

**Exh. RS-13
Docket UW-240151
Witness: Rachel Stark**

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

**WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,**

Complainant,

v.

CASCADIA WATER, LLC

Respondent.

DOCKET UW-240151

EXHIBIT TO TESTIMONY OF

RACHEL STARK

Staff's Response to WCAW's Data Request No. 162

January 29, 2024

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
STAFF RESPONSE TO DATA REQUEST

DATE PREPARED: January 14, 2025 DOCKET: UW-240151 REQUESTER: WCAW		WITNESS: Rachel Stark RESPONDER: Rachel Stark TELEPHONE: 360-664-1272
---	--	---

DATA REQUEST NO. 162:

Please produce all documentation which memorializes your analysis and conclusions of said investigation.

RESPONSE:

Objection. Vague; may call for attorney work product and attorney-client privileged information. Without waiving and subject to the stated objections, Staff responds as follows:

See Staff's Response to WCAW Data Request No. 39 and Supplemental Staff Response to WCAW Data Request No. 39; Staff's Response to WCAW Data Request No. 61.

Please see Attachment A to this data request, which contains copies of documents from Department of Health.

Please see Attachment B to this data request, which contains copies of emails with Department of Health.

Please see Attachment C to this data request, which contains copies of sale and transfer orders.



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
111 Israel Road Southeast • PO Box 47823 • Olympia, Washington 98504-7823
Tel: (360) 236-3030 • Fax: (360) 236-3029 • TDD/TTY 711

September 26, 2024

Culley Lehman
Agate West
Post Office Box 549
Freeland, Washington 98249

Subject: Agate West Water System, ID #00515, Kitsap County; Directive to Install Continuous Disinfection Treatment.

Dear Culley Lehman:

Due to multiple confirmed positive Total Coliform samples, your water system has incurred three Treatment Technique Triggers over the course of 12 months. The table below shows a summary of coliform detections in your water system:

Month and Year	Water Quality Concern
August 2023	Treatment Technique Trigger
June 2024	Treatment Technique Trigger
July 2024	Treatment Technique Trigger

To protect against further contamination, the Office of Drinking Water (ODW) requires the design, installation, and on-going use of continuous disinfection treatment in accordance with WAC 246-290-451(5). **Please provide a detailed corrective action plan for designing and installing disinfection by October 18, 2024.** Example milestones to include are below:

1. Hire a professional engineer as required under WAC 246-290-040. Water system disinfection design must be prepared under the direction of, and bear the seal and signature of, a professional engineer licensed in the state of Washington under chapter 18.43 RCW. The engineer is required to have specific expertise regarding design, operation, and maintenance of public water systems.
2. Submit a project report (WAC 246-290-110) and construction documents (WAC 246-290-120) for continuous disinfection treatment for our review and approval. The design of the treatment should allow for the eventual possibility to achieve the requirement to provide disinfection to a level equal to CT -6. The project report must be prepared by a Professional Engineer licensed in the State of Washington.
3. Install the approved disinfection treatment system.
4. Submit the Construction Completion Report within 60 days of construction.

Please provide your submittals for review and approval to the engineer listed below.

Please contact us if you are unable to meet these deadlines. We are required to follow-up with enforcement if disinfection is not added in a timely basis.

If we can be of assistance, please contact Kacie Seyfert at (564) 669-0844 or by e-mail at Kacie.Seyfert@doh.wa.gov, or Candida Granillo-Dodds by phone at (564) 669-3170 or by e-mail at candida.granillo-dodds@doh.wa.gov.

Sincerely,

Kacie Seyfert

Kacie Seyfert
Office of Drinking Water, Coliform Program Manager



Candida Granillo-Dodds P.E.
Office of Drinking Water, Regional Engineer

cc: Kitsap County Health District
Christine Hartman, ODW



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER REGIONAL OPERATION
PO BOX 47800, M/S: K17-12
OLYMPIA WA 98504

August 31, 2022

CULLEY LEHMAN
CAL WATERWORKS
CULLEY@CASCADIAWATER.COM

Subject: CAL Waterworks, ID #31040
Island County
Booster Pump Station and Reservoir Replacement
Submittal #22-0710

Dear Mr. Lehman:

The referenced submittal received in this office on July 27, 2022, along with supplemental information received on August 26, 2022, has been reviewed and, in accordance with the provisions of WAC 246-290, is hereby **APPROVED**. The approval issued herein is only valid as it relates to current standards outlined in WAC 246-290, effective April 9, 2022. Future revisions in the rules may be more stringent and require facility modifications or corrective action.

Design Summary: This project includes demolition of the existing 40,000-gallon reservoir and construction of a 79,400-gallon reinforced circular concrete reservoir to serve 193 ERUs for future growth, replacement of the pumphouse, booster pumps, pressure tanks, and providing a loop in the distribution. The two (2) temporary tanks shall have NSF approval and be properly vented. The existing pumphouse will be replaced and the booster pumps updated with four (4) 10-hp booster pumps and two (2) 317-gal pressure tanks for pressure zone #1 and two (2) 3-hp booster pumps and two (2) 264-gal pressure tanks for pressure zone #2. Approximately 150' of 6" water main will be installed to loop the main along East Harbor Road between Beachwood Drive and Harbor Sands Lane to address deficiencies in the distribution system.

This water system design remains approved to serve 146 Equivalent Residential Units, 120 connections in CAL Waterworks service area and one wholesale customer, Goss Lakeridge Acres #22070, with 26 lots.

As required in WAC 246-290-120(5) within sixty days following the completion of and prior to the use of this project or portions thereof, the enclosed construction completion report must be completed by a professional engineer and returned to this department.

CAL Waterworks
August 31, 2022
Page 2

WAC 246-290-120(8) provides that if construction of the project has not been started within two years of the date of this letter, this approval will become null and void unless you take action at that time to arrange for an extension of the approval in the manner prescribed.

The department's approval of this project does not confer or guarantee any right to a specific quantity of water. The approved number of service connections is based on your representation of available water quantity. If the Washington Department of Ecology, a local planning agency, or other authority responsible for determining water rights and water system adequacy determines that you have use of less water than you represented, the number of approved connections may be reduced commensurate with the actual amount of water and your legal right to use it.

Nothing in this approval shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, and regulations.

Regulations establishing a schedule of fees for review of planning, engineering, and construction documents have been adopted March 30, 2012 (WAC 246-290-990). An itemized invoice showing the amount due of **\$947.00** is enclosed. Please remit your complete payment in the form of a check or money order within 30 days of the date of this letter to: **WDOH, Revenue Section, PO Box 1099, Olympia, WA 99507-100.**

If you have any questions or comments, contact me at (206) 601-1637 or bob.James@doh.wa.gov.

Sincerely,



Robert E. James, PE
Regional Engineer
N.W. Drinking Water Operations

Enclosures:
Invoice

ecc: Aneta Hupfauer, Island County Health Department
Alexis Medina, DOH
Robert Bennion, DCG Engineering



Office of Drinking Water
INVOICE
 Engineering, Planning, and Sanitary Survey Review Form

TO: CULLEY LEHMAN
 CAL WATERWORKS
 PO BOX 549
 FREELAND WA 98249

Invoice Number	N03956		
Invoice Date	August 31, 2022		
Billing Period	30 days		NW

DATE	DESCRIPTION	QTY	COST	AMOUNT
8/31/2022	REVIEW AND/OR APPROVAL OF PROJECT REPORT CAL WATERWORKS ISLAND COUNTY REPLACE RESERVOIR, PUMPHOUSE & BOOSTER PUMPS SUBMITTAL #: 22-0710	1	1	\$947.00
	Total			\$947.00
Payment due within 30 days. Interest shall accrue at 1% per month after 30 days.				

Make Checks Payable to Department of Health

Return Lower Portion to:

Department of Health
 PO Box 1099
 Olympia, WA 98507-1099

Office of Drinking Water
 Engineering, Planning, and Sanitary Survey Review Form

NAME	CAL WATERWORKS		
INVOICE NUMBER	N03956		
INVOICE DATE	8/31/2022	22-0710	NW
AMOUNT	\$947.00		

Return to:
 Department of Health
 Revenue Section
 PO Box 1099
 Olympia, WA 98507-1099

DOH Form #331-332

For persons with disabilities, this document is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388).

In accordance with WAC 246-290-120 (5), a **Construction Completion Report** is required for all approved construction projects. Purveyors **must** submit a Construction Completion Report to the Office of Drinking Water (ODW) within sixty (60) days of completion and before use of any water system facility. This includes any source, water quality treatment, storage tanks, booster pump facilities, and distribution projects.

Please type or print legibly in ink:

CAL Waterworks

Name of Water System

Culley Lehman

Name of Purveyor (Owner or System Contact)

culley@cascadiawater.com

Mailing Address

City

State

Zip

DOH System ID No.:

31040

DOH Project No.:

22-0710

(if applicable)

Date Construction Documents

Approved by DOH

8/31/2022

(If applicable)

PROJECT NAME AND DESCRIPTIVE TITLE: BPS & Reservoir Replacement

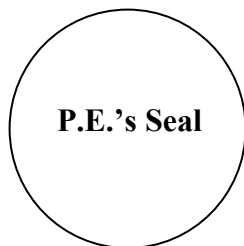
CHECK ONE: Entire Project Completed. Description of Portions Completed.

PROFESSIONAL ENGINEER'S ACKNOWLEDGMENT *(Complete items below--Attach additional sheets as needed)*

The undersigned professional engineer (PE), or their authorized agent, has inspected the above-described project which, as to layout, size and type of pipe, valves and materials, reservoir and other designed physical facilities, has been constructed and is substantially completed in accordance with construction documents reviewed by the purveyor's engineer or approved by the DOH. In the opinion of the undersigned engineer, the installation, physical testing procedures, water quality tests, and disinfection practices were carried out in accordance with state regulations and principles of standard engineering practice.

I have reviewed the disinfection procedures , pressure test results , and results of the bacteriological test(s) for this project and certify that they comply with the requirements of the construction standards/specifications approved by the DOH. (Check all boxes that apply that are consistent with the nature of the project.)

This project changes the physical capacity of the system to serve consumers. The system is now able to serve _____ equivalent residential units (ERUs.) Not applicable



Date Signed

Name of Engineering Firm

Name of PE Acknowledging Construction

Mailing Address

City

State

Zip

Engineer's Signature

State/Federal Funding Type (if any) _____

Please return completed form to DOH regional office checked below.

NWRO Drinking Water
Department of Health
20435 72nd Ave. S, Ste 200
Kent, WA 98032-2358
(253) 395-6750

SWRO Drinking Water
Department of Health
PO Box 47823
Olympia, WA 98504-7823
(360) 236-3030

ERO Drinking Water
Department of Health
1500 W. Fourth Ave, Suite 305
Spokane, WA 99201
(509) 456-3115

For persons with disabilities, this document is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388).

The purveyor must attach a completed Water Facilities Inventory (WFI) form in accordance with WAC 246-290-120(6), if applicable. Contact the regional office in your area for WFI forms or additional Construction Completion Report forms.

	System	Water System Name	DOH ID #	Infrastructure	Cost	Project Summary			Date	Sanitary Survey Report	Sanitary Survey Dae	Notes
						DOH Submittal Number	Date Submittal Received	DOH Construction Approval Letter Date				
Nov. 2023	Island/Mainland	Del Bay	18575	Del Bay Watermain Replacement & Consolidation with W&B Waterworks #1	\$793,082	DOH letter 6/30/2021 acknowledging transfer of ownership to Cascadia. DOH letter 1/20/2023 Water System Plan Amendment for Service Area Expansion / Del Bay approved.			Standard specs for watermain replacement in an approved water system plan. Purveyor expected to keep CCRs on file.			
March 2023	Island/Mainland	CAL Waterworks	31040	CAL Waterworks – Distribution System Loop at Beachwood Drive	\$30,000	Standard specs for watermain replacement in an approved water system plan.			Purveyor expected to keep CCRs on file.	yes		
2024	Island/Mainland	CAL Waterworks	31040	CAL Waterworks – Reservoir Replacement & Booster Pump Improvements	\$1,042,429	Submittal #22-0710. Approved 8/31/2022				yes		
April 2022	Island/Mainland	W&B Waterworks #1	46670	W&B Waterworks #1 – Watermain Replacement and PRV/Vault to Mutiny Lane	\$134,262	Standard specs for watermain replacement in an approved water system plan.			Purveyor expected to keep CCRs on file.	yes		
Nov. 2024	Island/Mainland	W&B Waterworks #1	46670	W&B Waterworks #1 – PRV/Vault Replacement on Mutiny Bay Road	\$425,807	Standard specs for watermain replacement in an approved water system plan.			Purveyor expected to keep CCRs on file.	yes		
Oct. 2024	Island/Mainland	Rolf Bruun	08915	Rolf Bruun – Disinfection Treatment	\$140,000	Submittal #23-0601 CT6 Disinfection & As/Fe/Mn Treatment. 7/19/2023 approval letter.						
Oct. 2024	Peninsula	Estates, Inc.	081669	Estates – Reservoir, Booster Pumps, and Treatment	\$1,548,044	Submittal # 22-0805. Project received on 8/12/2022. Project construction approval letter on 9/13/2022.			Letter acknowledging construction completion sent on 7/23/2024	Yes	12/8/2021	
2024	Island/Mainland	W&B Waterworks #1	46670	W&B Waterworks – Reservoir, Pumphouse,	\$480,472	Submittal #22-1111 As Treatment & Reservoir Design. 6/12/2023 DOH approval letter.			6/21/2024 partial CCR, PE certifies completion of reservoir.			

	System	Water System Name	DOH ID #	Infrastructure	Cost	Project Summary			Date	Sanitary Survey Report	Sanitary Survey Dae	Notes
						DOH Submittal Number	Date Submittal Received	DOH Construction Approval Letter Date				
				Treatment and Watermain Replacement					Standard specs for watermain replacement in an approved water system plan.			
2024	Island/Mainland	Sea View	77148	Sea View – Source Development	\$140,000	Submittal #24-0401 Source Approval. 5/31/2024 DOH approval letter.						
Oct. 2024	Peninsula	Diamond Point	19210	Diamond Point – Chlorination System	\$140,000	Submittal # 23-1108 for Disinfection Treatment. Project received on 10/17/2023. Construction approval given on 2/27/2024.			Not yet received. CCR is due after construction is finished.			
Feb. 2025	Peninsula	Agate West	00515	Agate West – Chlorination System	\$110,000	No submittal received yet. Anticipated submittal in January 2025.						Chlorination treatment has been required by DOH. Directive was given on 9/26/2024. Treatment is expected to be installed by June 2025.
	Multiple Systems			Generators – Multiple Systems								DOH does not require project submittals for generators. They may have been included as part of larger projects.
	Multiple Systems			SCADA Remote Monitoring System								
	Island/Mainland			Coordination Water System Plan (WSP)		Submittal #20-0810. Approval date on 8/8/2022.			n/a	n/a		



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER OPERATIONS
P.O. Box 47823 Olympia, Washington 98504-7823
PHONE (360) 236-3030 FAX (360) 236-3029

April 19, 2023

Culley Lehman, General Manager
Cascadia Water, LLC
Post Office Box 549
Freeland, Washington 98249

Subject: Cascadia Water, LLC, ID, SMA #168, All SWRO Counties; Satellite Management Agency Plan, ODW Project #20-0801 (NWRO) **REVISED APPROVAL**

Dear Culley Lehman:

This is a revised approval letter for the Cascadia Water, LLC Satellite Management Agency Plan. This supersedes the letter that we issued on July 21, 2022, which mistakenly stated that Cascadia Water was approved for management and operations in all 12 Southwest Regional Office Counties: Clallam, Jefferson, Kitsap, Mason, Grays Harbor, Thurston, Pacific, Lewis, Wahkiakum, Cowlitz, Clark, and Skamania. The letter should have stated that Cascadia Water is approved for ownership only in all 12 Southwest Regional Office Counties.

Per WAC 246-295-090, SMA plans must be submitted to ODW for review and approval every five years unless required more frequently. **Please submit the SMA update prior to July 21, 2027, for review.**

If you have questions, please contact me at (360) 236-3030 or by e-mail at andy.anderson@doh.wa.gov.

Sincerely,

Andy Anderson, P.E.
Office of Drinking Water, Southwest Regional Manager

cc: Clallam County Health Department
Clallam County Planning Department
Jefferson County Health Department
Jefferson County Planning Department
Kitsap County Health Department
Kitsap County Planning Department
Grays Harbor County Health Department
Grays Harbor County Planning Department
Mason County Health Department
Mason County Planning Department
Thurston County Health Department
Thurston County Planning Department
Pacific County Health Department
Pacific County Planning Department
Lewis County Health Department

Lewis County Planning Department
Wahkiakum County Health Department
Wahkiakum County Planning Department
Cowlitz County Health Department
Cowlitz County Planning Department
Clark County Health Department
Clark County Planning Department
Skamania County Health Department
Skamania County Planning Department
Bill Bernier, ODW
NWRO Drinking Water
ERO Drinking Water

STATE OF WASHINGTON
Department of Health
OFFICE OF DRINKING WATER
Project And Plan Review

Exh. RS-13
UW-240151
Page 11 of 243
ATTACHMENT A

INVOICE

ACCOUNTS PAYABLE C/O
Cascadia SMA 168
Post Office Box 1132
Freeland, Washington 98249

WS ID: AA523
Invoice No: 57471
Invoice Date: 12/18/2024
Due Date: 01/17/2025

WS NAME: Cascadia SMA 168

PROJECT AND PLAN REVIEW SUBMITAL#: 24-0609

DESCRIPTION	QTY	COST	AMOUNT
Water System Plan	4	x \$1206.00	\$4824.00
Total Amount Due			\$4824.00

Comments: 24-06009, 24-0610, 24-0612, 24-0613
Services
Services
system plan (new)
system plan (new)

1. **Pay online** with a credit card, debit card, or electronic check (ACH) using the Environmental Health Payment System at <https://secureaccess.wa.gov/>.
2. For billing questions, please contact Southwest Drinking Water Regional Operations at (360) 236-3030 or via email SWRO.Admin@DOH.WA.GOV.
3. This invoice is issued in accordance with WAC 246-290-990(3)(c)(iii).
4. For persons with disabilities, this document is available on request in other formats. To submit a request, please call 711 Washington Relay Service.
5. If paying by check:

Make checks payable to Department of Health, Federal ID #91-1444603.

Please return the bottom portion of this invoice with your check.

Invoice Number: 57471
Invoice Amount: \$4824.00
Owner Number: 030981
WS Name: SWRO_SUBLOG

Invoice Date: 12/18/2024
Invoice Due Date: 01/17/2025
Region: SW
WS ID: AA523

Reference: PROJECT AND PLAN REVIEW FEES

Please remit to:
ACCOUNTS RECEIVABLE
DOH PROJECT AND PLAN REVIEW FEES
PO BOX 1099
OLYMPIA, WA 98507-1099

DOH Staff Name: Ben Majors
 Sublog Number: 24-0609, 24-0610, 24-0611, 24-0612, 24-0613
 SMA ID: 168

System Name: Cascadia Water
 County: Clallam/Jefferson

ATTACHMENT A

Fixed Fee for Service

WATER SYSTEM PLANS			Approved?	No
Project Type	Fee 1st Review	Fee 2nd Review	Number Hr 1st Review	Number Hr 2nd Review
Sevices	\$1,206.00			
Sevices	\$1,206.00			
system plan (new	\$1,206.00			
system plan (new	\$1,206.00			
Total Water system plans	\$4,824	\$0	0	0

SATELLITE MANAGEMENT AGENCY (SMA) PLANS			Approved?	No
Project Type	Fee 1st Review	Fee 2nd Review	Number Hr 1st Review	Number Hr 2nd Review
Total SMA	\$0	\$0	0	0

PROJECT REPORTS			Approved?	No
Project Type	Fee 1st Review	Fee 2nd Review	Number Hr 1st Review	Number Hr 2nd Review
Total Project Reports	\$0	\$0	0	0

CONSTRUCTION DOCUMENTS			Approved?	No
Project Type	Fee 1st Review	Fee 2nd Review	Number Hr 1st Review	Number Hr 2nd Review
Total Construction documents	\$0	\$0	0	0

EXISTING SYSTEM APPROVAL			Approved?	No
Project Type	Fee 1st Review	Fee 2nd Review	Number Hr 1st Review	Number Hr 2nd Review
Total of Existing System approval	\$0	\$0	0	0

GROUP B AND OTHER EVALUATIONS AND APPROVALS			Approved?	No
Project Type	Fee 1st Review	Fee 2nd Review	Number Hr 1st Review	Number Hr 2nd Review
Total of Other evaluations and approvals	\$0	\$0	0	0

Total Fixed Fee for Service	\$4,824	\$0	0	0
------------------------------------	----------------	------------	----------	----------

Hourly fee for service	Fee	# Hr	System Size

Pay This Invoice Amount For This Review	\$4,824	0.0	0	0
--	----------------	------------	----------	----------

	Total for All Project Invoices	Total for All Project Hours
Summary	\$4,824	0



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
111 Israel Road Southeast • PO Box 47823 • Olympia, Washington 98504-7823
Tel: (360) 236-3030 • Fax: (360) 236-3029 • TDD/TTY 711

December 18, 2024

Robert Bennion
Facet Northwest
Post Office Box 1132
Freeland, Washington 98249

Subject: Cascadia Satellite Management Agency, SMA ID #168; WSP Part A, ODW
Project #24-0609

Dear Robert Bennion:

Our files show that you submitted your Water System Plan (WSP) Part A to the Office of Drinking Water (ODW) for review and approval on June 21, 2024. Also included were the following submittals:

Discovery Bay Village, ID #19430, Jefferson	24-0610 WSP Pt B Update
Diamond Point, ID #19210, Clallam	24-0611 WSP Pt B Update
Estates Inc, ID #08166, Clallam	24-0612 WSP Pt B Update
Monterra, ID #55990, Clallam	24-0613 WSP Pt B Update

Thank you for submitting the draft Cascadia Part A and SW Part B Water System Plan (WSP) Updates, received by the Office of Drinking Water (ODW) on June 21, 2024. The following comments must be addressed before ODW can approve the WSPs:

Part A Water System Plan – Company Wide Information

1. Section 1.1, System History and Background: Provide a list of all newly acquired water systems since 2019.
2. Section 1.1.4, Water System Operations: Does employment of contract operators only apply to water systems located in the Southwest regions of Washington? Revise for all water systems located throughout Washington.
3. Section 1.3, Service Policies: The draft plan does not appear to address how Cascadia will meet its duty to service (Municipal Water Law), define Timely and Reasonable Water Service, or identify an appropriate appeal process for properties owners who believe the conditions of service are not timely or reasonable. Please include policies to address these topics.
4. Section 1.3, Service Policies: Describe the company process for service of accessory dwelling units.

