NIH Policy Manual

1340-3 - Drinking Water Program

Issuing Office: OD/OM/ORS/DOHS **Phone:** (301) 496-2960

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Transmittal Notice

1. **Explanation of Material Transmitted:** This issuance establishes policy, responsibilities and procedures for the National Institutes of Health (NIH) Drinking Water Program to ensure all employees and visitors are provided potable drinking water at NIH-owned or leased facilities. This program is administered by the Office of Research Services (ORS), Division of Occupational Health and Safety (DOHS) and supports the Office of Research Facilities Development and Operations (ORFDO) in maintaining the quality of drinking water, and identifying and quantifying potential exposure to contaminants, particularly lead.

2. **Filing Instructions:**

   Insert: NIH Policy Manual, Chapter 1340-3, dated 04/03/2020

PLEASE NOTE: For information on:

- Content of this chapter contact the issuing office listed above.
- NIH Policy Manual, contact the Division of Management Support,0 OMA on 301-496-4606, or enter this URL: https://oma.od.nih.gov/DMS/Pages/Manual-Chapters.aspx.

A. Purpose

The NIH Drinking Water Program ensures potable water is provided and maintained in accordance with U.S. Environmental Protection Agency (EPA) drinking water standards for use by employees and visitors in NIH-owned or leased facilities.

B. Scope

This policy applies to all NIH-owned and leased facilities.

C. Background

NIH Drinking Water Supplies are subject to the regulations and standards established under the Safe Drinking Water Act, 42 U.S.C §§ 300f et seq.

The NIH Bethesda campus and NIH-leased facilities in the Washington DC metropolitan area are provided drinking water by the Washington Suburban Sanitary Commission (WSSC). NIH-leased facilities in Baltimore, MD; Frederick, MD; Hamilton, MT; Durham, NC; and Phoenix, AZ, are provided drinking water by local community water systems.

NIH Animal Center (NIHAC) facilities in Poolesville, MD, are provided drinking water through a non-transient, non-community water supply operated by a Certified Water Operator.

D. Policy

1. It is the policy of the NIH to provide potable drinking water for occupants and visitors of NIH-owned and leased facilities.

1. All drinking water sources will meet current U.S. EPA drinking water standards.

    a. Childcare Centers on the NIH Bethesda Campus (Buildings 23 and 64) and in the Washington DC metropolitan area are sampled and tested annually for lead content. The ORS DOHS ensures annual testing of Childcare Centers at the NIH complies with licensing standards and requirements.

    a. For new construction projects, water sampling and testing will comply with the latest standards and be conducted by qualified contractors in compliance with the most current NIH Design Requirements Manual (DRM) and NIH Facilities Development Manual, Section 3-15, ORF Potable Water Policy.

    a. For renovations or repairs conducted by ORFDO employees, sampling and testing will be conducted in accordance with the NIH Facilities Development Manual, Section 3-15 ORF Potable Water Policy.

    a. Except for Childcare Centers, sampling and testing will be conducted as needed in accordance with the NIH Facilities Development Manual, Section 3-15 ORF Potable Water Policy.

3. The primary sources of potable drinking water within NIH facilities will be drinking fountains, kitchenettes, breakrooms and cafeterias. Kitchenettes and breakrooms are acceptable sources for water dispensers; however, they are not considered replacements for drinking water fountains, which are required by building codes and the NIH DRM.
4. NIH will ensure compliance with drinking water requirements in the International Building Code (IBC) and International Plumbing Code (IPC).
5. At least one (1) drinking water fountain will be provided per 100 occupants at all NIH-owned and leased facilities. For other types of occupancies, NIH will comply with the IPC.
6. A high and low drinking water fountain (or dual use as permitted) will be provided to meet Architectural Barriers Act (ABA) requirements.

7. Drinking water fountains will be accessible without the use of cups.
8. Water dispensers and water bottle fillers are not substitutes for drinking water fountains. Use of water dispensers and water bottle fillers in place of drinking water fountains in hallways will not be permitted unless approved by ORFDO, in coordination with the DOHS Drinking Water Program Manager (DWPM).
9. Alternative drinking water sources (bottled water) will be made available by ORFDO only if the building's water supply does not meet U.S. EPA drinking water standards or potable water is not available.
10. Appropriated funds may not be used to purchase bottled water for employees or visitors unless potable water is not available. In such instances, NIH will provide five-gallon water dispensers, until a permanent source of potable water is available.
11. Drinking water will be tested and/or analyzed by a qualified, accredited laboratory.
12. Unless approved by the Director, ORFDO or designee:

    a. Drinking water fountains, water coolers, and water dispensers will be provided without filtration arrangements and will only dispense untreated, potable water.
    b. Refrigerators with ice makers and water dispensers will not be permitted.

