

**OKANOGAN COUNTY BOARD OF HEALTH
GROUP B PUBLIC WATER SYSTEM REGULATION**

BOARD OF HEALTH RESOLUTION #2016-04

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Section 1. Purpose and scope.

- (1) The purpose of this regulation is to protect the health of consumers by establishing minimum design, construction, and other standards for Group B public drinking water systems.
- (2) This regulation is adopted under Chapter 70.05 RCW, Local health departments, boards, officers—Regulations and Chapter 70.46 RCW – Health Districts. A purveyor of a Group B public water system shall comply with this regulation.
- (3) Other statutes relating to this regulation are:
 - (a) Chapter 70.116 RCW, Public Water System Coordination Act of 1977;
 - (b) Chapter 70.119A RCW, Public water systems-- Penalties and compliance;
 - (c) RCW 43.70, Department of Health;
 - (d) RCW 70.119A RCW, Public water systems - Penalties and compliance; and
 - (e) WAC 246-291, Group B Public Water Systems

Section 2. Applicability.

- (1) The rules of this regulation apply to a Group B public water system that provides drinking water to fewer than fifteen service connections and:
 - (a) Fewer than twenty-five people per day; or
 - (b) Twenty-five or more people per day for fewer than sixty days per year, provided the system does not serve one thousand or more people for two or more consecutive days.
- (2) The rules of this chapter do not apply to a Group B system that:
 - (a) Consists only of distribution or storage facilities and does not have any source or treatment facilities;
 - (b) Obtains all water from, but is not owned by, a public water system where the rules of this regulation or chapter 246-290 WAC apply; and
 - (c) Does not purvey water directly to any person.
- (3) The rules of this regulation do not apply to a Group B system that provides water to one or two service connections, except when Okanogan County Public Health determines that it is necessary to protect public health and safety, such as if the system serves a connection with a use listed under Section 3 (63) of this regulation.

Section 3. Definitions, abbreviations, and acronyms.

The definitions, abbreviations, and acronyms in this section apply throughout this chapter unless the context clearly indicates otherwise.

- (1) "**Acute**" means posing an immediate risk to human health.
- (2) "**ADD (average day demand)**" means the total volume of water produced from all sources of supply over a calendar year divided by three hundred sixty-five.

- (3) "**APWA**" means American Public Works Association.
- (4) "**ASTM**" means American Society for Testing and Materials.
- (5) "**AWWA**" means American Water Works Association.
- (6) "**Board**" means the Washington State Board of Health.
- (7) "**Certified lab**" means an analytical laboratory meeting requirements under chapters 246-390 and 173-50 WAC for one or more drinking water analytical parameters.
- (8) "**Coliform bacteria**" means a group of rod-shaped bacteria found in the gastrointestinal tract of vertebrate animals. The presence of coliform bacteria in water is an indicator of possible fecal contamination.
- (9) "**Contaminant**" means a substance present in drinking water that may adversely affect the health of the consumer or the aesthetic qualities of the water.
- (10) "**Critical water supply service area**" means a geographical area characterized by a proliferation of small, inadequate water systems, or by water supply problems that threaten the present or future water quality or reliability of service in a manner that efficient and orderly development may best be achieved through coordinated planning by the water utilities in the area.
- (11) "**Cross-connection**" means any actual or potential physical connection between a public water system or a consumer's water system and any source of nonpotable liquid, solid, or gas that could contaminate the potable water supply by backflow.
- (12) "**Cross-connection control plan**" means a document that identifies the procedures the purveyor uses to protect the Group B system from contamination from cross-connections.
- (13) "**Department**" means the Washington State Department of Health.
- (14) "**Disinfection**" means the use of chlorine or other agent or process the department approves for killing or inactivating microbiological organisms, including pathogenic and indicator organisms.
- (15) "**Distribution system**" means all piping components of a Group B system that serve to convey water from transmission mains linked to source, storage, and treatment facilities to the consumer, excluding individual services.
- (16) "**District**" means Okanogan County Public Health District
- (17) "**Drilled well**" means a well where the well hole is excavated by mechanical means such as rotary, cable tool, or auger drilling equipment.
- (18) "**Dwelling unit**" means a structure, or unit within a structure, with independent living facilities for one or more persons that includes permanent provisions for living, sleeping, eating, cooking, and sanitation. A dwelling unit includes, but is not limited to:
- (a) A single-family residence; or
 - (b) Each unit of an apartment building or multi-family building.
- (19) "**Ecology**" means the Washington State Department of Ecology.

- (20) **"Equalizing storage"** means the volume of storage needed to supplement supply to consumers when the peak hourly demand exceeds the total source pumping capacity.
- (21) **"Expanding Group B system"** means a Group B system installing additions, extensions, changes, or alterations to its existing source, transmission, storage, or distribution facilities that will enable the system to increase the size of its existing service area or the number of approved service connections.
- (22) **"Fire flow"** means the maximum rate and duration of water flow needed to suppress a fire under WAC 246-293-640 or as required under local fire protection authority standards.
- (23) **"Fire suppression storage"** means the volume of stored water available during fire suppression activities maintaining a pressure of at least 20 psi (140 kPa) at all points throughout the distribution system, and under the condition where the designed volume of fire suppression and equalizing storage has been depleted.
- (24) **"Generator disconnect switch"** means an electrical device that physically prevents electrical current from flowing back into the main service line.
- (25) **"gpm"** means gallons per minute.
- (26) **"Group A public water system"** is defined and referenced under WAC 246-290-020.
- (27) **"Group B public water system"** or **"Group B system"** means a public water system that is not a Group A public water system, and is defined and referenced under WAC 246-291-005 and Section 3 of this regulation.
- (28) **"Guideline"** means a department document assisting a purveyor in meeting a rule or statutory requirement.
- (29) **"GWI (groundwater under the direct influence of surface water)"** means any water beneath the surface of the ground that OCPH determines has the following characteristics:
- (a) Presence of insects or other macroorganisms, algae, or larger-diameter pathogens such as *Giardia lamblia* or *Cryptosporidium*; or
 - (b) Significant and relatively rapid shifts in water conditions such as turbidity, temperature, conductivity, or pH closely correlating to weather or surface water conditions, where natural conditions cannot prevent the introduction of surface water pathogens into the source at the systems' point of withdrawal.
- (30) **"Health officer"** means the health officer of Okanogan County or an authorized representative.
- (31) **"Human consumption"** means the use of water for drinking, bathing, showering, handwashing, cooking, food preparation, dishwashing, ice-making, or oral hygiene.
- (32) **"Hydraulic analysis"** means the study of the Group B system's distribution main and storage network to determine the system's present or future adequacy for providing service to consumers within the established design parameters for the system under peak flow conditions, including fire flow. The analysis establishes the adequacy of design for distribution system components such as piping, elevated storage, booster stations or similar facilities used to pump and convey water to consumers.
- (33) **"Infiltration gallery"** means a water collection system built of perforated pipe or conduit and placed in permeable earth, for collecting shallow groundwater. An infiltration gallery is usually located close to springs, wetlands, streams, or ponds.