5. Section 6.3, Emergency Maintenance Program: Provide a copy of the Emergency Response Plan.
6. Section 6.4, Cross Connection Control: The plan indicates that surveying for potential cross connection devices among consumers should be completed by the end of 2021. Was this achieved?

Part B Water System Plans - Individual System Evaluations

General Comments Applicable to All the Part B Plans:

7. Please verify that all service area maps are appropriately labeled. Each service area map should identify the "retail" and the overall "service area". The water rights place of use will be the same as the "service area". Do not use the future service area label if the system isn't within a critical water supply service area. Please refer to [Service Areas in Planning Documents \(DOH Publication 331-432\)](#)
8. Please include signed local government consistency forms as part of the next submittals.
9. The plans describe the method for obtaining current population numbers was to refer to the Water Facilities Inventory form. The population information on the WFI form is only a reflection of the information from the water system the last time the form was updated. It should not be used as a source of information for determining population. Please use another method to estimate the population served.
10. Please verify applicable fire flow requirements with the local fire authority. Include documentation of the local fire authority's decision in the next submittal. For more information on this requirement please refer to Section 3.7 of the [Water System Design Manual \(DOH Publication 331-123\)](#)
11. The water use efficiency goals should address water conservation on the supply side as well as the demand side. The 2023 WUE report for each system indicates that the demand side goal(s) "would be set during the public comment portion of the WSP update". Please document that the goal(s) have been set in a public meeting for each water system. Please refer to Chapter 7 of the [Water Use Efficiency Guidebook \(DOH Publication 331-375\)](#)
12. Wellhead Protection Areas (WPAs) have been determined using the Calculated Fixed Radius (CFR) method. Hydrogeologic modeling can better assess the direction of groundwater flow and provide Cascadia with more accurate WPAs. This enables you to conduct more focused contamination inventories every two years. Please refer to section 4 of the [Wellhead Protection Program Guide \(DOH Publication 331-018\)](#) *This is a recommendation and is not required for plan approval.*
13. Section 6.8 of each Part B indicates the existence of "elected water boards". There is no mention of these elected water boards anywhere else within the plan update. Please clarify the purpose of the elected water boards. Who makes up these boards, powers that these boards hold, and how they impact operations and management of the water systems. Please include this clarification in each water system's Part B document.
14. Please include a list of individuals and entities who have received the source water protection notices in Appendix I of each Part B's next submittal.

15. Please verify that each Part B includes a copy of the cross-connection program for the respective water system.
16. Service and source meters must be installed and calibrated correctly to be accurate. The accuracy of your meters diminishes over time and older meters may require calibration or replacement. Inaccurate meters results in lost revenue and even a few percentage points of inaccurate measurement on a larger meter can cost you hundreds or thousands of dollars every month. Please include water meter calibration and replacement in the capital improvement programs for each water system.
17. The plan approval period is a maximum of ten years per WAC 246-290-100(9). To receive ten-year approval, the demand forecast, capital improvement program schedule, and budget must include each year of the approval period. Please review capital improvement program schedules and budgets to confirm that they include each year of the desired approval period. Please refer to page 4 of the Water System Planning Guidebook (DOH Publication 331-068) for more information on the plan approval period.

Part B- Discovery Bay Village

18. Chapter 2: Please clarify values for system-wide Maximum Day Demand (MDD) and Maximum Day Demand for a single Equivalent Residential Unit (ERU_MDD).
19. Chapter 3: Please clarify operating pressures, demands, pump capacity, and ERUs for pressure zone 3.
20. Chapter 3: Please describe the capabilities of the pressure reducing valve station to supply pressure zone 1.
21. Section 3.5.2.: Blending to reduce contaminants to acceptable levels must ensure that all waters entering the distribution system always have acceptable water quality. Please describe how that will be accomplished. Describe the effects of proposed chlorination on dissolved metals in the distribution system.
22. Appendix M, Coliform Monitoring Plan, we recommend adding repeat sampling locations to the map

Part B- Diamond Point

23. Section 1.4.1, Description of Service Area: With the proximity of this system to Sunshine Acres and apparent overlap of service areas this would be an excellent opportunity for consolidation. Please discuss this possibility and whether Sunshine Acres has been approached about the potential to consolidate.
24. Table 2-8, Group A Peak Hourly Demand based on MDD: This table shows the MDD value used for calculating PHD was 350 gpd/ERU, which is different than the 400 gpd/ERU stated in Section 2.1.5. Please clarify.
25. Table 2-9, Projected Annual Demand Based on ADD: In section 2.1.4 it states the ADD value used for the analysis will be 150 gpd/ERU. This table shows an ADD value of 125 gpd/ERU. Please clarify what was used for system evaluation.

26. Table 3-15, Connection Limiting Factors: For clarity, please label the third column in this table "ERU Capacity". The table is currently showing the number labeled "potential connections". Also, please include the number of ERUs the storage component can serve.
27. Appendix M, Coliform Monitoring Plan, part D: The coliform monitoring plan currently shows three repeat sampling sites listed for each routine site. We only require two repeat sampling sites (in addition to the routine site). Please remove one site.
28. Appendix M, Coliform Monitoring Plan, part E: The plan shows there are two routine sites listed for each month. This system is only required to collect one coliform sample per month. Please remove one site for each month. If you rotate sample sites please indicate the rotation schedule.

Part B- Estates Inc.

29. Section 2.1, Current Water Use: According to the data presented in Appendix P there was a decrease in the number of residential accounts from 2020 to 2021. Please discuss why there was a change in these numbers.
30. Section 3.3.8, Hydraulic Analysis of Distribution System: The modeling results presented in Appendix Q appear to apply to the changes from the sizing of the new reservoir rather than specifically for the hydraulic analysis scenarios required for the water system plan. Please clarify.
31. Table 6-4, Water Main Break Response Procedures: This table appears to be an excerpt from one of DOH's emergency response publications. Please note, this protocol was developed for chlorinated water systems. More conservative measures should be taken for systems that aren't disinfected.
32. Section 3.3, System Description and Analysis: The results of the limiting factor analysis presented in the plan are significantly different than what was presented in the new reservoir project submitted in 2022. Please discuss the difference given the raw water use data used in the two analyses appears to overlap.
33. Section 3.4.7, Summary of System Capacities: It is not clear what capacity the water system is requesting approval for. There are parts of chapter 3 that use 512 ERUs in the analysis and state this is the maximum number of ERUs. This section states the maximum capacity is 654 ERUs based on the limiting factor analysis. Please clarify the number of connections you are requesting approval. Also, please note. the number of connections would be less than the overall ERUs the system can supply because of DSL and non-revenue water.
34. Appendix M, Coliform Monitoring Plan, Part D and map: There are no repeat sampling sites listed. Please add an upstream and downstream repeat sampling site for each routine site and add the sites to the required map.

Part B- Monterra- 24-0613

35. Section 2.1.3.2, Distribution System Leakage: Without data, we recommend systems assume 10% DSL when estimating demands. Currently, the DSL is combined with the ERU. Please revise.

36. Section 2.1.6, Peak Hour Demand: The narrative portion between Table 2-2 and Table 2-3 shows 7,000 instead of 700gpd/ERU. Please revise.
37. Section 3.3.7.1, Existing Distribution System- Peak Hour Demand: Was the distribution modeled for the 242 ERUs requested? Please clarify what demand (N) was used for the analysis and discuss is the maximum number of ERUs the existing system can serve without improvements.
38. Table 3-12- Connection Limiting Factors: Please include distribution and storage limiting factors in this summary table.
39. Improvement Program- Planning Phase 1: In this section you are referring to 305 ERUs as the maximum, but the plan states the limiting factor is 242 based on booster pumps. Please clarify.
40. Appendix M, Coliform Monitoring Plan, Part D: There is only one repeat sampling site for each routine site listed. Each routine site should have two repeat sample sites, one upstream and one downstream from the routine site. Please update.
41. Appendix M, Coliform Monitoring Plan, Map: Two of the points on the map are labeled as “72 Sea Bluff Ln”. One of these sites is likely 32 Sea Bluff Lane. It should be labeled as such. Once the other repeat sites are chosen, please add them to the map.

DEPARTMENT OF ECOLOGY

Consistent with the Joint Review Procedures for Planning and Engineering Documents between the Office of Drinking Water (ODW) and the Department of Ecology (Ecology) regarding joint review and approval of the water system planning documents and water right permits a copy of this planning document was sent to Ecology on June 26th, 2024. We have received no response from ECY. **Any comments from Ecology that are received after this correspondence, but before final approval must be addressed prior to final approval being issued.**

The Department’s review of your planning document and design does not confer or guarantee any right to a specific quantity of water. Our review is based on your representation of available water quantity. If the Washington Department of Ecology, a local planning agency, or other authority responsible for determining water rights and water system adequacy determines that you have use of less water than you represent, the number of approved connections may be reduced commensurate with the actual amount of water and your legal right to use it.

UTILITIES AND TRANSPORTATION COMMISSION

Consistent with the Memorandum of Understanding (MOU) between the Office of Drinking Water (ODW) and the Utilities and Transportation Commission (UTC) regarding joint review and approval of the water system planning documents a copy of this planning document was sent to UTC on June 26th, 2024. We have received no response from UTC. **Any comments from UTC that are received after this correspondence, but before final approval must be addressed prior to final approval being issued.**

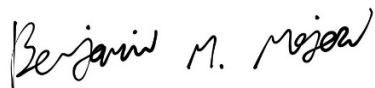
CLOSING

Please submit a copy of the revised .pdf in its entirety to the box.com folder you originally submitted to. If you don't have a box.com folder with us, please contact our admin team at swro.admin@doh.wa.gov prior to submittal so that one can be set up to drop your revised planning document and respond to all comments. To expedite our review, please provide a summary of your response to comments and a complete planning document that is bookmarked and hyperlinked.

Regulations establishing a schedule for fees for review of planning, engineering, and construction documents have been adopted (WAC 246-290-990). Please note that we have included an invoice for **\$4,824.00** for the review of the planning document. This fee covers our cost for review of the initial submittal, plus the review of one revised document. Please remit your complete payment within thirty days of the date of this letter. If paying by check or money order, mail to: DOH, Revenue Section, P.O. Box 1099, Olympia, WA 98507-1099. Or if you prefer, you can now pay online—follow the instructions at [Online Payment Guide](#) 331-688.(PDF).

If you have any questions, please contact Ben Majors at 564-669-0855 or by e-mail at ben.majors@doh.wa.gov or Regina Grimm at 564-669-0857 or by e-mail at regina.grimm@doh.wa.gov

Sincerely,



Benjamin M. Majors
Regional Planner, Office of Drinking Water



Regina N. Grimm, P.E.
Assistant Regional Manager, Office of
Drinking Water

Enclosures

cc: Culley Lehman, Cascadia Water
Mike Young, Utilities and Transportation Commission
Rachel Stark, Utilities and Transportation Commission
Abbey Kindall, Clallam County Health & Humans Services
Emma Ericson, Jefferson County Public Health
Deirdra Hahn, Ecology SWRO Water Resources Program

August 8, 2022

CASCADIA WATER, LLC
CULLEY LEHMAN
culley@cascadiawater.com

Subject: Cascadia Water, Owner #0356585, SMA #168
Companywide Plan for Island County Water Systems
DW Project #**20-0614 A-G: Approval**, H-L are Group B's
W&B Waterworks 1 (ID#46670), Submittal 20-0810A
Sea View Water (ID#77148), Submittal 20-0810B
Beachcomber H20 (ID#04979), Submittal 20-0810C
Cal Waterworks (ID#31040) Submittal 20-0810D
Tel Company 1 (ID#03099) Submittal 20-0810E
Tel Company 3 (ID#93945) Submittal 20-0810F
Tel Company 4 (ID#76976) Submittal 20-0810G
Tel Company 5 (ID#15533) Submittal 20-0810H
Tel Company 6 (ID#38451) Submittal 20-0810I
Tel Company 10 (ID#62060) Submittal 20-0810J
Tel Company 11 (ID#00678) Submittal 20-0810K
Mutiny Bay Waterworks (ID#06371) Submittal 20-0810L
Water System Plan: 2020-2030

Dear Mr. Culley Lehman:

The Cascadia Water's Company-wide Water System Plan (WSP) for Island County Water Systems was received by the Office of Drinking Water (ODW) on August 18, 2020, along with additional information received in October 2021, March 21, 2022, April 18th, and July 27, 2022, has been reviewed and is **APPROVED**.

DOH acknowledges that the Company is still working with the UTC on its financial reporting and records.

Approval of this WSP is valid as it relates to current standards outlined in WAC 246-290 revised January 14, 2022, WAC 246-293 revised September 1997, and RCW 70.116 (Municipal Water Law) effective September 2003, and is subject to the qualifications herein.

Our agency reviews only Group A documentation for the seven water systems not shaded above. Group B water systems (shaded above) have not been reviewed as DOH has no regulatory jurisdiction.

An approved update of this WSP is required on or before **August 4, 2030** unless ODW requests an update or plan amendment pursuant to WAC 246-290-100(9).

APPROVED NUMBER OF CONNECTIONS

This WSP includes capacity information that demonstrates the physical ability of Cascadia's seven water systems to provide water with any water right limitations that might occur during the

approval period for which this WSP is valid. Based upon information in the WSP, it has been determined:

Water System Name	Submittal #	Approved Capacity	Limiting Factor	Comment
W&B Waterworks 1 ^{a b} (ID#46670)	20-0810A	500 ^c	Hydraulic capacity determined from submittal #15-0303 and Seawater Intrusion	DOH is currently processing the merge between W&B and Del Bay as a separate WSP amendment.
Sea View Water ^a (ID#77148)	20-0810B	210	N/A	Retail service area has 210 lots. Can support 343 ERUs limited by water right's annual withdrawal.
Beachcomber H20 (ID#04979)	20-0810C	159	N/A	Retail service area has 260 lots. Can support 321 ERUs limited by water right's instantaneous withdrawal and system's MDD.
Cal Waterworks ^a (ID#31040)	20-0810D	121	N/A	Retail service area has 121 lots. Can support 204 ERUs limited by source production.
Tel Company 1 (ID#03099)	20-0810E	99	N/A	Retail service area has 99 lots. Can support 104 ERUs limited by source production.
Tel Company 3 ^a (ID#93945)	20-0810F	50	N/A	Retail service area has 50 lots. Can support 116 ERUs limited by source production.
Tel Company 4 (ID#76976)	20-0810G	44	N/A	Retail service area has 44 lots. Can support 46 ERUs limited by water right's instantaneous withdrawal.

^a – Standby storage is not met. Consumers have accepted a reduced standby storage volume.

^b – Island county has indicated that the consolidation of W&B and Del Bay is not considered expansion (from a water use perspective), and as such it does not trigger seawater intrusion (SWI) review. Any future increase in connections will require SWI review by Island County.

^c - 500 connections include W&B Waterworks 1 and Del Bay's active connections plus a few additional, 456 and 37 respectively.

Modifications to the approved number of connections above will be documented by plan amendments (if service areas change), project reports, and when construction documents are reviewed and approved by ODW.

CONSTRUCTION WAIVERS

Standard Construction Specifications for distribution main extensions are approved as a part of this WSP. With this approval and consistent with WAC 246-290-125 (2), Cascadia Water may proceed with the installation of distribution *main extensions* **ROVIDED that Cascadia Water maintains on site a completed construction completion report** form in accordance with WAC 246-290-125 (2) and makes them available for review upon request by ODW.

LOCAL GOVERNMENT CONSISTENCY

The plan meets local government consistency requirements for WSP approval pursuant to RCW 90.03.386 and RCW 43.20. DOH received on May 4, 2021.

SERVICE AREA AND DUTY TO SERVE

Pursuant to RCW 90.03.386 (2), the service areas identified in your WSPs now represents your water rights' "place of use" while the areas you intend to serve is consistent with your WSPs. ***Changes in any service area should be made through WSP amendment.***

Pursuant to RCW 43.20.260, your seven systems now have a duty to serve retail connections within their retail service area.

WATER RESOURCES

The department's approval of your water system plan does not confer or guarantee any right to a specific quantity of water. The approved number of service connections is based on your representation of available water quantity. If the Washington Department of Ecology, a local planning agency, or other authority responsible for determining water rights and water system adequacy determines that you have use of less water than you represented, the number of approved connections may be reduced commensurate with the actual amount of water and your legal right to use it.

Ecology commented in February 2021, and their comments have been satisfied per email dated April 18, 2022.

WATER SYSTEM PLANNING

We recognize the significant effort and resource commitment involved in the preparation of this plan. Thank you for your cooperation and we look forward to working with you in the future.

Sincerely,



Jennifer Kropack
Regional Planner, NWRO



Derek Pell, PE
Regional Manager, NWRO

Ec: John Lanier, Island County Planning
Aneta Hupfaeur, Island County Public Health
Noel Philip and Kasey Cykler, Department of Ecology
Benjamin Sharbono, UTC
Jeff Tasoff, PE, Robert Bennions, PE, and Ellen White, Davido
Krista Chavez, DOH (W&B WFI – change to approved connections)
Alexis Medina, DOH



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
111 Israel Road Southeast • PO Box 47823 • Olympia, Washington 98504-7823
Tel: (360) 236-3030 • Fax: (360) 236-3029 • TDD/TTY 711

May 12, 2023

Culley Lehman
Diamond Point
Post Office Box 549
Freeland, Washington 98249

Subject: Diamond Point Water System, ID # 19210, Clallam County; January 2023 Level 2 Assessment

Dear Culley:

Thank you for submitting the Level 2 Assessment for Diamond Point water system to our office on 2/9/2023. No new sanitary defects were identified in this assessment. The assessment did identify a leak and made the repair, installed SCADA on the storage tank and source, as well as stating it is time to install the additional barrier of continuous disinfection.

This is the fourth treatment technique trigger and assessment for this water system since October 2022. In accordance with WAC 246-290-451(5) and (7), a system with a history of Level 1 or Level 2 assessment treatment technique triggers is **required** to install continuous disinfection of the distribution system.

Please submit a corrective action plan by June 12, 2023, identifying a schedule for submitting a project report and construction document for a continuous disinfection system. The disinfection system must be designed by a professional engineer licensed in Washington State. The engineer must produce and submit the project report and construction documents to our office for approval before the disinfection system can be installed and activated. Below is an example of corrective action plan milestones:

Milestone	Anticipated Completion Date
Hire a professional engineer certified in WA state	
Submit project report and constructions documents	
Engineer response to project report comments from ODW	Within XX weeks of receiving comments.
Installation of the approved system	
Submit Construction Completion Report	Within 60 days after construction
Put disinfection treatment into operation	Immediately after receiving Final Approval

The water system will be required to maintain a detectable disinfectant residual throughout the distribution system. A detectable residual is defined as 0.2 milligram per liter (mg/L). The residual concentration must be measured at least five days a week and reported to our office on the monthly water treatment plant forms.

If you have any questions, please contact me by phone at (564) 669-0829 or by e-mail at cecilia.welch@doh.wa.gov.

Sincerely,

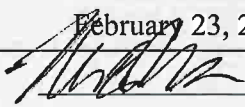
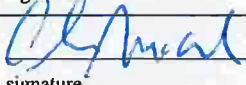
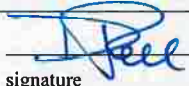
A handwritten signature in black ink, appearing to read 'Cecilia Welch', with a long horizontal flourish extending to the right.

Cecilia Welch, E.I.T.
Office of Drinking Water, Regional Engineer

cc: Clallam County Health Department
Charese Gainor, ODW
Christine Hartman, ODW
Pi Kosarot, ODW



Department of Health Office of Drinking Water
Directive Memorandum

Title:	Office of Drinking Water Enforcement Strategy	Number:	J.03
References:	<ul style="list-style-type: none">• Chapters 43.20, 43.70, 70.116, 70.119, and 70.119A Revised Code of Washington (RCW)• Chapters 246-290, 292, 293, 294, and 295 Washington Administrative Code (WAC)• U.S. Environmental Protection Agency (EPA) Enforcement Response Policy (ERP) and Enforcement Targeting Tool (ETT)• Directive Memorandum (DM) J.01 – Follow-up on Operator Certification Complaints• DM J.04 – Action subject to an Adjudicative Proceeding or Brief Adjudicative Proceedings• DM J.07 – Imposition of Civil Penalties• Department of Health (DOH), Office of Drinking Water (ODW) Enforcement Manual• ODW Programmatic Program Plans and associated Compliance-Enforcement Strategies		
Applies to:	All Staff		
Contact:			
Phone:	360-236-3112	Email:	Jacqui.BrownMiller@doh.wa.gov
Effective Date:	October 1, 2019	Review Date:	
Supersedes:	February 23, 2015		
Approved:	 signature	Mike Means Director	
Approved:	 signature	Chris McCord Deputy Director for Central Services	
Approved:	 signature	Derek Pell Deputy Director for Field Operations	

The ODW Approach to Compliance and Enforcement

Our mission is to ensure safe and reliable drinking water. When water systems and certified operators are unwilling or unable to achieve timely compliance, we use escalating formal enforcement tools to ensure that public health priorities are met.

ODW's enforcement philosophy is to:

1. Remain focused on protecting public health.
2. Educate and inform water consumers.
3. Ensure water system purveyors and operators understand their legal requirements.
4. Allow a fair opportunity to attain compliance.
5. Support water system regulatory compliance in every reasonable way.
6. Hold purveyors and operators accountable for compliance.
7. Follow through with enforcement actions in a consistent, fair, and timely manner.

Small systems often lack sufficient financial, technical, and managerial capacity to comply consistently and effectively with the regulatory requirements of operating a Group A public water system.

Particularly regarding systems with capacity struggles, ODW views its compliance program broadly to encompass both "soft" and "hard" enforcement tools.¹

ODW works to motivate and assist water systems with their return to compliance before those systems reach ODW's Formal Enforcement Trigger (FE trigger) and formal enforcement becomes necessary. These actions and activities are typically identified within ODW programmatic plans as compliance-enforcement strategies. When ODW undertakes hard enforcement for non-compliant water systems -- such as issuing formal orders under Washington Administrative Procedures Act (APA), turning a system's operating permit red, issuing civil penalties, seeking court-ordered water system receivership, or seeking court-ordered specific performance of ODW's orders -- ODW continues to use soft enforcement tools, where appropriate.

While ODW is concerned about, and takes enforcement action for, any drinking water violation, it calibrates its program to prioritize situations that present the highest public health risks. By focusing, first, on acute contaminants and, next, on chronic contaminants, the program functions consistently with national drinking water regulations and EPA's ERP.²

Through routine reporting, ODW notifies EPA when Group A public water system⁵ violate the national drinking water regulations. Quarterly and annually, EPA tracks ODW's efforts to return systems to compliance. ODW and EPA use the ETT to track water system violations and ODW's efforts to bring systems back into compliance. EPA can "over file," or pursue direct federal

¹ See definitions of Informal Enforcement and Formal Enforcement.

