

Division of Drinking Water Policy/Procedure

Title:	Water System Plan Compliance Policy	Number: B.03
References:		
Contact:	Stacy Patterson	
Effective Date:	10/07/96	
Supersedes:	Previous B.03	
Approved:	(signed copy)	<i>Director, Division of Drinking Water</i>

POLICY:

- A. Department of Health (DOH) staff, on an ongoing basis, will require public water systems to develop a water system plan (WSP) pursuant to WAC 246-290-100.
- B. Systems that have a current and approved WSP or are making satisfactory progress towards WSP completion, in conformance with an approved WSP development schedule, are considered to be in compliance.
- C. Construction Documents and Project Reports must be consistent with a current and approved WSP (WAC 246-290-100). (Exception - see D)
- D. For systems that do not have a current and approved WSP but have an approved WSP Development Schedule in the form of a Bilateral Compliance Agreement (BCA), Agreed Order (AO), or Departmental Order (DO), Construction Documents and Project Reports (WAC 246-290-110/120) may be reviewed on a case by case basis. Systems which do not have an approved WSP but have submitted a plan for review and are within a WSP review process may have Construction Documents and Project Reports reviewed on a case by case basis.
- E. Systems that have violated a Departmental Order for a WSP requirement shall be subject to the following consequences:
 - Construction Documents and Project Reports (WAC 246-290-110/120) will not be reviewed or approved unless the project is directly related to a major public health and safety concern.
 - The system shall be placed in a operating permit red category.
 - The Department may issue fines.

PURPOSE STATEMENT/BACKGROUND:

- A. Improve compliance with existing water system plan (WSP) regulations for Group A community water systems.
- B. Identify procedure for obtaining WSP compliance.
- C. Identify policy and procedure for project review during WSP development.
- D. Identify consequences of non-compliance with WSP requirements.

PROCEDURE:

1. DOH staff will 1) determine which water systems are required to develop WSPs pursuant to (WAC 246-290-100), and 2) update WSP tracking database on an ongoing basis.
2. The regional planners will operate as lead staff with the support of the regional engineers to sequentially rank systems required to develop WSPs in their region. Ranking will be based on several factors including mandated submittal dates identified in the Coordinated Water System Plan or Department Order, requirements identified in WAC 246-290-100, and water system growth expansion expectations. Ranking will be also be based on the following criteria:
 - Systems experiencing public health problems or systems vulnerable to future problems that could be remedied with the completion of a WSP.
 - Systems vulnerable to supply or capacity problems and/or systems which require WSP completion in order to obtain additional water rights.
 - Systems experiencing problems relating to financial viability.
3. Based on available staff resources for a given planning period, regions may place systems into a high or low priority category. All systems will receive either a high priority or low priority letter.
4. WSP Low Priority Systems: Systems with low priority will receive a letter (Attachment 1) informing them that, 1) they are required to develop a WSP, but no date for completion is established, 2) consistent with existing DOH requirements (WAC 246-290-100), a WSP must be developed, submitted, reviewed and approved before any project report or construction document will be approved unless it addresses a major public health and safety related issue, and 3) DOH staff are available for a pre-plan conference upon the utility's request during which time the utility may request the approval of a WSP Development Schedule so that some projects may be reviewed on a case by case basis. 4) If a system has qualified for the Alternative Approval Process for Distribution Related Projects through a previously approved plan that is no longer valid (i.e. the six year time frame has elapsed), that system must submit all projects for review and approval by the Department.

5. WSP High Priority Systems: Systems with high priority will receive a similar letter to that for the low priority systems except that it will establish a specific date by which time they will need to request an extension or a pre-plan conference. (Attachment 2) This letter will also discuss the consequences of not responding to the information therein. (See Procedure, #8)
6. For high priority systems attending the pre-plan conference, the system and DOH staff will discuss the content and expected level of detail of the WSP. At the conclusion of the meeting, DOH will send the system a BCA, AO, or DO outlining the WSP Development Schedule which will include submittal dates for scope of work, draft and final WSP.
7. Both low and high priority systems that do not have an approved WSP but have either received an approved Development Schedule or have submitted a WSP that is under review, may have Construction Documents and Project Reports reviewed on a case by case basis. In these circumstances, the Regional Planner and Regional Engineer shall coordinate and agree that the proposed project does not interfere with overall system planning objectives and there are no compliance issues. If both agree, then the construction documents and project report may be reviewed in the absence of an approved WSP. If it appears the project may interfere with the overall system planning objectives or there are compliance issues, the project will not be reviewed unless it addresses a major public health or safety concern. The regional supervisor will be notified of any project that is reviewed in the absence of a current and approved WSP.

If the Regional Planner and Regional Engineer are unable to agree on the review of construction documents and project reports in the absence of a WSP, the Regional Supervisor and Planning Program Manager shall be informed of the project and shall be responsible for a final determination.

