

Section #	Subsection	Who	Comment	Suggested Revisions
173-219-040		DOH 1	consistency	" <i>Indirect use</i> " means the controlled use of reclaimed water for a beneficial purpose that has been transported from the point of production generation to the point of use with an intervening discharge to the waters of the state.
173-219-040		DOH 1	Editing	" <i>Person</i> " means any state, individual, public or private corporation, political subdivision, governmental subdivision, governmental agency, municipality, co-partnership, association, firm, trust estate, or any other legal entity whatsoever.
173-219-040		DOH 1	Secondary contact recreation definition was in first draft. Why removed? It's still used in the rule.	
173-219-050	(2) a	DOH 1	Thought we were going to "may" on this, not "shall". Or say "shall, if requested"	(2) Specifically the lead agency shall: a) Convene meetings with the applicant, nonlead agency and other agencies with regulatory interest
173-219-050	2 (b)	DOH 1	Add red item This has been a bottom line issue for us at DOH. Want to see it in the rule, esp since it has been very difficult to get ECY staff to agree to this consistently during the rule discussions – and in fact.	c) Provide copies of submittals to the non-lead agency
173-219-050	(3) & (4) d	DOH 1	Are we clear that review comments are made to submittals – plans, designs, etc, and not just a permit application? All I see in the rule is reference to the permit. I suspect it is a difference in our agency review methodologies.	2) The nonlead agency shall: Submit review comments and recommend permit conditions to the lead agency

173-219-050 (2)		DOH 1	Thought we were going to “may” on this, not “shall”. Or say “shall, if requested”	2. Specifically the lead agency shall:
173-219-120 (1)		DOH 2	The term “beginning of construction” has not definition and is not easily determined for both public and private construction contracts	A more appropriate trigger is being investigated.
173-219-120 (1)		DOH 1	I don’t think there are reqmts for this mtg in -140. This is also not a submittal doc. Also I didn’t think this was to be a reqmt -- tho we like preplan mtgs.	1) The following documents require lead agency approval before the beginning of construction: a) A reclaimed water plan meeting all applicable requirements of WAC 173-219- 140. b) For private utilities, a private utility capacity assessment meeting all applicable requirements of WAC 173-219-145.
173-219-120	(1) a & (2) a		A RW plan and O&M <u>meeting</u> are not ”approvable” documents	Delete from list of ‘documents” requiring approval.
173-219-210 (1)		DOH 1	Doesn't apply to DOH.	1) The operating permit issued by the lead agency shall be an individual permit unless the facility (a) is a master generator permitted in WAC 173-219-215, or (b) is covered under a general permit under WAC 173-219-220.
173-219-210 (2)		DOH 1	Doesn't apply to DOH.	2) Typically, the lead agency Ecology issues an individual operating permit concurrently with an individual wastewater discharge permit under chapter 90.48 RCW. The two permits may be combined within a single permit document.
173-219-210 (3)		DOH 1	Doesn't apply to DOH.	3) The lead agency develops and provides the required application forms. Application forms must consider the water quality, volume generated, purposes of use, locations and other relevant factors.

173-219-210 (4)		DOH 1	Doesn't apply to DOH.	4) The lead agency shall make a draft determination to issue or deny a permit and to prepare a fact sheet or statement of basis, in accordance with section 230 of this chapter.
173-219-420 (3)		DOH 1	Need to include citation for the pipe separation document. Same as we can't use "Purple Book" because it doesn't yet exist, this paper has not made it into the orange book, even though there have been interim orange book revisions since the paper was published.	3. Pipe Separation. The person maintaining control of the reclaimed water shall assure that adequate separation is maintained between reclaimed water lines, sanitary sewer lines, storm sewer lines, and potable water lines in order to protect public health. The lead agency shall review documents submitted under this chapter to determine whether they are reasonably consistent with appropriate sections of State of Washington <i>Criteria for Sewage Works Design Chapter E 1</i> , August 2008, as amended.
173-219-440 (1)		DOH 1	Approval for what? If the pipe line crosses private property, there should be an easement. If the line complies with setbacks, they need no approval from the purveyor. If the line is within the sanitary control area, they should have approval of DOH and the purveyor for a request to not comply with the separation in the WAC – and with the mitigating measures that should be happening. In any case, if they are near, they should notify the purveyor.	1) Setback distances for any reclaimed water storage, distribution or use component within the sanitary control area of a Group A public water supply shall comply with WAC 246-290-135. The permittee or person(s) who distributes reclaimed water or owns or otherwise maintains control over the use area shall obtain the approval of the Group A public water supplier.

173-219-440 (2)		DOH 1	Approval for what? If the pipe line crosses private property, there should be an easement. If the line complies with setbacks, they need no approval from the purveyor. If the line is within the sanitary control area, they should have approval of DOH and the purveyor for a request to not comply with the separation in the WAC – and with the mitigating measures that should be happening. In any case, if they are near, they should notify the purveyor.	2) Setback distances for any reclaimed water storage, distribution or use component within the sanitary control area of a Group B public water system shall comply with WAC 246-291-100. The permittee or person(s) who distributes reclaimed water or owns or otherwise maintains control over the use area shall obtain the approval of the Group B public water system owner.
173-219-440 (2)		DOH 1	Approval for what? If the pipe line crosses private property, there should be an easement. If the line complies with setbacks, they need no approval from the purveyor. If the line is within the sanitary control area, they should have approval of DOH and the purveyor for a request to not comply with the separation in the WAC – and with the mitigating measures that should be happening. In any case, if they are near, they should notify the purveyor.	TG note. (3) Example not included in memo. However (3) states "approval of the potable water supplier".

173-219-450 (5)		DOH 1	Need to include citation for the pipe separation document. Same as we can't use "Purple Book" because it doesn't yet exist, this paper has not made it into the orange book, even though there have been interim orange book revisions since the paper was published.	3. Pipe Separation. The person maintaining control of the reclaimed water shall assure that adequate separation is maintained between reclaimed water lines, sanitary sewer lines, storm sewer lines, and potable water lines in order to protect public health. The lead agency shall review documents submitted under this chapter to determine whether they are reasonably consistent with appropriate sections of State of Washington <i>Criteria for Sewage Works Design Chapter E 1</i> , August 2008, as amended.
173-219-540	(3) a iii	DOH 2	"Highly restricted" site access is not defined and potentially not necessary. There are no consistent or readily available definitions or descriptions of 'restricted access' or 'highly restricted access' sites. Restricted access is generally defined by the presence of fences and advisory signs on the external boundary of the property.	Delete "highly"
173-219-540	(4) a	DOH 2	References to 'minimizing potential for groundwater degradation' especially in an area large enough for designation as groundwater management area is completely inconsistent with the previous definition and requirement for irrigation based on agronomic rates.	Delete subsection.

173-219-810		DOH 1	A bunch of different ways to say the same thing....	This section applies to the planned application of reclaimed water for groundwater recharge by surface or vadose zone percolation. "Surface percolation" means the controlled application of water to the ground surface or to unsaturated soil for the purpose of replenishing groundwater.
173-219-920		DOH 1	Editing for clarification	Any person aggrieved by a decision made in accordance with provisions of this chapter may appeal that decision only as provided by law applicable to that agency the agency that issued the decision, including, but not limited to, chapter 43.21B RCW and chapters 34.05 and 90.46 RCW.
General		DOH 2	Comments in addition to those provided earlier	