

WSR 26-04-109

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed February 3, 2026, 7:54 a.m.]

Original Notice.

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

Title of Rule and Other Identifying Information: Consumer confidence reports, WAC 246-290-72001 through 246-290-72400. The department of health (department) is proposing to amend WAC 246-290-72001 through 246-290-72400 and related sections, to incorporate recent changes in the federal rule in 40 C.F.R. Part 141, Subpart O. The proposal amends WAC 246-290-025, 246-290-71004, 246-290-71005, 246-290-72001 through 246-290-72011, and 246-290-72013; creates new WAC 246-290-72014, 246-290-72100 through 246-290-72120, 246-290-72200 through 246-290-72300, and 246-290-72350; and recodifies WAC 246-290-72012 as 246-290-72400.

This proposal also makes editorial amendments and aligns the rule with the office of the code reviser's 2025 Bill Drafting Guide.

Hearing Location(s): On March 10, 2026, at 1:00 p.m., virtual hearing using Zoom. Register in advance for this webinar at https://us02web.zoom.us/webinar/register/WN_sSkEEb4ATrOTZX9jv4vr9Q. After registering, you will receive a confirmation email containing information about joining the webinar.

Date of Intended Adoption: March 17, 2026.

Submit Written Comments to: Brian Sayrs, P.O. Box 47820, Olympia, WA 98504-7820, email brian.sayrs@doh.wa.gov, <https://fortress.wa.gov/doh/policyreview/>, beginning the date and time of filing, by March 10, 2026, at 11:59 p.m.

Assistance for Persons with Disabilities: Contact Nina Helpling, phone 564-233-9561, TTY 711, email nina.helpling@doh.wa.gov, by February 22, 2026.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The state board of health (board) delegated rule-making authority to the department to update the consumer confidence report (CCR) rules to align with recent federal revisions. These federal revisions are intended to improve the readability, clarity, and understandability of CCRs; improve the accuracy of the information presented; improve risk communication; provide supplemental information regarding lead levels and control efforts; and require systems that serve 10,000 or more people to provide CCRs to consumers twice per calendar year. This proposal incorporates the federal changes into WAC 246-290-72001 through 246-290-72400. Existing state CCR requirements will remain effective through December 31, 2026. New federal requirements take effect beginning January 1, 2027.

Reasons Supporting Proposal: Changes are required due to recent changes to the federal Safe Drinking Water Act rules under 40 C.F.R. Part 141, Subpart O, and to align the rule with the 2025 Bill Drafting Guide.

Statutory Authority for Adoption: RCW 43.20.250 Powers and duties of state board of health—Rule making—Delegation of authority—Enforcement of rules, 70A.125.080 Drinking water program, and 70A.130.010 Establishment of standards for chemical contaminants in drinking water by state board of health.

Statute Being Implemented: RCW 43.20.250 Powers and duties of state board of health—Rule making—Delegation of authority—Enforcement of rules, 70A.125.080 Drinking water program, and 70A.130.010 Es-

establishment of standards for chemical contaminants in drinking water by state board of health.

Rule is necessary because of federal law, 89 F.R. 45980 through 46014 (May 24, 2024), National Primary Drinking Water Regulations: Consumer Confidence Reports.

Name of Proponent: Department of health, governmental.

Name of Agency Personnel Responsible for Drafting: Brian Sayrs, 111 Israel Road S.E., Tumwater, WA 98501, 564-669-3188; Implementation: Mike Means, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-3178; and Enforcement: David Sternberg, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-3099.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The department did not complete a cost-benefit analysis under RCW 34.05.328. RCW 34.05.328 (5)(b)(iii) exempts rules that adopt or incorporate by reference without material change federal statutes or regulations, Washington state law, the rules of other Washington state agencies, or national consensus codes that generally establish industry standards, RCW 34.05.328 (5)(b)(iv) exempts rules that correct, clarify, and make editorial changes to align with the code reviser's Drafting Guide.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Citation of the specific federal statute or regulation and description of the consequences to the state if the rule is not adopted: 89 F.R. 45980 through 46014 (published May 24, 2024), National Primary Drinking Water Regulations: Consumer Confidence Reports (CCR). On May 24, 2024, the Environmental Protection Agency published revisions to the CCR rule in accordance with America's Water Infrastructure Act of 2018. The revisions are intended to improve the readability, clarity, and understandability of CCRs; improve the accuracy of the information presented; improve risk communication; provide supplemental information regarding lead levels and control efforts; and require systems that serve 10,000 or more people to provide CCRs to consumers twice per calendar year. This rule making adopts and incorporates these federal requirements without making material change and is necessary for the department to maintain state primacy.

Is exempt under RCW 19.85.025(3) as the rules are adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule; and rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Explanation of exemptions: WAC 246-290-025, 246-290-72014, 246-290-72100 through 246-290-72120, 246-290-72200 through

246-290-72300, and 246-290-72350 incorporate federal rule changes and are exempt under RCW 19.85.061 and 34.05.310 (4) (c).

WAC 246-290-025, 246-290-71004, 246-290-71005, 246-290-72001 through 246-290-72013, 246-290-72100 through 246-290-72120, 246-290-72200 through 246-290-72240, 246-290-72270 through 246-290-72290, 246-290-72350, and 246-290-72400 include corrections, clarifications, and editorial changes to align with the 2025 Bill Drafting Guide and are exempt under RCW 34.05.310 (4) (d).

Scope of exemption for rule proposal:

Is fully exempt.

February 2, 2026
 Kristin Peterson, JD
 Chief of Policy
 for Dennis E. Worsham
 Secretary of Health

RDS-6943.2

AMENDATORY SECTION (Amending WSR 25-13-093, filed 6/17/25, effective 7/18/25)

WAC 246-290-025 Adoption by reference. The following sections and subsections of Title 40 Code of Federal Regulations (C.F.R.) Part 141 National Primary Drinking Water Regulations and Part 143 National Secondary Drinking Water Regulations revised as of June 25, 2024, are adopted by reference:

141.2	Definitions. Only those definitions listed as follows:
	Action level;
	Corrosion inhibitor;
	Effective corrosion inhibitor residual;
	Enhanced coagulation;
	Enhanced softening;
	First draw sample;
	Haloacetic acids (five) (HAA5);
	Large water system;
	Lead service line;
	Maximum residual disinfectant level (MRDL);
	Maximum residual disinfectant level goal (MRDLG);
	Medium-size water system;
	Optimal corrosion control treatment;
	Single family structure;
	Small water system;
Specific ultraviolet absorption (SUVA); and	
Total Organic Carbon (TOC).	
141.13	Maximum contaminant levels for turbidity.
141.22	Turbidity sampling and analytical requirements.

141.23 (a) through (j) and (m) through (o), excluding (i)(2), (k), and (l)	Inorganic chemical sampling and compliance.
141.24 (f)(1) through (15), (18), (19), (21), and (22)	Volatile organic monitoring and compliance.
141.24(h), excluding (13), (18), and (19)	Synthetic organic monitoring and compliance, except PFAS.
141.25 (a), (c), and (d)	Analytical methods for radioactivity.
141.26	Monitoring frequency and compliance for radionuclides in community water systems.
141.31(d)	Reporting requirements.
141.33(e)	Record maintenance.
141.40	Monitoring requirements for unregulated contaminants.
141.61	Maximum contaminant levels for organic contaminants.
141.62, excluding (b)	Maximum contaminant levels for inorganic contaminants.
141.63(e)	Maximum contaminant levels (MCLs) for microbiological contaminants.
141.64	Maximum contaminant levels for disinfection byproducts.
141.65(c)	Maximum Residual Disinfectant Levels.
141.66	Maximum contaminant levels for radionuclides.
Control of Lead and Copper	
141.80, excluding (c)(3)(v)	General requirements.
141.81	Applicability of corrosion control treatment steps to small, medium-size and large water systems.
141.82 (a) through (h)	Description of corrosion control treatment requirements.
141.83	Source water treatment requirements.
141.84	Lead service line replacement requirements.
141.85	Public education and supplemental monitoring requirements.
141.86 (a) through (f)	Monitoring requirements for lead and copper in tap water.
141.87	Monitoring requirements for water quality parameters.
141.88	Monitoring requirements for lead and copper in source water.
141.89	Analytical methods.
141.90, excluding (a)(4)	Reporting requirements.
141.91	Recordkeeping requirements.
Disinfectants and Disinfection Byproducts (D/DBP)	
141.130	General requirements.
141.131	Analytical requirements.
141.132, excluding (c)(1)(i)	Monitoring requirements.
141.133	Compliance requirements.
141.134	Reporting and recordkeeping requirements.
141.135	Treatment technique for control of disinfection byproduct precursors.
Subpart O - Consumer Confidence Reports	
141.153 (h)((6) and (7)) <u>(8)(ii)</u>	Contents of the reports.
Enhanced Filtration and Disinfection - Systems Serving 10,000 or More People	
141.175(b)	Reporting and recordkeeping requirements.
Subpart Q - Public Notification of Drinking Water Violations	
141.201, excluding (3)(ii) of Table 1	General public notification requirements.
141.202, excluding (3) of Table 1	Tier 1 Public Notice - Form, manner, and frequency of notice.
141.203	Tier 2 Public Notice - Form, manner, and frequency of notice.
141.204	Tier 3 Public Notice - Form, manner, and frequency of notice.
141.205	Content of the public notice.

