
SUBSTITUTE SENATE BILL 6370

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Energy, Telecommunications & Utilities
(originally sponsored by Senators Roach, Morton and A. Anderson)

Read first time 02/02/96.

1 AN ACT Relating to defining public water system; and amending RCW
2 70.116.030, 70.119.020, and 70.119A.020.

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

4 **Sec. 1.** RCW 70.116.030 and 1991 c 3 s 366 are each amended to read
5 as follows:

6 Unless the context clearly requires otherwise, the following terms
7 when used in this chapter shall be defined as follows:

8 (1) "Coordinated water system plan" means a plan for public water
9 systems within a critical water supply service area which identifies
10 the present and future needs of the systems and sets forth means for
11 meeting those needs in the most efficient manner possible. Such a plan
12 shall include provisions for subsequently updating the plan. In areas
13 where more than one water system exists, a coordinated plan may consist
14 of either: (a) A new plan developed for the area following its
15 designation as a critical water supply service area; or (b) a
16 compilation of compatible water system plans existing at the time of
17 such designation and containing such supplementary provisions as are
18 necessary to satisfy the requirements of this chapter. Any such
19 coordinated plan must include provisions regarding: Future service

1 area designations; assessment of the feasibility of shared source,
2 transmission, and storage facilities; emergency inter-ties; design
3 standards; and other concerns related to the construction and operation
4 of the water system facilities.

5 (2) "Critical water supply service area" means a geographical area
6 which is characterized by a proliferation of small, inadequate water
7 systems, or by water supply problems which threaten the present or
8 future water quality or reliability of service in such a manner that
9 efficient and orderly development may best be achieved through
10 coordinated planning by the water utilities in the area.

11 (3) "Public water system" means any system providing ~~((water~~
12 ~~intended for, or used for, human consumption or other domestic uses.~~
13 ~~It includes, but is not limited to, the source, treatment for purifying~~
14 ~~purposes only, storage, transmission, pumping, and distribution~~
15 ~~facilities where water is furnished to any community, or number of~~
16 ~~individuals, or is made available to the public for human consumption~~
17 ~~or domestic use, but excluding water systems serving one single family~~
18 ~~residence. However, systems existing on September 21, 1977 which are~~
19 ~~owner operated and serve less than ten single family residences or~~
20 ~~which serve only one industrial plant shall be excluded from this~~
21 ~~definition and the provisions of this chapter)) piped water for human
22 consumption, including any collection, treatment, storage, or
23 distribution facilities under the control of the purveyor and used
24 primarily in connection with the system, and collection or pretreatment
25 storage facilities not under control of the purveyor but primarily used
26 in connection with the system. "Public water system" does not include:
27 (a) Any system serving only one single-family residence; (b) any system
28 with four or fewer connections, if an ordinance exempting these systems
29 is approved by the local legislative authority; (c) any system with
30 four or fewer connections, all of which serve residences on the same
31 farm; or (d) any system that existed on September 21, 1977, and that is
32 owner-operated and serves less than ten single-family residences or
33 that serves only one industrial plant.~~

34 (4) "Purveyor" means any agency or subdivision of the state or any
35 municipal corporation, firm, company, mutual or cooperative
36 association, institution, partnership, or person or any other entity,
37 that owns or operates for wholesale or retail service a public water
38 system. It also means the authorized agents of any such entities.

1 (5) "Secretary" means the secretary of the department of health or
2 the secretary's authorized representative.

3 (6) "Service area" means a specific geographical area serviced or
4 for which service is planned by a purveyor.

5 **Sec. 2.** RCW 70.119.020 and 1995 c 269 s 2904 are each amended to
6 read as follows:

7 As used in this chapter unless context requires another meaning:

8 (1) "Certificate" means a certificate of competency issued by the
9 secretary stating that the operator has met the requirements for the
10 specified operator classification of the certification program.

11 (2) "Certified operator" means an individual holding a valid
12 certificate and employed or appointed by any county, water district,
13 municipality, public or private corporation, company, institution,
14 person, or the state of Washington and who is designated by the
15 employing or appointing officials as the person responsible for active
16 daily technical operation.

17 (3) "Department" means the department of health.

18 (4) "Distribution system" means that portion of a public water
19 system which stores, transmits, pumps and distributes water to
20 consumers.

21 (5) "Ground water under the direct influence of surface water"
22 means any water beneath the surface of the ground with:

23 (a) Significant occurrence of insects or other macroorganisms,
24 algae, or large diameter pathogens such as giardia lamblia; or

25 (b) Significant and relatively rapid shifts in water
26 characteristics such as turbidity, temperature, conductivity, or pH
27 which closely correlate to climatological or surface water conditions.

