
SUBSTITUTE HOUSE BILL 2462

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Agriculture & Ecology (originally sponsored by Representatives Reardon, Scott, Cooper, Linville, G. Chandler, Stensen, Barlean, Regala, Santos, Rockefeller, Dunshee, Ruderman, Grant, Kessler, Cody, Kenney, Conway, Wolfe, Ogden, Murray, Schual-Berke, Keiser, Edmonds and Hurst)

Read first time 02/04/2000. Referred to Committee on .

1 AN ACT Relating to water quality monitoring; adding a new section
2 to chapter 70.119A RCW; adding a new section to chapter 54.16 RCW;
3 adding a new section to chapter 35.88 RCW; adding a new section to
4 chapter 36.94 RCW; adding a new section to chapter 70.05 RCW; and
5 creating a new section.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** In accordance with this act, it is the
8 intent of the legislature to require water purveyors, public utility
9 districts, counties, and cities and towns that monitor surface waters
10 to provide notification to area residents through postings of water
11 bodies when monitoring of water quality shows these water bodies to
12 exceed the state's criteria for primary contact recreation.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.119A
14 RCW to read as follows:

15 (1) Whenever a purveyor monitors the quality of the untreated
16 surface waters within its service area boundaries, the purveyor shall
17 determine whether the water exceeds the criteria established by the
18 department of ecology for primary contact recreation as defined in WAC

1 173-201A-020 as it exists on the effective date of this act. If the
2 water exceeds these criteria, the purveyor shall notify the local
3 health jurisdiction.

4 (2) The purveyor, in cooperation with the local health
5 jurisdiction, shall develop and provide a notice for customers of the
6 water system pertaining to the water quality of source waters used by
7 the purveyor. Such notice shall contain a brief summary of the
8 representative water quality in the water sources used by the purveyor
9 and shall also describe any exceedances of criteria established by the
10 department of ecology for primary contact recreation as defined in WAC
11 173-201A-020 discovered in the course of routine water quality
12 monitoring. Such notices shall be provided in mailings to customers on
13 a semiannual basis. In addition to this information, the purveyor
14 shall provide and keep current, to the extent practicable, water
15 quality information through internet web sites, public service
16 announcements, or other news media releases.

17 (3) This section applies only to water samples taken in the months
18 of April through September, inclusive. Nothing in this section may be
19 construed to impose new or additional liability on purveyors.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 54.16 RCW
21 to read as follows:

22 (1) Whenever a public utility district monitors the quality of the
23 untreated surface waters within its service area boundaries, the
24 district shall determine whether the water exceeds the criteria
25 established by the department of ecology for primary contact recreation
26 as defined in WAC 173-201A-020 as it exists on the effective date of
27 this act. If the water exceeds these criteria, the public utility
28 district shall notify the local health jurisdiction.

29 (2) The district, in cooperation with the local health
30 jurisdiction, shall develop and provide a notice for customers of the
31 district pertaining to the water quality of source waters used by the
32 district. Such notice shall contain a brief summary of the
33 representative water quality in the water sources used by the district
34 and shall also describe any exceedances of criteria established by the
35 department of ecology for primary contact recreation as defined in WAC
36 173-201A-020 discovered in the course of routine water quality
37 monitoring. Such notices shall be provided in mailings to customers on
38 a semiannual basis. In addition to this information, the district

1 shall provide and keep current, to the extent practicable, water
2 quality information through internet web sites, public service
3 announcements, or other news media releases.

4 (3) This section applies only to water samples taken in the months
5 of April through September, inclusive. Nothing in this section may be
6 construed to impose new or additional liability on public utility
7 districts.

8 NEW SECTION. **Sec. 4.** A new section is added to chapter 35.88 RCW
9 to read as follows:

10 (1) Whenever a city or town monitors the quality of the untreated
11 surface waters within its boundaries, the city or town shall determine
12 whether the water exceeds the criteria established by the department of
13 ecology for primary contact recreation as defined in WAC 173-201A-020
14 as it exists on the effective date of this act. If the water exceeds
15 these criteria, the city or town shall notify the local health
16 jurisdiction.

17 (2) The city or town, in cooperation with the local health
18 jurisdiction, shall develop and provide a notice for customers of the
19 city or town pertaining to the water quality of source waters used by
20 the city or town. Such notice shall contain a brief summary of the
21 representative water quality in the water sources used by the city or
22 town and shall also describe any exceedances of criteria established by
23 the department of ecology for primary contact recreation as defined in
24 WAC 173-201A-020 discovered in the course of routine water quality
25 monitoring. Such notices shall be provided in mailings to water
26 utility customers on a semiannual basis. In addition to this
27 information, the city or town shall provide and keep current, to the
28 extent practicable, water quality information through internet web
29 sites, public service announcements, or other news media releases.

30 (3) This section applies only to water samples taken in the months
31 of April through September, inclusive. Nothing in this section may be
32 construed to impose new or additional liability on cities and towns.

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.94 RCW
34 to read as follows:

35 (1) Whenever a county monitors the quality of the untreated surface
36 waters within its boundaries, the county shall determine whether the
37 water exceeds the criteria established by the department of ecology for

1 primary contact recreation as defined in WAC 173-201A-020 as it exists
2 on the effective date of this act. If the water exceeds these
3 criteria, the county shall notify the local health jurisdiction.

4 (2) The county, in cooperation with the local health jurisdiction,
5 shall develop and provide a notice for customers of the county
6 pertaining to the water quality of source waters used by the county.
7 Such notice shall contain a brief summary of the representative water
8 quality in the water sources used by the county and shall also describe
9 any exceedances of criteria established by the department of ecology
10 for primary contact recreation as defined in WAC 173-201A-020
11 discovered in the course of routine water quality monitoring. Such
12 notices shall be provided in mailings to water utility customers on a
13 semiannual basis. In addition to this information, the county shall
14 provide and keep current, to the extent practicable, water quality
15 information through internet web sites, public service announcements,
16 or other news media releases.

17 (3) This section applies only to water samples taken in the months
18 of April through September, inclusive. Nothing in this section may be
19 construed to impose new or additional liability on cities and towns.

20 NEW SECTION. **Sec. 6.** A new section is added to chapter 70.05 RCW
21 to read as follows:

22 After a local health district has been advised of exceedances of
23 water quality criteria for primary contact recreation by a water
24 purveyor, public utility district, city or town, or county, the
25 district shall ensure that publicly accessible points of entry to the
26 water body that fail to meet the criteria are posted with durable signs
27 along the water body warning the public of water contamination and
28 advising the public not to enter or ingest the water. Information
29 content for the signs shall be developed by local health districts, in
30 conjunction with cities and towns, counties, water purveyors, and
31 public utility districts. Health districts shall use the methods
32 developed by the department of health under WAC 246-280-080 to advise
33 the public in the vicinity of the contaminated water not to enter or
34 ingest the water. Warning signs shall remain in place until the causes
35 of the contamination have been addressed and the water bodies are in

- 1 attainment with water quality criteria for primary contact recreation
- 2 for a period of at least two years.

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