141.206	Notice to new billing units or new customers.
141.207	Special notice of the availability of unregulated contaminant monitoring results.
141.208	Special notice for exceedances of the SMCL for fluoride.
141.211	Special notice for repeated failure to conduct monitoring of the source water for <i>Cryptosporidium</i> and for failure to determine bin classification or mean <i>Cryptosporidium</i> level.
Appendix A to Subpart Q of Part 141	NPDWR violations and other situations requiring public notice.
Appendix B to Subpart Q of Part 141	Standard health effects language for public notification.
Appendix C to Subpart Q of Part 141	List of acronyms used in public notification regulation.
141.400	General requirements and applicability.
141.402(c)	Groundwater source microbial monitoring and analytical methods.
141.403 (b)(3)(i) through (iii)	Treatment technique requirements for groundwater systems.
Subpart T - Enhanced Filtration and Disinfection - Systems Serving Fewer Than 10,000 People	
141.530 through 141.544	Disinfection profile and benchmark.
141.563	What follow-up action is my system required to take based on continuous turbidity monitoring?
141.570, excluding (c)	What does Subpart T require that my system report to the state?
Subpart U - Initial Distribution System Evaluations	
141.600 through 141.605	Initial distribution system evaluations.
Subpart V - Stage 2 Disinfection Byproducts Requirements	
141.620 through 141.629, excluding 141.624	Stage 2 Disinfection Byproducts Requirements.
Subpart W - Enhanced Treatment for <i>Cryptosporidium</i>	
141.700 through 141.722	Enhanced Treatment for <i>Cryptosporidium</i> .
Subpart Y - Revised Total Coliform Rule	
141.852	Analytical methods and laboratory certification.
141.860 (c) and (d)	Violations.
Subpart Z - Control of Per- and Polyfluoroalkyl Substances (PFAS)	
141.904	Reporting and ((Recording Keeping Requirements)) <u>recordkeeping requirements</u> .
141.905	Violations.
Part 143 - National Secondary Drinking Water Regulations	
143.1	Purpose.
143.2	Definitions.
143.3	Secondary maximum contaminant levels.
143.4	Monitoring.

Copies of the incorporated sections and subsections of Title 40 C.F.R. are available from the Department of Health online at: (<http://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/RegulationandCompliance/Rules>) <https://doh.wa.gov/Community-and-Environment/Drinking-Water/Regulation-and-Compliance/Rules>, or P.O. Box 47822, Olympia, Washington 98504-7822, or by calling the department's drinking water hotline at 800-521-0323.

AMENDATORY SECTION (Amending WSR 21-23-097, filed 11/17/21, effective 1/1/22)

WAC 246-290-71004 Public notification mandatory language. (1)

Public notice required under WAC 246-290-71001(1) must contain any specific health effects language set forth in WAC ((~~246-290-72012~~)) 246-290-72400 in accordance with 40 C.F.R. 141.205 (d)(1) and other standard language in accordance with 40 C.F.R. 141.205 (d)(2) and (3), except that notification of the availability of results required per 40 C.F.R. 141.40 and notification of the exceedance of the secondary MCL for fluoride must be in accordance with WAC 246-290-71005.

(2) The purveyor shall provide specific mandatory language, contained in department guidance, in its notification when the purveyor is issued a category red operating permit.

AMENDATORY SECTION (Amending WSR 10-20-068, filed 9/29/10, effective 11/1/10)

WAC 246-290-71005 Special public notification requirements. (1)

The purveyor of community or NTNC water systems required to monitor under 40 C.F.R. 141.40 shall notify the water system users of the availability of the results of monitoring for unregulated contaminants no later than ((~~twelve~~)) 12 months after the monitoring results are known. The form and manner of the public notice to the water system users shall be in accordance with 40 C.F.R. 141.204 (c), (d)(1), and (d)(3). The notice must also identify a person and provide the telephone number to contact for information on the monitoring results.

(2) The purveyor of a community water system that exceeds the fluoride secondary MCL of 2.0 mg/L but does not exceed the fluoride primary MCL of 4.0 mg/L shall provide notice, in accordance with the form, manner, timing, distribution, and content requirements of 40 C.F.R. 141.208.

(3) The purveyor of a water system using surface water or GWI sources that repeatedly fails to monitor for *Cryptosporidium* or determine the bin classification or mean *Cryptosporidium* level, must notify the public under 40 C.F.R. 141.211.

(4) The purveyor of a community groundwater system that receives notice from the department of a significant deficiency or an *E. coli* positive groundwater source sample that is not invalidated by the department, must notify the public under WAC 246-290-72013 or 246-290-72280, as applicable.

(5) The purveyor of a noncommunity groundwater system with a significant deficiency that has not been corrected within ((~~twelve~~)) 12 months of being notified or earlier if directed must notify the public under ((~~WAC 246-290-72013~~)) this subsection. The system must continue to notify the public annually until the significant deficiency is corrected. The information must include:

(a) The nature of the significant deficiency and the date it was identified by the department;

(b) A department-approved plan and schedule for correcting the significant deficiency including interim measures, progress to date, and which interim measures have been completed;

(c) In communities with a large proportion of non-English speaking consumers, the notice must contain information in the appropriate language(s) regarding the importance of the notice or contain a tele-

phone number or address where the consumers may contact the system to obtain a translated copy of the notice or assistance with the appropriate language; and

(d) If directed by the department, a system with significant deficiencies that have been corrected must inform its customers of the significant deficiencies, how the deficiencies were corrected, and the date(s) of correction under (a) through (c) of this subsection.

AMENDATORY SECTION (Amending WSR 21-23-097, filed 11/17/21, effective 1/1/22)

WAC 246-290-72001 Purpose and applicability of the consumer confidence report requirements. This section expires on January 1, 2027. WAC 246-290-72001 through (~~(246-290-72012)~~) 246-290-72400 establishes minimum requirements for the content of annual reports that community water systems must deliver to their customers. (~~(WAC 246-290-72013 establishes additional requirements for the content of annual reports that community water systems using groundwater must deliver to their customers.)~~) These reports must contain information on the quality of the water delivered by the systems and characterize the risks (if any) from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

(1) This section applies only to community water systems.

(2) For the purpose of WAC 246-290-72001 through (~~(246-290-72013)~~) 246-290-72400:

(a) "Customers" means billing units or service connections to which water is delivered by a community water system.

(b) "Detected" means at or above the SDRs under chapter 246-390 WAC.

AMENDATORY SECTION (Amending WSR 00-15-080, filed 7/19/00, effective 8/19/00)

WAC 246-290-72002 Reporting dates. This section expires on January 1, 2027.

(1) Each existing community water system must deliver its report by July 1st annually. Each annual report must contain data collected during, or prior to, the previous calendar year as required by WAC 246-290-72005(3).

(2) A new community water system must deliver its first report by July 1st of the year after its first full calendar year in operation and annually thereafter.

(3) A community water system that sells water to another community water system must deliver the applicable information required in WAC 246-290-72003 through 246-290-72009 to the buyer system:

(a) No later than April 1st annually; or

(b) On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties.

AMENDATORY SECTION (Amending WSR 10-20-068, filed 9/29/10, effective 11/1/10)

WAC 246-290-72003 Report contents—Source water. This section expires on January 1, 2027. Information on the source of the water delivered:

(1) Each report must identify the source(s) of the water delivered by the community water system by providing information on:

(a) The type of the water, for example, surface water, groundwater, spring water, or purchased water; and

(b) The commonly used name (if any) and location of the body (or bodies) of water.

(2) If a source water assessment has been completed, the report must notify consumers of the availability of this information and the means to obtain it. In addition, systems are encouraged to highlight in the report significant sources of contamination in the source water area if they have readily available information.

(3) Where a system has received a source water assessment from the department, the report must include a brief summary of the system's susceptibility to potential sources of contamination, using language provided by the department or written by the purveyor.

AMENDATORY SECTION (Amending WSR 25-13-093, filed 6/17/25, effective 7/18/25)

WAC 246-290-72004 Report contents—Definitions. This section expires on January 1, 2027.

(1) Each report must include the following definitions:

(a) Maximum contaminant level goal or MCLG: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

(b) Maximum contaminant level or MCL: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

(2) A report for a community water system operating under a variance or an exemption issued under WAC 246-290-060 must include the following definition: Variances and exemptions: State or EPA permission not to meet an MCL or a treatment technique under certain conditions.

