



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Health

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: Chapter 246-294 WAC, Drinking Water Operating Permits, and WAC 246-290-990, Water system evaluation and project review and approval fees. See attachment A.

Citation of existing rules affected by this order:

Repealed: None
Amended: WAC 246-294-010, 030, 070; and WAC 246-290-990
Suspended: None

Statutory authority for adoption: RCW 70.119A.110

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 11-22-089 on 11/01/2011 (date).
Describe any changes other than editing from proposed to adopted version: Changed "multiplex" to "multifamily" in WAC 246-294-010(5)(b).

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: phone
Address: fax
e-mail

Date adopted: 12/21/2011

NAME (TYPE OR PRINT)

Mary C. Selecky

SIGNATURE

TITLE

Secretary

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 16, 2012
TIME: 3:09 PM

WSR 12-05-079

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>3</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

	New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>4</u>	Repealed	<u>0</u>

Attachment A

Purpose:

Chapter 246-294 WAC, Drinking Water Operating Permits; and WAC 246-290-990, Water system evaluation and project review and approval fees.

This rule implements Substitute Senate Bill 5364 passed by the 2011 legislature which requires the Department of Health (department) to establish public water system operating permit fees by rule. The department amended WAC 246-294-070 to increase fees pursuant to legislative direction and amended WAC 246-294-010 and 030 to make clarifications in support of the fee changes. The department also eliminated monitoring waiver fees for water quality testing for chemical contaminants with no potential health risk under WAC 246-290-990(1)(h).

AMENDATORY SECTION (Amending WSR 10-16-108, filed 8/2/10, effective 9/2/10)

WAC 246-290-990 Water system evaluation and project review and approval fees.

(1) The fees for the review and approval of water system plans, project reports, construction documents, existing systems, and related evaluations required under chapters 246-290, 246-291, 246-293, 246-294, and 246-295 WAC are:

(a) Water system plans required under WAC 246-290-100, 246-290-105, 246-291-140, 246-293-220, and 246-293-230.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
Water system plan (New and Updated)	\$138	\$491	\$1,206	\$2,280	\$3,705	\$5,484
Minor water system plan alteration	\$31	\$115	\$293	\$565	\$919	\$1,349

(b) Satellite management agency (SMA) plans for Group A and Group B water systems required under WAC 246-295-040.

Project Type	Total Active or Approved Services				
	<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
SMA plan for ownership (New and Updated)	\$491	\$1,206	\$2,280	\$3,705	\$5,484
SMA approval amendment	\$102 per hour or appropriate fee from category above, whichever is less				
SMA plan for operation only (New and Updated)	\$1,206	\$1,206	\$1,206	\$1,206	\$1,206

Note: SMAs owning water systems and submitting planning documents to the department for review shall be charged only the SMA fee.

(c) New plan elements required under WAC 246-290-100, 246-290-105, 246-290-125, 246-290-132, 246-290-135, 246-290-691, and 246-291-140 including:

(i) Water use efficiency; and

(ii) Wellhead protection, shall be reviewed separately by the department and the fee assessed shall reflect the time spent for this review and shall be calculated based on one hundred two dollars per hour. After the initial submittal, updated information shall be reviewed as part of the updated water system plan and the review fee shall be included in the applicable updated plan review fee listed under (a) or (b) of this subsection.

(d) Project reports required under WAC 246-290-110 and design reports required under WAC 246-291-120.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
All types of filtration or other complex treatment processes	\$348	\$710	\$1,103	\$1,598	\$2,204	\$2,922
Chemical addition only, such as ion exchange, hypochlorination, or fluoridation	\$102	\$205	\$348	\$525	\$743	\$994
Complete water system (an additional fee shall be assessed for review of treatment facility, if any)	\$205	\$491	\$778	\$1,137	\$1,564	\$2,061
System modifications requiring a detailed evaluation to determine whether the system, as modified, will comply with regulations (an additional fee shall be assessed for review of treatment facility, if any)	\$138	\$348	\$565	\$851	\$1,206	\$1,626

Note: In accordance with WAC 246-290-125, project reports are not required for minor projects that are described in sufficient detail in an approved water system plan, and have been reviewed as part of the process for approving the water system plan.

(e) Special reports or plans required under WAC 246-290-230, 246-290-235, 246-290-250, 246-290-470, 246-290-636, 246-290-640, 246-290-654, 246-290-676, 246-291-230 including:

- (i) Corrosion control recommendation report;
- (ii) Corrosion control study;
- (iii) Plan to cover uncovered reservoirs;
- (iv) Predesign study;
- (v) Uncovered reservoir plan of operation;
- (vi) Tracer study plan;
- (vii) Surface water or GWI treatment facility operations plan;
- (viii) Filtration pilot study; or

(ix) GWI determination reports, shall be reviewed by the department and the fee assessed shall reflect the time spent for this review and shall be calculated based on one hundred two dollars per hour.

