
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2061

State of Washington

64th Legislature

2016 Regular Session

By House Environment (originally sponsored by Representatives Short and Kretz)

READ FIRST TIME 01/21/16.

1 AN ACT Relating to authorizing county legislative authorities to
2 approve certain group B water systems based upon their delivery of
3 water meeting safe drinking water standards; amending RCW 43.20.050;
4 and adding a new section to chapter 36.01 RCW.

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

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

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

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

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

20 (a) Adopt rules for group A public water systems, as defined in
21 RCW 70.119A.020, necessary to (~~assure~~) ensure safe and reliable

1 public drinking water and to protect the public health. Such rules
2 shall establish requirements regarding:

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

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

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

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

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

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

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

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

22 (ii) Irrespective of the rules adopted pursuant to (b)(i) of this
23 subsection and consistent with section 2 of this act, until January
24 1, 2021, a county legislative authority of a county east of the crest
25 of the Cascade mountains that is contiguous with the border with
26 Canada and that has a population of less than fifty thousand
27 residents may act to approve the operation of a group B public water
28 system, as defined in RCW 70.119A.020, serving nine or fewer
29 connections. A county legislative authority may choose to seek the
30 advice of a local health jurisdiction, as defined in RCW 70.119A.020,
31 in determining whether to approve the operation of a group B public
32 water system under this section;

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

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

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

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

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

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

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

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

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

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

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

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

37 (ii) The system has provided evidence to the county legislative
38 authority that the water provided meets local potable water quality

1 standards at the point at which the water is delivered for potable
2 use.

3 (b) A group B public water system that was authorized under the
4 rules adopted pursuant to RCW 43.20.050, as of the effective date of
5 this section, and that adds connections to the group B public water
6 system, may receive approval from the county legislative authority
7 pursuant to (a) of this section to expand the number of connections
8 in the group B public water system, but only if the total number of
9 connections does not exceed nine connections.

10 (2) A group B public water system must submit test results to the
11 county legislative authority by December 15th of each year
12 demonstrating that the potable water delivered meets local potable
13 water standards, if the group B public water system was approved by
14 the county legislative authority under subsection (1) of this
15 section. Upon the request of a local health jurisdiction, the county
16 legislative authority must provide submitted test results to the
17 local health jurisdiction. The county legislative authority must
18 designate at least one county employee as a point of contact for
19 questions, problems, and other issues relating to group B public
20 water systems. The county legislative authority must provide a notice
21 identifying the county's point of contact to a group B public water
22 system owner and operator upon the system's approval under this
23 section, and either party must notify the other if there is a change
24 in ownership, operator, or the county's point of contact.

25 (3) Prior to a county's approval of a group B public water system
26 where raw groundwater does not meet water quality standards under
27 this section, the group B public water system must review alternate
28 sources of water and share that review with its owners and the
29 county. The alternative sources that a group B public water system
30 should consider includes, but is not limited to, rainwater
31 collection, truck and storage systems, or other nontraditional
32 conveyance methods. The county legislative authority may require that
33 a group B public water system treat any alternative water sources
34 that it relies upon.

35 (4) The authority established in this section for a county
36 legislative authority to approve a group B public water system
37 expires January 1, 2021.

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