(3) A report that contains data on contaminants that the (~~Environmental Protection Agency~~) department regulates using any of the following terms must include the applicable definitions:

(a) Treatment technique: A required process intended to reduce the level of a contaminant in drinking water.

(b) Action level: The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

(c) Maximum residual disinfectant level goal or MRDLG: The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

(d) Maximum residual disinfectant level or MRDL: The highest level of a disinfectant allowed in drinking water. There is convincing

evidence that addition of a disinfectant is necessary for control of microbial contaminants.

(e) Hazard index or HI: The hazard index is an approach that determines the health concerns associated with mixtures of certain PFAS in finished drinking water. Low levels of multiple PFAS that individually would not likely result in adverse health effects may pose health concerns when combined in a mixture. The hazard index MCL represents the maximum level for mixtures of PFHxS, PFNA, HFPO-DA, and/or PFBS allowed in water delivered by a public water system. A hazard index greater than 1 requires a system to take action.

(4) A report that contains level 1 or level 2 assessment information must include the applicable definitions:

(a) Level 1 assessment: A level 1 assessment is a study of the water system to identify potential problems and determine, if possible, why total coliform bacteria have been found in our water system.

(b) Level 2 assessment: A level 2 assessment is a very detailed study of the water system to identify potential problems and determine, if possible, why an *E. coli* MCL violation has occurred and, if applicable, why total coliform bacteria have been found in our water system on multiple occasions.

(5) A report that contains information regarding a detection of a contaminant with a SAL must include the following definition: State action level (SAL) means the concentration of a contaminant or group of contaminants, without an MCL, in drinking water established to protect public health and which, if exceeded, triggers actions a water system purveyor must take. SALs are established for contaminants without an MCL, federal action level, or treatment technique.

AMENDATORY SECTION (Amending WSR 21-23-097, filed 11/17/21, effective 1/1/22)

WAC 246-290-72005 Report contents—Information on detected contaminants. This section expires on January 1, 2027.

(1) This section specifies the requirements for information to be included in each report for contaminants subject to mandatory monitoring. It applies to:

(a) Contaminants subject to an MCL, federal action level, SAL, TT, or MRDL (regulated contaminants); and

(b) Detected contaminants without an MCL, federal action level, SAL, TT, or MRDL for which monitoring is required.

(2) The data relating to these contaminants must be displayed in one table or in several adjacent tables. Any additional monitoring results which a community water system chooses to include in its report must be displayed separately.

(3) The data must be derived from data collected to comply with EPA and state monitoring and analytical requirements during the previous calendar year except where a system is allowed to monitor for regulated contaminants less than once a year, the table(s) must include the date and results of the most recent sampling and the report must include a brief statement indicating that the data presented in the report are from the most recent testing done in accordance with the regulations. No data older than five years need be included.

(4) For detected regulated contaminants listed in WAC ((246-290-72012)) 246-290-72400, the table(s) must contain:

(a) The MCL or SAL for that contaminant expressed as a number equal to or greater than 1.0 (as provided in WAC ((~~246-290-72012~~)) 246-290-72400);

(b) The MCLG for that contaminant expressed in the same units as the MCL;

(c) If there is no MCL or SAL for a detected contaminant, the table must indicate that there is a treatment technique, or specify the action level, applicable to that contaminant, and the report must include the definitions for treatment technique and/or action level, as appropriate, specified in WAC 246-290-72004;

(d) For contaminants with a SAL, or contaminants with an (~~established~~) MCL, except turbidity, and *E. coli*, the highest contaminant level used to determine compliance with a SAL or a National Primary Drinking Water Regulation and the range of results, as follows:

(i) When compliance with the MCL or SAL is determined annually or less frequently: The highest detected level at any sampling location and the range of results expressed in the same units as the MCL or SAL.

(ii) When compliance with the MCL or SAL is determined by calculating a running annual average of all samples taken at a sampling location: The highest average of any of the sampling locations and the range of all sampling locations expressed in the same units as the MCL or SAL. For the TTHM and HAA5 MCLs determined on the basis of the LRAA, systems must include the highest LRAA for TTHM and HAA5 and the range of individual sample results for all monitoring locations expressed in the same units as the MCL. If more than one location exceeds the TTHM or HAA5 MCL, the system must include the LRAA for all locations that exceed the MCL.

(iii) When compliance with the MCL is determined on a system-wide basis by calculating a running annual average of all samples at all sampling points: The average and range of detection expressed in the same units as the MCL. The system is required to include individual sample results for the IDSE conducted under WAC 246-290-300

(6)(b)(i)(F) when determining the range of TTHM and HAA5 results to be reported in the annual consumer confidence report for the calendar year that the IDSE samples were taken.

(iv) Note to WAC 246-290-72005 (4)(d): When rounding of results to determine compliance with the MCL or SAL is allowed by the regulations, rounding should be done prior to multiplying the results by the factor listed in WAC ((~~246-290-72012~~)) 246-290-72400;

(e) For turbidity.

(i) When it is reported under (~~chapter 246-290 WAC Part 6, Subpart C~~) WAC 246-290-670 through 246-290-678: The highest average monthly value.

(ii) When it is reported under the requirements of (~~chapter 246-290 WAC Part 6, Subpart D~~) WAC 246-290-686 through 246-290-696: The highest monthly value. The report should include an explanation of the reasons for measuring turbidity.

(iii) When it is reported under (~~chapter 246-290 WAC Part 6, Subpart B~~) WAC 246-290-650 through 246-290-668: The highest single measurement and the lowest monthly percentage of samples meeting the turbidity limits specified in (~~chapter 246-290 WAC Part 6, Subpart B~~) WAC 246-290-650 through 246-290-668 for the filtration technology being used. The report should include an explanation of the reasons for measuring turbidity;

(f) For lead and copper: The 90th percentile value of the most recent round of sampling and the number of sampling sites exceeding the action level;

(g) For *E. coli* analytical results under WAC 246-290-300 (3) (e) through (g): The total number of positive samples; and

(h) The likely source(s) of detected contaminants to the best of the purveyor's knowledge. Specific information regarding contaminants may be available in sanitary surveys and source water assessments, and should be used when available to the purveyor. If the purveyor lacks specific information on the likely source, the report must include one or more of the typical sources for that contaminant listed in WAC ((246-290-72012)) 246-290-72400 which are most applicable to the system.

(5) If a community water system distributes water to its customers from multiple hydraulically independent distribution systems that are fed by different raw water sources, the table should contain a separate column for each service area and the report should identify each separate distribution system. Alternatively, systems could produce separate reports tailored to include data for each service area.

(6) The table(s) must clearly identify any data indicating violations of MCLs, MRDLs, or treatment techniques and the report must contain a clear and readily understandable explanation of the violation including: The length of the violation, the potential adverse health effects, and actions taken by the system to address the violation. To describe the potential health effects, the system must use the relevant language of WAC ((246-290-72012)) 246-290-72400.

(7) Detected contaminants without an MCL, SAL, federal action level, TT or MRDL for which monitoring is required, the table must contain the average and range at which the contaminant was detected. The report may include a brief explanation of the reasons for monitoring for unregulated contaminants.

AMENDATORY SECTION (Amending WSR 08-03-061, filed 1/14/08, effective 2/14/08)

WAC 246-290-72006 Report contents—Information on *Cryptosporidium*, radon, and other contaminants. This section expires on January 1, 2027.

(1) If the system has performed any monitoring for *Cryptosporidium*, and the results indicate that *Cryptosporidium* may be present in the source water or the finished water, the report must include:

- (a) A summary of the results of the monitoring; and
- (b) An explanation of the significance of the results.

(2) If the system has performed any monitoring for radon which indicates that radon may be present in the finished water, the report must include:

- (a) The results of the monitoring; and
- (b) An explanation of the significance of the results.

(3) If the system has performed additional monitoring which indicates the presence of other contaminants in the finished water, the department strongly encourages systems to report any results which may indicate a health concern. To determine if results may indicate a health concern, the department recommends that systems find out if EPA has proposed a National Primary Drinking Water Regulation or issued a

health advisory for that contaminant by calling the Safe Drinking Water Hotline (800-426-4791). EPA considers detects above a proposed MCL or health advisory level to indicate possible health concerns. For the contaminants, the department recommends that the report include:

- (a) The results of the monitoring; and
- (b) An explanation of the significance of the results noting the existence of a health advisory or a proposed regulation.

AMENDATORY SECTION (Amending WSR 17-01-062, filed 12/14/16, effective 1/14/17)

WAC 246-290-72007 Report contents—Compliance with National Primary Drinking Water Regulations. This section expires on January 1, 2027. In addition to the requirements of WAC 246-290-72005(6), the report must note any violation that occurred during the year covered by the report of a requirement listed below, and include a clear and readily understandable explanation of the violation, any potential adverse health effects, and the steps the system has taken to correct the violation.

