



Meeting Notes  
Drinking Water Advisory Group  
June 3, 2024

Agenda Item	Notes
<p><b>2. ODW Updates</b> Holly Myers, Office Director</p>	<ul style="list-style-type: none"> <li>◆ Celebrated Drinking Water Week Awards in May. Read about the winners on our <a href="#">DWW webpage</a>.</li> <li>◆ Recent Sanitary Survey Training for those who do surveys.               <ul style="list-style-type: none"> <li>○ We are working for consistency across the board between all staff who do surveys.</li> </ul> </li> <li>◆ Working for completely electronic files.</li> <li>◆ We are still working remotely, and we have in-person meetings.</li> <li>◆ EPA is pushing states to address nitrates, especially for the small individual wells in the Lower Yakima Valley area.</li> <li>◆ Our Tribal Partners at the Squaxin Tribe have asked for an MOU.</li> </ul>
<p><b>3. Memorandum of Understanding with Ecology Q&amp;A</b> John Freitag, Policy Planning Lead</p>	<ul style="list-style-type: none"> <li>◆ Update: It's still in the signature process. We have a contracts and MOU signature process that we are going through.</li> <li>◆ John is starting to work with staff internally about what the MOU means to our day-to-day work.</li> <li>◆ It will mainly affect our staff and how they do their work.</li> </ul> <p><b>Questions</b></p> <p><b>Q: When do you expect the MOU between Health and ECY will be available to utilities? A:</b> It takes time for our internal process, we hope that it will be available before August.</p> <p><b>Q: Are there any changes that will impact engineers outside of the agency? A:</b> The biggest change will be creating a standardization for a formal process if the water system plan and Ecology don't match on the water rights. This would address them quickly and get everyone on the same page. The plan for this MOU was to keep the policies out of it. Those will be addressed at a different time.</p>
<p><b>4. PFAS MCL (PDF)</b> Mike Means, Capacity Development and Policy Manager</p>	<ul style="list-style-type: none"> <li>◆ Washington is working as a state (not just ODW) to address PFAS across the state.</li> <li>◆ SAL vs MCL.               <ul style="list-style-type: none"> <li>○ The SAL requires testing, public notification, and guides the response.</li> <li>○ The MCL is enforceable.</li> </ul> </li> <li>◆ We are in the middle of the initial PFAS testing (January 2023 to December 2025).</li> <li>◆ There was a free testing program from 2022-2023. We are reopening it for 2024-2025. Here's the enrollment link. <a href="#">PFAS Free Sampling Enrollment Form</a>.</li> <li>◆ There are five other PFAS frequently detected in a lot of our samples in this state.</li> </ul>



- ◆ EPA Final MCLs 2024: PFOA=4 ng/L; PFOS=4 ng/L
- ◆ R&S Daly: They are a part of Hannah Heights and Derek asked them to share their experience. Their samples were very high, but they don't know where it is coming from and are still waiting for ECY to come out to test their soil. They have gotten some promises of funding, but don't have the money in their hands yet. They have the highest test results for a water system in the state of Washington. May have one or two individual wells that are higher. Have struggled with getting the funding quickly.
- ◆ Brad's group (Policy and Planning), has the Alternative Drinking Water Program with funding available to help individual wells or Group B water systems impacted by contaminants.
  - [Alt-DW-Program \(PDF\)](#)
  - Link to more info: [Drinking Water webpage.](#)
  - Contact [Sarita Preuss.](#)

### Questions

**Q: What studies did EPA perform or rely on to establish their levels? A:**

Link added to EPA's [Per- and Polyfluoroalkyl Substances](#) website.

**Q: Darin Klein: If we enroll in the free sampling program, how does it**

**work? A:** We have contracts in place with certain labs. Once you are enrolled, Derrick Dennis sends an e-mail assigning you to a lab.

**Q: Kit Burns: Is there any progress on what can be used to treat it?**

**Second, what about the moving sludge, what can we say about not**

**getting it into the sludge? A:** There are some treatments right now. Lots more studying for other ways to treat it. **Q2 A:** The best way to keep sludge from coming into the system is to prevent PFAS from getting into the sludge.

**Q: Unknown: I'm assuming that the treatment methods result in the generation of hazardous waste that needs to be properly disposed of? A:**

Yes, some methods produce hazardous waste, but it is still being researched.

**Q: David Luders: What kind of treatment will their system need? Point-**

**of-use (POU), whole house treatment, or entire system? A:** More than likely POU can't be used, because Washington historically doesn't allow POU.

**Q: Elaine Packard: How is the new information and new EPA standards affecting the state's reclaimed water use policy? This may be more of a**

**wastewater question, but might be relevant to this discussion. A:** (Kit Burns): Testing must be required for reclaimed water.

