

# PUBLICATION

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## Coronavirus: Impact on Water Treatment

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**The rapid and intense escalation of the COVID-19 pandemic has impacted business operations on a global scale. We have been repeatedly advised by the CDC, World Health Organization and others to practice "social distancing" and to work remotely where possible. Over the past 48 hours, several counties have gone beyond mere advisories and issued "shelter in place" edicts via Public Health Orders. These Orders limit activity, travel and business functions to only the most essential needs. The term "shelter in place" means to stay in your home and not leave unless necessary for an expressly defined "essential activity" or to work for an "essential business."**

### Impact on Water Treatment Industry

Water treaters are usually afforded a reasonable degree of access to the building water systems they are treating. Whether the treater is retained for system efficiency and longevity, to collect samples for Legionella testing or to promote risk minimization through an ASHRAE 188 Water Management Plan, treaters are allowed periodic access to the systems at issue. As the world faces short-term uncertainty and changes to normal operations, treaters may be denied access to the premises housing the systems they treat.

While individuals may abate their interactive behavior to prevent or stem the coronavirus, elements of corrosion, scale and microbial fouling will not wait for the pandemic to end before wreaking havoc on a building water system. Amidst the uncertainty of when the pandemic will end, there is a rising concern that the prolonged denial of access to certain building water systems could impact the efficacy of the treatment program goal.

### Is Water Treatment "Essential?"

Based upon guidance from the CDC and other health officials, several counties have issued Public Health Orders limiting activity to only the most essential needs. To date, in those areas where such "shelter in place" Orders have been issued, "essential businesses" have been allowed to keep their facilities open. While there is some variance in the definition of "essential," almost all include health care operations, essential infrastructure, grocery stores, childcare facilities and others. Notably, several counties have created exceptions for "service providers who provide services that are necessary to maintaining...essential operation" of essential businesses and activities.

Based upon the novelty of the coronavirus outbreak and the fluidity of the situation, the nature of water treatment as "essential" or "non-essential" in the current pandemic has not been adjudicated. We are aware of no authority or overt decree that expressly provides that chemical water treaters are "essential" in the context of COVID-19. Certainly, depending upon the circumstances, a compelling argument can be made that water treatment is a service necessary to maintaining the operation of a business. The evidence of the essential nature of water treatment to the physical operation of a business is best exhibited by the many failures that have occurred due to corrosion, scale and microbiological fouling in systems without an adequate treatment program.

The essential nature of water treatment amidst the current pandemic will need to be addressed on a case-by-case basis. In the interim, treaters are advised to obey all Public Health Orders and comply with the direction of public health officials.

## **Communicate**

Health and safety should remain a priority for the water treater and its client. Unfortunately, the elements that may cause severe damage to a building water system will not yield to the crisis of the day. No matter how administered, a reliable treatment program must be allowed to continue to avoid the consequences.

Water treaters and their clients should proactively and openly communicate with each other and, where possible, coordinate efforts to mitigate against potential impact from COVID-19. As appropriate, water treaters should communicate to their clients that they stand ready to perform their duties. Many water treatment programs are administered through automated means that only require the treater's physical presence for periodic inspections to "kick the drums" and adjust as needed. In these instances, the client is still receiving the value of an appropriate chemical treatment regimen without increased risk of harm to COVID-19.

If a water treater is advised to abate treatment or if denied access to the premises, it is imperative that treaters accurately document these events as they occur. Whether recorded in a Field Service Report or other client communication, the fact that a service interruption has occurred or that site access has been denied should be recorded with a disclaimer that these events may interfere or impact the efficacy of the water treatment program.

Should a treater determine that it cannot perform services due to pandemic concerns, that fact should be communicated so the client can make alternative arrangements for treatment. Treaters are well advised not to decree themselves "non-essential" or to self-quarantine without advising clients of their status as the prolonged suspension of proper treatment could result in system damage or other issues.

## **System Status**

Because many businesses are temporarily shutting down or abating all activity, treaters would be well served to communicate with owners about system status and any changes in operation during this pandemic. Irregularities in system operations including varied loads, unscheduled layups, unscheduled shutdowns and start-ups, and similar issues may impact the current water treatment program. If denied access to the premises, water treaters are increasingly reliant on owners to provide complete and accurate information about the building water system at issue. Regular communication with system owners is critical during this time as incomplete, inaccurate or incorrect information can reduce a water treatment program's effectiveness. Assumptions can be both dangerous and costly.

## **Coordinate Site Visits**

As business owners work to de-densify work spaces and mitigate the risk of social spread of COVID-19, treaters would be well served to coordinate with their clients to schedule site visits. This coordination allows the treater to "announce their presence" in advance so that measures to aid in "social distancing" can be employed. Treaters can advise the site representative of the areas they intend to visit and make a coordinated effort to avoid common areas that may be more populated than others.

Should the treater be denied access by Public Health Order or by the decision of the premises owner, alternative methods may be offered. As a temporary measure, though not ideal, treaters may consider communicating with site representatives who are onsite near the subject equipment via remote communication alternatives (FaceTime, Skype). Walking a site representative through a site assessment by remote video means may be the only viable option during a period of no physical access.

You will have to address these circumstances on a case-by-case basis as each scenario is unique. Before taking any action, please contact [Adam Green](#) who is the chairman of the Baker Donelson's [Water Technology & Water Treatment Group](#). Also, please visit the [Coronavirus \(COVID-19\): What You Need to Know](#) information page on our website.