- (1) Monitoring and reporting of compliance data;
- (2) Filtration and disinfection prescribed by chapter 246-290 WAC, Part 6. For systems which have failed to install adequate filtration or disinfection equipment or processes, or have had a failure of the equipment or processes which constitutes a violation, the report must include the following language as part of the explanation of potential adverse health effects: Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.
- (3) Lead and copper control requirements prescribed by WAC 246-290-025, specifically 40 C.F.R. 141.80 through 141.91: For systems which fail to take one or more actions prescribed by WAC 246-290-025, specifically 40 C.F.R. 141.80 through 141.84, the report must include the applicable language of WAC (~~(246-290-72012)~~) 246-290-72400 for lead, copper, or both.
- (4) Treatment techniques for Acrylamide and Epichlorohydrin prescribed by WAC 246-290-480 (2)(k). For systems which violate the requirements of WAC 246-290-480 (2)(k), the report must include the relevant language from WAC (~~(246-290-72012)~~) 246-290-72400.
- (5) Recordkeeping of compliance data.
- (6) Special monitoring requirements prescribed under WAC 246-290-310(3); and
- (7) Violation of the terms of a variance, an exemption, or an administrative or judicial order.

AMENDATORY SECTION (Amending WSR 00-15-080, filed 7/19/00, effective 8/19/00)

WAC 246-290-72008 Report contents—Variances and exemptions. This section expires on January 1, 2027. If a system is operating under the terms of a variance or an exemption issued under WAC 246-290-060, the report must contain:

- (1) An explanation of the reasons for the variance or exemption;
- (2) The date on which the variance or exemption was issued;
- (3) A brief status report on the steps the system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and
- (4) A notice of any opportunity for public input in the review, or renewal, of the variance or exemption.

AMENDATORY SECTION (Amending WSR 00-15-080, filed 7/19/00, effective 8/19/00)

WAC 246-290-72009 Report contents—Additional information. This section expires on January 1, 2027.

(1) The report must contain a brief explanation regarding contaminants which may reasonably be expected to be found in drinking water including bottled water. This explanation may include the language of (a) through (c) of this subsection or systems may use their own comparable language. The report also must include the language of (d) of this subsection.

(a) The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity.

(b) Contaminants that may be present in source water include:

(i) Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.

(ii) Inorganic contaminants, such as salts and metals, which can be naturally occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.

(iii) Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.

(iv) Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.

(v) Radioactive contaminants, which can be naturally occurring or be the result of oil and gas production and mining activities.

(c) In order to ensure that tap water is safe to drink, the Environmental Protection Agency and/or the Washington state board of health prescribes regulations that limit the amount of certain contaminants in water provided by public water systems. Food and Drug Administration and/or the Washington state department of agriculture regulations establish limits for contaminants in bottled water that must provide the same protection for public health.

(d) Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential

health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (800-426-4791).

(2) The report must include the telephone number of the owner, operator, or designee of the community water system as a source of additional information concerning the report.

(3) In communities with a large proportion of non-English speaking residents, the report must contain information in the appropriate language(s) regarding the importance of the report or contain a telephone number or address where such residents may contact the system to obtain a translated copy of the report or assistance in the appropriate language.

(4) The report must include information about opportunities for public participation in decisions that may affect the quality of the water, such as the time and place of meetings.

(5) The systems may include such additional information as they deem necessary for public education consistent with, and not detracting from, the purpose of the report.

AMENDATORY SECTION (Amending WSR 12-08-044, filed 3/30/12, effective 4/30/12)

WAC 246-290-72010 Report contents—Required additional health information. This section expires on January 1, 2027. All reports must prominently display the following language: Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. Environmental Protection Agency/Centers for Disease Control guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (800-426-4791).

(1) Beginning in the report due by July 1, 2002, a system which detects arsenic levels above 0.005 mg/L and up to and including 0.010 mg/L:

(a) Must include in its report a short informational statement about arsenic, using language such as: While your drinking water meets EPA's standard for arsenic, it does contain low levels of arsenic. EPA's standard balances the current understanding of arsenic's possible health effects against the cost of removing arsenic from drinking water. EPA continues to research the health effects of low levels of arsenic, which is a mineral known to cause cancer in humans at high concentrations and is linked to other health effects such as skin damage and circulatory problems.

(b) May write its own educational statement, but only in consultation with the department.

(2) A system which detects nitrate at levels above 5 mg/l, but below the MCL:

(a) Must include a short informational statement about the impacts of nitrate on children using language such as: Nitrate in drinking water at levels above 10 ppm is a health risk for infants of less than six months of age. High nitrate levels in drinking water can

cause blue-baby syndrome. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant, you should ask for advice from your health care provider.

(b) May write its own educational statement, but only in consultation with the department.

(3) All reports must include a short informational statement about lead in drinking water and its effects on children.

(a) The statement must include the following information: If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. (NAME OF UTILITY) is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for (~~(thirty)~~) 30 seconds to two minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

(b) A system may write its own educational statement, but only in consultation with the department.

AMENDATORY SECTION (Amending WSR 08-03-061, filed 1/14/08, effective 2/14/08)

WAC 246-290-72011 Report delivery and recordkeeping. This section expires on January 1, 2027. Each community water system must mail or otherwise directly deliver one copy of the report to each customer.

(1) The system must make a good faith effort to reach consumers who do not get water bills. The department expects that an adequate good faith effort will be tailored to the consumers who are served by the system but are not bill-paying customers, such as renters or workers. A good faith effort to reach consumers would include a mix of methods appropriate to the particular system such as: Posting the reports on the internet; mailing to postal patrons in metropolitan areas; advertising the availability of the report in the news media; publication in a local newspaper; posting in public places such as cafeterias or lunch rooms of public buildings; delivery of multiple copies for distribution by single-biller customers such as apartment buildings or large private employers; delivery to community organizations.

(2) No later than the date the system is required to distribute the report to its customers, each community water system must submit a copy of the report to the department, followed within three months by a certification that the report has been distributed to customers, and that the information is correct and consistent with the compliance monitoring data previously submitted to the department.

(3) No later than the date the system is required to distribute the report to its customers, each community water system must deliver the report to any other agency or clearinghouse identified by the department.

(4) Each community water system must make its reports available to the public upon request.

(5) Each community water system serving (~~one hundred thousand~~) 100,000 or more persons must post its current year's report to a publicly accessible site on the internet.

(6) Any system subject to WAC 246-290-72001 through (~~246-290-72012~~) 246-290-72400 must retain copies of its consumer confidence report for no less than three years.

AMENDATORY SECTION (Amending WSR 10-20-068, filed 9/29/10, effective 11/1/10)

WAC 246-290-72013 Report contents—Groundwater systems. This section expires on January 1, 2027.

(1) This section specifies the requirements for information to be included in each report for groundwater systems. It applies to the following situations:

(a) A significant deficiency that is uncorrected at the time of the report;

(b) An *E. coli* positive groundwater sample that is not invalidated under WAC (~~246-290-320 (2) (g) (vii)~~) 246-290-300 (3) (h) (vii) at the time of the report.

(2) The system must report annually the information in subsection (1) (a) and (b) of this section until the department determines the significant deficiency or *E. coli* positive groundwater sample is addressed under WAC 246-290-453(1).

(3) Each report must include:

(a) The nature of the significant deficiency or the source of the fecal contamination and the date the significant deficiency was identified by the department or the dates of the *E. coli* positive source water samples;

(b) If the fecal contamination has been addressed under WAC 246-290-453(1) and the date of such action;

(c) For each significant deficiency or fecal contamination that has not been addressed under WAC 246-290-453(1), the department-approved plan and schedule for correction, including interim measures, progress to date, and any interim measures completed;

(d) If the system receives notice as described in subsection (1) (b) of this section, the potential health effects language in WAC (~~246-290-72012~~) 246-290-72400, regulated contaminants.

(4) If directed by the department, a system with significant deficiencies that have been corrected before the next report must inform its customers of:

(a) The significant deficiency;

(b) How the significant deficiency was corrected; and

(c) The date of correction.

NEW SECTION

WAC 246-290-72014 Report contents—Coliform. This section expires on January 1, 2027. Systems required to comply with WAC 246-290-300(3):

(1) Any system required to comply with the level 1 assessment requirement or a level 2 assessment requirement that is not due to an *E. coli* MCL violation must include in the report the text found in (a) of this subsection; (b) and (c) of this subsection as appropriate, filling in the blanks accordingly; and the text found in (d)(i) and (ii) of this subsection if appropriate.

(a) Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, waterborne pathogens may be present or that a potential pathway exists through which contamination may enter the drinking water distribution system. We found coliforms indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct assessment(s) to identify problems and to correct any problems that were found during these assessments.

(b) During the past year we were required to conduct (INSERT NUMBER OF LEVEL 1 ASSESSMENTS) level 1 assessment(s). (INSERT NUMBER OF LEVEL 1 ASSESSMENTS) level 1 assessment(s) were completed. In addition, we were required to take (INSERT NUMBER OF CORRECTIVE ACTIONS) corrective actions and we completed (INSERT NUMBER OF CORRECTIVE ACTIONS) of these actions.

