

<u>Item</u>	<u>Who</u>	<u>Section & page</u>	<u>Comment</u>	<u>Response</u>
General				
			I did not review Definitions or Part III Operating Permits.	
1	City of Olympia	020 (3) second sentence	Regarding the phrase “in addition to”, has a search been done to see if any <i>conflicts</i> exist with authorities/duties already provided in law?	
2	City of Olympia	120 (4) (d)	What’s meant “for cause”?	
3	City of Olympia	130 (2) (d) 170 (2) And other places	Provide complete reference for “Criteria for Reclaimed Water System Design” so that reader can easily locate the reference, without having to rely on a computer link. Same comment for all references to documents.	
4	City of Olympia	300 (2) (a)	The word “accepted” should be “approved.” This may be more than word-smithing which is why I put it here.	
5	City of Olympia	340 340 (1) (a) (iv) 340 (1) (b) (iv) And other places	Is the reference <i>Design Criteria for Reclaimed Water Systems</i> the same as that for item #3 above? Be consistent with references and provide complete references consistently where they occur in the rule.	
6	City of Olympia	340 (2) (a)	A great example of a complete reference.	

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7	City of Olympia	Part V (400 series)	<p>The rule needs to more clearly/explicitly/completely address indoor use of reclaimed water, or refer to existing rules/regulations/codes that already do.</p> <p>I think indoor requirements would be best placed in Part V (rather than Part VI).</p> <p>Ideally, for utmost clarity, a section should be devoted to indoor use. As currently drafted, the word “indoor” is used only once in Section 500. The Table of Contents does not easily guide the reader to what indoor standards there are.</p>	
8	City of Olympia	540 (3) (d) And wherever else it appears	Replace phrase “... is not <i>safe</i> for drinking” with “... is not <i>intended</i> for drinking”.	
9	City of Olympia	600	<p>The rule needs to allow for/address infiltration of reclaimed water in a non-wetland-type setting from a facility that percolates/infiltrates into the vadose zone for the purpose of indirectly augmenting surface water downstream of the facility’s property line.</p> <p>It seems neither sections 600, 700, or 800 clearly apply.</p> <p>It may be possible to include the concept of infiltration ponds (as at Hawks Prairie RW Facility) in the context of wetlands given their basically similar functions, and thus include regulation for infiltration ponds in the wetlands section.</p>	
10	City of Olympia	600	(no comment provided)	

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11	City of Olympia	700	If intended by Ecology, indicate that this section applies when reclaimed water is used to directly, as well as indirectly, augment surface water. Indirect augmentation would/could be accomplished via infiltration/ subsurface percolation above the water table.	
12	City of Olympia	700 (3)	Clarify whether this applies to direct augmentation only, or whether indirect augmentation also requires a NPDES permit. Requiring reclaimed water projects that augment surface water should not necessarily be required to have a NPDES permit. Reclaimed water is not “a pollutant” and infiltration ponds are not a “point source” (re: 173-220-020). Allowance should be provided in the rule to exclude the requirement for a NPDES permit (provide a provision for waiver or exemption), even if only under a case-by-case basis.	

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13	City of Olympia	710	<p>Olympia is not convinced the rule should allow conveyance via stream flow, although we realize it could benefit RW use on the east side of the state. Conveyance won't occur as plug-flow, so considerations of quantity, quality, and access can't be monitored or controlled.</p> <p>And even though Class B reclaimed water quality is presumably better than the quality of natural surface water bodies, mixing creates an opportunity for public exposure to Class B reclaimed water (people may swim in the surface water body), which is counter to the theme throughout the rule that public exposure must be limited.</p>	
14	City of Olympia	710	<p>Another disconnect with this requirement is that Class A is required for irrigation (which people cannot swim in and likelihood of exposure is low), while Class B is allowed in situations where people could be exposed and may actually ingest.</p> <p>Gives mixed message about the "safety" of reclaimed water.</p>	
15	City of Olympia	710	(no comment provided)	
16	City of Olympia	800	(no comment provided)	
17	City of Olympia	800 (3) (c) (v)	Provide reference to/location of state's anti-degradation policy. Versus "non-degradation"?	