28 (6) "Group A water system" means a system with fifteen or more
29 service connections, regardless of the number of people; or a system
30 serving an average of twenty-five or more people per day for sixty or
31 more days within a calendar year, regardless of the number of service
32 connections. Group A water system does not include a system serving
33 fewer than fifteen single-family residences, regardless of the number
34 of people.

35 (7) "Nationally recognized association of certification
36 authorities" shall mean an organization which serves as an information
37 center for certification activities, recommends minimum standards and
38 guidelines for classification of potable water treatment plants, water

1 distribution systems and waste water facilities and certification of
2 operators, facilitates reciprocity between state programs and assists
3 authorities in establishing new certification programs and updating
4 existing ones.

5 (8) "Public water system" means any system(~~(, excluding a system~~
6 ~~servicing only one single family residence and a system with four or~~
7 ~~fewer connections all of which serve residences on the same farm,~~
8 ~~providing piped water for human consumption, including any collection,~~
9 ~~treatment, storage, or distribution facilities under control of the~~
10 ~~purveyor and used primarily in connection with the system; and~~
11 ~~collection or pretreatment storage facilities not under control of the~~
12 ~~purveyor but primarily used in connection with the system)) as defined
13 in RCW 70.119A.020.~~

14 (9) "Purification plant" means that portion of a public water
15 system which treats or improves the physical, chemical or
16 bacteriological quality of the system's water to bring the water into
17 compliance with state board of health standards.

18 (10) "Secretary" means the secretary of the department of health.

19 (11) "Service" means a connection to a public water system designed
20 to serve a single-family residence, dwelling unit, or equivalent use.
21 If the facility has group home or barracks-type accommodations, three
22 persons will be considered equivalent to one service.

23 (12) "Surface water" means all water open to the atmosphere and
24 subject to surface runoff.

25 **Sec. 3.** RCW 70.119A.020 and 1994 c 252 s 2 are each amended to
26 read as follows:

27 Unless the context clearly requires otherwise, the following
28 definitions apply throughout this chapter:

29 (1) "Department" means the department of health.

30 (2) "Local board of health" means the city, town, county, or
31 district board of health.

32 (3) "Local health jurisdiction" means an entity created under
33 chapter 70.05, 70.08, or 70.46 RCW which provides public health
34 services to persons within the area.

35 (4) "Public water system" means any system(~~(, excluding a system~~
36 ~~servicing only one single family residence and a system with four or~~
37 ~~fewer connections all of which serve residences on the same farm,~~)
38 providing piped water for human consumption, including any collection,

1 treatment, storage, or distribution facilities under control of the
2 purveyor and used primarily in connection with the system((+)), and
3 collection or pretreatment storage facilities not under control of the
4 purveyor but primarily used in connection with the system(~~(, including:~~

5 ~~(a) Any collection, treatment, storage, and distribution facilities~~
6 ~~under control of the purveyor and used primarily in connection with~~
7 ~~such system; and~~

8 ~~(b) Any collection or pretreatment storage facilities not under~~
9 ~~control of the purveyor which are primarily used in connection with~~
10 ~~such system)). "Public water system" does not include: (a) Any system~~
11 ~~servicing only one single-family residence; (b) any system with four or~~
12 ~~fewer connections, if an ordinance exempting these systems is approved~~
13 ~~by the local legislative authority; or (c) any system with four or~~
14 ~~fewer connections, all of which serve residences on the same farm.~~

15 (5) "Order" means a written direction to comply with a provision of
16 the regulations adopted under RCW 43.20.050(2)(a) or 70.119.050 or to
17 take an action or a series of actions to comply with the regulations.

18 (6) "Purveyor" means any agency or subdivision of the state or any
19 municipal corporation, firm, company, mutual or cooperative
20 association, institution, partnership, or person or any other entity,
21 that owns or operates a public water system. It also means the
22 authorized agents of any such entities.

23 (7) "Regulations" means rules adopted to carry out the purposes of
24 this chapter.

25 (8) "Federal safe drinking water act" means the federal safe
26 drinking water act, 42 U.S.C. Sec. 300f et seq., as now in effect or
27 hereafter amended.

28 (9) "Area-wide waivers" means a waiver granted by the department as
29 a result of a geographically based testing program meeting required
30 provisions of the federal safe drinking water act.

31 (10) "Local health officer" means the legally qualified physician
32 who has been appointed as the health officer for the city, town,
33 county, or district public health department.

34 (11) "Person" includes, but is not limited to, natural persons,
35 municipal corporations, governmental agencies, firms, companies, mutual
36 or cooperative associations, institutions, and partnerships. It also
37 means the authorized agents of any such entities.

1 (12) "Public health emergency" means a declaration by an authorized
2 health official of a situation in which either illness, or exposure
3 known to cause illness, is occurring or is imminent.

4 (13) "Secretary" means the secretary of the department of health.

5 (14) "State board of health" is the board created by RCW 43.20.030.

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