

September 5, 2026

Docket ID: EPA-HQ-OW-2026-4852

EPA Docket Center
Environmental Protection Agency
Mail Code 28221T
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

Re: Comments on Proposed Information Collection Request; EPA Program Information on Source Water Protection (Renewal), EPA ICR No. 1816.09, OMB Control No. 2040-0197 (91 FR 42440, July 9, 2026)

To Whom It May Concern:

The Water Action Fund submits the following comments in response to the U.S. Environmental Protection Agency's (EPA's) July 9, 2026 notice soliciting public comment on the proposed renewal of its Information Collection Request (ICR) for state source water protection (SWP) programs. We support the renewal and support the administrative streamlining afforded by the transition to direct Safe Drinking Water Information System (SDWIS) submission. A change like this can produce more consistent data across states and make reporting more useful to policymakers and the public.

These comments are submitted pursuant to section 3506(c)(2)(A) of the Paperwork Reduction Act, which invites the public to address whether the proposed collection has practical utility and how the quality, utility, and clarity of the information to be collected can be enhanced. Our recommendations speak directly to both criteria. This data collection is the only federal tool for tracking whether states are making progress in protecting source water for the nation's approximately 50,000 community water systems. If the data is weak or unevenly reported, there is no reliable national picture of whether source water protection is working. We have identified three existing issues with the current ICR for SWP programs and offer recommendations on how they can be addressed in the final ICR package.

I. Voluntary Participation Undermines the Data

EPA describes this collection as voluntary, with states under no obligation to report. This design produces a systematic problem: the data EPA collects reflects only the states that elect to participate, which tend to be the states already doing the work. The result is a national picture that reflects best performers rather than the full landscape of source water protection progress.

EPA's own Office of Inspector General identified this structural problem in 2005, finding that voluntary source water protection programs are routinely deprioritized when states must allocate limited staff and funding between mandatory and voluntary obligations. That dynamic has not changed. When participation is optional, EPA cannot distinguish between a state that has substantially implemented source water protection and a state that has simply not reported.

The Water Action Fund urges EPA to:

- 1) **Publish state-by-state participation data annually**, identifying by name which states submitted data, and which did not, and flagging states with two or more consecutive years of non-participation.
- 2) **Establish minimum data submission expectations** as a condition of states' receipt of EPA drinking water program technical assistance or related federal support.
- 3) **Define "substantial implementation" with specificity**, so that reported progress is comparable across states and over time. Without a standardized threshold, aggregated national progress claims rest on inconsistent foundations.

II. Small and Rural Systems are Missing from the Data

Of the approximately 50,000 community water systems in the United States, roughly 8 percent serve more than 10,000 people and that group supplies approximately 82 percent of all community water system users. The remaining 92 percent of systems are small, many of them rural, and they face the steepest barriers to implementing source water protection strategies.

The compliance record for these systems is well documented. A peer-reviewed analysis of 17,900 community water systems published in the *Proceedings of the National Academy of Sciences* found that violation incidence in rural areas is substantially higher than in urbanized areas, and that the highest predicted probability of violation occurs at small, rural systems relying on surface water. Rural systems face limited financial resources, restricted access to financing, and less technical capacity to meet regulatory requirements, all of which make source water protection planning less likely to be in place and less likely to appear in EPA data. The Government Accountability Office (GAO) has also documented that SDWIS data systematically underrepresents compliance problems at smaller systems, owing to unreliable state reporting.

This also highlights a capacity and funding issue. Small and rural systems lack the funds, staff, and technical expertise to develop and maintain source water protection plans without support from external funding. Better data collection matters only if it is paired with a commitment to act on what the data reveals.

If EPA tracks progress only at the aggregate level, large, well-resourced systems will mask the absence of protection for millions of people served by small and rural systems.

The Water Action Fund urges EPA to:

- 1) **Provide dedicated funding and technical support to states to collect and report SWP data disaggregated by system size**, at minimum reporting separately for systems serving fewer than 500, 500–3,300, 3,300–10,000, and more than 10,000 people.
- 2) **Track and report the number of community water systems with no documented source water protection strategy**, disaggregated by system size, so the collection captures the full scope of the gap rather than only progress made.
- 3) **Separately capture data for Tribal water systems and rural systems**, allowing EPA and Congress to assess where technical and financial assistance is most needed.
- 4) **Use the data collected to inform targeted assistance programs** and budget priorities. EPA should commit to publishing an annual summary identifying the states and system-size categories with the lowest rates of source water protection coverage, coordinating with the Office of Water's capacity development programs to ensure that small and rural systems without protection plans have a pathway to develop them, and actively advocating within the federal budget process for increased funding to support source water protection in underserved and under-resourced systems.

