**6342-S2 AMH ENVI H5156.1 - NOT FOR FLOOR USE**

**2SSB 6342** - H COMM AMD

By Committee on Environment & Energy

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  (1) The legislature finds that ensuring safe drinking water is a primary concern for protecting public health. The federal safe drinking water act was established to protect the quality of drinking water through standards and regulations adopted by the United States environmental protection agency and implemented by the state. The United States has been known for safe and reliable drinking water. However, public health needs to keep pace with evolving science in developing and reevaluating standards to protect drinking water from contaminants.

(2) The legislature intends to protect public health, including vulnerable populations, by requiring the department of health to develop maximum contaminant levels or state action levels that take into account the best available science and treatment techniques to ensure safe drinking water.

NEW SECTION. **Sec.**  A new section is added to chapter 70.142 RCW to read as follows:

The definitions in this section apply throughout sections 3 and 4 of this act unless the context clearly requires otherwise.

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

(2) "Group A water system" means a system with fifteen or more service connections, regardless of the number of people; or a system serving an average of twenty-five or more people per day for sixty or more days within a calendar year, regardless of the number of service connections.

(3) "PFAS chemicals" means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom and referred to as perfluoroalkyl and polyfluoroalkyl substances.

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

(5) "State action level" means the concentration of a contaminant or group of contaminants, without a maximum contaminant level, established by the department to protect public health, and when exceeded, triggers actions water purveyors must take.

NEW SECTION. **Sec.**  A new section is added to chapter 70.142 RCW to read as follows:

(1)(a) The state board of health must require public water systems at risk for PFAS chemicals contamination to test drinking water for PFAS chemicals. The state board of health may require other public water systems to test drinking water for PFAS chemicals. Tests must be carried out using an approved United States environmental protection agency method or another method approved by the department.

(b) The state board of health and the department may work with local health jurisdictions to determine public water systems at risk for contamination as well as testing and monitoring parameters.

(c) The samples must be collected by public water systems and must be transported and submitted for analysis consistent with the United States environmental protection agency methods or other department-approved methods. The test results must include all results from United States environmental protection agency-approved methods or other department-approved methods and must be provided to the department.

(2)(a) By July 1, 2022, the department must provide a report to the legislature consistent with RCW 43.01.036 that includes a review of:

(i) The test results and the extent to which any PFAS chemicals are found in public water systems, as determined under subsection (1) of this section;

(ii) The statewide scope and scale of PFAS chemical contamination in public water systems and group A water systems and effective and efficient mitigation efforts to address sources of PFAS chemical contamination;

(iii) Public water and group A water systems needs to address PFAS chemical contamination, including costs and impacts to consumers;

(iv) Impacts on vulnerable populations from PFAS chemical contamination;

(v) Other unregulated contaminants for which increased monitoring should be required of some or all public water systems; and

(vi) Recommendations for whether the state board of health should establish a state action level or maximum contaminant level for PFAS, or whether some or all state board of health actions on PFAS chemicals will be sufficiently addressed by federal standards.

(b) When developing the report, the department must consult with group A water systems and endeavor to review efforts by group A water systems that are mitigating for PFAS chemical contamination.

NEW SECTION. **Sec.**  A new section is added to chapter 70.142 RCW to read as follows:

(1) The state board of health must establish for group A water systems statewide maximum contaminant levels or state action levels for PFAS chemicals.

(2)(a) If there is sufficient evidence that PFAS chemical contamination is likely to occur in Washington waters, but there is not sufficient economic data available or such data does not support the adoption of a maximum contaminant level under subsection (1) of this section, the department may recommend, and the state board of health may approve, a state action level for some or all PFAS chemicals.

(b) Upon the establishment of a state action level, the department may require some or all public water supply systems to monitor for the contaminant.

(c) When a state action level is exceeded, the department may require that public water supply systems undertake certain follow-up actions, including continued monitoring for the contaminant, and the issuance of timely public notification to water supply system customers regarding:

(i) Contaminant specific health information;

(ii) Steps consumers may take to protect their health; and

(iii) Steps that the water supply system plans to take to address the contaminant.

(3) When establishing maximum contaminant levels or state action levels, the state board of health must review maximum contaminant levels or other health advisory levels adopted by other states, the studies and scientific evidence reviewed by those states, material in the agency for toxic substances and disease registry, and the latest peer-reviewed science and independent or government agency studies."

Correct the title.

EFFECT: Narrows the requirements for public water systems to test for PFAS chemicals to only those systems at risk for PFAS contamination, but authorizes the Board of Health to require other public water systems to test for PFAS chemicals. Eliminates the specified January 1, 2021, start date for PFAS testing requirements. Requires the 2022 report to the Legislature to assess impacts from PFAS contamination on vulnerable populations and recommendations for how to address PFAS chemical drinking water standards through specified regulatory tools. Directs the Board of Health to adopt either a maximum contaminant level or a state action level, and specifies the circumstances in which a state action level would be the appropriate regulatory tool. Specifies that the Department of Health may require that public water systems undertake certain follow-up actions in the event that a state action level is exceeded, including notification to customers and continued monitoring for the contaminant.