² See Attachment 4.

enforcement against a water system, if it finds doing so is necessary to gain compliance or at the state's request.

This DM outlines the process and timelines we generally implement under our enforcement procedures. It does not anticipate every circumstance and concern that may arise in the effort to expeditiously move utilities toward compliance. Significant deviations from these timelines require authorization from the Director or his designee.

Regulatory Context of Office-wide Enforcement Strategy

Drinking water regulation in Washington is a partnership between federal, state, and local agencies, in particular the EPA, the Washington Department of Health's Office of Drinking Water (ODW), and local health jurisdictions (LHJs).

ODW also partners with the Washington State Departments of Ecology, Agriculture, and Natural Resources, and with state and federal emergency response agencies, to address various aspects of drinking water oversight, including water availability and source water protection.

Broad State Authority to Protect Public Health

The Washington legislature gave the DOH broad and sweeping authority to regulate in the interest of public-health protection, including drinking water. This authority, which is independent of any federally delegated authority, includes the power:

1. To investigate, examine, sample, or inspect anything that constitutes a public health threat.
2. To have free and unimpeded access to all properties and to prohibit the disposition or sale of any item that may pose a threat to public health.
3. To initiate any civil legal proceeding authorized by law in order to enforce Washington's public health laws.
4. To use civil proceedings to take a public water system away from a poorly performing public water system owner (known as a purveyor) and give it to an entity that ODW believes will manage the system properly.
5. To direct that public water systems provide water treatment that is adequate to ensure public-health protection and to direct that water systems investigate and take corrective action to ensure that safe and reliable drinking water is continuously available to water system users.
6. To issue civil fines to public water systems for violations of the drinking water laws and regulations that ODW administers.³

³ RCW 43.70.130(1), (3) and (10); RCW 43.70.170; RCW 43.70.180; RCW 43.70.195; RCW 43.70.200; RCW 70.119A.060(a)(ii) and (vi); RCW 70.142.050; RCW 43.70.095; RCW 70.119A.030; RCW 70.119A.040. See also, RCW 19.27.097 (state building code – evidence of adequate water supply), RCW 43.20.050 (authority to adopt rules protecting public water supplies), RCW 43.20B.020 (authority to charge fees for service), RCW 43.70.250 (authority to charge fees for professions, occupations, and businesses), chapter 70.116 RCW (Public Water System Coordination Act), chapter 70.119 RCW (authority to regulate waterworks operators), chapter 70.119A RCW

Private Systems

Private water systems, usually called individual wells, serve one single-family residence or up to four homes on a farm (to be differentiated from privately owned public water systems). Neither federal nor state drinking water laws apply to private drinking water systems.⁴ LHJs and local planning departments have general authority over these.

Group B Systems

Federal drinking water regulations do not apply to Group B water systems.⁵ ODW regulates Group B systems and shares its regulatory authority with LHJs.

ODW's Group B rule, chapter 246-291 WAC, imposes design standards on new and expanding systems. In counties where LHJs do not have their own regulation or delegated authority, ODW oversees initial water system approval to ensure that initial source waters and system designs are sufficient and that the water system can provide reasonable assurances that it will provide safe and reliable drinking water into the future.⁶

Group A Systems

Federal and state drinking water laws apply to Group A systems.⁷

Congress passed the SDWA in 1974.⁸ Under its SDWA authority, EPA promulgated regulations called the National Primary Drinking Water Regulations (NPDWRs), the National Primary Drinking Water Regulations Implementation, and the National Secondary Drinking Water Regulations, found in Title 40 CFR Parts 141, 142, and 143, respectively.

Broadly speaking, federal drinking water regulations prohibit Group A public water systems from serving water that exceeds "maximum contaminant levels" (MCLs) for various contaminants, meet minimum water quality monitoring standards, do appropriate reporting to regulators, provide required public notifications to water system users, keep adequate records, and hire qualified professionals to operate their water systems. The regulations require that Group A systems effectively detect and treat for a specific set of contaminants found in drinking water.

(Washington's version of the SDWA), and chapter 70.142 RCW (authority to regulate chemical contaminants and water quality).

⁴ See 42 USC §300f *et seq.* and WAC 246-290-020.

⁵ 42 USC §300f *et seq.*

⁶ WAC 246-291-120.

⁷ RCW 70.119A.020, RCW 70.119A.020(4); WAC 246-290-020(1); WAC 246-290.020(5)(a)-(c); 40 CFR §141.2 ("community water system," "non-community water system," "transient non-community water system," and "non-transient non-community water system").

⁸ 42 USC §300f *et seq.*

EPA has primary authority to implement and enforce the federal drinking water regulations. ODW has requested delegated authority to administer and enforce those regulations in Washington State and EPA has delegated that authority.⁹

ODW's regulations for Group A systems are set forth in Chapters 246-290, 246-292, 246-293, 246-294, 246-295, 246-296 WAC.¹⁰ These rules cover many areas of water system operations and management, and are consistent with, or in addition to, federal regulations.

Washington has not waited for the federal government to act before taking steps to protect public drinking water. Washington has been protecting drinking water safety since 1913, when the State Board of Health promulgated its first drinking water regulation directing school boards to protect their drinking water wells.¹¹ Similarly, Washington does not limit its Group A system regulations to topics covered under federal drinking water regulations. For example, federal law provides no provisions for comprehensive water system planning and cross-connection control (CCC). Yet, ODW administers a robust body of state law regarding these matters. Washington's power to do this is rooted in the above-referenced authority to protect public health.

Framework of Office-wide Enforcement Strategy

The activities discussed in this DM pertain to Group A public water systems. They could, in limited circumstances, apply to Group B systems activities. They do not pertain to private systems.

As part of administering its regulatory authority, ODW develops guidance documents to prioritize enforcement activities. This DM is such a guidance document.

Other ODW guidance documents, such as ODW's Enforcement Manual, program-specific enforcement strategies, and other enforcement-related DMs are created under the auspices of this DM. These documents are to be created and interpreted consistent with this DM.

This DM sets standards to guide ODW compliance-enforcement staff while conducting enforcement activities. This DM is to help ODW staff properly administer drinking water laws and regulations and carry out ODW's federally delegated responsibilities, including those set forth in EPA's Enforcement Response Policy (ERP) and implemented through EPA's Enforcement Targeting Tool (ETT).¹²

⁹ RCW 70.119A.080. See also, 2015 Public Water Supply Supervision (PWSS) Grant's Work Plan, Washington State Department of Health & United States Environmental Protection Agency, October 2015, available at: <http://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/RegulationandCompliance/RuleMaking/FormalAgreementwithEPA>. EPA directly oversees implementation and enforcement of the federal regulations where ODW does not have delegated authority, such as over water systems on certain federal tribal lands.

¹⁰ See also, ODW web page, ODW Rules, available at:

<http://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/RegulationandCompliance/Rules>.

¹¹ Rules of the State Board of Health, Relating to the Sanitary Care of Schools, January 29, 1913, published in the official state paper on May 30, 1913.

¹² See Attachment 4.

Many ODW programs have an established compliance-enforcement strategy for staff to follow. Staff can review these internal strategies at ODW's enforcement *intranet* webpage. FE triggers¹³ established in programmatic compliance-enforcement strategies help to integrate the activities that program staff perform under these strategies with the activities that compliance-enforcement staff perform under this enforcement strategy.

Implementing an effective compliance-enforcement process depends, in part, on an appropriate set of FE triggers, a supportive data management system, and maintaining compliance and enforcement data within ODW's data system in a consistent, timely, accurate, and complete manner.

Public health depends upon:

- ODW program and compliance-enforcement staff taking timely enforcement actions in accordance with relevant programmatic drinking water compliance-enforcement strategies and with this DM.
- Properly managing information about water system compliance and enforcement.

This DM establishes criteria governing when ODW staff may slow or re-start an ongoing enforcement process when a public water system is conveyed to a new owner.¹⁴

DM J.01 establishes criteria for disciplining certified waterworks operators. Insofar as a certified operator is a water-system purveyor with culpability for the system's regulatory violations, ODW also may subject the operator to both informal and formal enforcement actions under this DM. DM J.01 and this DM operate independently from one other and ODW may proceed against a certified operator concurrently.

Process for Activities Under Office-wide Enforcement Strategy

ODW has authority to act on any one violation. In conducting enforcement, ODW's credibility and legal standing demand that it follow a consistent process and consistently and timely follow up on the directives and deadlines that it issues. This DM establishes a progressive sequence of efforts for staff to follow. There may be times when acting faster than the process set forth in this DM is warranted to protect public health or prevent systems from unjustly taking advantage of ODW enforcement procedures, including moving more quickly to civil penalties.¹⁵

¹³ See Attachment 1.

¹⁴ See Attachment 6.

¹⁵ RCW 43.05.110; RCW 34.05.110(4); RCW 70.119A.040(9).

Examples of when ODW may expedite the enforcement process, even in the absence of a specific FE trigger being reached, include situations consistent with general legal tenants expressed in RCW 34.05.110(4):

1. Where a violation will either directly endanger public health, pose a significant threat to human health, or cause serious harm to the public interest.
2. The violation is knowing or willful.
3. A water system committing the violation previously violated a substantially similar requirement.
4. The system's owner or operator also owns or operates a system that previously violated a substantially similar requirement.

Additional examples include situations consistent with legal tenants set forth in RCW 43.05.110:

The issuance of any APA initial order/initiating document -- including a Notice to Correct Violation (NCV), Formal Compliance Agreement (FCA), Order to Correct Violation (OCV), Red Operating Permit Order (ROPO), Civil Penalty Order (CPO), and Emergency Order (EO) -- must follow the adjudicative proceeding process described in DM J.04.

Boilerplate enforcement documents were developed with the assistance of an Assistant Attorney General (AAG). These documents contain the appropriate language that staff must use when issuing any enforcement document contemplated in this DM. These documents are available in ODW's Compliance Assurance and Enforcement Manual.

PROCESS: Enforcement Direction			
Steps	Key Function	Activity or Event(s)	Person(s) Involved
1.	Determine violation.	Review data and system requirements to determine violation status for each violation listed in Attachments 1 and 2.	RO or HQ program staff
2.	Take appropriate follow-up step.	Undertake sequential enforcement step as described below and in the relevant programmatic compliance-enforcement strategy.	Program staff or designee
3.	Prepare appropriate enforcement document based on Processes A through D.	Draft enforcement document based on established guidance (and boilerplate, if developed). Obtain necessary approvals, if needed, and process document for issuance. For a CPO, refer to DM J.07.	RO or HQ compliance-enforcement and admin staff
4.	Issue appropriate enforcement document.	Following mailing procedures in Attachment 3. Ensure correspondence reflects direction for adjudicative proceedings if applicable (DM J.04).	RO or HQ compliance-enforcement and admin staff

1. The would-be penalty recipient has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule or has been given previous notice of the same or similar type of violation of the same statute or rule.
2. Compliance is not achieved by the date established by the department in a previously issued notice of correction, if ODW has responded to any request for review of such date by reaffirming the original date or establishing a new date.
3. The violation has a probability of placing a person in danger of death or bodily harm, more than minor environmental harm, or causing physical damage to the property of another in an amount exceeding one thousand dollars
4. The violation was committed by a business that employed 50 or more employees on at least one day in each of the preceding 12 months.

5.	Coordinate and conduct external communication about the enforcement activity.	Initiate process for communicating to the public about the enforcement documents ODW issues, per Attachment 5. Work with appropriate policy and planning staff or communication staff to ensure action is completed.	RO or HQ compliance-enforcement, admin, and communications staff, coordinate with HQ management
6.	Do appropriate follow up.	Track compliance with enforcement document and conduct follow up work as outlined in the relevant programmatic compliance-enforcement strategy and Processes A through D.	RO or HQ compliance-enforcement and admin staff

Progressive Enforcement Process and Varying Enforcement Paths Depending on Program and Violation Type

This subsection discusses ODW processes for enforcement under various ODW programs, and includes some information about civil penalties and the appeal of agency orders.

Limited Enforcement Programs and Full Enforcement Programs

ODW has divided its programs (e.g. the Water Use Efficiency Program and the Coliform Program) into limited and full enforcement programs, with each following a different path through the informal and formal enforcement processes.¹⁶ This division between programs is based on ODW's determination that violations of certain regulations pose a lesser or greater risk to public health. Programs that protect the public from acute or imminent risk are classified as full enforcement programs. Secondary justifications for classifying programs as full enforcement programs include the expected frequency of violations in the program, expected agency resource requirements and constraints, and EPA's enforcement response expectations.

Limited enforcement programs – ODW programs where enforcement is to remain informal unless ODW's director approves moving into formal enforcement activities – are outlined in Attachment 2, column 1. Enforcement for these programs follows Process D.

Full enforcement programs – ODW programs where formal enforcement automatically follows informal enforcement -- are set forth in Attachment 2, column 2.

ODW formal enforcement activities include ODW staff sending a series of "orders" (under the APA) after a water system has not followed an ODW directive set forth in any informal enforcement document.

There are four processes to follow – A, B, C, and D:

¹⁶ See Attachment 2.

- **Process A** is to be followed in response to violations for which FE triggers have been created. ODW has created FE triggers only for violations within full enforcement programs, with the exception of the MP Priority System.
- **Process B** is to be followed in response to violations of directives in programs for which ODW has established no FE trigger.
- **Process C** is to be followed in response to any situation that poses an imminent threat to public health.
- **Process D** is to be followed when enforcing limited enforcement programs where a water system is not able to be Returned to Compliance (RTC'd) after exhausting informal enforcement measures, and after the ODW Director authorizes formal enforcement, which is done on a case-by-case basis.

Processes A, B, and D must begin with issuing an informal enforcement document that addresses each separate violation. Steps for issuing informal enforcement documents are normally identified in ODW programmatic plans. From informal enforcement, enforcement moves to issuing the next formal enforcement document designated by the process.

Process C, once an emergency declaration is made, begins with a formal enforcement document being issued to address an imminent public health risk.

Once issued, any enforcement document must be kept active: either enforced as written, modified, or revoked for good cause. ODW's Director makes the final decision on whether to issue a civil penalty.

Attachment 6 provides guidance on drafting the enforcement document cover letter when it is necessary to comprehensively address multiple violations. When issuing any order, ODW staff must follow the adjudicative proceeding process described in DM J.04.

Processes A, B, C, and D are described below, in detail, along with schematics detailing each process.

Process A

Process A is to be followed in response to violations for which ODW has assigned a FE trigger.

The first step in Process A is the issuance of an informal enforcement document, as set forth in Table 1, Step 1.

ODW expects informal enforcement document recipients to comply with the directives and deadlines provided therein. On the day the recipient does not, the FE trigger is reached.

ODW compliance-enforcement staff issue the first progressive formal enforcement document within 30 days of the FE trigger being reached.

Whether a water system, purveyor, or certified operator reaches the FE trigger through its own fault or not, within 30 days of the FE trigger being reached, ODW begins formal enforcement and issues the first progressive formal enforcement document -- the NCV/FCA.

The NCV in Process A

The NCV is issued within 30 days from the date the FE trigger is met. Typically, this is the date a recipient fails to comply with a directive and deadline set forth in an informal enforcement document. In rarer circumstances, the FE trigger date can be the date that an ODW interdisciplinary team determines formal enforcement is needed to RTC a system and the ODW Director designates the system as an MP Priority System.

The NCV warns that failure to comply with directives contained therein will result in:

1. Classification as a state significant non-complier (SSNC)
2. A water system's permit being converted to category "red"
3. ODW publicizing the non-compliance
4. A water system having to hire a certified operator or Satellite Management Agency (SMA), if one is not already required

It is issued prior to issuing the OCV.

The NCV must include language that ODW "may" impose civil penalties for non-compliance. However, in practice civil penalties would not be issued until after a system failed to comply with directives set forth in an OCV, the next document sent in the enforcement process.

The NCV is an APA initiating document and is subject to appeal. It must be sent by certified mail. When being sent to a water system, the NCV should be sent to everyone associated with the system and should be sent using all available methods, including email. The extra cost associated with redundancy is acceptable, because ODW's goal is to notify all water systems purveyors that the water system is failing to comply with drinking water laws and that it may be imperative for a water system to assemble all possible resources to RTC.

EPA classifies the NCV as an ERP formal enforcement document or ERP addressing document. Issuing an NCV and consistently attaching ongoing violations to the NCV in Sentry should result in the system no longer being an ETT EPA designated priority system (based on the violations that form the basis of the NCV).

The FCA in Process A

Within 30 days of the FE trigger being reached, staff may offer the system an FCA in lieu of the NCV.

An FCA can be entered into between ODW and a regulated entity/person under the following scenarios within Process A:

1. Within Step 2, if a water system is cooperating with ODW regarding its RTC, staff may offer a friendly opportunity to voluntarily RTC through an agreement.

Key terms of the agreement are:

- The FCA is an un-appealable final agency order.
- ODW may impose civil penalties for non-compliance with the FCA.

An FCA offer will include a 30-day signing deadline (the offer expires 30 calendar days after issuance). The FCA may offer an opportunity to request a good-cause 30-day extension in which to sign the FCA -- up to 60 days total from the date of issuance.

If the water system fails to meet the signing deadline, ODW will issue the NCV within 10 work days.

Violations of NCV/FCA milestones require issuance of an OCV.

2. Within Step 2, if ODW cannot place all steps required to RTC into an NCV -- because initial steps lead to a pathway decision point that cannot be prescribed until the system reaches that point -- ODW may issue a first-phase NCV or a first-phase FCA with benchmarks up to and including the pathway-decision-point(s) only. Then, if system fully complies with this first-phase NCV or first-phase FCA, ODW staff may issue the remaining RTC steps either in a Modified second-phase NCV (MNCV) or a Modified second-phase FCA.

When issuing a Step 2 MNCV or MFCA, ODW staff may not offer the same 30-day signing extension (taking the total time to sign to 60 days) that is offered when an FCA is issued in lieu of an NCV.

If the regulated entity/person is not in compliance with the first-phase NCV or first-phase FCA, remaining RTC steps are issued in an OCV (a Step 3 document).

Note: A second FCA may not be issued in Step 2 if a full-solution FCA (with all steps needed to RTC being included in one document) was previously issued in Step 2 for the same violations.

3. As further explained below, within Process A, Step 3, ODW staff may issue an FCA to amend a ROPO.

The OCV and the ROPO in Process A

The OCV is issued within 10 days from the date the recipient of a Step 2 enforcement document -- an NCV, MNCV, FCA, or MFCA -- does not meet a milestone deadline set forth therein.

The OCV has a self-contained ROPO -- it notifies a recipient water system that ODW now categorizes its operating permit as red.

The OCV notifies the recipient that:

1. It is in substantial non-compliance with drinking water regulations and is considered a SSNC.

2. Failure to comply with directives set forth therein will result in ODW issuing a civil penalty, which could be issued to the water system, all purveyors, and all operators, and they will all be jointly and severally liable for any issued penalty.
3. Its operating permit is now categorized as red and the system has a right to appeal (this will be a full appeal (as opposed to a brief adjudicative proceeding (BAP) if the statement is embedded within an OCV; it will be a BAP if a stand-alone ROPO is issued¹⁷).
4. ODW may publicize the system's status as a SSNC with a category red operating permit that has been issued an OCV. The system must hire a certified operator or Satellite Management Agency (SMA), if it is not already required to do so.

The OCV warns the system that ODW "will" impose civil penalties for non-compliance.

ODW compliance-enforcement staff should treat the OCV as a comprehensive document and include all water system violations. This can be done in the document itself or in a cover letter, depending on how far advanced the additional violations are.

Like the NCV, the OCV (with or without a self-contained ROPO) is an APA initiating document and is subject to appeal. It must be sent by certified mail. Like the NCV, it should be sent to everyone associated with the system and using all available transmission methods, including email.

Like the NCV, EPA classifies the OCV as an ERP formal enforcement document or ERP addressing document. As such, issuing it, coupled with consistently attaching ongoing violations to the OCV in Sentry, should result in the system no longer being an ETT EPA designated priority system (for the violations that form the basis of the NCV).

Once ODW designates a water system as a SSNC, ODW staff will convert the system's operating permit to red. If the system has a valid operating permit (has paid its annual permit fee), ODW will attach a copy of the category red operating permit to the enforcement document. Conversely, if the system has not paid, the enforcement document will be sent with no permit attached. In the enforcement document, ODW will provide instructions for appealing the category red operating permit. DM J.04 describes the appeal process.

Alternative sequencing for OCV and ROPO in Process A

There may be rare circumstances when the OCV does not have a ROPO embedded within it. This is when a stand-alone ROPO is issued either just prior to or after issuing the OCV. In these circumstances, ODW staff must issue the other document no less than 14 days after issuing the first document.

Note: when the OCV notifies the system that its operating permit had converted to red, the OCV will contain the ROPO and the water system is given the opportunity for a full adjudicative appeal for both the OCV and the embedded ROPO. If ODW compliance-enforcement staff choose to send the ROPO before or after the OCV, the ROPO need only offer a Brief Adjudicative Proceeding appeal.

¹⁷ WAC 246-10-501(1)(s).

The Step 3 FCA in Process A

Within Step 3, if ODW compliance-enforcement staff find that an already-issued ROPO may cause financial harm to a water system's customers (such as non-purveyor restaurants), where these customers cannot control the system's compliance, ODW may offer the water system a Step 3 FCA. This converts operating permit to yellow in exchange for the system's commitment to fully comply with the OCV and under the threat of a civil penalty if it does not. This FCA would leave the OCV and ROPO in place as modified by the FCA. In this scenario, the FCA must use the "we will issue" a civil penalty language. This FCA will provide that the system's permit reverts to its original color once full compliance is completed.

Note: Process A can lead to Process C at any time, depending on circumstances.