III. The Data Collected Is Too Minimal

EPA points to public access through SDWIS and the Drinking Water Mapping Application to Protect Source Waters (DWMAPS) as a feature of this program, and notes that the availability of this information alongside source water and demographic indicators empowers communities to include these considerations in their own analyses and outreach efforts. We support that transparency commitment but the data underlying it is minimal – states essentially confirm whether a source water protection strategy exists, with no detail on what it covers or how current it is. A strategy entered in 2005 and never reviewed is treated identically to an active, current plan. The GAO has documented that SDWIS data contains inaccuracies and significant underreporting of compliance information – limitations that apply to source water protection fields as well. And while DWMAPS offers a public-facing interface, it does not currently allow filtering by system size or community demographics, limiting its usefulness for the community analyses EPA's own abstract envisions.

The Water Action Fund urges EPA to:

- 1) **Expand the data elements collected** beyond a binary yes-or-no, to include the type of protection strategy in place, the contaminants it addresses, and the date of most recent update.
- 2) **Require states to report when protection strategies have been discontinued or not updated within a 3-year period**, rather than allowing prior affirmative entries to persist indefinitely without review.
- 3) **Enhance DWMAPS** to allow filtering by system size, population served, and community demographic indicators, enabling targeted public engagement that EPA's stated goals anticipate.
- 4) **Commit to a periodic data quality review** in which EPA validates a sample of state-submitted SWP designations against underlying documentation.

Conclusion

The Water Action Fund supports the renewal of this ICR. The shift to direct SDWIS reporting is a meaningful improvement, and we want it to succeed. The recommendations above are designed to make the collection more complete, comparable, and useful for EPA, the states, and communities that depend on protected source water.

We encourage EPA to incorporate these improvements before submitting the final ICR package to OMB. We also note that EPA will issue a second Federal Register notice at the time of OMB submission, providing an additional opportunity for public comment. Water Action Fund intends to engage at that stage as well and welcomes any opportunity to discuss these comments in the interim.

Respectfully,

Water Action Fund

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Agency Information Collection Activities: Proposed Collection; Comment Request; Information Collection Request (ICR) for State Source Water Protection Programs

Comment On: EPA-HQ-OW-2026-4852-0001

Agency Information Collection Activities; Proposed Information Collection Request; Comment Request; EPA Program Information on Source Water Protection (Renewal)

Document: EPA-HQ-OW-2026-4852-0004

Anonymous public comment

Submitter Information

Name: Anonymous Anonymous

General Comment

Keep all water protections in place. Wetlands not only benefit wildlife, they also regulate flooding and filter water continually.

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Comment On: EPA-HQ-OW-2026-4852-0001

Agency Information Collection Activities; Proposed Information Collection Request; Comment Request; EPA Program Information on Source Water Protection (Renewal)

Document: EPA-HQ-OW-2026-4852-0005

Anonymous public comment

Submitter Information

Name: Clean Water

Address: United States,

General Comment

I recommend the information be collected. It should be mandatory reporting. There should be a penalty for late and /or inaccurate reports to include mandatory prison time up to six months and a fine

September 5, 2026

Docket ID: EPA-HQ-OW-2026-4852

EPA Docket Center
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Mail Code 28221T
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

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I. Voluntary Participation Undermines the Data

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Respectfully,

Water Action Fund

September 8, 2026

Laura Montoya
Office of Groundwater and Drinking Water
Environmental Protection Agency
1200 Pennsylvania Ave
Washington, DC 20460

SUBMITTED ELECTRONICALLY

RE: Agency Information Collection Activities; Proposed Information Collection Request;
Comment Request; EPA Program Information on Source Water Protection (Renewal)
(Docket [EPA-HQ-OW-2026-4852](#); [91 FR 42440](#))

Dear Ms. Montoya,

The American Water Works Association (AWWA) appreciates the opportunity to comment on the July 9, 2026 notice “Agency Information Collection Activities; Proposed Information Collection Request; Comment Request; EPA Program Information on Source Water Protection (Renewal)” (Docket [EPA-HQ-OW-2026-4852](#); [91 FR 42440](#)).

