

Summary: Proposed Local Regulation WAC 246-291 with revisions adopted as local code Group B Water System December 23, 2013

Background

Cowlitz County residents received water from one of three sources

- Group A Public water systems
- Group B public water systems
- Private water systems

Currently about two percent of the population in Cowlitz County are provided water from 116 Group B systems. Effective 2014, the number of Group B systems will decrease to about 100 and the population served to about 1500.

Group B systems typically serve:

- Small subdivisions
- Home based businesses
- Campgrounds
- Churches and community facilities.

In 2009, state funding for Group B oversight was eliminated. Recognizing the financial challenge in regulating about 13,000 Group B systems under state jurisdiction changes to law were made and directed the State Board of Health to adopt a rule that created more stringent design standards for Group B system development but also eliminated all oversight requirements in order to help manage the department budget shortfall.

Impact on Local Health

Since 1994 Cowlitz County has retained primary responsibility for Group B systems utilizing the WAC 246-291 regulations under a contractual agreement with Washington State Department of Health (DOH) and prior to 1994, Cowlitz–Wahkiakum Health District maintained a contractual agreement.

Many changes effective January 1, 2014 will improve system development but others are considered to put citizens at future risk due to elimination of on-going oversight. The revised State Board of Health rule does provide an option to continue oversight through adoption of a local regulation. Adoption of a local regulation allows more flexibility in Group B approval. It will also ensure the continued protection of public health and public health capacity to respond to drinking water events. Existing Group B will see little difference with adoption of a local ordinance.

Water System Definitions

Group A systems are defined in RCW 70.119A.020 as a public water system providing water to at least 15 service connections, 25 people per day for at least 60 days per year, or 1000 or more people on two consecutive days.

Group B systems are defined in RCW 70.119A.020 as a public water system that is not a Group A system. This further defined in WAC 246-291-020.

A **private** or “individual” water system does not meet the definition of a public water system under RCW 70.119A.020.

**Impact Table for Proposed Cowlitz County Group B Code
December 23, 2013**

Current Practice (Existing Group B Rule)	New Group B Rule (Beginning in 2014)	Proposed Cowlitz County Group B Regulation
<p>Flexible regulatory approach:</p> <ul style="list-style-type: none"> • Most design standards are in guidance, and engineering flexibility is commonly provided • Systems can use drilled wells, dug wells or springs with proper design provisions • Water quality treatment can be designed for systems that don't meet standards • Arsenic standard is 50 ppb (very few sources do not comply) • Expanding systems can submit a simple design report showing capacity 	<p>Strict approval criteria for new or expanding Group B water systems will result in some proposals being denied:</p> <ul style="list-style-type: none"> • Source must meet primary water quality standards, minimum supply requirements, and cannot rely on water quality treatment to meet standards • Source can only be from a drilled well meeting WAC 173-160 • Arsenic standard reduced from 50 ppb to 10 ppb • Expanding systems must submit for approval a complete new application demonstrating compliance with WAC 246-291 • No waiver can be issued by DOH or State Board of Health 	<p>Maintain flexibility through the granting of system-specific waivers when needed for:</p> <ul style="list-style-type: none"> • Approving systems needing water quality treatment (such as disinfection) or other potential source issues • Systems with arsenic > 10 ppb • Cowlitz County oversight will help facilitate approving some new and expanding Group B systems while protecting public health (systems that DOH will not approve) • Cowlitz County can create a simpler approval process for expanding systems • Cowlitz code has a process to allow changes to the water system and remain approved
<p>Review approval fee for most Group B system designs: \$281</p> <p>(Additional fees for more complex reviews and for well site inspection)</p>	<p>Review approval fee for all Group B system designs: \$624</p> <p>(Additional fees for review of secondary treatment and for well site inspection)</p>	<p>Cowlitz County Group B Plan Review Fee currently: \$435</p> <p>(Additional fees for waiver review, sanitary control reduction, and for well site inspection)</p>

Current Practice (Existing Group B Rule)	New Group B Rule (Beginning in 2014)	Proposed Cowlitz County Group B Regulation
Local jurisdictions have relied on DOH to track the number of approved connections for Group B systems (although that information has not been kept current in recent years)	DOH will identify the existing parcels to be served by a new Group B system, and will provide that information to LHJs and to local planning departments DOH will not track which parcels connect to the Group B system afterwards	Cowlitz County tracks parcels which are connected to Group B systems Building permit adequacies are done in partnership with Cowlitz County Building and Planning Cowlitz County can transfer parcels approved for systems if like for like change or through plan review process
DOH has provided technical assistance to Group B systems with water quality problems, to help facilitate the approval of appropriate treatment when necessary	DOH will provide very limited technical assistance to Group B systems for questions about water quality treatment by referring to our web page because the program has no funding	Cowlitz County can approve systems using water quality treatment through a waiver process and would be better positioned to provide technical assistance to Group B systems when needed
Systems submitted to DOH required Professional Engineer and systems submitted to Cowlitz County were allowed to higher P.E. or other qualified people to design system.	All new and expanding Group B design submittals must be prepared by a P.E. unless the LHJ adopts a local ordinance	The proposed ordinance allows the most common Group B submittals to be prepared by someone other than a licensed P.E.
Water Quality Monitoring: Coliform monitoring 1 per 12 months Nitrate monitoring 1 per 36 months	Water Quality Monitoring: No monitoring required	Water Quality Monitoring: Coliform monitoring 1 per 12 months Nitrate monitoring 1 per 36 months with an option to reduce that frequency
1 or 2 connection nonresidential systems required to meet full Group B requirements	Most 1 or 2 connection nonresidential Group B systems have no requirements except requirements determined by county for adequacy per GMA	Most 1 or 2 connection nonresidential systems to have minimum initial construction requirements but no ongoing requirements. Systems will be setup to allow easier transition to public water regulations if needed