8. High priority systems that do not respond to the letter, or respond and do not attend the scheduled pre-plan conference, will receive a Departmental Order for completion of a WSP that will identify time deadlines for a pre-plan conference, submittal of WSP scope of work, draft and final WSP. A notice of violation may precede the Departmental Order.
9. Once a Departmental Order for a WSP is issued, DOH will ask the purveyor for a list of projects the utility has committed to serve. The purveyor will be informed that only the listed projects will be reviewed on a case by case basis and no additional projects will be reviewed unless they are needed to address a major public health and safety concern. This should be sent to the County indicating that DOH will not review additional projects that do not appear on the list.
10. If the system violates the Departmental Order for a WSP requirement and fails to get an extension, DOH will place the system in a red operating permit category and fines may be issued. Even in the event that the system is placed in a red operating permit category, DOH will continue to review the listed projects on a case by case basis but no additional projects will be reviewed.

**FORM LETTER #1
LOW PRIORITY SYSTEMS**

Date

Name
Company
Address
City, State Zip

Dear Purveyor _____:

Our records indicate that the _____ water system plan (WSP) will be/was due for its six year update on _____ (date). WAC 246-290 requires that a system's WSP be updated and receive approval from this department every six years. WAC 246-290 also requires that a water purveyor have a current WSP approved by and on file with this department before we can review and approve any Project Reports and Construction Documents relating to proposed projects on that system.

The purpose of this letter is to inform you of the importance of maintaining a current DOH approved WSP, and to encourage you to contact us to arrange a pre-plan conference. A pre-plan conference provides the utility and DOH an opportunity to discuss WSP requirements and relay information and guidance materials that will assist in developing the scope and content of the WSP. In addition, you may request the approval of a water system plan development schedule in the form of a Bilateral Compliance Agreement to initiate the submittal and review process.

Again, please note that unless a major public health issue is a concern, the Department of Health cannot review Project Reports or Construction Documents without a current approved WSP. In addition, if your system has qualified for the Alternative Approval Process for Distribution Related Projects through a previously approved plan that is no longer valid, you can no longer continue with individual projects without DOH approval. However, DOH does have a policy allowing for review of some projects on a case-by-case basis while a utility is developing its water system plan. This policy states, "For systems that do not have a current and approved water system plan but have an approved water system plan development schedule, Construction Documents and Project Reports (WAC 246-290-110/120) shall be reviewed on a case-by-case basis. If the project will not interfere with the overall system planning objectives, Department of Health (DOH) staff shall continue with review and approval. If it appears the project may interfere with the overall system planning objectives, the project may need to be amended or postponed unless it addresses a public health or safety concern as determined by DOH staff."

We believe it is in the utility's best interest, and that of its customers, to develop an up to date water system plan that accurately reflects both the day-to-day operations of the system and the long-term goals. We hope that we will receive a request for a pre-plan conference to discuss the approval of the WSP.

If you have any questions, please call me at _____.

cc: Consultant

Sincerely,

**FORM LETTER #2
HIGH PRIORITY SYSTEMS**

Dear Purveyor _____:

Our records indicate that the _____ water system plan (WSP) will be/was due for its six year update on _____ (date). WAC 246-290 requires that a system's WSP be updated and receive approval from this department every six years. WAC 246-290 also requires that a water purveyor have a current WSP approved by and on file with this department before we can review and approve any Project Reports and Construction Documents relating to proposed projects on that system.

The purpose of this letter is to inform you of the importance of maintaining a current DOH approved WSP, and to ask you to contact us to arrange a pre-plan conference no later than _____ (date). A pre-plan conference provides the utility and DOH with an opportunity to discuss WSP requirements and relay information and guidance materials that will assist in developing the scope and content of the WSP. At the conclusion of the meeting, a WSP development schedule will be established in the form of Bilateral Compliance Agreement, Agreed Order, or a Departmental Order. The WSP development schedule will include submittal dates for the scope of work, draft and final WSP.

Again, please note that unless a major public health issue is a concern, the Department of Health cannot review Project Reports or Construction Documents without a current approved WSP. In addition, if your system has qualified for the Alternative Approval Process for Distribution Related Projects through a previously approved plan that is no longer valid, you can no longer continue with individual projects without DOH approval. However, DOH does have a policy allowing for review of some projects on a case-by-case basis while a utility is developing its water system plan. This policy states, "For systems that do not have a current and approved water system plan but have an approved water system plan development schedule, Construction Documents and Project Reports (WAC 246-290-110/120) shall be reviewed on a case-by-case basis. If the project will not interfere with the overall system planning objectives, Department of Health (DOH) staff shall continue with review and approval. If it appears the project may interfere with the overall system planning objectives, the project may need to be amended or postponed unless it addresses a public health or safety concern as determined by DOH staff."

If we do not receive a request for a pre-plan conference or an extension by the date listed above, the system will automatically receive a Departmental Order for completion of a WSP which may be preceded by a notice of violation. In this instance, DOH will not review Project Reports or Construction Documents submitted by the utility. If the Departmental Order is violated without an extension of the order, the system will be automatically placed in a red operating permit category and may be subject to fines.

We believe it is in the utility's best interest, and that of its customers, to develop an up to date water system plan that accurately reflects both the day-to-day operations of the system and the long-term goals. We hope that this will be viewed as a top priority and that we will receive a

request for a pre-plan conference to discuss the approval of the WSP no later than _____ (date).

If you have any questions, please call me at _____.

Sincerely,

cc: Consultant