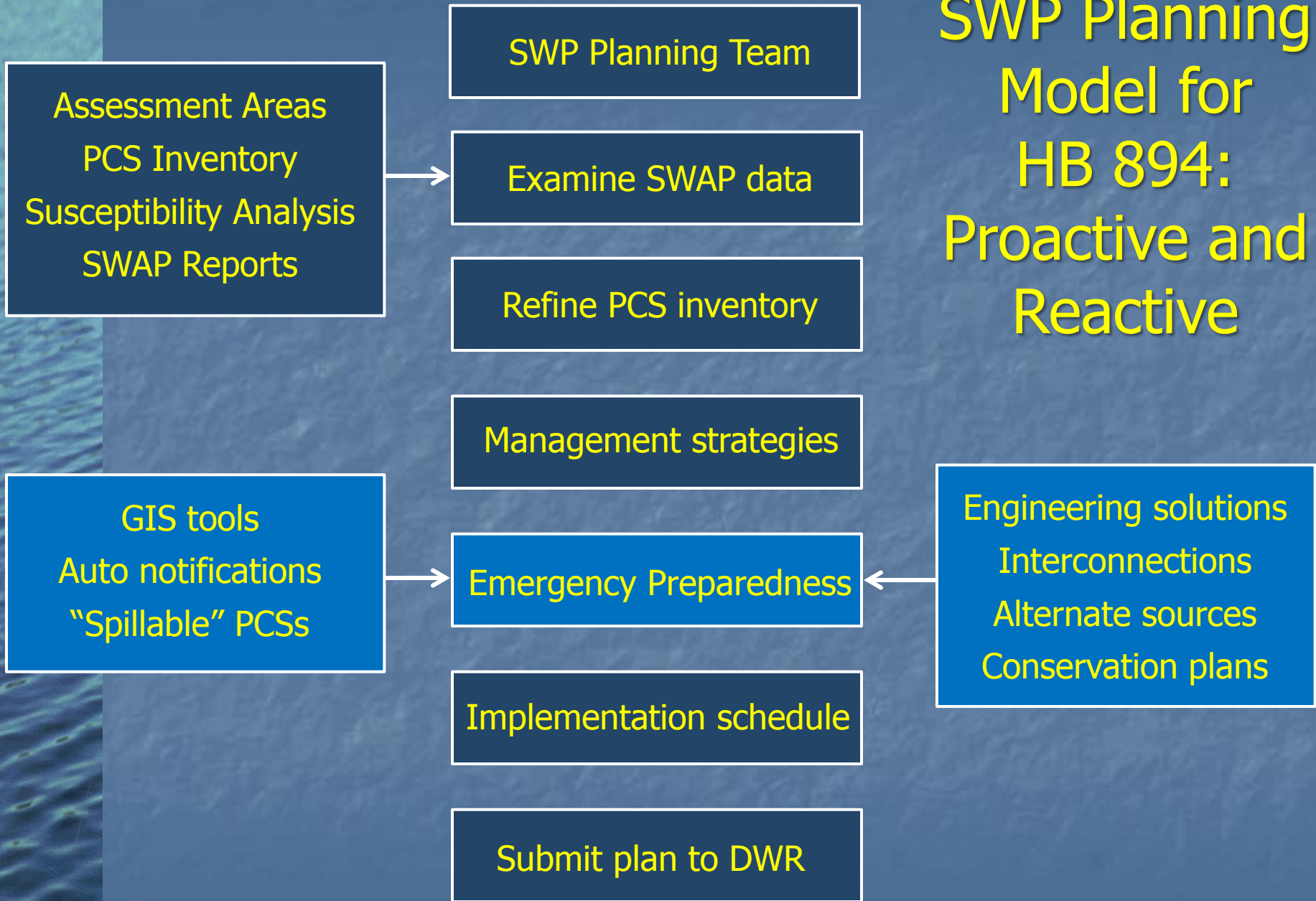
## SWP Planning: A Revised Approach for HB 894

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NC Division of Water Resources

# SWP Planning Model for HB 894: Proactive



# SWP Planning Model for HB 894: Proactive and Reactive







# NC Drinking Water Protection Program

## 3 Major drivers related to development of rules for HB 894

1. The law was written to require action from public water utilities.
2. Regulatory mechanisms related to DW protection currently exist.
3. No resources are allocated to incentivize implementation of SWP projects.



