



Meeting Notes
Drinking Water Advisory Group
March 4, 2019

Agenda Item	Notes
1. Introduce Agenda Scott Torpie, Meeting Moderator	<ul style="list-style-type: none"> ◆ Agenda change: We moved item 5 to next month’s agenda.
2. ODW Updates Mike Means, Director	<ul style="list-style-type: none"> ◆ PFAS rulemaking status. <ul style="list-style-type: none"> ○ Updated monitoring schedule. Final draft language by the end of March, beginning of April. In place by May 2020. ○ Creating three fact sheets, requirements for monitoring; defining advisory levels; etc. ◆ EPA 2019 expectations. <ul style="list-style-type: none"> ○ EPA created new performance measures. New expectations around Lead and Copper Rule (LCR). ○ Chris McCord: LCR are about exceedances, meeting action steps. Considerations: Sending out publications and recommendations on time; getting construction done in time. The big question: What can we do for quality improvement? We’ll create more refined internal processes to prevent what happened in Flint, MI, or Washington, D.C. Working with EPA over general health-based violations, tied to funding. New information about corrosion control. ◆ Compliance process revisions. <ul style="list-style-type: none"> ○ Improving implementation of EPA enforcement targeting tool. Use Directive Memorandum for enforcement. Created new series of documents with new language—buying protection for the utility and the state against over-filing by EPA. Stricter language; but purposeful. Providing support to utilities while meeting EPA funding requirements. ○ Derek Pell: The documents will look different for those in formal enforcement (less than 2% of utilities). 98% of our work is helping utilities be successful. ○ Question: Is there a map showing where PFAS has been found in WA? Answer: There is a map on the PFAS webpage. Sampling is not complete, so there may be additions to the four areas in our state that have seen PFAS detections
3. Legislative Updates Brian Walsh, Policy and Planning Unit Manager	<p>Presentation</p> <ul style="list-style-type: none"> ◆ We’ve had a lot of bills this year. Cutoff was February 22. 14 bills that made it out of committee, eight different categories, ◆ Watershed bills: Walla Walla watershed management pilot. It’s a performance-based approach trying to improve stream flows and keeping water for irrigation and municipal use. A second one concerns Chehalis



	<p>Basin group. It would authorize the state to issue general obligation bonds up to \$480 million to finance flood reduction and restoration projects.</p> <ul style="list-style-type: none">◆ Contaminants bills: Fire Fighting Foam. Anybody applying PFAS foam is required to report it to Ecology. Crude oil; establishing limit on usage. Aerial pesticide usage.◆ Growth Management Act bills: Limits review time in local jurisdictions. Another on local project review.◆ Water Use Efficiency bills: Low-water landscapes for drought alleviation. Allow lawns to go dormant during droughts.◆ Tiny Houses bills: Concern about plumbing. We support concept, but want to make sure they are properly connected to systems. Q: Are accessory dwellings considered another connection or ERU? A: Depends on which legislation is addressed. Our goal is to provide response, be supportive. Address issue of sufficient capacity to observe.◆ Environmental Justice bills: One develops strategies to help address some problems communities are facing regarding environmental health disparities.◆ Drought bills: Ecology introduced legislation. Currently two thresholds: 75% precipitation or hardship. Two-stage bill with advisory. Creates funding structure to address drought vulnerability.◆ Water Reuse bills: Establishes risk-based standards for onsite, non-local water systems.◆ Q: Regarding bill on excessive dwelling units, this has gotten a lot of attention from utilities. Two bills sitting in House committee, possibly going to floor this week. Provision determining how to address those units. Utilities tend not to like being told how to address the units. Do you guys have a position about this bill? A: We're neutral, haven't been asked to testify. Bills written generally,, not especially clear about what it's trying to do.◆ Q: If there's a substitute bill, are they reconciled? A: No, they're not that far along in session. Regarding another bill, water infrastructure bank, if it does come back we're hopeful that we can implement the budget. If it came back it goes to voters. The utilities folk need to work with ODW to make sure that it doesn't pass in its current platform.
<p>4. Cost Equity for Sanitary Surveys Performed by LHJs vs. ODW, Especially for Small Systems Multiple Speakers</p>	<p>Scott Torpie: Current sanitary survey fee structure and the practical reasons for it.</p> <ul style="list-style-type: none">◆ In 2013 we reviewed our survey program fee structure. At the time, the fee structure was built on principles of fairness to purveyors, eliminating variables of travel time, different surveyor level of effort, etc. We charged a fixed fee as it was more efficient. This allowed purveyors to budget in advance. However, it was contrary to our fee regulation, which states the fee should be charged as an hourly fee. We were advised by our Assistant Attorney General that we should change our practice.



