



Report Highlights

Progress Report: Safe Drinking Water Program

Louisiana Department of Health, Office of Public Health

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Why We Conducted This Audit

We evaluated the Louisiana Department of Health, Office of Public Health's (OPH) progress towards addressing issues identified in our August 2016 report on its oversight of the Safe Drinking Water Program (SDWP). Specifically, we evaluated whether OPH's monitoring and enforcement activities ensure that public water systems provide safe drinking water to consumers in accordance with state and federal regulations. In addition, we evaluated OPH's progress towards addressing issues identified in our March 2017 report on the Capacity Development Program. In our August 2016 report, we made seven recommendations to improve OPH's monitoring and enforcement processes, and OPH agreed with all of them. In our March 2017 report, we made two recommendations to improve OPH's assistance provided to water systems in the Capacity Development Program, and OPH agreed with both.

What We Found

Overall, we found that OPH fully or partially implemented six of seven recommendations made in our August 2016 audit report on the SDWP and one of two recommendations made in our March 2017 report regarding the Capacity Development Program. Specifically, we found the following:

- **Since January 2017, OPH has created an additional 40 sanitarian positions and resumed collecting most water samples used to test for contamination instead of relying on water systems to collect these samples. As a result, the number of monitoring violations decreased by 97.0%, from 905 in fiscal year 2016 to 27 in fiscal year 2021.** In addition, revenue from Act 605 of the 2016 Regular Legislative Session has allowed OPH to conduct routine monitoring for secondary contaminants, including iron and manganese, and to continue sampling for *Naegleria fowleri* using risk-based selection criteria. The exhibit below shows SDWP water fee revenues collected by OPH and the number of sanitarians on staff during fiscal years 2016 through 2021.

Fiscal Year	Amount	No. of Sanitarians
2016	\$4,944,715	16
2017*	8,277,362	39
2018	18,552,966	42
2019	19,578,045	39
2020	19,258,110	40
2021	19,378,422	39
Total	\$89,989,620	

*The increase in fees authorized by Act 605 was effective January 1, 2017.
Source: Prepared by legislative auditor's staff using information provided by OPH.

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What We Found

- **OPH has improved in conducting timely sanitary surveys of water systems. During fiscal years 2016 through 2021, OPH conducted required sanitary surveys on all 1,406 active water systems, which is an improvement from our August 2016 audit that found OPH only conducted 1,075 (89.0%) of 1,208 required sanitary surveys during fiscal years 2009 through 2014. However, OPH did not always issue violations when water systems did not resolve significant deficiencies identified on sanitary surveys. As of June 2021, OPH had not issued violations for 10 (8.5%) of 118 unresolved significant deficiencies identified during fiscal years 2016 through 2021.**
- A significant deficiency includes a defect in design, operation, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution system that OPH determines to be causing, or has the potential for causing the introduction of contamination into the water delivered to consumers.
- **OPH escalated enforcement actions in accordance with policy when water systems did not correct violations for nine (90.0%) of 10 Administrative Orders (AOs) we reviewed. This is an improvement from our 2016 audit, where we found that OPH did not follow its enforcement process in five (33.3%) of the 15 AOs we reviewed. However, OPH did not issue AOs for 36 (92.3%) of 39 unresolved non-health-based violations cited during fiscal years 2016 through 2021 in accordance with its criteria for issuing AOs. In addition, OPH has not yet developed and implemented a data system that effectively tracks its issued enforcement actions.**
 - **OPH has improved in its issuance of violations to water systems that do not notify their customers of noncompliance with drinking water regulations. During fiscal years 2016 through 2021, OPH issued violations to water systems for 2,348 (99.5%) of 2,359 unperformed public notifications, as required by the U.S. Environmental Protection Agency. This is an improvement from our August 2016 audit that found OPH did not issue violations for 363 (35.4%) of 1,025 unperformed public notifications.**
 - **OPH now collects additional financial and managerial information during onsite inspections to identify water systems that may need to participate in its Capacity Development Program. In addition, OPH has started requiring participation in the Capacity Development Program as a remedial action in AOs. While OPH does not have the authority to issue penalties to water systems simply for failure to participate in the Program, it can impose penalties when systems do not comply with other aspects of an AO.**