# NC Drinking Water Protection Program

The law was written to require action from public water utilities, therefore...

- We can only write rules for those things a utility can control
  - “Utilities can’t control risk, but they can better understand and be better prepared to mitigate risk”
- We cannot write rules that affect PCS facilities or their owners





# NC Drinking Water Protection Program

Regulatory mechanisms related to DW protection currently exist, therefore...

- Utilities are not expected to assume or strengthen existing regulatory oversight
- We will not propose changes to existing regulations related to PCSs

“A SWP plan will not stop someone who is intent on ignoring the rules”



# NC Drinking Water Protection Program

No resources are allocated to incentivize implementation of SWP projects, therefore...

- Expectations to implement all proactive strategies identified in a SWP is economically unrealistic
- Utilities will be reluctant to consider activities where local funding is not immediately available

Prime example: land conservation





# NC Drinking Water Protection Program

A few minor drivers related to development of rules for HB 894

Requiring a local stakeholder team to develop a SWP plan may unnecessarily delay the process.



## EPA Stakeholder Categories:

- Those who can provide information on issues or concerns in the watershed
- Those who have knowledge of existing programs or plans
- Those who can provide technical or financial assistance
- Those who will be affected by the plan
- Those who will be responsible for implementing the plan



# NC Drinking Water Protection Program

## A few minor drivers related to development of rules for HB 894

Publication and/or availability of SWP plans submitted to the state may conflict with § 132-1.7, Sensitive public security information.

“...vulnerability and risk assessments, potential targets, specific tactics, or specific security or emergency procedures, the disclosure of which would jeopardize ... the general public...”

Utility (or representative)  
initiates SWP plan

Identify and prioritize  
PCSs and threats

Outline PCS management  
strategies & SWP activities

(Proactive)

Outline emergency  
preparedness strategies

(Reactive)

Implement mandatory  
provisions of the plan

Notify agency to confirm  
plan is complete



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So what are the “mandatory provisions?”

- Communication with PCS owners?
- Feasibility assessment of alternate sources?
- Description of public notification procedures?
- Intensive conservation planning?
- Others ideas?

