

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
<b>General/Policy/Legal</b>				
1	Craig R	P 3173-219-010(2)(c):	add “downstream of freshwater wastewater discharges” after “rights”, repeat limit imposed by 90.46.120	
2	Craig R	P15 -050(4)(a)(iii) & (5)(a)(i):	add “except from de minimus discharges” after 90.48 RCW	
3	Craig R	P16 -060(3)	Delete “as permitte”	
4	Craig R	P17 -070(3)	Include placeholder for operator certification of reclaimed water distribution manager;	
5	Craig R	P18 -120(3)(e)	Include “construction” in front of “plans” to differentiate from facility plans, or general sewer plans	
6	Craig R	P19 -120(5)(b)	Add “/stamp” after “seal”; make consistent with WAC 196-23 for professional engineer	
7	Craig R	P19 -120(6)(c)	Revise “approvals for all documents are valid for a period of two years after the date of the approval” and delete the first sentence. This applies approval limits to all documents, including general sewer plans	
8	Craig R	P20 -130(1)(d)	Add “ recognized design standards published by industry professional organizations, accepted engineering design and operation references and USEPA” after “Criteria for Reclaimed Water System Design”; current language limits references for “good engineering practice” to only one reference	

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
9	Craig R	P20 -140(1)(a)	What does “describe the process to address ownership..” intend to include in a plan?	
10	Craig R	P20 -140(5)	Add “proposed or preliminary” between “potential” and “routes”; this directs drafts to include distribution system planning at all levels	
11	Craig R	P21 -(140)	Add “Include contingency plans to revert from reclaimed water production to wastewater disposal that assures adequate wastewater collection, treatment and disposal, or allows for abandonment of utility service after providing adequate notice to the customers and regulatory agencies if circumstances force operation of the reclaimed water facilities to cease”	
12	Craig R	P 21 – 145(3)	Information required seems too specific and detailed; should repeat information from 246-290 for system capacity	
13	Craig R	P26 -180(3)	What is the intent of the language of “manufacturer’s information on equipment before startup” and the list of “the following information” ??	
14	Craig R	-180(3)(c)(v)	Add: alarms, set points and alarm responses	
15	Craig R	-180(3)(c)(vii)	Include ‘overload conditions’ also	
16	Craig R	- 190(3)	Is the intent for the record drawings to be signed and stamped by PE?	

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
17	Craig R	- 190	The specific declaration should be consistent with requirement of WAC 196 for PE registration and acceptable to consultants' error and omissions insurance carrier limitations	
18	Craig R	- 190(3)(a)(vi)	Include "stamp/seal" to be consistent with registration regulations	
19	Craig R	- 210(3)	1 <sup>st</sup> sentence: "The lead agency shall determine the content and forms required to apply ..." sounds as if the lead agency develops new application form for each project, which is not the intent. This needs revision to assure that the lead agency develops the application but not each time an application is received.	
20	Craig R	- 230(3)(d)	Delete "Procedures by which the public may participate in the formulation of final decisions". Public comment is covered by other permit sections. The current language potentially allows for the public to actively participate in project decisions and final determinations. This will NOT work especially for private investment.	

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
21	Craig R	- 500(4)	Add: “the permittee shall consult with the lead agency to determine the extent of potential of planned and unplanned discharge of reclaimed water to the environment and determine the need for issuing a separate state waste discharge permit or NPDES permit.” This language needs to establish the ability to allow sporadic, limited leakage and de minimus amounts of discharge. Since reclaimed water is NOT wastewater, de minimus discharges should be allowed as is leakage allowed with potable water.	
22	Craig R	- Table 1	Is this table needed? Discussion by RAC incomplete	
23	Craig R	- 830(1)	Add “or professional engineer” after “professional hydrogeologist”	
24	Craig R	- 700(1)(b)	Delete note and requirement that obligates continued stream flow augmentation; there can be NO regulatory obligation to continue any beneficial use; use and access is an issue for the end-user agreement	
25	Craig R	- 710(4)	Delete, this is redundant with engineering report and application	
26	Craig R	- 800 (3)	Delete reference to public health protection, it is redundant within b) 1) below; what is ‘public enjoyment of the waters of the state’ for ground water? [public enjoyment seems to be boating, skiing, fishing, swimming etc.]	

