

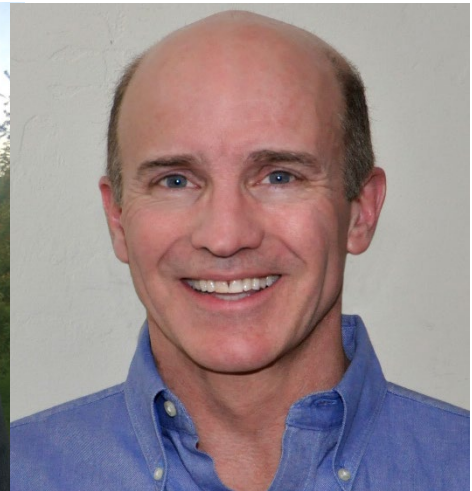


We work with local governments and other agencies in the areas of safe drinking water, food safety, shellfish protection, radiation safety, wastewater management, pesticide exposures, vector borne disease, general environmental health and safety issues, and health risk assessments.



**ONWS REGULATION DEVELOPMENT
IN WASHINGTON STATE SEPT 2022**
Division of Environmental Public Health

Environmental Public Health's ONWS Team



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Agenda

| | |
|--------------------------|--|
| Process | <ul style="list-style-type: none">○ Rule development goals○ RAC major topics○ Concept update○ Planned future activities |
| RAC Introductions | <ul style="list-style-type: none">○ Introductions and biggest topics |
| Preliminary draft | <ul style="list-style-type: none">○ Preliminary draft overview○ Part-by-part review (with RAC input) |
| Next Steps | <ul style="list-style-type: none">○ RAC comments through May 6○ Cost survey○ Informal comment period○ Proposed rule |



Rule development goals

- Protect public health
- Reduce the burden on the environment
- Preserve flexibility to encourage innovation
- Support local capacity development
- Create a corps of professional engineers and operators
- Understand long-term ONWS impact



Rule Advisory Committee—topics

- Definition of “cost prohibitive”
- Statewide implementation consistency
- Local rulemaking capacity
- Local engineering review capacity
- Annual permitting and inspections
- Operator certification
- System abandonment
- Single-family residential buildings
- Water rights impairment after Foster



Concept update

- Opted to write a “complete” rule
 - Rule establishes water quality and construction standards *and* structures implementation
 - Typically implemented through a joint plan of responsibilities (JPR)
 - Local health jurisdictions (LHJ) may adopt more stringent rules



Today and afterward

- Today we will review the preliminary draft
- Comments remain open until May 6.
- We will consider your input as we receive it
- We will follow up with:
 - Cost survey
 - Informal comment period
 - Proposed rule this fall



Introduction and biggest topics

- Please introduce yourselves!
 - Title or what you do
 - Organization or affiliation
 - Your biggest topic to talk about today



The rule by parts

1. General provisions
2. Planning, Review, Approval, and Permitting Process
3. Design, Log reduction targets, Credits, and Water Quality limits
4. Operations
5. Monitoring, Reporting, Notification, and Recordkeeping
6. Compliance Assurance and Enforcement
9. Fees



Part 1: General Provisions

- 100 Purpose and scope
- 105 Applicability
- 110 Relationship to other applicable regulations
- 115 Definitions, abbreviations, and acronyms
- 120 Allowed alternate water sources
- 125 Allowed uses
- 130 Allowed implementation scales
- 135 General administration
- 140 Engineering qualifications
- 145 Variances, waivers, and extensions
- 150 Inspection



Part 2: Planning, Review, Approval, and Permitting Process

- 200 New systems and major modifications
- 205 Feasibility study
- 210 Engineering report and construction document submittal
- 215 Construction completion report



Planning and Engineering

- Feasibility study, including Ecology under -130(1)
- Engineering report
- Construction documents
- Construction completion report and facilities inventory

Conditional Startup

- Cross-connection control test
- Request and receive notice to proceed
- Consistently meet LRT and water quality requirements
- Conditional startup final report

Final Use

- Apply for operating permit with:
 - ✓ Qualified operator
 - ✓ Facilities inventory
 - ✓ Conditional startup final report and O&M manual

New ONWS Development Process

Part 3: Design, Log reduction targets, Credits, and Water Quality limits

- 300 Pathogen log reduction targets (LRT)
- 305 Log reduction credits.
- 310 Water quality limits.
- 315 Design requirements for all ONWS.
- 320 Design requirements based on alternate water source.
- 325 Design requirements based on use.
- 330 Design requirements based on implementation scale.



Part 4: Operations

- 400 Conditional startup mode operations.
- 405 Operating permit.
- 410 Qualified operator in responsible charge.
- 415 Cross-connection control and makeup water supply.
- 420 Operations and maintenance.
- 425 Change of ownership.
- 430 Abandonment.
- 435 Legal agreement.
- 440 O&M Manual.



Part 5: Monitoring, Reporting, Notification, and Recordkeeping

- 500 Monitoring and sampling.
- 505 Routine water quality reporting.
- 510 Annual reporting.
- 515 Malfunction notification and reporting.
- 520 Recordkeeping.



Part 6: Compliance Assurance and Enforcement

- 600 Modification, suspension, and revocation of permits.
- 605 Notice of violations, enforcement actions, and penalties.
- 610 Appeals and adjudicative proceedings.

Part 9: Fees

-990 Fees



Next steps

- RAC comments through May 6
- Cost survey
- Informal comment period
- Proposed rule



Final thoughts





Washington State Department of

Health