Table 1 -- Process A -- (full enforcement programs; FE trigger) Enforcement Map -- page 1

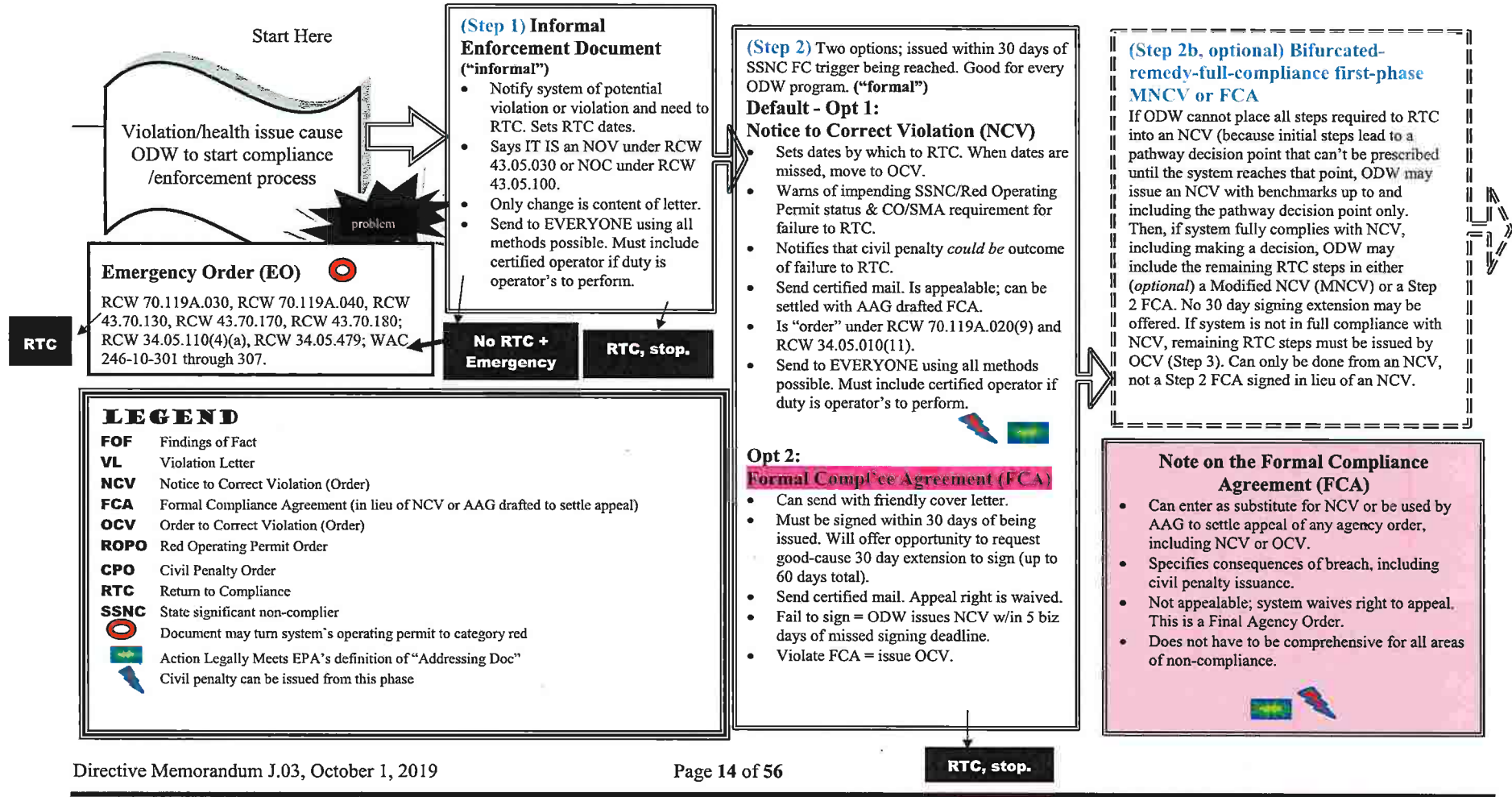
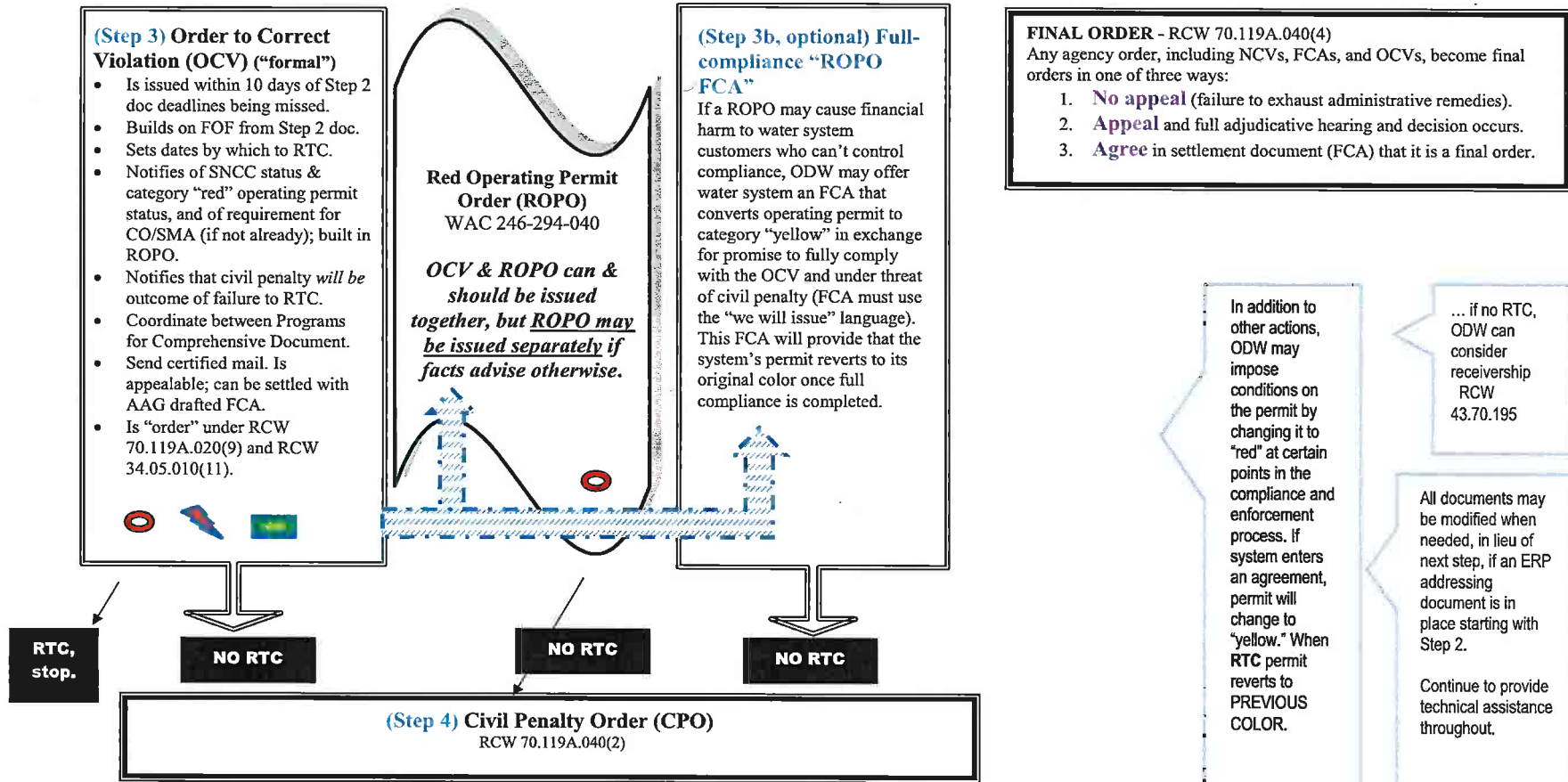


Table 1 -- Process A -- (full enforcement programs; FE trigger) Enforcement Map -- page 2



Process B

Process B is to be followed in response to violations within full enforcement programs for which ODW has established no FE trigger. This includes violations of engineering directives and when water systems fail to issue mandatory tier 1 public notices.

Note: while limited enforcement programs also do not establish FE triggers, Process D governs limited enforcement programs.

When a water system fails to follow an ODW directive in an informal enforcement document, formal enforcement begins with ODW staff issuing an OCV within 10 days of the deadlines set forth in a directive being missed. The Process B OCV sets forth dates by which a system must RTC. This document must be sent certified mail and is an APA order.¹ Additionally, this document should be sent to as many system purveyors and contacts as possible, using as many means as is practicable.

The OCV in Process B

The Process B OCV does not include an embedded ROPO. Instead, the Process B OCV notifies a system that failure to comply with the directives therein will result in ODW designating the system as a SSNC and converting its operating permit to category red. If the system fails to comply with a directive set forth in an OCV, ODW issues a ROPO.

The FCA in Process B

Once the compliance-enforcement staff member involved makes a discretionary determination that public health will still be protected while indulging the additional time needed to finalize the agreement, that staff member may issue an FCA in lieu of an OCV.

An FCA and cover letter may be sent in lieu of the OCV, no later than 10 days from the date a system misses a deadline set forth in an informal enforcement document.

An FCA can be entered into between ODW and a regulated entity/person under the following scenarios within Process B:

1. Within Step 2, ODW may send an FCA and cover letter instead of an OCV when a water system is cooperating with ODW regarding the system's RTC and ODW wishes to offer the water system an opportunity to enter into an agreement in which the system would agree that the FCA is an un-appealable final agency order.

In this case, the FCA must be signed by the water system and ODW within 30 calendar days of being issued. The FCA may offer an opportunity to request a good-cause 30-day extension in which to sign the FCA (up to 60 days total from the date of issuance). If the water system fails to meet the either deadline, ODW issues the OCV within 5 work days.

¹ RCW 70.119A.020(9); RCW 34.05.010(11).

This FCA will include language that ODW may impose civil penalties for non-compliance with the FCA.

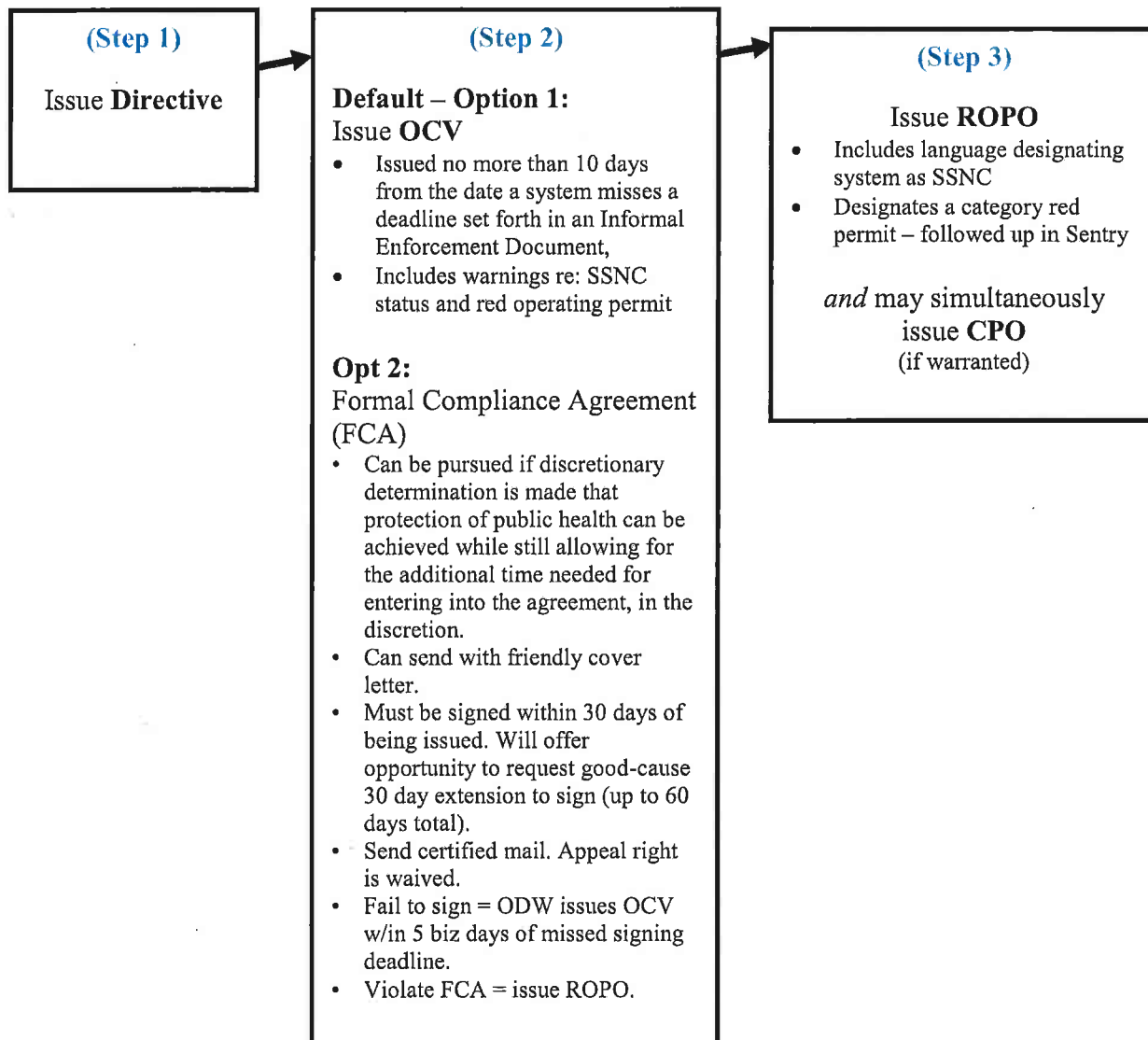
In this case, whether the water system fails to sign the FCA when issued or whether the system fails to comply with the terms of the FCA, the next enforcement step is issuing an OCV. Violations of OCV/FCA milestones require issuance of a Process B ROPO.

The ROPO in Process B

The Process B ROPO would provide an RTC milestone and threaten to issue a civil penalty if the system does not RTC by a date certain. It also designates the system as a SSNC. If the system does not comply with that ROPO milestone, ODW would issue a CPO. Alternatively, with ODW Director approval, a Process B ROPO may be accompanied by a CPO.

Note: Process B can lead to Process C at any time, depending on circumstances.

**Table 2 -- Process B – (full enforcement; no FE trigger)
Enforcement Map**



Process C

Process C involves issuing and EO. Process C may be followed, whether or not ODW has issued a prior directive. The Secretary's designee may issue an EO when ODW action is needed to prevent or stop an immediate danger to the public health, safety, or welfare.² The EO orders named recipients to act immediately to alleviate an immediate danger to public health, safety, or welfare.³

When following Process C, ODW staff are advised to consult with HQ compliance-enforcement staff, ODW's Director, and with Washington law.⁴

When issuing an EO, ODW staff will use a boilerplate document developed in conjunction with the AAG.

The EO must be signed by the Secretary of Health or the Secretary's designee.⁵

The EO is effective when signed.⁶ The recipient must comply with the EO as soon as it is served or the recipient gains knowledge of the EO, whichever occurs first.⁷

Issuance of an EO triggers the recipient's appeal rights.⁸ This includes a "prompt adjudicative proceeding,"⁹ which the recipient must request within 10 days of being served with the EO.¹⁰ For purposes of appeal, the EO must be accompanied by a formal enforcement APA initiating document.¹¹

Note: The law does not make the existence of a public health emergency declaration a prerequisite to issuing an EO. Authority to issue an EO is separate from the authority to "declare a public health emergency" held by the Secretary of Health's, the Secretary's designee, or the local health officer.¹² To issue an EO it is only necessary for the Secretary's designee to find that the elements of WAC 246-10-301(1) are met. However, a public health emergency declaration must exist before ODW may issue enhanced daily civil penalties¹³ without first making efforts to resolve any regulatory violations informally.¹⁴

Note: Previously, ODW used an enforcement tool known as the "Field Order;" the EO can be used as a replacement for the historically used Field Order.

² WAC 246-10-301.

³ WAC 246-10-301(1); WAC 246-10-303(2).

⁴ See citations referenced under this DM's definition of Emergency Order.

⁵ WAC 246-10-301(1); WAC 246-10-302(1).

⁶ WAC 246-10-302(1).

⁷ WAC 246-10-302(2).

⁸ WAC 246-10-304; WAC 246-10-305.

⁹ WAC 246-10-304(1)(a).

¹⁰ WAC 246-10-305(3).

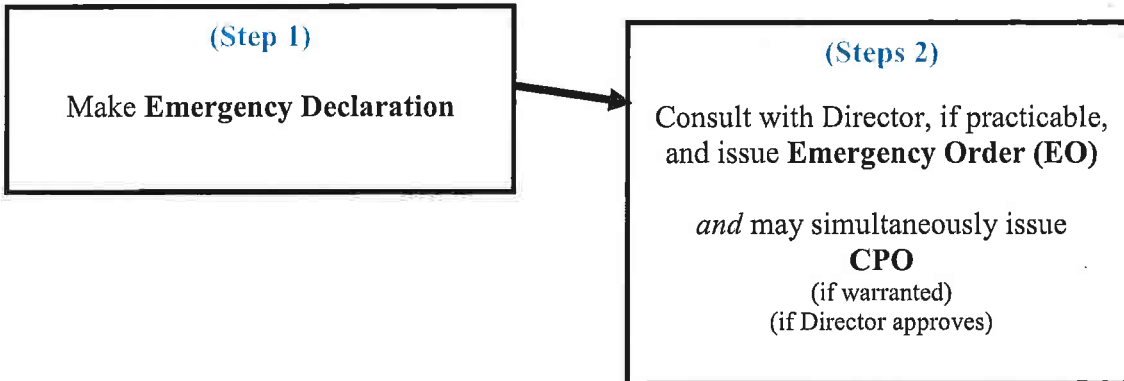
¹¹ WAC 246-10-303(3).

¹² RCW 70.119A.030(1). Additional legal authorities that support the Secretary of Health's public health emergency declaration powers include: RCW 43.70.130(10), RCW 43.70.170, RCW 43.70.180, RCW 70.119A.030, and RCW 70.119A.040.

¹³ RCW 70.119A.040(1).

¹⁴ RCW 70.119A.040(9).

Table 3 -- Process C – (any program; emergency) Enforcement Map



Process D

Limited enforcement programs follow Process D after the ODW Director authorizes formal enforcement, which is done on a case-by-case basis.

When implementing a limited enforcement program, ODW program staff will issue informal enforcement documents, following the programmatic compliance-enforcement strategy. When it becomes evident that limited enforcement activities are unlikely to garner a water system's RTC within a reasonable timeframe, ODW staff must prepare a case to present to ODW's Director for moving into formal enforcement.

Once formal enforcement is initiated, it is ODW's policy to see formal enforcement through to the end in order to RTC the system, including issuing a CPO.

All Process D formal enforcement documents are appealable documents and are APA orders.¹⁵ They must be sent certified mail and it should be sent to all water system purveyors, including the certified operator, using all methods possible.

The NCV and the FCA in Process D

ODW staff will issue the first progressive formal enforcement document within 30 days of receiving the Director's approval, and no sooner than 10 days after the recipient of a Process D Step 1 document fails to comply with the deadline. The first progressive formal enforcement document is an NCV, or an FCA issued in lieu of an NCV.

As in Process A, the NCV will establish dates by which to RTC. When these dates are missed, staff will issue the OCV. Unlike in Process A, the Process D NCV:

- Provides no warnings relating to SSNC status, a red operating permit, or that a certified operator or SMA will be required for continued failure to RTC.
- Provides no warning that a civil penalty could be an outcome for failure to follow the directives set forth therein; rather, this document will contain ODW's standard warning indicating that continued failure to return to compliance could result in a civil penalty.

ODW staff may issue an FCA, in lieu of an NCV. Similar to the Process A FCA, the Process D FCA sent in lieu of an NCV must be signed by the water system within 30 days of being issued. If it is not, ODW staff must issue the NCV. Like in Process A, the FCA will offer the water system opportunity to request a 30-day extension to sign the document for good cause shown. This document is sent certified mail. The document states the purveyor's right to an appeal is waived. Failure to sign the FCA will result in staff issuing an NCV within 5 business days of a missed signing deadline. Violation of the FCA will result in ODW staff issuing an OCV.

In Process D, there is no option for staff to issue a "bifurcated-remedy-full-compliance first-phase MNCV or FCA."¹⁶

¹⁵ RCW 34.05.010(11). See also, RCW 70.119A.020(9).

¹⁶ See Process A.

The OCV in Process D

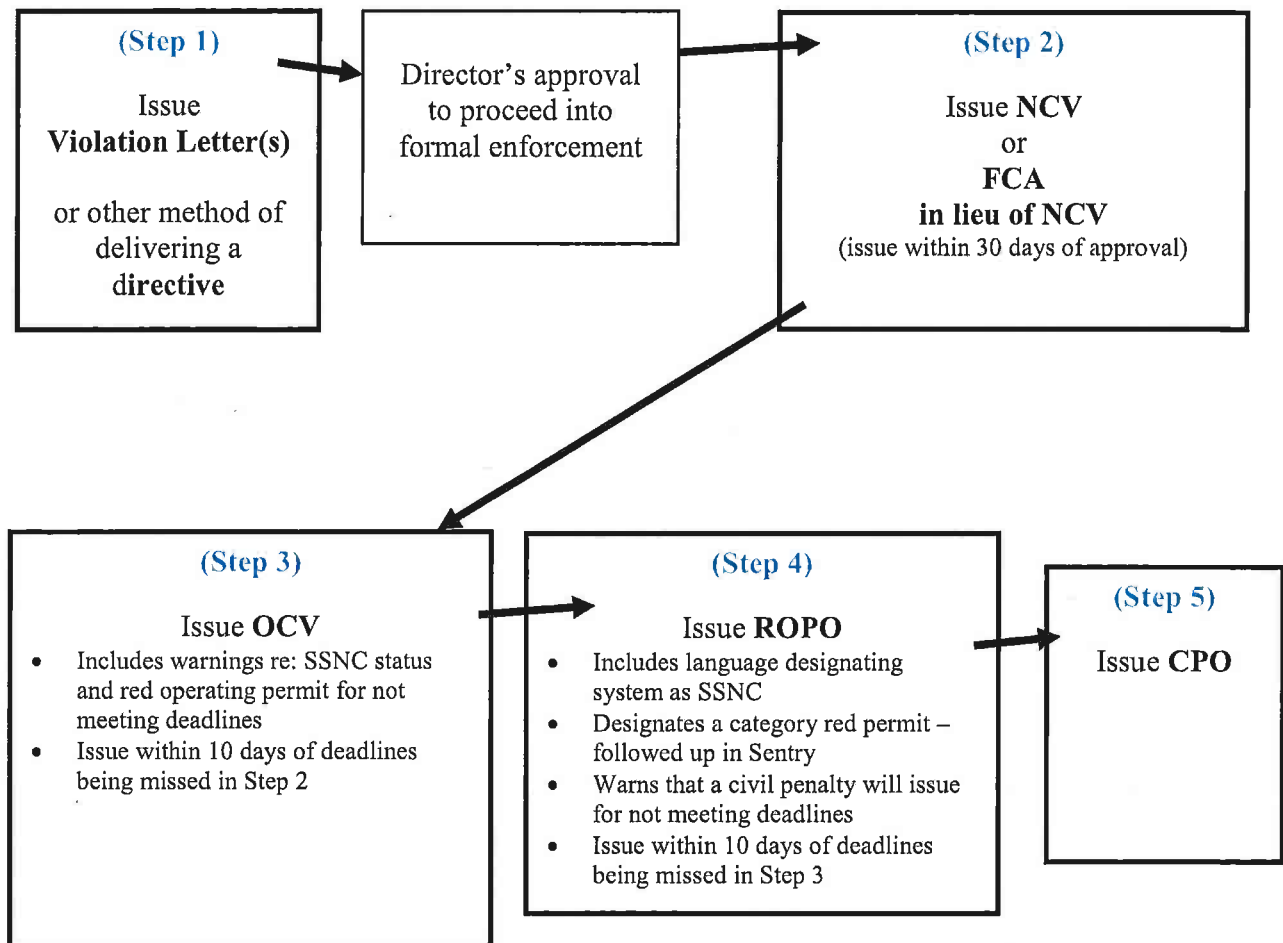
ODW staff will issue an OCV within 10 days of a water system purveyor missing deadlines set forth in an NCV or an FCA issue in lieu of an NCV. This document will build upon the prior statements of fact set forth in the prior enforcement document and will establish new dates by which to RTC. The Process D OCV will warn that failure to RTC within the deadlines will result in a red operating permit, that the system will be considered a SSNC for continued non-compliance, and that, ultimately, failure to RTC will result in civil penalties being issued.

