H-1416.1

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**HOUSE BILL 1933**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Short and Kretz

AN ACT Relating to authorizing local health jurisdictions to approve certain group B water systems based upon their delivery of water meeting safe drinking water standards for household use; amending RCW 43.20.050; and adding a new section to chapter 70.119A RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 43.20.050 and 2011 c 27 s 1 are each amended to read as follows:

(1) The state board of health shall provide a forum for the development of public health policy in Washington state. It is authorized to recommend to the secretary means for obtaining appropriate citizen and professional involvement in all public health policy formulation and other matters related to the powers and duties of the department. It is further empowered to hold hearings and explore ways to improve the health status of the citizenry.

In fulfilling its responsibilities under this subsection, the state board may create ad hoc committees or other such committees of limited duration as necessary.

(2) In order to protect public health, the state board of health shall:

(a) Adopt rules for group A public water systems, as defined in RCW 70.119A.020, necessary to assure safe and reliable public drinking water and to protect the public health. Such rules shall establish requirements regarding:

(i) The design and construction of public water system facilities, including proper sizing of pipes and storage for the number and type of customers;

(ii) Drinking water quality standards, monitoring requirements, and laboratory certification requirements;

(iii) Public water system management and reporting requirements;

(iv) Public water system planning and emergency response requirements;

(v) Public water system operation and maintenance requirements;

(vi) Water quality, reliability, and management of existing but inadequate public water systems; and

(vii) Quality standards for the source or supply, or both source and supply, of water for bottled water plants;

(b)(i) Adopt rules as necessary for group B public water systems, as defined in RCW 70.119A.020. The rules shall, at a minimum, establish requirements regarding the initial design and construction of a public water system. The state board of health rules may waive some or all requirements for group B public water systems with fewer than five connections.

(ii) Irrespective of the rules adopted pursuant to this subsection (2)(b), a local health jurisdiction, as defined in RCW 70.119A.020, may review and approve the design and construction of a group B system serving nine or fewer connections if the system provides evidence to the local health jurisdiction that the water provided for indoor household use meets or will meet the requirements of the federal safe drinking water act as defined in RCW 70.119A.020 and without respect to the quality of the raw groundwater source used for the group B system. The local health jurisdiction is not required to adopt an ordinance or rule, or to participate in a joint plan of responsibility, as that term is defined in chapter 246-291 WAC as of the effective date of this section, in order to exercise this authority granted in (b)(ii) of this subsection;

(c) Adopt rules and standards for prevention, control, and abatement of health hazards and nuisances related to the disposal of human and animal excreta and animal remains;

(d) Adopt rules controlling public health related to environmental conditions including but not limited to heating, lighting, ventilation, sanitary facilities, and cleanliness in public facilities including but not limited to food service establishments, schools, recreational facilities, and transient accommodations;

(e) Adopt rules for the imposition and use of isolation and quarantine;

(f) Adopt rules for the prevention and control of infectious and noninfectious diseases, including food and vector borne illness, and rules governing the receipt and conveyance of remains of deceased persons, and such other sanitary matters as may best be controlled by universal rule; and

(g) Adopt rules for accessing existing databases for the purposes of performing health related research.

(3) The state board shall adopt rules for the design, construction, installation, operation, and maintenance of those on‑site sewage systems with design flows of less than three thousand five hundred gallons per day.

(4) The state board may delegate any of its rule-adopting authority to the secretary and rescind such delegated authority.

(5) All local boards of health, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and all other officers and employees of the state, or any county, city, or township thereof, shall enforce all rules adopted by the state board of health. In the event of failure or refusal on the part of any member of such boards or any other official or person mentioned in this section to so act, he or she shall be subject to a fine of not less than fifty dollars, upon first conviction, and not less than one hundred dollars upon second conviction.

(6) The state board may advise the secretary on health policy issues pertaining to the department of health and the state.

NEW SECTION. **Sec.**  A new section is added to chapter 70.119A RCW to read as follows:

A local health jurisdiction, as defined in RCW 70.119A.020, may review and approve the design and construction of a group B system serving nine or fewer connections if the system provides evidence to the local health jurisdiction that the water provided for indoor household use meets or will meet the requirements of the federal safe drinking water act as defined in RCW 70.119A.020 and without respect to the quality of the raw groundwater source used for the group B system. The local health jurisdiction is not required to adopt an ordinance or rule, or to participate in a joint plan of responsibility, as that term is defined in chapter 246-291 WAC as of the effective date of this section, in order to exercise this authority granted in RCW 43.20.050(2)(b).

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