



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH
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October 1, 2013

TO: Michelle Davis, Executive Director
Washington State Board of Health

FROM: Maryanne Guichard, Assistant Secretary
Division of Environmental Public Health

SUBJECT: REQUEST TO REVISE Chapter 246-290 WAC, Group A Public Water Supplies

The Department of Health (department) requests that the Washington State Board of Health (board) consider amendments to chapter 246-290 WAC, Group A public water supplies (Group A rules). The department reviewed the Group A rules for consistency, clarity and to identify if requirements could be streamlined. We sought input from our staff and stakeholders. After analyzing the feedback, we identified water system planning and water system disinfection as two parts of the Group A rules to request the board begin rulemaking.

Under the current Group A rules, water systems must submit plan updates every six years to the department. Submitting a complete water system plan update can cost more than \$100,000. For many water systems, the public health benefit does not justify the cost to complete a water system plan update every six years.

Under current rules, the department allows water systems to focus the content of their plan update to reduce the overall cost and effort involved. But, focusing the content of a plan has not addressed all the stakeholder concerns. In many cases, the appropriate timeframe for a water system to submit an updated plan could be longer than once every six years. The rule making will evaluate the appropriate timeframe for water systems to submit plan updates.

In the same part of the Group A rules, we will also evaluate the standards for water systems to designate "emergency sources" for inclusion in their water system plan. Changes to emergency source requirements will provide greater flexibility for water systems to help improve system reliability and better protect public health.

Current water supply disinfection rules contain standards for different "levels" of disinfection. We will evaluate the triggers for specific disinfection standards to determine the appropriateness

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and public health benefit. In addition, we need to align the disinfection standards with appropriate monitoring and reporting requirements.

The department will work with the Drinking Water Advisory Group to develop recommendations to the board for revising the rules. The Drinking Water Advisory Group meets once every two months, with participation from water systems and other interested stakeholders.

Currently, the department is conducting rulemaking under delegated authority from the Board to incorporate the Environmental Protection Agency's (EPA) Revised Total Coliform Rule (RTCR) into the Group A rules. Our rule-making efforts on the RTCR have been delayed because EPA has not provided complete guidance to states.

As the department evaluated the need to amend planning and disinfection rules, we considered requesting the board initiate a new rule making separate from the RTCR. But, we are concerned about the impact to our stakeholders from multiple rule makings within the same chapter. To minimize confusion, the department instead is requesting that the board withdraw the existing CR-101 for the RTCR rule making, and file a new CR-101 that includes the RTCR, planning and disinfection rules.

The department believes that the work to develop amendments to water system planning and disinfection will not meet the board's criteria for delegated rule-making authority. Therefore, the department will not request that the board delegate rule-making authority for the chapter 246-290 WAC rule making, which includes the RTCR, planning and disinfection rules.

For additional information, please contact Dan Alexanian, Acting Director, Office of Drinking Water, (360) 236-3160 or dan.alexanian@doh.wa.gov.