REGULATORY BARRIERS TO IMPLEMENTING LEGIONELLA CONTROLS

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Discussion topics

- Safe Drinking Water Act
- Regulatory Definitions
- NonTransient Non Community Water Supplies
- Current Guidelines and Consequences
- Specifications
- Efficacy
- Safety
- Potential Reconsiderations
- New Guidelines /Redefinitions
Safe Drinking Water Act

- EPA Regulates Public Water Supplies-NPDWR
- PWS provide piped water for human consumption
- PWS 15 service connections or 25 persons >60 days/year
- Regulations are implemented by States
Regulatory Definitions

• Community Water System (CWS)-permanent residents
  -Subject to monitoring compliance reporting regulations

• Transient Non Community (TNC) Water System-non resident populations
  e.g. highway restaurants

• Non Transient, Non Community Water (NTNCWS) System
  -Serves same non resident population daily over 6 months
  e.g. factories, schools, hospitals
More Definitions

- **Consecutive System**
  - Receives some or all finished water from a PWS

- **Can be a:**
  - Community Water System (CWS) >25 residents
  - Transient Non Community Water System (TNC)
  - Non Transient Non Community Water System (NTNC)
Problem

- Hospital or building in a community that purchases water becomes a Non Transient Non Community Water Supply, if it adds any treatment at the meter or beyond.

- Becomes subject to certain PWS regulations for Monitoring, Compliance and Reporting
Water Disinfection Treatments

- Chlorine
- Chloramine
- Chlorine Dioxide
- Ozone
- UV light
- Copper Silver Ionization
- Thermal
- Instantaneous Steam, Hot water only
Consequences

- Could be required to monitor and comply with regulations for Disinfection ByProducts
  e.g. if chlorination is applied:
  - Organic DBPs, Bromate
  - Coliforms and *E.coli*
  - Maximum Residual Chlorine Level
  - Chemical storage and containment requirements
  - Lead and Copper Rules
  - Operator certification
  - Possibly minimum residual disinfectant levels
  - Reporting requirements
  - Public Notification and possibly more
Barriers and Considerations

- Reduces likelihood of supplemental treatment
- Increases complexity in a non traditional area
- Increases costs
- Increases State oversight responsibilities

- Risk consequences of supplemental disinfection are small
- Risk consequences of non treatment are serious
- Beneficial and effective non Drinking Water regulatory approaches are available
Suggested Principles for Resolution

- Health Risks are Increased if treatment is NOT added.
- Change definitions of Consecutive Systems and NTNCWS to exclude healthcare facilities, at least. Provide Guidance.
- Disinfectants continuously applied to cold water side require management controls/monitoring; e.g., chlorine, chlorine dioxide, chloramine, Cu/Ag....
- Intermittent shock treatment should NOT create NTNCWS.
- Continuous treatment to hot water should be exempted and NOT create NTNCWS status.
- Lead/Copper should be exempted: related monitoring should reflect the ions that would be added.
- Additional monitoring for regulated coliforms and fecals might be superfluous. It should reflect the fact that additional disinfectants are being added.
Goals

• Revised Guidance is in the Works-essential minimum fix

• But: Need National Directive rather than state variability

• DO NO HARM!
Citations


• Drinking Water Regulations 40CFR140 et seq

• Stage 2 Disinfectants and Disinfection By-products Rule Consecutive Systems Guidance Manual
  guide_stage2_consecutive_systems_mar2010_v3-3.pdf