

# Office of Drinking Water Policy

Title:	Alternative Water Supplies	Number: F.11
References:	WAC 246-290-001(2)(b) and WAC 246-290-320(b)(iv)	
Contact:	Meliss Maxfield	
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Supersedes:		
Approved:	<i>"signed copy"</i>  <i>Director, Office of Drinking Water</i>	

Drinking water policies are written descriptions of the approach taken by the Program to implement a statute, regulation, court order, or other agency order, and may include the Program's current practice, procedure, or method of action based on that approach. Any generally applicable directives or criteria that provide the basis for imposing penalties or sanctions, or for granting or denying Program approvals, must either be in statute or established in a rule.

## **POLICY STATEMENT:**

The Department of Health, Office of Drinking Water (ODW) rules are designed to ensure water systems provide safe and high quality drinking water in a reliable manner and in a quantity suitable for intended use (WAC 246-290-001[2][b]). When a primary standard violation occurs, the purveyor shall: (1) notify the department, (2) notify its consumers, (3) determine the cause of the contaminant, and (4) take action as directed by the ODW (WAC 246-290-320[1][b][i] – [iv]).

The need to provide for a short-term alternative water supply occurs when an acute chemical contaminant is present over the maximum contaminant level (MCL), or when a chronic chemical contaminant is at a concentration considered acute by the department's Office of Environmental Health Assessment (OEHA). Alternative water is not required for coliform MCL where a Boil Water Advisory is in place or where boiling water is feasible.

When directing a water purveyor to take action to address an acute chemical contaminant over the MCL, or a chronic chemical contaminant at a concentration considered acute by OEHA, ODW may use a bilateral compliance agreement (BCA) or a departmental order identifying the appropriate course of action the purveyor will take to remediate the contamination. In the interim, while development of permanent remediation activities is progressing, ODW will require the water purveyor to provide a short-term alternative water supply meeting drinking water standards. The water system shall provide the short-term alternative water supply to all customers who request it.

Failure to provide an alternative water source may lead to enforcement as outlined in WAC 246-290-050.

## **POLICY SCOPE:**

- Identifies ODW actions when a purveyor violates acute chemical standards.
- Identifies purveyor's required actions when they violated acute chemical standards, including the requirement to provide a short-term alternative water supply.
- Defines what "provide" a short-term alternative water supply means.
- Clarifies alternative water is not required for a coliform MCL violation and any other identified microbial contaminant risk where a Boil Water Advisory is in place or where boiling water is feasible.

## **HISTORY AND KEY DEFINITIONS:**

Often, bottled water is the chosen short-term alternative water supply method used because of its practicability while a permanent remedial option is implemented. The Code of Federal Regulations, Protection of Environment, Title 40, Section 141.101, prohibits public water systems from using bottled water to achieve compliance with an MCL. Bottled water may only be used on a temporary basis to avoid an unreasonable risk to health.

**Short-term alternative water supply** includes trucked water, a temporary intertie with a neighboring water system or provision of bottled water. In cases where water will be trucked, the truck container must be contaminant free and maintained so water contamination is prevented. If a temporary intertie will occur, the intertie must be a source approved by ODW. The purveyor and ODW will negotiate and determine which option to implement for providing short-term alternative water supply. *(Note: bottled water must be produced by a Washington State Department of Agriculture-approved bottling operation or out-of-state or international bottler whose product meets Food and Drug Administration regulations. Non-bottled water must come from an approved public water supply.)*

If the purveyor chooses trucked or bottled water as the interim solution, "**providing alternative water**" shall mean the water purveyor will make available to all customers who request it, water from an approved public water supply or source, and at a location convenient for those customers through the following means: (1) a filling station for containers provided by the customers, (2) bottled water, or (3) coupons for the purchases of bottled water from a local merchant. Purveyors should provide approximately one-and-a-half (1.5) gallons of water per person per day should be provided for consumptive use.

## **When a Transient Non Community (TNC) Water System Source Exceeds the Nitrate Standard in Drinking Water**

ODW will allow the use of bottled water for TNC water systems serving a seasonal population for not more than six months each year where source levels of nitrate are in excess of 10 mg/L. ODW will advise the water system to develop a plan and implementation schedule for protection of the "at-risk" consumers (developing fetuses of pregnant women, infants less than one year of age, and people with certain rare blood enzyme disorders).

At least every five years, ODW will evaluate the progress and capacity of the TNC water system to address the nitrate exceedance using an alternative water supply. ODW will then determine if the water system can continue the seasonal use of bottled water or find a non-bottled water alternative supply. If at any time ODW determines it necessary for the continued protection of consumer

health, ODW will establish a BCA outlining the remediation approach most appropriate for the water system and a schedule for its implementation.

**PROCEDURE:**

#	Action By	Action
1	Water Purveyor	Exceeds an acute chemical contaminant MCL or a chronic chemical contaminant at a concentration considered acute by OEHA.
2	ODW Staff	Notifies water purveyor of acute chemical contaminant MCL exceedance or chronic chemical contaminant at a concentration considered acute by OEHA.
3	ODW Staff	Initiates health advisory process when an acute chemical contaminant MCL occurs or when a chronic chemical contaminant is at a concentration considered acute by OEHA.
4	Water Purveyor	Notifies customers through public notification of acute chemical contaminant MCL or a chronic chemical contaminant at a concentration considered acute by OEHA.
5	ODW Staff	Follows high health risk violation compliance process: <ul style="list-style-type: none"> <li>• Sends Violation letter.</li> <li>• Issues NOV (offer BCA, depending on the circumstance) establishing actions required to remediate the contamination. Identifies the duration and conditions for use of short-term alternative water supply after collaboration with the purveyor.</li> <li>• Designates public water system as a SSNC.</li> <li>• Sends public water systems a red operating permit.</li> <li>• Starts active enforcement (order and penalties).</li> </ul>
6	Water Purveyor	Provides short-term alternative water supply in accordance with BCA or order and to all customers who request it.
7	ODW Staff	Tracks compliance of milestones to ensure they are met as set forth in the violation letter, BCA or order (agreed, departmental, or state health). If water systems misses milestones, takes appropriate enforcement actions per established compliance matrix, office policies, or directives.