E. Responsibilities

1. NIH Employees must report:

    a. Drinking water issues or malfunctions to the applicable Facility Manager (FM) for preliminary investigations.

    a. Illness suspected to be caused from the consumption of potable water from a NIH facility *immediately* to the Occupational Medical Servicefor evaluation. After business hours, contact NIH Emergency Services at 911 for assistance.

    a. Possible immediate threat to human health, or illness, suspected to be caused by a drinking water source at any NIH facility *immediately* to DOHS at (301) 496- 2960 or (301) 496-2346.

    a. Issue arising from drinking water at any NIH-leased facility to the designated FM, who will report the matter to the lessor and the Lease Contracting Officer (LCO) or designated representatives.

1. The ORS, DOHS DWPM is responsible for:

    a. Providing technical assistance and conducting applicable drinking water sampling as necessary (see Appendix 2: Quick Guide to Drinking Water Sampling);

a. Providing written reports to the appropriate ORFDO Building and FM after sampling.

a. Maintaining drinking water sampling results on file for at least 5 years.

1. The ORFDO Divisions

a. Division of Technical Resources (DTR) is responsible for ensuring all projects are designed consistent with the applicable building codes, standards and guidelines to provide safe drinking water for all building occupants and visitors.

a. Division of Design and Construction Management (DDCM), the Division of Facilities Operations and Maintenance (DFOM) and Project Officers (PO) are responsible for ensuring:

- New construction project work is performed consistent with the plans and specifications for safe drinking water. This includes obtaining the drinking water sampling and testing results from a certified laboratory and providing the reports to DOHS DWPM for review and approval.

- Any contract regarding work conducted on an existing NIH drinking water distribution system covers sampling and testing performed in accordance with the current edition of the NIH DRM; and providing a copy of the disinfection activities and drinking water sampling results to the DOHS DWPM for review and approval.

a. DFOM FMs are responsible for:

- Ensuring drinking water distribution systems are properly maintained in accordance with applicable plumbing codes.

- Conducting preliminary investigations of drinking water concerns/complaints from building occupants.

- Contacting the DOHS DWPM for technical assistance and to schedule sampling (if applicable) for any repair work completed by ORFDO.

- Ensuring drinking water systems are tested as necessary.

- Contacting the Division of Facilities Stewardship (DFS) regarding any identified deficiencies and repairs required to the distribution system(s).

- Keeping complainants apprised of any plans and/or progress addressing their drinking water system concerns.

a. Division of Environmental Protection (DEP) is responsible for:

- Testing water for NIHAC to confirm compliance with the Safe Drinking Water Act and Code Of Maryland Regulations (COMAR) requirements for the non-transient, non-community water supply system.

- Maintaining and monitoring the NIHAC water appropriations permit and conformance with the permit.

- Notifying the Maryland Department of the Environment (MDE)as needed for drinking water compliance concerns.

- Serving as the point of contact and records manager for the NIHAC water appropriations permit.

a. DFS is responsible for:

- Providing technical support to DFOM FMs with regard to any problems existing with potable water distribution systems.

- Programming major projects to repair and/or replace water distribution systems.

1. NIH Institutes, Centers and Offices (ICOs) are responsible for:

a. Reporting any drinking water concerns to the designated FM.

a. Working with the ORFDO PO when planning projects to address space for kitchenettes and/or drinking fountains.

a. Ensuring a preventative maintenance contract for filter replacement is in place, paid for by the ICO, when a combination drinking water fountain/water bottle filling station is approved by ORFDO (only combination drinking water fountains with filter condition and replacement indicators will be considered).

1. LCO or designee(s) are responsible for:

a. Ensuring lessors comply with the lease contract requirement to provide safe drinking water for building occupants and visitors.

b. Ensuring lessor adheres to state and federal drinking water requirements and resolves non-compliance immediately.

c. Using lease contract provisions to enforce term and conditions of the lease for drinking water.

