



WASHINGTON STATE

# Board of Health

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**DATE:** July 8, 2009

**TO:** Washington State Board of Health Members

**FROM:** Environmental Health Committee, State Board of Health—Keith Higman, Karen VanDusen, John Austin

**SUBJECT: CHAPTER 246-291 WAC—UPDATE ON GROUP B DRINKING WATER SYSTEM RULES**

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## Background and Summary:

Under RCW 43.20.050(2)(a), the State Board of Health has responsibility to “adopt rules necessary to assure safe and reliable public drinking water.” The Board has adopted separate sets of rules for public systems covered by the federal Safe Drinking Water Act and those smaller systems referred to as Group B systems. The Board adopted Group B rules in 1994 as chapter 246-291 WAC, Group B Public Water Systems. The Group B rules currently apply to systems that serve between two and 14 homes and fewer than 25 people. There are about 13,000 of these small systems in Washington State.

In July 2007, the Board filed a CR-101 to open chapter 246-261 WAC for updates. Department of Health (DOH) staff met with stakeholders in 2008 and developed concepts for possible inclusion in a rule revision. DOH briefed the Board in November 2008 on this process. Since then, state funding for the program and statutory authority has changed. The 2009-2011 operating budget eliminated state funding to DOH to administer the rules and support local health jurisdictions. In addition, SSB 6171 amended statutory authority for the rules.

The Board’s Group B rules allow regulation of small public drinking water systems through joint plans of responsibilities between DOH and local health jurisdictions. Local health jurisdictions have had varying levels of involvement in enforcing these rules. They have relied heavily on state funding. Some have raised additional funding for their programs by assessing local fees.

Denise Clifford, Director of the DOH Office of Drinking Water, is here today to brief the Board on the status of the Group B rule revision and to seek input from the Board regarding direction of the rule making as a consequence of legislative actions during the 2009 session. Please see materials behind Tab 10 for additional information.

## Recommended Board Action:

No action recommended.