

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WSG 3

Date Signed: July 26, 1976

**Revised:** November 1998

**Revised by:** Wendy Warren

MEMORANDUM

SUBJECT: Status of Water Vending Machines Under  
Public Law 93-523

FROM: Victor J. Kimm (signed by Victor J. Kimm)  
Deputy Assistant Administrator for Water Supply (WH-550)

TO: Regional Water Supply Representatives

Background

Region IV has asked that we determine the status of water vending machines under P.L. 93-523. Brochures were enclosed describing a unit which provided filtration and ultraviolet disinfection. Water was then dispensed into the customer's own container when a coin operation mechanism was cycled.

The definition of a public water system as given by Section 141.2(e) of the NIPDWR is:

"The public water system" means a system for the provision to the public of piped water for human consumption, through pipes or other constructed conveyances if such a system has at least fifteen service connections or regularly<sup>1</sup> serves at least twenty-five individuals daily at least 60 days out of the year.

A water vending machine provides piped water for human consumption, and it would probably serve an average of 25 people a day for at least 60 days out of the year. The coverage section of the NIPDWR, Section 141.3, includes all public water systems unless all three of these conditions are met:

- (a) Consists only of distribution and storage facilities (and does not have any collection and treatment facilities);

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<sup>1</sup> The regulations under the SDWA explain the term "regular" by stating that a public water system must have at least fifteen service connections or regularly serve an average of twenty-five individuals daily at least sixty days out of the year. 40 CFR 35.603(c), 41 F.R. 2913, Jan. 20, 1976.

- (b) Obtains all of its water from, but is not owned or operated by, a public water system to which such regulations apply;
- (c) Does not sell water to any person.  
The whole point of water vending machines is to sell water so that condition (c) is not met. Most machines treat the water in some way so condition (a) is not met.

If any one of (a) (b) or (c) is not met, the public water system is covered by the regulations.

### Conclusion

Water vending machines which either treat water in some way or sell water are covered by the NIPDWR as a non-community, public water supply.