

FINAL BILL REPORT

SSB 5199

PARTIAL VETO

C 367 L 09

Synopsis as Enacted

Brief Description: Modifying provisions regarding the operators of public water supply systems.

Sponsors: Senate Committee on Environment, Water & Energy (originally sponsored by Senators Fraser, Morton, Rockefeller and Shin; by request of Department of Health).

Senate Committee on Environment, Water & Energy
House Committee on Environmental Health

Background: A Group A water system or a public water system using a surface or ground water supply under the direct influence of surface water are required to have a certified operator. The Department of Health (Department) oversees the operator certification process. The Department may revoke an operator's certificate for violations involving the portion of the public water system that stores, transmits, pumps, and distributes water to consumers or the public water system's treatment facilities.

Backflow assembly testers and cross-connection control specialists are currently regulated under the Department's general authority to protect public water systems. A backflow assembly tester inspects, tests, and monitors backflow assemblies that protect a public water system. A cross-connection control specialist develops and implements cross-connection control programs.

Summary: Backflow assembly testers and cross-connection control specialists must be certified by the Department. If the Department requires an examination as a prerequisite for the issuance of a certificate for a backflow assembly tester, a certified operator, or a cross-connection control specialist, the Department must offer the examination in both eastern and western Washington.

The Department may immediately revoke or suspend a certificate for fraud, deceit, or gross negligence involving the operation or maintenance of a public water system; or in inspecting, testing, maintenance, or repair of backflow assemblies, devices, or air gaps intended to protect a public water system from contamination, if the certificate was obtained fraudulently or if there is an intentional violation of the rules of the Department.

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.

A Group A water system serving fewer than 100 connections that purchases water from a water system approved by the Department must measure chlorine residuals at the same time and location of collection for coliform samples.

Votes on Final Passage:

Senate	47	0	
House	97	0	(House amended)
Senate	49	0	(Senate concurred)

Effective: July 26, 2009

Partial Veto Summary: The Governor vetoed the following:

- the provision requiring backflow assembly testers and cross-connection control specialists be certified by the Department;
- the requirement that the Department offer the prerequisite examination in both eastern and western Washington; and
- the provision that the Department may immediately revoke or suspend a certificate for fraud, deceit, or gross negligence 1) involving the operation or maintenance of a public water system or in inspecting, testing, maintenance, or repair of backflow assemblies, devices, or air gaps intended to protect a public water system from contamination; 2) if the certificate was obtained fraudulently; or 3) if there is an intentional violation of the rules of the Department.