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
27	Craig R	- 800(3)(c) (i)(ii)	How are “applicable groundwater quality criteria” determined for defining enforcement limit? How do “benefits of the groundwater recharge and subsequent use of reclaimed water” define enforcement limits? The water quality is tied solely to the beneficial use of the water; this language seems too complicated	
28	Craig R	- 800 (3)(c)	Define how public health protection – other than conformance with all of the SDWA MCL’s – is considered in defining enforcement limits; delete (viii); this includes every individual chemical or microbe classified as microconstituents when there is no defined public health threat and no specific environmental impacts of MCs in groundwater	
29	Craig R	- 800(3)(c)(x)	Define a time frame and distance limit for impact on surface waters that is determined in a way that is not arbitrary and capricious	
30	Craig R	- 800(d)	Delete; these requirements apply to water quality changed by wastewater discharges and covered under 90.48. This is NOT applicable to the use of reclaimed water.	
31	Craig R	- 810	As stated previously, DOH disagrees with Ecology’s decision regarding groundwater quality. Delete reference to surface water; if this is intended this not groundwater recharge for a beneficial use buy a conduit to surface water and then subject to NDPES requirements	
32	Craig R	- 820	See above, reference to surface water inconsistent with groundwater recharge.	

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
33	Craig R	- 540(3)(c)	Remove reference to “public”, the permit requirements apply to the permittee and not the public	
34	Craig R	- 540(3)(d)	Delete – public notification covered by other sections of the rule, this is redundant.	
<b>Technical</b>				
35	Craig R	320(1)(1)(iv)	<i>Define NTU: “not exceed 2 nephelometric turbidity units (NTU)”</i>	
36	Craig R	320(2) & 325 (4)	Refer to coliform density / limits as: “ less than 2.2 <i>MPN</i> /100 mL”; the proper terminology is to report coliform limits as “MPN” if using the multiple tube fermentation test method – which is the basis of the current standard – or coliform forming units [CFU] in using the membrane filtration test method. The MMUG – Colilert/Quantitray methods are based on MPN methods so the MPN is the proper terminology	
37	Craig R	320(3)	Define “4-log” and “5-log” inactivation as being equivalent to 99.99% and 99.999% removal of viruses from the inlet to the exit point of the disinfection treatment unit	
38	Craig R	310	Add: “or the ability to produce reclaimed water” to the end of the first paragraph.	
39	Craig R	320(1)(iv)	Add: ‘nephelometric turbidity units (NTU)’ after 2	

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
40	Craig R	320(2) (anywhere coliform limits are included in the rule)	Replace “total coliform” with “MPN” after 2.2 and 23; this is necessary to define the accuracy of the results of the test procedures. Add “Coliform analyses shall be performed by either a multiple tube fermentation, most probably number technique or membrane filter technique.”	
41	Craig R	320(3)(a)	Add (99.999%) after 5-log and (99.99%) after 4-log	
42	Craig R	340(1)(a)	Add ‘in mg/L’ after (C) and “minutes” after T <sub>10</sub>	
43	Craig R	340(1)(b)	How was 20 minutes selected for CT in Class B?	
44	Craig R	340(2)(a)	Add: “and field verified” after ‘installed’	
45	Craig R	350(1)(d)	What does this mean “reserve the approved facilities for the intended purpose”?	
46	Craig R	370(3)	“Other laboratories acceptable to” must also be certified or acceptable under EPA or Standard Methods	
47	Craig R	410(1)	Add “wastewater” after “permitted” in 3 <sup>rd</sup> line	
48	Craig R	420(1)	Provide basis for >0.5 mg/L combined or total chlorine residual...	
49	Craig R	420(1)(b)	Delete, there is no ‘type of beneficial use’ that justifies waiver of the chlorine residual limits in distribution system.	