(34) "**Intertie**" means an interconnection between public water systems permitting the exchange or delivery of water between those systems.

(35) "**JPR (joint plan of responsibility)**" means a written agreement between the department and Okanogan County Public Health that:

(a) Lists the roles and responsibilities of the department and health officer for reviewing and approving Group B system designs;

(b) Provides for a level of supervision necessary to effectively achieve the responsibilities in the JPR;

(c) Is signed by an authorized representative from the department and local health jurisdiction; and

(d) Is reviewed at least once every five years and updated as needed.

(36) "**kPa**" means kilo pascal (Standard International units of pressure).

(37) "**Local board of health**" means the governing body of a county health department under chapter 70.05 RCW, or a health district under chapter 70.46 RCW.

(38) "**Local health jurisdiction**" means a county health department under chapter 70.05 RCW, city-county health department under chapter 70.08 RCW, or health district under chapter 70.46 RCW.

(39) "**Local permitting authority**" means the local building official, health officer, or authorized representative that makes determinations regarding building permits and development proposals.

(40) "**MCL (maximum contaminant level)**" means the maximum permissible level of a contaminant in water the purveyor delivers to any Group B system consumer, measured at the source before entry to the distribution system.

(41) "**MDD (maximum day demand)**" means the highest actual or estimated quantity of water that is, or is expected to be, used over a twenty-four hour period, excluding unusual events or emergencies.

(42) "**mg/L**" means milligrams per liter (1mg/L = 1 part per million).

(43) "**ml**" means milliliter.

(44) "**mm**" means millimeter.

(45) "**Nonresidential service connection**" means a connection to a public water system that provides potable water including, but not limited to a:

(a) Commercial property;

(b) Industrial property;

(c) Civic property;

(d) Municipal property;

(e) Institutional property;

(f) School;

(g) Recreational use as defined in this section; or

(h) Any other authorized use that provides potable water to a nonresidential population.

(46) "**OCPH**" means Okanogan County Public Health.

(47) "**PAS**" means pitless adaptor standard.

(48) "**PHD (peak hourly demand)**" means the maximum rate of water use, excluding fire flow that can be expected to ever occur within a defined service area over a continuous sixty minute time period. PHD is typically expressed in gallons per minute (gpm).

(49) "**Potable**" means water safe for human consumption.

(50) "**Potential GWI**" means a source identified by the department or local health jurisdiction as possibly under the direct influence of surface water including, but not limited to a:

(a) Well that has a screened interval fifty feet or less from the ground surface at the wellhead and is located within two hundred feet of a freshwater surface water body;

(b) Ranney well;

(c) Infiltration gallery; or

(d) Spring.

(51) "**Primary MCL**" means a standard based on chronic, nonacute, or acute human health effects.

(52) "**psi**" means pounds per square inch.

(53) "**Public water system**" means any system providing water for human consumption through pipes or other constructed conveyances, excluding a system serving only one single-family residence and a system with four or fewer service connections all of which serve residences on the same farm. The term includes:

(a) Collection, treatment, storage, or distribution facilities under the control of a purveyor and used primarily in connection with the system;

(b) Collection, or pretreatment storage facilities not under the control of a purveyor, and primarily used in connection with the system.

(54) "**Purveyor**" means an agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or other entity owning or operating a public water system, or applying to create a public water system. Purveyor also means the authorized agents of these entities.

(55) "**Ranney well**" means a water well or collection system including a central chamber with horizontal perforated pipes extending out into an aquifer. The perforated pipes may extend out under a surface water body such as a lake or river.

(56) "**Recreational service connection**" means a connection to a public water system that provides potable water to each:

(a) Campsite; or

(b) Recreational vehicle site.

(57) "**Residential service connection**" means a connection to a public water system that provides potable water to a dwelling unit.

(58) "**Same farm**" means a parcel of land or series of parcels connected by covenants and devoted to the production of livestock or agricultural commodities for commercial purposes.

(59) "**Sanitary survey**" means a review, inspection, and assessment of a public water system by the department or local health jurisdiction.

(60) "**SCA (sanitary control area)**" is defined under Section 11.

(61) "**SMA (satellite management agency)**" means a person or entity approved by the department in accordance with chapter 246-295 WAC to own or operate public water systems on a regional or county-wide basis without the necessity for a physical connection between the systems.

(62) "**Secondary standards MCL**" means a standard based on factors other than health effects

(63) "**Service connection**" means a residential, nonresidential, or recreational service connection as defined in this section.

(64) "**Single-family residence**" means a structure in which one or more persons maintain a common household. A structure is not a single-family residence if it is used for an activity requiring a permit or license under one or more of the following rules:

(a) Food service, chapter 246-215 WAC and the Okanogan County Public Health Food Regulation;

(b) Food inspection, chapter 16-165 WAC and the Okanogan County Public Health Food Regulation;

(c) Residential treatment facility, chapter 246-337 WAC;

(d) Transient accommodations, chapter 246-360 WAC and the Okanogan County Health District Regulations For Overnight Transient Accommodations;

(e) Boarding homes licensing rules, chapter 388-78A WAC;

(f) Minimum licensing requirements for child care centers, chapter 170-295 WAC;

(g) School-age child care center minimum licensing requirements, chapter 170-151 WAC; or

(h) Adult family home minimum licensing requirements, chapter 388-76 WAC.

(65) "**Spring**" means a source of water where the aquifer comes in contact with the land surface.

(66) "**Surface water**" means a body of water open to the atmosphere and subject to surface runoff, including captured rainfall.

(67) "**WSDOT**" means Washington State Department of Transportation.

(68) "**Water right**" means a permit, claim, or other authorization, on record with or accepted by the Department of ecology, authorizing the beneficial use of water in accordance with all applicable state laws.

(69) "**Well site inspection**" means a physical inspection of the area near an existing or proposed well location, and completion of a department or health officer-approved form that identifies the suitability of the site for a public water supply well.

