

SENATE BILL REPORT

SHB 1283

As of March 18, 2009

Title: An act relating to public water supply system operators.

Brief Description: Modifying provisions regarding the operators of public water supply systems.

Sponsors: House Committee on Environmental Health (originally sponsored by Representatives Rolfes, Campbell, Kretz, Upthegrove and Ormsby; by request of Department of Health).

Brief History: Passed House: 3/05/09, 96-1.

Committee Activity: Environment, Water & Energy: 3/18/09.

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Staff: Karen Epps (786-7424)

Background: A Group A water system or a public water system using a surface or ground water supply under the direct influence of surface water are required to have a certified operator. The Department of Health (Department) oversees the operator certification process. The Department may revoke an operator's certificate for violations involving the portion of the public water system that stores, transmits, pumps, and distributes water to consumers or the public water system's treatment facilities.

Backflow assembly testers and cross-connection control specialists are currently regulated under the Department's general authority to protect public water systems. A backflow assembly tester inspects, tests, and monitors backflow assemblies that protect a public water system. A cross-connection control specialist develops and implements cross-connection control programs.

Summary of Bill: Backflow assembly testers and cross-connection control specialists must be certified by the Department. If the Department requires an examination as a prerequisite for the issuance of a certificate for a backflow assembly tester, a certified operator, or a cross-connection control specialist, the Department must offer the examination in both eastern and western Washington.

The Department may immediately revoke or suspend a certificate for fraud, deceit, or gross negligence involving the operation or maintenance of a public water system, or in the

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inspection, testing, maintenance, or repair of backflow assemblies, devices, or air gaps intended to protect a public water system from contamination, if the certificate was obtained fraudulently, or if there is an intentional violation of the rules of the Department.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This is an important bill for the safety of our water systems. This provides explicit authority to the Department to certify backflow assembly testers and cross-connections control specialists. Under the Department's general authority, cross-connection control specialists have been required to be certified since 1978 and backflow assembly testers have been required to be certified since 1994. This bill clarifies the Department's authority to suspend or revoke an operator's certificate when there has been gross negligence, fraud, or deceit in any part of operating a public water supply. Finally, this bill amends the definition of a public water system consistent with federal Safe Drinking Water Act.

Persons Testifying: PRO: Representative Rolfes, prime sponsor; Gregg Grunenfelder, Department of Health.