Expedited Approval of Alternative Test Procedures/Safe Drinking Water Act: U.S. Environmental Protection Agency January 16th Federal Register Notice



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The United States Environmental Protection Agency ("EPA") published a January 16th Federal Register notice announcing a final rule approving alternative test methods for use in measuring the levels of contaminants in drinking water to determine compliance with the Safe Drinking Water Act ("SDWA") national primary drinking water regulations. See 90 Fed. Reg. 4658.

The final rule approves two additional methods for analyzing drinking water samples.

The SDWA applies certain standards to public water systems that provide water for human consumption through pipes or other constructed conveyances to at least 15 service connections or that regularly serve an average of at least 25 individuals daily at least 60 days out of the year. The statute applies to all large community and non-transient non-community water systems serving more than 10,000 people. A community water system is a public water system that has at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

EPA regulates pursuant to the SDWA contaminants in public drinking water systems that may have an adverse effect on human health. A focus of the SDWA is the establishment of national standards for water quality in public drinking water systems. Section 1412(b)(1)(A) of the SDWA addresses EPA's authority to establish national primary drinking water regulations for contaminants.

Public water systems are required to undertake certain sampling and monitoring to determine compliance with the previously referenced SDWA standards. They may use either testing methods already established in existing EPA regulations, or the alternative methods being approved in the January 16th final rule.

EPA states that each of the two methods addressed in the final rule are equally effective relative to methods previously promulgated in the regulations.

A copy of the Federal Register notice can be downloaded here.