F. Procedures

1. NIH ICOs and Employees:

a. Report any drinking water concerns and inquiries to the designated FM by submitting an electronic Maintenance Service Request or calling (301) 435- 8000 to request a preliminary investigation as outlined on the DOHS Drinking Water Safety site.

a. Design and outfit kitchenette spaces to allow for water dispensers, but not as a replacement for required drinking water fountains.

a. Submit a request for a variance to the ORFDO, Director or designee, when alternative water sources are desired.

1. ORFDO FM:

a. Conducts a preliminary investigation of any complaint or concern submitted by an ICO or employee as outlined in paragraph F.1.a.

a. Completes a Drinking Water Complaints Recommendation Form and submits it to the DOHS DWPM.

a. Ensures drinking water systems are tested as recommended by the DOHS DWPM.

a. Keeps requesters apprised of plans and progress addressing water system problems.

a. Investigates the potential use of bottled water on an interim basis in coordination with the DOHS DWPM when potable water is not available.

a. Obtains final approval for the temporary use of bottled water from the Director, DFOM.

1. DOHS DWPM:

a. Determines if drinking water testing is necessary based on the FM's preliminary investigation findings.

a. When drinking water testing is deemed necessary, ensures a qualified individual collects samples and arranges transportation for the samples to an accredited laboratory for analysis.

a. Provides subsequent results to the FM, DFS and other appropriate authorities upon receipt.

a. In coordination with ORFDO, determine if the use of bottled water is necessary on an interim basis.

1. ORFDO Director, or designee, approves all requests for waivers to this policy.

G. References

1. Office of Research Services (ORS), Drinking Water Safety

1. Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq.

1. International Building Code (IBC)

1. International Plumbing Code (IPC)

1. Architectural Barriers Act (ABA), 42 U.S.C. §§ 4151-57

1. National Secondary Drinking Water Regulations. CFR, Title 40, Chapter I, subchapter D, part 143

1. EPA. Drinking Water Contaminants. Standards and Regulations

1. EPA. Lead in Drinking Water in Schools and Non-residential Buildings

1. EPA. 3Ts for Reducing Lead in Drinking Water in Schools, October 2018 (EPA 815-B-18-007)

1. Maryland Department of the Environment (MDE) Laws and Regulations Governing the MDE Water Supply Program

1. Code of Maryland Regulations (COMAR)

1. NIH Facilities Development Manual. Section 3-15, ORF Potable Water Policy

1. NIH Design Requirements Manual (DRM)

1. Washington Suburban Sanitary Commission

1. Lead in Drinking Water in Schools and Childcare Facilities

1. National Environmental Services Center (NESC), Tech Brief Fact Sheets

1. American Water Works Association (AWWA), C651, Disinfecting Water Mains (2015), as amended.

H. APPENDIX 1: Definitions

1. **Drinking Water Fountain –** Also referred to as a water cooler, is connected to a potable water distribution and drainage system. An individual drinks water directly from a stream of water after activating a button or lever.

1. **Facility Manager (FM)** – The ORFDO designee responsible for ensuring NIH-owned and leased facilities and services meet the needs of occupants.

1. **Lease Contracting Officer (LCO)** – The LCO, or the designated representative, performs contracting duties in support of the lease on behalf of ORFDO at leased facilities.

1. **Lessor Cure Notification** – A process of notifying the lessor of a lease violation and requesting corrective action within a 30-day period. If satisfactory action is not taken within that timeframe, the government reserves the right to take further action.

1. **Project Officer (PO)** – The government representative legally designated by the Contracting Officer (CO) as the authorized technical representative for administering Architect/Engineering (A/E), construction and/or service contracts on behalf of the CO, exclusive of contractual matters.

1. **Water Bottle Filler** – A type of dispenser that pours water into a standing bottle. It can be installed as stand-alone or as a component of a drinking water fountain.

1. **Water Cooler –** A drinking water fountain that incorporates a method of reducing the temperature of the water supply.

1. **Water Dispenser** – A fixture manually controlled by the user for dispensing potable water into a receptacle such as a cup or bottle. The fixture can be connected to the potable water distribution system or a freestanding system that is supplied with potable water from a bottle or reservoir.

1. **Non-transient non-community water supply system (NTNCWS)** – A public water system that regularly supplies water to at least 25 of the same people at least six months per year. Some examples are schools, factories, office buildings, and hospitals which have their own water systems.

1. **Public Water System** – Provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year. A public water system may be publicly or privately owned.