(c) During the past year (INSERT NUMBER OF LEVEL 2 ASSESSMENTS) level 2 assessments were required to be completed for our water system. (INSERT NUMBER OF LEVEL 2 ASSESSMENTS) level 2 assessments were completed. In addition, we were required to take (INSERT NUMBER OF CORRECTIVE ACTIONS) corrective actions and we completed (INSERT NUMBER OF CORRECTIVE ACTIONS) of these actions.

(d) Any system that has failed to complete all the required assessments or correct all identified sanitary defects, is in violation of the treatment technique requirement and must also include one or both of the following statements, as appropriate:

(i) During the past year we failed to conduct all of the required assessment(s).

(ii) During the past year we failed to correct all identified defects that were found during the assessment.

(2) Any system required to conduct a level 2 assessment due to an *E. coli* MCL violation must include in the report the text found in (a) and (b) of this subsection, filling in the blanks accordingly; and the text found in (c)(i) and (ii) of this subsection, if appropriate.

(a) *E. coli* are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Human pathogens in these wastes can cause short-term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a greater health risk for infants, young children, the elderly, and people with severely compromised immune systems. We found *E. coli* bacteria, indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct assessment(s) to identify problems and to correct any problems that were found during these assessments.

(b) We were required to complete a level 2 assessment because we found *E. coli* in our water system. In addition, we were required to take (INSERT NUMBER OF CORRECTIVE ACTIONS) corrective actions and we completed (INSERT NUMBER OF CORRECTIVE ACTIONS) of these actions.

(c) Any system that has failed to complete the required assessment or correct all identified sanitary defects, is in violation of the treatment technique requirement and must also include one or both of the following statements, as appropriate:

(i) We failed to conduct the required assessment.

(ii) We failed to correct all sanitary defects that were identified during the assessment that we conducted.

(3) If a system detects *E. coli* and has violated the *E. coli* MCL, in addition to completing the table as required in WAC 246-290-72005(4), the system must include one or more of the following statements to describe any noncompliance, as applicable:

(a) We had an *E. coli*-positive repeat sample following a total coliform-positive routine sample.

(b) We had a total coliform-positive repeat sample following an *E. coli*-positive routine sample.

(c) We failed to take all required repeat samples following an *E. coli*-positive routine sample.

(d) We failed to test for *E. coli* when any repeat sample tests positive for total coliform.

(4) If a system detects *E. coli* and has not violated the *E. coli* MCL, in addition to completing the table as required in WAC 246-290-72005(4), the system may include a statement that explains that although they have detected *E. coli*, they are not in violation of the *E. coli* MCL.

NEW SECTION

WAC 246-290-72100 Purpose and applicability of the consumer confidence report requirements. This section takes effect on January 1, 2027. WAC 246-290-72100 through 246-290-72400 establishes minimum requirements for the content of reports that community water systems must deliver to their customers. These reports must contain information on the quality of the water delivered by the systems and characterize the risks (if any) from exposure to contaminants detected in the drinking water in an accurate and understandable manner.

(1) WAC 246-290-72100 through 246-290-72400 applies only to community water systems.

(2) Each community water system must provide a report or reports to its customers by dates specified in WAC 246-290-72110 that contain the information specified in WAC 246-290-72200 through 246-290-72350.

(3) For the purpose of WAC 246-290-72100 through 246-290-72400:

(a) "Consumers" means people served by the water system, including customers, and people who do not receive a bill.

(b) "Customers" means billing units or service connections to which water is delivered by a community water system.

(c) "Detected" means at or above the SDRs under chapter 246-390 WAC.

NEW SECTION

WAC 246-290-72110 Compliance dates. This section takes effect on January 1, 2027.

(1) (a) Each existing community water system must deliver its report by July 1st annually. Each annual report must contain data collected during, or prior to, the previous calendar year as required by WAC 246-290-72230(3).

(b) Systems serving 10,000 or more people must deliver a second report by December 31st under WAC 246-290-72120(9).

(2) A new community water system must deliver its first report by July 1st of the year after its first full calendar year in operation.

(3) A community water system that sells water to another community water system must deliver the applicable information required in WAC 246-290-72210 through 246-290-72300 to the buyer system:

(a) By April 1st annually; or

(b) On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties.

(4) A community water system that sells water to another community water system that is required to provide reports twice per calendar year under WAC 246-290-72120 (9)(b) must provide the applicable information required in WAC 246-290-72120 (9)(c):

(a) By October 1st annually; or

(b) On a date mutually agreed upon by the seller and the purchaser, and specifically included in a contract between the parties.

NEW SECTION

WAC 246-290-72120 Report delivery, reporting, and recordkeeping.

This section takes effect on January 1, 2027.

(1) Each community water system must directly deliver a copy of the report to each customer.

(a) Systems must use at a minimum, one of the following forms of delivery:

(i) Mail or hand deliver a paper copy of the report;

(ii) Mail a notification that the report is available on a website via a direct link;

(iii) Email a direct link or electronic version of the report; or

(iv) Another direct delivery method approved in writing by the department.

(b) Systems using electronic delivery methods in (a)(ii), (iii), or (iv) of this subsection must provide a paper copy of the report to any customer upon request. The notification method must prominently display directions for requesting such copy.

(c) For systems that choose to deliver the reports electronically by posting the report to a website and providing a notification either by mail or email:

(i) The report must be publicly available on the website at time notification is made;

(ii) Notifications must prominently display the link and include an explanation of the nature of the link; and

(iii) Systems may use a web page to convey the information required in WAC 246-290-72200 through 246-290-72350.

(d) Systems that use a publicly available website to provide reports must maintain public access to the report for no less than three years.

(2) The system must make a good faith effort to reach consumers who do not get water bills. The department expects that an adequate good faith effort will be tailored to the consumers who are served by the system but are not bill-paying customers, such as renters or workers. A good faith effort to reach consumers includes a mix of methods to reach the broadest range of people served by the water system such as, but not limited to: Posting the reports on the internet; mailing reports or postcards with links to the reports to all service addresses, postal customers, or both; using an opt-in notification system to

send emails, texts, or both with links to the reports to interested consumers; advertising the availability of the report in the news media and on social media; publication in a local newspaper or newsletter; posting a copy of the report or notice of availability with links or equivalent, such as quick response (QR) codes, in public places such as cafeterias or lunch rooms of public buildings; delivery of multiple copies for distribution by single-biller customers such as apartment buildings or large private employers; delivery to community organizations; and holding a public meeting to educate consumers on the reports.

(a) In locations where a system is aware that it serves a substantial number of nonbill paying consumers, the system is encouraged to directly deliver the reports or notices of availability of the reports to service addresses.

(b) In locations where a system is aware of a substantial number of bill-paying consumers without access to electronic forms of the report, the system should use at least one nonelectronic form of delivery.

(3) No later than 10 days after the date the system is required to distribute the report to its customers, each community water system must submit a copy of the report to the department and a certification that the system has distributed the report(s) to customers, and that the information is correct and consistent with the compliance monitoring data previously submitted to the department.

(4) No later than the date the system is required to distribute the report to its customers, each community water system must deliver the report to any other agency or clearinghouse identified by the department.

(5) Each community water system must make its reports available to the public upon request. Systems should make a reasonable effort to provide the reports in an accessible format to anyone who requests an accommodation.

(6) Each community water system serving 50,000 or more people must post its current year's report to a publicly accessible site on the internet.

(7) Any system subject to WAC 246-290-72100 through 246-290-72400 must retain copies of its consumer confidence report for no less than three years.

(8) Systems serving 100,000 or more people must develop a plan for helping consumers with limited-English proficiency. The system must evaluate the languages spoken by people with limited-English proficiency served by the water system, and the system's anticipated approach to address translation needs. Systems subject to this subsection shall:

(a) Evaluate the plan annually and update the plan as necessary; and

(b) Submit the plan with the certification required in subsection (3) of this section.

(9) (a) Each community water system must distribute reports by July 1st each year. Each report distributed by July 1st must use data collected during, or prior to, the previous calendar year using methods described in subsection (1) of this section.

(b) Each community water system serving 10,000 or more people must distribute a second report by December 31st using methods described in subsection (1) of this section.

(c) Systems required to comply with (b) of this subsection, with a violation or action level exceedance that occurred between January

1st and June 30th of the current year, or have received monitoring results from required monitoring under the Unregulated Contaminant Monitoring Rule under 40 C.F.R. 141.40, shall include a six-month update with the second report with the following:

(i) A short description of the nature of the six-month update and twice per calendar year delivery.

(ii) If a system receives an MCL, MRDL, or treatment technique violation, the six-month update must include the applicable contaminant section information in WAC 246-290-72230(4), and a readily understandable explanation of the violation including:

(A) The length of the violation;

(B) The potential adverse health effects using the relevant language of WAC 246-290-72400;

(C) Actions taken by the system to address the violation; and

(D) The time frame the system expects to complete those actions.

