

Appendix B

Public Involvement

1996 SAFE DRINKING WATER ACT AMENDMENTS

SECTION 1428(B)

"To the maximum extent possible, each State shall establish procedures, including but not limited to the establishment of technical and citizens advisory committees, to encourage the public to participate in developing the protection program for wellhead protection areas and source water protection programs under Section 1453. Such procedures shall include notice and opportunity for public hearing on the State program before it is submitted to the administrator.

EPA's Guidance regarding the Makeup of Source Water Assessment Program Technical and Citizens' Advisory Committee

Each state must:

Convene a statutorily required statewide technical advisory committee and a citizens advisory committee. One committee possible if state demonstrates in its submittal that the structure, membership and process of the committee provided for viewpoints for both technical (i.e., technical feasibility and effectiveness of a state's SWAP approach) and citizens (i.e., desirability and appropriateness of a state's SWAP approach) considerations. State needs to provide adequate opportunity to participate on advisory committee(s) to representatives of public interest groups (e.g., river and watershed organizations), public health groups (e.g., medical associations), vulnerable population groups (e.g., elderly, transplant patients, dialysis, chemotherapy patients, people living with HIV/AIDS), business groups (e.g., chemical manufacturers and small businesses), local governments, tribes, land conservation groups, drinking water suppliers of various types and sizes, wastewater treatment plant operators, farmers and developers and others.

State's response to recommendations of committee(s) should be on public record, state needs to describe in submittal the advice of committee(s) regarding key program development questions such as those identified:

Conducted public hearings or public workshops, focus groups, conference calls, or meetings around the state with prior dissemination of invitations and basic information. Wide effective advance notice of the involvement process. Wide distribution/availability of decision planning document with adequate time to review. Meaningful and substantial opportunities for all interested parties to provide comments. Provision of direct, genuine feedback from state program officials. Might consider internet conferences.

State must include in submittal responsiveness summary showing how significant public comments and opinions were used in developing the submittal. Maybe full written responses on record to all substantive comments, summarizing agreement, disagreement and substantive reasons for each.

WELLHEAD

State has implemented SWAP elements for public participation during development of WHP program and/or Watershed Approach (or when developing the state's ground water or the state's surface water programs); where these programs included delineations, source inventories and susceptibility determinations similar to requirements in this guidance.

State needs to undertake only those public participation requirements it has not previously completed.