

Proof of Potable Water Guidance Overview
For BOCC discussion
February 24, 2003

Compliance with the WWGMHB order (and compliance with RCW 36.70A) also requires compliance with all other existing laws. **Another law that relevant to the decisions that Jefferson County is contemplating to comply with the order is RCW 19.27.097.** Laws regarding water rights (RCW 90.44) and well drilling (RCW 18.104) also have relevance, but are not detailed here.

RCW 19.27.097 states that proof of potable water “may be in the form of a water right permit from the department of ecology, a letter from an approved water purveyor stating the ability to provide water, **or another form sufficient to verify the existence of an adequate water supply.** In addition to other authorities, the county or city may impose conditions on building permits requiring connection to an existing public water system where the existing system is willing and able to provide safe and reliable potable water to the applicant with reasonable economy and efficiency.” Finally, there is language further defining how to implement the law that states, “The department of ecology, after consultation with local governments, may adopt rules to implement this section.” DOE did not adopt a rule, but instead offers a “guidance document” for implementation.

The document is entitled, “Guidelines for Determining Water Availability for New Buildings.” In this document, which is attached in its entirety, Section 4 addresses Individual Water Supply Systems. Some pertinent details are excerpted below:

- **“Individual water supplies may be adequate if they can supply 400 gallons per day of potable water for building use, including limited irrigation.”**
- **“Use of water from surface water sources is generally discouraged but, if a surface water source is used, that use must be authorized by a water right permit and the water treated to meet potability standards.”**
- For surface water sources, “The water used should be treated using a system designed by a licensed professional, which uses equipment that meets Department of Health certification for point-of-use/point-of-entry treatment systems and is installed in accordance with the approved design.”
- For surface water sources, “The local health authority may require the property owner to contract with a Department of Health-approved Satellite System Management Agency for system operation.”
- For ground water sources, if the source is a well that does not require a water right permit, the water availability notification should be accompanied by a water well report and a bailer, air-lift, or pump test of at least one hour.
- For ground water sources, “in areas where other concerns about water availability may exist (e.g. impact on stream flows and senior surface water rights

or known well interference) **Ecology and/or the local permitting authority may require additional testing to verify the existence of an adequate amount of water.**”

- For ground water sources, “The water well report and test indicate only the physical availability of water. They do not indicate the legal availability of water. **Such wells, while exempt from the water right permitting process, are still subject to regulation by the Department of Ecology.**”
- For ground water sources, **“Water from the source should conform to water quality standards contained in the State Board of Health Drinking Water Regulations”**
- “Continuous effective treatment should be recommended, and may be required, for any water supply that fails to meet bacteriological or primary chemical or physical quality parameters.”
- **“Continuous effective treatment may be recommended or required, at local health authority discretion, for any other contaminant found in the water.”**
- **“Treatment should be generally whole house rather than point-of-use.** Water used in any portion of the system, such as the irrigation system, laundry, or other non-contact plumbing fixtures, which is isolated from the drinking water system does not have to be treated.”
- **“All home treatment equipment should be certified by the Department of Health and must be installed in accordance with the approved design.”**
- **“A local health authority wishing to permit the use of alternative systems should develop a process to grant waivers from these guidelines which provides for the protection of public health and safety.”**
- “Supply systems using alternative sources of supply may need to be accompanied by any necessary plans and specifications **verifying that the system is capable of providing water for the purposes of the building equivalent in quantity and quality to the criteria specified in these guidelines**”
- Plus, local jurisdictions may require additional information they feel is necessary for making a determination (e.g., Jefferson County requires a plot plan).