

E2SHB 2061 - S AMD 688
By Senator Ericksen

ADOPTED 03/02/2016

1 Strike everything after the enacting clause and insert the
2 following:

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

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

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

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

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

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

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

26 (iii) Public water system management and reporting requirements;

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

29 (v) Public water system operation and maintenance requirements;

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

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

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

9 (ii) Irrespective of the rules adopted pursuant to (b)(i) of this
10 subsection and consistent with section 2 of this act, until January
11 1, 2021, a county legislative authority of a county east of the crest
12 of the Cascade mountains that is contiguous with the border with
13 Canada and that has a population of less than fifty thousand
14 residents may act to approve the operation of a group B public water
15 system, as defined in RCW 70.119A.020, serving nine or fewer
16 connections. A county legislative authority may choose to seek the
17 advice of a local health jurisdiction, as defined in RCW 70.119A.020,
18 in determining whether to approve the operation of a group B public
19 water system under this section;

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

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

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

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

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

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

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

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

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

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.01
15 RCW to read as follows:

16 (1)(a) The county legislative authority of a county east of the
17 crest of the Cascade mountains that is contiguous with the border
18 with Canada and that has a population of less than fifty thousand
19 residents may act to approve the operation of a group B public water
20 system, as defined in RCW 70.119A.020, serving nine or fewer
21 connections if:

22 (i) The raw groundwater source does not meet local water quality
23 standards; and

24 (ii) The system has provided evidence to the county legislative
25 authority that the water provided meets local potable water quality
26 standards at the point at which the water is delivered for potable
27 use.

28 (b) A group B public water system that was authorized under the
29 rules adopted pursuant to RCW 43.20.050, as of the effective date of
30 this section, and that adds connections to the group B public water
31 system, may receive approval from the county legislative authority
32 pursuant to (a) of this section to expand the number of connections
33 in the group B public water system, but only if the total number of
34 connections does not exceed nine connections.

35 (2)(a) A group B public water system must submit test results to
36 the county legislative authority by December 15th of each year
37 demonstrating that the potable water delivered meets local potable
38 water standards, if the group B public water system was approved by
39 the county legislative authority under subsection (1) of this

1 section. By December 15th of each year, a group B public water system
2 must also provide a copy of the test results submitted to the county
3 legislative authority to each customer connection served by the group
4 B public water system. The county legislative authority must provide
5 submitted test results to the local health jurisdiction.

6 (b) The county legislative authority must designate at least one
7 county employee as a point of contact for questions, problems, and
8 other issues relating to group B public water systems. The county
9 legislative authority must provide a notice identifying the county's
10 point of contact to a group B public water system owner and operator
11 upon the system's approval under this section, and either party must
12 notify the other if there is a change in ownership, operator, or the
13 county's point of contact.

14 (3) Prior to a county's approval of a group B public water system
15 where raw groundwater does not meet water quality standards under
16 this section, the group B public water system must review alternate
17 sources of water and share that review with its owners and the
18 county. The alternative sources that a group B public water system
19 should consider includes, but is not limited to, rainwater
20 collection, truck and storage systems, or other nontraditional
21 conveyance methods. The county legislative authority may require that
22 a group B public water system treat any alternative water sources
23 that it relies upon.

24 (4) By January 15, 2019, a county that approves a group B public
25 water system under the authority granted in this section must submit
26 a report to the appropriate fiscal and policy committees of the
27 legislature consistent with RCW 43.01.036. The report must summarize
28 information pertinent to the county's implementation of this section,
29 including but not limited to:

30 (a) The number of group B public water systems and associated new
31 connections that were approved by the county legislative authority
32 after January 1, 2016, under the authority granted in this section;

33 (b) The test results submitted to the county legislative
34 authority under subsection (2) of this section and analysis of
35 whether those test results indicate that group B public water systems
36 delivered water that met local potable water quality standards; and

37 (c) The contaminants that were present in water sources used by
38 the group B public water systems approved under this section and the
39 types of treatment used to address each contaminant by the group B
40 public water systems.

1 (5) For the purposes of this section "local potable water quality
2 standards" means water quality standards that apply to private water
3 wells exempted under RCW 90.44.050 that are located in the same
4 county as the group B public water system, including but not limited
5 to standards for known contaminants identified by and in consultation
6 with a local health jurisdiction.

7 (6) The authority established in this section for a county
8 legislative authority to approve a group B public water system
9 expires January 1, 2021."

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10 On page 1, line 3 of the title, after "standards;" strike the
11 remainder of the title and insert "amending RCW 43.20.050; and adding
12 a new section to chapter 36.01 RCW."

EFFECT: Requires group B water systems to provide a copy of water test results to each of its customers; requires a county approving a group B system under the authority granted in the bill to provide a report to the appropriate legislative committees summarizing implementation, the number of group B water systems and new connections approved, test results, and treatment types for each contaminant; and defines local potable water standards.

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