



Summary of Proposed Rule Changes

September 2016

The State Board of Health is proposing changes to the Group A rule to incorporate the federal Revised Total Coliform Rule (RTCR), change planning requirements to allow water systems to plan for ten years with the option to choose a shorter timeframe, update disinfection requirements, and convert long-standing Department of Health guidance for emergency sources and supplies into the rule. The proposal also makes technical corrections, and editorial changes to clarify existing state and federal requirements throughout the chapter.

WAC 246-290 Section Number and Title	Summary of Changes
Multiple sections	<p>Technical changes only in the following sections to make corrections, clarify rule language, and align with federal regulations.</p> <ul style="list-style-type: none">• -001 Purpose and scope.• -002 Guidance.• -030 General administration.• -035 Water system ownership.• -060 Variances, exemptions, and waivers.• -105 Small water system management program.• -107 Place of use expansion.• -125 Project report and construction document submittal exceptions.• -130 Source approval.• -200 Design standards.• -300 Monitoring requirements.• -310 Maximum contaminant levels and maximum residual disinfectant levels.• -630 General requirements.• -654 Treatment criteria for filtered systems.• -660 Filtration.• -664 Monitoring for filtered systems.• -676 Filtration technology and design criteria.• -690 Criteria to remain unfiltered.• -71001 Public notification.• -72005 Report contents—Information on detected contaminants.• -72007 Report contents—Compliance with National Primary Drinking Water Regulations.
-010 Definitions, abbreviations, and acronyms	<ul style="list-style-type: none">• Technical changes to make corrections and to align with federal regulations throughout this section.• Revised and new definitions to align with changes to planning, disinfection, and emergency sources and supplies.• New definitions required by RTCR.

WAC 246-290 Section Number and Title	Summary of Changes
-025 Adoption by reference	<ul style="list-style-type: none"> • Technical changes to make corrections and to align with federal regulations. • Adds references to RTCR requirements.
-100 Water system plan	<ul style="list-style-type: none"> • Technical changes to make corrections and clarify existing requirements. • Revised triggers for expanding systems to submit a water system plan. • Revised timeframe for purveyors to submit an updated water system plan from six years to ten years with the option to choose a shorter timeframe. • Revised water system plan elements to align with the new timeframe for water system plan approvals. • Revised forecasting requirements for some water system plan elements to align with the new timeframe for water system plan approvals. • Clarified conditions and options for submitting plan amendments.
-106 Duty to provide service	<ul style="list-style-type: none"> • Removes requirements that prevent extending service beyond the retail service area to align with changes in section 108 that require a local consistency determination for the service area.
-108 Consistency with local plans and regulations	<ul style="list-style-type: none"> • Revised forecasting requirements to align with similar changes made in Section 100. • Revised requirement for local consistency determinations to apply to the service area.
New -131 Emergency sources and supplies	<ul style="list-style-type: none"> • New requirement for systems with an emergency source to include information in its emergency response program. • New requirements for conditions under which an emergency source can be physically connected to the distribution system. • New requirements for the use of trucked water as an emergency water supply.
-135 Source water protection	<ul style="list-style-type: none"> • Technical changes to clarify requirements. • Technical corrections to align with water system planning changes allowing for a longer plan approval period.
-220 Drinking water materials and additives	<ul style="list-style-type: none"> • Technical changes to add the lead-free requirements of the federal <i>Reduction of Lead in Drinking Water Act</i> of 2011, effective January 4, 2014.

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-300 Monitoring requirements	<ul style="list-style-type: none"> • Technical changes to make corrections and to align with federal regulations. • Updates the coliform monitoring plan requirements including: <ul style="list-style-type: none"> – Sampling sites and sampling schedule. – Monitoring locations and frequency. – Routine and repeat sampling criteria, sites and minimum number of samples. • Special purpose coliform samples and sample invalidation conditions. • Criteria for when a system can skip routine sample collection. • Seasonal system start-up procedures and monitoring. • Repeat monitoring and frequency. • <i>E. coli</i> testing when routine or repeat samples are coliform-positive. • Triggered and assessment source water monitoring for groundwater systems, public notice, and corrective actions.
-310 Maximum contaminant levels (MCL) and maximum residual disinfectant levels	<ul style="list-style-type: none"> • Technical changes to make corrections and to align with federal regulations. • Identifies <i>E.coli</i> as an acute MCL and associated violations.
-320 Follow up action	<ul style="list-style-type: none"> • Technical changes to make corrections and to align with federal regulations. • Identifies coliform treatment technique triggers and associated Level 1 and 2 assessment requirements to identify the possible presence of sanitary defects. • Sets criteria for who can conduct assessments and timing • Sets minimum Level 1 and 2 assessment elements. • Systems must describe corrective actions for completed assessments for department review. • Identifies best technologies, treatment techniques or other means for achieving compliance with the <i>E. coli</i> MCL. • Systems may consult with the department during assessment or corrective action phases. • Identifies treatment technique violations.
-415 Operations and maintenance	<ul style="list-style-type: none"> • Technical changes to remove addresses of organizations to ensure that the rule remains accurate. • New RTCR requirements for seasonal system start up procedures: <ul style="list-style-type: none"> – Identifies operations and maintenance elements for seasonal system start-up procedures. – Identifies that a treatment technique violations occurs when a seasonal system fails to complete the start-up procedure.

