



PUBLIC HEALTH

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HEALTHIER WASHINGTON**

Washington's Group B Water System Program

Washington State Department of Health
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Our Mission

To protect the health of the people of Washington State by ensuring safe and reliable drinking water.



Presentation Outline

- Group B program history
- Overview of major changes in the Rule
- Options for Local Health Jurisdictions (LHJs)
- Program implementation
- Summary
- Petition
- Recommendation

History

- 13,000+ Group B systems serve two percent of our state's population.
- 2007 analysis:
 - Program must balance public health protection with available resources.
 - Full implementation would cost more than \$16M per year.
 - Options:
 - Maintain status quo
 - Deregulate all Group B's
 - Revise Group B program and rule

History

- In 2007, received approval from the State Board of Health (Board) to revise chapter 246-291 WAC.
- In 2008, conducted Group B discussion forums around the state to get LHJ and public stakeholder input.
- Until 2009, received about \$500,000/year for Group B program oversight.
- In 2009, funding for Group B oversight was eliminated and legislation was changed.

History

- Change in the law allowed the Board to adopt Group B rules that:
 - Must address the initial design and construction of a Group B water system.
 - May eliminate ongoing requirements after initial approval.
 - Permit LHJs to set requirements that are more stringent than state rules.
 - May eliminate some or all regulatory requirements for Group B systems serving fewer than five connections.

History

- In 2010, began engaging stakeholders - how to protect public health without program funding but with more options allowed by recent legislative changes.
 - 2010 rule workshops were held around the state
 - 2011-2012 worked with the Board Environmental Health Committee
- In late 2012, Group B rule revisions were finalized and adopted by the Board.
- Conducted LHJ training throughout 2013.
- New rule became effective January 1, 2014.

Major Rule Changes

- Revised rule no longer applies to one and two connection systems unless necessary to protect public health.
 - Food service and food processing
 - Treatment facilities
 - Transient accommodations and boarding homes
 - Licensed childcare centers (not in-home daycare)
- Revised rule doesn't apply to a system proposed to serve 10 to 14 residential connections.

Major Rule Changes

- Stricter source approval requirements.
 - Must use a drilled well.
 - Source must be capable of supplying at least 750 gallons per day (gpd) in western Washington and 1,250 gpd in eastern Washington.
- Source water quality must meet primary (health-based) standards without treatment.
 - Treatment for secondary contaminants is allowed.
- After initial approval, there is no longer any on-going monitoring requirement.
 - Approval letter and guidance material urges on-going monitoring be done.

Major Rule Changes

- Specific requirements for title notification.
 - Creating significantly greater buyer awareness.
- Design population must be 2.5 people per residence.
 - Ensures designs for 10 or more residential connections go through Group A approval process.
- New maximum contaminant level for arsenic: 10 parts per billion (federal standard).
- Existing systems:
 - All past approvals honored for the approved number of connections.

Local Health Jurisdiction (LHJ) Options

- An LHJ may issue a waiver from all but one design standard if the LHJ:
 - Has primary enforcement oversight.
 - Conditions the approval to ensure appropriate treatment (if applicable), monitoring, maintenance, and reporting is performed.
 - Ensures the purveyor provide evidence that water delivered to consumers meets primary maximum contaminant levels and provides an adequate supply.
- Design population of 2.5 persons/residence can't be waived.

