

WHAT YOU NEED TO KNOW ABOUT THE SAFE DRINKING WATER ACT (1974)

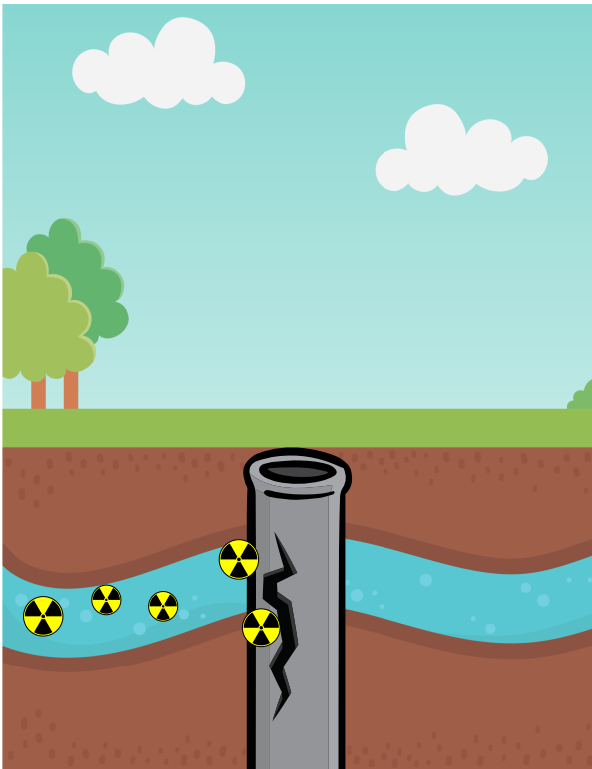
Safe Drinking Water Act (SDWA)

The Safe Drinking Water Act was passed in 1974 in order to protect the quality of drinking water in the U.S. It focuses specifically on water that is actually or potentially used for drinking water, both above ground and underground sources.

- The SDWA authorizes the EPA to create minimum standards to protect tap water
- State governments are encouraged to have a set of secondary standards
- The SDWA established minimum standards to protect underground sources of drinking water from endangerment by underground injection fluid



Picture of the Sedat 3A Injection Well.
Taken by Ted Auch FracTracker



How This Impacts Injection Wells

Underground Injection Control (UIC) regulations mandate the consideration of a variety of measures to assure that injection activities will not endanger underground sources of drinking water. The concept of endangerment is defined in federal code of regulations: 40 CFR 144.12. If a fluid contains a contaminant that does not violate a primary drinking water regulation, it may still be barred from use if there is concern it adversely affects the health of persons.

- Well owners cannot conduct injection activity that would adversely affect the health of a USDW or in turn a person who uses it.
- As long as the impact is concrete and readily observable, it can qualify as showing a harmful effect- Say what is bad that is happening, quantify it, show or explain some consequences on a drinking water supply or source

40 CFR 144.12: Prohibition of movement of fluid into underground sources of drinking water (USDW):

(a) No owner or operator shall construct, operate, maintain, convert, plug, abandon, or conduct any other injection activity in a manner that allows the movement of fluid containing any contaminant into underground sources of drinking water, if the presence of that contaminant may cause a violation of any primary drinking water regulation under 40 CFR 142 or may otherwise adversely affect the health of persons.

PENNSYLVANIA

Pennsylvania has adopted its own drinking water laws more stringent than that of the EPA, and is therefore responsible for their enforcement.

- PA extends protection to sources of drinking water: rivers, reservoirs, lakes, springs, groundwater wells.
- Injection wells in Pennsylvania require both a permit from the DEP and a UIC permit from the EPA
- The DEP can only commence authorization after it has received notice of a granted UIC permit by the EPA

Pennsylvania Clean Streams Law 35 P.S. 691

- It is the objective of the Clean Streams Law not only to prevent further pollution of the waters of the Commonwealth, but also to reclaim and restore to a clean, unpolluted condition every stream in Pennsylvania that is presently polluted
- In establishing policy and priority, the PA DEP should consider:
 - Water quality management and pollution control in the watershed as a whole
 - The present and possible future uses of particular waters
 - The feasibility of combined or joint treatment facilities
 - The state of scientific and technological knowledge
 - The immediate and long-range economic impact upon the Commonwealth and its citizens

DEP's powers and duties

- Formulate, adopt, promulgate and repeal such rules and regulations and issue such orders as are necessary to implement the provisions of this act.
- Establish policies for effective water quality control and water quality management in the Commonwealth of Pennsylvania and coordinate and be responsible for the development and implementation of comprehensive public water supply, waste management and other water quality plans.
- Review all Commonwealth research programs pertaining to public water supply, water quality control and water quality management

OTHER NOTES

- The Bureau of Safe Drinking Water is charged with managing the federally delegated drinking water program and implements both the federal and state Safe Drinking Water Act and associated regulations.
- Certain injection wells, such as stormwater wells, may not require a UIC permit and may not trigger NDPES requirements. However, PA DEP still has responsibilities to protect groundwater under the Clean Streams Law