

SENATE BILL REPORT

HB 1615

As Reported by Senate Committee On:
Agriculture & Natural Resources, March 24, 2025

Title: An act relating to increasing consistency in the classifications of water systems.

Brief Description: Increasing consistency in the classifications of water systems.

Sponsors: Representative Caldier.

Brief History: Passed House: 3/10/25, 95-0.

Committee Activity: Agriculture & Natural Resources: 3/17/25, 3/24/25 [DP].

Brief Summary of Bill

- Prohibits using a default number to calculate the average number of people served by a water system, where use of a default number would cause a water system that would otherwise be classified as a Group B water system to be classified as a Group A water system.

SENATE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass.

Signed by Senators Chapman, Chair; Krishnadasan, Vice Chair; Short, Ranking Member; Lias, Muzzall, Saldaña, Schoesler, Shewmake and Wagoner.

Staff: Elena Becker (786-7493)

Background: Public Water Systems. The Safe Drinking Water Act (SDWA) is the federal law that ensures the quality of drinking water supplied by public water systems serving at least 15 connections or 25 individuals. Under the SDWA, state regulatory agencies are generally responsible for implementing drinking water standards and for direct oversight of the operation of public water systems. The Department of Health (DOH) implements Washington's drinking water program as mandated by the SDWA and state laws.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Group A and Group B Water Systems. Under state law, a Group A public water system is a public water system that:

- has 15 or more service connections;
- serves an average of 25 or more people per day for at least 60 days within a calendar year, regardless of the number of service connections; or
- serves 1000 or more people for two or more consecutive days.

Public water systems that do not meet the definition of a Group A public water system are Group B public water systems. Group A and Group B systems have different requirements for operations, water quality testing, and, in some cases, system design. Local jurisdictions may adopt and implement their own Group B system regulations, so long as they are no less stringent than the rules set forth by DOH.

Planning, Engineering, and Design Criteria. By DOH rule, a purveyor must calculate residential population by using a default assumption of 2.5 persons per dwelling unit when submitting a new or expanding Group B system design for approval. If the system is designed to serve ten to fourteen residential service connections, DOH rule requires a purveyor to use the planning, engineering, and design criteria for Group A systems when submitting a new or expanding Group B system design for approval.

Summary of Bill: A default number may not be used to calculate the average number of people served by a water system, where use of a default number would cause a water system that would otherwise be classified as a Group B water system to be classified as a Group A water system.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony: PRO: The rule requiring use of the default 2.5 occupancy assumption has required a small community on the Key Peninsula to expend almost \$50,000 to classify as Group A. This community has 12 connections and nine year round residents, but because $2.5 \times 12 = 30$, the state treated this community as though it had 30 residents when one sought a building permit.

The consequences are more than just financial: this regulatory burden really broke up the community. It would have cost each home around \$4,000 to \$5,000 and there's people with money and people without. That kind of antagonism is ugly and unnecessary.

Persons Testifying: PRO: Representative Michelle Caldier, Prime Sponsor; Jack Dunne, South Head Water Association.

Persons Signed In To Testify But Not Testifying: No one.