

FINAL BILL REPORT

E2SHB 1969

C 218 L 97

Synopsis as Enacted

Brief Description: Regulating public water systems.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Chandler and Regala; by request of Department of Health).

House Committee on Agriculture & Ecology
House Committee on Appropriations
Senate Committee on Agriculture & Environment
Senate Committee on Energy & Utilities

Background: Group A water systems are generally required to have a certified operator. The Department of Health (DOH) is required to phase in the requirements for certified operators for public water systems with less than 100 connections to assure that there are enough certified operators available to serve these systems and to give these systems time to obtain a certified operator. Changes in federal law may require all Group A water systems to have certified operators.

The DOH is required to develop and implement a voluntary program to allow public water systems to be waived from the full testing requirements for chemicals under the federal Safe Drinking Water Act (SDWA). There is no authority for the DOH to operate a consolidated source monitoring program.

In 1995, the Legislature created a drinking water assistance account to allow the state to use federal funds that became available under the SDWA. The account is administered by the DOH and the Public Works Board (PWB) and is used to provide funding for water systems to assist them in providing safe drinking water. Money may only be expended from the account by the DOH or the PWB after appropriation. Congress approved funding under the SDWA in 1996.

Summary: The Department of Health (DOH) must require all Group A water systems to have a certified operator if it is necessary to conform to federal law, rules, or guidelines.

The DOH is required to implement a program to monitor source water quality on a consolidated statewide basis, rather than by individual water systems, to allow public water systems to be waived from full federal testing requirements for chemicals. The

DOH must arrange for the initial sampling and provide for testing and programmatic costs to the extent funding is provided by the Legislature.

Expenditures from the drinking water assistance account may only be made by the DOH, the Public Works Board (PWB), or the Department of Community, Trade and Economic Development (CTED) after appropriation. The money may only be used to assure water systems provide safe drinking water and other activities authorized under federal law. Interest earned on the account, including repayments, remains in the account and may be used for eligible purposes.

The DOH and the PWB must establish and maintain a program to use moneys in the drinking water assistance account in accordance with provisions under the federal SDWA. The DOH, the PWB, and the CTED must adopt final joint rules and requirements for providing financial assistance to public water systems in consultation with purveyors and other affected and interested parties by January 1, 1999. Prior to this date, the DOH and the PWB may establish and use guidelines to ensure the quick disbursement of the funds. Any guidelines must be converted to rules by January 1, 1999. After December 31, 1998, any requirements must be established by rule. By December 15, 1997, the DOH and the PWB must report to the Legislature on the status of the program.

Any state agency participating in providing service under the drinking water assistance account must provide cost-effective and timely services. These mechanisms include (1) adopting federal guidelines by reference into rules; (2) using existing management mechanisms rather than creating new ones; (3) investigating the use of service contracts with governmental and nongovernmental service providers; (4) using joint or combined financial assistance applications; and (5) other methods designed to expedite the delivery of service and financial assistance.

The DOH shall determine assistance priorities and oversee activities related to the assistance other than financial administration.

After consulting with interested parties, the DOH, the PWB, and the CTED must develop a memorandum of understanding setting forth the duties of each.

The PWB and the DOH must begin making disbursements of funds from the drinking water assistance account no later than October 1, 1997.

Votes on Final Passage:

House 95 0

Senate 46 0

Effective: April 25, 1997