

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
GUIDANCE FROM HOTLINE COMPENDIUM

WSG H12

Date Issued: September 1988

SUBJECT: Lead Ban Enforcement

SOURCE: Chet Pauls

A State official submits the lead prohibition certification to the Regional administrator. The certification says that the prohibition must be enforceable throughout the State. In addition, the State "must demonstrate effective enforcement activity in subsequent years", as stated in the State Implementation and Enforcement of the Lead Prohibition and Lead Public Notice Requirements of the Safe Drinking Water Act - policy guidance from Michael Cook, Director, Office of Drinking Water, to Rebecca W. Hanmer, Acting Assistant Administrator for Water. The official is unclear on the meaning of "subsequent year." It does not clearly define when the demonstration is required. Exactly when must the State demonstrate satisfactory enforcement activity?

Response:

Section II B (2) of this guidance (page 7) is quite clear in its explanation that subsequent years refers to all years following an initial certification in FY 1989. It says: "In FY 1990 and beyond, States must have initial certification approval and must also demonstrate effective lead ban enforcement to receive their full Public Water System Supervision (PWSS) grant. The certification should account for any unique State authorities or situations."