Introduction

Source Water Protection, intentional actions to reduce risks, improve quality, and address quantity issues of water bodies that serve as sources of drinking water, is an important component of the multi-barrier approach to protecting public health and the nation’s drinking water supply. Recognizing that the Safe Drinking Water Act provides EPA limited authority on source water protection, nevertheless there are states, public water systems, and other actors who are implementing many activities related to source water protection. This Information Collection Request (ICR) notice is an opportunity for EPA to develop a more robust methodology to identify trends in source water protection to better allow for a thorough understanding of progress made, challenges seen, and opportunities moving forward.

EPA should proceed with this ICR and implement a significant restructuring for next renewal

With this ICR’s comment period ending September 8, 2026, and the current ICR expiring September 30, 2026, it is clear that EPA does not have sufficient time to significantly modify the ICR without creating a substantial gap in data collection. That being said, this ICR collection as currently implemented and proposed, provides limited value, and EPA should consider a significant restructuring for future collections.

As described in Section 12b of the ICR supporting statement¹, this ICR includes only two reporting elements:

1. Number of Community Water Systems (CWSs) with source water protection strategies in place and substantially implemented.
2. The cumulative population served by those CWSs.

¹ EPA. 9 July 2026. 13454-01-OW Supporting Statement A Source Water ICR 2026-06-30.
<https://www.regulations.gov/document/EPA-HQ-OW-2026-4852-0002>.



Because EPA will already know the total number of CWS in each state and the total population served by those CWS from the Safe Drinking Water Act Information System (SDWIS)², obtaining this information will allow for the calculation of percentages of CWSs and the proportion of population served that are considered “yes” to “having source water protection strategies in place and substantially implemented.”

This information alone is wholly insufficient to perform meaningful analysis or foster further implementation of source water protection. These are just a few of the many challenges with this extremely limited data:

1. *Source water protection is a long-term process, not a binary.* Although it is possible to record the date that a program, activity, or practice begins or goes into effect, source water protection is an ongoing process of evaluating known and potential risks to water sources and finding strategies to address them. This often involves working with partners, and finding an array of different strategies for different concerns. A CWS is typically not able to state that they are “done” with source water protection any more than they would ever be finished with treatment or distribution of drinking water, as they are ongoing processes always subject to improvements.
2. *The threshold for “yes” is subjective.* Although the supporting statement makes reference to states submitting updated definitions of “substantial implementation” if they have changed, it is highly likely that these will not be apples-to-apples comparisons of when a system reaches the threshold, both amongst CWS within a state and amongst different states. Therefore, it is hard to be certain what the cumulative statistic represents, absent either some more objective measure or additional contextual information not being proposed to be collected. Thus, as currently proposed, the end result may not provide much useful insight.
3. *Nothing is learned about what activities are being implemented or how they protect source waters from this data alone.* Simply reporting a number of CWS and the aggregate population served by them tells the agency, States, CWS, and the public nothing about what source water protection activities are being undertaken, how they help to protect source waters, where they are being implemented, or any other actionable information that could inform improvements to EPA, State, or CWS programs or practices.
4. *States and CWS receive no useful information on how to replicate the success of others or incorporate lessons learned from others.* In the current collection as proposed, groundbreaking and exemplary activities to protect source waters are mixed in with valid but minimal efforts, completely masking trends, success stories, and any lessons learned for activities that were attempted but did not work out, missing a key opportunity to improve.

For these reasons and likely more, EPA should develop a robust but flexible set of metrics and other data designed to support and foster ongoing, increased source water protection activities and incorporate it into future rounds of this ICR. The benefits of developing more robust information about these activities include:

1. *Understanding what activities are helping.* Some approaches may generate enormous benefits or address substantial risks, others may make small incremental improvements. Evaluating

² EPA. 18 August 2026. SDWIS Federal Reporting Services.
https://sdwis.epa.gov/ords/sfdw_pub/r/sfdw/sdwis_fed_reports_public/200.

information about the activities themselves and the known or expected results of them would provide considerably more information than known at present.

