

PRIMER FOR TECHNICAL ASSISTANCE PROVIDERS: HELPING COMMUNITY WATER SYSTEMS COMPLY WITH SAFE DRINKING WATER ACT SECTION 1433

America's Water Infrastructure Act (AWIA) section 2013 amended Safe Drinking Water Act (SDWA) section 1433 in 2018. The law requires community (drinking) water systems (CWS) serving more than 3,300 people to develop or update risk and resilience assessments (RRAs) and emergency response plans (ERPs), and then to certify to the U.S. Environmental Protection Agency (EPA) that this work has been completed.

Technical assistance (TA) providers across the country help CWSs develop robust RRAs and ERPs. This primer provides an overview of SDWA section 1433 that TA providers may bring with them as a reference when working with CWSs in the field.



SDWA Section 1433 Certification Deadlines

RRA Deadlines

- March 32, 2025 if serving $\geq 100,000$ people
- December 31, 2025 if serving 50,000 to 99,999 people
- June 30, 2026 if serving 3,301 to 49,999 people

ERP Deadlines

- September 30, 2025 if serving $\geq 100,000$ people
- June 30, 2026 if serving 50,000 to 99,999 people
- December 30, 2026 if serving 3,301 to 49,999 people

2025-2026
Deadlines

Recertification

Every five years, the utility must review and revise, as appropriate, the RRA and submit a recertification to the U.S. EPA. The deadline for the recertification is five years from the original statutory deadlines listed above.

Within six months of submitting the recertification for the RRA, the utility must certify that it has reviewed and revised, as appropriate, its ERP.

Certification Frequently Asked Questions

How will the U.S. EPA determine utility population service size and the certification deadline?

- The U.S. EPA will use the CWS population size shown in the Safe Drinking Water Information System (SDWIS) as of March 31, 2024 (one year prior to the first deadline of the 2025-2026 cycle).

What if a CWS has more than one Public Water System Identification (PWSID) number?

- The CWS must certify the completion of its RRA and ERP for every individual PWSID number.

Certifying Process

Utilities can begin the initial certification process after completing their RRAs. There are three options for certifying:

1. Electronic submission via online portal, which is accessible from the [U.S. EPA's AWIA homepage](#)
2. Email certification statement to the U.S. EPA at awiaservicedesk@epa.gov
3. Mail certification statement to the U.S. EPA at
U.S. EPA Data Process Center
ATTN: AWIA SDWA 1433
C/O CGI Federal
12601 Fair Lakes Circle
Fairfax, VA 22033

If you choose to certify via email or regular mail, please use the RRA Certification Statement or ERP Certification Statement fillable PDF provided by the U.S. EPA. The following information is required to complete the document:

- Name of the utility
- Mailing address
- PWSID
- Population served
- Date of the certification
- Name of certifying official



Quick Submittal Tips:

- The quickest method to certify is to use the secure online portal. The portal is accessible from the [U.S. EPA's AWIA homepage](#). Certifying officials create a login with their PWSID and enter official contact information or the name of their utility. The next step is to read the certification statement and certify completion of the RRA and subsequently, when ready, the ERP. This is the only certification option where the U.S. EPA will be able to provide an acknowledgement of receipt of the certification statement.

Important:

- Utilities should NOT submit the RRA and ERP itself to the U.S. EPA; only the certification is required.
- Utilities should NOT submit their certification to their state primacy agency in lieu of the U.S. EPA. States are not required to accept or track the utility certifications under SDWA section 1433.

Certifying Official

Both RRAs and ERPs are self-certified by the utility. The certifying official must be a utility employee, but there are no additional requirements for who can serve in the role.

TOOLS AND RESOURCES

Conducting the Risk and Resilience Assessment

- [U.S. EPA Baseline Information on Malevolent Acts for Community Water Systems](#)—Resource to help estimate threat likelihood of various malevolent acts
- [U.S. EPA Vulnerability Self-Assessment Tool \(VSAT\)](#)—RRA tool recommended for larger water systems
- [U.S. EPA Small Systems RRA Checklist](#)—RRA template recommended for smaller water systems

Developing an Emergency Response Plan

- [U.S. EPA ERP Template and Instructions](#)—ERP template recommended for all sized water systems
- [Local Emergency Planning Committees \(LEPCs\)](#)—SDWA section 1433 requires that water systems work with their LEPCs, to the extent practicable, when developing RRAs and ERPs

Certification Process

- [U.S. EPA Instructions on How to Certify Your RRA and ERP](#)
- [RRA and ERP Certification Statements](#)

RISK AND RESILIENCE ASSESSMENT

RRAs allow utilities to identify their vulnerabilities to human-made threats and natural hazards and evaluate potential improvements to enhance security and resilience. SDWA section 1433 requires that RRAs consider risks to and resilience of the following specified assets to malevolent acts and natural hazards:

- physical barriers
- source water
- pipes and constructed conveyances, water collection and intake
- pretreatment and treatment
- storage and distribution facilities
- electronic, computer, or other automated systems (including security of such systems)
- monitoring practices
- financial infrastructure
- the use, storage, or handling of chemicals
- operation and maintenance of the system

The assessment may also include an evaluation of capital and operational needs for risk and resilience management of the system.