The ROPO in Process D

ODW staff will issue an ROPO within 10 days of a water system purveyor missing deadlines set forth in an OCV. It includes language designating the system as SSNC and converting its operating permit to red. The ROPO will include updated deadlines to comply with benchmarks and will warn that failure to meet these deadlines will result in ODW issuing a civil penalty. As an alternative to this, and in consultation with ODW's Director, staff may issue a ROPO and a CPO at the same time.

Note: there are no SSNCs for limited enforcement programs, so the SSNC warning is never issued when enforcing limited enforcement programs.

**Table 4 -- Process D -- (limited enforcement programs)
Enforcement Map**



Appeals

An active adjudicative proceeding regarding an agency order does not hinder ODW's ability to issue a subsequent APA initiating document that is appealable. For more on appeals, refer to DM J.04.

Penalty

For detailed information on issuing a civil penalty, refer to DM J.07.

ODW may issue a CPO imposing penalties which is based upon a calculation worksheet set forth in DM J.07.

Violations included in a CPO may only include those violations listed in the order that precedes the CPO.

Review and Approval of this Document

The Policy and Planning Section will be responsible for coordinating any updates or rescinding this DM. The ODW Director has full authority to review and approve this DM, or to delegate this responsibility.

DOH is an equal opportunity agency. For persons with disabilities, this document is available on request in other formats. To submit a request, please call 1-800-525-0127 (Telecommunication Relay Services (TRS) – Text Teletype (TTY) 1-800-833-6388). For additional copies of this document, call 1-800-521-0323.

Definitions, Terms, and Acronyms

Assistant Attorney General (AAG)

Bilateral Compliance Agreement (BCA): a type of informal enforcement document.¹⁷

Civil Penalty Order (CPO): an order that issues a civil penalty against one or more water system purveyors.¹⁸

Compliance-Enforcement Team (CE Team): compliance-enforcement staff in the ODW regional and headquarters (HQ) offices.

Compliance-Enforcement Strategy: a management approved approach to enforcement, intended to be part of ODW programmatic program plans. They prioritize program focus areas and violations for enforcement. The strategies also list the staff responsible for administering the progressive phases of enforcement.

Day is calculated as follows: In computing any period of time prescribed or allowed in ODW compliance-enforcement documents, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, a Sunday nor a legal holiday. Legal holidays are prescribed in RCW 1.16.050. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation. See Washington Superior Court Civil Rule 6.

Department of Health (DOH): the state agency inside of which ODW exists.

Directive: a type of informal enforcement document.¹⁹

Emergency Order (EO): an ODW issued formal enforcement document needed to prevent or stop an immediate danger to the public health, safety, or welfare.²⁰ It orders the named recipients to act immediately to alleviate this danger.²¹

Legally, the EO is a “summary action” authorized under Washington’s Administrative Procedure Act²² (APA) and the APA implementing regulations applicable to ODW.²³

Enforcement Response Policy (ERP) and Enforcement Targeting Tool (ETT): These EPA mechanisms work in tandem to identify public water systems for priority enforcement under federal drinking water regulations. The ERP outlines EPA’s policy for conducting enforcement. Under the ETT, EPA assigns a score for each violation type. Systems with a validated tallied

¹⁷ See definition of Informal Enforcement Document.

¹⁸ RCW 43.70.095; RCW 43.70.335(3) and (4); RCW 70.119A.030, RCW 70.119A.040; WAC 246-294-090(4); WAC 246-292-110(e); WAC 246-290-050(6) and (7).

¹⁹ See definition of Informal Enforcement Document.

²⁰ WAC 246-10-301.

²¹ WAC 246-10-301(1); WAC 246-10-303(2).

²² Chapter 34.05 RCW, specifically RCW 34.05.479.

²³ WAC 246-10-301 through WAC 246-10-307.

quarterly score above 10 are “ETT EPA designated priority systems” that EPA designates as priority for enforcement.²⁴

*Note: For determining when to move from informal to formal enforcement, ODW follows the formal enforcement triggers set forth in Attachment 1, even for ETT EPA designated priority systems. A system’s designation as a priority system, however, provides ODW with an opportunity to assess whether it is appropriate to move to formal enforcement more quickly.*²⁵

Executive Management Team (EMT): the executive management staff in ODW HQ.

Formal Compliance Agreement (FCA): a legal contract between ODW and the water system or operator.²⁶ In it, the regulated entity/person agrees that the FCA is a final APA order and that the right to appeal is waived. As outlined in Processes A and B, ODW compliance-enforcement staff may use the FCA during formal enforcement, using AAG approved boilerplate templates. Depending on whether the document is used during an intermediate or advanced phase of enforcement, the document states that a civil penalty “may” or “will” be issued for violation of the FCA’s terms.

An FCA meets the following criteria:

- A boilerplate enforcement document developed with AAG assistance that is an APA order.²⁷
- Includes a warning that ODW “will” impose civil penalties for non-compliance.
- Is considered an ERP formal enforcement document or ERP addressing document.

In addition, the AAG may use an FCA to settle the appeal of an ODW initial order. In this case, the AAG would draft a case-specific FCA and include language that ODW “will” impose civil penalties for non-compliance with the FCA, with a CPO being issued for non-compliance with the FCA.

Formal Enforcement Activities, ODW Formal Enforcement Document, ERP Formal Enforcement Actions, ERP Formal Enforcement Document (ERP Addressing Document):

Formal enforcement activities include sending one or more in a series of APA “orders” after a water system has not followed an ODW directive set forth in any informal enforcement document. These activities include issuing **ODW formal enforcement documents** such as the NCV, FCA, OCV, ROPO, CPO, EO, and seeking court-ordered specific performance²⁸ of ODW orders, court orders to enjoin a violation or threatened violation of drinking water laws,²⁹ or court-ordered water system receivership.³⁰ In most instances, ODW issues one or more formal

²⁴ See Attachment 4.

²⁵ Examples would be consistent with legal tenants set forth in RCW 43.05.110, RCW 34.05.110(4), and RCW 70.119A.040(9).

²⁶ Authorized under WAC 246-290-050.

²⁷ RCW 34.05.010(11)(a); RCW 70.119A.020(9).

²⁸ RCW 70.119A.040(7); RCW 34.05.578; WAC 246-290-050(9).

²⁹ RCW 43.70.190.

³⁰ RCW 43.70.195.

enforcement orders providing a system with an opportunity to RTC prior to receiving a civil penalty.

ODW's **ERP formal enforcement actions** include issuing **ERP formal enforcement documents**, also known as **ERP addressing documents**. ODW formal enforcement actions are designed to meet EPA's ERP expectation that states undertake adequate ERP formal enforcement actions within certain timeframes. As of 2019, EPA classifies ODW's boilerplate NCV, OCV, and FCA as ERP formal enforcement documents/actions because they describe the non-compliant violation, state the law being violated, state what is required to RTC, provide a schedule for returning to compliance, and provide the state with authority to impose penalties for violation of the enforcement document.³¹

Formal Enforcement Trigger (FE Trigger) (formerly known as State Significant Non-complier (SSNC) Trigger): a health-based threshold, or point when a water system reaches a level of non-compliance, that triggers ODW's transition from informal enforcement to formal enforcement. At this threshold, ODW issues its first progressive ODW formal enforcement document.³² ODW establishes FE triggers when it develops programmatic enforcement strategies. ODW has created FE triggers only for violations within full enforcement programs, with the exception of the MP Priority System.

Informal Enforcement/Compliance Activities: ODW activities designed to keep water systems in compliance or return water systems to compliance with drinking water laws prior to taking formal enforcement measures. Informal enforcement is sometimes described as "soft" enforcement.

Informal enforcement activities may include:

- Notice to water systems, purveyors, or certified operators of their obligations to comply with drinking water laws
- Education to purveyors during the water system planning process and during sanitary surveys
- Phone calls
- Site visits
- Special purpose investigations
- Direct technical assistance
- Referrals to third-party training and technical assistance providers
- General informational letters and risk communications
- Copies of relevant laws or regulations
- Water Quality Monitoring Schedules
- Water Facilities Inventory form assistance
- Letters describing regulatory requirements

³¹ See Attachment 4.

³² See Attachment 1.

- Directives and Violation Letters notifying systems about drinking water standards and potential or existing violations, offering technical assistance, and providing dates by which compliance must be achieved
- Help seeking grants and low-interest loans for needed drinking water infrastructure projects
- Assistance developing technical, managerial, and financial capacity to comply consistently with complex drinking water standards
- Help pursuing consolidation with other water systems

Even during the formal enforcement process, it is ODW's policy and practice to continue its informal enforcement activities with non-compliant systems.

Informal Enforcement Document: is an enforcement document that ODW issues to resolve potential or actual violations before ODW begins the formal enforcement process.³³

These documents include:

1. Violation letters (VLs).
2. BCAs issued for the Planning Program.³⁴
3. Directives issued by:
 - a. ODW engineers to a system
 - b. Coliform Program staff directing systems to:
 - i. Reduce distribution system bacteriological-contamination risk, which may include a directive to install disinfection treatment when three assessments result in there being no sanitary defects found to become the subject of pending corrective actions.

All three document types – the VL, BCA, and directive – are similar in that they:

- Describe applicable legal requirements and the condition(s) that do or may soon violate legal requirements
- Direction what action is required to achieve or remain in compliance
- Provide a date by which compliance must be achieved
- Offer technical assistance to help the water system achieve compliance, and
- State how to request an extension of time to follow ODW's directive.

The documents differ in that a BCA and the directive can be issued in the absence of a legal violation and the VL is issued when a violation has occurred already.

Several laws require that ODW attempt to educate water systems and informally resolve water system violations before issuing a civil penalty.³⁵ Therefore, ODW's informal enforcement documents identify themselves as being informal, non-appealable Notices of Violation (NOVs)

³³ Authorized under WAC 246-290-050.

³⁴ WAC 246-290-110(3); WAC 246-290-120(3).

³⁵ RCW 43.70.097; RCW 70.119A.040(9); RCW 43.05.030; RCW 43.05.040; RCW 43.05.050; RCW 43.05.100; RCW 34.05.110. There are exemptions to this limitation under RCW 43.05.110, RCW 34.05.110(4), and RCW 70.119A.040(9).

or Notices of Correction (NOCs) that meet the intent of RCW 43.05.030, RCW 43.05.040, RCW 43.05.050, RCW 43.05.100, and RCW 43.05.110.

All three document types serve as Step 1 of Processes A, B, and D. As such, non-compliance with them results in ODW staff issuing the next progressive enforcement document – a Step 2 document.

All three documents types should be sent to all (or to strategically targeted) water system purveyors to achieve the quickest RTC possible (designated operator, owner, primary contact, certified operator, or all as necessary).³⁶

None of these documents are appealable.

Unlike the directive and the VL, a BCA is an agreement between ODW and the water system. It describes the water system/purveyor's commitments to complete specific milestones or tasks by a date certain and the purveyor/authorized water system representative signs the document.

Local health jurisdiction (LHJ)

Multi Program Priority System (MP Priority System): a system that meets the following three criteria:

1. Is an ETT EPA designated priority system
2. Has ETT scored violations for more than one drinking water program
3. Has not yet reached the ODW FE trigger for all programs for which ETT violations appear on the ETT.

ODW will form a team that will convene every six months to determine if ODW should deploy coordinated interdisciplinary interventions to RTC MP Priority Systems.

The interdisciplinary team will include the RO and HQ compliance-enforcement staff, program staff, and staff who specialize in funding and in capacity development. Where ETT EPA designated priority systems have not reached ODW's programmatic FE triggers for all programs in which there are ETT violations, the interdisciplinary team may deploy a variety of coordinated solutions to RTC the water system. These may include technical assistance, funding assistance, training, and/or both informal and formal enforcement measures. The interdisciplinary team will recommend to the ODW Director systems for formal enforcement. The Director's decision to move forward with formal enforcement is the MP Priority System FE trigger.

Notice to Correct Violation (NCV): a document issued as the first step of formal enforcement under this DM's Processes A and D.³⁷ It meets the following criteria:

- A boilerplate enforcement document developed with AAG assistance that is an APA order.³⁸
- Includes a warning that ODW "may" impose civil penalties for non-compliance.
- Is an APA initial agency order and is subject to appeal.
- Is considered an ERP formal enforcement document or ERP addressing document.

³⁶ See Attachment 5.

³⁷ Authorized under WAC 246-290-050.

³⁸ RCW 34.05.010(11)(a); RCW 34.05.461(3); RCW 70.119A.020(9).

Office of Drinking Water (ODW): the Washington State Department of Health, Environmental Public Health Division, Office of Drinking Water.

Order, Initiating Document, Initial Agency Order, and Final Order: legal terms of art relating to ODW's formal enforcement documents.

Under the APA, an **order** is a written statement of particular applicability that finally determines the legal rights, duties, privileges, immunities, or other legal interests of a specific person or persons.³⁹ This written document is appealable under the APA⁴⁰ and the administrative procedure regulations that apply to ODW.⁴¹ An appealable order is known as an **initiating document**,⁴² and includes information on administratively appealing the order within a specified timeframe following receipt of the document.⁴³ An appealable order is also known as an **initial agency order** with the potential to become a **final order** if:

- A recipient fails to appeal the order within the statutory timeframe,⁴⁴ or
- At the end of the appeal process, a tribunal issues a final order.⁴⁵

An order is effective on the date it becomes final, unless it otherwise specifies.⁴⁶

If all administrative remedies have been exhausted, the recipient of the order may appeal the final order to a Washington superior court; ODW may also appeal a final order to superior court.⁴⁷

ODW may seek enforcement of a final order in superior court.⁴⁸

DM J04 provides additional information on actions subject to adjudicative proceedings.

Order to Correct Violation (OCV): a document issued as the second step of formal enforcement under this DM's Processes A and D,⁴⁹ and the first step of Process B. It meets the following criteria:

- A boilerplate enforcement document developed with AAG assistance that is an APA order.⁵⁰
- Includes a warning that ODW "will" impose civil penalties for non-compliance.
- Is an APA initial agency order and is subject to appeal.
- Is considered an ERP formal enforcement document or ERP addressing document.

³⁹ RCW 34.05.010(11)(a).

⁴⁰ Chapter 34.05 RCW.

⁴¹ Chapter 246-10 WAC.

⁴² RCW 34.05.434(3); WAC 246-10-102 ("initiating document"). Administrative regulations designate the required content of an initiating document. See WAC 246-10-201.

⁴³ See WAC 246-10-203.

⁴⁴ See WAC 246-10-204.

⁴⁵ RCW 34.05.461; WAC 246-10-605.

⁴⁶ RCW 34.05.473(1).

⁴⁷ RCW 34.05.514(1).

⁴⁸ RCW 34.05.578; WAC 246-290-050.

⁴⁹ Authorized under WAC 246-290-050.

⁵⁰ RCW 34.05.010(11)(a); RCW 70.119A.020(9).

Receivership: the legal process of removing operational and management control from a purveyor in cases that may include, but are not limited to, the purveyor's abandonment of the system, imminent health threat, or other non-compliance for which ODW believes effecting a change in ownership is necessary to resolve the non-compliance. ODW is authorized to place a public water system in receivership in connection with any violation or threatened violation of public health laws.⁵¹ The PWS receivership statute functions together with general Washington receivership law, Chapter 7.60 RCW.⁵²

Red Operating Permit Order (ROPO): an order that converts a public water systems operating permit to a category red.⁵³

Regional Office (RO)

Return to Compliance (RTC)

State significant non-complier (SSNC): a classification applied to a drinking water system or purveyor when drinking water laws or regulations have been violated and there may be an imminent or significant risk to human health. Such violations include, but are not limited to:

1. Repeat violations of monitoring requirements
2. Failure to address exceedance of permissible levels of regulated contaminants
3. Failure to comply with treatment technique standards or requirements
4. Failure to comply with waterworks operator certification requirements
5. Failure to submit to a sanitary survey.⁵⁴

Depending on whether Process A, B, or D of this DM applies, ODW designates a water system as a SSNC when it fails to comply with any directive set forth in the first or second ODW formal enforcement document that ODW issues.

Violation Letter (VL): a type of informal enforcement document.⁵⁵

⁵¹ RCW 43.70.195.

⁵² Chapter 7.60 RCW.

⁵³ Authorized under RCW 70.119A.100 and RCW 70.119A.110. ODW requires that systems obtain a permit before operating, under chapter 246-294 WAC, and places water system permits into four categories – green, yellow, blue, and red.

Category red is for systems substantially out of compliance with drinking water regulations that meet any of the following criteria:

1. Is a SSNC and has not signed a compliance agreement with ODW, or signed one but is not acting in accordance with it.
2. Is in violation of an ODW order.
3. Is under an ODW order for violations that pose an imminent threat to public health.
WAC 246-294-040(2)(d).

ODW can place conditions on a red operating permit; also ODW deems the systems with red operating permits to be inadequate. WAC 246-290-010(30). Systems must provide PN to customers when ODW categorizes their permits as red. WAC 246-290-71001(3)(c). Customers of systems with red operating permits may have difficulty getting bank loans for their properties and difficulty maintaining unrestricted food-service permits for their establishments. See <http://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater/RegulationandCompliance/Enforcement>.

⁵⁴ See WAC 246-290-010(254).

⁵⁵ See definition of Informal Enforcement Document. Authorized under WAC 246-290-050.

Attachments

DM J.03 incorporates the following attachments:

- Attachment 1: Formal Enforcement Trigger Table
- Attachment 2: Enforcement Process and Enforcement Endpoint by Violation Type
- Attachment 3: Enforcement Document Mailing Direction
- Attachment 4: Information about EPA's Enforcement Targeting Tool
- Attachment 5: Enforcement Communication Strategy
- Attachment 6: Comprehensive Enforcement Document Direction
- Attachment 7: Water Systems Under New Ownership, Procedures to Follow

DM J.03 – Attachment 1
Formal Enforcement Trigger Table

ODW maintains the authority to act on any one violation.

Program	Violation/Event Type	Formal Enforcement Trigger	Enforcement Process to Follow	Categorize as Returned to Compliance When
Coliform	E. coli MCL violation	2 <i>E. coli</i> MCL violations during the previous 12 months of operation, regardless whether the cause of contamination is identified	A	System complies with enforcement document
	Assessment trigger event with a complete assessment (treatment technique trigger (TTT))	System does not comply with one of the directives described below: <ul style="list-style-type: none"> • Upon completing 3 assessments during the previous 12 months of operation, ODW issued a directive including tasks and requirements necessary to reduce bacteriological contamination risk in the distribution system • Upon completing 3 assessments during the previous 12 months of operation, where there were no pending corrective actions for sanitary defects, ODW issued a directive including, at a minimum, a requirement to install continuous disinfection treatment, if not already installed 	A	System complies with directives in the enforcement document and disinfection is designed by a licensed engineer and submitted to ODW for review and approval before installation (Issuing an OCV triggers a TNC certified-operator requirement)
	Monitoring violation (an inadequate number of routine samples collected)	4 monitoring violations during the previous 12 months of operation	A	System complies with directives in the enforcement document
	Failure to submit a completed assessment (treatment technique violation (TTV))	30 days after occurrence of the assessment trigger event that requires a L2 Assessment	A	System complies with directives in the enforcement document

Program	Violation/Event Type	Formal Enforcement Trigger	Enforcement Process to Follow	Categorize as Returned to Compliance When
	Any combination of E. coli MCL exceedance violations, monitoring violations, and TTVs	Any combination of 4 violations during the previous 12 months of operation	A	System complies with directives in the enforcement document
	Failure to correct sanitary defects identified in an assessment (TTV)	Any sanitary defects remaining unaddressed beyond the designated resolution date specified in a directive to follow a Corrective Action Plan (CAP)	A	System complies with directives in the enforcement document
Surface Water	Failure to install or improve treatment required under WAC 246-290 Part 6	Failure to meet any directive/milestone issued in a VL designed to RTC the system within six months	A	System complies with directives in the enforcement document
	TTVs under chapter 246-290 WAC Part 6	3 TTVs during the previous 12 months of treatment plant operation	A	System complies with directives in the enforcement document
	Monitoring or Reporting (M/R) violation under chapter 246-290 WAC Part 6	4 monthly M/R violations during the previous 12 months of treatment plant operation	A	System has 6 consecutive months of operation without any surface water monthly M/R violations
	Failure to complete GWI determination	Failure to meet any directive/milestone issued in a VL designed to RTC the system within six months	A	System completes GWI determination
Disinfection	Failure to install source disinfection under WAC 246-290-453(7) (a Groundwater Rule (GWR) TTV)	Failure to meet any directive/milestone issued in a VL designed to RTC the system within six months	A	System complies with directives in the enforcement document
	TTV for source disinfection under WAC 246-290-453(6) (GWR TTV)	3 TTVs during the previous 12 months of treatment plant operation, per source	A	System complies with directives in the enforcement document See WAC 246-290-453 – TTV definition
	M/R violation for source disinfection under WAC 246-290-453(4) or (5)	4 monthly M/R violations during the previous 12 months of treatment plant operation, per source	A	System completes 6 consecutive months of operation without any 4-log disinfection M/R violations

Program	Violation/Event Type	Formal Enforcement Trigger	Enforcement Process to Follow	Categorize as Returned to Compliance When
	(GWR source treatment standard)			See ground water disinfection program plan for defining monthly M/R violation
	Failure to install source disinfection under WAC 246-290-451(4) (state GW CT6 virus treatment standard)	Failure to meet any directive/milestone issued in a VL designed to RTC the system within six months	A	System complies with directives in the enforcement document
	TTV for source disinfection under WAC 246-290-451(8)(a), (state GW CT6 virus treatment standard)	3 TTVs during the previous 12 months of treatment plant operation, per source	A	System complies with directives in the enforcement document See WAC 246-290-451 – TTV definition
	M/R violation for source disinfection under WAC 246-290-451(8)(b) or (c) (state GW CT6 virus treatment standard)	4 monthly M/R violations during the previous 12 months of treatment plant operation, per source	A	System completes 6 consecutive months of operation with no CT6 disinfection M/R violations See ground water disinfection program plan for guidance defining monthly M/R violation
Nitrate	MCL exceedance violations for nitrate	3 consecutive quarterly samples above the MCL	A	System complies with directives in the enforcement document
		3 MCL exceedance violations (based on monthly sampling) during the previous 12 months of treatment plant operation, per source	A	System complies with directives in the enforcement document
	M/R violation for nitrate	Failure to collect and submit results in 2 consecutive compliance intervals for annual monitoring, per source	A	When system takes sample in current compliance period
		Failure to collect and submit results in 2 consecutive compliance intervals when monitoring quarterly, per source	A	When system submits results of 4 consecutive quarterly samples
		4 monthly M/R violations during the previous 12 months of treatment plant operation, per source	A	System completes 6 consecutive months of treatment plant operation with no nitrate M/R violations See nitrate program plan for guidance defining monthly M/R violation

