



A Division of The Society of The Plastics Industry, Inc.

January 11, 1988

TO: The VI Health, Safety and Environment Committee

Attached is follow-up provided by Joe Ledvina on the issue of whether plant drinking water systems are subject to the requirements of the Safe Drinking Water Act.

MNS/pmb
attachment

Meredith
Meredith N. Scheck
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January 5, 1988

VISTA

Meredith Scheck
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Dear Meredith:

At the last VI Health, Safety, and Environment Committee meeting I agreed to provide some clarification on the impact of the Safe Drinking Water Act on manufacturing plants. The specific concern was whether plant drinking water systems are considered public water systems and as such, subject to the SDWA.

The July 8, 1987 Federal Register (52 FR 25690) provides excellent comment on this issue. In short, if a plant produces its own water and there are at least 15 connections or 25 people in the plant, the system is considered a Non-Transient Non-Community Water System and it is subject to the SDWA. If a plant brings in city water for drinking the plant is not responsible for meeting SDWA provisions, the city is.

I have excerpted and attached two sections of the 7/8/87 preamble that explains this in more detail. Please distribute this to other members of the committee.

Sincerely,



Joseph C. Ledvina
Director, Environmental Activities

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Attachments

VVV 000005034

NATIONAL PRIMARY DRINKING WATER REGULATIONS - SYNTHETIC ORGANIC CHEMICALS, MONITORING FOR UNREGULATED CONTAMINANTS: FINAL RULE

SDR 25694-5 7/2/87

SDR 25693

7/2/87

5. Non-transient Non-community Water Systems

Public water systems are defined in the Act at section 1401(1)(D)(4) as those systems which provide piped water for human consumption and have at least 15 connections or regularly serve at least 25 people. The category "public water system" is composed of community and non-community water systems. The community water system is one which serves at least 15 connections used by year-round residents or regularly serves at least 25 year-round residents (40 CFR 141.2). Non-community systems, by definition, are all other water systems. Non-community systems include transient systems (e.g., campgrounds, gas stations) and non-transient systems (e.g., schools, workplaces, hospitals which have their own water supply and serve the same population over six months of a year), as explained in more detail later.

A. Non-Transient Non-Community Water Systems

In the November 1985 notice, EPA proposed to redefine the term "community water system" to include certain non-community water systems as follows:

Community Water System means a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 of the same persons over 6 months per year.

The purpose of the change was to protect nonresidential populations of more than 25 people who, because of regular long-term exposure, might incur long-term risks of adverse health effects similar to those incurred by residential populations. The change was designed to include systems serving more than 25 persons in such places as workplaces, offices, and schools, that have their own water supplies.

EPA requested comment on this proposal. About half the commenters who addressed this issue supported the change, citing the potential health risks from exposure in these non-transient situations. The other commenters stated that the resource burden to the States and the regulated community would be excessive and felt that the potential benefits would not outweigh the costs.

EPA believes applying NPDWRs to such systems is protective of public

health and should be implemented. EPA believes the risks to consumers commonly associated with long-term exposures to contaminated drinking water in many cases could also apply to NTNCWS drinking water consumers, such as factory employees and school children exposed to the same drinking water source over a number of years. The chronic health risks to consumers in non-transient water systems would be similar to residential populations served by community water systems, since one can estimate that one-third to one-half or more of the normal daily water consumption would occur at the school or workplace, and the rest at home. Therefore, EPA believes it is appropriate to apply NPDWRs to both community and non-transient non-community water systems. However, water from systems serving populations for only a brief time (e.g., campgrounds, parks, gas stations) does not pose long-term health risk such as those associated with the VOCs. Therefore, EPA believes that it is not necessary to regulate water systems that only serve transient population for agents of chronic exposure but these water systems should be regulated for acute risks (e.g., nitrates).

Instead of amending the definition of community water systems, as proposed in the November 1985 notice, EPA is promulgating a definition of "non-transient, non-community water systems" and applying the NPDWRs for the eight VOCs to those systems (as well as community water systems, as currently defined in EPA's regulations). This term includes the universe of non-transient systems that EPA included in the revised definition of community water systems it proposed. This approach is preferable to the proposed approach because if EPA amended the definition of "community water system" to include non-transient non-community systems, then all of the existing NPDWRs would apply to those systems by definition. This is not EPA's intent. However, EPA does intend to apply future NPDWRs to non-transient non-community water systems as it evaluates and revises the existing regulations, as required by the 1988 amendments to the SDWA. In conclusion, EPA is amending 40 CFR 141.2 to add a new definition as follows:

A "non-transient non-community water system" means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over six months per year.

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