



Meeting Notes
Drinking Water Advisory Group
March 7, 2022

Note: Presentations are linked on the agenda item title. Handouts are linked in the notes section.

Agenda Item	Notes
<p>2. ODW Update Holly Myers, Office Director</p>	<ul style="list-style-type: none"> ◆ PFAS SAL—Rule now in place. <ul style="list-style-type: none"> ○ Working on public notice documents and guidance/tools to update water systems. ○ Funding coming from Bipartisan Infrastructure Law (BIL) for PFAS treatment. ◆ Mike Means—Federal Government is actively working on implementation of PFAS rule. ◆ LCRR. <ul style="list-style-type: none"> ○ Haven't signed off on rule as is yet. ○ Focused on service line replacement. ○ Reminder to WS to be prepared if service line replacement is needed. ○ Expect EPA guidance on funding next week. ◆ Budget proviso to put funding toward arrearages for those that need help paying their water bills. <ul style="list-style-type: none"> ○ Congress put together flyer on how to access funding and get access to vendor agreements. ○ Fern Schultz: Get vendor agreements in now for funding that is already available. It will be posted on our Customer Assistance webpage. Other great resources there. ○ ODW will provide simpler version of flyer. We working with Department of Commerce to make money available. ○ When available we will issue a ListServ notice and update the website. ◆ COVID disruptions. <ul style="list-style-type: none"> ○ Short staffed. ○ Working to support staff to alleviate stress and burnout. ◆ Questions? ◆ Heather Kibbey—re: materials for PFAS guidance, are there any team members from outside of ODW? Holly Myers: Team doesn't include outsiders, but documents are draft versions and can be updated/alterd to meet specific Water System needs. Received strong pushback from water utilities about the current guidance documents stating they will not work for their water systems. Some submitted comments to ODW. Mike Means: Developing supporting documents. Request utilities input in the past and intend to include utility feedback. Will ask for it when documents are further along. More to come soon. ◆ Jeff Johnson—What is our take on Fluoridation bill. (See notes for Legislative Update below). Holly Myers: Explained in legislative update section, Brad



	<p>Burnham will discuss. Brad B: Policy bills give us mechanisms to move forward, budget bills give us the funding. Looking at how to move forward. Reach out any time.</p> <p>Chris McMeen—Interagency coordination between DOH and ECY on PFAS communication, where is it coming from and how are we cleaning up? Propose a very formalized process for the communication needs and updates.</p> <p>Holly: Meeting with ECY on quarterly basis. Mike Means: in talks with Ecology right now on how to move forward and coordinate.</p>
<p><u>3. Legislative Update</u> Brad Burnham, Policy & Rules Section Manager</p>	<ul style="list-style-type: none"> ◆ Sixty-day short session. ◆ Fluoridation: <ul style="list-style-type: none"> ○ Did not make it to the 2/28/22 cutoff. ○ Elements added as budget proviso. ○ Oral health equity assessment. ◆ Climate resilience planning: <ul style="list-style-type: none"> ○ For systems serving 1000+ would include climate impacts plan. ○ Did not make it to the 2/28/22 cutoff. ◆ Failing water systems: <ul style="list-style-type: none"> ○ Would require ODW to assume the role that counties currently hold in water system receivership. ○ Allow Water System Acquisition and Rehabilitation Program to reimburse a water system receiver if reasonable assessments imposed by the receiver are insufficient to cover costs. ○ ODW testified on this bill. ○ Did not make it past the 2/28/22 cutoff. ◆ Federal infrastructure bills: <ul style="list-style-type: none"> ○ SB 5860, Water policy and aquifer level ○ SJM 8006, National infrastructure bank. ○ Both still have “legs” prior to the March 4 cutoff. ◆ Drought. ◆ GMA-related. ◆ Water rights. ◆ Actively focused on about 6 bills. None survived. <p>Questions—No questions.</p>
<p><u>4. DWSRF and BIL Updates</u> Corina Hayes, DWSRF Manager</p>	<ul style="list-style-type: none"> ◆ Drinking Water State Revolving Fund (DWSRF) background. <ul style="list-style-type: none"> ○ Increase public health protection and compliance with drinking water regulations. ○ Reimbursements through low-interest loans. ○ Funded through EPA, state match, and loan repayments. ○ Current info about program is located on our DWSRF webpage. ◆ DWSRF Story Map Project Profiles.