2. *Recognizing that SWP is not only states and CWS.* Recognizing that the ICR only requests information from states about CWS, it is important to acknowledge that there are many other entities that do work relevant to SWP. For example, since the 2018 Farm Bill, the Natural Resources Conservation Service has been required to spend some conservation program funds on activities at agricultural producers that have source water protection benefit. Similarly, watershed organizations, regional planning organizations, and groups that go by a number of different names may be involved in these types of activities. It appears unlikely the current reporting structure captures these types of efforts at all. Finding some way to better capture work by others towards a common goal will only enhance the usefulness of subsequent analysis.
3. *Form the basis of a robust exchange of information.* Once there is considerably more information available on what kinds of activities are being deployed, where, and with what impact, considerable opportunity will arise to highlight successes, identify challenges and ways to overcome them, and otherwise foster better communication amongst states and CWS on how to effectively and efficiently protect source waters.
4. *Better link source water protection efforts to other EPA statutory activities.* At present, it is unclear how the limited data collected helps EPA to address challenges it is facing or provide assistance to states or CWS. With the information from a more robust collection and analysis, EPA could assist in addressing more challenges including those in related authorities. For example, additional insights may yield the need for new or updated guidance for the State Revolving Loan Funds to better facilitate source water protection efforts.

Although a detailed set of metrics to collect to better meet these goals would best be developed through a consultative process including states and CWS, the inclusion of a few key concepts can serve as a useful starting point:

1. Rather than treating each CWS as a binary “yes/no” for source water protection, consider collecting information that provides a better geographic understanding of the extent of source water protection in each state. This could be accomplished through the collection of number of square miles, a listing of Hydrologic Unit Code 12 (HUC12) watersheds³, a percentage of the area of the state, or some other measure that will allow for an assessment of how extensive these practices are, paired with at least a general understanding of what type of activity is being implemented.
2. Listing of water quality parameters assessed under these local plans. Recognizing that collecting actual values would be a large undertaking with possibly limited return, a clear understanding of what water quality parameters, (or categories of parameters) are being assessed in source water protection plans would provide meaningful insights into current practice, allow for trend analysis over time, and inform agency activities.

Recognizing that a data collection will never be perfect, and there will be burden associated with both a more thorough data collection and its subsequent analysis, the ultimate goal of helping to protect public

³ U.S. Geologic Survey. N.D. *Hydrologic Units of the United States*. <https://water.usgs.gov/themes/hydrologic-units/>.

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AWWA Comments on EPA-HQ-OW-2026-4852

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health and America's drinking water sources more than justifies developing a more detailed information collection effort in order to perform a more useful analysis and help EPA and every stakeholder better enhance source water protection.

Thank you for the opportunity to comment on this proposed ICR. If you have any questions regarding this correspondence or if AWWA can be of assistance in some other way, please contact Adam Carpenter at (202)326-6126 or acarpenter@awwa.org.

Best Regards,
ON BEHALF OF AWWA

A handwritten signature in black ink, reading "G. Tracy Mehan, III". The signature is fluid and cursive, with the last name "Mehan" being the most prominent part.

G. Tracy Mehan, III
Executive Director of Government Affairs

cc: Andrew Sawyers, EPA/OW/OWM
Jennifer McLain, EPA/OW/OGWDW

Who is AWWA

The American Water Works Association (AWWA) is an international, nonprofit, scientific and educational society dedicated to providing total water solutions assuring the effective management of water. Founded in 1881, the Association is the largest organization of water supply professionals in the world. Our membership includes more than 4,500 systems that supply roughly 80 percent of the nation's drinking water and treat almost half of the nation's wastewater. Our 50,000-plus total membership represents the full spectrum of the water community: public water and wastewater systems, environmental advocates, scientists, academicians, and others who hold a genuine interest in water, our most important resource. AWWA unites the diverse water community to advance public health, safety, the economy, and the environment.

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Agency Information Collection Activities: Proposed Collection; Comment Request; Information Collection Request (ICR) for State Source Water Protection Programs

Comment On: EPA-HQ-OW-2026-4852-0001

Agency Information Collection Activities; Proposed Information Collection Request; Comment Request; EPA Program Information on Source Water Protection (Renewal)

Document: EPA-HQ-OW-2026-4852-0008

Comment submitted by John Mackey

Submitter Information

Name: John Mackey

Address:

GA,

General Comment

I support continuing EPA's collection of source-water protection information and making that information publicly accessible. Protecting drinking water upstream is generally more effective and less costly than discovering contamination after it reaches a treatment plant or household well.

EPA should preserve enough detail for communities to understand not simply whether a state reports a source-water protection strategy, but whether meaningful implementation is occurring. Where practical, public information should help identify major watershed and groundwater threats, progress over time, monitoring gaps and whether vulnerable rural or small systems are being left behind.

I spend considerable time around streams and watersheds and believe residents are more likely to protect water when they can actually see how land use, agriculture, development and contamination relate to their drinking-water source. Data collection should therefore be designed not merely for federal reporting, but for practical use by local communities.