Section 4. Bottled water and ice-making facilities.

Water sources used by a facility regulated under chapter 16-165 WAC that produces bottled water or ice for public consumption shall meet the requirements under chapter 246-290 WAC.

Section 5. General administration.

OCPH and health officer shall administer these regulations. Fees may be charged for this administration as adopted by the Okanogan County Board of Health.

Section 6. Enforcement.

(1) When a Group B system is out of compliance with this regulation, OCPH or the Health Officer may initiate enforcement actions under RCW 70.46.060 and 70.119A.050, and as authorized under this regulation.

(2) These actions may include any one or more of the following:

(a) Issuance of informal letters instructing or requiring appropriate corrective measures; or

(b) Issuance of a compliance agreement or schedule; or

(c) Issuance of enforcement orders by OCPH requiring any person to comply with applicable drinking water regulations or to apply for an operating permit as required by these rules and;

(d) Issuance of civil penalties for up to \$25.00 per day per violation for failure to comply with enforcement orders issued in accordance with subsection (c) of this section; or

(e) Legal action by the local prosecutor.

Section 7. Appeals.

Decisions of the health officer or designee may be appealed to the Okanogan County Board of Health. Appeals must be made in writing to the OCPH Environmental health Director within 10 working days of the decision that is being disputed. A hearing date shall be scheduled with the Okanogan County board of Health for their next regular meeting. Any variations from this regulation resulting in requirements less stringent than those found in Chapter 246-291 WAC shall be determined consistent with the standards in, and the intent of, the rules by the health officer.

Section 8. Waivers.

(1) The health officer or the health officer's designee may grant a waiver from the requirements of this chapter.

(a) Approval of a waiver must be conditioned to include, at a minimum:

(i) Water quality treatment;

(ii) Monitoring; or

(iii) Maintenance and oversight; and

(b) A purveyor must provide sufficient evidence to the health officer or local board of health that a proposed Group B system will deliver drinking water that does not exceed a primary MCL under Section 13, and will provide an adequate supply of water under Section 10 of this regulation.

(2) The health officer or the health officer's designee shall not grant a waiver from the residential population requirement for each dwelling unit under Section 14 of this regulation.

(3) A request for a waiver is not considered an adjudicative proceeding as defined under chapter 34.05 RCW.

(4) A waiver granted under this section shall be valid for up to five years from the date of issuance as specified by the health officer or health officer's designee if construction of the Group B system is not completed.

Section 9. Public Water System Coordination Act and satellite management.

(1) A purveyor of a new or expanding Group B system shall comply with the applicable coordinated water system plan created under chapter 246-293 WAC and 70.116 RCW if located within the boundaries of a critical water supply service area.

(2) OCPH or the health officer shall approve a new or expanding Group B system consistent with requirements under Section 9 and RCW 70.116.060(3).

(3) A new Group B system must comply with SMA requirements under RCW 70.119A.060.

Section 10. Design report approval.

(1) Applicability. The requirements of this section shall apply to those water systems that meet the following criteria:

(a) Use a drilled well as the source;

(b) Do not use a variable speed pump;

(c) Do not provide fire flow;

(d) Do not have special hydraulic considerations;

(e) Do not have atmospheric storage in which the bottom elevation of the storage reservoir is below the ground surface; and

(f) Serve fewer than ten service connections.

Systems not meeting these criteria are subject instead to the requirements of WAC 246-291 and must be approved by the Washington State Department of Health.

(2) A purveyor shall receive written approval of a design report from OCPH or the health officer prior to installing a new Group B system or providing service to more than the current approved number of service connections.

(3) To obtain design report approval for a Group B system, a purveyor shall provide a copy of the following, at a minimum, to OCPH or the health officer:

(a) Documentation that creating a new system or expanding an existing system does not conflict with any applicable coordinated water system plan adopted under chapter 246-293 WAC;

(b) Documentation that creating a new system complies with the SMA requirements under RCW 70.119A.060(2);

(c) Source approval under Section 10 of this regulation;

(d) Documentation that all requirements under Sections 10, 11, 12, 13, 14 and 15 are met;

(e) A system design that complies with the requirements under Section 15 including, but not limited to:

(i) Drawings of each project component, including:

(A) Location;

(B) Orientation;

(C) Size; and

(D) Easements for:

(I) Future access and maintenance of distribution system pipelines located on private property, or franchise agreements necessary for distribution system pipelines located within public right of way; and

(II) Other system components, including access and maintenance of reservoirs, wells, and pumping stations.

(ii) Material specifications for each project component;

(iii) Construction specifications and assembly techniques;

(iv) Testing criteria and procedures; and

(v) A description of disinfection procedures that must conform with American Water Works Association standards or other standards acceptable to OCPH; and

(vi) Documentation identifying provisions for inspection of the installation of each project component.

(3) The design report shall be prepared, sealed, and signed in accordance with chapter 196-23 WAC by a professional engineer who:

(a) Is licensed in the state of Washington under chapter 18.43 RCW; and

(b) Has specific expertise regarding design, operation, and maintenance of public water systems.

(4) OCPH will waive the professional engineer requirement under Section 9(3) for Group B systems that:

- (a) Do not use a variable speed pump;
- (b) Do not provide fire flow; and
- (c) Do not have special hydraulic considerations;

(5) A purveyor shall submit a "Construction Completion Report for Public Water System Projects" to OCPH or the health officer on a form approved by OCPH or the health officer within sixty days of construction completion, and before use of any approved Group B system. The form must:

- (a) Include a statement that the project is constructed and completed according to the design report requirements under this chapter; and
 - (b) Include a statement that the installation, testing, and disinfection of the Group B system is completed in accordance with this chapter.
- (6) All design changes, except for minor field revisions, must be submitted in writing to and be approved by OCPH or the health officer.

Section 11. Groundwater source approval.

(1) Groundwater sources submitted to OCPH or health officer for design approval must comply with the following requirements:

- (a) Drinking water shall be obtained from the highest quality source feasible.
- (b) All permanent groundwater sources must:
 - (i) Be designed to be physically connected to the distribution system;
 - (ii) Be a drilled well that is constructed in accordance with chapter 173-160 WAC; and
 - (iii) Meet water quality requirements under Section 13 of this regulation.

(c) OCPH or the health officer shall not approve a design for a new or expanding Group B system using a GWI source.

