

Bureau Of Resource Protection
Division Of Water Supply (DEP/BRP/DWS) Policy 87-17
Water Vending Machine Policy
(Year 2000 Printing)

Effective Date: 10-8-96

Policy, SOP, or Guidance #87-17

Program Applicability:

Supersedes Policy SOP or Guidance #:

Approved by: Arleen O'Donnell

Background and Rationale

This policy is adopted to clarify the status of Water Vending Machines under 310 CMR 22.00.

Policy

It is the policy of the Department that any Water Vending Machine that provides water for sale and/or that treats water, and is available to 25 or more people more than 60 days of the year, shall be subject to the Commonwealth of Massachusetts Drinking Water Regulations as a non-community public water system. Any person or entity proposing the use of any device described above must obtain the written approval of the appropriate Regional Office. Regional staff reviewing and approving such requests shall, (1) check with the Boston Office (WQA Section) or the Plumbing Board (617-727-9952) to insure that the fixture is approved for use in the Commonwealth, (2) ensure that the applicant has a Department of Public Health (DPH) license, (3) assign a Public Water Supply (PWS) ID# to each machine, and (4) ensure that all pertinent requirements of 310 CMR 22.00 are met including but not limited to siting and plan approval requirements, all cross connection control requirements, and all monitoring and reporting requirements.

Regional Approval includes the following:

1. Siting approval – field visit/sanitary survey.
2. Issue Sample Schedule: Monitoring requirements – Lead and Cooper, volatile organics and bacteria, at a certified laboratory.
3. Cross connection requirements.
4. Notification requirements.
5. Certified Operator

Date: 10-8-96

Adopted: 10-8-96

Effective: 10-8-96

Arleen O'Donnell, Assistant
Commissioner
Bureau of Resource Protection

Policy 87-17
Addendum

Steps For Approval of Water Vending Machines

In Massachusetts, the approval of a water vending machine is a multi-step process involving several agencies: The Department of Environmental Protection (DEP), The Department of Public Health (DPH), The Board of State Examiners of Plumbers and Gas Fitters (The State Plumbing Board) and in some situations the local water department. The following are the steps to obtain approval in Massachusetts.

Step 1. State Plumbing Board Approval

All units connected to an existing public water system (PWS) line must first be approved by the State Plumbing Board. If a vending machine is **NOT** directly connected to a PWS, no approval is necessary from the State Plumbing Board and the applicant may bypass Step 1. For information on the plumbing requirements and approval process, please contact the Massachusetts Board of State Examiners of Plumbers and Gas Fitters at 617-727-9952.

Step 2. Vending Machine Model Review – DEP Boston Office

A. Third Party Approval

If the vending model has been approved by a third party certifying agency, such as the National Automatic Merchandising Association (NAMA), the applicant must submit application BRP WS 31 to:

DEP/Drinking Water Program
One Winter Street – 5th Floor
Boston, MA 02108

Attention: Vending Machine Approval

To obtain a copy of BRP WS 31 the applicant may visit

<http://www.mass.gov/dep/water/approvals/dwsforms.htm#newtech>.

Questions should be addressed to the Drinking Water Program at 617-292-5770 or email Program.Director-DWP@state.ma.us.

B. Other Approvals

If the vending machine does not have NAMA approval, the applicant must submit application BRP WS-11 ((Minor New Technology Approval) – No Field Test). To obtain a copy of BRP WS 11 the applicant may visit <http://www.mass.gov/dep/water/approvals/dwsforms.htm#newtech>.

C. For All Applications:

The applicant should submit a complete process description of the new vending unit(s) as well as technical supporting data pertaining to the operation and the maintenance of the system.

Step 3. Site Approval And PWS Registration-DEP Regional Office

A. Site Approval Process

For vending machine site installation, submit fee application BRP WS 30 to the regional office along with a copy of the vending model approval letter from the DEP/DWP Boston Office. To obtain a copy of BRP WS 30 the applicant may visit

<http://www.mass.gov/dep/water/approvals/dwsforms.htm#vending>. To propose an installation of a vending machine, the appropriate regional office should be contacted from the list below:

Western Region – Drinking Water Program	413-784-1100
Central Region – Drinking Water Program	508-792-7650
Northeast Region – Drinking Water Program	978-694-3200
Southeast Region - Drinking Water Program	508-946-2700

Phone #'s amended 8/13/2008.

If the water vending unit is connected to an existing public water supply line and will use chemicals or reverse osmosis, a **Reduced Pressure Backflow Prevention (RPBP) Device must be installed before the vending machine** to prevent contamination of the water supply. Installation approval (design data sheet) for the RPBP must be obtained from the local public water system where the unit will be located.

B. Registration as a Public Water System:

After a site has been approved by the DEP/DWP Regional Office, each water vending unit installed must be registered as a transient non-community public water system (TNC) by the respective DEP/DWP Regional Office.

As a TNC public water system the Massachusetts Drinking Water Regulations, 310 CMR 22.11B, require that **EVERY** public water system must be operated by a certified drinking water operator.

For further information regarding certified operators for water vending machines please contact the Board of Certification of Drinking Water Operators at 617-727-3070.

Step 4. Department of Public Health (DPH) Approval

The Department of Public Health's Food and Drug Division also requires a license and approval for installing all coin operated water vending machines.. For further information, contact the Division at 617-727-2670.

ATTACHMENT

Rationale for Water Vending Machine Policy

The definition of a public water system as given by 310 CMR 22.02, Commonwealth of Massachusetts Drinking Water Regulations is:

“The public water system means a system for the provision to the public of piped water for human consumption if such a system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year.

A water vending machine and/or water device as described in DWS Policy 87-17 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. 310 CMR 22.03(3) includes all public water systems unless all four of the following conditions are met:

- a) Consists only of distribution and storage facilities (and does not have any collection and treatment facilities);
- 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;
- d) Is not a carrier which conveys passengers in commerce.

The whole point of water vending machines and/or water devices as described above 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), (c), or (d) is not met, the public water system is covered by the regulations.