LHJ Options

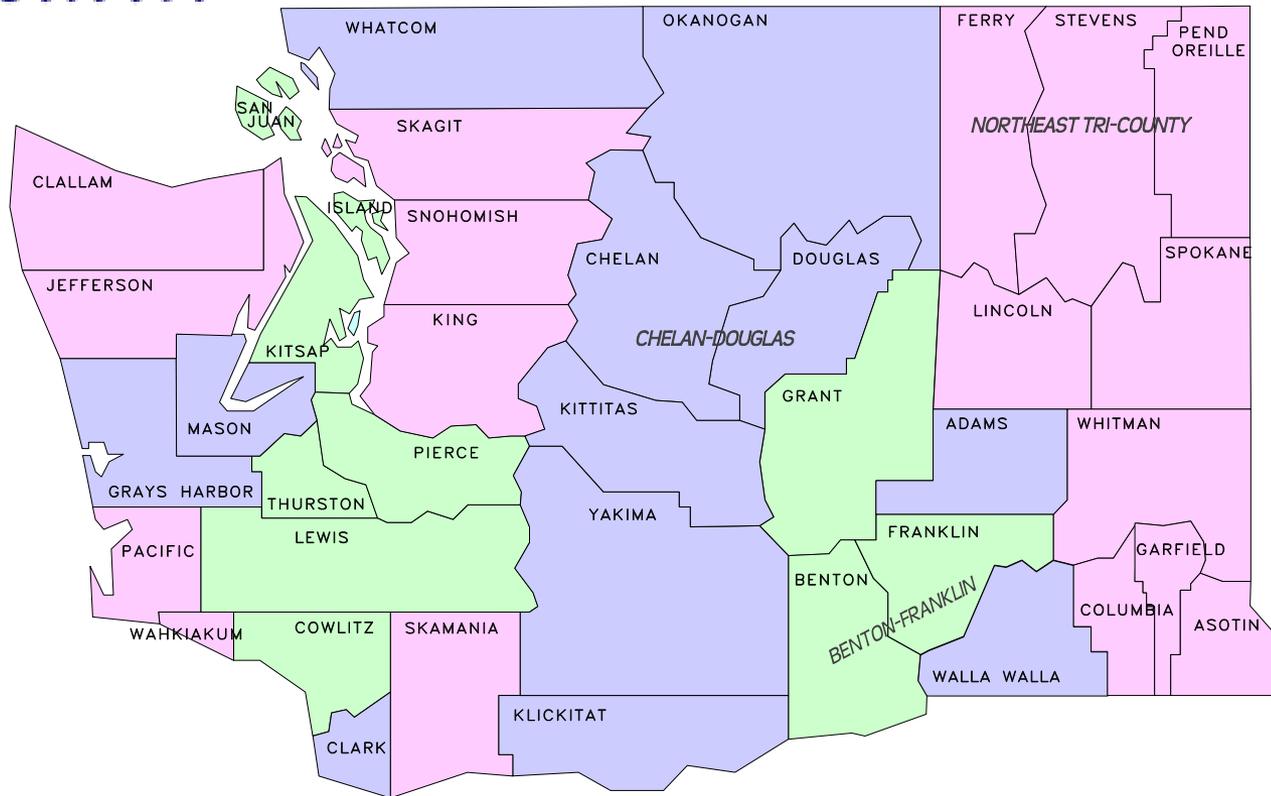
- LHJ may develop their own ordinance.
 - LHJ determines it is as stringent as state rule.
 - DOH will provide technical assistance to the LHJ as they scope out their local rule.
- LHJ may enter into a Joint Plan of Responsibility (JPR) for delegated authority to implement chapter 246-291 WAC.
- Since Board rule adoption, we are actively updating JPRs using one of three models for establishing the scope of delegated authority to implement chapter 246-291 WAC.

Joint Plan of Responsibility (JPR)

Options for delegated authority under a JPR

- LHJ has no role in approving new systems or in implementing chapter 246-291 WAC.
- LHJ approves new and expanding Group B systems that may not require a professional engineer and fulfills all other Group B rule oversight responsibilities.
- LHJ approves all new and expanding Group B systems, and fulfills all other Group B rule oversight responsibilities.
- Nine LHJs have or soon will adopt their own local ordinance instead of a JPR.

Local health involvement with the Group B program - 2014



- Local Health Jurisdictions**
- Delegated responsibility through a Joint Plan of Responsibility**
- State Department of Health**

Program Implementation

- Goals
 - Create and maintain a sustainable state Group B program within resource limits.
 - Be prepared to meet regulatory oversight responsibilities wherever an LHJ has no involvement.
 - Support LHJs in developing and implementing their local ordinance or JPR.
 - Create design and operational guidance for Group B owners, consumers, and designers (done).
 - Train LHJs on new design guidelines (done).

Summary

- Our new Group B program was built to be successful by focusing on these core functions:
 - Work in partnership with LHJs; rule provides them with flexible options.
 - Meet oversight commitments within available resources.
 - Ensure initial system design and construction provides safe and reliable drinking water.
 - Ensure our purveyors and customers have access to information they need.

Petition

- Petition has been filed.
 - Fix the current rule to allow treatment of Group B water supplies without the need for a local ordinance.
- Secretary Wiesman challenged us - relook at the rule with fresh eyes to identify any alternative approaches.
 - Rule change preceded our Secretary.
 - He wanted to know if there were any missed opportunities.

Recommendation

- We discussed our results with Secretary Wiesman.
- Resource limitations.
 - Group B program was eliminated by the 2009 Legislature.
 - Effective state oversight of Group B systems isn't possible.
- We must implement the rule wherever an LHJ doesn't.
- Flexibility for LHJs to adopt their own rules.
 - Water treatment requires regulatory oversight, and professional ongoing operations and maintenance.
- Commitment to support LHJs.
- We recommend no changes at this time.

Questions?

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