- ◆ We hadn't changed reimbursement to LHJs since 2001. We recognized the need to increase our reimbursement because of inflation and increased expectations (expanded scope of the survey itself).
- ◆ We decided to continue to subsidize our sanitary survey program with state and federal funds, but at a reduced level of subsidy due to concerns over the sustainability of those funding sources. We implemented changes in our sanitary survey fee structure in 2014.
- ◆ We increased our reimbursement rate to LHJs that do and do not charge their own fee.
- ◆ We charge by the hour for systems which serve fewer than 10,000 connections (virtually all systems) for the surveys we do ourselves; but we don't charge for technical assistance, travel time, and any part of surveyor program administration.
- ◆ A handful of LHJs charge their own survey fees. We have no control over their fee regulation or cost reimbursement policies. All LHJs have the option of setting their own survey fee. LHJ survey fees are typically higher than the cost charged by DOH, in large part because LHJs can't significantly subsidize their survey costs with other sources of funding.
- ◆ The majority of states don't charge for surveys like we do. So what we do is necessitated by our budget and our fee WAC.

Steve Lomnicki: Sanitary survey annual state-wide expenditure and revenue data.

- ◆ ODW's budget came from several sources this biennium—16% came from sanitary survey fees. There are state and federal conditions for how we spend the funds. We're projecting \$910,000 in revenue for this fiscal year (the fiscal year begins June 30 of each year).
- ◆ Biennial budget for sanitary survey is \$785,000. We've spent about \$700,000 to date. Of that budget \$210,000 is for LHJ's.

Sue Kennedy: Lewis County fee structure.

- ◆ They signed a contract in 1999, and were paid \$150 per system. Their billable hours are still \$75 per hour; but they weren't making enough money to support costs. It took about seven hours to do each survey; although now it's averaging 8-10 hours. The fee has increased to \$300. The form has changed over time from 2 to 13 pages. Billing has moved to the public health department.
- ◆ Since the new form is asking more of surveyors it's helpful that the state provides more training to surveyors. The cost of doing a survey is driven by management, operator, number of sources, etc. This means not much time is spent on larger systems; smaller systems take more time.
- ◆ In order to get by on the rate they: charge for drive time; pre-load their checklist; and use the old survey photo pages as a template.
- ◆ Having trained staff at the county level still saves state money. Experienced staff can respond to emergencies and they know people at the systems who trust them.



- ◆ **Comment:** The reason why this was brought up was due to another county. The primary issue was addressed to smaller units, like the independent coffee stand, which struggles to finance its water survey.
- ◆ **Question: How much would the fee go up if there were an alternative approach? A:** It's challenging to figure out what something different would look like. Would we pick the highest wage and then match that across the state? Do we do a flat fee that splits the difference, even knowing we may lose some local health service?
- ◆ **Q: What is the problem you're trying to fix? A:** The biggest problem is with smaller systems. We don't allow credit card payments. We're considering that possibility.

Facilitated advisory group input starts here.

HQ

- When people get the bills they look at the state, not the county. What about more involvement from private enterprise?
- Speaking of certified operators, is that not a type of sanitary survey? How can we potentially incorporate neighboring entities—where there's overlap in the process?
- With an eight-page survey, how can that be filled out at a coffee stand?
- Susan tried doing a solid six-hour block at the static fee for a while. But it didn't work for them. Some people felt if they charged more time it was because they weren't good at it.
- ODW tries to absorb some of the extra costs to help counties. The majority of our findings come from TNC's. We do our best to subsidize churches, camp grounds, etc.
- Part of our challenge is clarifying the reality of what it takes to do business within the world of water.
- With WA there are huge distances to travel to serve the public.
- But what's the true cost of the sanitary surveys? WA is a home-ruled state.
- **Summary:** There are challenges with the equity of charging smaller systems. There are potential opportunities for certified operators to help out with surveys.