(iii) If a system receives any other violation, the six-month update must include the information in WAC 246-290-72250.

(iv) If a system exceeded the lead action level following monitoring conducted between January 1st and June 30th of the current year, the system must include information identified in WAC 246-290-72230 (4)(f) and 246-290-72230(8).

(v) For systems monitoring under 40 C.F.R. 141.40 that become aware of results for samples collected during the reporting year but were not included in the reports distributed by July 1st, the system must include information as required by WAC 246-290-72230(7).

NEW SECTION

WAC 246-290-72200 Report contents—Summary. This section takes effect on January 1, 2027.

(1) Each report must include a summary displayed prominently at the beginning of the report, including a brief description of the nature of the report.

(2) Systems must include, at a minimum, the following information in the summary:

(a) Summary of violations and compliance information included in the report required by WAC 246-290-72230 (6) and (8), 246-290-72250, 246-290-72280, and 246-290-72290; and

(b) Contact information for owner, operator, or designee of the community water system as a source of additional information concerning the report under WAC 246-290-72270(2).

(3) If applicable, systems must include the following in the summary:

(a) For systems using delivery methods in WAC 246-290-72120

(1)(a)(ii), (iii), or (iv), the summary must include directions for consumers to request a paper copy of the report, as described in WAC 246-290-72120 (1)(b).

(b) For systems subject to WAC 246-290-72270(3) because they serve a large proportion of consumers with limited-English proficiency, the summary must include information where consumers may obtain a translated copy of the report, or get assistance in the appropriate language(s).

(c) For systems using the report to also meet the public notification requirements of WAC 246-290-71001 through 246-290-71007, the

summary must specify that it is also serving to provide public notification of one or more violations or situations, provide a brief statement about the nature of the notice(s), and a brief description of how to locate the notice(s) in the report.

(4) The summary should be written in plain language and may use infographics.

(5) For those systems required to include a six-month update with the second report under WAC 246-290-72120 (9)(b), the summary should include a brief description of the nature of the report and update, noting the availability of new information for the current year (between January and June).

(6) The report summary must include the following standard language to encourage the distribution of the report to all people served:

Please share this information with anyone who drinks this water (or their guardians), especially those who may not have received this report directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this report in a public place or distributing copies by hand, mail, email, or another method.

NEW SECTION

WAC 246-290-72210 Report contents—Source water. This section takes effect on January 1, 2027.

(1) Each report must identify the source(s) of the water delivered by the community water system by providing information on:

(a) The type of the water, for example, surface water, groundwater, spring water, or purchased water; and

(b) The commonly used name (if any) and location of the body (or bodies) of water.

(2) If a source water assessment has been completed, the report must notify consumers of the availability of this information, the year it was completed or most recently updated, and how to obtain it. In addition, systems are encouraged to highlight in the report significant sources of contamination in the source water area if they have readily available information.

(3) Where a system has received a source water assessment from the department, the report must include a summary of the system's susceptibility to potential sources of contamination, using language provided by the department or written by the purveyor.

NEW SECTION

WAC 246-290-72220 Report contents—Definitions. This section takes effect on January 1, 2027.

(1) Each report must include the following definitions:

(a) Contaminant: Any physical, chemical, biological, or radiological substance or matter in water.

(b) EPA: United States Environmental Protection Agency.

(c) Maximum contaminant level or MCL: The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

(d) Maximum contaminant level goal or MCLG: The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

(2) A report for a community water system operating under a variance or an exemption issued under WAC 246-290-060 must include the following definition: Variances and exemptions: State or EPA permission not to meet an MCL or a treatment technique under certain conditions.

(3) A report that contains data on contaminants that the department regulates using any of the following terms must include the applicable definitions:

(a) Action level: The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

(b) Hazard index or HI: The hazard index is an approach that determines the health concerns associated with mixtures of certain PFAS in finished drinking water. Low levels of multiple PFAS that individually would not likely result in adverse health effects may pose health concerns when combined in a mixture. The hazard index MCL represents the maximum level for mixtures of PFHxS, PFNA, HFPO-DA, and/or PFBS allowed in water delivered by a public water system. A hazard index greater than 1 requires a system to take action.

(c) Maximum residual disinfectant level or MRDL: The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

(d) Maximum residual disinfectant level goal or MRDLG: The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.

(e) Treatment technique: A required process intended to reduce the level of a contaminant in drinking water.

(4) A report that contains level 1 or level 2 assessment information must include the applicable definitions:

(a) Level 1 assessment: A level 1 assessment is a study of the water system to identify potential problems and determine, if possible, why total coliform bacteria have been found in our water system.

(b) Level 2 assessment: A level 2 assessment is a very detailed study of the water system to identify potential problems and determine, if possible, why an *E. coli* MCL violation has occurred and, if applicable, why total coliform bacteria have been found in our water system on multiple occasions.

(5) Systems must use the following definitions for the terms listed below if the terms are used in the report unless the system obtains written approval from the department to use an alternate definition:

(a) Herbicide: Any chemical(s) used to control undesirable vegetation.

(b) Pesticide: Generally, any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest.

(6) A report that contains information regarding a detection of a contaminant with a SAL must include the following definition: State action level or SAL: The concentration of a contaminant or group of

contaminants, without an MCL, in drinking water established to protect public health and which, if exceeded, triggers actions a water system purveyor must take. SALs are established for contaminants without an MCL, federal action level, or treatment technique.

NEW SECTION

WAC 246-290-72230 Report contents—Information on detected contaminants. This section takes effect on January 1, 2027.

(1) This section specifies the requirements for information to be included in each report for contaminants subject to mandatory monitoring. It applies to:

(a) Contaminants subject to an MCL, federal action level, SAL, TT, or MRDL (regulated contaminants); and

(b) Detected contaminants without an MCL, federal action level, SAL, TT, or MRDL for which monitoring is required.

(2) The data relating to these contaminants must be presented in the reports in a manner that is clear and understandable for consumers. For example, the data may be displayed in one table or in several adjacent tables. Any additional monitoring results which a community water system chooses to include in its report must be displayed separately.

(3) (a) Except under (b) of this subsection, the data must be derived from data collected to comply with EPA and state monitoring and analytical requirements during the previous calendar year, or the most recent calendar year before the previous calendar year.

(b) When a system is allowed to monitor for regulated contaminants less than once a year, the contaminant data section must include the date and results of the most recent sampling and the report must include a brief statement indicating that the data presented in the report are from the most recent testing done in accordance with the regulations.

(c) No data older than five years need be included.

(4) For each detected regulated contaminant listed in WAC 246-290-72400, the contaminant data section(s) must contain:

(a) The MCL or SAL for that contaminant expressed as a number equal to or greater than 1.0 (as provided in WAC 246-290-72400);

(b) The MCLG for that contaminant expressed in the same units as the MCL;

(c) If there is no MCL or SAL for a detected contaminant, the contaminant data section(s) must indicate that there is a treatment technique, or specify the action level, applicable to that contaminant, and the report must include the definitions for treatment technique, action level, or both, as appropriate, specified in WAC 246-290-72220;

(d) Except for turbidity and *E. coli*, the contaminant data section(s) for contaminants with an MCL or SAL must contain the highest contaminant level used to determine compliance with a SAL or a National Primary Drinking Water Regulation and the range of results, as follows:

(i) When compliance with the MCL or SAL is determined annually or less frequently: The highest detected level at any sampling location and the range of results expressed in the same units as the MCL or SAL.

(ii) When compliance with the MCL or SAL is determined by calculating a running annual average of all samples taken at a sampling location: The highest average of any of the sampling locations and the range of individual sample results for all sampling locations expressed in the same units as the MCL or SAL. For the TTHM and HAA5 MCLs determined on the basis of the LRAA, systems must include the highest LRAA for TTHM and HAA5 and the range of individual sample results for all monitoring locations expressed in the same units as the MCL. If more than one location exceeds the TTHM or HAA5 MCL, the system must include the LRAA for all locations that exceed the MCL.

(iii) When rounding of results to determine compliance with the MCL or SAL is allowed by the regulations, rounding should be done prior to multiplying the results by the factor listed in WAC 246-290-72400;

(e) For turbidity:

(i) When it is reported under WAC 246-290-670 through 246-290-678: The highest average monthly value.

(ii) When it is reported under the requirements of WAC 246-290-686 through 246-290-696: The highest monthly value. The report should include an explanation of the reasons for measuring turbidity.

(iii) When it is reported under WAC 246-290-650 through 246-290-668: The highest single measurement and the lowest monthly percentage of samples meeting the turbidity limits specified in WAC 246-290-650 through 246-290-668 for the filtration technology being used. The report should include an explanation of the reasons for measuring turbidity;

(f) For lead and copper: The 90th percentile value of the most recent round of sampling and the number of sampling sites exceeding the action level;

(g) For *E. coli* analytical results under WAC 246-290-300 (3) (e) through (g): The total number of positive samples; and

(h) The likely source(s) of detected contaminants to the best of the purveyor's knowledge. Specific information regarding contaminants may be available in sanitary surveys and source water assessments, and should be used when available to the purveyor. If the purveyor lacks specific information on the likely source, the report must include one or more of the typical sources for that contaminant listed in WAC 246-290-72400 that are most applicable to the system.

