



# **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

- **The Safe Drinking Water Act, P.L. 93-523, December 16, 1974. Title XIV of the Public Health Service Act amended through P.L. 107-377 , December 31, 2002.**
- **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**