(d) OCPH or the health officer shall not approve a design for a new or expanding Group B system using a potential GWI source until a hydrogeologic evaluation is completed by a licensed hydrogeologist or engineer that determines the source is not GWI. The GWI evaluation and determination must be completed before OCPH or the health officer will review the Group B design report.

(2) Before pursuing groundwater source approval under this section, a purveyor shall contact OCPH to identify any additional requirements.

(3) A purveyor shall provide a copy of the following to OCPH or the health officer to obtain groundwater source approval:

- (a) The water right permit, if required, for the source, quantity, type, and place of use;
- (b) The water well report, as required under WAC 173-160-141;

- (c) The well site inspection report form completed by OCPH or designee;
- (d) A map showing:
 - (i) The project location;
 - (ii) A six hundred foot radius around the well site designating the preliminary short-term groundwater contribution area; and
 - (iii) The perimeter of a one hundred foot SCA, meeting the requirements in subsection (5) of this section.
- (e) A map showing topography, distances to the well from existing property lines, buildings, potential sources of contamination within the six hundred foot radius around the well, and any other natural or man-made features that could affect the quality or quantity of water;
- (f) The recorded legal documents for the SCA;
- (g) Results from an initial analysis of raw source water quality from a certified lab, including, at a minimum:
 - (i) Coliform bacteria;
 - (ii) Inorganic chemical and physical parameters under Section 13, Tables 2, 3, and 4; and
 - (iii) Other contaminants, as directed by OCPH or the health officer in areas where it determines that other contamination may be present.
- (h) Pump test data establishing groundwater source capacity including, but not limited to:
 - (i) Static water level;
 - (ii) Sustainable yield;
 - (iii) Drawdown;
 - (iv) Recovery rate; and
 - (v) Duration of pumping.
- (i) Additional pump testing in locations where water resource limitations or known seasonal groundwater fluctuations may affect future reliability as directed by OCPH or the health officer.
- (4) Groundwater source capacity.
 - (a) A groundwater source for a Group B system with residential connections must be pump tested to determine if the well(s) and aquifer are capable of reliably supplying water that meets the minimum requirements under Subsection 4(d) of this section.
 - (b) A groundwater source must be pump tested to determine if the well(s) and aquifer are capable of supplying water at the rate required to provide the water volume as determined under Section 14 for a source supplying a Group B system with:
 - (i) Nonresidential service connections; or
 - (ii) Both residential and nonresidential service connections.

(c) Where a locally adopted watershed plan or Ecology watershed rule under Title 173 WAC establishes a higher water supply requirement, the purveyor shall use the higher value to assess the adequacy of the source of supply.

(d) A purveyor shall design the Group B system to meet the requirement of 1250 gallons per day per connection for systems that do not have a separate source of irrigation available, even if a locally adopted watershed plan or watershed rule under Title 173 WAC limits water use below this value.

(e) A purveyor shall design the Group B system to meet the requirement of 750 gallons per day per connection for systems that have a separate source of irrigation available, even if a locally adopted watershed plan or watershed rule under Title 173 WAC limits water use below this value.

(5) Sanitary Control Area (SCA).

(a) A purveyor shall establish the SCA around each groundwater source to protect it from contamination.

(b) The SCA must have a minimum radius of one hundred feet, unless technical justification submitted by a licensed hydrogeologist or engineer to OCPH or the health officer supports a smaller area. The justification must address geological and hydrogeological data, well construction details, and other relevant factors necessary to provide adequate sanitary control.

(c) OCPH or the health officer may require a larger SCA if geological and hydrological data support such a decision.

(d) A purveyor shall own the SCA, or the purveyor shall have the right to exercise complete sanitary control of the land through other legal provisions.

(e) A purveyor shall record a restrictive covenant to the title of each property that is sited partially or completely within the SCA to protect the SCA in perpetuity.

Section 12. Interties.

(1) A purveyor submitting a new or expanding Group B system design for approval using a nonemergency intertie source shall provide the following to OCPH or the health officer:

(a) A copy of the intertie agreement under subsection (2) of this section;

(b) Evidence that the supplying water system currently operates in compliance with chapter 246-290 or 246-291 WAC;

(c) Location of the proposed intertie;

(d) Information on any water quality issues and treatment being used;

(e) Demonstration of the source capacity and hydraulic capacity of the supply and receiving systems at the designed flow rate through the intertie;

(f) A copy of the water right or water right change issued by the Department of Ecology, if required under RCW 90.03.383;

(g) Identification of alternative sources that will be used when the intertie agreement expires if the water is not being provided in perpetuity; and

(h) Verification that a source meter has been installed to measure water received.

- (2) An intertie agreement between purveyors must identify:
 - (a) Specific time periods in which water will be provided;
 - (b) The volume of water available for use, including any seasonal or other restrictions; and
 - (c) How operations will be coordinated.

Section 13. Water system planning and disclosure requirements.

(1) A purveyor submitting a new or expanding Group B system design for approval shall provide the following information to OCPH or the health officer:

- (a) The system's management and ownership;
- (b) The system's service area and existing and proposed major facilities;
- (c) The maximum number of service connections the system can safely and reliably supply;
- (d) The relationship and compatibility with other locally adopted plans;
- (e) The amount of revenue needed to operate and maintain the system, and a plan to meet revenue needs;
- (f) A cross-connection control plan if any existing or potential cross-connections are identified;
- (g) Security measures under the strict control of the purveyor to be provided to protect the water source, water storage reservoir, and the distribution system;
- (h) For systems that will use sources with a well pump test indicating a yield of 5.0 gpm or less, a contingency plan describing short-term and long-term measures to restore water to consumers in the event the well(s) cannot provide an adequate supply of water;
- (i) The public notification procedures that the purveyor will use as required under Section 24.

(2) A purveyor shall record the following information on each customer's property title before providing water from the Group B system to any service connection:

- (a) System name and a department-issued public water system identification number;
- (b) System owner name and contact information;
- (c) The following statement: "This property is served by a Group B public water system that has a design approval under the Okanogan County Public Health Group B Water System Regulation or chapter 246-291 Washington Administrative Code";
- (d) Parcel numbers to be served by the system;
- (e) Indicate if the system is designed and constructed to provide fire suppression;
- (f) A copy of any waiver granted under Section 8 to the purveyor and any required monitoring and reporting;

(g) Indicate:

(i) If service connections are metered or not;

(ii) If the purveyor intends to monitor the system for contaminants;

(iii) How often monitoring will occur; and

(iv) How the consumers of the system will be notified of monitoring results.

