



**Meeting Notes**  
**Drinking Water Advisory Group**  
**September 11, 2023**

| Agenda Item   | Notes   |
|---|---|
| <p><b>2. ODW Update</b><br/>Kay Rottell, Deputy Director; and Mike Means, Capacity Development and Policy Manager</p> | <ul style="list-style-type: none"> <li>◆ Holly is out for the rest of the month due to an equestrian accident.</li> <li>◆ Introduction of George Onwumere as Field Operations Manager.</li> <li>◆ LCRR Update: Submitted draft extension request. Heard back from EPA, but it's not covering all of our questions and concerns. Need to get information. Will present to SBOH in November with what we know.</li> <li>◆ Lead Service Lines Inventory due October 15, 2024. This is a paper exercise and requires you look at your records.</li> <li>◆ Emergency contamination Water Infrastructure Improvements for the Nation (WIIN) grant for small and disadvantaged communities. Put in grant application. This funding is around \$16+ million per year over the next five years. Would use funding for PFAS sampling. Next would be for short term litigation for high number PFAS results. After that we would work with engineering and construction grants to help reduce the PFAS numbers. We will decide when we receive funding.</li> </ul>   |
| <p><b><u>3. DWSRF Update</u></b><br/>Chris Pettit, SRF Manager; Jocelyne Gray, SRF Engineer</p>                       | <p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>◆ Reviewing applicants for the consolidation grant cycle that just closed, and looking at how we can make this more available, whether it is opening the cycle again or keeping it open all the time. More to come later.</li> <li>◆ The Emergency Rule just came out.</li> <li>◆ Current information about our program is always on our <a href="#">DWSRF webpage</a>.</li> <li>◆ DWSRF Update presentation (linked in title).               <ul style="list-style-type: none"> <li>○ Several pots of funding.                   <ul style="list-style-type: none"> <li>▪ Standard Capitalization Grant.</li> <li>▪ BIL Supplemental Capitalization Grant for Loans.</li> <li>▪ Emerging Contaminants Forgivable Loan.</li> <li>▪ Lead Service Line Replacement Loan.</li> <li>▪ DWSRF Repayment Account.</li> <li>▪ Planning and Engineering Loans.</li> <li>▪ Consolidation Feasibility Study Grants.</li> <li>▪ Emergency Loans.</li> </ul> </li> <li>○ Online Training for Construction Loan: Overview Webinars are September 20 and October 11. Go to our <a href="#">DWSRF webpage</a> for links.</li> <li>○ Need to make sure you are eligible for a loan, per the requirements for each loan.</li> <li>○ Each loan has specific eligibility and amounts awarded.</li> </ul> </li> <li>◆ Future pots of money:</li> </ul> |



|  |  |
|--|--|
|  | <ul style="list-style-type: none"><li>○ Rehabilitation and consolidation grant. \$2 million for consolidation or rehabilitation of struggling or failing systems. Available in 2024.</li><li>○ WIIN Grant for small and disadvantaged communities. \$33 million to water systems serving under 25,000 people. Available in 2025.</li><li>◆ How to be eligible:<ul style="list-style-type: none"><li>○ Must be able to pay loan back.</li><li>○ Must have control of the property.</li><li>○ No audit findings.</li><li>○ Governing body must approve applications.</li><li>○ Positive cash flow.</li><li>○ Be a legal entity registered with the state.</li></ul></li></ul> <p><b>Questions</b></p> <p><b>Q: (Tyler Clary) How does this compare to previous eligibility? A:</b> It explains it more and helps prepare us to go from this emergency rule to the actual rule next year.</p> <p><b>Q: (Derek Pell) Can you talk about the loan underwriting requirements? A:</b> Please talk to Mike Copeland about underwriting requirements. That is his realm. Chris will reach out to Mike Copeland to get some info from him that can be passed out. <b>Derek posted in the chat:</b> He’s hearing that small systems can get through the planning process with regional office support, but are having trouble meeting underwriting and loan agreement requirements. <b>Chris responded:</b> This is a fair statement. There are requirements tied to fiscal viability and risk that have to be met.</p> |
| <p><b>4. MOU with Ecology</b><br/>John Freitag, Policy<br/>Planning Lead</p> | <ul style="list-style-type: none"><li>◆ Last update was 2007.</li><li>◆ ECY’s main job is looking at water rights eligibility. This MOU ensures that we work together.</li><li>◆ Plan to finalize by October and then update more frequently.</li></ul> <p><b>Questions</b></p> <p><b>Q: (Chris McCord) Perhaps this is the place for Ecology and Health to visit drought funding and how Health can get funding to private not for profit systems needing assistance. A:</b> Ecology has given out more information recently about drought funding. Drought is listed under one of our grants/loans. (Kay) We need to work with Ecology on an interagency agreement to work together and have them give us the money that we could then in turn give it to folks that ECY can’t fund.</p> <p><b>Q: (Derek Pell) Can you share more about the Policy 2030 update and the process. I anticipate that this may have a significant impact on water utilities. A:</b> This one is currently out for public comments. This is an Ecology</p>  |



