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# Group B Water Systems Rule

Washington State Board of Health  
October 10, 2012

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## Today's Hearing

- Background
- Summary of changes based on Board concerns
- Summary of public comments

## Background

- In 2009, the Legislature
  - ✓ Eliminated state funding for the Group B program
  - ✓ Changed the law to allow the Board to focus the Group B rule on initial design and construction
- Rule development stakeholder process
  - ✓ Local health agencies – Environmental Health Directors and drinking water staff
  - ✓ Water supply advisory committee/drinking water forum
  - ✓ Stakeholders, water utilities and the public

## New Group B Rule Framework

- More rigorous approval standards
  - ✓ Water quality and quantity
  - ✓ Engineering standards
- Supports a sustainable program
  - ✓ Follows legislative direction
- Clear authority for local health jurisdictions (LHJs) to add requirements
- Flexibility for LHJ oversight

## Proposed Change Since June Briefing

### Consumers on existing systems

- A purveyor of a Group B system shall provide potable water to the system's consumers
  - ✓ Creates obligation beyond the initial design and construction approval
  - ✓ Provides a tool for both consumers and regulators

## Proposed Change Since June Briefing

### Existing systems exceeding new arsenic standard (0.010 mg/L)

- The purveyor shall notify consumers in writing
  - ✓ Notification must include health effects and protective actions
  - ✓ The Department will notify systems that may exceed 0.010 mg/L arsenic based on our database

## Overview Public Comments Received

Comment	Department of Health Recommendation
Concerned about eliminating routine ongoing monitoring (coliform & nitrate)	<b>Adopt rules as proposed:</b> The legislature intended the Board to adopt a regulatory framework that protects public health and can be implemented without funding.
SBOH should retain authority to issue waivers	<b>Adopt rules as proposed:</b> The department does not have resources to provide ongoing oversight of Group B systems. The proposed rules provide flexibility for local programs that have resources.
Concern that compliance costs for expanding systems are too high	<b>Adopt rules as proposed:</b> New and expanding Group B systems will be better designed to protect public health consistent with the regulatory framework intended by the legislature.

## Overview Public Comments Received

Comment	Department of Health Recommendation
Don't include two-connection exemption in rule	<b>Adopt rules as proposed:</b> Adopts a long-standing policy in rule as directed by the APA.
Implementation date	<b>Amend proposed rules:</b> Revise effective date to be Jan. 1, 2014
Editorial changes and clarifications	<b>Amend proposed rules:</b> See handout "Formal Comments and Department of Health's Recommendations"

## Next Steps

- Recommend implementing Jan. 1, 2014
- Based on SBOH decisions, file CR-103
- Prepare for implementation
  - ✓ Train Department of Health and LHJ staff on rule changes
  - ✓ Modify technical assistance materials including design and construction guidance manuals
  - ✓ Enhance the Department Internet site to include additional information for Group B systems and individual well owners

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