

Small Water Systems Technical Committee

9:30-12:30, March 12, 2007

Seattle KC Public Health Eastgate

Facilitator: Tamie Kellogg, Kellogg Consulting Inc.

Meeting Summary Notes

1. Introductions – Housekeeping

- The Committee approved the draft summary notes for the February 12 meeting.

2. Update: Subcommittee on Issues 4.1 (Quality) and 4.2 (Enforcement)

- DOH discussed the section on small Group A systems in the report written by the subcommittee on Issues 4.1 and 4.2 (water quality and enforcement for small water systems). DOH said that they would revise this section to make it shorter and easier to read.
- Only one committee member responded to the questions regarding Group A systems that were included at the end of the report. DOH asked committee members to respond to these questions and to provide comments to other parts of the Group A systems report.
- In response to a committee member's question, DOH said that it conducts sanitary surveys of small Group A systems every five years. The new groundwater rule adopted by EPA this year will require surveys every three years for systems with problems. DOH has just started looking at interpretation and implementation of this rule.
- Another person asked if there is a shortage of certified operators for these systems. DOH said that they have heard that King County may have a shortage and that it could become more of a problem if DOH were to scrutinize the level of service that operators are providing. Starting in 2007, Labor and Industries now requires operators to be licensed to do electrical and pump work (required of all "community" systems). These extra requirements may cause operators to leave the business. DOH supports the concept of certified operators from large Group A systems providing contract service to small Group A systems within or outside their service areas. In general, DOH says that it may need to pay more attention in the future to whether there are enough certified operators.

Agenda Item for the April 23 meeting: The committee will discuss the final draft of the section on Group A systems of the 4.1 and 4.2 report.

Action Items for the April 23 meeting: (1) Committee members will send DOH comments on the Group A section in the next two weeks. DOH will (2) add text on certified operators to the comments at the end of the section and to the survey discussion within the section, (3) revise the entire section to make it more readable, and (4) send committee members a final draft before the April 23 meeting.

- The committee discussed PHSKC’s summary of the portion of the report on Group B systems. The summary was sent to the committee before the meeting. The discussion focused on Section VIII—in particular the recommendations to remove the database fee, reinstate the annual operating permit fee, and deregulate two-connection systems.
- Committee members brought up the issue of accessory dwelling units (ADUs) on properties that are connected to a large Group A system. Owners should pay (but often do not want to pay) for hookup of a unit that is being used as an ADU even though it is not considered an ADU because it does not have a stovetop. Or the ADU may be hooked up to the system but owners do not want to pay fees for the added connection. ADUs are not an issue for the utilities if the homes have their own wells. However, fire marshals are now requiring sprinkler systems in legally occupiable dwellings, which may encourage connection to public systems.
- PHSKC said that the DOH-proposed revisions to the Group B program recommend deregulation of two-connection systems.
- PHSKC also said that it regulates the development of new wells only as a part of the septic permit application.
- Members voted on whether to discuss Issue 2—deregulate or reduce regulation of two-connection systems. Two-connection systems make up 25 to 30 percent of Group B systems in King County and often are a significant driver in timely and reasonable appeals, especially in regard to ADUs and connections to a system from two different properties. Under this recommendation, two-party systems would be treated in the same way as individual wells. Eight members voted to table this discussion for a later date; three members voted to take no further action but to keep the discussion of the issue in the longer report (which will serve as an appendix to the committee’s final report). Ron Sheadel and PHSKC agreed to work on an approach to this issue before the next meeting.
- In regard to the first issue (drop database fee; add annual operating fee; exempt two-connection systems from the fee), PHSKC said that the previous permit operating fee was \$80 regardless of number of connections. The recommendation on the table is to impose a base fee (possibly \$50 like Pierce County) plus \$10 for each connection. The fee would cover costs for compliance monitoring. PHSKC would add about an 0.5 FTE to do the work.
- A member said that this issue does not address the larger funding problems that PHSKC faces. The committee suggested that the issue be titled “Under-Funding” and that it should state: “Based on PHSKC information, PHSKC is under-funded and needs additional funds. PHSKC should impose an effective user-based fee, including an annual operating permit fee, based on required time and effort.”
- Issues 3 and 4 (sanitary surveys and enforcement priorities) were tabled until the next meeting. In the meantime, PHSKC and DOH will flesh out these issues in regard to funding, fiscal impacts, and types and regularity of surveys.
- The committee discussed Issue 5—whether to expand services to individual water systems (excluding irrigation wells). The services could be extended to two-party systems if they were deregulated. The focus would be on education,

not ongoing monitoring and testing. A potential funding source is the water adequacy fee paid as part of septic and building applications. One member suggested that individual wells be sampled at the time of property transfer. PHSKC said that new individual wells do not need to go through the utility referral process. The committee voted (8 votes for; 6 against) to make no recommendation regarding this issue.

