



June 2008  
DOH 331-410

## Questions & Answers

# Public disclosure of water system plans

### **Are water system plans (WSP) and small water system management program (SWSMP) documents subject to public disclosure?**

Yes. All information you submit to the Department of Health Office of Drinking Water (ODW) is disclosable unless state or federal law specifically protects it from disclosure. This includes drafts, notes, or e-mails.

### **Isn't the emergency response plan exempt from public disclosure?**

Maybe. State law exempts emergency response plans and vulnerability assessments from disclosure if they are "...assembled, prepared, or maintained to prevent, mitigate, or respond to criminal terrorist acts" (RCW 42.56.420). It does not protect information about responses to natural disasters, like earthquakes.

### **Will ODW disclose vulnerability assessments?**

No. The Federal Bioterrorism Act required community water systems to complete vulnerability assessments by the end of 2004 and submit them directly to the U.S. Environmental Protection Agency. ODW does not maintain copies of vulnerability assessments.

### **What can I do if I don't want other entities to see my WSP or SWSMP?**

Nothing. A water system plan is subject to state public disclosure law. That law, RCW 42.56, allows anyone to request a copy of the plan. State rule also requires water systems to share water system plans with neighboring utilities and each local government with jurisdiction, to assess consistency with ongoing and adopted planning efforts (WAC 246-290-100 (7)).

### **Do I have to include contact information as part of the WSP or SWSMP?**

Yes. State rule requires you to include the name, address, and telephone numbers for the water system owners, operators, and emergency contact persons (WAC 246-290-100(4)(a)(i)).

### **Will ODW disclose personal information I include in my WSP or SWSMP?**

It depends. State law protects a range of information about employees and volunteers of public agencies, including residential addresses, residential telephone numbers, and personal cell phone numbers (RCW 42.56.250(3)). State law does not protect the contact information of private individuals listed in WSPs and SWSMPs. If you are the appointed contact for a privately owned water system, your name is eligible for disclosure.



HELPING TO ENSURE SAFE AND RELIABLE DRINKING WATER

### **Will ODW tell me if someone requests records about my water system?**

No. ODW does not notify a water system every time we receive a request for records about the system. We maintain a log of public disclosure requests. This log is a public record and available upon request.

### **Where can I get additional information?**

Please call the public disclosure officer at your ODW regional office:

Eastern Region, Spokane Valley: (509) 329-2100

Northwest Region, Kent: (253) 395-6750

Southwest Region, Tumwater: (360) 236-3030