**Q: Doug Greenlund: Do we have resources to fingerprint the PFAS and**

**where it is coming from? A:** We currently do not have it available, but there are some studies being worked on around the nation.

**Q: Jeanne Archie: Is there a location about treatment options for various sizes of water companies? A:** Someone like AWWA would have info available.

**Q: Burt Clothier: Can you direct him to the person who could help with**

**discharge? A:** [Mike Means](#) will get back to him.



<p><b>5. DWSRF Updates</b> Chris Pettit, DWSRF Manager</p> <p>Jocelyne Gray, DWSRF Engineer</p>	<ul style="list-style-type: none"><li>◆ Funding for Emerging Contaminants Small and Disadvantaged Grant is being led by Samantha (Sam) Delmer.</li><li>◆ We maxed out the emerging contaminants funding and allocated the full \$17.5 million of the BIL EC for 2023.</li><li>◆ Sara Herrera retired, and her duties are spread out between the others until we hire her replacement.</li><li>◆ We are in the process of finalizing our disadvantaged community definition.</li><li>◆ LIHWAP—Usually has been at Commerce, but the legislature asked us to evaluate how to continue LIHWAP and the best way to structure the program. We are working on this with a group of folks within the state.</li><li>◆ Working to update the Construction Loan Guidelines and hope to get it out in July instead of September 1. There are a lot of updates, so we'd like to get this out sooner for folks to read them.<ul style="list-style-type: none"><li>○ Subsidy maximum will be up to 75 percent.</li><li>○ Applications are now open year-round for Planning &amp; Engineering Loans, Consolidation Feasibility Study grant. And Construction and Lead Service Lines Loans. Construction and Lead Service Lines Loan guidelines will come out in the summer and the deadline will still be November 30.</li><li>○ Look for more info about the webinars and Q&amp;A sessions coming this summer.</li></ul></li></ul> <p><b>Questions</b></p> <p><b>Q: Please send a link to the definition of disadvantaged. A:</b> There is a public hearing on June 25.</p> <ul style="list-style-type: none"><li>• More info about the Emergency Rules: <a href="#">DWSRF – Emergency Rules</a>.</li><li>• Info about the Public Hearing and what is happening: <a href="#">DWSRF Loan Program</a>.</li></ul> <p><b>Q: Randy Preston: Do you know if money is available to smaller systems such as ours with 5K connections and a 20K population? A:</b> There is funding for small systems. We have funded projects for systems with less than 50 connections.</p> <p><b>Q: Bowen Kendrick: What about for those who have had changes in the scope of work, and it might not match what is identified in the water system plan? A:</b> Check with your regional planner first to see if the current language is sufficient or if you need an amendment.</p>
<p><b>6. Accessory Dwelling Units—Guidance for Utilities Discussion</b></p>	<ul style="list-style-type: none"><li>◆ House Bill 2321<ul style="list-style-type: none"><li>○ <a href="#">Washington State Legislature</a></li><li>○ <a href="#">2321-S.SL.pdf (wa.gov)</a></li></ul></li><li>◆ Modified some of the housing density.</li></ul>



Brad Burnham, Policy and Planning Section Manager

- ◆ Because it was talking about housing, we weren't really following this at the beginning. It was looked at by another DOH area that deals with housing.
- ◆ It's not Auxiliary, but Accessory. RCW [36.70A.696](#): "Accessory dwelling unit" means a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other housing unit.
- ◆ **From Brad:** Excerpt from House Bill Report ESHB 2321 Summary of Bill: The exemption from minimum density requirements for lots with critical areas or their buffers is limited to that portion of a lot, parcel, or tract with a critical area or buffer except for critical aquifer recharge areas where a single-family detached house is an allowed use provided that any requirements to maintain aquifer recharge are met. Until June 30, 2026, any additional residential capacity required by lots, parcels, or tracts with critical areas or critical area buffers may not be considered an inconsistency with countywide planning policies, multicounty planning policies, or growth targets.

Lots created through the splitting of a single residential lot and areas designated as sole source aquifers by the United States Environmental Protection Agency on islands in the Puget Sound are exempt from the middle housing and minimum density requirements.

- ◆ In his first excerpt they wanted to delete the part about protecting critical areas and public health and safety.
- ◆ In Brad's second excerpt, it added an exception to the section where it does not apply to certain critical areas.
- ◆ This doesn't have anything for ODW, but we want to make sure we are aware of it and know how it might affect water systems.
- ◆ Nikki Guillot: The bigger program overview from Commerce on their [Planning for Middle Housing](#) webpage.

**Questions**

**Q: Bob Danson: Is there an effort to modify this bill to protect highly vulnerable shallow aquifers with significant risk from additional human uses? Stormwater and infiltration come to mind. A:** Nothing that we know of.