Program	Violation/Event Type	Formal Enforcement Trigger	Enforcement Process to Follow	Categorize as Returned to Compliance When
Sanitary Survey	Failure to correct Sanitary Survey Significant Deficiencies and Significant Findings	Failure to complete corrective action as directed or to be in compliance with an approved CAP within 120 days of receiving notice of a significant deficiency or an <i>E. coli</i> positive groundwater sample that is not invalidated under WAC 246-290-320(2)(g)(vii)	A	System resolves significant deficiency(ies) and significant finding(s)
	Failure to correct Sanitary Survey Significant Deficiencies and Significant Findings	Failure to complete corrective action as directed/be in compliance with an approved CAP within a timeframe directed by the Department that is <i>sooner than</i> 120 days. Regarding WAC 246-290-453(7)'s " <i>or earlier if directed by the Department</i> " clause, ODW reserves formal enforcement for significant deficiencies of immediate public health concern, as identified case-by-case by a Regional Manager and as approved by a Deputy Director.	B	System resolves significant deficiency(ies) and significant finding(s)
	Failure to cooperate in scheduling or completing the sanitary survey	Failure to cooperate in the scheduling or completion of a sanitary survey	A	System completes sanitary survey

Program	Violation/Event Type	Formal Enforcement Trigger	Enforcement Process to Follow	Categorize as Returned to Compliance When
Inorganic, Synthetic, Volatile, and Radionuclide (ISVR - excluding nitrate) (including arsenic)	Primary MCL exceedance violation for ISVR	Exceeds the primary MCL based on the running annual average	A	System (1) completes remedial actions as ODW directed and (2) system complies with MCL based on RAA of samples collected over any 4 consecutive quarters after remediation is completed
	M/R violation for ISVR	Failure to collect and submit results in 2 consecutive compliance intervals for any monitoring required quarterly or less frequently (including required as a condition of a waiver), per source	A	System takes sample in current compliance period
		Either 4 monthly M/R violations or 4 monthly MCL exceedances due to treatment failure during the previous 12 months of treatment plant operation for contaminant with primary MCL, per source	A	System completes 6 consecutive months of treatment plant operation with no ISVR monthly M/R violations for the targeted ISVR contaminant
Disinfection Byproducts (DBPs)	MCL exceedance violation (HAA5 and TTHMs)	Exceeds the MCL based on the LRAA at any sampling location	A	System (1) completes required remedial actions as ODW directed and (2) system complies with MCL based on the LRAA/RAA of any 4 consecutive quarterly samples collected after remediation is completed

Program	Violation/Event Type	Formal Enforcement Trigger	Enforcement Process to Follow	Categorize as Returned to Compliance When
	MCL exceedance violation (bromate)	Exceeds the MCL based on the RAA	A	System (1) completes required remedial actions as ODW directed <u>and</u> (2) system complies with MCL based on the LRAA/RAA of any 4 consecutive quarterly samples collected after remediation is completed
	MCL exceedance violation (chlorite)	Exceeds the MCL based on the Average of any three-sample sample set collected from the distribution system	A	System complies with ODW directives and system complies with MCL
	MRDL violation (chlorine dioxide)	A daily sample result above the MRDL at any entry to distribution system (per WTP) followed by any triggered distribution system sample above the MRDL collected the following day (acute violation) OR Any 2 consecutive daily sample results above MRDL at any entry to distribution system and all distribution system samples are below the MRDL (non-acute violation)	A	System complies with ODW directives and system complies with MCL
	MRDL violation (chlorine and chloramines)	Exceeds the MRDL based on the RAA computed quarterly, of quarterly averages of all samples collected	A	System complies with ODW directives and system complies with MCL based on RAA

Program	Violation/Event Type	Formal Enforcement Trigger	Enforcement Process to Follow	Categorize as Returned to Compliance When
	M/R violation (HAA5, TTHMs, bromate)	Failure to collect and submit results in two consecutive compliance intervals	A	System takes and submits sample in current compliance period
	M/R violation (chlorite)	Less than 90% of daily chlorite POE samples collected in two of the previous 12 months of operation OR Failure to collect a full set of three samples from distribution in two of the previous 12 months of operation	A	System takes and submits a full set of samples in the current compliance period
	M/R violation (chlorine dioxide)	Less than 90% of daily chlorine dioxide POE samples collected in two of the previous 12 months of operation OR Failure to collect a full set of three samples from distribution in two of the previous 12 months of operation	A	System takes all required samples in the current compliance period
Lead and Copper	Lead/Copper TTV (e.g., failure to install corrosion control treatment; failure to maintain optimized corrosion control treatment)	Failure to meet any directive/milestone issued in a VL designed to RTC the system within six months	A	System complies with ODW directives See lead/copper program plan for further guidance demonstrating optimized corrosion control
	M/R violation for Lead and Copper	Failure to collect and submit results in 2 consecutive compliance intervals for which the system is required to sample	A	System takes all required samples in the current compliance period

Program	Violation/Event Type	Formal Enforcement Trigger	Enforcement Process to Follow	Categorize as Returned to Compliance When
Certified Operator as Purveyor	System non-compliance with rules within operator's set of water system responsibilities under Operator Certification WAC	Failure to meet any directive/milestone issued in a VL (all enforcement documents should be addressed to system certified waterworks operators as purveyors)	A	System meets operator certification requirements
Operator Certification: Requirement to Hire	Failure to have properly certified mandatory waterworks operator	Failure to comply with any directive/milestone issued in a VL	A	System satisfactorily address operator certification requirement
Public Notification where required	Failure to conduct a Tier 1 public notice after receiving a directive	No FE trigger	B	Not applicable
Engineering	Failure to get approval prior to construction - posing an imminent health threat	No FE trigger	B	ODW issues approval letter or system disconnects unapproved construction
	Chronic outages after receiving a directive to correct ¹	No FE trigger	B	System resolves problem

¹ Issue a written directive for chronic water outages when the informal direction and technical assistance we offer or make available does not result in the purveyor voluntarily submitting to the department a written plan of action intended to (1) address the root cause(s) of the water outage problem; and (2) mitigate the public health risks associated with the continued threat of outages while the plan is implemented.

A directive, if issued, will establish milestones for developing and implementing a solution to the chronic outage, and establish practices necessary to protect public health until the purveyor resolves the root cause(s) of the problem. A failure by the purveyor to meet any milestone or expectation described in the directive will result in issuing an OCV and designating the operating permit red. Because of the health risk associated with outages, consumer acceptance of chronic outages will not be considered a factor in determining when to issue a written directive. See WAC 246-290-420 (5).

For the purpose of this subject "Chronic" means continuing, persistent, repetitive.

Program	Violation/Event Type	Formal Enforcement Trigger	Enforcement Process to Follow	Categorize as Returned to Compliance When
	Chronic low pressure after receiving a directive to correct ²	No FE trigger	B	System resolves problem
Cross Connection Control	Failure to implement cross connection control protection to Table 9 hazard after receiving a directive ³	Any Table 9 hazard remaining unresolved 45 days beyond the designated resolution date	A	System provides documentation that Table 9 hazard is properly controlled or eliminated
MP Priority System status – EPA ETT	Violations across multiple programs, where the system might not have reached a programmatically established SSNC trigger, but cumulative violations result in priority ETT status	Interdisciplinary ODW team determines it should use a formal enforcement document to intervene and RTC system (see “Multi Program Priority System” in Definitions, Terms, and Acronyms for more information)	A	System complies with ODW directives

² Issue a written directive for chronic low pressure when the informal direction and technical assistance we offer or make available does not result in the purveyor voluntarily submitting to the department a written plan of action intended to address the root cause(s) of the low pressure problem. Because of the potential for localized (rather than system-wide) low pressure, it is not necessary for a certain number of consumers, or a majority of consumers, to support a plan of action.

A directive, if issued, will establish milestones for developing and implementing a solution to the chronic low pressure. A failure by the purveyor to meet any milestone or expectation described in the directive will result in issuing an OCV and designating the operating permit red.

For the purpose of this subject:

- “Chronic” means continuing, persistent, repetitive.
- “Low pressure” means pressure within the distribution system less than 20 psi as measured at any consumers’ service meter, or property line if a service meter is not used, during periods of peak hourly demand. See WAC 246-290-420 (1).

³ Issue a written directive to implement cross connection control measures for a hazard listed in Table 9 of WAC 246-290-490 when ODW staff, identify non-complying Public Water Systems (PWSs) through means such as the Annual Summary Reports (ASRs), sanitary surveys, and backflow incident reports.

DM J.03 – Attachment 2
**Enforcement Process and Enforcement Endpoints
 by Program and Violation Type**

Limited Enforcement Programs ^{1, 6, 7}	Full Enforcement Programs ⁶ (See Attachment 1 for fuller explanation of items listed below)
Coliform	
Major triggered source monitoring violation (GW rule)	<i>E. coli</i> MCL violation
	An assessment trigger event w/ a complete assessment (aka TTT)
	Monitoring violation (an inadequate number of routine samples collected)
	Failure to submit a completed assessment (TTV)
	Any combination of <i>E. coli</i> MCL exceedance violations, monitoring violations, and TTVs
	Failure to correct sanitary defects identified in an assessment (TTV)
Water Use Efficiency	
Surface Water	
Failure to establish Water Use Efficiency goals after receiving a directive	Failure to install or improve treatment required under WAC 246-290 Part 6
Failure to meet Water Use Efficiency reporting requirements after receiving a directive	TTVs under chapter 246-290 WAC Part 6
Failure to meet the leakage requirement after receiving a directive	M/R violation under chapter 246-290 WAC Part 6
Failure to meet the source or service meter requirement after receiving a directive	Failure to complete GWI determination
Planning	
Disinfection	
Failure to meet water system planning requirements after receiving a directive	Failure to install source disinfection under WAC 246-290-453(7) (GWR TTV)
Failure to meet small water system management program requirements after receiving a directive	TTV for source disinfection under WAC 246-290-453(6) (GWR TTV)
Failure to meet Wellhead Protection Planning requirements after receiving a directive	M/R violation for source disinfection under WAC 246-290-453(4) or (5) (GWR source treatment standard)
	Failure to install source disinfection under WAC 246-290-451(4) (state GW CT6 virus treatment standard)
	TTV for source disinfection under WAC 246-290-451(8)(a), (state GW CT6 virus treatment standard)
	M/R violation for source disinfection under WAC 246-290-451(8)(b) or (c) (state GW CT6 virus treatment standard)
Secondary Contaminants	
Nitrate	
Failure to comply with a secondary drinking water MCL after receiving a directive ²	MCL violation for nitrate
Failure to maintain fluoride concentration within the prescribed range	M/R violation for nitrate
Sanitary Survey	
	Failure to correct Sanitary Survey Significant Deficiencies
	Failure to correct Significant Findings

	Failure to cooperate in scheduling or completing the sanitary survey.
Inorganic (excluding nitrate and including arsenic), Synthetic, Volatile, Radionuclide (ISVR)	
	MCL violation for ISVR
	Monitoring/Reporting violation for ISVR
Disinfection By-products (DBPs)	
	MCL violation (HAA5, TTHMs, bromate, or chlorite)
	MRDL violation (chlorine dioxide, chlorine, or chloramines)
	M/R violation (HAA5, TTHMs, bromate)
	M/R violation (chlorite)
Satellite Management Agencies (SMAs)	Lead and Copper
Systems failure to comply with a SMA requirement after receiving a directive	Lead/Copper TTV (e.g., failure to install corrosion control treatment; failure to maintain optimized corrosion control treatment)
SMA failure to comply with planning requirements after receiving a directive	M/R violation for Lead and Copper
Certified Operator as Purveyor	
	System non-compliance with rules within operator's set of water system responsibilities under Operator Certification WAC
Operator Certification: Requirement to Hire	
	Failure to have properly certified mandatory waterworks operator
Public Notification (where required)	
Failure to conduct public education for lead action level exceedance after receiving a directive	Failure to conduct a Tier 1 public notice after receiving a directive. ^{5,6}
Failure to meet Consumer Confidence Report	
Engineering	
Failure to get approval prior to construction - not posing an imminent health threat ³	Failure to get approval prior to construction - posing an imminent health threat. ⁵
	Chronic outages after receiving a directive to correct ⁴
	Chronic low pressure after receiving a directive to correct ⁴
Cross Connection Control	
Failure to submit cross connection control annual summary report	Failure to implement cross connection control protection to Table 9 hazard after receiving a directive ⁴
Failure to develop and implement a cross connection control program after receiving a directive	
EPA's Enforcement Targeting Tool violation scoring: Green = 1 point; Yellow = 5 points; Purple = 10 points	
Other notes: "M/R violations" and "MCL violations" cover all such incidents, with or without installed treatment	

- Any "limited enforcement program" violation(s) may be elevated from the informal enforcement to the formal enforcement process at the Director's discretion. In this situation, the OCV does not threaten a civil penalty, but does threaten a ROPO for non-compliance with OCV milestones. The ROPO issued for non-compliance with OCV milestones would threaten a civil penalty, and a CPO is issued for failure to comply with milestones set forth in a ROPO.
- Action taken on a secondary contaminant MCL violation should be based on consumer expectations, degree of acceptance of water quality, and willingness to bear the costs of meeting secondary standards.
- No prior directive needed. See WAC 246-290-050 (7).

4. See Attachment 1 for guidance issuing a written directive to correct.
5. Formal enforcement response to these violations may include the issuance of a penalty without prior notice because of the severity and/or immediacy of their threat to public health. See RCW 70.119A.030 for emergency powers authority. No prior written directive needed. The decision to go straight to penalty will be made by the ODW Director.
6. Receivership is a possible endpoint for any formal enforcement undertaken. It is rarely used, reserved for instances of owner abandonment, egregious non-compliance, and unaddressed imminent threat, and only with the ODW Director's consent.
7. The decision to take either an informal or formal enforcement action for any violations not listed above will be made by ODW's Director.

DM J.03 – Attachment 3
Enforcement Document Mailing Direction

Document Type	Minimum Level of Service ¹ (serve in all ways listed)	Address and Send (send to all listed)	Copy To ² (send to all listed)
Informal Enforcement Documents (VL, BCA, and directive)	<ul style="list-style-type: none"> Standard US mail and E-mail, where practicable Certified mail if needed on case-by-case basis. 	<ul style="list-style-type: none"> Water system (WS) contact WS certified operator (operator) WS owner (person, entity, or board/commission, as appropriate) May send to fewer than this if supervisor approves, based on past history of particular system or purveyor 	<ul style="list-style-type: none"> LHJ RO engineer or program lead HQ/RO compliance-enforcement staff HQ Operator Certification Program staff (Op Cert)
ODW Formal Enforcement Documents (NCV, OCV, ROPO, CPO, and modifications of these (all appealable actions))	<ul style="list-style-type: none"> Certified mail E-mail, where practicable In rare cases, may be a need for higher level of service, i.e., personal service. 	<ul style="list-style-type: none"> Water system (WS) contact WS certified operator (operator) WS owner (person, entity, or board/commission, as appropriate) May include registered agent or mayor, as appropriate 	<ul style="list-style-type: none"> LHJ RO engineer and Program Lead HQ/RO compliance-enforcement staff Op Cert AAG in case of CPO

¹ Copies to ODW internal staff, LHJ contacts, the AAG, and EPA staff are sent by e-mail.

RCW 43.70.115 governs ODW service of enforcement documents and states Initial Orders must be served either by personal service or by other means proving receipt. The Initial Order becomes a Final Order automatically 28 days after “the licensee or the agent receives the notice.” RCW 43.70.115(2). If a water system or purveyor has a pattern of actions demonstrating it is “dodging service,” ODW would likely have a strong legal basis to forge ahead and declare the order final. Before doing so, it would be best to attempt personal service. While an Initial Order sent by regular mail or electronic mail is useful to provide information if a water system or purveyor is not otherwise receiving ODW correspondence, these do not serve as triggers for the appeal period; in the absence of proof of receipt, they cannot be relied on to meet ODW’s service requirement.

² The Operator Certification Program will have the opportunity to cross-reference violations with certified operators; it will look for common violations occurring across multiple systems on which the operator performs day-to-day operational assistance. Also, send initiating document(s) to DOH’s Adjudicative Clerk’s Office, when this office notifies ODW that an agency order has been appealed.

Document Type	Minimum Level of Service¹ (serve in all ways listed)	Address and Send (send to all listed)	Copy To² (send to all listed)
FCA (not appealable)	<ul style="list-style-type: none"> • Standard US mail • E-mail, where practicable 	<ul style="list-style-type: none"> • Water system (WS) contact • WS certified operator (operator) • WS owner (person, entity, or board/commission, as appropriate) 	<ul style="list-style-type: none"> • LHJ • RO engineer and Program Lead • HQ/RO compliance-enforcement staff • Op Cert
EO (appealable action)	<ul style="list-style-type: none"> • Hand delivery coupled with signature proving receipt and follow up with regular mail to all WS contacts. Mail by certified mail if hand deliver results in no signature proving delivery was made or • Certified mail and e-mail, where practicable 	<ul style="list-style-type: none"> • Water system (WS) contact • WS certified operator (operator) • WS owner (person, entity, or board/commission, as appropriate) • May include registered agent or mayor, as appropriate 	<ul style="list-style-type: none"> • LHJ • RO engineer and Program Lead • HQ/RO compliance-enforcement staff • Op Cert • HQ Policy and Planning Section • HQ Communications and Outreach Section • AAG in case of CPO
ODW Decision resulting in appealable action other than Order. See DM J.04 for list. Have 28 days to appeal.	<ul style="list-style-type: none"> • Certified mail • E-mail, where practicable • In rare cases, may be a need for higher level of service, such as personal service 	<ul style="list-style-type: none"> • WS, purveyors, applicants or persons submitting document(s) or request(s) • WS owner 	<ul style="list-style-type: none"> • LHJ • RO engineer and Program Lead • HQ/RO compliance-enforcement staff • Op Cert

DM J.03 – Attachment 4
**Working with EPA's
Enforcement Response Policy and Enforcement Targeting Tool**

Background

In December of 2009, EPA began implementing a new approach to enforcement targeting under the Safe Drinking Water Act (SDWA). EPA adopted its new approach through the Enforcement Response Policy (ERP)¹ and implements the approach through the Enforcement Targeting Tool (ETT).

The approach focusses enforcement attention on public water systems with the most serious or repeated violations – **prioritizing systems with violations that pose health risk or violations across multiple programs that could indicate the system is failing due to poor operations and management. EPA's strategy brings these system to the top of the priority list so that EPA and states can RTC those systems as quickly as possible.**

The ERP and ETT's goal is to allow EPA and states to:

- Align violations with a prioritization that is more protective of public health.
- Comprehensively view public water system compliance.
- Ensure drinking water violations are resolved.
- Recognize that informal enforcement response are valid while ensuring that timely enforcement is taken when these efforts prove to be ineffective.
- Ensure enforcement efforts are escalated based on EPA's ETT prioritization.
- Provide a tool to calculate comprehensive non-compliance status for all systems and identify those not meeting national expectations.
- Provide another resource to identify systems that may need assistance in capacity development and sustainability.²

The ERP and ETT rank water system violations based on a formula that identifies systems having the highest total non-compliance across all rules within a designated period of time. Higher violation scores are given for violations that pose the greatest risk to human health. The formula calculates scores based on open ended violations and violations that have occurred over the past five years. ETT scores **do not include violations that RTC or are on the path to compliance through a specified enforcement action – an enforcement action where enforceable consequences result if the milestones in the enforcement action are not met.** Any water system with a score greater or equal to 11 is considered an ETT EPA designated priority system for enforcement response.³

The ERP sets forth a model for escalating response to violations. This model begins with the primacy agency responding to each violation, and escalating in formality as the violation continues or recurs.

¹ EPA's ERP is available at: https://www.epa.gov/sites/production/files/documents/drinking_water_erp_2009.pdf.

² See ERP p. 2.

³ See ERP pp. 3-5.

For violations that pose a very serious and imminent risk to public health, proceeding directly to a formal enforcement action is appropriate.⁴

EPA recognizes that states carry out both formal and informal enforcement activities. These activities are effective tools for achieving compliance. Nevertheless, **systems specifically identified by the targeting tool as priorities must RTC or EPA will expect formal, enforceable mechanisms to RTC such systems. States will be expected to escalate their response to ensure that RTC is accomplished. Systems that are unable to sustain compliance should receive additional scrutiny.**⁵

Regarding the timeframes in which states must act to address violations, the ERP states the following:

For the state's action to be considered timely enforcement, once a system is an ETT EPA designated priority system, the state must conduct an appropriate formal enforcement action, or the system must RTC, within two calendar quarters. For example, if a system becomes an ETT EPA designated priority system on the January ETT for enforcement priority, the state has until June to RTC the system or taking adequate enforcement action by issuing ERP formal enforcement documents, also referred to by EPA as "addressing documents."

An adequate enforcement action has the intent and effect of bringing the non-compliant system back into compliance by a certain time with an enforceable consequence if the schedule is not met. An adequate enforcement document, also known as the ERP addressing document, must describe the non-compliant violation, state the law being violated, state what is required to RTC, provide a schedule for returning to compliance, and provide the state with authority to impose penalties for violation of the enforcement document.⁶

As of 2019, EPA has approved ODW's boilerplate NCV, OCV, and FCA as adequate ERP formal enforcement documents (addressing documents).

ODW reports violations to EPA on a quarterly basis by uploading Sentry data to the federal database (SDWIS). When entering enforcement documents into Sentry, staff normally attach existing violations for which the document is being issued. The ETT process now in effect provides an additional tool in evaluating ODW enforcement efforts by providing a way to look at overall water system compliance with Safe Drinking Water Act programs.

The Role of EPA's ETT in ODW's Enforcement Process

ODW will continue to provide primary enforcement focus on issues of public health significance following its enforcement strategies, DMs, and other enforcement direction, to ensure use of limited resources in an efficient/effective manner. The ETT process should be viewed as a management tool for quality control of ODW's enforcement efforts to ensure water system compliance is being looked at comprehensively. This is consistent with the stated goals of the ERP and ETT, which focus on oversight of state programs to "ensure that both EPA and the States act on and resolve drinking water

⁴ See ERP p. 4.

