

WAC 246-294-050 Permit issuance. (1) The department shall grant or deny the operating permit within one hundred twenty days of receiving a completed application and full payment.

(2) Issuance of an operating permit means that the owner may operate the permitted system until the date specified on the permit unless protection of the public health, safety, and welfare requires immediate response or the imposition of conditions.

(3) At the time of permit issuance, the department may impose permit conditions and compliance schedules that the department determines are necessary to ensure that the system will provide safe and reliable drinking water, consistent with the provisions of chapters 246-290 and 246-292 WAC.

(4) The department may modify an operating permit at any time based on review of the evaluation criteria in WAC 246-294-040(2). If the department modifies a permit, the department will send the owner a revised permit with the same expiration date. The department will also notify the appropriate local jurisdiction of the change in status.

(5) The department may revoke an operating permit or deny an operating permit application if the department determines that the system operation constitutes or may constitute a public health hazard to consumers.

(6) When the department takes action to deny, condition, modify, or revoke an operating permit, the department shall follow the steps outlined in RCW 43.70.115.

(7) An operating permit applicant may file an appeal under chapter 34.05 RCW, if the department denies, conditions, modifies, or revokes the operating permit. To appeal a department action, the owner shall submit to the department a written appeal within twenty-eight days of receiving the adverse notice.

The appeal shall state:

(a) The issue or issues and law involved; and

(b) The basis for appealing the department's decision.

(8) Any owner that requests a hearing under chapter 34.05 RCW may continue to operate the system until the department issues a final departmental decision, unless the department determines protection of the public health, safety, and welfare requires summary action.

[Statutory Authority: Chapter 70.119A RCW. WSR 04-06-047, § 246-294-050, filed 3/1/04, effective 4/1/04; WSR 93-03-047 (Order 325), § 246-294-050, filed 1/14/93, effective 2/14/93.]