

**BRIEFING PAPER:**  
**DELAWARE'S COMPREHENSIVE STATE GROUND-WATER  
PROTECTION PROGRAM (CSGWPP)**  
**April 17, 1997**

**WHAT IS CSGWPP?**

CSGWPP is a comprehensive ground-water protection strategy devised voluntarily by DNREC (under the guidance of EPA) to maximize the effectiveness and efficiency of Delaware's ground-water protection efforts. CSGWPP does this by:

- promoting the integration of Delaware's local, state and federal ground-water programs ,
- providing incentives which help insure that the State's various ground-water programs are coordinated and implementing in a consistent manner conducive to achieving Delaware's ground-water protection goal and
- improving public education and participation in all aspects of ground-water protection.

Delaware's ground-water protection goal which is an integral part of CSGWPP was adopted by the State in December of 1983. Achievement of this goal is the unifying common purpose of all Delaware ground-water programs. CSGWPP provides a plan for insuring that the State's Ground Water Protection Goal is met and maintained in the most efficient and effective manner in all Delaware ground-water programs.

Delaware's CSGWPP consist of two documents " Delaware CSGWPP Profile" and the "Delaware CSGWPP And Self-Assessment". These documents will soon be submitted to EPA for formal endorsement following approval by the Secretary and Division Directors. Once endorsed, Delaware will be the first state in Region III to have a "Core" CSGWPP program. Delaware's CSGWPP features the UST program and the GPB program as two programs that meet all of the CSGWPP criteria.

**Core Program**

A Core CSGWPP program is achieved when at least one major state ground-water program meets all the criteria of each of the six strategic activities listed in the EPA 1992 Ground Water Protection Program Guidance. The six strategic activities are as follows:

1. Establishment of a state-wide ground-water protection goal.
2. Establishing priorities to guide all ground-water related programs towards the most efficient and effective means of achieving this ground-water protection goal.
3. Defining authorities, roles responsibilities and coordinating mechanisms for adding identified ground-water protection priorities.

4. Implementing all the work necessary for achieving the state ground-water protection goal.
5. Coordinating data collection and management to measure progress and reevaluate priorities.
6. Improving public education and participation in all aspects of ground-water protection.

The criteria within each of these strategic activities is described in detail in the Delaware CSGWPP Profile.

### **Fully Integrating Program**

A fully-integrating CSGWPP program is achieved when all major state ground-water programs meet all the criteria of each of the six strategic activities listed previously. The CSGWPP Self-Assessment document details where Delaware meets Core and Fully-integrating criteria. Additional evaluation of other programs (e.g. RCRA) will occur in multi-year agreements with EPA through the PPA.

### **BENEFIT OF DELAWARE'S CSGWPP**

Delaware's CSGWPP provides the following three key benefits: (1) establishes a framework for achieving better coordination across all ground-water-related programs, (2) serves as a means of achieving recognition and gaining greater flexibility for Delaware's ground-water protection approaches by those programs administered or delegated by EPA, and (3) provides a comprehensive ground-water reference document for Delaware's ground-water programs.

The CSGWPP approach is entirely consistent with related efforts within DNREC to better integrate and coordinate our programs, namely, Performance Partnership, Whole Basin Management, and Environmental Indicator development. CSGWPP provides the focal point for key ground-water program activities. The more important of these are:

- enunciation of Delaware's ground-water protection goal;
- characterization and prioritization of Delaware ground water resources
- defining use/value/vulnerability of ground-water resources; and
- developing a coordinating mechanism across programs within and outside of DNREC.

EPA has made efforts to clarify their commitment to supporting state CSGWPP approaches (which will differ from state to state). Aside from the 1992 CSGWPP guidance. EPA has described benefits to states with endorsed CSGWPPs in EPA's Commitments to Support Comprehensive State Ground-Water Protection Programs (June 1995) and, more recently, OSWER Directive 9283.1-09 titled The Role of CSGWPPs in EPA Remediations Program

(April 1997) (attached). The latter describes the use of CSGWPP's in the Superfund, RCRA Subtitle C and D, and Underground Storage Tanks programs. As an example of the use of CSGWPP within remediation programs, EPA will allow a state's ground-water use determination (Strategic Activity 2, Criterion 2) to supersede the NCP Preamble language.

## **RELATIONSHIP OF CSGWPP TO OTHER PROGRAMS**

Delaware's CSGWPP, despite the name, is not itself a new program but rather a framework for clarifying Delaware's ground-water protection policies, rules and regulations and a means of coordinating ground-water protection activities across programs. The primary agencies involved are DNREC (DWR, DAWM, DSWC) , DDA (Pesticide Enforcement), DHSS (Office of Drinking Water), DGS, USGS, and local agencies (e.g. WRANCC).

The coordination aspects of CSGWPP (e.g. public involvement, database development, resource assessment) involve all of the above referenced program and agencies. CSGWPP is part of the PPA and supports Whole Basin Management. All remediation programs that are involved will benefit from a clarification of ground-water use/value/vulnerability determination, and ground-water quality criteria for remediation decisions.

A coordinating committee has been established and will meet periodically following EPA endorsement of Delaware's Core CSGWPP. The committee consists of all ground-water protection related programs within DNREC and elsewhere.

## **NEXT STEPS**

The following is a list of tasks which will need to be accomplished in order for Delaware to continue moving towards a fully-integrating CSGWPP:

- Brief Secretary Tulou on Delaware's core CSGWPP submittal.
- Submittal of the core CSGWPP and request EPA endorsement
- Upon endorsement, notify the public of this milestone and perform outreach aimed at gaining public support for Delaware's CSGWPP.
- Upon endorsement, begin working with EPA in negotiating the specifics regarding increased flexibility for those programs which meet the core criteria and in developing timelines for implementation of the increased flexibility.
- Begin working with other non-core programs (notably RCRA) in performing a more in-depth evaluation to determine whether the programs currently meet the adequacy criteria.
- Identify the adequacy criteria gaps, barriers (if any), and the steps needed to fill the gaps and remove the barriers so that non-core programs can become core programs.
- Begin working with EPA on developing multi-year work plan (PPA) agreements which will move Delaware closer to its goal of having a fully integrating CSGWPP.

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