NWRO: Travel time should be an hourly charge. Maybe think about incentives for reduced rates. Perhaps spend nights near a site to schedule for greater efficiency.

ERO: Increase good will and partnership. Incentives would be useful. Spread word that water systems can ask for additional technical service without extra fees. Maybe charge less for systems with fewer deficiencies; more for systems with more deficiencies.

5. Non-Potable Water Supply Use During Catastrophic Event

- ◆ Moved to a future agenda.



<p>6. Use of Volunteer Operators During Emergencies</p>	<p>Bill Bernier: The role of operators during a catastrophic event.</p> <ul style="list-style-type: none">◆ Volunteer operator has experience, education, and passed the test, but works for free.◆ Four phases of disasters: Preparedness, Mitigation, Response, Recovery.◆ Progression of disaster response: begin at local level. Volunteer organizations can assist if local level can't meet need. If not, state or federal assistance is needed.◆ Volunteers: affiliated or unaffiliated. Types of volunteers, from helpers to exploiters. Help with logistical support or loading/unloading trucks. Provide FEMA benefits match.◆ Burdens, too: can overwhelm management effort; volunteers may not have the skills; etc.◆ Management: create a plan for the program, consider recruitment and placement, supervision and evaluation.◆ Stakeholders: consider schools to faith-based organizations, etc.◆ Prepare messaging ahead of time, remain consistent.◆ Risk Management: prevent injuries to volunteers, property, life.◆ Safety briefing: have volunteers sign liability form.◆ Comment: Ignore non-certified qualification seen elsewhere. <p>Facilitated advisory group input.</p> <p>HQ</p> <ul style="list-style-type: none">◆ HQ: The Fire Department provides a FEMA-certified course in Eatonville. The course is 24 hours in length. They identify your specialty.◆ How to understand operational readiness and assist systems with their preparedness.◆ In Drew's community, some establish team leaders to assist. Smaller systems have been given radios to help pass on messages.◆ Jason hasn't incorporated an emergency response plan yet.◆ NWRO: They all felt like they could do more to help plan preparedness.◆ SWRO: Bill from City of Spokane doesn't operate out of any mutual agreements—nothing with any individual certified operators with agreements.◆ Doug, SMA, has an arrangement codified into a memorandum. Requires all of his assistants to register with ERWOW so they can seek assistance during an emergency.◆ The addressing of everyday emergencies were also discussed.
<p>7. Hearing From Our Public Health Partners Tracey Hunter, Executive Director, Evergreen Rural Water of Washington</p>	<ul style="list-style-type: none">◆ Formed in 1994, seven field staff. Provide training and technical assistance to water and waste water systems serving under 10,000 population.◆ Preparing for "Silver Tsunami" problem: 30% (over next five years) to 50% of operators (over next ten years) will retire. About 2,000 operators needed. Greatest loss is knowledge base.◆ Rural Water Solution: begin developing the next generation. NRWA/ERWOW is a two-year apprenticeship program; 4,000 hours of on-the-job training. 288 hours of instruction.



	<ul style="list-style-type: none">◆ Cost about \$3,800/year vs. community college about \$4,026◆ Job tiers change after year 1 and year 2. 55% of Journey Level Wage during 0-1000 hours, up to 100% after program graduation.◆ They need advocates to help promote the program. Finding entities providing scholarships would be helpful.◆ Questions: Are you using the same courses as L&I or special courses? Answer: The program uses regular courses, but they must be approved by L&I.◆ They are also looking to create an apprentice track during their conferences.◆ Q: How are you demonstrating R&I considerations. A: There are some pre-considerations. And there are certification exams.◆ Q: What is the reason for the discrepancy between the entire program costs versus the hourly unit cost? A: They were looking at an entire program cost when they drafted the estimate.◆ They had to start with a program before they could promote it.◆ Q: What are the qualifications for the sponsoring utility? A: It's an employer-select program, so there's no specific requirements for the employer.
<p>8. Agenda Ideas for Next Meeting Scott Torpie, Meeting Moderator</p>	<ul style="list-style-type: none">◆ Disaster planning: guidance on shutting off water service and delivery of non-potable water as a result of a catastrophic event.◆ Update on PFAS. We will provide an update to revisions of chapter 246-290 WAC on PFAS and other currently unregulated contaminants.