- ◆ Standard Program Funding.
 - Capitalization Grant—24.6 million.
 - Requires 20 percent match.
 - Intended Use plan demonstrates use of the entire cap grant and match.
 - Includes all funded lists and set-aside workplans.
- ◆ Bipartisan Infrastructure Law (BIL)
 - Three new authorizations of funding in addition to the regular cap
 - Each pot of funding has different criteria
 - Stimulus 49 percent will be provided to communities as grants and principal forgiveness loans.
- ◆ Funding breakdown.
- ◆ Conditions.
 - Build America Buy America (BABA).
 - Expands on existing American Iron and Steel provision.
 - Davis Bacon Act.
 - Subsidy requirement..
 - [DWSRF Infrastructure BIL Funding 331-685 \(PDF\)](#).
- ◆ BIL Impacts.
 - Unclear when funding will be available
 - Waiting on federal guidance for:
 - Lead service line funding
 - Justice 40 – requirements
 - Subsidy breakdown (per project/prefunding pot)
- ◆ BABA
 - BABA availability/cost of materials
 - Supply chain delays/availability – some concern.
 - Need to be able to demonstrate we have used the funding.
- ◆ Preconstruction Loans
 - Planning, studies, design
 - First come, first serve
 - Cannot be used for groundbreaking
- ◆ Construction Loans.
 - **Planning documents must be current and include proposed project.**
 - Ownership, easements, by 11/30.
 - Must have water rights.
 - No outstanding audit findings.
 - Governing board must approve.
 - Construction must start within 18 months
 - Project must be completed within 48 months.
 - Asset management will be part of any loan.
- ◆ Project Scoring
 - Standard scoring likely not going to change – all based on public health.



- ◆ Applications.
 - Apply through WALT application portal.
- ◆ Construction Loan timeline.
 - 10/1 to 11/30 received.
 - 12/1 to 1/31 reviewed.
 - Notified on funding status by February.
 - Scopes developed March to May.
- ◆ Consolidation Grants.
 - Planning on cycle from June 1 to June 30.
 - \$400,000 available
 - Publish guidelines in May

Questions?

Marshall—Lakewood Water District—PFAS scoring; do we have a timeline of when the scoring will be available? **A:** Still waiting on guidance from EPA, but will likely use same criteria as existing construction loan.

John Weidenfeller—Is DOH going to make monies available for failing water systems? **A:** can't speak to that funding source, but looking at other federal funding for small systems in compliance related issues. **Mike M.** Changing end result of receivership. Actively looking for ways to help local government to be successful. Help keep utilities from getting into receivership situations. Coordinate with state or other ways to move forward.

[6. Capacity Development Strategy](#)
Brian Sayrs, Planning Policy Lead

Breakout session on barriers and incentives Handout.

- ◆ What is a Capacity Development Strategy?
 - Every new existing public water system.
 - Acquires and maintain technical, managerial, and technical capacity.
- ◆ Barriers and incentives.
 - What helps and hinders technical, managerial, and financial capacity?
- ◆ Water Systems Serve Communities.
 - Federal—EPA, Homeland Security, congress, president.
 - State—ODW, L&I, Ecology, UTC, Commerce.
 - Local—LHJ, counties, cities, towns, public utilities districts, special districts.
 - Other—AWWA.
- ◆ Breakout sessions discuss:
 - What barriers hinder your ability to grow your system's technical, managerial, and financial capacity?
 - What incentives are useful in helping you grow your system's technical, managerial, and financial capacity?
 - Refer to handout as reminder.
- ◆ **Breakout sessions report back.**
 - **Barriers**
 - Educating customers on what we do and why.
 - Cost of water and running water systems.



