



Drinking Water Monitoring, Compliance, and Enforcement

SAFE DRINKING WATER ACT • CELEBRATING 25 YEARS • PROTECT OUR HEALTH FROM SOURCE TO TAP

Meeting Drinking Water Standards

Water systems, states, and the U.S. Environmental Protection Agency (USEPA) each have a role in monitoring and assuring drinking water quality. The Safe Drinking Water Act (SDWA) requires USEPA to set drinking water standards that public water systems (providing drinking water to the public) must meet (see fact sheet on standards for more details. USEPA has set standards for 90 contaminants, seven of which are new standards that will be enforceable January 1, 2002). Under SDWA, states that meet certain requirements, including setting regulations that are at least as stringent as USEPA's, may apply for, and receive primary enforcement authority, or primacy. All states and territories, except Wyoming and the District of Columbia, have received primacy. While no Indian tribe has yet applied for and received primacy, four tribes currently receive "treatment as a state" status, and are eligible for primacy.

Monitoring Drinking Water Quality

Individual water systems submit samples of their water for laboratory testing (monitoring) to verify that the water they provide to the public meets all federal and state standards. How often and where samples are taken varies from system to system and contaminant to contaminant.

USEPA specifies in regulations the analytical methods that must be used to analyze drinking water samples. States or USEPA certify the laboratories that conduct the analyses. Requirements vary depending on the contaminant group, whether the water system uses ground water or surface water, and the number of people served. Water systems must also test for certain contaminants for which there are no current standards. These occurrence data are used to help determine which contaminants should be regulated by new standards, and the levels of those standards.

Who is Protected

People whose water comes from **public water systems**, which serve most cities and towns, schools, businesses, campgrounds, and shopping malls, are protected by drinking water standards. The 10 percent of Americans whose water comes from private wells (individual wells serving fewer than 25 persons) are not required to be protected by these federal standards. People with private wells are responsible for making sure that their own drinking water is safe. Some states do set standards for private wells, so well owners should check their state requirements. USEPA recommends testing your water once per year to see if it meets federal and state standards. Call the Safe Drinking Water Hotline at **1-800-426-4791** or see the Safewater home page at <http://www.epa.gov/safewater/faq/sco.html> to find out how to get a list of certified testing labs in your state.

Bottled Water

Bottled water is regulated by the U.S. Food and Drug Administration (FDA) as a food product, and is required to meet the same standards that USEPA sets for tap water. For information on bottled water regulations, call FDA at 1-800-463-6332.

Compliance

Public water systems are responsible for complying with all regulations, including monitoring, reporting, performing treatment techniques, record keeping, and public notice requirements. States, in turn, keep the data for systems in the files in state data systems. States report violations of Maximum Contaminant Levels and treatment techniques, as well as monitoring violations, to USEPA.

Compliance Assistance

States and USEPA engage in a variety of activities to help water systems remain in, or return to,

compliance. These activities include: visiting water systems and reviewing their facilities, equipment, and operations; helping systems invest in preventive measures; providing financial assistance for system improvements; loaning specialized monitoring equipment; conducting training sessions; holding public information meetings; and publishing newsletters and bulletins.

USEPA also participates with other organizations in the Local Government Environmental Assistance Network (LGEAN), which provides environmental management, planning, and regulatory information for local government elected and appointed officials, managers, and staff. For more information on these resources, see www.lgean.org.

Enforcement

States and USEPA maintain a formal enforcement program to ensure that violations are promptly ad-

ressed and that public health is protected. As a condition of primacy, states are required to have formal enforcement authority. The 1996 SDWA amendments also require that primacy states have administrative penalty authority.

In taking enforcement actions, states and USEPA generally follow an enforcement management system or policy. The first response to a violation is generally an informal action (e.g., technical assistance or reminder letter). When a PWS does not return to compliance or incurs additional violations, formal enforcement action should be initiated. When violations pose an immediate risk to public health, states or USEPA often proceed directly to a formal action.

There are many types of formal enforcement actions. Administrative orders, either with or without penalty, are issued by an executive agency of the state or federal government. Judicial actions include civil and criminal court cases.