

# **PUBLIC HEALTH**

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HEALTHIER WASHINGTON**

## **Hydrogeology LOSS Rule Revisions**

**Washington State Department of Health**

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# Background

- Law requires compliance with RCW 90.48
  - Groundwater and Surface Water Standards
    - ✓ Public Health and Environment
    - ✓ Protect existing water quality
    - ✓ Numerical Criteria (upper threshold)
    - ✓ AKART
    - ✓ Overriding public interest

# Current LOSS Rules

- ✓ Provide general authority for protection of water quality
- ✓ No specific requirements for Hydrogeo analysis
- ✓ DOH has been requiring minimal nitrate balances

# DOH Objectives New LOSS Rules

- ✓ Clear authority to consider water quality impacts
- ✓ Clear expectations for project applicants
- ✓ Balance between flexibility and objectivity
- ✓ Consistent application among projects
- ✓ Recognize site differences

# Hydrogeo Options

- Option A: Status Quo; requirements in guidance
- Option B: Add specific authority; all requirements in guidance; all projects to submit a comprehensive report
- Option C: Add specific authority, baseline requirements in rule; comprehensive report requirements in guidance


# Option C

- ✓ Clear authority for hydrogeo analysis
- ✓ All projects perform baseline evaluation
- ✓ Recognizes low risk versus high risk sites
- ✓ High/Mod risk sites submit comprehensive hydrogeo report
- ✓ Will drive AKART

# Option C Requirements

LOSS between 3,500 – 14,500

## ➤ Baseline evaluation

- Submit as part of pre-design report
- New data collection generally not required
- Determine if site is low or mod/high risk
- Burden of proof of low risk is on applicant
- High/Mod risk  Hydrogeo report

# Hydrogeo Report

- ✓ All mod/high risk sites with flows <14,500
- ✓ All sites 14,500 or greater
- ✓ Specifics in DOH guidance document
- ✓ DOH approval before plans/specs submitted
- ✓ Nitrate balance, mounding, phosphorus analysis
- ✓ Report based on actual data: pump test, sampling, new monitoring wells, etc.
- ✓ Licensed Hydrogeologist required

# Questions

- ✓ LOSS Rules contain specific hydrogeo authority?
- ✓ Should requirements vary by site risk?
- ✓ Should size of system be a factor?
- ✓ How much real data vs. literature values?
- ✓ How much in rule vs. guidance?
- ✓ AKART?
- ✓ What about cost?