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SENATE BILL 5937

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State of Washington

55th Legislature

1997 Regular Session

By Senator Hochstatter

Read first time 02/20/97. Referred to Committee on Agriculture & Environment.

1 AN ACT Relating to public water supply systems; and amending RCW  
2 43.20.025, 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 43.20.025 and 1989 1st ex.s. c 9 s 208 are each  
5 amended to read as follows:

6 Unless the context clearly requires otherwise, the definitions in  
7 this section apply throughout this chapter.

8 (1) "Consumer representative" means any person who is not an  
9 elected official, who has no fiduciary obligation to a health facility  
10 or other health agency, and who has no material financial interest in  
11 the rendering of health services.

12 (2) (~~"Council" means the health care access and cost control~~  
13 ~~council.~~

14 ~~(3))~~ "Department" means the department of health.

15 ~~((4))~~ (3) "Secretary" means the secretary of health, or the  
16 secretary's designee.

17 ~~((5))~~ (4) "Local health board" means a health board created  
18 pursuant to chapter 70.05, 70.08, or 70.46 RCW.

1       (~~(6)~~) (5) "Local health officer" means the legally qualified  
2 physician appointed as a health officer pursuant to chapter 70.05,  
3 70.08, or 70.46 RCW.

4       (~~(7)~~) (6) "State board" means the state board of health created  
5 under chapter 43.20 RCW.

6       (7) "Public water system" means any system with more than fifteen  
7 connections providing piped water for human consumption, including any  
8 collection, treatment, storage, or distribution facilities under  
9 control of the purveyor and used primarily in connection with the  
10 system; and collection or pretreatment storage facilities not under  
11 control of the purveyor but primarily used in connection with the  
12 system.

13       **Sec. 2.** RCW 70.116.030 and 1991 c 3 s 366 are each amended to read  
14 as follows:

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

17       (1) "Coordinated water system plan" means a plan for public water  
18 systems within a critical water supply service area which identifies  
19 the present and future needs of the systems and sets forth means for  
20 meeting those needs in the most efficient manner possible. Such a plan  
21 shall include provisions for subsequently updating the plan. In areas  
22 where more than one water system exists, a coordinated plan may consist  
23 of either: (a) A new plan developed for the area following its  
24 designation as a critical water supply service area; or (b) a  
25 compilation of compatible water system plans existing at the time of  
26 such designation and containing such supplementary provisions as are  
27 necessary to satisfy the requirements of this chapter. Any such  
28 coordinated plan must include provisions regarding: Future service  
29 area designations; assessment of the feasibility of shared source,  
30 transmission, and storage facilities; emergency inter-ties; design  
31 standards; and other concerns related to the construction and operation  
32 of the water system facilities.

33       (2) "Critical water supply service area" means a geographical area  
34 which is characterized by a proliferation of small, inadequate water  
35 systems, or by water supply problems which threaten the present or  
36 future water quality or reliability of service in such a manner that  
37 efficient and orderly development may best be achieved through  
38 coordinated planning by the water utilities in the area.

1       (3) "Public water system" means any system (~~providing water~~  
2 ~~intended for, or used for, human consumption or other domestic uses.~~  
3 ~~It includes, but is not limited to, the source, treatment for purifying~~  
4 ~~purposes only, storage, transmission, pumping, and distribution~~  
5 ~~facilities where water is furnished to any community, or number of~~  
6 ~~individuals, or is made available to the public for human consumption~~  
7 ~~or domestic use, but excluding water systems serving one single family~~  
8 ~~residence. However, systems existing on September 21, 1977 which are~~  
9 ~~owner operated and serve less than ten single family residences or~~  
10 ~~which serve only one industrial plant shall be excluded from this~~  
11 ~~definition and the provisions of this chapter)) with more than fifteen  
12 connections providing piped water for human consumption, including any  
13 collection, treatment, storage, or distribution facilities under  
14 control of the purveyor and used primarily in connection with the  
15 system; and collection or pretreatment storage facilities not under  
16 control of the purveyor but primarily used in connection with the  
17 system.~~

18       (4) "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 for wholesale or retail service a public water  
22 system. It also means the authorized agents of any such entities.

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

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

27       **Sec. 3.** RCW 70.119.020 and 1995 c 269 s 2904 are each amended to  
28 read as follows:

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

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

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

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

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

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

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

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

12 (6) "Group A water system" means a system with fifteen or more  
13 service connections, regardless of the number of people; or a system  
14 serving an average of twenty-five or more people per day for sixty or  
15 more days within a calendar year, regardless of the number of service  
16 connections. Group A water system does not include a system serving  
17 fewer than fifteen single-family residences, regardless of the number  
18 of people.

19 (7) "Nationally recognized association of certification  
20 authorities" shall mean an organization which serves as an information  
21 center for certification activities, recommends minimum standards and  
22 guidelines for classification of potable water treatment plants, water  
23 distribution systems and waste water facilities and certification of  
24 operators, facilitates reciprocity between state programs and assists  
25 authorities in establishing new certification programs and updating  
26 existing ones.

27 (8) "Public water system" means any system(~~(, excluding a system~~  
28 ~~serving only one single family residence and a system with four or~~  
29 ~~fewer connections all of which serve residences on the same farm,)~~)  
30 with more than fifteen connections providing piped water for human  
31 consumption, including any collection, treatment, storage, or  
32 distribution facilities under control of the purveyor and used  
33 primarily in connection with the system; and collection or pretreatment  
34 storage facilities not under control of the purveyor but primarily used  
35 in connection with the system.

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

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

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

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

8 **Sec. 4.** RCW 70.119A.020 and 1994 c 252 s 2 are each amended to  
9 read as follows:

10 Unless the context clearly requires otherwise, the following  
11 definitions apply throughout this chapter:

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

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

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

18 (4) "Public water system" means any system(~~(, excluding a system~~  
19 ~~servicing only one single-family residence and a system with four or~~  
20 ~~fewer connections all of which serve residences on the same farm,~~  
21 ~~providing piped water for human consumption, including any collection,~~  
22 ~~treatment, storage, or distribution facilities under control of the~~  
23 ~~purveyor and used primarily in connection with the system; and~~  
24 ~~collection or pretreatment storage facilities not under control of the~~  
25 ~~purveyor but primarily used in connection with the system, including:~~

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

29 ~~(b) Any collection or pretreatment storage facilities not under~~  
30 ~~control of the purveyor which are primarily used in connection with~~  
31 ~~such system)) with more than fifteen connections providing piped water~~  
32 ~~for human consumption, including any collection, treatment, storage, or~~  
33 ~~distribution facilities under control of the purveyor and used~~  
34 ~~primarily in connection with the system; and collection or pretreatment~~  
35 ~~storage facilities not under control of the purveyor but primarily used~~  
36 ~~in connection with the system.~~

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

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

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

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

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

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

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

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

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

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

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