



# DWNow

NOVEMBER 2024



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- UW Climate Impact Survey ▶p3
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- MOU with Ecology ▶p6
- ...and more...



## Notable Dates

- [UW Climate Impact Survey](#) 11/27
- DWSRF Applications 11/30
- Next [DWAG meeting](#) 12/2
- Drinking Water Week [Nominations](#) Open



## Connections

- [The Office of Drinking Water Newsletter](#)
- [SIGN UP](#) to get this in your inbox!
- [Find Your Regional Offices and Staff](#)
- [Drinking Water Home Page](#)

## Lead and Copper Rule Improvements

On Tuesday, October 8, the Environmental Protection Agency (EPA) finalized its [Lead and Copper Rule Improvements \(LCRI\) regulation](#). All community water systems and non-transient non-community water systems across the U.S. are required to comply with the LCRI. EPA estimates that up to nine million lead pipes still serve homes nationwide. They emphasized that there is no safe level of lead consumption and that lead is especially harmful to children. EPA estimates that the annual benefits of this rule will exceed the annual costs by at least ten-fold.

The finalized LCRI requires replacement of most lead service lines within the next ten years, improves sampling methods for lead, and lowers the “lead action level,” which will force more water systems to take immediate action to address lead contamination risk. Several key changes were made from the proposed rule in late 2023 to the final rule. The finalized LCRI rule lowers the action level, or the threshold level of lead at which water systems must take action to eliminate lead, by 33 percent from 15 µg/L to 10 µg/L. Additionally, the final rule sets more rigorous water testing standards, which include revising targeted sample site plans and requiring the collection of first-liter and fifth-liter samples at lead service lines. Finally, large systems that have over 100,000 lead service lines have less time than initially proposed to replace their service lines.

There is a three-year period for compliance with the LCRI. During this period, water systems should thoroughly review the new requirements, continuously revise their lead service line inventory as new information becomes available, develop a replacement plan, and identify necessary resources and funding. In the interim, the water systems should continue complying with the 2021 Lead and Copper Rule Revisions (LCRR) initial inventory requirements.

We worked collaboratively with the [Washington State Board of Health](#) to review the rule and prepare for anticipated rulemaking for the LCRI and the previous version of the rule, the LCRR. We maintain an [LCRR webpage](#) with guidance, notification templates, and information about requirements, such as the lead and service line inventory (LSLI). We will update the webpages to reflect the new LCRI requirements. You can stay informed of progress on rulemaking and implementation by [signing up for our distribution list](#).

**Did your water system submit a lead and service line inventory (LSLI) to us by the due date of October 16, 2024?**

- ◆ If “yes,” then we appreciate your efforts to meet the due date. Also, please note that your system must send Consumer Notices to affected customers by November 15, 2024, if the inventory identified Lead Service Lines (LSLs), Galvanized Requiring Replacement (GRR), or Unknown Material service lines. You must also make the inventory publicly available, upon request. [Contact us for support](#) or any questions.
- ◆ If “no,” then your system will receive a reporting violation and a treatment technique violation (TTV). The system must post a Tier 2 Public Notice within 30 days, by November 15, 2024. We will send informal notices to these systems. Please also note that the LSLI is still due to us and you should submit as soon as possible. [Contact us for support](#) and to discuss any questions you have about the inventory. ◆



# DWSRF Free Technical Assistance Program

Our Drinking Water State Revolving Fund (DWSRF) provides free technical assistance for public water systems. Technical assistance helps improve technical, managerial, or financial capacity of a water system. We hold contracts with third-party providers to help with specific water system projects. We fund these contracts through DWSRF set-aside dollars. Any water system can request technical assistance, and we typically prioritize assignments by the needs of the system, its size, and population served.

## Available Assistance Types

- ◆ Lead Service Line Inventory.
- ◆ Engineered designs.
- ◆ Developing Water System Plans or Small Water System Management Programs.
- ◆ Applying for project funding.
- ◆ Administrative help (meeting facilitation, governance, bylaws, leadership development).
- ◆ Financial Planning (rate structuring, budgeting, asset management, income surveys).
- ◆ Consolidation projects.
- ◆ Addressing compliance issues.
- ◆ Source alternative analysis.
- ◆ Assessments treating emerging contaminants.
- ◆ Free training—[see RCAC online calendar](#).

