

GRAYS HARBOR COUNTY BOARD OF HEALTH
ORDINANCE NO. 2017-001

**AN ORDINANCE ADOPTING THE WASHINGTON STATE GROUP B PUBLIC WATER
SYSTEMS RULES AND REGULATIONS, CHAPTER 246-291 WAC**

WHEREAS, the Grays Harbor County Board of Health has supervisory authority over all matters pertaining to the preservation of the life and health of the people within Grays Harbor County; and

WHEREAS, the Grays Harbor County Board of Health has the duty and responsibility as authorized by RCW 70.05.060 to make such rules and regulations as may be necessary in establishing sanitary standards for establishments, businesses, enterprises and operations for the suppression and control of dangerous, communicable, and infectious disease in Grays Harbor County; and

WHEREAS, the Board of Health, having reviewed this matter and finding adoption of these rules and regulations to administer Group B drinking water requirements to be in the best public interest; now therefore

BE IT ORDAINED by the Board of Health of Grays Harbor County, State of Washington:

Section 1. Grays Harbor County hereby adopts the Group B drinking water rules and regulations, included and attached hereto as Exhibit A.

Section 2. If any portion of the materials adopted herein is found invalid by a Court of competent jurisdiction, the remainder of the provisions shall remain in full force and effect. Further, if such invalidated portion repeals an existing rule or regulation, the replaced rule or regulations shall be reinstated until modified or replaced by the Board of Health.

Section 3. These regulations are in the public interest and shall take effect July 1, 2017.

Section 4. Applicability

The rules of this chapter do not apply to a Group B system that provides water to one or two service connections, except:

- a. As noted in WAC 246-291-005, and;
- b. A facility with employees and/or public access with two or less connections and less than 25 people/day.

Section 5. Definitions

- 1) Health Officer means the Grays Harbor County Health Officer or authorized agent.
- 2) Authorized Agent means the Grays Harbor County Environmental Health Department.

Section 6. Enforcement

- 1) When a system is out of compliance with these rules, the Health Officer may initiate appropriate enforcement actions, regardless of any prior approvals issued by the Health Officer, including, but not limited to:
 - a. Issuance of a compliance schedule;
 - b. Issuance of departmental orders requiring submission of water system plans, design reports, and construction report forms;
 - c. Issuance of departmental orders requiring specific actions or ceasing unacceptable activities within a designated time period;
 - d. Issuance of departmental orders to stop work and/or refrain from using any public water system or improvements thereto until all written approvals required by statute or rule are obtained;

- e. Imposition of civil penalties as authorized under chapter 70.119A RCW or local authority where applicable; and
 - f. Legal action by the attorney general or local prosecutor.
- 2) When enforcing the Maximum Contaminant Levels (MCLs) under this chapter, the Health Officer shall enforce compliance with the primary MCLs as its first priority.
 - 3) When determined necessary for the protection of the public health the Health Officer may enter upon public and private premises at reasonable times for the purpose of conducting a Sanitary Survey and enforcing this rule.

Section 7. Water quality requirements for groundwater source approval

- 1) The Health Officer will consider approval of a proposed source that exceeds a primary MCL if:
 - a. The source is not surface water, groundwater under the influence of surface water, or groundwater in hydraulic continuity with surface water;
 - b. The system demonstrates financial and procedural viability to support ongoing treatment and operations; and
 - c. The treatment is engineered and designed consistent with WAC 246-291-200;
 - d. The treatment is designed to reliably, effectively, and demonstrably reduce the contaminant levels below the MCLs established in WAC 246-291-170 Tables 2, 3, and 4;
 - e. The treatment system is monitored and operated to assure consistent, reliable and effective treatment; and
 - f. The system maintains compliance consistent with WAC 246-291
- 2) When an analysis exceeds a secondary MCL in Table 4 or 5 of this section, a purveyor shall include treatment in the Group B water system design under WAC 246-291-200 so that drinking water delivered to consumers does not exceed a secondary MCL.
- 3) The Health Officer will consider a waiver of treatment for a source that exceeds a secondary MCL providing the water supply does not serve residential connections and is not treated for a primary MCL.
- 4) In areas known or suspected to have contaminants of public health concern, one raw source water sample analyzed for the contaminant(s) as directed by the Health Officer.