(h) Contact information for the approving authority (OCPH or Washington State Dept. of Health);

(i) The type of source treatment provided for any contaminants that exceed secondary MCLs;

(j) Instructions about how to obtain a copy of the agreements for consumers, if one exists; and

(k) Other information, as directed by OCPH or the health officer.

Section 14. Water quality requirements for groundwater source approval.

(1) All water quality samples collected under this section must be:

(a) Collected without chlorine, ultraviolet light, ozone, or other disinfectant in use to treat the source;

(b) Collected after the well has been pumped long enough to allow for collection of a representative sample of the aquifer, as described in the Group B Water System Design Guidelines (2012); and

(c) Analyzed by a certified lab.

(2) To meet the requirements for design approval under Section 9, a purveyor shall obtain, at a minimum:

(a) Satisfactory results from two raw source water samples analyzed for coliform bacteria;

(b) Results from one raw source water sample that has been analyzed for, and does not exceed, any primary MCL in Table 2 of this section; and

(c) 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 OCPH or health officer.

(3) When analytical results indicate a presence of coliform bacteria, a purveyor shall do the following:

(a) Disinfect the source using procedures under Section 17; and

(b) Collect two repeat samples and analyze for coliform bacteria by a certified lab.

(4) A purveyor shall collect a confirmation raw source water sample and have the sample analyzed for each parameter that exceeded the MCL in the initial sample, if:

(a) An analysis exceeds a primary MCL in Table 2 of this section; or

(b) A contaminant of public health concern under subsection (2)(c) of this section exceeds the primary MCL under this section.

(5) OCPH or the health officer shall not approve the proposed source if:

(a) The average concentration from all samples for each substance taken under this section exceeds a primary MCL in Table 2 of this section;

(b) The repeat sample results collected under subsection (3) of this section indicate a presence of coliform bacteria; or

(c) A contaminant of public health concern collected under this section exceeds the primary MCL under this section.

(6) When an analysis exceeds a secondary MCL in Table 3 or 4 of this section, a purveyor shall include treatment in the Group B system design under Section 15 so that drinking water delivered to consumers does not exceed a secondary MCL.

Table 1

Primary Inorganic Chemical Contaminants

Substance	MCLs (mg/L)
Antimony (Sb)	0.006
Arsenic (As)	0.010
Barium (Ba)	2.000
Beryllium (Be)	0.004
Cadmium (Cd)	0.005
Chromium (Cr)	0.100
Cyanide (HCN)	0.200
Fluoride (F)	4.000
Mercury (Hg)	0.002
Nitrate (as N)	10.000
Nitrite (as N)	1.000
Selenium (Se)	0.050
Thallium (Tl)	0.002

Note: *The arsenic MCL in Table 2 applies to new and expanding Group B systems. For Group B systems constructed prior to January 1, 2014, the arsenic MCL is 0.05 mg/L. WAC 246-291-360 (3) and (4) establish public notification requirements for Group B systems constructed prior to January 1, 2014, with an arsenic concentration exceeding 0.010 mg/L.

Table 2

Secondary Inorganic Chemical Contaminants

Substance	MCLs (mg/L)
Chloride (Cl)	250.0
Fluoride (F)	2.0
Iron (Fe)	0.3
Manganese (Mn)	0.1
Silver (Ag)	0.1
Sulfate (SO ₄)	250.0
Zinc (Zn)	5.0

Table 3

Secondary Physical Characteristics

Substance	MCLs
Color	15 color units
Specific conductivity	700 umhos/cm
Total dissolved solids (TDS)	500 mg/L

Section 15. Design standards.

(1) A purveyor submitting a new or expanding Group B system design for approval shall use good engineering practices in the design of all public water systems and apply industry standards in the design, such as those in:

(a) Washington State Department of Health guideline titled *Group B Water System Design Guidelines* (2012);

(b) *Water Systems Council PAS-97(04) Pitless Adapters and Watertight Well Caps* (2004);

(c) Standard specifications of the:

(i) American Public Works Association;

(ii) American Society of Civil Engineers;

- (iii) American Water Works Association; and
 - (iv) American Society for Testing and Materials.
 - (d) Minimum standards for construction and maintenance of wells, chapter 173-160 WAC;
 - (e) *Recommended Standards for Water Works, A Committee Report of the Great Lakes - Upper Mississippi River Board of State Public Health and Environmental Managers* (2007);
 - (f) *Standard Specifications for Road, Bridge and Municipal Construction* (WSDOT/APWA 2012);
 - (g) *USC Manual of Cross-Connection Control*, 10th edition (October 2009);
 - (h) *PNWS-AWWA Cross-Connection Control Manual*, sixth edition (1996);
 - (i) International Building Code (IBC) (2012); and
 - (j) Uniform Plumbing Code (UPC) (2012).
- (2) A purveyor submitting a new or expanding Group B system design for approval shall:
- (a) Calculate residential population by using 2.5 persons per dwelling unit; and
 - (b) Use full-time occupancy for each dwelling unit.
- (3) A purveyor shall demonstrate that the source(s) of supply, pipes and other constructed conveyances are capable of meeting the minimum residential water supply as required under Section 10.
- (4) A new or expanding Group B system must be designed with the capacity to deliver the PHD at 30 psi (210 kPa) measured along property lines adjacent to distribution mains, under the following conditions:
- (a) When all equalizing storage has been depleted, if the system is designed to supply PHD in part with equalizing storage; and
 - (b) At the "pump-on" pressure setting for the pump directly supplying the distribution system, when the water system is designed to supply PHD without any equalizing storage.
- (5) If the design PHD exceeds the total source pumping capacity, then sufficient equalizing storage must be provided.
- (6) The minimum design flow and duration required for fire flow and fire suppression storage, if provided, shall be determined by:
- (a) The local fire protection authority; or

(b) As required under chapter 246-293 WAC for Group B systems within the boundaries of a designated critical water supply service area.

(7) In the design of a new or expanding Group B system that does not have to comply with minimum fire flow standards, a purveyor shall coordinate with the local fire protection authority to assess if any hydrants create adverse pressure problems as a result of expected fire suppression activities, and address any pressure problems in the design.

(8) If fire flow is provided, the distribution system must be designed to provide the MDD for the entire Group B system and the required fire flow at a pressure of at least 20 psi (140 kPa) at all points throughout the distribution system when the designed volume of fire suppression and equalizing storage has been depleted.