Agenda Item for the April 23 meeting: The committee will discuss the expanded versions of Issues 3 and 4 and other revisions to the summary of Group B system issues.

Action Items for the April 23 meeting: (1) Ron Sheadel and PHSKC will devise an approach to Issue 2 (deregulation of two-connection systems). (2) PHSKC will number each issue (instead of using bullets). (3) PHSKC and DOH will develop Issues 3 and 4 more fully. (4) PHSKC will revise the summary of issues and send it to the committee before the meeting.

3. Ecology Grant Money Availability

- The committee discussed a PHSKC proposal, submitted before the meeting, to use additional available Ecology funds. The proposal consisted of two tasks: cleaning up PHSKC's Envision database and using wireless technology to improve data quality in the future. Proposals are due to the Funding Committee by March 20.
- Members raised questions regarding the relevance of the wireless data collection and input task to this committee's charter and regarding the oversight of the effort once the Small Water Systems Committee disbands.
- PHSKC said that it could not complete the database cleanup task before the committee disbands.
- The committee voted on four options regarding the proposal (to pursue both tasks, the cleanup task only, the wireless task only, or neither). The majority voted that PHSKC pursue the database cleanup proposal only and that PHSKC provide more detail in the proposal regarding costs and linkage to the committee's work. Ecology abstained from voting because of a conflict of interest.

Action Items: (1) PHSKC will revise the proposal and send it to the committee on Thursday, March 15. (2) The committee will provide comments by Monday, March 19.

4. Discussion of "Timely and Reasonable"

- The committee continued its discussion of the "King County Proposed Elements for Inclusion in Utility Service Policies for Timely and Reasonable Service." This document was revised based on comments at the February 12 meeting and was sent to committee members for review. There was some confusion regarding incorporation of comments. It was agreed that PHSKC would incorporate all comments into the Track Changes version of the document submitted by one committee member and then send the revised

version to the committee in one week. It was also agreed that the parking lot issues could be removed from the document for now and discussed between meetings.

Agenda Item for the April 23 meeting: Continue the discussion on Timely and Reasonable.

Action Item for the April 23 meeting: (1) PHSKC will revise the proposed elements document and send it to the committee by Monday, March 19. (2) Committee members will discuss parking lot issues via email.

5. Update: Committee Final Report

- The committee accepted the outline and the revised Chapter 1 of the final report, which had been sent via email a week before the meeting.
- It was agreed that a draft of Chapter 2 would be sent to the committee in one week, that discrete comments would be incorporated and a revised version sent to the committee, and that global comments would be summarized and discussed at the next meeting.
- It was also agreed that a draft of Chapter 3 (except for the discussion on receivership) would be sent to members before the May meeting.

Agenda Item for the April 23 meeting: Discuss the summary of comments on Chapter 2 and the revised version of the chapter.

Action Items for the April 23 meeting: Cathie will (1) send Chapter 2 to the committee on March 19, (2) the committee will send her their comments on the chapter, (3) Cathie will incorporate discrete comments and summarize global comments and then send the revised chapter and summary of comments to the committee before the April 23 meeting.

6. Discussion of Receivership

- It was mentioned that DOH and KCDNRP would get together to capture the receivership issue. The detail of this discussion was postponed until the April 23 meeting.

7. Next Meetings

- The committee decided to meet on May 14 and to hold June 11 as a placeholder for a possible meeting.
- The committee will begin to discuss receivership at the April 23 meeting and continue the discussion at the May 14 meeting.

Agenda Item for the April 23 meeting: Begin to discuss the receivership issue.

Action Item for the May 14 meeting: (1) KCDNRP will write a discussion piece on receivership, (2) DOH will review it, and (3) KCDNRP and DOH will send it to the committee before the May 14 meeting.

Abbreviations: DOH—Washington State Department of Health, DNRP—King County Department of Natural Resources and Parks, Ecology—Washington State Department of Ecology, PHSKC—Public Health—Seattle and King County, CWSP—Coordinated Water System Plan, MWL—Municipal Water Law, SPU—Seattle Public Utilities, WLRD—Water and Land Resources Division within King County DNRP.