

Informal Comment Period - Draft Rule Changes
Drinking Water Lab Data Reporting
Chapter 246-390 WAC



February 2017

Background

We are updating our rule chapter to remove duplicative requirements with Ecology’s rule, Accreditation of Environmental Laboratories, chapter 173-50 WAC. The draft rule adds data reporting requirements to ensure consistent and reliable reporting of analytical data, and changes the chapter title to clarify its purpose of reporting requirements. Adding reporting requirements will enable Group A and Group B public water systems and the department to respond quickly to drinking water quality problems.

We want your feedback on the draft rule changes

The draft rule and Lab Reporting Guidance is on our [rule-making webpage](#). You can send comments by email to [Nina Helpling](#) by **March 15, 2017**.

Provide your suggested changes in a format similar to this example.

WAC Section Number	Suggested Revised Language	Reason for suggested change
010	The rule language should be: ...	Certified labs, water systems, or public health will be better served if my suggested revised language is accepted because...

Summary of Draft Changes

WAC Section Number	Section Title	Draft Changes
Ch. 246-390	Drinking Water Laboratory Certification and Data Reporting Rules	<ul style="list-style-type: none"> Replaces the chapter title “Drinking Water Certification Rules” to clarify the intent
001	Purpose	<ul style="list-style-type: none"> Changed the title from Purpose-Objectives Editorial changes to clarify the rule’s purpose is to set minimum certification and reporting requirements Clarifies Labs must comply with this chapter, Ecology’s accreditation chapter, and state and federal requirements
010	Definitions, abbreviations, and acronyms	<ul style="list-style-type: none"> Changed the title from Definitions Adds new definitions, acronyms, abbreviations, and deletes definitions no longer used
<i>REPEAL</i> 020	Requirement for certification	<ul style="list-style-type: none"> Repealing this section because it is duplicative with Ecology’s certification chapter
030	Certification	<ul style="list-style-type: none"> Clarifies that a Lab must be accredited under Ecology’s chapter and comply with data reporting requirements under Health’s chapter

WAC Section Number	Section Title	Draft Changes
NEW 035	Composite samples	<ul style="list-style-type: none"> • Adds that a Lab may composite samples in accordance with 40 Code of Federal Regulations 141.23 and 141.24
REPEAL 040	Provisional certification	<ul style="list-style-type: none"> • Repealing this section because it is duplicative with Ecology's certification chapter
REPEAL 050	Revoking or denying certification	<ul style="list-style-type: none"> • Repealing this section, See NEW -095 Revocation and suspension section
NEW 055	Notification requirements	<ul style="list-style-type: none"> • Adds reporting timelines by phone, fax, or email for coliform positives samples, contaminants that exceed 4 times the maximum contaminant level (MCL), and nitrates that exceed the MCL • Adds reporting requirements for attempts to contact a public water system and the department using a log book
REPEAL 060	Reciprocity	<ul style="list-style-type: none"> • Repealing this section because it is covered under Ecology's third-party accreditation requirements
NEW 065	Reporting contracting analytical results	<ul style="list-style-type: none"> • Adds reporting requirements for both a Lab that subcontracts with another Lab, and the subcontracting Lab
REPEAL 070	Third-party certification	<ul style="list-style-type: none"> • Repealing this section because it is duplicative with Ecology's third-party accreditation requirements
NEW 075	Data reporting	<ul style="list-style-type: none"> • Establishes reporting requirements to the department and water systems for compliance sample results • Requires data reports be submitted according to instructions and test panel information on analyte templates • Establishes timelines for sample analysis • Establishes timelines for paperwork submittal • Establishes reporting requirements regarding accurate, legible, complete and valid data results • Establishes reporting of sample analysis results as a number, estimated number, or non-detect • Adds a table of analytes and associated analyte numbers, reporting units, and state reporting levels
NEW 085	Enforcement	<ul style="list-style-type: none"> • Aligns enforcement standards with Ecology's enforcement standards • Adds several options for enforcements actions when a Lab is out of compliance with this chapter • Adds that the department may revoke or suspend a Lab's certification if a Lab fails to comply with a notice of correction

WAC Section Number	Section Title	Draft Changes
NEW 095	Revocation and suspension	<ul style="list-style-type: none"> • Adds revocation and suspension timeframes • Adds a Lab may apply for certification after the suspension or revocation period has ended • Adds if Ecology suspends or revokes a Lab's certification, the department shall also suspend or revoke the certification • Adds if a Lab is suspended or revoked, the Lab must notify the department and public water systems of any samples to be invalidated as a result of the action
100	Appeals	<ul style="list-style-type: none"> • Repeals existing requirements because it is duplicative with Ecology's certification chapter • Adds a lab may appeal an action taken by the department
REPEAL 990	Fees	<ul style="list-style-type: none"> • Repeals the fees because it is duplicative with Ecology's fee section and the department no longer charges fees

For more information about the draft rule language

- Contact [Nina Helpling](#) at 360-236-3197.

For more information about the rulemaking process

- Contact [Theresa Phillips](#) at 360-236-3147.
- To see other rulemaking activities, visit our [rule-making website](#).
- Sign up for our [rules email list](#) to keep up-to-date on rulemaking activities.

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