**Q: Elaine Packard: Another issue is how strong our mitigation rules are regarding getting water rights. The legislature is trying to weaken mitigation rules primarily related to development. A:** From Deborah Johnson: HB 1337 requires that local jurisdiction allow 2 ADUs for every one primary dwelling within urban growth areas. Outside of them, no. So that means up to three homes for every one lot (moderator: as long as they fit, as long as property owner wants to.)



	<p>HB 2321 requires that local jurisdictions within certain population levels allow various housing types on lots that were previously only single family. The complexity is that zoning is usually expressed as X number of dwelling units per acre, while these requirements relate to the number of units per lot. These are the primary dwelling units. This could potentially be coupled up with ADUs but probably a moderator is going to be lot size.</p> <p><b>Q: Dan Sander: Where does wellhead protection program/time of travel fit in? A:</b> Remains to be seen how many LHJs have not been able to put this bill into their rules. Another place to look is our <a href="#">SWAP Map</a>.</p>
<p><a href="#">7. Lead Service Line Inventory Submission Portal (PDF)</a> Sheri Miller, ERO Regional Engineer</p>	<ul style="list-style-type: none"> <li>◆ LCRR was effective December 16, 2021; compliance date is October 16, 2024.</li> <li>◆ LCRI draft rule came out November 30, 2023, waiting for finalization.</li> <li>◆ Need to review your records. Look for an earlier lead ban; if not, use 1986.</li> <li>◆ If you do find any lead service lines, please let us know.</li> <li>◆ Right now, we don't have the PN set up for this.</li> <li>◆ <b>If you don't complete the Lead Service Line Inventory, it is considered a Treatment Technique Violation and a Tier 2 public notice.</b></li> <li>◆ <b>If you don't submit the inventory to the state, it is a reporting violation and a Tier 3 public notice.</b></li> </ul> <p><b>Questions</b></p> <p><b>Q: If a utility completes the statistical approach and does not find lead service lines, is any public notification required? A:</b> No it isn't. You need to put it in your annual CCR.</p> <p><b>Q: Regarding number of lines on first form, I assume we double the number of connections to count the number of service lines (city-and customer-side)? A:</b> Once the info is in there, you have another tab in the spreadsheet that automatically calculates the numbers you need.</p> <p><b>Q: Doug Greenlund: Her slide mentioned that starting on October 16, 2024, we'd need to start doing a PN within 24 hours, but if we do it the day before it would be 30 days. Can you verify? A:</b> It is 30 days, but the Lead action level exceedance will be 24-hour (Tier 1) public notice starting on October 16, 2024, with copper remaining the same at 30 days for a Tier 2 public notice.</p> <p><b>Q: Zella West: Where do we find the certain language for the CCR? A:</b> Not on our website yet, but we will post it soon.</p> <p><b>Q: Unknown: What is the recommendation with regards to lead connectors/goosenecks? A:</b> We have been telling folks that if you find them to remove them.</p> <p><b>Q: Daniel Snell: You stated the school and daycare sampling isn't due this year, correct? When will this sampling be due? Can we still get it done this year? Or do we need to wait? A:</b> We don't have any requirements for utilities to do this, but there is a program in another area of DOH that is doing</p>



	<p>lead in schools. That program has been running for awhile and usually the schools are reaching out to their system if they have a detection.</p>
<p><b>8. Other Emerging Contaminants—What can Utilities Expect?</b> Derrick Dennis, Water Quality and Data Management Section Manager</p>	<ul style="list-style-type: none"><li>● Postponed to the September 9 meeting.</li><li>● UCMR6 is in the beginning stages.</li></ul> <p><b>Questions</b></p> <p><b>Q: Meade Brown Jr.: Please discuss DOH’s new water system treatment recommendations regarding manganese? A:</b> (Mike M.)-It is being worked on right now, to bridge the differences in the numbers. Currently, the SMCL is 0.05 mg/L, but now the recommendation is that all water systems with source manganese levels greater than 0.05 mg/L should install and operate manganese removal treatment at the water source. The health risk is at 0.30 mg/L. The MAC in Canada is 0.12 mg/L.</p>
<p><b>9. Agenda Ideas for next Meeting</b> John Freitag, Policy Planning Lead</p>	<ul style="list-style-type: none"><li>● Other Emerging Contaminants (Derrick D.)</li><li>● MOU Update (John F.)</li><li>● The other rule that is out from EPA for consolidations. It is up for formal review. The review period will close before our next meeting. <a href="#">EPA’s Water System Restructuring Assessment Rule</a>.</li><li>● Cyber Security updates (Kim Moore).</li><li>● CCR Rule.</li><li>● DOH Rules promoting recharge.</li><li>● Update on Decision Packages and Legislative Requests.</li><li>● Water use efficiency and conservation.</li><li>● Project update for nitrate in the lower Yakima valley.</li></ul>