

Group A Public Water Supplies – Chapter 246-290 WAC

WSR 16-17-139

DOH Recommended Amendments to the Proposed Rule

November 9, 2016

Tab	Summary of Comments	Recommended Amendments to Proposed Rule	Effect of Amendment	Rule Language Page # See Track Changes – Red Text
1.	<p>WAC 246-290-010 (232) Definition of “service area”. Is the term “wholesale” intended to match the definition of “wholesale system”? Please revise so the definition is clear.</p>	<p>“Service area means the specific area (or areas) a water system currently serves (or plans to provide) <u>and areas where future water service is planned.</u> This <u>A wholesale system</u> may (be comprised of the existing service area, retail service area, future service area, and) include areas where <u>it provides wholesale water is provided</u> to other public water systems <u>in its service area.</u> A water system in a CWSSA includes its future service area in its service area as "future service area" as defined under chapters 70.116 RCW and 246-293 WAC.</p>	<p>This amendment clarifies the intent that a wholesale system may provide wholesale water to other public water systems in its service area.</p>	<p>Page 26-27</p>
2.	<p>WAC 246-290-106 (5) Duty to serve – interties and temporary connections. Elimination of the flexibility for systems to interconnect for cases of a loss of a source or water shortage could cause curtailment.</p>	<p><u>Municipal water suppliers may provide temporary water service to another water system to resolve a significant public health and safety concern prior to meeting the requirements of this section.</u></p>	<p>This amendment adds back the current rule language to clarify that systems are allowed to interconnect for public health and safety issues prior to meeting the requirements of this section. This allows systems to be responsive and avoid curtailment prior to meeting the planning requirements is section -106.</p>	<p>Page 55</p>

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3.	<p>WAC 246-290-108 (2) Local Government Consistency – Because the definition of “service area” states that it may include “wholesale” areas, it may be interpreted that the wholesale area must have a local government consistency review too.</p>	<p>Municipal water suppliers must request each local government with jurisdiction over the ((applicable)) service area to provide a consistency review.</p> <p><u>Municipal water suppliers may exclude wholesale areas from the consistency review provided the water system receiving the wholesale water complies with the requirements for a consistency review when developing a water system plan for any new connection within the service area of the system receiving wholesale water.</u></p>	<p>This amendment clarifies that municipal water suppliers may exclude wholesale areas provided that systems receiving wholesale water complies with the consistency review when developing a water system plan for any new service connections within its service area.</p>	Page 57
4.	<p>WAC 246-290-451 (4)(d) Continuous disinfection – Does the rule require both a microbial risk and one of the conditions listed in (i) through (vii) to trigger continuous disinfection?</p> <p>WAC 246-290-451 (4)(d)(v) Continuous disinfection - Who determines that a source is “shallow”?</p>	<p><u>(d) A microbial contaminant threat to a source, as documented in a susceptibility assessment, a sanitary survey, or a special purpose investigation which also includes, but is not limited to, one or more of the following conditions:</u></p> <p><u><i>(4)(d)(i) through (iv), and (vi) through (vii) not shown</i></u></p> <p><u>(v) A shallow well source, with the first open interval fifty feet or less from the ground surface at the wellhead;</u></p>	<p>The amendment in subsection (d) clarifies that both a microbial contaminant threat AND one of the conditions listed in (i) through (vii) determines whether a system must provide continuous disinfection.</p> <p>This amendment in subsection (v) clarifies that a shallow well is considered “shallow” with the first open interval fifty feet or less from the ground surface at the wellhead.</p>	Page 119
5.	<p>WAC 246-290-638 (4)(b) & (i) Turbidimeters - Prescribing the type of bench models and</p>	<p>Designed to meet the criteria in “standard methods”, EPA Method 180.1, <u>Hach FilterTrak Method 10133</u>,</p>	<p>This amendment adds two additional EPA-approved methods for turbidity, HACH Method</p>	Page 135

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	<p>continuous turbidimeters in rule does not allow the use of new models that no longer rely on EPA’s approved methods. Purveyors need to have new equipment evaluated and approved by the department as new technologies become available. Turbidity measurement technology is undergoing rapid advances. The department needs to be able to approve new methodologies that are approved by EPA as they become available. Consider adding to the list of approved methods as follows: EPA approved alternative to Method 180.1 and Swan AMI Turbiwell.</p>	<p>Hach Method 10258, AMI Turbiwell Method, or Great Lakes Instruments Method 2; and</p>	<p>10258, and the SWAN AMI Turbiwell method that were left off the list of approved methods.</p>	
6.	<p>WAC 246-290-638 (4)(c)(i) – Turbidity equipment calibration – Make adjustments to requirements for calibrating equipment according to the type of instrument used based on manufacturer’s instructions.</p>	<p>Calibrate turbidity equipment based upon a primary standard in the expected range of measurements on at least a quarterly basis for instruments using an incandescent light source and on at least an annual basis for instruments using an LED or laser light source:</p>	<p>This amendment clarifies the less frequent calibration frequency needed for the two added methods.</p>	Page 135

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7.	<p>WAC 246-290-638 (5) Chlorine analyzer verification – The language requiring routine verification of chlorine analyzer should follow the sentence structure in 40 CFR 141.74(a)(2) for consistency.</p>	<p>Purveyors shall verify instruments used for <u>continuous monitoring of free and total chlorine residual</u> ((at least every five days)) with a grab sample measurement <u>at least every five days, or with a protocol approved by the department as required under 40 C.F.R. 141.74 (a)(2).</u></p>	<p>This amendment matches the sentence structure to match the language in 40 CFR 141.74(a)(2) to be consistent between the state rule and the federal rule.</p>	<p>Page 135</p>
8.	<p>WAC 246-290-810 (4)(i) Distribution System Leakage (DSL) – The proposed language implies that DSL totals need to be forecasted for the plan approval period. Consider revising to more clearly reflect the intent that systems reporting DSL totals are for the past six or more years.</p>	<p>Include distribution system leakage <u>annual</u> totals in accordance with WAC 246-290-820 for <u>each of</u> the past six <u>or more</u> years. <u>Purveyors shall submit distribution system leakage annual totals for the entire water system plan approval period if the approval period is was longer than six years.</u></p>	<p>This amendment clarifies that distribution system leakage <u>annual</u> totals for the past six <u>or more</u> years is included in a water system plan submission for approval.</p>	<p>Page 188</p>