[To request technical assistance, fill out this online form.](#)

Once your request is received, our DWSRF Technical Assistance Coordinator will contact you to discuss your project and funding needs. If your system is selected to receive free technical assistance, we will assign you to a third-party contractor best suited to help with your project.

[Read this flyer to learn more about our technical assistance program.](#)

For questions about our Technical Assistance program, please contact [WaterSystemHelp@doh.wa.gov](mailto:WaterSystemHelp@doh.wa.gov). ◆



## Drinking Water Week Awards 2025

[Drinking Water Week](#) will be here before you know it. Next year it's May 4-10. The [nomination form](#) is open now until mid-February 2025. If you know someone in the drinking water industry who has done an outstanding job, overcome a challenge, or is retiring after a long career, tell us their story and nominate them for an award! If you're proud of what your water system has accomplished in the last year—submit a nomination form and tell us what they've done.

You can [read about past winners](#) to get an idea of others' award-winning accomplishments.

[Fill out a nomination form today!](#) ◆

## Drinking Water Advisory Group (DWAG) December 2 Meeting

**A few agenda items for our last meeting of the year: Final legislative proposals, Memorandum of Understanding with Ecology update, Lead and Copper Rule Improvement, PFAS MCL Communication Tools, Groundwater Recharge Risks, and more.**

We hold all our meetings through Microsoft Teams video, so you can join our meeting with your computer, laptop, tablet, or phone from wherever you are. **You can find the Teams links and meeting agenda on our [DWAG Meeting webpage](#).** After the meeting we post any handouts or presentations and, within a month, we post the meeting notes.

Do you want to receive advance notice of meetings and their agendas? [Join our advisory group email list](#).

Do you have questions about the advisory group or topics you'd like to discuss? Email [Brad Burnham](#) with your ideas. ◆

# Rapid Rate Filtration Plants TOP Awards

Surface water sources such as lakes and rivers are open to the environment and vulnerable to contamination. To protect public health, all systems using surface water sources must meet extensive federal and state requirements. Many systems go beyond regulatory requirements by optimizing particle removal as measured by turbidity. These utilities are able to cost-effectively provide a larger margin of safety and build greater resiliency to handle natural disasters and other unforeseen events. Their customers benefit with better water quality and improved public health protection.

[We monitor 55 rapid rate treatment plants](#) and rank the systems according to treatment optimization performance (TOP). Our monitoring data for 2023 shows that Washington State's conventional and direct filtration surface water treatment plants continuously perform above national regulatory standards.

Four systems are continuing their run of excellence and have now reached 23 consecutive years of optimization!

We also award bronze, silver, gold, and platinum certificates to systems the first time they meet the turbidity goals for 3, 5, 10, and 15 consecutive years, respectively. This year, one system earned a platinum award, two systems earned a silver award, and two systems earned a bronze award. Congratulations to the treatment plant operators, utility managers, and decision makers for making this happen!

## Twenty-Year Award

- ◆ Arlington Water Department (2001-2023)
- ◆ Lake Whatcom Water and Sewer District—South Shore Water System (2001-2023)
- ◆ Pasco Water Department (2001-2023)
- ◆ Skagit County PUD #1—Judy Reservoir System (2001-2023)

## Platinum Award Recipients (15 or more years)

- ◆ City of Kelso (2006-2023)
- ◆ River Bend Water System (2009-2023)\*

## Gold Award Recipients (10 to 14 years of continuously optimized performance)

- ◆ City of Yakima (2010-2023)
- ◆ City of Bellingham (2011-2023)
- ◆ Castle Rock Municipal Water (2012-2023)^
- ◆ Town of Metaline Falls (2012-2023)

## Silver Award Recipients (Five to nine years of continuously optimized performance)

- ◆ Department of Energy/200 W (2015-2023)
- ◆ Hoquiam Water Department (2015-2023)
- ◆ Lake Chelan Reclamation District (2015-2023)
- ◆ City of Anacortes (2016-2023)
- ◆ Friday Harbor (2017-2023)
- ◆ Raymond Water Department (2017-2023)
- ◆ Seattle Public Utilities (2019-2023)\*
- ◆ City of Port Angeles (2019-2023)\*

## Bronze Award Recipients (Three or four years of continuously optimized performance)

- ◆ City of Everett Public Works Department (2021-2023)\*
- ◆ City of Ilwaco Water Department (2021-2023)\*
- ◆ Roche Harbor Water System (2020-2023)
- ◆ City of Leavenworth (2020-2023)
- ◆ Water District 19 (2020-2023)

\*First-time award recipient for 2023.