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18	City of Olympia	500	This is the only place in the rule that calls out application for indoor use. The rule needs to more completely address requirements for indoor use and at a minimum must specifically reference existing applicable and related regulations (such as the plumbing code, local ordinance, local engineering standards, and the like). For example, indoor reclaimed water systems must have cross-connection control measures, redundant potable supply or storage, requirements for shut-down/maintenance ...)	
19		Table 1 (500-1)	This table should be eliminated from the rule and included (with expanded explanations) in guidance.	
Specific Technical				
1	City of Olympia	120 (1)	Will existing permits be “grandfathered” as written until they need to be renewed? (I’m assuming the answer is yes; and if so, it should be stated as an allowance in regulation.) Subs (a)-(d) address new, changed, and updated permits, and compliance with orders, but not existing (as is) permits.	

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2	City of Olympia	160 (2) (f)	“Direct aquifer recharge” – This phrase is not defined in Definitions. (“Direct groundwater recharge” is.) The use of the word “aquifer” can be interpreted to refer to ‘recharge above the saturated zone’ (infiltration through the vadose zone) as well as ‘recharge below the saturated zone’ (directly into groundwater, below the water table). If that’s the intent, fine, but please define it. If that’s not the intent, please clarify the phrase and then define it. I suggest clarification be made between recharge above versus below the water table, so that it is clear when ‘infiltration’ versus ‘direct recharge’ is being regulated.	
3	City of Olympia	160 (2) (f) (ii)	Insert “and depth” after “location”.	
4	City of Olympia	160 (2) (f) (ii) (7)	Is the word “agency” correct? Is it the “agency” that’s <i>responsible</i> for preventing withdrawal? Or the facility owner/operator?	
5	City of Olympia	165	Eliminate this section (rather than move several parts from 160 to here). Clarify within 160 that it also applies to submittals for “different uses”.	
6	City of Olympia	320 (1) (a) and (b)	Why are the BOD5 and turbidity limits for the Traditional method less stringent than for the Membrane filtration method? Is it because there are more requirements for the Traditional method, assuming extra protection is provided by the additional measurements of TSS and DO?	

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7	City of Olympia	325 (4)	Does the phrase “when wastewater characteristics are most demanding” need to be defined? It is used elsewhere. If not, then consider adding “as determined by the operator” after “disinfection procedures”.	
8	City of Olympia	350 (1) (a)	Consider replacing “untreated or partially treated” with “inadequately treated wastewater ... that doesn’t meet WAC 173-219-xxx”.	
9	City of Olympia	Part V	410 addresses Emergency Storage of Reclaimed Water. The rule should include another section (400? 420?) on non-emergency storage because some systems will include storage as a standard component of system reliability.	
10	City of Olympia	410 (3) (d)	This wording is overly specific. Consider more simply “Weather-related or weather-induced conditions that would preclude use.” Is the intent to address some particular case?	
11	City of Olympia	Pg 48 footnote 14 Pg 49 footnote 15	Will this footnote stay? Define TAP.	
12	City of Olympia	420 (3) (a)	Does each of these types of lines need to be separated by 10 feet? Doesn’t seem possible within the normal roadway width. Should there be an “and” after “reclaimed water lines,”?	
13	City of Olympia	420 (4) (c)	Insert after the first sentence: “A reduced pressure principle backflow assembly shall be required to be installed at the domestic water meter.”	

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14	City of Olympia	420 (4) (c)	Second sentence: Replace “locally adopted plumbing code” with “local cross-connection program installation requirements”	
15	City of Olympia	420 (4) (d)	Does this requirement include indoor use? If so, what requirements are there for the use of reclaimed water inside buildings?	
16	City of Olympia	430 (2) (a)	<p>Requiring tank trucks to have been cleaned and disinfected “to the satisfaction of the potable water purveyor” requires a water system/utility to have this authority in place and inspectors available to enforce it. This is an unfunded mandate and an undue burden on water systems; it may not be implementable.</p> <p>Is this requirement for water systems specified elsewhere and, if so, where?</p> <p>As an example, if the National Guard water trucks were used to transport water in an emergency, the Emergency Operations Center (not the water purveyor) would be ensure the trucks were clean.</p> <p>The regulations could reference that AWWA standards be met.</p>	