(f) Construction documents required under WAC 246-290-120 and design reports required under WAC 246-291-120.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
All types of filtration or other complex treatment processes	\$348	\$710	\$1,103	\$1,598	\$2,204	\$2,922
Chemical addition only, such as ion exchange, hypochlorination, or fluoridation	\$102	\$205	\$348	\$525	\$743	\$994
Complete new water system except treatment (an additional fee shall be assessed for review of treatment facility, if any)	\$281	\$633	\$919	\$1,279	\$1,709	\$2,204
New source only (an additional fee shall be assessed for review of treatment facility, if any)	\$205	\$382	\$525	\$710	\$919	\$1,172

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
One or more of the following submitted as a package and not requiring a detailed evaluation as determined by the department: Water line installation, booster pump station, modifications to source pumping, piping-valving, controls or storage reservoir (an additional fee shall be assessed for review of treatment facility, if any)	\$138	\$241	\$382	\$565	\$778	\$1,027

Documents submitted for projects such as water line installation, booster pump stations, modifications to source pumping, piping/valving, controls or storage reservoirs as determined by the department where such projects:

Comply with design standards established by the department;

Are prepared by a professional engineer in accordance with WAC 246-290-040; and

Do not require a detailed evaluation by the department.

	\$64	\$118	\$198	\$281	\$389	\$512
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(g) Existing system approval required under WAC 246-290-140 and 246-291-130. For the purpose of this subsection the department shall determine whether a system is expanding or nonexpanding.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
NONEXPANDING system not requiring a detailed evaluation by the department	\$268	\$539	\$811	\$1,083	\$1,355	\$1,626
NONEXPANDING system requiring a detailed evaluation as determined by the department	\$404	\$811	\$1,229	\$1,626	\$2,034	\$2,441
EXPANDING system not requiring a detailed evaluation by the department	\$539	\$1,083	\$1,626	\$2,169	\$2,714	\$3,256
EXPANDING system requiring a detailed evaluation as determined by the department	\$676	\$1,355	\$2,034	\$2,714	\$3,391	\$4,072

(h) (~~Monitoring waivers requested under WAC 246-290-300.~~)

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
Inorganic chemical monitoring waiver	Not applicable	\$88 per source	\$123 per source	\$155 per source	\$188 per source	\$221 per source
Organic chemical monitoring waiver	Not applicable	\$161 per source	\$226 per source	\$294 per source	\$359 per source	\$425 per source
Use waiver	Not applicable	\$193 per source	\$260 per source	\$334 per source	\$392 per source	\$459 per source
Area wide waiver renewal	Not applicable	\$193 per source	\$240 per source	\$287 per source	\$334 per source	\$369 per source
Inorganic chemical monitoring waiver renewal	Not applicable	\$48 per source	\$62 per source	\$75 per source	\$88 per source	\$102 per source
Organic chemical monitoring waiver renewal	Not applicable	\$95 per source	\$135 per source	\$176 per source	\$215 per source	\$254 per source
Use waiver renewal	Not applicable	\$135 per source	\$181 per source	\$226 per source	\$273 per source	\$320 per source
Coliform monitoring waiver including departmental inspection requested by purveyor	Not applicable	\$414	\$512	\$652	\$830	Not applicable
Coliform monitoring waiver with third-party inspection report	Not applicable	\$128	\$128	\$128	\$128	Not applicable

(i)) Other evaluations and approvals. As applicable, these fees will be charged in addition to the basic fees assessed under (a) through (h) of this subsection.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
Well-site evaluation and approval including the site inspection and hydrogeologic information review.	\$205	\$309	\$363	\$451	\$565	\$710
Regulatory monitoring plan ¹	No plan required	\$198	\$268	\$337	\$404	\$471
Unfiltered system annual comprehensive report	Not applicable	\$404	\$676	\$947	\$1,218	\$1,489
Water system compliance report	\$115	\$115	\$115	\$115	\$115	\$115

(2) To determine the appropriate fee for a noncommunity system, calculate the service equivalent by taking the average population served each day of operation and dividing by twenty-five for a transient noncommunity (TNC) system and two and one-half for nontransient noncommunity (NTNC) system. Use the number of service equivalents to find out what Group A size category to look under and submit the appropriate fee. (All noncommunity systems are Group A systems as described in WAC 246-290-020.)