^Data error from 2022 correction. ◆



# UW Climate Impact Survey

**Happy 2025 Water Year!** The University of Washington Climate Impacts Group and Office of the Washington State Climatologist, in collaboration with the NOAA National Integrated Drought Information System, is asking for your participation in helping us document weather and climate impacts of the 2024 water year (October 1, 2023-September 30, 2024) for the Northwest (Washington, Oregon, and Idaho). [This anonymous survey](#) asks about impacts and response

actions that were implemented during the 2024 water year by sector due to either abnormally dry or abnormally wet conditions.

The [survey](#) takes about 15 minutes to complete and is open through Wednesday, November 27. Your responses are **vital** for informing the [PNW Water Year Impacts Assessment](#) and we greatly appreciate your contributions! ◆

# Civil Penalties and Receivership

When a water system is out of compliance with drinking water regulations, we begin the formal enforcement process to bring systems back into compliance. While we do our best to assist systems through the enforcement process with technical assistance and funding options, there are times when systems are unable, or even unwilling, to meet the regulatory requirements. In those cases, we have a couple of options for elevated enforcement: civil penalties and receivership.

## Civil Penalties

RCW 70A.125.040 allows us to issue penalties if prior efforts to return water systems to compliance failed. The amount of the penalty is calculated considering three criteria:

- ◆ Public health risk,
- ◆ Previous record of compliance, and
- ◆ Population served.

Penalties can be levied against all water system purveyors.

In most cases, we opt to send the system a warning letter with one final chance to bring themselves into compliance with drinking water regulations. This letter provides deadlines

by which the system must return to compliance, a history of the compliance issues, and outlines the monetary consequences of failure to comply. If the system fails to

meet the deadlines of the warning letter, the monetary civil penalty is issued.

Paying the penalty does not return the system to compliance. The system still needs to complete the directives outlined in enforcement documents.

In the last two years, we have issued two civil penalty orders, and both water systems returned to compliance after paying the monetary penalty.



## Receivership

As a last resort, we may place water systems that lack the capacity to return their systems to compliance into [receivership](#). This replaces the existing purveyor with an entity that can provide responsible operation of the water system.

In the receivership process, we ask a court to appoint a receiver to take over operations of the water system. If no willing receiver can be found, the court appoints the county the system is in as the receiver. The receivership process can be lengthy; best results are achieved when we work with the AAG's office and the potential receiver through the process.

Once the receiver is in place, they are responsible for the system meeting the ongoing regulatory requirements while assessing the system's ability to return to compliance with drinking water standards. After twelve months, the receiver, with assistance from us, reports to the court their recommendations for the system's future operation. This could include returning ownership to the system, forming a water district, or a neighboring water system taking over ownership of the system.

We are currently working with the AAG's office through the receivership of five water systems across the state.

Learn more on our [Enforcing Drinking Water Regulations webpage](#). ◆



# Cold Weather Preparedness

As we enter cold weather season, there are many areas water system operators must consider so that safe and reliable drinking water is available to all. First, to provide safe and reliable drinking water, those operating the system must be safe. Occupational safety in winter weather looks different across the state. Regardless of where you live and work, wear the right clothing, stay hydrated, and monitor driving or walking surfaces for slippery conditions. Maintain personal and vehicle preparedness kits as starting points to get ready for winter. The Department of Labor & Industries' [Winter Seasonal Safety webpage](#) offers helpful safety tips.

Once you and your employees are safe, maintaining continuous operations of your water system is next on the winter preparation list. For [surface water operations](#), it's essential to understand what adjustments your treatment process needs during winter. We provide help in [Reminder to Surface Water Systems: Adjust Operations for Cold Weather 331-649 \(PDF\)](#).