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17	City of Olympia	440 (1) Spray and surface irrigation	The minimum setback for Class B for this application should be less than 100 feet (Olympia proposes 50 feet). Compared with applications in 440(3) (below), irrigation involves lesser volumes of water that is not intended to move below the root zone. The minimum setback for a drainfield from a well is 100 feet. Thus, requiring a 100-foot minimum set-back for Class B is essentially equating Class B water quality to untreated septage from a septic drainfield. Holding Class B to the same standard as drainfields diminishes the perceived quality of Class B.	
18	City of Olympia	440 (3) Impoundments, storage ponds, wetlands	Set-back distances give the impression that reclaimed water is of worse quality than septage from a drainfield. The set-back between an unlined facility and a well should be no more than 100 feet for both Class A and Class B reclaimed water, to be consistent with sanitary control areas addressed in WAC 246-290-135.	
19	City of Olympia	440 (3)	The 100-foot setback for a lined facility gives the impression that we must be more protective of proximity/exposure to reclaimed water than septage from a drainfield. Limit the set-back requirement to 100 feet to be consistent with sanitary control areas addressed in WAC 246-290-135.	
20	City of Olympia	450 (1)	Insert “as provided in guidance” at the end of the sentence.	

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21	City of Olympia	450 (3)	Restricted operation. "Access to hose bibs on reclaimed water lines must be controlled or restricted." Hose bibs should not be allowed on any reclaimed water lines. Olympia has a standard in place prohibiting such for express purpose of avoiding confusion as a drinking water tap (Olympia EDDS 10.14).	
22	City of Olympia	460 (1)	Regarding "or otherwise marked to identify the source of the water as being non-potable reclaimed water", all reclaimed water appurtenances should be required to be colored purple to avoid confusion. Consider eliminating this phrase.	
23	City of Olympia	500 (3) (b) (i)	Include reference to cross-connection control requirement section to ensure no connections to potable water.	
24	City of Olympia	520 (2) (b)	Regarding the second sentence: Are there requirements for such blending? If so, where? If not, they should be developed.	
25	City of Olympia	530 (1) (a)	Include "commercial/businesses properties" as places where reclaimed water may be used.	
26	City of Olympia	530 (3) (c) and (d)	Who will be responsible for enforcing these restrictions? (landscape irrigation/overspray)	
27	City of Olympia	540 (2) (b) (vi)	This seems overly stringent as fruit is cleaned as part of process of harvest, per (vii).	

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28	City of Olympia	620 (1) (c) - last sentence	This sentence holds the applicant to creating a <i>benefit</i> , while allowing <i>some decrease</i> in (“not significantly decrease”) wetland function and value. These are conflicting allowances.	
29	City of Olympia	700 (2) (a)	Please clarify what is meant by a “potable water supply impoundment”. Is it a tank, reservoir? Covered/not? Post- or pre-treatment? The City does not support this proposed regulation without knowing further what this structure is.	
30	City of Olympia	Pg 68 Pilot Study Requirements	Pilot Study Requirements should be in the General Section as 800 (4). Also, need to include a section in Part II that addresses submittal requirements for pilot studies – or- include submittal requirements right in 800 (4).	
31	City of Olympia	810	If comment #30 above is accepted, then add 810 (4) and have it reference 800 (4) Pilot Study Requirements.	
32	City of Olympia	820	If comment #30 above is accepted, then add 820 (4) and have it reference 800 (4) Pilot Study Requirements.	
33	City of Olympia	830	I think this section should stay right where it is, and <i>not</i> be moved to follow the water rights section or be in Part II.	
34	City of Olympia	830 (2) (c)	I understand DOH is going to provide exception language as (c) (iii).	

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35	City of Olympia	830 (2) (c)	I thought (and I could be wrong!) that ASR “by definition” involved injection and withdrawal from the same point (that is, a well), and not from points as much as 2,000 feet distant as allowed in (c) (ii).	
36	City of Olympia	830	Either this section or more generally, section 800, needs to include a subsection (... (3)? ...) that addresses regulations for impacting nearby wells.	
37	City of Olympia	830	If comment #30 above is accepted, then add 830 (4) and have it reference 800 (4) Pilot Study Requirements.	
38	City of Olympia	900 (3)	(no comment provided)	
39	City of Olympia	810 (1)	Specify the frequency of sample collection that would be calculated into an annual average. Is it daily/weekly/monthly?	
	City of Olympia			
Format, Presentation, and Style				
1	City of Olympia	020 (2)	After (d), label the last four lines as (e)(f)(g) and (h)	
2	City of Olympia	130 (2)	There are two (2)s. Make the second one a (3).	
3	City of Olympia	140	The first sentence after the section title should be labeled (1), so that “Explain who will own...” is (a) and “Provide any other ...” is (k).	