(9) The Group B system design must contain a water meter that measures the water use of the entire water system (totalizing source meter) and a source sample tap.

(10) The use of individual service booster pumps to meet the requirements of this section is prohibited.

(11) A purveyor shall equip a new or expanding Group B system with a generator disconnect switch.

(12) A purveyor shall use generally accepted industry standards and practices in the elimination or control of all cross connections, such as:

(a) *USC Manual of Cross-Connection Control*, Tenth Edition, October 2009; and

(b) *PNWS-AWWA Cross-Connection Control Manual*, Sixth Edition (1996).

(13) A pitless unit, pitless adaptor, and vented sanitary well cap must conform with the product, material, installation, and testing standards under the *Water Systems Council PAS-97(04) Pitless Adapters and Watertight Well Caps* (2004).

Section 16. Drinking water materials and additives.

(1) In the design of a new or expanding Group B system, all materials in contact with potable water shall conform to the ANSI/NSF Standard 61.

(2) Pipes, pipe fittings, fittings, fixtures, solder, or flux used in the design of a new or expanding Group B system shall be lead-free. For the purposes of this section, lead-free means:

(a) Not more than a weighted average of twenty-five one hundredths of one percent lead for wetted surfaces of pipes and pipe fittings; and

(b) No more than two-tenths of one percent lead in solder and flux.

(3) Any chemicals specified for use in the design of treatment for secondary MCLs in Table 3 under Section 14 with the exception of unscented commercial grade hypochlorite compounds, shall comply with ANSI/NSF Standard 60. The design dosage shall not exceed the maximum application dosage recommended for the product as certified by the ANSI/NSF Standard 60.

(4) OCPH may review and approve the use of materials or additives that are not ANSI/NSF Standard 60 or 61 certified on a case-by-case basis.

Section 17. Group B system disinfection.

(1) A purveyor shall disinfect a Group B system before providing service to any consumer.

(2) The water system disinfection procedures must conform to the following standards:

(a) AWWA C651-05 or APWA/WSDOT (2010 revision), for water main disinfection;

(b) AWWA C652-02, for reservoir disinfection; and

(c) AWWA C654-03, for well disinfection.

Section 18. Continuity of service.

(1) A purveyor of a Group B system shall notify all the system's consumers in writing before transferring ownership. The notification must include a time schedule for transferring responsibilities, identification of the new owner, and under what type of authority the new ownership will operate.

(2) At least one year prior to terminating system operation, a purveyor of a Group B system shall notify all consumers in writing and provide a copy of the written notice to the department and health officer.

Section 19. Existing Group B systems.

(1) A purveyor of a Group B system shall apply for and obtain design approval under WAC 246-291-120, or approval under subsection (3) of this section before the system:

(a) Expands to serve a new service connection needing potable water; or

(b) Provides potable water for a new use of an existing service connection if a local permitting authority requires an approved public water supply as a condition of an approval of the new use.

(2) A local permitting authority may determine a Group B system constructed before January 1, 2014, without design approval under this chapter, to be adequate for existing connections if, at a minimum, the following requirements are met:

(a) The system's source(s) must meet well construction standards, under chapter 173-160 WAC;

(b) A well site inspection completed by the department, local health jurisdiction, or designee has documented that there are no sources of contamination in the SCA that could create a public health risk;

(c) The system meets water quality standards under Section 14, Table 2; and

(d) The system is capable of maintaining a minimum 20 psi at all points throughout the distribution system during peak demand.

(3) A purveyor of a Group B system approved prior to January 1, 2014, may provide potable water to additional service connections provided that:

- (a) The expanded use is consistent with the existing design approval;
- (b) The expanded use does not exceed the number of approved service connections; and
- (c) The purveyor complies with all locally adopted requirements.

Section 20. General monitoring requirements.

- (1) A purveyor of a Group B system shall provide potable water to the system's consumers.
- (2) OCPH may require additional monitoring when it determines contamination is present or suspected in the water system or when it determines the source may be vulnerable to contamination.
- (3) Special purpose samples shall not count toward fulfillment of the monitoring requirements of this regulation.
- (4) The owner shall ensure samples required by this regulation are collected, transported, and submitted for analysis according to EPA approved methods. The analyses shall be performed by the state public health laboratory or another laboratory certified by the Washington State Department of Ecology. Qualified water utility, certified laboratory, or department personnel may conduct measurements for pH, temperature, residual disinfectant concentration and turbidity as required by this chapter, provided that these measurements are made in accordance with Standard Methods for the Examination of Water and Wastewater, current edition.
- (5) When one Group B water system sells water to another public water system and the cumulative number of services or population served meet the definition of a Group A system, the owner of the selling system shall ensure that source monitoring is conducted in accordance with the minimum requirements for Group A community systems found in chapter 246-290 WAC.

Section 21. Bacteriological Monitoring

- (1) Owners shall ensure the collection and submittal of a sample for coliform analysis at least once every twelve months.
- (2) 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) OCPH is notified;
 - (c) The department is notified in accordance with WAC 246-291; and
 - (d) Further action is taken as directed by OCPH.
- (3) MCLs.
 - (a) MCLs under this subsection shall be considered primary standards.
 - (b) An MCL violation for coliform bacteria occurs when a routine and repeat sample have coliform presence.
 - (c) In determining MCL compliance, the owner shall include:

- (i) Routine samples; and
- (ii) Repeat samples.
- (d) In determining MCL compliance the owner shall not include:

- (i) Invalidated samples; and
- (ii) Special purpose samples.

Section 22. Chemical Monitoring

(1) Owners shall ensure the collection and submittal of a sample for nitrate analysis at least once every three years.

(a) Samples taken for nitrate chemical analyses shall be collected at the source before treatment.

(b) When treatment is provided for one or more inorganic chemical or physical contaminants, samples shall be taken for the specific contaminant or contaminants before and after treatment. OCPH shall determine the frequency of sampling.

(2) Follow-up. When an initial analysis of a substance exceeds the MCL, the owner shall ensure that at least one additional sample is immediately taken from the same sampling point and analyzed for any substance which exceeded the MCL. If the average of the samples exceeds the MCL, a violation is confirmed.

(3) The primary and secondary MCLs are listed in Section 14, Tables 1 and 2.

Section 23. General Follow-up.

(1) If a water quality sample exceeds any primary MCLs listed in this regulation, the owner shall ensure notification of OCPH and the department and take follow-up action as described in this regulation.