# Hypothetical example: City of Jasper NC

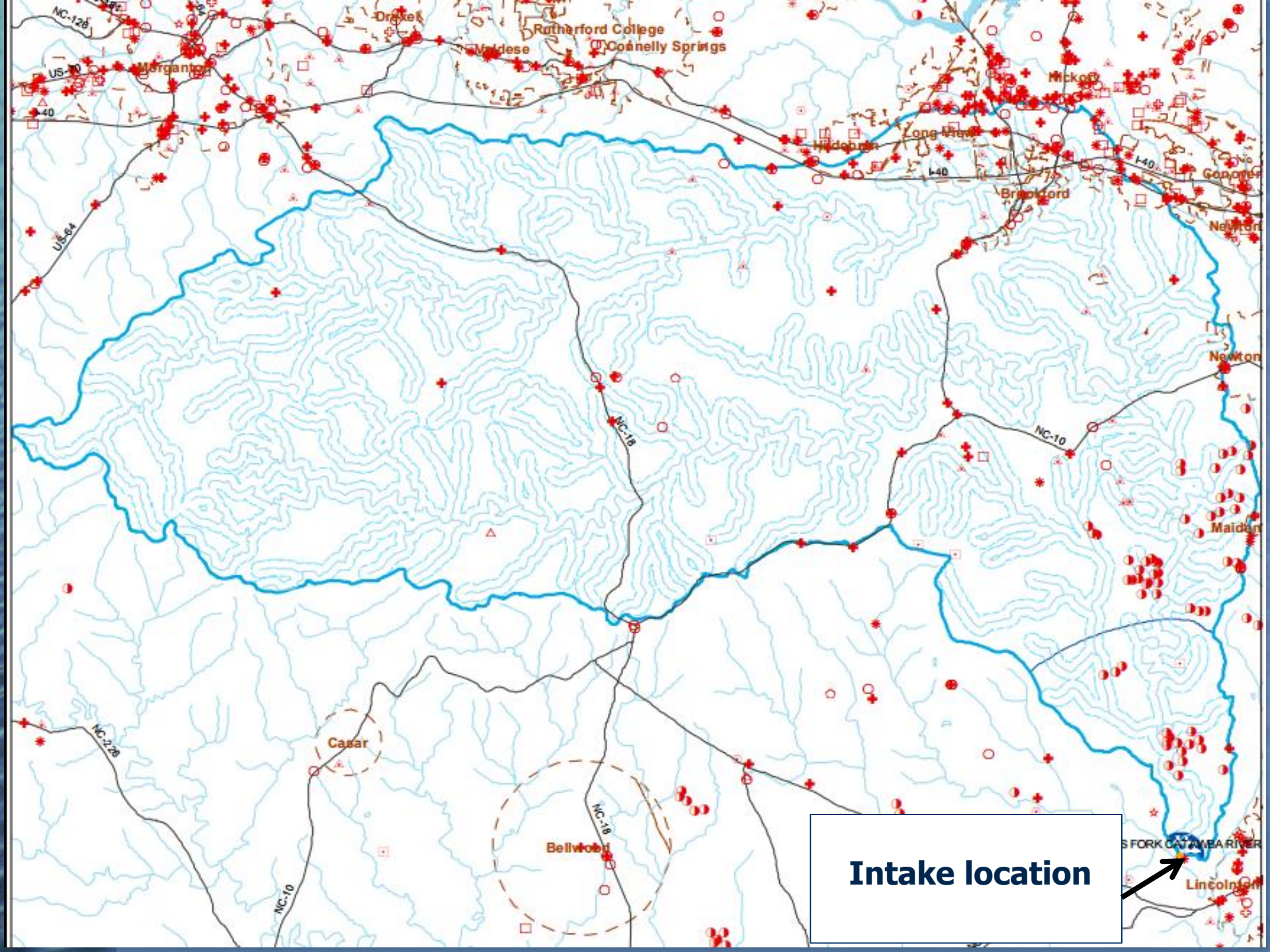
**Table 3. Surface Water Source - Information**

<b>Source Name</b>	<b>Watershed Classification</b>	<b>Source Location</b>
S FORK CATAWBA RIVER	WS-IV	Direct Stream

**Table 2. SWAP Results Summary**

<b>Source Name</b>	<b>Inherent Vulnerability Rating</b>	<b>Contaminant Rating</b>	<b>Susceptibility Rating</b>
S FORK CATAWBA RIVER	Higher	Moderate	Higher





**Intake location**





- List of PCSs and potential threats prioritized  
Initiate communication with 2-Tier II sites, 1-hazardous waste generator, and 1-NPDES site
- Feasibility study for interconnection with Jasper County WTP
- Perform intake shutoff drills (2x per year)
- Conservation plan refined to address rapid implementation and public notification
- Emergency Management Training from NC DPS
- Join NC Water Warn

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“Utilities can’t control risk, but they can better understand and be better prepared to mitigate risk”





# NC Drinking Water Protection Program

## In Summary: Where we're not going

- Strengthened regulations against PCS owners
- Shared regulatory oversight of PCS facilities
- Mandatory implementation of proactive strategies (i.e., dismiss the “point system”)
- Local stakeholder team to develop a plan
- Submittal of the plan to DENR as a public record



# NC Drinking Water Protection Program

## In Summary: Where we are going

- Strengthened awareness of risks and threats
- Consideration of alternate sources
- Emphasis on emergency preparedness as the highest priority
- Use of the agency's DWAAAs and SWAP reports

# Mandated SWP planning requires balance





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# NC Drinking Water Protection Program

## 5 - Finger exercise

1. I love this approach!
2. Not perfect, but pretty darn good.
3. I'm neutral. I can live with it.
4. This approach is flawed. I don't like it.
5. I hate this approach!