



WASHINGTON STATE Board of Health

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DATE: October 10, 2012

TO: Washington State Board of Health Members

FROM: Keith Grellner, SBOH Environmental Health Committee Chair

SUBJECT: PUBLIC HEARING – PROPOSAL TO REVISE CHAPTER 246-291 WAC,
GROUP B PUBLIC WATER SYSTEMS

Background and Summary:

The State Board of Health has responsibility under RCW 43.20.050(2)(b) to adopt rules to protect public health regarding Group B water systems, at a minimum establishing requirements for the initial design and construction of those systems. The Board's existing rules, chapter 246-291 WAC, were last revised in 1995. These rules apply to public drinking water systems serving fewer than 15 connections and 25 people per day.

During the 2009 legislative session, the Department's budget for Group B water system oversight was cut and the Board's authority for rulemaking was amended to emphasize design standards. The proposed revisions to this rule chapter would strengthen design standards for new and expanding systems, and would eliminate routine ongoing monitoring requirements after initial water system approval. The proposal also includes specific authority for local boards of health to adopt more stringent local rules that could include waiver provisions and local requirements for routine water quality monitoring.

New and expanding systems would be required to meet more stringent standards for source approval, including a more protective arsenic standard. All Group B systems, including existing systems, would be required to notify consumers if they exceeded water quality standards, including the more protective arsenic standard. Existing, non-expanding systems would not be required to meet the new arsenic standard or new design standards.

Denise Clifford, director of the Office of Drinking Water, is here today to summarize this rule revision proposal with updates since she briefed you on June 13, 2012. Please see materials behind Tab 07 of your packets for Ms. Clifford's presentation; a summary of proposed rule changes; the proposed rule language (with the CR-102); the preliminary significant analysis; the small business economic impact analysis; and a summary of public comments about this final proposal with the Department's recommendations to the Board for some clarifying, non-substantive, changes to the proposed rule language.

Recommended Board Action:

Depending on testimony offered and the Board's discussions, the Board may choose to consider, amend if necessary, and adopt the following motion:

The Board adopts the revisions to chapter 246-291 WAC as published in WSR 12-17-138, with clarifying text changes recommended by the Department and approved by the Board today.

The Board directs staff to file a CR-103 to make the revisions effective January 1, 2014.

Staff Contact:

Ned Therien