(3) Additional review and approval fees may be assessed as

follows:

(a) The basic fee covers an evaluation, or the review of an initial submittal and one resubmittal if required. If additional resubmittals are required, an additional twenty-five percent of the original fee will be assessed for each additional resubmittal. For water system plan and SMA plan preparation the basic fee also covers a preplanning conference;

(b) Fees for department project approval based on local technical review will be determined on a case-by-case basis as outlined in the applicable memorandum of understanding between the department and the respective local agency;

(c) Fees may be assessed for services which the department determines are not described under subsection (1) of this section. If assessed, the fees will be calculated based on a rate of one hundred two dollars per hour.

Examples of these services include, but are not limited to:

(i) Collection of water quality samples requested by purveyor;
(ii) Review of alternate technologies requested by purveyor, manufacturer or authorized representative;

(iii) Sanitary surveys, including the time spent as part of the annual on-site inspections for systems under WAC 246-290-690(3) that is in addition to the time necessary to assess watershed control and disinfection treatment;

(iv) Well field designations; or

(v) Transfers of ownership under WAC 246-290-035 or 246-294-060.

(d) Additional fees assessed by the department shall be billed to the purveyor using an itemized invoice.

(4) If the legislature revises the water system operating permit fee under RCW 70.119A.110 to incorporate into it one or more fees for service currently assessed separately under this section, and the purveyor has paid that consolidated fee, the department shall not assess or collect a separate fee under this section for any such service.

(5) All fees required under this section except as noted in subsection (3) of this section, shall be submitted prior to the department's approval. Payment of fees shall be in the form of a check or money order made payable to: The Department of Health, P.O. Box 1099, Olympia, Washington 98507-1099. Payment of a fee shall not guarantee approval of the submitted document or evaluation request.

(6) Purveyors unable to determine the appropriate fee payment to submit should contact the department.

AMENDATORY SECTION (Amending WSR 04-06-047, filed 3/1/04, effective 4/1/04)

WAC 246-294-010 Definitions, abbreviations, and acronyms.

((Abbreviations:

~~EPA - Environmental Protection Agency~~

~~MCL - maximum contaminant level~~

~~NTNC - nontransient noncommunity~~

~~SMA - satellite management agency~~

~~SSNC - state significant noncomplier~~

~~TNC - transient noncommunity~~

~~VOC - volatile organic chemical~~

~~WFI - water facilities inventory))~~ The definitions,

abbreviations, and acronyms in this section apply throughout this chapter unless the context clearly indicates otherwise.

(1) "Adequacy" means an assessment, based upon evaluation of the department's records, of a water system's current ability to provide safe and reliable drinking water in accordance with applicable drinking water statutes and regulations.

(2) "Community water system" means any Group A water system:

(a) With fifteen or more services used by residents for one hundred eighty or more days within a calendar year, regardless of the number of people; or

(b) Regularly serving twenty-five or more residents for one hundred eighty or more days within the calendar year, regardless of the number of services.

(3) "Department" means the Washington state department of health.

(4) "Drinking water regulations" means the provisions of chapter 70.119A RCW, chapter 246-290 WAC, state board of health drinking water regulations and chapter 246-292 WAC, water works operator certification regulations, that help assure Group A public water systems provide safe and reliable drinking water.

(5) "Dwelling unit" means a structure, or unit within a structure, with independent living facilities for one or more persons that include permanent provisions for living, sleeping, eating, cooking, and sanitation. A dwelling unit includes, but is not limited to:

(a) A single family residence; or

(b) Each unit of an apartment building or multifamily building.

(6) "EPA" means the Environmental Protection Agency.

(7) "ERU (equivalent residential unit)" means a system-specific unit of measure used to express the amount of water consumed by a typical full-time single family residence.

(8) "Group A water systems" are defined as community and

noncommunity water systems.

(a) Community water system means any Group A water system providing service to fifteen or more service connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five year-round (i.e., more than one hundred eighty days per year) residents.

(b) Noncommunity water system means a Group A water system that is not a community water system. Noncommunity water systems are further defined as:

(i) **Nontransient** (NTNC) water systems that provide service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(ii) **Transient** (TNC) water systems that serve:

(A) Twenty-five or more different people each day for sixty or more days within a calendar year;

(B) Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days in a calendar year; or

(C) One thousand or more people for two or more consecutive days within a calendar year.

(9) "**MCL (maximum contaminant level ((MCL))**" means the maximum permissible level of a contaminant in water the purveyor delivers to any public water system user, measured at the locations identified under WAC 246-290-300, Table 3.

