

# Notification of Environmental Justice Assessment on Agency Request Legislation to Revise Definition of Public Water System

[March 31 2025]

## WHAT

The Washington State Department of Health (DOH) is conducting an Environmental Justice Assessment on agency-proposed legislation that would change the definition of a “public water system” in [RCW 70A.125.010\(12\)](#) and [WAC 246-290-020\(1\)](#) and [246-291-010\(51\)](#).

The current definitions of a public drinking water system state that systems “with four or fewer connections all of which serve residences on the same farm” are not subject to regulation, but do not clarify if the exemption applies to Group A or Group B systems<sup>1</sup>. The definitions in our state laws and rules need to be as strict as the federal Safe Drinking Water Act<sup>2</sup> to ensure all water systems that meet the Group A threshold are regulated as Group A public water systems, without exception.

We need a change in legislation (RCW) to allow clarification in state rules (WAC). This rule revision will:

- Align state and federal definitions of a “public water system”,
- Further clarify the difference between a Group A public water system and a Group B public water system, and
- Clarify exclusions only from a Group B public water system for four or fewer connections to single-family residences on the same farm.

The purpose of an environmental justice assessment is to identify:

- Who might be most impacted by this proposed legislation
- Environmental benefits, harms, and health impacts of the proposed legislation
- Ways to minimize or eliminate negative environmental impacts related to the proposed legislation
- How to equitably distribute positive environmental impacts of the proposed legislation

Visit our [Environmental Justice webpage](#) to learn more about Environmental Justice Assessments.

## WHY

The above changes will allow DOH to adopt rules to ensure that all public water systems subject to the criteria of serving an average of greater than 25 people for more than 60 days a year are meeting Safe Drinking Water Standards for their employees. Adopting rules to ensure public water systems meet Safe Drinking Water Standards will benefit employees in agricultural settings by making sure the water available to them is safe and reliable. Adopting these rules will also reduce individual and community exposure to contaminants in water and waterborne illnesses.

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<sup>1</sup> A Group A system is a water system with at least 15 services connections or that regularly serve an average of at least twenty-five individuals daily at least 60 days out of the year. A Group B system is a public water system that does not meet the definition of a Group A water system. WAC 246.290.020 and RCW 70.A.125.010

<sup>2</sup> 40 CFR Part 142

## WHO

We are specifically trying to reach:

- Employees working or living on agricultural settings with an average of more than 25 employees for more than 60 days per year
- Agricultural workers organizations and advocates
- Water System Owners and Operators serving an average of more than 25 people for more than 60 days per year
- Agricultural businesses and organizations

If you identify as a member of one or more of these groups and would like to share your thoughts or connect with one of our staff, please contact us at [odwpubliccomment@doh.wa.gov](mailto:odwpubliccomment@doh.wa.gov) or see ways to get involved below.

## WHEN

See below for our proposed timeline and how the environmental justice assessment fits into that process. These timelines and milestones may change. To stay current, [visit our website](#), subscribe to our [mailing list](#), or contact us at [odwpubliccomment@doh.wa.gov](mailto:odwpubliccomment@doh.wa.gov).

Estimated Dates	Milestone
February 2025	Initiate environmental justice assessment <ul style="list-style-type: none"><li>• Identify potentially impacted communities and populations</li><li>• Engage with potentially impacted communities and populations</li><li>• Begin Tribal engagement</li></ul>
July 2025	Draft bill ready for review <ul style="list-style-type: none"><li>• Proposed legislation will be emailed to interested parties</li><li>• Potentially impacted communities and populations will have an opportunity to review the draft bill and provide input. Listening sessions may be scheduled if necessary.</li></ul>
August 2025	Finalize draft bill <ul style="list-style-type: none"><li>• Finalize proposed legislation based on input from community members and Tribes</li><li>• Finalize environmental justice assessment based on input from community members and Tribes</li></ul>
If bill is accepted:	
January 2026	Bill will be introduced, and passage will be determined throughout the 2026 legislative session

## HOW TO GET INVOLVED

For questions about this proposed legislation or the environmental justice assessment, please contact us at [odwpubliccomment@doh.wa.gov](mailto:odwpubliccomment@doh.wa.gov). For updates, [visit our website](#) or [subscribe to our mailing list](#).



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