



Meeting Notes
Drinking Water Advisory Group
September 9, 2024

Agenda Item	Notes
<p>2. ODW Updates Holly Myers, ODW Director</p>	<ul style="list-style-type: none"> ◆ Final MOU with ECY is signed, but still need to finalize some other things before presenting. <ul style="list-style-type: none"> ○ The biggest change between the last MOU and this one is for applicants to start working with ECY sooner. ○ We want all people to know that we are working closely with them. ◆ Also, working with the Squaxin Tribe to create an MOU with them. Needed to wait until the MOU with ECY was done before working on this one. Then we will share it out with other tribes. ◆ PFAS: Been some updates for the military bases. The feds are changing what level of PFAS for what they are investigating. <ul style="list-style-type: none"> ○ The interim removal action is now 3 times the MCL for prioritizing projects. ○ Link to the DoD site: (ASD(EI&E) - Per- and Polyfluoroalkyl Substances (PFAS) (osd.mil)) ◆ Lead Service Lines-the deadline to get this done is October 16, 2024. <ul style="list-style-type: none"> ○ Link to ODW's LSLI website: Lead Service Line Inventory—EPA's Lead and Copper Rule Revisions Washington State Department of Health. ◆ Same Farm Exemption: Will have a little more on this later in the meeting. <ul style="list-style-type: none"> ○ The original exemption came out in 1995. ○ The current draft was put out for public comment and we have gotten comments back on it. ◆ Have hired Anchee Durben and Rob Eastman for our LYV GWMA work. ◆ Funding Deadlines (Chris): <ul style="list-style-type: none"> ○ Construction guideline comments are due by September 16th. ○ Construction applications are due by November 30th. ○ Still lots of funding available in several different funds that we have. ○ There is still TA available for LSLI. Reach out to Chelsea.cannard@doh.wa.gov. ◆ Kim Moore will be moving to our ETS Manager position on September 16, 2024. <p>Questions</p> <p>Q: (Andy Tuchscherer) Have any other agencies had issues submitting the LSLI? I have been working with DOH on an issue they are having. We can't submit using the solution DOH provides. A: (Brad Burnham) For LSLI submissions, we are working to identify the problem and find a solution.</p> <p>Follow up Q: For those who are having issues, will they get a violation</p>



	for something that is out of their control? A: (Holly) We will work with everyone to meet their requirements.
3. MOU with ECY Update John Freitag, Policy Planning Lead	Will be moved to the December meeting. **Final steps are taking a little longer.** Between now and our December meeting, you may get e-mails from us.
4. EPA WS Restructuring Assessment Rule Mike Means, CapDev and Policy Manager	<ul style="list-style-type: none">◆ Mike will share some documents for the notes.◆ This is just a proposed rule.<ul style="list-style-type: none">○ Link to EPA’s website on this: The Water System Restructuring Assessment Rule US EPA◆ How does this look for Washington State? What would you all like to see us doing for this? How do we support systems?<ul style="list-style-type: none">○ (John W.): would like to see us get tough when we need to. Also, a lot easier when there was more funding that was at 50% loan forgiveness. Not a lot of incentive for PUDs, cities, etc. to take over a failing system, but you do it as it is the right thing to do.○ (Stefany Zelepuza) Has been at some of the EPA meetings and they talked about how to prioritize. Does ODW have a way to prioritize? That will be worked on as we look at this○ (Chris): The current draft Construction Guideline includes up to 35% subsidy for consolidations. There are some other grants, such as the EC-SD that can help with solving the problem, which might keep systems from restructuring.○ What is the difference between failing and struggling?○ Is there a way that we should be ranking or scoring systems to determine which ones to help.○ (Bowen Kendrick-Clallam County): What does the framework look like for ODW after an assessment was performed? Does the state have a plan for after it is done? (Mike): We would potentially be able to help with funding depending on what was found. We also know that we may need to ask the Legislature for more funding, but not sure if it will be done this year. We know that there would be some restructuring that some small utilities wouldn’t be able to do. We do have some legal framework that would allow us to go in certain directions, such as receivership.○ (Deborah Johnson - ODW): Ranking/scoring...would that come into play with a lender? I'm thinking of a particular HOA system that's teetering on the brink & what would happen in terms of someone buying/selling a home there.○ (Chris Pettit): The further you get down the road with taking care or not taking care of your system, it will cost more to do the fixes. We