(10) "**Nonresident**" means a person having access to drinking water from a public water system who lives elsewhere. Examples include travelers, transients, employees, students, etc.

(11) "**Nonresidential service connection**" means a connection to a public water system that provides potable water including, but not limited to a:

(a) Commercial property;

(b) Industrial property;

(c) Civic property;

(d) Municipal property;

(e) Institutional property;

(f) School; or

(g) Other authorized use that provides potable water to a nonresidential population.

(12) "**NTNC**" means nontransient noncommunity.

(13) "**Owner**" means any agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or any other entity, that holds as property, a public water system.

(14) "**Public water system**" means any system, providing water for human consumption through pipes or other constructed conveyances, excluding a system serving only one single-family residence and a system with four or fewer connections all of which serve residences on the same farm. The term includes:

(a) Collection, treatment, storage, and/or distribution facilities under control of the purveyor and used primarily in connection with the system.

(b) Collection or pretreatment storage facilities not under control of the purveyor, but primarily used in connection with the system.

(15) "Recreational service connection" means a connection to a public water system that provides potable water to each:

(a) Campsite; or

(b) Recreational vehicle site.

(16) "Resident" means an individual living in a dwelling unit served by a public water system.

(17) "Residential service connection" means a connection to a public water system that provides potable water to a dwelling unit. When the service connection provides water to a residential population without clearly defined dwelling units, the following formulas are used to determine the number of residential service connections to be included on the WFI form:

(a) Divide the average population served each day by two and one-half; or

(b) Using actual water use data, calculate the total ERUs represented by the service connection in accordance with department design guidance.

(c) The calculated number of services is not less than one.

(18) "SMA (satellite management agency ((SMA)))" means an individual, purveyor, or entity that is approved by the department in accordance with chapter 246-295 WAC to own or operate more than one public water system on a regional or county-wide basis, without the necessity for a physical connection between such systems.

(19) "Service connection" means a ((connection to a public water system designed to provide potable water to a single-family residence, or other)) residential ((or)) nonresidential ((population. When the connection provides water to a residential population without clearly defined single-family residences, the following formulas shall be used in determining the number of services to be included as residential connections on the WFI form:

• Divide the average population served each day by two and one-half; or

• Using actual water use data, calculate the total ERU's represented by the service connection in accordance with department design guidance.

• In no case shall the calculated number of services be less than one)), or recreational service connection as defined in this section.

(20) "SSNC (state significant noncomplier ((SSNC)))" means a system that is violating or has violated department rules, and violations may create, or have created an imminent or a significant risk to human health. Such violations include, but are not limited to, repeat violations of monitoring requirements, failure to address exceedance of permissible levels of regulated contaminants, failure to comply with treatment technique standards or requirements, failure to comply with water works operator certification requirements, or failure to submit to a sanitary survey.

(21) "TNC" means transient noncommunity.

(22) "**WFI (water facilities inventory ((-WFI))**)" means the department form summarizing each public water system's characteristics.

AMENDATORY SECTION (Amending WSR 04-06-047, filed 3/1/04, effective 4/1/04)

WAC 246-294-030 Application and issuance of operating permits. (1) No person may operate and no owner shall permit the operation of a Group A water system unless the owner annually submits an application along with the required fee to the department and the department has issued an operating permit to the system owner. Any owner operating a system may continue to operate until the department takes final action on granting or denying the operating permit, in accordance with WAC 246-294-050.

(2) The department shall mail an application to water systems annually using a schedule that is based on the size and type of water system.

(3) In addition to the regularly scheduled issuance of annual operating permits, new or revised operating permits shall be required when:

(a) The owner of a new Group A system receives all required department approvals relating to water system operation (see WAC 246-294-030(4)); or

(b) Ownership of a Group A system changes (see WAC 246-294-060).

(4) The department may also issue a revised operating permit when there is a change in a systems compliance that necessitates a change to a different permit category.

(5) New Group A systems shall be sent operating permit applications at the time construction documents are submitted to the department for approval. The deadline for submitting the completed application and full payment to the department shall be the same date as:

(a) The *Construction Completion Report* required by WAC 246-290-120(5); or

(b) The existing system as-built approval required by WAC 246-290-140.

(6) Initial and renewal applications shall be based on information from the most recent WFIs on file with the department, and sent to owners on an annual basis. In the case of a SMA, the department will send a complete list of systems owned, along with the corresponding system identification numbers. The SMA shall verify the information, make corrections or additions and then return the list with the application.

(7) Upon receipt of the application, the owner or other legally authorized person shall:

(a) Complete portions of the form which need completing;

(b) Ensure that information on the form is accurate;
 (c) Sign the form; and
 (d) Return the application to the department within seventy days of the department's mailing date, accompanied by the applicable fee.