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4	City of Olympia	160	This section needs a (1). It starts with (a).	
5	City of Olympia	350 (1) (d)-(g)	Should be (i) through (iv)	
6	City of Olympia	370 (1)	For ease of reading and clarity, separate sentences in this paragraph as follows: (a) Alternative sampling ...; (b) A permittee may request ...; (c) Monitoring frequency And under (b), second sentence, insert “or other appropriate factor” after “... cost of monitoring.”	
7	City of Olympia	440	<u>Pipelines</u> should be numbered (1); <u>Spray and surface irrigation</u> (2); <u>Impoundments, storage ponds and wetlands</u> should be (3).	
8	City of Olympia	530 (3) (a)	“Reclaimed water ...” should follow Best Management Practices and (b) through (e) should become (a) through (d).	
9	City of Olympia	540 (2) (b) (iii)	Should be (c), followed by (i) through (iv)	
10	City of Olympia	700 (2) (b) and (c)	Should be (i) and (ii)	
11	City of Olympia	700 (d)	Should be (b)	
	City of Olympia			

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Wordsmithing				
1	City of Olympia	throughout	Groundwater is always one word. Surface water is always two. Avoid the phrase, “surface and groundwater” as “surface” could be interpreted as “land surface”; always say “groundwater and surface water” or “surface water and groundwater”. Call me picky, but given all the time I’ve seen spent on terminology, I suggest you pick one thing (groundwater – one word) and stick with it. I believe Department of Health did.	
2	City of Olympia	010 (2)	In my opinion, the purpose of chapter is not “... to <i>adopt</i> a rule ...”, but “...to <i>define the elements of</i> a rule ...” (or similar concept).	
3	City of Olympia	020 (3)	Add “storage,” after “distribution”.	
4	City of Olympia	030 (1)	Add “, store,” after “generate”.	
5	City of Olympia	030 (1) and (2)	1) begins “this rule”; 2) begins “the rule” – reconcile?	
6	City of Olympia	060	I suggest replacing the term Generator with Producer, here and throughout the rule. It would eliminate confusion about power generation.	
7	City of Olympia	060 (1)	If the above comment is employed, then replace “generate” with “produce”, here and throughout.	

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8	City of Olympia	080 (1)	Move “only” to after “water”.	
9	City of Olympia	120 (1) (b)	An expansion is a change, so I suggest eliminating “or expansion”	
10	City of Olympia	120 (1) (c)	Insert “for” after “requests”	
11	City of Olympia	145 (3) (a)	Insert “and” before “beneficial”	
12	City of Olympia	145 (3) (d)	“managerial <i>of</i> financial” should be “or”	
13	City of Olympia	160 first sentence	Insert “storage” after “treatment”.	
14	City of Olympia	160 third sentence	Insert “to” after “plans”	
15	City of Olympia	160 current (c)	This is not a sentence. Insert “to include” after the first “design” (or similar concept).	
16	City of Olympia	160 (2)	Insert “storage” after “treatment,”	
17	City of Olympia	160 (2) (f)	The second (10) should be a (3).	
18	City of Olympia	Page 26, footnote 3	Change “amend” to “amended to” ... I think. The second phrase isn’t a sentence and it’s not clear what’s meant by “amend Ch 173-157 WAC”.	
19	City of Olympia	180 (3)	Include “Manufacturer’s information ...” as (b) and renumber following.	