TOOLS AND RESOURCES

TA providers should encourage and facilitate coordination between utilities and local stakeholders, including:

- [LEPCs](#)
- [Mutual Aid and Assistance Networks](#)

These organizations may be willing to share information concerning local risk assessments.

TA providers can direct utilities to available tools to conduct RRAs, such as [EPA's Small System RRA Checklist](#) or [VSAT](#), by identifying the highest risks to mission-critical operations and finding the most cost-effective measures to reduce those risks.

RRA Frequently Asked Questions

What is a malevolent act?

- A malevolent act is defined as an intentionally harmful act, such as the use of force, against a utility. [The Baseline Information Malevolent Acts for Community Water Systems](#) document can assist utilities in calculating the likelihood of malevolent acts.

How are the 2002 mandated vulnerability assessments and the AWIA section 2013 mandated RRAs different?

- The earlier vulnerability assessments were required by Title IV of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Bioterrorism Act). The Bioterrorism Act added section 1433 to the SDWA and required utilities serving more than 3,300 people to conduct and submit to the U.S. EPA a vulnerability assessment. This one-time requirement only considered threats associated with terrorist and other intentional acts. AWIA section 2013 updated SDWA section 1433, stating that RRAs must be reviewed and updated every five years and consider additional hazards. AWIA does not require that utilities submit their assessments to the U.S. EPA, but instead only requires that utilities certify completion.

Can a utility use an existing RRA to comply with the SDWA section 1433 requirement?

- Yes, a previous RRA that satisfies all requirements outlined by SDWA section 1433 may be used; however, the existing RRA must be reviewed and revised, as appropriate.

EMERGENCY RESPONSE PLAN

Utilities should be prepared for several types of emergencies, including natural hazards and human-made (such as cyber attacks) threats. Utilities should develop their ERPs based on the vulnerabilities identified in their RRAs.

Required core elements of an ERP include:

1. Strategies and resources to improve resilience, including physical security and cybersecurity
2. Plans and procedures for responding to a malevolent act or natural hazard that threatens safe drinking water
3. Actions, procedures and equipment to lessen the impact of a malevolent act or natural hazard, including alternative water sources, relocating intakes and flood protection barriers
4. Strategies to detect malevolent acts or natural hazards that threaten the system



TOOLS AND RESOURCES

TA providers can use resources from the local, state and federal level to guide water utilities in updating or developing an ERP.

Utilities must work, to the extent possible, with their LEPCs when creating their RRA and ERP. TA providers can assist utilities in contacting their LEPCs.

The [U.S. EPA ERP Template and Instructions](#) can help utilities develop their ERP.

Utilities must meet the ERP requirements specified in SDWA section 1433 to certify completion. TA providers should also recommend utilities check with their primacy agency regarding any additional requirements mandated by the state. SDWA section 1433 does not supersede state law.

ERP Frequently Asked Questions

What are the benefits of working with the LEPC?

- Under the Emergency Planning and Community Right-to-Know Act (EPCRA), LEPCs must develop an ERP and review it annually. The information contained in these plans may be beneficial to water utilities. In addition, water utilities can participate in training exercises led by their LEPCs.

Are the 2002 Bioterrorism Act and 2018 AWIA ERP requirements different?

- Like the vulnerability assessment, the Bioterrorism Act required utilities to develop a one-time ERP. AWIA section 2013 updated SDWA section 1433 and now requires that ERPs be reviewed and recertified every five years. Utilities must also consider additional factors including resilience strategies, emergency plans and procedures, mitigation actions and detection strategies under SDWA section 1433.

Can a utility use an existing ERP to comply with the SDWA section 1433 requirement?

- Yes, however, utilities must ensure that the ERP addresses all criteria outlined in SDWA section 1433, as amended by AWIA section 2013. Additionally, utilities must ensure that the plan incorporates the findings from the RRA required under SDWA section 1433.

Do utilities have to use U.S. EPA guidance to meet the ERP certification requirements under SDWA section 1433?

- No. Utilities are not required to follow any specific standards, methods or tools to prepare their RRA or ERP. However, they must ensure their plan meets all the SDWA section 1433 criteria.

Still have questions about the AWIA SDWA section 1433 requirements?
Visit EPA's AWIA Section 2013 website at epa.gov/waterresilience/awia-section-2013
or contact us at dwresilience@epa.gov