



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

OCT 14 2009

ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

SUBJECT: Transmittal of Clean Water Act Enforcement Action Plan

FROM: Cynthia Giles

A handwritten signature in blue ink that reads "Cynthia Giles".

TO: The Administrator

I am pleased to transmit to you the Office of Enforcement and Compliance Assurance's Action Plan for revamping Clean Water Act compliance and enforcement, in fulfillment of the charge in your memorandum of July 2, 2009. To develop this plan OECA consulted closely with the Office of Water and all the EPA regional offices, with the assistance of Region 9 as Lead Region for Enforcement and Compliance Assurance. We conducted an extensive outreach program to solicit the views and suggestions of state environmental commissioners, state water program managers, Indian Tribes and tribal organizations, environmental advocacy groups, environmental justice community groups, industry representatives, and the academic community. We also solicited comments from the general public through an EPA website blog.

We found widespread consensus that despite significant progress reducing water pollution from the largest sources, the country faces serious regulatory and compliance challenges in attaining the water quality goals of the Clean Water Act. Increasingly, water pollution problems are caused by an exploding number of pollution sources that are widely dispersed and difficult to regulate effectively – such as contaminated runoff from urban streets, construction sites, sewer overflows, agricultural fields and concentrated animal feeding operations. Even well-regulated facilities are violating their discharge permits too often, and enforcement by states and EPA is uneven across the country. We received many thoughtful suggestions for addressing these problems, which we considered carefully in developing the Action Plan.

The Plan proposes three main actions to address the challenges before us: (1) revamp the water enforcement program to focus on the pollution sources that present the greatest threat to water quality; (2) strengthen oversight of state permitting and enforcement programs to improve results and provide greater consistency; and (3) improve transparency and invest in 21st century technology to provide more accurate and useful information to the public and increase pressure for better compliance performance.

I look forward to working with the Office of Water, States, Tribes and the many organizations and people who expressed to us their vital interest in improving the nation's water quality as we take action to implement this plan.

Attachment

cc: Scott Fulton
Robert Perciasepe
Robert Sussman
Peter Silva
Regional Administrators