(5) If a community water system distributes water to its customers from multiple hydraulically independent distribution systems that are fed by different raw water sources, the contaminant data section(s) should differentiate contaminant data for each service area and the report should identify each separate distribution system. For example, if displayed in a table, it should contain a separate column for each service area. Alternatively, systems could produce separate reports tailored to include data for each service area.

(6) (a) The detected contaminant data section(s) must clearly identify any data indicating violations of MCLs, MRDLs, or treatment techniques.

(b) The report must contain a clear and readily understandable explanation of each violation including:

(i) The length of the violation;

(ii) The potential adverse health effects using the relevant language of WAC 246-290-72400; and

(iii) Actions taken by the system to address the violation.

(7) Detected contaminants without an MCL, SAL, federal action level, TT, or MRDL for which monitoring is required, the reports must

present the average and range at which the contaminant was detected. The report must include a brief explanation of the reasons for monitoring for unregulated contaminants such as:

(a) Unregulated contaminant monitoring helps EPA to determine where certain contaminants occur and whether EPA should consider regulating those contaminants in the future.

(b) An alternative educational statement approved by the department.

(8) For systems that exceeded the lead action level in 40 C.F.R. 141.80(c) as adopted under WAC 246-290-025:

(a) The detected contaminant data section must clearly identify the exceedance if any corrective action has been required by EPA or the department during the monitoring period covered by the report.

(b) The report must include:

(i) A clear and readily understandable explanation of the exceedance;

(ii) The steps consumers can take to reduce their exposure to lead in drinking water; and

(iii) A description of any corrective actions the system has or will take to address the exceedance.

NEW SECTION

WAC 246-290-72240 Report contents—Information on *Cryptosporidium*, radon, and other contaminants. This section takes effect on January 1, 2027.

(1) If the system has performed any monitoring for *Cryptosporidium*, and the results indicate that *Cryptosporidium* may be present in the source water or the finished water, the report must include:

(a) A summary of the results of the monitoring; and

(b) An explanation of the significance of the results.

(2) If the system has performed any monitoring for radon which indicates that radon may be present in the finished water, the report must include:

(a) The results of the monitoring; and

(b) An explanation of the significance of the results.

(3) If the system has performed additional monitoring that indicates the presence of other contaminants in the finished water, the department strongly encourages systems to report any results that may indicate a health concern. To determine if results may indicate a health concern, the department recommends that systems find out if EPA has proposed a National Primary Drinking Water Regulation or issued a health advisory for that contaminant by contacting EPA by calling the Safe Drinking Water Hotline (800-426-4791) or an alternative method identified on the website epa.gov/safewater. EPA considers detects above a proposed MCL or health advisory level to indicate possible health concerns. For the contaminants, the department recommends that the report include:

(a) The results of the monitoring; and

(b) An explanation of the significance of the results noting the existence of a health advisory or a proposed regulation.

NEW SECTION

WAC 246-290-72250 Report contents—Compliance with National Primary Drinking Water Regulations. This section takes effect on January 1, 2027. In addition to the requirements of WAC 246-290-72230(6), the report must note any violation that occurred during the period covered by the report of a requirement listed in this section, and include a clear and readily understandable explanation of the violation, any potential adverse health effects, and the steps the system has taken to correct the violation.

(1) Monitoring and reporting of compliance data;

(2) Filtration and disinfection prescribed by chapter 246-290 WAC, Part 6. For systems which have failed to install adequate filtration or disinfection equipment or processes, or have had a failure of the equipment or processes which constitutes a violation, the report must include the following language as part of the explanation of potential adverse health effects: Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

(3) Lead and copper control requirements prescribed by WAC 246-290-025, specifically 40 C.F.R. 141.80 through 141.91: For systems which fail to take one or more actions prescribed by WAC 246-290-025, specifically 40 C.F.R. 141.80 through 141.84, the report must include the applicable language of WAC 246-290-72400 for lead, copper, or both.

(4) Treatment techniques for Acrylamide and Epichlorohydrin prescribed by WAC 246-290-480 (2)(k). For systems which violate the requirements of WAC 246-290-480 (2)(k), the report must include the relevant language from WAC 246-290-72400.

(5) Recordkeeping of compliance data.

(6) Special monitoring requirements prescribed under WAC 246-290-310(3); and

(7) Violation of the terms of a variance, an exemption, or an administrative or judicial order.

NEW SECTION**WAC 246-290-72260 Report contents—Variances and exemptions.**

This section takes effect on January 1, 2027. If a system is operating under the terms of a variance or an exemption issued under WAC 246-290-060, the report must contain:

(1) An explanation of the reasons for the variance or exemption;

(2) The date on which the variance or exemption was issued;

(3) A brief status report on the steps the system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and

(4) A notice of any opportunity for public input in the review, or renewal, of the variance or exemption.

NEW SECTION

WAC 246-290-72270 Report contents—Additional information. This section takes effect on January 1, 2027.

(1) The report must contain a brief explanation regarding contaminants which may reasonably be expected to be found in drinking water including bottled water. This explanation may include the language of (a) through (c) of this subsection or systems may use their own comparable language. The report also must include the language of (d) of this subsection.

(a) Both tap water and bottled water come from rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material. The water can also pick up and transport substances resulting from the presence of animals or from human activity. These substances are also called contaminants.

(b) Contaminants are any physical, chemical, biological, or radiological substance or matter in water. Contaminants that may be present in source water include:

(i) Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.

(ii) Inorganic contaminants, such as salts and metals, which can occur naturally in the soil or groundwater or may result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.

(iii) Pesticides and herbicides, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.

(iv) Organic chemical contaminants, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.

(v) Radioactive contaminants, which can occur naturally or be the result of oil and gas production and mining activities.

(c) To protect public health, the Environmental Protection Agency and the Washington state board of health prescribe regulations that limit the amount of certain contaminants in tap water provided by public water systems. Food and Drug Administration and Washington state department of agriculture regulations establish limits for contaminants in bottled water that must provide the same protection for public health.

(d) Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily mean that water poses a health risk. More information about contaminants and potential health effects can be obtained by contacting the Environmental Protection Agency by calling the Safe Drinking Water Hotline (800-426-4791) or visiting the website epa.gov/safewater.

(2) The report must include the telephone number of the owner, operator, or designee of the community water system as a source of additional information concerning the report. If a system uses a website or social media to share additional information, the department recommends including information about how to access them.

(3) In communities with a large proportion of consumers with limited-English proficiency:

(a) The report must be in the appropriate language(s); or

(b) The report must contain information in the appropriate language(s) regarding the importance of the report and contain information where such consumers may obtain either:

(i) A translated copy of the report; or

(ii) Assistance in the appropriate language(s).

(4) The report must include information about opportunities for public participation in decisions that may affect the quality of the water, such as the time and place of meetings.

(5) The systems may include such additional information as they deem necessary for public education consistent with, and not detracting from, the purpose of the report.

NEW SECTION

WAC 246-290-72280 Report contents—Groundwater systems. This section takes effect on January 1, 2027.

(1) This section specifies the requirements for information to be included in each report for groundwater systems. It applies to the following situations:

(a) A significant deficiency that is uncorrected at the time of the reporting period; or

(b) An *E. coli* positive groundwater sample that is not invalidated under WAC 246-290-300 (3)(h)(vii) at the time of the report or six-month update under WAC 246-290-72120.

(2) The system must report annually the information in subsection (1)(a) and (b) of this section until the department determines the significant deficiency or *E. coli* positive groundwater sample is addressed under WAC 246-290-453(1).

(3) Each report must include:

(a) The nature of the significant deficiency or the source of the fecal contamination and the date the significant deficiency was identified by the department or the dates of the *E. coli* positive source water samples;

(b) If the fecal contamination has been addressed under WAC 246-290-453(1) and the date of such action;

(c) For each significant deficiency or fecal contamination that has not been addressed under WAC 246-290-453(1), the department-approved plan and schedule for correction, including interim measures, progress to date, and any interim measures completed; and

(d) If the system receives notice as described in subsection (1)(b) of this section, the potential health effects language in WAC 246-290-72400.

(4) If directed by the department, a system with significant deficiencies that have been corrected before the next report must inform its customers of:

(a) The significant deficiency;

(b) How the significant deficiency was corrected; and

(c) The date of correction.

NEW SECTION

WAC 246-290-72290 Report contents—Coliform. This section takes effect on January 1, 2027. This section applies to systems required to comply with WAC 246-290-300(3).

