

SENATE BILL REPORT

SHB 2462

As Reported By Senate Committee On:
Environmental Quality & Water Resources, February 25, 2000

Title: An act relating to water quality monitoring.

Brief Description: Requiring notification when microbial contamination in untreated water segments exceeds allowable standards and poses a public health risk.

Sponsors: House Committee on Agriculture & Ecology (originally sponsored by Representatives Reardon, Scott, Cooper, Linville, G. Chandler, Stensen, Barlean, Regala, Santos, Rockefeller, Dunshee, Ruderman, Grant, Kessler, Cody, Kenney, Conway, Wolfe, Ogden, Murray, Schual-Berke, Keiser, Edmonds and Hurst).

Brief History:

Committee Activity: Environmental Quality & Water Resources: 2/22/2000, 2/25/2000
[DPA-WM, DNP].

Ways & Means: 2/28/2000.

SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.
Signed by Senators Fraser, Chair; Eide, Vice Chair; Jacobsen and McAuliffe.

Minority Report: Do not pass.
Signed by Senators Honeyford, Morton and Swecker.

Staff: Richard Ramsey (786-7412)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Kari Guy (786-7437)

Background: Water quality standards and monitoring requirements are established by the Department of Ecology for ambient water quality and by the Department of Health for drinking water source quality, recreational water contact facilities, and swimming beaches. No single standard exists.

The Department of Ecology maintains water quality monitoring stations around the state to determine whether water quality standards are attained. The Department of Health monitors swimming beaches and shellfish growing areas. Other public entities, such as local health departments and public utility districts, contribute to this network of monitoring stations.

Ambient water quality monitoring has identified hundreds of surface waters that fail to meet water quality standards and are listed as impaired under the federal Clean Water Act. When

a violation of drinking water standards occurs, information is provided to consumers in the form of a "boil water" notice. Signs are posted in the case of swimming restrictions. No local entity provides direct mailing to residents.

Children have been shown to be at risk of contracting water borne illness through contact with surface waters.

Summary of Amended Bill: The Department of Health may recommend to the Board of Health a model program for public health standards for surface waters.

The model program addresses: conveying information from surface water quality monitoring to local health jurisdictions when public health standards are exceeded; identification and establishment of public health standards for surface waters; identification of surface waters frequently used by the public for recreation; guidance for local health departments' responses to contamination; guidance for the use of public information resources when a threat to public health is identified, such as posting of water identified as posing a risk to public health, public service announcements through print and electronic media; and guidance for public education activities relating to safe recreational use of surface waters.

The model program must also be adopted by the Department of Health and local health departments.

Amended Bill Compared to Substitute Bill: The bill is restructured and directs the Board of Health to adopt a model program for public health standards for surface waters. The model program must also be adopted by the Department of Health and local health departments. The intent section is amended to restate the federal Clean Water Act goal that surface waters be fishable and swimmable.

The following provisions from the original bill are deleted: requiring water purveyors, public utility districts, cities or towns, and counties to notify the local health district when they find an exceedance of criteria for primary contact recreation and requiring the local health district to post publicly accessible points of entry to water bodies with warning signs.

Appropriation: None.

Fiscal Note: Requested on February 14, 2000.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: It is important to notify the public if surface waters are contaminated. Waters that violate water quality standards need to be posted.

Testimony Against: PUDs that operate hydropower facilities should not be included in this bill. Parasites are not routinely tested for. Waters meeting water quality standards could have parasite or e.coli contamination. Posting is a powerful public health tool; it is important that its value not be diluted. There will be significant fiscal impact because of the required sign postings. It could result in penalizing voluntary monitoring. This should become a study bill that takes a broad public education approach.

Testified: Representative Aaron Reardon, prime sponsor (pro); Norma Jean Dierck (pro); Christian Maitland (pro); Rebecca Maitland (pro); Jake Glazier (pro); Kristen Harte Sawin, WA PUD Assoc. (concerns); Bill White, Department of Health (concerns); Don Miles, WA Assoc. of Local Public Health Officials (concerns); Scott Daniels, Bremerton-Kitsap County Health Department (concerns); Bob Mack, City of Tacoma, (concerns); Ed Thorpe, Coalition for Clean Water (concerns).