⁵ See ERP p. 6.

⁶ See ERP pp. 7-8.

violations,” and “recognize the validity of informal response efforts while ensuring that, if these efforts have proven ineffective, enforceable and timely action is taken.”

ETT EPA designated priority systems are to be evaluated based on status of ODW enforcement activities. Priority systems that are not under formal enforcement are to be evaluated to determine necessary next steps and whether the existing ODW processes are achieving the compliance results necessary. The ETT should also be reviewed by ODW’s Capacity Development, Drinking Water State Revolving Fund (DWSRF), and Operator Certification programs to ensure ODW is using a comprehensive approach to facilitate the RTC of priority systems.

ODW’s enforcement follow up ETT process should also be reflected in the implementation of the Capacity Development and DWSRF programs. Program staff should periodically meet to access the respective tools available to address chronic non-compliers including funding options and capacity tools. Individual action plans should be developed to ensure these problem systems are on the path to compliance and that there is adequate follow through.

Direction

1. Incorporate the ETT and the accompanying procedure into ODW’s enforcement process as a quality control tool to ensure water system compliance is looked at comprehensively.
2. Develop guidance and update enforcement strategies and processes to ensure a prioritized health risk approach to address enforcement in an effective, efficient manner.
3. Promote consistency and clear communication throughout ODW to ensure staff has access to appropriate tools and guidance for addressing water system non-compliance.
4. Review current strategies to ensure they are consistent with ODW’s mission and EPA direction. Implement enforcement follow-up activities in a consistent, efficient manner. Continue focusing ODW’s enforcement efforts on addressing public health risk violations and gaining long-term compliance with drinking water regulations.

Procedure to Incorporate ETT into ODW Enforcement Process

ODW HQ staff review ETT listings of ETT EPA designated priority systems (greater than 10 points) quarterly with EPA. HQ staff work with IT, program staff, and RO compliance-enforcement staff, where necessary, to determine the validity of violations listed and ODW’s compliance-enforcement activities regarding ETT EPA designated priority systems. Various HQ staff also take necessary action to ensure Sentry and the ETT reflect accurate information. HQ and RO compliance-enforcement staff attach all violations to enforcement documents, in Sentry, so that ODW enforcement actions are given credit on the ETT.

Key Function	Activity or Event(s)	Person(s) Involved
Coordinate enforcement process and activities with ODW programs and other HQ or RO compliance-enforcement staff	Provide ETT listing to other programs and ensure follow-up enforcement actions are dealt with comprehensively. Use all available tools and provide the necessary level of coordination between various ODW programs -- enforcement, capacity development, DWSRF, and Operator Certification -- to bring	HQ compliance-enforcement staff

	systems into compliance and ensure long term viability	
Post quarterly ETT listing	Post ETT on share drive so staff can access	HQ compliance-enforcement staff
Report to management	Report quarterly on ODW's progress addressing ETT EPA designated priority systems and overall status relative to annual commitment and standing among Region 10 states and nationally	HQ compliance-enforcement staff

DM J.03 – Attachment 5
External Communication Strategy
When Issuing Certain Types of Enforcement Documents

Strategy	Guidance
Regular publication that ODW has issued ODW formal enforcement documents – to include, for example, the NCV, FCA, OCV, ROPO, CPO, EO, -- to ODW's external web page as the documents are issued	On ODW's enforcement external web page, each time ODW issues a formal enforcement document to a water system, add the system's name and identification number. This page will advise members of the public wanting additional information that they may visit ODW's Sentry internet site and contact ODW's public information officer (PIO). This page will include a web link to Sentry intranet and contact information for the PIO. ODW will not implement this strategy until ODW HQ EMT approves same.
Regular listing in ODW publications, such as Water Tap and H2Ops of the current list of systems with the ODW formal enforcement documents listed above	This would be the same basic information posted to ODW's external web site, but may also highlight specific cases and explain how ODW is trying to resolve issues.
Use of regular media release	For enforcement documents relating to certain high-health-risk violations and/or a CPO or Notice of Intent to suspend or revoke a certified operator's certification, issue a news release on a case-by-case basis, after consulting with the HQ Communications and Outreach Section and EMT, who will consult with DOH's Environmental and Public Health Division's Center for Public Affairs.
Inform the LHJ when ODW issues an ODW formal enforcement document -- the NCV, FCA, OCV, ROPO, CPO, and EO	Involve LHJ with a call or e-mail to the specific DW contact.

DM J.03 – Attachment 6
Expectations for Enforcement Documents

Subject	Direction
All Enforcement Documents	<p><u>Mind Agency Resources</u> When issuing any enforcement document, ODW staff are encouraged to use ODW's enforcement and/or legal representation resources efficiently, contribute to maintaining a credible enforcement program that protects public health and operates within resource constraints, and meets EPA's expectation as set forth in its ERP.</p> <p><u>Plain Talk</u> All enforcement documents should, to the extent feasible given they are legal documents, use "plain talk" language.</p>
Issuing Comprehensive Enforcement Documents	<p>Prior to issuing any enforcement document that is the equivalent of a Process A, Step 3 document, staff must check with the other compliance-enforcement staff members to determine if it is appropriate to send a comprehensive document. All areas of non-compliance should be folded into one document (or at least referenced in the transmittal letter). To avoid duplicative processes, it is appropriate to bend – lengthen or shorten – applicable compliance timelines set forth in ODW's compliance strategies and in this DM. All compliance staff should work together to combine all areas of non-compliance into one document(s) whenever possible.</p>
Content of Comprehensive Enforcement Document	<p>When ODW staff issue a comprehensive enforcement document for violations listed under the "Full Enforcement Program" column of Attachment 2, they will comprehensively include all other current violations listed under the "Full Enforcement Program" column, even if such violations have not yet reached a FE trigger.</p> <p>Violations listed under the "Limited Enforcement" column of Attachment 2 should not be included in a NCV, FCA, OCV, ROPO, CPO or EO. However, If the ODW Director orders formal enforcement be initiated for violations listed under the "Limited Enforcement Program" column, then those violations are included in the comprehensive enforcement document, including an Order (with or without penalties).</p> <p>All violations included in the comprehensive enforcement document must be "attached" to it the document in Sentry. If violations continue into the future (e.g., arsenic or nitrate MCL violation while a treatment system is designed and installed), then staff will "attach" those future violations in a manner consistent with the timeframe established in the comprehensive enforcement document.</p>

<p>Content of Cover Letter for Comprehensive Enforcement Documents</p>	<p>Cover letters accompanying a comprehensive enforcement document will clearly explain that the purveyor is responsible for compliance with all drinking water requirements.</p> <p>Insofar as the letter discusses violations of full enforcement programs, the letter also will explain that if the system does not return to compliance regarding those violations, ODW may take additional enforcement action. If ODW does take enforcement action on these violations, staff may either modify the enforcement document that the cover letter accompanies, or it can issue new enforcement documents, depending on timing and staff judgment.</p> <p>The letter will also reference all current violations of any program classified as a limited enforcement program; these violations are not included in the enforcement document itself.</p> <p>ODW's CE Team will develop a boilerplate cover letter.</p>
<p>Responsibility for tracking Comprehensive Enforcement Documents</p>	<p>The ODW staff person who issues a comprehensive enforcement document tracks the system's compliance with the document's directives and milestones. When the system has RTC'd for all violations in the program areas for which that person is responsible, such that only directives/milestones for other program areas remain in non-compliance, the staff person will notify the appropriate other staff member of the need to track compliance associated with the remaining benchmarks/directives.</p> <p><u>Example:</u> The RO issues comprehensive document addressing surface water TTVs and coliform MCL violations (programs enforced by the ROs) and lead/copper M/R violations (programs enforced by HQ). When the surface water and coliform issues are addressed, RO staff notify HQ staff to track compliance associated with the lead/copper MR violations.</p>

DM J.03 – Attachment 7
**Water Systems Under New Ownership,
Procedures to Follow,
Including Transfer to an SMA and Transfer in Receivership**

Public health depends upon following the progressive enforcement sequence set forth in this DM.

Water systems are considered legal entities. As such, when they are conveyed to new owners, the new owner takes ownership of the legal entity subject to both the entity's benefits and liabilities, including ODW formal enforcement orders. For this reason, the enforcement process will not slow down or start over simply because there is a new owner.

When a public water system is conveyed to a new owner, ODW staff may follow one of the following options within the parameters stated:

1. Issue an Enforcement Transfer Notice.

Legal documents with which a legal entity must comply (such as an enforcement order or a contract) continue to apply to that entity after the entity is transferred to a new owner, automatically under law. The Enforcement Transfer Notice will explain this legal fact, identify all existing formal enforcement documents that apply to the water system entity, incorporate those documents by reference into the notice, and inform the new owner that the documents also now apply to the new owner.

2. Re-issue Existing Enforcement Document(s) with Updated Deadlines.

In the following two limited circumstances, ODW staff may re-issue the existing formal enforcement document(s) to the water system entity, the new owner, all purveyors, and any certified operator (e.g. swap a Step 2 document for another Step 2 document or swap a Step 3 document for another Step 3 document; in other words, do not swap a Step 3 document for a Step 2 document) with extended milestone(s) deadlines to the limited extent necessary to accommodate public health as follows:

- a. When ODW staff find that a new owner is cooperating but struggling, through no fault of its own, to meet ODW directives set forth in already issued compliance documents, and public health will benefit over the long-term by cooperating with and providing technical assistance to the new owner.
- b. When ODW finds public health will benefit by a particular new owner accepting the water system's conveyance to it, and ODW wishes to incentivize that new owner to accept the conveyance (e.g. in a receivership situation or when a smaller water system with limited managerial, technical, and financial capacity can be consolidated into a larger system with more capacity).

ODW compliance-enforcement staff who wish to follow any other procedure regarding a new owner, must first consult with the HQ compliance-enforcement staff and a member of the ODW HQ EMT.

Note regarding civil penalties warnings and civil penalties issued to previous owners:

Civil penalties are beyond the scope of this DM. However, the following is ODW's policy.

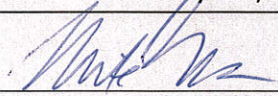

ODW will continue to hold former water system purveyors and certified operators liable for any civil penalties issued to them while the system was under their ownership/guidance as an operator; even

after a water system is conveyed to a new owner, ODW will continue to pursue collection of civil penalties that were issued to previous owners.

Except in circumstances where new ownership is a sham to avoid liability (e.g.: the same individuals continue to manage or own the water system even though they have created a new entity to take ownership), ODW will not pursue collection of civil penalties issued under a prior ownership against a new owner. Similarly, ODW will not pursue collection of civil penalties issued during a prior ownership against the water system *itself* after it is sold to a new owner. If a civil penalty was issued to a water system and the water system transfers ownership, ODW staff may notify the water system entity that ODW will not pursue collection of the penalty against the water system entity or the new owner.



Department of Health Office of Drinking Water Directive Memorandum

Title:	Classifying and Communicating Sanitary Survey Findings	Number: DM K.02
References:	<ul style="list-style-type: none"> • Code of Federal Regulations (CFR) Title 40 Parts 141, and 142; • Directive Memorandum (DM) J.03 State Significant Non-complier Criteria; • Office of Drinking Water's Compliance Strategy; • Chapter 246-290 WAC; • Chapter 246-292 WAC; • Emergency Water Supplies, Office of Drinking Water Alternative Water Supply papers. 	
Applies to:	All Regional Staff	
Contact:	Scott Torpie, Engineering and Technical Services Section	
Effective Date:	January 31, 2017	
Approved:		Deputy Director for Operations
Approved:		Deputy Director for Central Services

Purpose

One reason the Office of Drinking Water conducts sanitary surveys is to assess the facilities and operations of water systems. During surveys, we classify identified problems in order to properly allocate our resources and to maintain an appropriate level of consistency. Problems are placed into one of following categories:

- Significant Deficiency
- Significant Finding
- Observation
- Recommendation

In rare instances, we may encounter situations in the field that pose an imminent risk to public health and staff may need to take immediate action to ensure that the public's health is protected. An imminent public health threat should be addressed by an Emergency Order (see Directive Memorandum (DM) J.03), and not through routine sanitary survey procedures.

Definitions

"Address" means a plan of action intended to correct the problem has been submitted by the purveyor.

"Correct" means the problem has actually been fixed.

"Observation" means a sanitary survey finding in which a regulatory requirement is not met, and the problem or defect is not otherwise categorized as a significant deficiency or significant finding.

"Sanitary Survey" (SS) (WAC 246-290-010) means a review, inspection, and assessment of a public water system, by the department or department designee, to determine the adequacy of the system and its operation for producing and distributing safe and reliable drinking water. Each survey includes, but is not limited to, an evaluation of the following components:

- a. Source;
- b. Treatment;
- c. Distribution system;
- d. Finished water storage;
- e. Pump, pump facilities, and controls;
- f. Monitoring, reporting, and data verification;
- g. System management and operation; and
- h. Operator compliance.

"Significant Deficiency" includes, but is not limited to, defects in design, operation, or maintenance, or a failure or malfunction of the sources, treatment, storage, or distribution system that the State determines to be causing, or have potential for causing, the introduction of contamination into the water delivered to consumers [40 CFR 141.403(a)(4)]. If left unaddressed, a significant deficiency directly creates a significant public health risk.

The list of significant deficiencies is provided below.

"Significant Finding" means:

- a. A lack of access or information which interferes with the surveyor's assessment into whether a significant deficiency actually exists; or
- b. A defect or problem which, if left unaddressed, creates a significant risk to the physical safety, security, or reliability of the public drinking water supply.

An example list of significant findings is provided below.

Direction – Significant Deficiencies

The list of significant deficiencies is shown below, organized by the eight elements of a sanitary survey, each of which must be evaluated during the survey. If any deficiency listed below is observed in the field, it must be written up on the survey report as a significant deficiency, even if our design approval included the inadequacy or defect. The list shown below is exclusive. No other problem may be classified as a significant deficiency. Field Operations Management Team (FOMT) intends to periodically review the list of significant deficiencies, and amend this directive memorandum as necessary.

Each sanitary survey must include an evaluation of the eight categories below. Under each category is a list of the significant deficiencies associated with that category.

If significant deficiencies are observed in either element 6 (Monitoring, reporting, and data verification) or element 8 (Operator compliance with State requirements), surveyors will submit their evidence to the operator certification program immediately after completing the survey. Operator certification program staff will review the evidence. Action, if any, will be taken by the operator certification program in coordination with the regional office.

1. Source:

- a. A source is in a routine operational mode but isn't listed on the Water Facilities Inventory (WFI) as an active permanent or seasonal source and hasn't been approved by the Department of Health (DOH).
- b. An emergency source does not meet the criteria for remaining physically connected (Emergency Water Supplies, Office of Drinking Water Alternative Water Supply papers).
- c. An unmitigated potential source of contamination within the sanitary control area.
- d. A wellhead at risk of submergence.
- e. A well cap provides an opening for contaminants to enter the well.
- f. A well casing provides an opening for contaminants to enter the well.
- g. A well casing vent provides an opening for contaminants to enter the well.
- h. An electrical conduit or junction box provides an opening for contaminants to enter the source.
- i. A spring box structure, hatch, or overflow provides an opening for contaminants or direct surface drainage to enter the spring.
- j. A pump control valve or vacuum relief valve without an air gap on the valve discharge pipe.

2. Treatment:

- a. A primary contaminant treatment facility operating improperly.
- b. A potable water supply line plumbed directly into a chemical solution tank (e.g., fluoride saturator, chlorine solution tank) without an air gap or a reduced pressure backflow assembly protecting the potable supply line.

3. Distribution system:

- a. A garden hose connected to the potable water system submerged in a pool, hot tub, animal watering trough, or other non-potable body of water.
- b. A sewage dump station without a properly installed reduced pressure backflow assembly on the water supply (applies only to water systems made up solely of a public or private campground, mobile home park, or a county, state, or national park that operates a sewage dump station as one of its connections).

4. Finished water storage:

- a. An access hatch or roof provides an opening for contaminants to enter the reservoir.
- b. An air vent provides an opening for contaminants to enter the reservoir.
- c. An overflow line provides an opening for contaminants to enter the reservoir.
- d. An overflow line discharges into a storm drain or surface water and represents a potential cross connection risk.
- e. An overflow line discharges directly into a sanitary sewer without an air gap.

5. Pumps, pump facilities, and controls:

- a. Pump or pump controls are either inoperable or inadequate to prevent chronic water outages or premature pump failure.
6. Monitoring, reporting, and data verification:
 - a. In the judgment of the surveyor there are reasons to suspect false or misleading reporting of water quality, treatment operations, or completion status of mandatory public notification¹.
 7. System management and operations:
 - a. Inadequate follow-up to significant deficiencies or other findings identified in a previous sanitary survey.
 8. Operator compliance with state requirements:
 - a. Someone other than the certified operator in responsible charge is carrying out the duties of the certified operator as outlined in chapter 246-292 WAC¹.
 - b. Operating a primary contaminant treatment facility without appropriately certified personnel¹.
1. Surveyors will submit their evidence to the operator certification program immediately after completing the survey. Operator certification program staff will review the evidence. Action, if any, will be taken by the operator certification program in coordination with the regional office.

Significant deficiencies trigger specific regulatory requirements related to the Groundwater Rule (chapter 246-290 WAC), such as meeting a treatment technique, undertaking corrective action, and issuing public notice. A deadline is assigned to the purveyor to address or correct the significant deficiency, and this deadline is tracked for compliance (see DM J.03 and the Sanitary Survey Program compliance strategy).

In addition to the significant deficiencies listed above, the following significant deficiencies should be applied to surface water systems. Further guidance on application of this direction can be found in Attachment 1: Crosswalk between DM K.02 and SW Program.

1. Non-functioning or unmaintained facilities that, if left unaddressed, create a significant risk to public health
2. Active (valves open) bypass around a critical treatment (such as filtration or disinfection) process
3. Inadequate depth of filter media
4. Exceeding an approved maximum filtration rate

Direction – Significant Findings

If any of the following is observed in the field, it must be written up on the survey report as a significant finding, even if our design approval included the inadequacy or defect. The list of significant findings shown below is not exclusive. Staff may classify a problem not listed as a significant finding if in their judgment, and with the concurrence of regional management, the problem fits with the definition.

1. Source and Treatment Related:
 - a. The well or spring is unreasonably at risk to physical damage.
 - b. There is no raw water source sample tap.

- c. There is no post-treatment sample tap.
 - d. The interior of a water system structure (well house, spring house, pump station) is not protected from unauthorized access.
 - e. Treatment chemicals do not meet NSF/ANSI Standard 60 (household bleach exempted), or lack of documentation demonstrating compliance with NSF/ANSI Standard 60 requirement.
 - f. A treatment process is in operational readiness that is not listed on the WFI and hasn't been approved by DOH.
 - g. An air compressor using oil as an engine lubricant.
2. Finished Water Storage Tank Related:
- a. Evidence in the form of photos is lacking, when such evidence is needed to demonstrate that reservoir appurtenances are protected against entry of contaminants, should the surveyor be unable to inspect and observe the reservoir appurtenances directly.
 - b. The storage tank is not protected from unauthorized entry or vandalism.
 - c. The tank show signs of excessive leakage, significant structural cracking, or advanced concrete spalling to the point that the surveyor judges the need for a formal structural assessment by a structural engineer or qualified building inspector.

Significant findings do not trigger any Groundwater Rule regulatory response. Significant findings are assigned a deadline to address or correct the defect or problem, and the purveyor's progress is tracked through our data system identical to the tracking done for significant deficiencies (see DM J.03 and the Sanitary Survey Program compliance strategy).

In addition to the significant findings listed above, the following significant findings should be applied to surface water systems. Further guidance on application of this direction can be found in Attachment 1: Crosswalk between DM K.02 and SW Program.

1. Lack of critical alarms (i.e., turbidity, disinfectant residual, clearwell level, flow, pH) for unattended operation
2. Inactive (valves apparently closed) bypass around a critical treatment (such as filtration or disinfection) process
3. Lack of or insufficient testing of critical alarms or improper set points on alarms
4. Unable to identify filter media depth

Direction – Internal Program Referral, Observations, and Recommendations

An internal program referral is a sanitary survey finding not otherwise classified as a significant deficiency or significant finding determined to be best addressed through referral to the specific DOH programmatic area (e.g., potential groundwater source under the direct influence of surface water (GWI)). The list of internal program referrals is shown below. The list shown below is not exclusive. Staff may classify another issue as an internal program referral if in their judgment the problem should be referred to a DOH program specialist.

A referred issue is given directly over to the DOH program specialist for his/her action. A directive may be assigned to the purveyor as part of the sanitary survey follow-up correspondence if the referral consultation can be completed within the timeframe for completing the follow-up

correspondence. Otherwise, such a directive, if any, would be issued by the DOH program specialist after the survey follow-up letter is sent and would be enforceable as described in DM 103 ATTACHMENT A

Issues Appropriate for Internal Program Referral	Referral to DOH Program Specialist
Potential GWI	Regional Office GWI lead
Routine batch or shock chlorination of the source, the distribution system, or the reservoir just before collecting routine or repeat coliform samples	HQ Op Cert or Regional Engineer ¹
Unreliable or ineffective disinfection treatment being applied	Regional Engineer
Measurement of free chlorine at the CT compliance point indicating inadequate treatment	Regional Engineer
Inadequate pressure in the distribution system	Regional Engineer
Situation resulting in a treatment technique violation	Regional Engineer
Improper methods of measurement, analysis, and calibration of water treatment monitoring equipment, including using an inappropriate or expired standard for calibration	HQ Op Cert or Regional Engineer ¹
Improper inputs to treatment plant operations reports, such as correct volume, peak flow rate, time, or other units of measure; equations; calculation and so forth	HQ Op Cert or Regional Engineer ¹
Sampling water quality at an improper location	HQ Op Cert or Regional Engineer ¹

1. Referred to regional engineer for technical assistance, and to HQ Op Cert program for investigation of suspected willful neglect of standard practices and requirements

An observation directly references a regulatory requirement, and is not otherwise classified as a significant deficiency or significant finding. The surveyor should identify the specific requirement to the purveyor. It is not tracked for compliance, and no deadline is given to address or correct the defect or problem. It is intended to put the purveyor on notice that a regulatory requirement is not currently met. DOH surveyors may identify any unmet regulatory requirement as an observation in the sanitary survey follow-up correspondence to the purveyor.

Recommendations are based on the judgment of the surveyor, and are not otherwise classified as a significant deficiency, significant finding, or observation. DOH surveyors may offer any recommendation deemed appropriate in the surveyor's judgment.