## Disinfection

For disinfection, chlorine is less effective under cold-water conditions. This generally increases the required chlorine residual. Looking through previous years' records ahead of time prepares you to understand the seasonal demands of your water system. Find more information in [Monitoring Water Treatment Processes 331-620 \(PDF\)](#).

## Coagulation

Inclement weather may cause turbidity challenges or increases in iron or manganese levels. Checking how temperature changes affect your coagulant, adjusting sampling points, looking into filter aid polymers to assist filter performance, as well as reviewing historical records

for your system can prepare you for what's to come. [Reminder to Surface Water Systems: Adjust Operations for Cold Weather 331-649 \(PDF\)](#).



Winter flooding in Olympia, December 27, 2022. Source, City of Olympia Facebook

## Backwash Expansion

Generally, you need a lower flow rate during cold weather to maintain consistent bed expansion for rapid sand filter plants. Reviewing historical records and developing SOPs for measuring and maintaining consistent bed expansion throughout the year is essential. For more information see our [Optimizing Backwash and Filter to Waste for Rapid Rate Filtration 331-624 \(PDF\)](#).

## Other Important Planning Areas

- ◆ **Power outages and pressure loss** may occur more frequently during winter. For more information see [Responding to a Pressure Loss Event 331-338 \(PDF\)](#).
- ◆ **Wind storms and flooding** bring debris and deep water that can impact access to water system assets and facilities. Sometimes you need trash pumps, chainsaws, etc. to regain access. This is the time to check and maintain the equipment needed to regain access to critical infrastructure.
- ◆ **Public Notification/boil water advisory** may be very challenging when the routes and methods to distribute information are inaccessible or blocked. In addition, it may take more time to safely give public notification. **Plan ahead and be prepared!** ◆



Sprague Road, Spokane County. Winter of 1969 Source, The Spokesman Review, March 16, 2019.

# Memorandum of Understanding with Ecology

The Memorandum of Understanding (MOU) between State of Washington Department of Health and the Department of Ecology (Ecology) related to the coordination of planning and engineering, public health and safety process, and water resources was signed by both agencies. Below are links to the Final Approval Letter, updated Memorandum of Understanding and accompanying Joint Review Procedures (JRP).

- ◆ [ECY-DOH-MOU Signed Letter \(PDF\)](#).
- ◆ [JRP: Procedures for Planning and Engineering Documents \(PDF\)](#).
- ◆ [Final approval letter \(PDF\)](#).

## Basis

The documents establish the process and procedures for how Ecology and DOH coordinate our review of planning and engineering documents. This includes planning, engineering, and public health and safety matters relating to water systems and water resources.

## Note About Policy

These documents focus on processes and procedures between the two state agencies and is not meant to create policy.

These are also separate from Ecology's updates to their Municipal Water Law (MWL) Policy (POL-2030) that describes Ecology's policy stances on MWL right decisions.

## General Roles and Responsibilities

We are responsible for reviewing all other portions of the plans, such as approval date, water use efficiency, service area identification, local government consistency, and reclaimed water evaluation. We have approval authority over the documents.

In this process, Ecology is responsible for reviewing the water right self-assessments submitted by water systems to ensure that the current and projected future water use of these systems will not exceed the maximum limits of their water rights.

## Update Reasons

These documents were last updated in 2007 (17 years ago). We are updating them to formalize improvements to our joint review process. We think this will make the process more efficient and effective.

Ultimately this helps both agencies' goals of ensuring safe and reliable drinking water, while protecting senior water rights and the environment.

## Process Changes

We will make these changes during our discussions with Ecology. We expect that these changes won't significantly impact most of the water system documents being reviewed.

We added steps to ensure effective communication between our two state agencies.

We added more detail to our process steps to help our respective staff members know who is responsible for specific actions to help coordinate our review process.

We developed several options for our staff to effectively address concerns during document reviews. These include more conversations with water systems and creating flexible decision-making paths that can adapt to different situations.

We identified the need for allowing additional time for comments from Ecology to ensure reliable and sustainable water supply. This includes a dispute resolution process for Ecology and applicants to address water supply issues.

## Feedback

Since these are bi-lateral agreements between two Washington state agencies we are not soliciting comments on these documents.

However, we are always open to hearing feedback on ways we can improve this process.

Our goal is to update these documents on a more frequent basis going forward so we can ensure continual process improvement. ◆

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