

**WAC 246-294-040 Operating permit categories.** (1) The department shall evaluate and place each system into one of the categories in subsection (2) of this section. Each permit shall clearly identify the category into which the system is placed.

(2) The department will use the criteria from drinking water regulations to evaluate systems and place them into the following operating permit categories:

(a) Category green. This category represents systems that are in substantial compliance with drinking water regulations. The department considers systems in this category as adequate for existing uses and adding new service connections up to the number of approved service connections.

(b) Category yellow. This category represents systems that are substantially in compliance with drinking water regulations, except that the system:

(i) Has been notified of the water system planning provisions of WAC 246-290-100 and has failed to satisfy the requirements; and/or

(ii) Is a state significant noncomplier that has signed a compliance agreement with the department to resolve the violations and is acting in accordance with the compliance agreement.

The department considers systems in the yellow category as adequate for existing uses and new service connections up to the number of approved service connections unless otherwise limited by a compliance agreement.

(c) Category blue. This category represents systems that are substantially in compliance with drinking water regulations except that the system:

(i) Does not meet the design approval requirements of WAC 246-290-120 and 246-290-140; or

(ii) Has exceeded the number of department approved service connections.

The department considers systems in this category as adequate for existing uses but are not considered adequate for adding new service connections.

(d) Category red. This category represents systems that are substantially out of compliance with drinking water regulations. The department will place a system in this category if it is:

(i) A state significant noncomplier and has not signed a compliance agreement with the department or has signed a compliance agreement but is not acting in accordance with the compliance agreement; or

(ii) In violation of a departmental order; or

(iii) Under a departmental order for violations that pose an imminent threat to public health.

The department considers systems in this category inadequate for existing uses and for additional service connections.

[Statutory Authority: Chapter 70.119A RCW. WSR 04-06-047, § 246-294-040, filed 3/1/04, effective 4/1/04; WSR 93-03-047 (Order 325), § 246-294-040, filed 1/14/93, effective 2/14/93.]