

HOUSE BILL REPORT

HB 1709

*As Reported By House Committee on:
Environmental Affairs
Revenue*

Title: An act relating to public water system operating permits.

Brief Description: Concerning safe drinking water.

Sponsor(s): Representatives Fraser, Miller, Rust, Valle, Roland, Winsley, Rasmussen, Ebersole, Wineberry and Dorn; by request of Department of Health.

Brief History:

Reported by House Committee on:
Environmental Affairs, February 28, 1991, DPS;
Revenue, March 9, 1991, DPS(ENA).

**HOUSE COMMITTEE ON
ENVIRONMENTAL AFFAIRS**

Majority Report: *That Substitute House Bill No. 1709 be substituted therefor, and the substitute bill do pass.*
Signed by 13 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; Sprenkle; and Van Luven.

Staff: Harry Reinert (786-7110).

Background: Washington state has over 12,500 public water systems. A public water system is any water system serving two or more households. Over 11,500 of these systems have fewer than 100 connections. Current law requires public water systems to provide information to the Department of Health, including the name, address, and telephone number of the operator. No permit is required under state law to operate a public water system.

Summary of Substitute Bill: The operator of a public water system with 15 or more connections or serving 25 or more people must obtain a permit from the Department of Health. The application for a permit must include sufficient information so that the department may determine if the system complies with federal and state law and department

rules. The department must approve or deny the application within 120 days after it is filed. The permit may be issued with conditions and compliance schedules.

The public water system permit is valid for one year. Fees for the permits are to be determined by rule adopted by the department. The fees are to be used for implementation costs of the permit program. The minimum fee is \$135 and the maximum fee is \$5,000. The fee schedule is based on the number of connections.

An entity that operates or manages more than one public water system is required to have one operating permit for the systems it operates or manages. The department may lower the annual permit fee for a public water system that is attempting to contract with an entity to manage the system.

All fees received from operating permit applications are deposited in the safe drinking water account which is created in the treasury. The account shall be used to operate the permit program and to contract with local governments for drinking water programs.

A local government may not require a public water system operating permit of any system required to have a state permit. Local governments may require permits of water systems which are not required to obtain state permits.

Substitute Bill Compared to Original Bill: The original bill required all water systems with two or more connections to obtain operating permits. The substitute requires systems with 15 or more connections or serving 25 persons to have permits. The substitute requires entities managing or operating more than one water system to obtain only one permit and allows a fee reduction for a system seeking a management arrangement. The substitute raises the maximum fee that may be charged from \$1,000 to \$5,000. The substitute also forbids a local government from requiring a separate operating permit for systems required to obtain a state permit. The original bill would have allowed local governments to require local permits for these systems beginning in 1996. The substitute also changes the effective date for the entire bill to July 1, 1991. The original bill made provisions of the bill effective upon the effective date of rules adopted by the department.

Fiscal Note: Available. Requested on March 4, 1991 on substitute bill.

Effective Date of Substitute Bill: The bill takes effect on July 1, 1991.

Testimony For: New federal drinking water statutes and rules will require more professional management for many public water systems. The bill will allow for better review of the operations of public water systems subject to the new requirements and give the state and local health departments financial resources to inspect these systems and to provide technical assistance to the small systems most in need of that assistance.

Testimony Against: The permit fees are too high. A water system needs to have time to upgrade to the new standards.

Witnesses: Richard Junk, Woodland Park Utility Association (con); Prime Sponsor Representative Karen Fraser; Pat Wiles, Investor-Owned Water Utility Association - Harbor Water (pro); Eric Slagle, Department of Health (pro); Bill Liechty, Department of Health (pro); Don Leaf, Thurston County Health Department (pro); John Kirner, State Drinking Water Advisory Committee (pro); and Paul Parker, Washington State Association of Counties (pro).

**HOUSE COMMITTEE ON
REVENUE**

Majority Report: *That substitute bill by Committee on Environmental Affairs be substituted therefor, and the substitute bill do pass.* Signed by 14 members: Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Staff: Harry Reinert (786-7110).

Summary of Recommendation of Committee on Revenue Compared to Recommendation of Committee on Environmental Affairs: No new changes were recommended.

Fiscal Note: Available. Requested on March 4, 1991 on substitute bill.

Effective Date: The bill takes effect on July 1, 1991.

Testimony For: Same as Committee on Environmental Affairs.

Testimony Against: None.

Witnesses: Eric Slagle, Health Department (pro); and Lou Dooley, Tacoma-Pierce County Health Environmental Health Directors, Washington State Environmental Health Association (pro).