

SENATE BILL REPORT

E2SHB 2061

As of February 24, 2016

Title: An act relating to authorizing county legislative authorities to approve certain group B water systems based upon their delivery of water meeting safe drinking water standards.

Brief Description: Authorizing county legislative authorities to approve certain group B water systems based upon their delivery of water meeting safe drinking water standards.

Sponsors: House Committee on Environment (originally sponsored by Representatives Short and Kretz).

Brief History: Passed House: 2/16/16, 70-27.

Committee Activity: Energy, Environment & Telecommunications: 2/24/16.

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Staff: Jan Odano (786-7486)

Background: Drinking water systems are categorized by the number of service connections and people served. Group A water systems have 15 or more service connections, or regularly serve 25 or more people for 60 or more days per year and must adhere to federal Safe Drinking Water Act water quality, reporting, and monitoring requirements. These systems must have an annual operating permit and are subject to comprehensive monitoring requirements.

The State Board of Health (SBOH) adopts rules for Group B drinking water systems, which have less than 15 service connections and serve fewer than 25 people per day. The Department of Health (DOH) administers drinking water programs and is responsible for program elements for primary enforcement. DOH administers requirements for Group B drinking water systems unless an LHJ has adopted rules that are at least as stringent as the rules adopted by SBOH. DOH or an LHJ must approve Group B system design and groundwater source prior to new or expanded system operations. Groundwater source approval is dependent on contaminant levels that do not show a presence of coliform bacteria and do not exceed a maximum contaminant level for certain water pollutants such as arsenic, nitrates, and mercury. Other contaminants, such as zinc, and iron, may exceed the maximum level in the raw groundwater as long as the water delivered to the consumer does not exceed the maximum level.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

County governments under the Washington State Constitution may be one of two forms: (1) a "commission" form, to be established through general laws by the Legislature; and (2) a "home rule" charter form, which any county may choose to adopt. In counties with a commission form of government, the legislative body must be the three-member board of elected commissioners; in home rule counties, the legislative authority may be an elected council.

Summary of Bill: Until January 1, 2021, certain county legislative authorities east of the Cascade mountains sharing a border with Canada and with a population of less than 50,000 residents may approve operations of Group B water systems serving less than 9 connections, if the raw groundwater source does not meet local water quality standards and the system has provided evidence that the water delivered to the consumer meets local potable water quality standards.

Prior to approval, the Group B water system must review alternative sources of water and share the review with its owners and the county. Alternate sources of water include rainwater collection, truck and storage systems, or other nontraditional conveyance methods. The water system may be required to treat alternate sources of water.

A Group B water system must provide test results demonstrating the water delivered meets local potable water standards to the county legislative authority by December 15th of each year. The county legislative authority must provide test results to the LHJ when requested.

The county legislative authority may approve Group B water system that has been authorized by DOH or an LHJ to expand to up to 9 connections.

The county legislative authority must have at least one county employee as a point of contact for questions and issues relating to Group B water systems.

Notice of the county point of contact must be provided by the county legislative authority to the Group B water system owner or operator when the system is approved. The county legislative authority and Group B water system must notify each other when there is a change in ownership, operator or point of contact.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.