	<p>know we won't have some of the current funding that we have right now in a few years.</p> <ul style="list-style-type: none"> ○ (Dan Sander): DOH has a large toolbox now, maybe increasing oversight of contract operators and SMAs...too many are not doing everything they should be doing. Keeping up system's SWSMP is another area. The more systems wanting to consolidate would help with the GOV, oof ○ (John Weidenfeller): Holly, Mike, Chris and DOH Leadership. You really do a great job of supporting utilities and Thurston PUD is grateful for your help and support of helping utilities assist failing small utilities consolidate them into larger systems. ○ (Chris McCord): What about an off-ramp for well to moderately well-run systems that just want out of the business of being a utility. Can we avoid failure by connecting them with a larger system for the long haul? (Mike): We are beginning to work more with Commerce to find out what ways we can work together.
<p>5. Cyber Security Update Kim Moore, Emergency Planning and Legislation Coordinator</p>	<ul style="list-style-type: none"> ◆ Kim has a presentation. ◆ There have been systems in other states that have had cyber attacks. ◆ Back in March 2024, National Security Council (NSC) sent a letter to all governors to submit a report by June 28, 2024. ◆ DOH, ECY, SAO, and EMD formed a committee to work on Washington's response to this request. ◆ We had 241 water systems that met the definition. There were 124 wastewater systems that met the definition. ◆ The plan has already been approved by the Governor, but we still can make changes and updates if there are other things that come up. <p>Questions</p> <p>Q: (Carol Stuckey-ODW) Question: slide 7 states the listed activities are Voluntary, yet Kim you said the word 'required' quite a bit in discussing this slide. Please clarify: are the items voluntary or required? Thank you.</p> <p>A: It is voluntary, but it is very strongly encouraged. If nothing is done, then they may change it to required down the road.</p> <p>Q: (John Weidenfeller) Is it possible for you to provide a link to the Homeland Security law or legislation that designates water workers "First Responders" It would be appreciated. A: (Deborah Johnson-ODW): Public Works First Responders - American Public Works Association (apwa.org)</p>
<p>6. Other Emerging Contaminants—What Can Utilities Expect? (UCMR6) Derrick Dennis, WQ and Data Management Section Manager</p>	<ul style="list-style-type: none"> ◆ Not going to talk much about UCMR6 as it is very early on and we don't have much to talk about right now. ◆ Wants to talk about the PFAS sampling that we are working thru. ◆ Link to ODW's PFAS site: PFAS in Drinking Water—Monitoring and Analysis Washington State Department of Health ◆ These are only for Comm and NTNC systems. ◆ We are finding detections at the federal MCL. We are still going off the SAL and some are close to it.



	<ul style="list-style-type: none">◆ There are rules on when and how often samples can be done, per the federal rule, so we are working to get all of our systems to be sampling in those required months.◆ (Sophia Petro-ODW): There is an option for PWSs to use prior results to count towards the quarterly by filling in the missing quarters per 141.902(b)(1)(viii).◆ We will have funding for free PFAS sampling. We have been targeting those who haven't sampled at all.◆ We are not doing TNCs yet, so please don't enter them into the system to request funding.◆ The old data doesn't need to be in the same twelve-month period, but moving forward it will need to be in the same year.◆ If you applied for the funding project, Derrick will let you know that you've been selected and then the lab will contact you to tell you what to do. The labs may not get back to you right away as they are scheduling lots of systems and it will take awhile.
<p>7. Consumer Confidence Reports Rule Dave Sternberg, WQ Compliance Coordinator and CCR</p>	<ul style="list-style-type: none">◆ He has a presentation.◆ Been a few rule revisions that have come out recently.◆ A lot of the stuff on EPA's website is old, so hoping that they will update soon.◆ January 1, 2027, is when these rules will be going into effect. These will be for the calendar year 2026.<ul style="list-style-type: none">○ One will be a summary at the beginning of the report instead of at the end.○ Increase access to CCRs.○ Many of the revisions are subtle and are generally what systems are doing already.○ Systems larger than 10,000 people will need to do a biannual CCR distribution.○ You will have 10 days to certify that you have delivered the CCR. This is from the July 1 deadline for everyone and December 31st deadline for those required to do two of them.◆ Those serving 50,000 or more people will be required to be posted on a publicly available website. The recommendation is to keep them on there for 3 years, but not sure if it is required by EPA.◆ Those who are required to ensure accessibility will need to show where people can obtain a translated copy or receive assistance to translate it.◆ (Mike Means) Reminder that we will be going thru the DOH rule making process, so it will take some time. We have to figure out what we will be changing or how it will be changed. <p>Questions</p>



	<p>Q: (Pegeen Wendlin) To be really clear, biannual CCRs for large systems doesn't start until 2027? A: (Dave) July 1, 2027, will cover all of 2026. Then you will do a December 31, 2027, will cover January 1-June 30, 2027.</p> <p>Q: (Jeff Bond) Does biannual CCR distribution mean mandatory mailing or just mailing of link information? A: (Sophia) Believe electronic delivery is still allowed. (Dave) Can do it like it is done currently. Outlined here: Microsoft Word - 331-470 CCRs electronic delivery 1-31-13 (wa.gov)</p> <p>Q: (Bowen Kendrick) Will there be an updated guidance document and checklist from DOH on the new CCR rules? A: (Dave) Nothing done right now, but will be looking at what can be done.</p>
<p>8. Water Use Efficiency and Conservation Brad Burnham, Policy and Planning Section Manager</p>	<ul style="list-style-type: none"> ◆ Brad has access to the WUE database. ◆ We had an intern here for the summer to help collect some great data for us to be able to use. ◆ The UW Center will help us with focusing and moving things forward for WUE. They will be doing the work and bringing many groups together to help with this. They will be required to get a report to the Legislators by June 30, 2025. ◆ The biggest impact of their work on climate resiliency will be in the water system plans. ◆ (John W.) Comments that we are doing a great job here. <p>Questions</p> <p>Q: (Kendrick) Is there a link on the UW Center's website? A: Unsure right now. If nothing right now, will you let folks know what is going on? Yes, we will put it on our WUE website. Link: Water Climate Impacts Group (uw.edu); Supporting Climate Resilience for Small and Medium Water Systems (uw.edu); link to a pdf that they've put out: 2022-Integrating-Climate-Resilience-into-WSPs-in-WA.pdf (uw.edu)</p>
<p>9. Same Farm Exemption Policy John Freitag, Policy Planning Lead</p>	<ul style="list-style-type: none"> ◆ Nothing more to share from what Holly said earlier. ◆ We are working to update the policy and then it will be put out for public comments.
<p>10. Agenda Ideas for next Meeting John Freitag</p>	<ul style="list-style-type: none"> ◆ MOU with Ecology ◆ Same Farm Exemption Policy ◆ Final Legislative Proposals ◆ Climate resiliency in WSPs update.