(8) The applicable fee shall be in the form of a check or money order made payable to the "Department of Health" or successor organization as designated by the department and mailed in accordance with the directions on the application.

(9) Systems which do not return operating permit applications along with the required fee by the deadline specified on the notice shall:

(a) Not be issued an operating permit; and
 (b) Be subject to the enforcement provisions in WAC 246-294-090.

(10) The department shall add an additional late charge (~~of ten percent or twenty-five dollars, whichever is greater, shall be added~~) to the applicable fee as listed in Table 2 of WAC 246-294-070 if the owner fails to return the completed application with applicable fee to the department within seventy days of the department's mailing date.

(11) The department shall review each submitted application. Any changes made on the application by the applicant shall be evaluated by the department and may result in an update of the system's WFI form, which would be reflected on the next renewal application.

(12) If after issuing an operating permit, the department determines that the permit holder has made false statements, the department may, in addition to taking other actions provided by law, revise both current and previously granted permit fee determinations and charge the owner accordingly.

(13) If the department discovers that an owner has been operating a system without an operating permit and such system is covered by the requirements of this chapter, the department may charge the owner an operating permit fee plus permit fees owed for each year, including late fees, since the effective date of this chapter.

AMENDATORY SECTION (Amending WSR 04-06-047, filed 3/1/04, effective 4/1/04)

WAC 246-294-070 Fees. (1) The fees for Group A water system operating permits are authorized under RCW 70.119A.110 and are listed in Table 2.

((TABLE 2
 OPERATING PERMIT FEES

Classification	Fee
0-14 services	None

Classification	Fee
15 - 49 services	\$25.00 per year
50 - 3,333 services	\$1.50 per service per year
3,334 - 53,333 services	\$4,999.50 + .10 per service over 3,333 services per year
53,334 or more services	\$10,000.00 per year
Satellite Management Agency (based on total services in all systems owned by SMA)	\$1.00 per service per year or the fee from the appropriate category above, whichever is less
Late charge	Additional 10% of applicable charge stated above or \$25.00, whichever is greater))

**TABLE 2
OPERATING PERMIT FEES**

Classification	2012	2013	2014 and following years
Base fee for all water systems	\$100.00	\$100.00	\$100.00
Per connection fee:			
14 or fewer services	\$0.65	\$0.98	\$1.30
15 - 99 services	\$0.63	\$0.94	\$1.25
100 - 499 services	\$0.60	\$0.90	\$1.20
500 - 999 services	\$0.58	\$0.86	\$1.15
1,000 - 9,999 services	\$0.55	\$0.83	\$1.10
10,000 - 95,000 services	\$0.53	\$0.79	\$1.05
95,001 or more services	\$50,000.00 per year	\$75,000.00 per year	\$100,000.00 per year
SMA	Use the per connection fee amount above to calculate the fee based on total number of all service connections owned plus a \$100 base fee	Use the per connection fee amount above to calculate the fee based on total number of all service connections owned plus a \$100 base fee	Use the per connection fee amount above to calculate the fee based on total number of all service connections owned plus a \$100 base fee
Late fee (late fee is charged seventy days after the department mails the renewal application)	Add 10% to applicable fee or \$25.00, whichever is greater	Add 10% to applicable fee or \$25.00, whichever is greater	Add 10% to applicable fee or \$25.00, whichever is greater

(2) ((If systems serve both resident and nonresident populations, the department shall determine the permit fee category by adding the number of services and an equivalent for the NTNC and TNC nonresident population served as calculated in subsection (3) of this section.)) For purposes of determining the operating permit fee, service connections shall be counted as follows:

(a) For community water systems, the operating permit fee is based on the total number of residential service connections and nonresidential service connections.

(b) Nonresidential service connections are counted as one service connection for each property as defined in WAC 246-294-

010(11) regardless of how many buildings are on the property.

(3) For NTNC and TNC systems, owners shall pay the fee in Table 2 based on equivalent number of service(~~(s)~~) connections. Population information used in calculating equivalent number of service(~~(s)~~) connections shall come from the WFI. The department shall use the following formulas to determine equivalent number of service(~~(s)~~) connections:

(a) For NTNC populations, divide the average population served each day by two and one-half; and

(b) For TNC populations, which include recreational service connections, divide the average population served each day by twenty-five.

~~((4) Any county or SMA assuming ownership of a Group A water system, or court appointed receiver of a Group A water system is exempt from the operating permit fee for one year after the next renewal date.))~~

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-75-010 Medical marijuana.