	<ul style="list-style-type: none"> ▪ Appreciate education materials provided by DOH/ODW. ▪ Impact of utility taxes can be extreme. ▪ Varying charges for permits and sanitary surveys between counties. ▪ Communication issues and understanding/coordinating between LHJ, ODW, Federal, Counties. ▪ Communication issues with customers and helping them understand the cost and value of drinking water. ▪ Educating City Councils. ▪ LCRR rulemaking timeline. ▪ Rate increases and how to communicate to customers about why rate increases are necessary. ▪ Federal government funding—difficult/a lot of work to get access to this funding. ▪ Challenges working with exempt wells and Department of Ecology—need more communication and coordination. ▪ Operator vacancies/shortages. ▪ Timeline requirements of federal government for construction funding can be hard to meet. ▪ Apprenticeship needs and bringing new people into the industry. ▪ Local government requirements for zoning, density, landscape can be costly and challenging. ▪ Constantly changing growth management act requirements. ▪ Educational background requirements are being problematic for higher operator certifications. ▪ COVID relief funds are available, but they’re difficult to access. ▪ Water systems have insufficient source water protection control over what gets into their water. <p>○ Incentives</p> <ul style="list-style-type: none"> ▪ Communication and coordination getting better. ▪ Benefit of overarching support. ▪ DOH engineers have been great resource to systems. ▪ Have good communication between government agencies and water systems and utilities. ▪ LCRR rulemaking was also an incentive to help with planning and preparation for the changes. <p>Comment from Chris McCord: “It would be interesting to ask EPA if part of what the BIL or Cap Grant subsidy could be used for would be salary assistance for small systems as we try to get new bodies interested in the workforce.”</p>
<p>7. Operator Certification Update and Status Bill Bernier, Operator Certification and Training Manager</p>	<p>Presentation</p> <ul style="list-style-type: none"> ○ Capacity development can’t happen without a workforce. ○ Water Utilities are key community and economic vitality indicators. ○ Ensure Environmental and public health protection. ○ We need to hear from this group on water sector issues. ○ Call or email if you aren’t comfortable speaking up in the meeting.



	<p>See slide for numbers.</p> <ul style="list-style-type: none"> ○ A lot of retirements—where are the new operators going to come from and how are we going to compensate them properly? <ul style="list-style-type: none"> ▪ This is going to be a struggle for years to come, especially for small systems. ○ Every county in the state is seeing population growth, 20 percent increase overall. ◆ Job availability (Catch 22). Need entry-level people to come in, get experience so they can start the certification process. <ul style="list-style-type: none"> ○ Board Member Training. ○ More investment in apprenticeship programs. ○ Work study programs. ○ Internships. ○ Expand what qualifies as experience. ○ Percentage of salary programs. ○ Summer jobs. ◆ Recruitment. <ul style="list-style-type: none"> ○ How do we get people interested in utility work? ○ Ernie—Evergreen Rural Water—Military has program called WORKEX. Allows separating military member to work the last six months in the private industry. Gov will pay that six-months wages. Would like to work with JBLM to recruit. Utilities should look to work source offices as well. ○ Scott Hallenberg—work force study program has been useful to hire operators. State reimburses up to 70 percent of wages. Was able to hire two of the candidates. ○ Steven Baker: role that ODW can play as clearinghouse of operators/operator positions. ◆ How do we increase diversity? <ul style="list-style-type: none"> ○ More flexibility for work schedules. ○ More funding for extra staff to help fill in/cover each other. ○ Send emails to Bill Bernier with ideas.
<p>8. Rulemaking Update Brian Sayrs, Planning Policy Lead</p>	<ul style="list-style-type: none"> ◆ Rule updates SHB 2236 Title 70 RCW <ul style="list-style-type: none"> ○ Legislature grouped all environmental health and safety into one place that is now 70A RCW. ○ Only technical changes; just updating the references. Onsite Nonpotable Water Systems (ONWS). <ul style="list-style-type: none"> ○ Anticipate that some new development to allow individual buildings to have onsite treatment systems and then use the water for nonpotable uses: watering lawns, etc. ○ ONWS must connect to a public water system, protect from cross-connections, and employ a certified operator.



	<ul style="list-style-type: none">○ Rule process should be done end of this year or beginning of next year. <p>LCRR</p> <ul style="list-style-type: none">○ Workgroup already meeting in ODW. Meeting weekly. <p>Operator Certification Rule Revision.</p> <ul style="list-style-type: none">○ Rulemaking is required to remove a racially charged word (“Grand parented”) from the regulation.○ For instance, “legacy” has the same meaning, but does not bear the historical connotations.
<p>9. Agenda Ideas for next Meeting Brian Sayrs, Planning Policy Lead</p>	<ul style="list-style-type: none">◆ Tyler Clary—LCRR guidance and requirements very important to utilities.◆ Ernie (ERWOW)—Update apprenticeship programs and present at DWAG.◆ Infrastructure funding.◆ ODW Strategic Plan.