Section 8. Treatment Design and Operations

- 1) Treatment of groundwater sources shall be as determined by the Health Officer.
 - a. Treatment of sources that exhibit contaminants above a primary MCL(s), WAC 246.291.170. Table 2, will only be considered if the system demonstrates financial and procedural viability to support ongoing treatment, monitoring, and operations that assures conformance with water quality standards.
- 2) Finished water quality from existing and proposed sources of supply shall conform to the minimum water quality standards established in this rule.
- 3) The treatment must be engineered and designed consistent with WAC 246-291-200 and WAC 246-291-205.
- 4) The treatment shall be designed to consistently, effectively, and demonstrably reduce the contaminant levels below the MCLs established in WAC 246-291-170, Tables 2, 3, and 4.
- 5) Disinfection methods, other than chlorination, i.e., effective treatment technology recognized by authorities found in WAC 246-291-200, may be approved by the Health Officer with appropriate engineering justification.
- 6) The purveyor shall ensure that the system is operated in accordance with good operations procedures, WAC 246-291-200, and include an Operation and Maintenance Plan.
- 7) The purveyor shall ensure that no bypass is established or maintained to divert water around any feature of a treatment process, except by written approval from the Health Officer.
- 8) The treatment system shall be monitored and operated to assure consistent, reliable, and effective treatment.

Section 9. Water quality

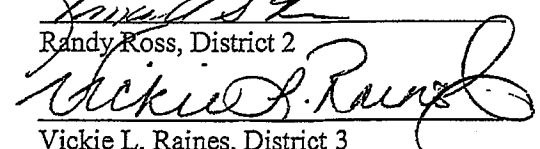
- 1) Owners shall ensure the collection and submittal of a routine sample for coliform analysis by a certified lab at least once every twelve months from the furthest end of the distribution system or as directed by the Health Officer.
- 2) The frequency of coliform sampling may be increased by the Health Officer based on any of the following factors:
 - a. History of unsatisfactory coliform samples
 - b. A well or other source that is vulnerable to contamination from surface water or potential sources of contamination within the Sanitary Control Area
 - c. Disinfection treatment required
 - d. The population served is primarily a Highly Susceptible Population as determined by the Health Officer.
 - e. Facility has another permit through the Health Officer.
- 3) When coliform bacteria are present in any sample the owner shall ensure that:
 - a. The sample is analyzed for fecal coliform or E. coli;
 - b. The Health Officer is notified within 10 days of notification by the laboratory; and
 - c. Two repeat samples are collected within 24 hours of notification by the laboratory unless directed otherwise by the Health Officer.
 - d. Further action is taken as directed by the Health Officer.
- 4) When fecal coliform or E. coli are present in any sample the owner shall ensure that:
 - a. The Health Officer and all system consumers are notified in writing within 24 hours per WAC 246-291-360.
 - b. The written notification includes the information required in WAC 246-291-360(4).
 - c. Further action is taken as directed by the Health Officer
- 5) Owners shall ensure the collection and submittal of a nitrate sample analyzed by a certified lab from each source every thirty-six months.
- 6) Other ongoing sampling maybe required by the Health Officer for systems with treatment for primary MCLs. Systems with elevated primary MCLs or with other known or suspected contaminants in the area may also be required by the Health Officer to take periodic samples for the chemical(s) of concern as determined by the Health Officer.

ADOPTED this 12 day of June, 2017.

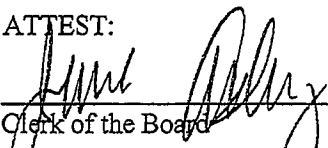
GRAYS HARBOR COUNTY
BOARD OF HEALTH


Wes Cormier, Chairman


Randy Ross, District 2


Vickie L. Raines, District 3

ATTEST:


Clerk of the Board

APPROVED AS TO FORM:

By: 

Deputy Prosecuting Attorney