(1) Any system required to comply with the level 1 assessment requirement or a level 2 assessment requirement that is not due to an *E. coli* MCL violation must include in the report the text found in (a) through (c) of this subsection as appropriate, filling in the blanks accordingly, and the text found in (d)(i) and (ii) of this subsection, if appropriate. Systems may use an alternative statement with equivalent information for (b) and (c) of this subsection if approved by the department.

(a) Coliforms are bacteria that occur naturally in the environment and are used as an indicator that other, potentially harmful, waterborne organisms may be present or that a potential pathway exists through which contamination may enter the drinking water distribution system. We found coliforms indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct assessment(s) to identify problems and to correct any problems that were found during these assessments.

(b) Because we found coliforms during sampling, we were required to conduct (INSERT NUMBER OF LEVEL 1 ASSESSMENTS) assessment(s) of the system, also known as a level 1 assessment, to identify possible sources of contamination. (INSERT NUMBER OF LEVEL 1 ASSESSMENTS) level 1 assessment(s) were completed. In addition, we were required to take (INSERT NUMBER OF CORRECTIVE ACTIONS) corrective actions and we completed (INSERT NUMBER OF CORRECTIVE ACTIONS) of these actions.

(c) Because we found coliforms during sampling, we were required to conduct (INSERT NUMBER OF LEVEL 2 ASSESSMENTS) detailed assessments, also known as a level 2 assessment, to identify possible sources of contamination. (INSERT NUMBER OF LEVEL 2 ASSESSMENTS) level 2 assessments were completed. In addition, we were required to take (INSERT NUMBER OF CORRECTIVE ACTIONS) corrective actions and we completed (INSERT NUMBER OF CORRECTIVE ACTIONS) of these actions.

(d) Any system that has failed to complete all the required assessments or correct all identified sanitary defects, is in violation of the treatment technique requirement and must also include one or both of the following statements, as appropriate:

(i) During the past year we failed to conduct all the required assessment(s).

(ii) During the past year we failed to correct all identified defects that were found during the assessment.

(2) Any system required to conduct a level 2 assessment due to an *E. coli* MCL violation must include in the report the text found in (a) and (b) of this subsection, filling in the blanks accordingly; health effects language in WAC 246-290-72400; and the text found in (c)(i) and (ii) of this subsection, if appropriate. Systems may use an alternative statement with equivalent information for (a) through (c) of this subsection, if approved by the department.

(a) We found *E. coli* bacteria, indicating the need to look for potential problems in water treatment or distribution. When this occurs, we are required to conduct assessment(s), also known as a level 2 assessment, to identify problems and to correct any problems that were found during these assessments.

(b) We were required to complete a detailed assessment of our water system, also known as a level 2 assessment, because we found *E. coli* in our water system. In addition, we were required to take (INSERT NUMBER OF CORRECTIVE ACTIONS) corrective actions and we completed (INSERT NUMBER OF CORRECTIVE ACTIONS) of these actions.

(c) Any system that has failed to complete the required assessment or correct all identified sanitary defects, is in violation of the treatment technique requirement and must also include one or both of the following statements, as appropriate:

(i) We failed to conduct the required assessment.

(ii) We failed to correct all defects that were identified during the assessment that we conducted.

(3) If a system detects *E. coli* and has violated the *E. coli* MCL, in addition to completing the table as required in WAC 246-290-72230(4), the system must include one or more of the following statements to describe any noncompliance, as applicable:

(a) We had an *E. coli*-positive repeat sample following a total coliform-positive routine sample.

(b) We had a total coliform-positive repeat sample following an *E. coli*-positive routine sample.

(c) We failed to take all required repeat samples following an *E. coli*-positive routine sample.

(d) We failed to test for *E. coli* when any repeat sample tested positive for total coliform.

(4) If a system detects *E. coli* and has not violated the *E. coli* MCL, in addition to completing the table as required in WAC 246-290-72230(4), the system may include a statement that explains that although they have detected *E. coli*, they are not in violation of the *E. coli* MCL.

NEW SECTION

WAC 246-290-72300 Report contents—Lead and copper. This section takes effect on January 1, 2027. This section applies to systems subject to 40 C.F.R. 141 Subpart I.

(1) The report must notify consumers that complete lead tap sampling data are available for review and must include information on how to access the data.

(2) The report must include a statement that a service line inventory (including inventories consisting only of a statement that there are no lead, galvanized requiring replacement, or lead status unknown service lines) has been prepared and include instructions to access the publicly available service line inventory. If the service line inventory is available online, the report must include the direct link to the inventory.

(3) The report must contain a plainly worded explanation of the corrosion control efforts the system is taking in accordance with 40 C.F.R. 141 Subpart I. Corrosion control efforts consist of treatment (e.g., pH adjustment, alkalinity adjustment, or corrosion inhibitor addition) and other efforts contributing to the control of the corrosivity of water, e.g., monitoring to assess the corrosivity of water. The system may use one of the following templates or use their own explanation that includes equivalent information.

(a) For systems with state or EPA-designated Optimal Corrosion Control Treatment:

(i) Corrosion of pipes, plumbing fittings and fixtures may cause lead and copper to enter drinking water. To assess corrosion of lead and copper, (NAME OF SYSTEM) conducts tap sampling for lead and copper at selected sites (INSERT FREQUENCY AT WHICH SYSTEM CONDUCTS TAP SAMPLING). (NAME OF SYSTEM) treats water using (IDENTIFY TREATMENT METHOD) to control corrosion, which was designated as the optimal corrosion control treatment by (THE STATE OR EPA, AS APPLICABLE). To ensure the treatment is operating effectively, (NAME OF SYSTEM) monitors water quality parameters set by (THE STATE OR EPA, AS APPLICABLE) (INSERT FREQUENCY AT WHICH SYSTEM CONDUCTS WATER QUALITY PARAMETER MONITORING).

(ii) If applicable, add: (NAME OF SYSTEM) is currently conducting a study of corrosion control to determine if any changes to treatment methods are needed to minimize the corrosivity of the water.

(b) For systems without state or EPA designated Optimal Corrosion Control Treatment:

(i) Corrosion of pipes, plumbing fittings, and fixtures may cause metals, including lead and copper, to enter drinking water. To assess corrosion of lead and copper, (NAME OF SYSTEM) conducts tap sampling for lead and copper at selected sites (INSERT FREQUENCY AT WHICH SYSTEM CONDUCTS TAP SAMPLING).

(ii) If applicable, add: (NAME OF SYSTEM) treats water using (IDENTIFY TREATMENT METHOD) to control corrosion.

(iii) If applicable, add: (NAME OF SYSTEM) is currently conducting a study of corrosion control to determine if any changes to treatment methods are needed to minimize the corrosivity of the water.

NEW SECTION

WAC 246-290-72350 Report contents—Required additional health information. This section takes effect on January 1, 2027. All reports must prominently display the following language: Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised people such as people with cancer undergoing chemotherapy, people who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. Environmental Protection Agency/Centers for Disease Control guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (800-426-4791) or on EPA's website epa.gov/safewater.

(1) A system that detects arsenic levels above 0.005 mg/L and up to and including 0.010 mg/L:

(a) Must include in its report a short informational statement about arsenic, using language such as: Arsenic is known to cause cancer in humans. Arsenic also may cause other health effects such as skin damage and circulatory problems. (NAME OF SYSTEM) meets the EPA arsenic drinking water standard, also known as a Maximum Contaminant Level (MCL). However, you should know that EPA's MCL for arsenic balances the scientific community's understanding of arsenic-related

health effects and the cost of removing arsenic from drinking water. The highest concentration of arsenic found in (YEAR) was (INSERT MAX ARSENIC LEVEL UNDER WAC 246-290-72230 (4)(d)) ppb.

(b) May use an alternative educational statement approved by the department.

(2) A system that detects nitrate at levels above 5 mg/L, but below the MCL:

(a) Must include a short informational statement about the impacts of nitrate on children using language such as: Even though (NAME OF SYSTEM) meets the EPA nitrate drinking water standard, also known as a Maximum Contaminant Level (MCL), if you are caring for an infant and using tap water to prepare formula, you may want to use alternate sources of water or ask for advice from your health care provider. Nitrate levels above 10 ppm pose a particularly high health concern for infants under six months of age and can interfere with the capacity of the infant's blood to carry oxygen, resulting in a serious illness. Symptoms of serious illness include shortness of breath and blueness of the skin, known as "blue baby syndrome." Nitrate levels in drinking water increase for short periods of time due to high levels of rainfall or agricultural activity, therefore we test for nitrate (INSERT APPLICABLE SAMPLING FREQUENCY). The highest level for nitrate found during (YEAR) was (INSERT MAX NITRATE LEVEL UNDER WAC 246-290-72230 (4)(d)) ppm.

(b) May use an alternative educational statement approved by the department.

(3) All reports must include a short informational statement about lead in drinking water and its effects on children.

(a) The statement must include the following information: If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. (NAME OF SYSTEM) is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to two minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

(b) A system may write its own educational statement, but only in consultation with the department.

NEW SECTION

The following section of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
246-290-72012	246-290-72400