

Drinking Water/Safe Drinking Water Act: Natural Resources Defense Council Assesses National Compliance Rates



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The National Resources Defense Council (“NRDC”) issued a May 2017 report assessing compliance by community water systems in the United States with the Safe Drinking Water Act (“SDWA”).

The report is titled:

Threats on Tap: Widespread Violations Highlight Need for Investment in Water Infrastructure and Protections (“Report”)

The SDWA is the federal law that protects drinking water supplies. The statute requires that the Environmental Protection Agency (“EPA”) identify drinking water contaminants. The federal agency is then required to develop rules that either set maximum permissible levels for the contaminants or establish protocols to treat the water to minimize the levels of the contaminant. All owners or operators of public water systems are required to comply with the primary (health-related) standards.

The states can be delegated the ability to enforce the requirements established by the SDWA. The Arkansas Department of Health implements this program in Arkansas.

The NRDC Report claims to have identified nearly 80,000 SDWA violations in the United States. Smaller community water systems found in rural or sparsely populated areas are stated to account for nearly 70 percent of all violations.

Arkansas was not among the top dozen states which the Report concluded had the most violations based on population. Instead the top dozen included:

1. Texas
2. Florida
3. Pennsylvania
4. New Jersey
5. Georgia
6. Washington
7. Ohio
8. California
9. Kentucky

10. Wisconsin

11. Maryland

The Report argues that public health consequences could arise due to:

- Shortcomings in the EPA's rules
- Lackluster enforcement
- Aging drinking water treatment and distribution infrastructure

NRDC recommends that the United States:

- Improve water structure and modernize drinking water treatment plants (including removing the six to ten million lead service lines across the country)
- Increase funding for water infrastructure to protect health and create good jobs
- Strengthen and enforce existing regulations/establish new ones (contaminants found in drinking water such as pharmaceuticals are not regulated)
- Develop a more robust testing system for drinking water contaminants

The sections of the Report include:

- Introduction to the SDWA
- SDWA Rules
- Violating the Drinking Water Rules
- Enforcement Provisions of the SDWA
- Citizen Suit Provision of the SDWA

[A copy of the Report can be downloaded here.](#)