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20	City of Olympia	180 (3) (c) (v)	Don't use "etc." Replace with phrasing to the effect that "and other elements that ensure proper operation of equipment" or similar wording that gets to the intent of the requirement; that is, the manual must be complete and explicit.	
21	City of Olympia	Page 27 footnote 4	Eliminate the left parenthesis.	
22	City of Olympia	300 (1)	Insert "storage," before "distribution".	
23	City of Olympia	330	This sentence is circular, beginning and ending with "reclaimed water." Consider replacing the first "Reclaimed water ..." with words "Treated water ..."	
24	City of Olympia	340 (1) (a)	Insert "reclaimed water" after "Class A"	
25	City of Olympia	350 (1) (j) (iii), last sentence	Insert "and must" after "person in responsible charge"	
26	City of Olympia	370 (2)	Add "as appropriate to intended use" at end of last sentence.	
27	City of Olympia	420 (3) (b)	Change last sentence to read, "The pipeline conveying water of higher quality shall be placed above pipelines conveying water of lower quality."	
28	City of Olympia	420 and throughout	Cross-connection should be hyphenated	
29	City of Olympia	430 (1) (b)	Add "or water of lower quality" after "dangerous waste"	

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30	City of Olympia	430 (3) Impoundments ...	Insert “reclaimed water” before “impoundment”. Insert “storage pond, ” before “or wetland”.	
31	City of Olympia	460 (1)	Second sentence doesn’t seem to fit here. Include connection about color if that’s the intent (for example, to indicate that such lines don’t need to be unearthed and colored purple). As it stands, it could go into section Part III -280 Operating Permits/permit modification.	
32	City of Olympia	500 (3) (a)	Insert “storage, ” before “distribution”.	
33	City of Olympia	500 Table 1	Rename as “Table 500-1” to be consistent with text.	
34	City of Olympia	500 (5) (c) (i)	Insert “and ingestion” after “human contact”	
35	City of Olympia	520 (2) (a)	Insert “storage, “ before “distribution”.	
36	City of Olympia	520 (2) (c) (v)	Metering and sensors won’t <i>confine</i> the water, but will allow for monitoring of water movement. Suggest replacing “... to confine the water to the use area ...” with “... to monitor whether the water stays within the use area ...”.	
37	City of Olympia	530 (3) (d)	Suggest, “... must not be applied in such a way as to result in overspray onto areas where food ...” and “... or onto drinking fountains.”	
38	City of Olympia	540 (1)	Omit (a) and (b) and write this section simply as one sentence, with an “and” between food and non-food crop production.	

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39	City of Olympia	610 (1)	Indicate where these requirements may be located (for example, which agency should be contacted).	
40	City of Olympia	640 (4)	Replace the second “shall” with “may” to allow the agency flexibility in establishing additional criteria.	
41	City of Olympia	800 (1) (b) - 810	Replace “the use of reclaimed water” with “the application of reclaimed water above the water table”	
42	City of Olympia	800 (1) (b) - 820	Replace “the use of reclaimed water” with “the application of reclaimed water below the water table”	
43	City of Olympia	800 (1) (b) - 830	Add a second sentence: “The reclaimed water is injected into and withdrawn from the same point (such as a well).” (If this is the intent ...)	
44	City of Olympia	800 (3) (a)	Replace “purity and” with “level of”. Insert at the end “as required (... or specified ...) in this chapter.”	
45	City of Olympia	800 (3) (d) (i)	Add “on groundwater” to the end of the last sentence.	
46	City of Olympia	810 (1)	Replace “... , at a minimum, provide nitrogen removal to achieve ...” with “... be treated to a level that provides nitrogen removal that achieves...”. Insert “no more than” before “5 mg/L”.	
47	City of Olympia	910 (1)	Replace “opinion” with “determination”	
48	City of Olympia	700 (3)	Correct “NDPES” to be “NPDES”	

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Definitions				
1	City of Olympia	p. 11 “Permit application documents”	What does the * at the end refer to? An * shows up at the end of several definitions, but I can’t find what it means.	
2	City of Olympia	165 (2) (f) (i)	Provide acronym list and include “RO”.	
3	City of Olympia	500 (2) (b) and elsewhere	Define “restricted”. Conceptually, would restricted mean a site is under lock and key? Fenced? Guarded?	
4	City of Olympia	520 (2) (c) (iii)	Define “designated groundwater management area”	
5	City of Olympia	Pg 58 footnote 19 540 (3) (ii) 540 (3) (iii)	What is FAO?	
6	City of Olympia	600	Define “compensatory”	