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
50	Craig R	420	From footnote; note that 'detectable chlorine residual' is used multiple times in Group A drinking water regulations but not defined. Any possible definition must be consistent with the intent or needs in WAC 246-290	
51	Craig R	420(4)(c) & (d)	Delete "or locally adopted plumbing code, whichever is more stringent"; plumbing codes do not apply to public water system utilities; plumbing codes apply only on private property and in buildings	
52	Craig R	430(2)(a)	Delete "that is used for drinking or other potable purposes"; redundant with definition of potable water	
53	Ginny S	440	Restructure the section to separate public water supplies from other potable supplies. All set back references for public water supplies should be referenced and be based on the sanitary control areas established under DOH drinking water regulations. These are outlined in the G Stern memo. These are not numbers only but reflect control, security and safety issues. They are source specific. ODW believes that separating these setbacks from other potable supplies and protected beneficial uses will help clarify the obligations and responsibilities of the parties when they are dealing with public water system sources.	

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
54	Craig R	500(5)(c)	Add: risk to human health from likely exposure resulting from permitted uses; delete (iv) – no impact on commercial/industrial use; (v) – EPA has recommendations only; (vii), (ix) and (x) – these requirements seem to have nothing to do with consideration for additional exposure to C/I use	
55	Craig R	520(2)(c)	Delete (i); it is redundant with definition of the ‘agronomic rate’; delete (iii) – unnecessary due to requirement for agronomic rate which is defined to prevent potential for groundwater degradation	
56	Craig R	520(d)	Delete – identifying potential references should be moved to guidance.	
57	Craig R	530(c)	Same as 520(c) above	
58	Craig R	530(2)(c)	Delete; pH monitoring is NOT typically done in the field by irrigators monitoring is already accomplished at plant	
59	Craig R	530(3)(c)	Delete consideration to “maximum drying time”; there is no increased health risk from contact with wet grass, there is no definition of “maximum drying time”	
60	Craig R	540(3)(b)	There are more and potentially better references for reclaimed water irrigation; move this section to guidance	
<b>Format, Presentation, Style, Wordsmithing</b>				

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
61	Craig R	440 (4)	Revise to: “Grant written approval for exceptions on a case-by-case basis provided the proponent demonstrates an equal degree of protection”. Make the language positive and possible.	
<b>Definitions</b>				
62	Craig R	P 5	“AKART” references wastewater treatment; since this rule is about reclaimed water production as a water supply, this definition is out of place	
63	Craig R	P5	Beneficial Purpose – remove ‘beneficial purpose’ and use only beneficial use; “purpose” not used in rest of rule	
64	Craig R	P6	Contaminant means “any physical, chemical, biological, or radiological substance or matter in water” - definition from safe drinking water act; use to make consistent with concept of water supply	

<u>Item</u>	<u>Who</u>	<u>Section &amp; page</u>	<u>Comment</u>	<u>Response</u>
65	Craig R	P7	Delete 'ground water discharge area', not used in rest of rule	
66	Craig R	P9	Potable water means water suitable for drinking by the public; make consistent with WAC 246-290-010	
67	Craig R	P10	Significant risk definition is way too vague; the definition should include specific risk or exposure levels per 10,000 to 100,000 population	
68	Craig R	P12	Delete 'underground source of drinking water'; not used in rest of rule	
69	Craig R	P12	Delete "water budget" not used in rest of rule	
70	Craig R	P12	Delete "or degradation of the quality of the water"; decision of RAC was to limit impairment to quantity only	
71	Craig R	P12	Add "or reclaimed water" after treatment in "Unit Process"	
72	Craig R	P14	Delete "wetlands hydrologic regime"; not use anywhere else in rule	