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-416 Sanitary surveys	<ul style="list-style-type: none"> • Adds new criteria for community water systems to qualify for a five-year sanitary survey cycle: <ul style="list-style-type: none"> – No <i>E. coli</i> MCL violations. – No coliform treatment technique violations due to a failure to conduct an assessment or take corrective actions.
-451 Disinfection of drinking water	<ul style="list-style-type: none"> • New requirements for systems that use reverse osmosis to desalinate seawater sources. • Clarified criteria for treatment technique and reporting violations. • Revised monitoring and reporting requirements to provide flexibility to small systems, systems that add disinfectants for purposes other than disinfection, and some systems with multiple wells. • Requires systems to provide continuous disinfection of the source if any of the following conditions apply: <ul style="list-style-type: none"> – Poorly constructed source. – Inadequate surface seal. – High groundwater. – Lack of confining layers in the aquifer. – Shallow source. – Drilled well in fractured bedrock. – A source at risk of flooding. • Requires systems to provide continuous disinfection of the distribution system if any of the following conditions apply: <ul style="list-style-type: none"> – <i>E. coli</i> MCL or coliform monitoring violations. – Level 1 or 2 assessment treatment technique triggers. – Failure to complete a Level 1 or 2 assessment. – Failure to complete corrective actions. – Facility failures that threaten to degrade water quality.
-453 Treatment techniques for groundwater systems	<ul style="list-style-type: none"> • Revised the section title to clarify the purpose of the section – <i>Corrective action under the Groundwater Rule (GWR)</i>. • Added existing reporting requirements to this section. • Clarified criteria for reporting violations.
-480 Recordkeeping and reporting	<ul style="list-style-type: none"> • Systems must keep Level 1 and 2 assessment documentation including corrective actions for no less than five years. • Consecutive systems must keep documentation of notice to the wholesale system of total-coliform positive samples for no less than five years. • Seasonal systems must report that it has complied with start-up procedures. • Seasonal systems must report treatment technique triggers no later than the end of the next business day.

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-638 Analytical requirements	<ul style="list-style-type: none"> • New requirement to verify instruments used for free and total chlorine residual monitoring in order to align with federal regulations. • Revised requirements to allow a non-certified operator to conduct distribution system residual disinfectant concentration monitoring. • Technical change to turbidity monitoring requirements to align with federal regulations.
-662 Disinfection for filtered systems	<ul style="list-style-type: none"> • Adds an option to use a lower detectable residual disinfectant concentration provided the measuring instrument's accuracy is approved by the department.
-668 Watershed control	<ul style="list-style-type: none"> • Technical corrections to align with water system planning changes allowing for a longer plan approval period. • Eliminates the requirement for a professional engineer to develop a watershed evaluation report.
-672 Interim treatment requirements	<ul style="list-style-type: none"> • Adds an option to use a lower detectable residual disinfectant concentration provided the measuring instrument's accuracy is approved by the department.
-692 Disinfection for unfiltered systems	<ul style="list-style-type: none"> • Adds an option to use a lower detectable residual disinfectant concentration provided the measuring instrument's accuracy is approved by the department.
-694 Monitoring for unfiltered systems	<ul style="list-style-type: none"> • Technical corrections to align with RTCR treatment technique triggers.
-72001 Purpose and applicability of the consumer confidence report requirements	<ul style="list-style-type: none"> • Adds a clarification concerning additional consumer confidence reporting content that community water systems using groundwater must deliver to their customers.
-72004 Report contents-Definitions	<ul style="list-style-type: none"> • Technical changes to align with RTCR. • Adds consumer confidence reporting requirements for systems that performed a Level 1 or 2 assessment to align with RTCR.
-72012 Regulated contaminants	<ul style="list-style-type: none"> • Technical changes to total coliform bacteria and <i>E. coli</i> to align with RTCR.
-810 Water use efficiency program	<ul style="list-style-type: none"> • Technical corrections to align with water system planning changes allowing for a longer plan approval period.
-820 Distribution system leakage standard	<ul style="list-style-type: none"> • Technical corrections to align with water system planning changes allowing for a longer plan approval period.

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-830 Water use efficiency goal setting	<ul style="list-style-type: none"> • Technical corrections to align with water system planning changes allowing for a longer plan approval period.

For more detailed information about the proposed changes, go to <http://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/RegulationandCompliance/RuleMaking>.

The State Board of Health is holding a public hearing on **October 12, 2016, at 1:30 p.m.**
SeaTac Red Lion Hotel
Rainier Room
18220 International Boulevard
Seattle, Washington 98188

You may provide testimony at the public hearing or send your written comments to Theresa Phillips no later than **September 28, 2016**.

Submit written comments to:
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Rules Comment webpage: <https://fortress.wa.gov/doh/policyreview/>



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