



DATE: October 31, 2016

TO: Washington State Board of Health Members

FROM: Keith Grellner, Chair

SUBJECT: RULES HEARING CONTINUATION - CHAPTER 246-290 WAC, GROUP A PUBLIC WATER SUPPLIES

Background and Summary:

RCW 43.20.050(2) authorizes the State Board of Health (Board) to adopt rules regulating Group A public water supplies. On February 25, 2014, the Board filed a CR-101 Preproposal Statement of Inquiry, to initiate rule making to update portions of Chapter 246-290 WAC. The stated purpose of this rule making is to:

1. Adopt the federal Revised Total Coliform.
2. Amend water system planning requirements.
3. Add a new section for emergency water sources and supplies.
4. Amend disinfection requirements.
5. Provide streamlined regulations, improve clarity and consistency, improve public health protections, and reduce costs to stakeholders.

On August 23, 2016, the Board filed a CR-102, Proposed Rule Making, with the office of the code reviser for publication of the proposed rule and for public comment.

On October 12, 2016, the Board held a public hearing to consider adopting the proposed rule. The Board heard the Department of Health's (Department's) presentation on the rule and took public testimony. During deliberations, Board members expressed a need for more time to fully understand the proposed rule and consider public comments. The Board decided to postpone the rule adoption decision so that Board members could more thoroughly review this very large and complex rule making package. The Board requested the Department provide members with up-to-date versions of the rule package with all department-recommended amendments incorporated into the proposed rule for their consideration at the next meeting.

Today the Board will continue the rule adoption deliberations. Board packets include an updated document detailing the Department's recommended amendments to the proposed rule and the updated rule language with all recommended Department amendments incorporated. In addition, the Department has provided a summary of public testimony from the October 12th public hearing. Garin Schriever, Office of Drinking Water, will briefly review the latest rule amendments and answer questions from the Board.

Recommended Board Action:

The Board may wish to consider the following motion:

The Board adopts the proposed amendments to Chapter 246-290 WAC, Group A public water supplies, as published in WSR 16-17-139 with additional revisions agreed upon at today's meeting; and directs staff to file a CR-103, order of adoption and establish an effective date.

Staff Contact: David DeLong, State Board of Health Policy Advisor