policy, which we are also reviewing internally in ODW. This is another example of how we are working together.

**5. Cyber Security**  
**Listening Session**

Kay Rottell, ODW  
Deputy Director

**Presentation**

- ◆ Cybersecurity is important because:
  - PWS frequent targets.
  - Potential to compromise treatment or distribution.
  - PWS vulnerable to threats from inside and outside.
- ◆ March 3, 2023, EPA sent out a memo about cybersecurity, but on July 21, 2023, the Eighth Circuit Court of Appeals issued a stay on it.
- ◆ EPA has three ways that the states could implement.
  - Self or third-party assessment as part of sanitary survey.
  - Review includes cybersecurity practices and controls that could impact supply or PWS safety.
  - State must identify and use authority to require PWSs address cybersecurity significant deficiencies.
- ◆ Cybersecurity awareness includes accounts, devices, data, governance and training, vulnerability of firewalls, supply chain or third party, response and recovery.
- ◆ EPA program options include self or third-party inspections to determine gaps; ODW evaluates during sanitary surveys; or alternate state program to assess and address gaps.
- ◆ Due to ODW and our rules for public disclosure, we need to be careful with what info we collect.
- ◆ Sean Bauer posted that they worked with the Department of Homeland Security to perform a vulnerability assessment.

**Questions**

**Q: (Kay) Which EPA option do you think we should look at implementing? A:** Having tools to perform a self-assessment would be a good starting point. Option 1—per Gary St. John, many water departments are included as part of an electric utility which already has cybersecurity requirements.

**Q: (Kay) What info on operational technology should ODW Gather? A:** (Lori) Don't need to have your SCADA system on the internet, but if it is connected to a network and another computer or phone connects and infects the network, it can get into your SCADA system too. (Cheri)—Basic info, do you have SCADA, do you have cybersecurity, etc. would be good places to start. Some staff

**Q: (Kay) What do you need from ODW or CISA? A:** (Kathi Read) CISA will be at the IACC conference for two presentations and will have a booth there.



|   |   |
|---|---|
|   | <p><b>Q: (Kay)</b> Are you the right person that ODW should discuss cybersecurity with or is there someone else? <b>A:</b> Depends on the system. For some it's the water system, but for others it's the IT department.</p> <p><b>Q: (Kay)</b> Other Cybersecurity Concerns? <b>A:</b> Kim Moore, in Brad's team is working on cybersecurity and what we can do.</p> |
| <p><b>6. Agenda Ideas for next Meeting</b><br/>John Freitag</p> | <ul style="list-style-type: none"><li>◆ PFAS.</li><li>◆ Upcoming Leg Session.</li><li>◆ Updates.</li><li>◆ Update on the MOU with Ecology.</li><li>◆ WSARP funding.</li><li>◆ Disadvantaged communities update.</li><li>◆ Discussion on ECY's policy as it affects water utilities.</li></ul>   |