(2) When a primary MCL violation occurs, the owner shall ensure that the following actions are taken:

- (a) Notification of the department;
- (b) Notification of OCPH;
- (c) Notification of the consumers served by the system in accordance with Section 24;
- (d) Determination of the cause of the contamination; and
- (e) Other action as directed by OCPH.

Section 24. Public notification.

(1) A purveyor of a Group B system shall notify OCPH, the health officer, and all system consumers in writing within twenty-four hours when the purveyor:

- (a) Obtains water quality sample analyses from a certified lab indicating a confirmed acute MCL violation, where either the initial sample or a resample showed the presence of E. coli;

(b) Obtains a water quality sample analysis from a certified lab indicating the presence of nitrate at a concentration at or above 10.0 mg/L; or

(c) Is aware of circumstances that pose a threat of acute contamination, such as a flood event.

(2) A purveyor of a Group B system shall notify OCPH, the health officer, and all system consumers in writing within 14 days when the purveyor obtains water quality sample analyses from a certified lab indicating a confirmed non-acute MCL violation, where the initial sample and at least one resample showed only total coliform and not E. coli.

(3) If a Group B system constructed prior to January 1, 2014, has an arsenic concentration exceeding 0.010 mg/L, the purveyor shall notify consumers in writing:

(a) By June 30, 2014, if the sample analysis result from a certified lab was obtained prior to January 1, 2014;

(b) Within thirty days of receiving a sample analysis result from a certified lab; or

(c) Within thirty days of adding a new service connection.

(4) The public notification must include the following information:

(a) A description of contamination and any known problem(s);

(b) What the purveyor is doing to resolve the problem(s);

(c) Where to get information about potential health effects;

(d) What the consumers should do to protect their health, including the use of another source of water;

(e) When the purveyor expects the problem(s) to be resolved; and

(f) Group B system contact information, including address, phone number, and if available, an e-mail address.

Section 25. Operating Permits.

This section sets operating permit requirements to help assure Group B water systems provide safe and reliable drinking water to the public consistent with this regulation and with chapter 246-291 WAC, state board of health drinking water regulations.

(1) Definitions, abbreviations, and acronyms.

The definitions, abbreviations, and acronyms in this subsection section apply throughout this section unless the context clearly indicates otherwise.

(a) "**Adequacy**" means an assessment, based upon evaluation of OCPH records, of a water system's current ability to provide safe and reliable drinking water in accordance with applicable drinking water statutes and regulations.

(b) "**EPA**" means the Environmental Protection Agency.

(c) "**ERU (equivalent residential unit)**" means a system specific unit of measure used to express the amount of water consumed by a typical full-time single family residence.

(d) "**Nonresident**" means a person having access to drinking water from a public water system who lives elsewhere. Examples include travelers, transients, employees, students, etc.

(e) **Nontransient** (NTNC) water systems provide service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(f) "**NTNC**" means nontransient noncommunity.

(g) "**Owner**" means any agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or any other entity, that holds as property, a public water system.

(h) "**Recreational service connection**" means a connection to a public water system that provides potable water to each:

(i) Campsite; or

(ii) Recreational vehicle site.

(i) "**Resident**" means an individual living in a dwelling unit served by a public water system.

(j) "**SNC (significant noncomplier)**" means a system that is violating or has violated OCPH rules, and violations may create or have created an imminent or a significant risk to human health. Such violations include, but are not limited to, repeat violations of monitoring requirements, failure to address exceedance of permissible levels of regulated contaminants, failure to comply with treatment technique standards or requirements, failure to comply with water works operator certification requirements, or failure to submit to a sanitary survey.

(k) "**TNC**" means transient noncommunity.

(l) **Transient** (TNC) water systems serve:

(i) Different people each day for sixty or more days within a calendar year;

(ii) Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days in a calendar year.

(m) "**WFI (water facilities inventory)**" means the department form summarizing each public water system's characteristics.

(2) Applicability.

Owners of all Group B water systems shall obtain an annual operating permit from OCPH for each system owned. The operating permit shall be valid until the next renewal date in accordance with Subsection 3. Any change in ownership of the permitted system shall require a new permit in accordance with subsection 3.

(3) Application and issuance of operating permits.

(a) No person may operate and no owner shall permit the operation of a Group B water system unless the owner annually submits an application along with the required fee to OCPH and OCPH has issued an operating permit to the system owner. Any owner operating a system may continue to operate until OCPH takes final action on granting or denying the operating permit.

(b) OCPH shall mail an application to water systems annually using a schedule that is based on the size and type of water system.

(c) In addition to the regularly scheduled issuance of annual operating permits, new or revised operating permits shall be required when:

(i) The owner of a new Group B system receives all required department approvals relating to water system operation; or

(ii) Ownership of a Group B system changes.

(d) OCPH may also issue a revised operating permit when there is a change in a system's compliance that necessitates a change to a different permit category.

(e) New Group B systems shall be sent operating permit applications at the time construction documents are submitted to OCPH for approval. The deadline for submitting the completed application and full payment to OCPH shall be the same date as:

(i) The *Construction Completion Report* required by Section 10(5); or

(ii) The existing system as-built approval required by Section 19(2).

(f) Initial and renewal applications shall be based on information from the most recent WFIs on file with OCPH or the department, and sent to owners on an annual basis.

(g) Upon receipt of the application, the owner or other legally authorized person shall:

(i) Complete portions of the form which need completing;

(ii) Ensure that information on the form is accurate;

(iii) Sign the form; and

(iv) Return the application to OCPH within seventy days of OCPH mailing date, accompanied by the applicable fee.

(h) The applicable fee shall be in the form of a check or money order made payable to "Okanogan County Public Health" and mailed in accordance with the directions on the application.

(i) Systems which do not return operating permit applications along with the required fee by the deadline specified on the notice shall:

(i) Not be issued an operating permit; and

(ii) Be subject to the enforcement provisions in Section 6.

(j) OCPH shall add an additional late charge to the applicable fee as listed in the OCPH fee schedule if the owner fails to return the completed application with applicable fee to OCPH within seventy days of OCPH mailing date.

(k) OCPH shall review each submitted application. Any changes made on the application by the applicant shall be evaluated by OCPH and may result in an update of the system's WFI form, which would be reflected on the next renewal application.

(l) If after issuing an operating permit, OCPH determines that the permit holder has made false statements, OCPH may, in addition to taking other actions provided by this regulation, revise both current and previously granted permit fee determinations and charge the owner accordingly.

(m) If OCPH discovers that an owner has been operating a system without an operating permit and such system is covered by the requirements of this chapter, OCPH may charge the owner an operating permit fee plus permit fees owed for each year, including late fees, since the effective date of this chapter.

(4) Categorization.

(a) OCPH shall evaluate and place each system into one of the categories in subsection (B) of this section. Each permit shall clearly identify the category into which the system is placed.

(b) OCPH will use the criteria from drinking water regulations to evaluate systems and place them into the following operating permit categories:

(i) Category green. This category represents systems that are in substantial compliance with drinking water regulations. OCPH considers systems in this category as adequate for existing uses and adding new service connections up to the number of approved service connections.

(ii) Category yellow. This category represents systems that are substantially in compliance with drinking water regulations, except that the system is a significant noncomplier that has signed a compliance agreement with OCPH to resolve the violations and is acting in accordance with the compliance agreement.

OCPH considers systems in the yellow category as adequate for existing uses and new service connections up to the number of approved service connections unless otherwise limited by a compliance agreement.

(iii) Category blue. This category represents systems that are substantially in compliance with drinking water regulations except that the system:

(a) Does not meet the design approval requirements of section 15; or

(b) Has exceeded the number of OCPH approved service connections.

OCPH considers systems in this category as adequate for existing uses but are not considered adequate for adding new service connections.

(iv) Category red. This category represents systems that are substantially out of compliance with drinking water regulations. OCPH will place a system in this category if it is:

(a) A significant noncomplier and has not signed a compliance agreement with OCPH or has signed a compliance agreement but is not acting in accordance with the compliance agreement; or

(b) In violation of an OCPH order; or

(c) Under an OCPH order for violations that pose an imminent threat to public health.

OCPH considers systems in this category inadequate for existing uses and for additional service connections.

(5) Permit issuance.

(a) OCPH shall grant or deny the operating permit within one hundred twenty days of receiving a completed application and full payment.

(b) Issuance of an operating permit means that the owner may operate the permitted system until the date specified on the permit unless protection of the public health, safety, and welfare requires immediate response or the imposition of conditions.

(c) At the time of permit issuance, OCPH may impose permit conditions and compliance schedules that OCPH determines are necessary to ensure that the system will provide safe and reliable drinking water, consistent with the provisions of this regulation and 246-291 WAC.

(d) OCPH may modify an operating permit at any time based on review of the evaluation criteria in Section 25(4). If OCPH modifies a permit, OCPH will send the owner a revised permit with the same expiration date.

(e) OCPH may revoke an operating permit or deny an operating permit application if OCPH determines that the system operation constitutes or may constitute a public health hazard to consumers.

(6) An operating permit applicant may file an appeal under Section 7 of this regulation if OCPH denies, conditions, modifies, or revokes the operating permit. To appeal an OCPH action, the owner shall submit to OCPH a written appeal within twenty-eight days of receiving the adverse notice.

(a) The appeal shall state:

(i) The issue or issues and law involved; and

(ii) The basis for appealing OCPH's decision.

(b) Any owner that requests a hearing under Section 7 of this regulation may continue to operate the system until OCPH issues a final decision, unless OCPH determines protection of the public health, safety, and welfare requires summary action.

(7) Transfer of ownership.

(a) A prospective new owner of a Group B water system may not take possession of the system without first obtaining a new operating permit.

(b) OCPH shall send an application to the prospective new owner when OCPH is notified of transfer of ownership in accordance with Section 25(3). The new owner shall proceed with the permit process under Section 25(3).

(c) OCPH shall not charge a fee for a new permit resulting from a change in ownership. The permit shall be effective from the date of issuance by OCPH until the next scheduled permit renewal date, at which time OCPH will charge a renewal fee.

(8) Fees.

(a) The fees for Group B water system operating permits are authorized under RCW 70.119A.110 and are listed in The OCPH fee schedule.

(b) For purposes of determining the operating permit fee, service connections shall be counted as follows:

(i) For community water systems, the operating permit fee is based on the total number of residential service connections and nonresidential service connections.

(ii) Nonresidential service connections are counted as one service connection for each property regardless of how many buildings are on the property.

(c) For NTNC and TNC systems, owners shall pay the fee in the OCPH fee schedule based on equivalent number of service connections. Population information used in calculating equivalent number of service connections shall come from the WFI. OCPH shall use the following formulas to determine equivalent number of service connections:

(i) For NTNC populations, divide the average population served each day by two and one-half; and

(ii) For TNC populations, which include recreational service connections, divide the average population served each day by twenty-five.

(9) Public notification.

An owner issued a category red operating permit shall notify the water system consumers in accordance with Section 24.

Section 26. Sanitary surveys.

(1) All Group B public water systems shall submit to a sanitary survey conducted by OCPH, or its designee, based upon the following schedule:

(a) For community water systems, every three years. Community water systems may qualify to be surveyed every five years if the system meets the following criteria:

(i) Has no total coliform MCL violations since the last sanitary survey;

(ii) Has no more than one total coliform monitoring violation since the last sanitary survey; and

(iii) Has no unresolved significant deficiencies from the current sanitary survey.

(b) For TNC and NTNC water systems, every five years.

(c) For community water systems that use a GWI source, every three years. Sanitary surveys may be reduced to every five years upon written approval from OCPH.

(d) OCPH may schedule a sanitary survey or increase the frequency of surveys if it determines a public health threat exists or is suspected.

(2) All public water system purveyors shall be responsible for:

- (a) Ensuring cooperation in scheduling sanitary surveys with OCPH or its designee;
- (b) At OCPH's request, providing any existing information that will enable OCPH to conduct a sanitary survey;
- (c) Ensuring the unrestricted availability of all facilities and records at the time of a sanitary survey or special purpose investigation; and
- (d) Taking preventive or corrective action as directed by OCPH when results of a sanitary survey indicate conditions that are currently or may become a detriment to system operation or public health.

(3) All Group B public water systems that use a spring or GWI source shall, within forty-five days following receipt of a sanitary survey report that identifies significant deficiencies, identify in writing to OCPH how the system will correct the deficiencies and propose a schedule to complete the corrections. OCPH may modify the schedule if necessary to protect the health of water system users.

(4) A groundwater system with significant deficiencies must meet the treatment technique requirements set by OCPH or the department and the special notification requirements under Section 24 except where OCPH determines that the significant deficiency is in a portion of the distribution system that is served solely by surface water or GWI.

Section 27. Severability.

If any provision of this chapter or its application to any person or circumstances is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.