Confirming and Communicating Significant Deficiencies and Significant Findings for Department of Health (DOH) Surveys

Step	Key Function	Activity or Event(s)	Person(s) Involved
1	DOH surveys: Identify a significant deficiency or significant finding	<p>The DOH surveyor will determine whether a problem identified during a sanitary survey (SS), special purpose investigation, or other inspection is a significant deficiency or significant finding according to previous sections of this DM.</p> <p>The DOH surveyor will provide a tabulated summary of significant deficiencies and significant findings near the beginning of the survey report.</p>	DOH Surveyor
2	Notify purveyor of significant deficiency and significant finding	<p>Within 30 days of the completion of sanitary survey field work in which a significant deficiency or significant finding is identified, DOH staff will provide written notice to the purveyor that the significant deficiency or significant finding must be corrected or addressed. The written notice will specify a deadline for the purveyor to either:</p> <ul style="list-style-type: none"> A. Correct the significant deficiency or significant finding, or B. Address the significant deficiency or significant finding through submission of a plan and schedule to correct the defect or problem acceptable to the Office of Drinking Water (ODW). <p>The deadline assigned to the purveyor for correcting or addressing a significant deficiency will be no longer than 45 days from the date the purveyor is notified of the significant deficiency. The written notice will also state that failure to correct the significant deficiency by the specified deadline may result in formal enforcement.</p> <p>The deadline assigned for correcting or addressing a significant finding is typically 45 days, but the surveyor may exercise his/her discretion in setting a deadline. The written notice will also state that failure to correct the significant finding by the specified deadline may result in formal enforcement.</p>	DOH Surveyor
3	Identify an internal program referral issue	<p>DOH determines that a problem identified during a sanitary survey, special purpose investigation, or other inspection requires referral to a specific DOH program area.</p> <p>The internal program staff will be copied on the letter/report, with parenthetical reference to the subject matter (e.g., "Jane Doe, P.E. (low distribution system pressure)")</p>	DOH Surveyor

<p>4</p>	<p>Sanitary survey (SS) milestone entry and tracking</p>	<p>The regional SS coordinator will review all sanitary survey reports, and enter all significant deficiencies and significant findings into Sentry as SS milestones.</p> <p>If a significant deficiency or significant finding is omitted or misclassified, the regional SS coordinator will enter corrected milestone data into Sentry.</p> <p>The regional office will send a corrected survey report to the purveyor whenever a significant deficiency or significant finding is omitted or misclassified.</p>	<p>Reg. SS Coordinator</p>
<p>5</p>	<p>Tracking referrals</p>	<p>The appropriate program staff will follow-up on the issue, and correspond with the purveyor within 90 days of the date of the survey letter regarding any follow-up action that must be taken by the purveyor on that specific issue.</p> <p>The appropriate program staff will send the regional sanitary survey program coordinator confirmation of the follow-up correspondence when it occurs. The sanitary survey program has no further responsibility in tracking the referred issue.</p> <p>Whenever needed, compliance resources will be allocated to ensure priority problems are corrected or addressed through an approved plan. A directive issued by the program staff connected with a referred sanitary survey issue, and any Bilateral Compliance Agreement (BCA) issued in connection with an approved plan to address such an issue will be enforceable as described in DM J.03.</p>	<p>Internal Program Staff receiving the referral Reg. SS Coordinator Reg. Compliance Manager</p>
<p>6</p>	<p>Follow-up if purveyor misses deadline to correct or address significant deficiency or significant finding</p>	<p>If the purveyor fails to correct or address a significant deficiency or significant finding within the specified deadline, and no extension of the deadline is approved by the regional office, staff will take follow-up action to ensure that the purveyor corrects or addresses the deficiency. This process is detailed in the sanitary survey compliance strategy and in DM J.03.</p>	<p>Reg. SS Coordinator and Reg. Compliance Manager</p>

PROCESS B

Confirming and Communicating Significant Deficiencies and Significant Findings for Local Health Jurisdiction (LHJ) Surveys

Step	Key Function	Activity or Event(s)	Person(s) Involved
1	Options for DOH-LHJ coordination on creating final report following a LHJ survey	<p>Prepare one letter to the purveyor following completion of the sanitary survey that includes a summary of the survey, findings, results and actionable items. Options include:</p> <ul style="list-style-type: none"> • LHJ writes their own survey letters, subject to DOH prior review and approval, or • LHJ drafts their own survey letters for DOH to review, copy onto DOH letterhead, sign, and send to the purveyor, or • LHJ supplies DOH with the raw survey information and DOH writes the final letter to the purveyor. <p>Prepare second letter to the purveyor following the LHJs initial letter. Process includes:</p> <ul style="list-style-type: none"> • LHJ writes their own survey letters independent of DOH input and sends it to the purveyor, <u>and</u> • DOH reviews copy of LHJ final letter, and when necessary sends second letter calling out significant deficiencies and significant findings. <p>A tabulated summary of significant deficiencies and significant findings will be located near the beginning of the survey report. Staff will refer to to previous sections of this DM in identifying significant deficiencies and significant findings.</p>	Designated DOH Staff
2	Notify purveyor of significant deficiency and significant finding	<p>Within 30 days of the completion of sanitary survey field work in which a significant deficiency or significant finding is identified, either DOH or the LHJ (subject to the option selected above) will provide written notice to the purveyor that the significant deficiency or significant finding must be corrected or addressed. The written notice will specify a deadline for the purveyor to either:</p> <ul style="list-style-type: none"> A. Correct the significant deficiency or significant finding, or B. Address the significant deficiency or significant finding through submission of a plan and schedule to correct the defect or problem acceptable to ODW. <p>The deadline assigned to the purveyor for correcting or addressing a significant deficiency will be no longer than 45 days from the date the purveyor is notified of the significant deficiency. The written notice will also state that failure to correct the significant deficiency by the specified deadline may result in formal enforcement.</p>	Designated Staff

		The deadline assigned for correcting or addressing a significant finding is typically 45 days , but the surveyor may exercise his/her discretion in setting a deadline. The written notice will also state that failure to correct the significant finding by the specified deadline may result in formal enforcement.	
3	Identify an internal program referral issue	DOH or LHJ determines that a problem identified during a sanitary survey, special purpose investigation, or other inspection requires referral to a specific DOH program area. The internal program staff will be copied on the letter/report, with parenthetical reference to the subject matter (e.g., "Jane Doe, P.E. (low distribution system pressure)")	LHJ Surveyor Reg. SS Coordinator
4	Sanitary survey milestone entry and tracking	The regional SS coordinator will review all sanitary survey reports, and enter all significant deficiencies and significant findings into Sentry as SS milestones. If a significant deficiency or significant finding is omitted or misclassified, the regional SS coordinator will enter corrected milestone data into Sentry. The regional office will send a corrected survey report to the purveyor whenever a significant deficiency or significant finding is omitted or misclassified.	Reg. SS Coordinator
5	Tracking referrals	The appropriate program staff will follow-up on the issue, and correspond with the purveyor within 90 days of the date of the survey letter regarding any follow-up action that must be taken by the purveyor on that specific issue. The appropriate program staff will send the regional sanitary survey program coordinator confirmation of the follow-up correspondence when it occurs. The sanitary survey program has no further responsibility in tracking the referred issue. Whenever needed, compliance resources will be allocated to ensure priority problems are corrected or addressed through an approved plan. A directive issued by the program staff connected with a referred sanitary survey issue, and any BCA issued in connection with an approved plan to address such an issue, will be enforceable as described in DM J.03.	Internal Program Staff receiving the referral Reg. SS Coordinator Reg. Compliance Manager
6	Follow-up if purveyor misses deadline to correct or address significant deficiency or significant finding	If the purveyor fails to correct or address a significant deficiency or significant finding within the specified deadline, and no extension of the deadline is approved by the regional office, staff will take follow-up action to ensure that the purveyor corrects or addresses the deficiency. This process is detailed in the sanitary survey compliance strategy and in DM J.03.	Reg. SS Coordinator and Reg. Compliance Manager

PROCESS C

Confirming and Communicating Significant Deficiencies and Significant Findings for Private Contract Surveys

Step	Key Function	Activity or Event(s)	Person(s) Involved
1	Creating final report following a private contractor survey	<p>Private contractor supplies DOH with the raw survey information and DOH prepares the final letter to the purveyor.</p> <p>A tabulated summary of significant deficiencies and significant findings will be located near the beginning of the survey report.</p> <p>Staff will refer to previous sections of this DM in identifying significant deficiencies and significant findings.</p>	Reg. SS Coordinator
2	Notify purveyor of significant deficiency and significant finding	<p>Within 30 days of the completion of sanitary survey field work in which a significant deficiency or significant finding is identified, DOH will provide written notice to the purveyor that the significant deficiency or significant finding must be corrected or addressed. The written notice will specify a deadline for the purveyor to either:</p> <p>A. Correct the significant deficiency or significant finding, or</p> <p>B. Address the significant deficiency or significant finding through submission of a plan and schedule to correct the defect or problem acceptable to ODW.</p> <p>The deadline assigned to the purveyor for correcting or addressing a significant deficiency will be no longer than 45 days from the date the purveyor is notified of the significant deficiency. The written notice will also state that failure to correct the significant deficiency by the specified deadline may result in formal enforcement.</p> <p>The deadline assigned for correcting or addressing a significant finding is typically 45 days, but the surveyor may exercise his/her discretion in setting a deadline. The written notice will also state that failure to correct the significant finding by the specified deadline may result in formal enforcement.</p>	Reg. SS Coordinator
3	Identify an internal program referral issue	<p>DOH determines that a problem identified during a sanitary survey, special purpose investigation, or other inspection requires referral to a specific DOH program area.</p> <p>The internal program staff will be copied on the letter/report, with parenthetical reference to the subject matter (e.g., "Jane Doe, P.E. (low distribution system pressure)")</p>	Reg. SS Coordinator

4	Sanitary survey milestone entry and tracking	The regional SS coordinator will enter all significant deficiencies and significant findings into Sentry as milestones.	Reg. SS Coordinator
5	Tracking referrals	<p>The appropriate program staff will follow-up on the issue, and correspond with the purveyor within 90 days of the date of the survey letter regarding any follow-up action that must be taken by the purveyor on that specific issue.</p> <p>The appropriate program staff will send the regional sanitary survey program coordinator confirmation of the follow-up correspondence when it occurs. The sanitary survey program has no further responsibility in tracking the referred issue.</p> <p>Whenever needed, compliance resources will be allocated to ensure priority problems are corrected or addressed through an approved plan. A directive issued by the program staff connected with a referred sanitary survey issue, and any BCA issued in connection with an approved plan to address such an issue, will be enforceable as described in DM J.03.</p>	Internal Program Staff receiving the referral Reg. SS Coordinator Reg. Compliance Manager
6	Follow-up if purveyor misses deadline to correct or address significant deficiency or significant finding	If the purveyor fails to correct or address a significant deficiency or significant finding within the specified deadline, and no extension of the deadline is approved by the regional office, staff will take follow-up action to ensure that the purveyor corrects or addresses the deficiency. This process is detailed in the sanitary survey compliance strategy and in DM J.03.	Reg. SS Coordinator and Reg. Compliance Manager

This directive memorandum establishes our expectations of timely and appropriate follow-up action to ensure public water systems correct any significant deficiencies and significant findings identified through sanitary surveys, special purpose investigations, or any other site inspection.

Attachment 1
Crosswalk between DM K.02 Survey Classifications and Surface Water Program

SW Workgroup Issue	Corresponding DM Description	DM Classification	Follow up action by SW Program staff
Non-functioning or unmaintained facilities, monitoring equipment or instrumentation	A primary contaminant treatment facility operating improperly	Significant Deficiency	Evaluate circumstances & send SWTR violation letter if applicable (TTV or Monitoring violation). Refer to SWTR Violation Summary Table. Regardless of violation status, require Tier 1 notice when failure or significant interruption in key water treatment processes...situations with <u>significant potential to have serious adverse effects on human health</u> as a result of short-term exposure.
Use of monitoring equipment that has not been adequately calibrated	Improper methods of measurement, analysis, and calibration of water treatment monitoring equipment, including using the appropriate standard for calibration	Referral	Send SWTR monitoring violation letter, reference WAC 246-290-664, -638 (2) & (4) as appropriate
Outdated standards used for calibration	Improper methods of measurement, analysis, and calibration of water treatment monitoring equipment, including using the appropriate standard for calibration	Referral	Send SWTR monitoring violation letter, reference WAC 246-290-638 (2) & (4) as appropriate
Improper contact time or disinfectant residual value used in determining inactivation ratio	Unreliable or ineffective disinfection treatment being applied	Referral	Evaluate circumstances & send SWTR violation letter if applicable. Refer to SWTR Violation Summary Table. Regardless of violation status, require Tier 1 notice when failure or significant interruption in key water treatment processes...situations with <u>significant potential to have serious adverse effects on human health</u> as a result of short-term exposure.
Unprotected cross-connection at the plant	A potable water supply line plumbed directly into a chemical solution tank without a RPBA between the potable supply and the solution tank. Other (apparent) unprotected cross connections	Significant Deficiency Observation or, if considered high risk, gain approval from regional manager to elevate to significant finding	All other cross connection hazards should be addressed by directing the purveyor to a CCS to complete a hazard survey. If the actual or apparent hazard is high risk, request regional manager's approval to make correction or further investigation a significant finding.

SW Workgroup Issue	Corresponding DM Description	DM Classification	Follow up action by SW Program staff
Bypass such as a pipe constructed around critical treatment (such as filtration or disinfection) processes	A treatment process is in operational readiness that is not listed on the WFI and hasn't been approved by DOH	Significant Finding	One option: Require the purveyor to lock out/tag out the raw water bypass isolation valves. Apply this strategy until such time as the plant undergoes a rehab and the bypass can be deconstructed.
Water flow is currently bypassing critical treatment (such as filtration or disinfection) processes	A primary contaminant treatment facility operating improperly	Significant Deficiency	Send SWTR violation letter. Tier 1 notice when failure or significant interruption in key water treatment processes...situations with significant potential to have serious adverse effects on human health as a result of short-term exposure.
Use of chemicals not approved under ANSI/NSF Standard 60 or lack of documentation	Treatment chemicals do not meet NSF/ANSI Standard 60 (household bleach exempted)	Significant Finding	
Lack of critical alarms for unattended operation	Lack of critical alarms (i.e., turbidity, disinfectant residual, clearwell level, flow, pH) for unattended operation	Significant Finding	WAC 246-290-676 and -678 apply to systems upgrading or installing new facilities (eff 4/93). Direct systems to this section when they fail to provide effective treatment (246-290-660) or as follow up to a TTV
Lack of or insufficient testing of critical alarms or improper set points on alarms	Lack of or insufficient testing of critical alarms or improper set points on alarms	Significant Finding	WAC 246-290-676 and -678 apply to systems upgrading or installing new facilities (eff 4/93). Direct systems to this section when they fail to provide effective treatment (246-290-660) or as follow up to a TTV
Inadequate depth of filter media	A primary contaminant treatment facility operating improperly	Significant Deficiency	Total media depth (not including gravel) should be no less than 10% below design value and, for non-high rate filters, at least 24 inches per 10 States Standards. For slow sand plants, media depth should be at least 19 inches.
Operator is unable to identify filter media depth	A lack of access or information which interferes with the surveyor's assessment into whether a significant deficiency actually exists	Significant Finding	
Operating the plant without qualified (appropriate certification) personnel	Operating a primary contaminant treatment facility without appropriately certified personnel ¹	Referral to Op Cert which may result in Significant Deficiency	Referral to op cert program (WAC 246-292) to identify appropriate remedy. See DM K.02, p. 4, item 8.b.

SW Workgroup Issue	Corresponding DM Description	DM Classification	Follow up action by SW Program staff
Exceeding an approved maximum filtration rate	A primary contaminant treatment facility operating improperly	Significant Deficiency	Significant deficiency when: <ul style="list-style-type: none"> Filtration rate exceeds the value in Table 10 and a design-approved max filtration rate hasn't been established or Filtration rate exceeds the design-approved max filtration rate. Send SWTR TTV letter when: <ul style="list-style-type: none"> Filtration rate exceeds the value in Table 10 and a design-approved max filtration rate hasn't been established or Filtration rate exceeds the design-approved max filtration rate when approved under -654(1) to exceed the value in Table 10.
Unable to respond in appropriate time to an alarm: The max response time is two hours, but response time is site-specific based upon the approved operations plan	Operating a primary contaminant treatment facility without appropriately certified personnel ¹	Referral to Op Cert which may result in Significant Deficiency	Referral to op cert program (WAC 246-292) to identify appropriate remedy. See DM K.02, p. 4, item 8.b.
Failing to properly calculate inactivation ratio daily	Unreliable or ineffective disinfection treatment being applied	Referral	Evaluate case-by-case and follow up if IR near 1.0 or system has history of problems. Follow up: first send educational letter then SWTR monitoring violation letter if not corrected
Other situation resulting in a treatment technique violation not otherwise noted above	Other situation resulting in a treatment technique violation.	Referral	Send SWTR TTV letter.

From: [DOH EPH DW SWRO Admin](#)
To: RBennion@facetnw.com
Cc: [Emma Erickson](#); [Kindall, Abbey](#); [Young, Mike \(UTC\)](#); [Stark, Rachel \(UTC\)](#); culley@cascadiawater.com; [Hahn, Deirdra \(ECY\)](#)
Subject: ODW Invoice and Comment Letter – 24-0609 WSP Part A
Date: Wednesday, December 18, 2024 10:24:22 AM
Attachments: [image001.png](#)
[Cascadia SMA 168 24-0609 Part A WSP Amendment Cmt Ltr 2024-12-18.pdf](#)
[Cascadia SMA 168 24-0609 Part A WSP Amendment Inv 2024-12-18.pdf](#)

Water System Name: Cascadia SMA 168
Project Name: WSP Part A
Project #24-0609

Dear Robert Bennion:

Please note the attached Invoice #57471 and Fee worksheet. This invoice must be paid by January 17, 2025. Please forward these documents to your Accounts Payable department when you receive them.

We have completed our review of your submittal. Please review the attached ODW comment letter and submit your responses to swro.admin@doh.wa.gov. All comments must be addressed before we can finish our review and move to approval.

If you have any questions, please let the assigned engineer/planner know, and they will respond to you directly.

Thank you

Admin Support

Southwest Drinking Water Regional Operations
Environmental Public Health, Office of Drinking Water
swro.admin@doh.wa.gov
360.236.3030 | www.doh.wa.gov
360.236.3029 (fax)



From: [Grimm, Regina \(DOH\)](#)
To: [Stark, Rachel \(UTC\)](#); [Pell, Derek \(DOH\)](#); [Young, Mike \(UTC\)](#)
Cc: [Majors, Ben M \(DOH\)](#); [Spotts, Sarah M \(DOH\)](#); [Simas, Alexyss A \(DOH\)](#); [DOH EPH DW SWRO Admin](#)
Subject: RE: Cascadia - W&B docs
Date: Monday, December 23, 2024 1:00:50 PM
Attachments: [image001.png](#)
[image002.png](#)

Hello Rachel and Mike,
Our SW region admin uploaded the Cascadia WSP documents to the UTC box.com about. Deb said she sent you the link to download them. If you have any questions please contact Debbie Phillips at our admin email.

This is the list of systems we updated the WSPs for:

System Name and ID	Submittal
Cascadia_SMA_168	24-0609 Part A WSP Amendment
Diamond Point_192104	24-0611 WSP Pt B Update
Monterra_55990Y	24-0613 WSP Pt B Update
Estates Inc_081669	24-0612 WSP Pt B Update
Discovery Bay Village_19430W	24-0610 WSP Pt B Update

Regina N. Grimm, P.E.

Assistant Regional Manager
Office of Drinking Water – Southwest Regional Office
Division of Environmental Public Health
Washington State Department of Health
regina.grimm@doh.wa.gov
564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Monday, December 23, 2024 8:25 AM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - W&B docs

Good morning Derek,

Thank you so much. I appreciate you and your staff.

Rachel

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Monday, December 23, 2024 8:15 AM
To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

Good morning Rachel.

DM J.03 is a Directive Memorandum to staff on our broader compliance process. Attachment 1 is the Formal Enforcement Trigger Table that directs staff when to initiate formal enforcement action.

DM K.02 is a Directive Memorandum to staff on how to classify and follow up to Sanitary Surveys.

These documents are not typically made available to the public as they are directions to staff.

Let me know if you have questions.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Sunday, December 22, 2024 9:58 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - W&B docs

Hi Derek,

Do you have the document with your processes for company compliance?

Thank you
Rachel

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:11 PM

To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

Survey report

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:02 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 2:56 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - CAL

From: Pell, Derek (DOH)
Sent: Friday, December 20, 2024 2:40 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Subject: RE: Cascadia - Del Bay docs

From: Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Sent: Friday, December 20, 2024 1:51 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia

Hi Mike and Rachel,

I'm sending you the letters related the systems located in the Southwest Region.

The two disinfection projects (Diamond Point and Agate West) have been required by DOH, but they have not been submitted yet for approval. I have attached the letters directing these water systems to install treatment.

I'm sending the approval letters related to the Estates, Inc. project. These letters include the approval to construct (Approval Letter) and a partial construction completion acknowledgement (Final Approval). WE allow partial project acknowledgement. They were not quite finished with the entire project and requested an extension on the approval to construct, which we granted.

Regina N. Grimm, P.E.

Assistant Regional Manager

Office of Drinking Water – Southwest Regional Office

Division of Environmental Public Health

Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Young, Mike (UTC) <mike.young@utc.wa.gov>

Sent: Friday, December 20, 2024 9:47 AM

To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH)

<Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>

Subject: RE: Cascadia

How difficult would it be to get copies of the approval notices/letters/etc.?

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>

Sent: Thursday, December 19, 2024 4:33 PM

To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC)

<mike.young@utc.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M

(DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>

Subject: RE: Cascadia

Hi Rachel.

Attached is an email (red text) I that should answer a number of your questions. This was a response I offered Vicki Colburn when she was seeking to clarify a public disclosure request.

Let me know if you need me to dig deeper.

Thanks.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Wednesday, December 18, 2024 2:21 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Subject: Cascadia

Good afternoon,

Thank you all again for meeting with Mike and I this morning. It will help with my cross-testimony.

If you can provide us with the documents that show your process of steps for the water system plans, DOH's enforcement, or any information you can provide to us would be greatly appreciated and a great benefit.

Thank you.

Rachel Stark
Regulatory Analyst
(360) 664-1272
rachel.stark@utc.wa.gov

Washington Utilities and Transportation Commission
www.utc.wa.gov

From: [Grimm, Regina \(DOH\)](#)
To: [Stark, Rachel \(UTC\)](#); [Pell, Derek \(DOH\)](#); [Young, Mike \(UTC\)](#)
Cc: [Majors, Ben M \(DOH\)](#); [Spotts, Sarah M \(DOH\)](#); [Simas, Alexyss A \(DOH\)](#)
Subject: RE: Cascadia - W&B docs
Date: Monday, December 23, 2024 9:45:59 AM
Attachments: [Cascadia_List of capital improvement projects.docx](#)
[image001.png](#)
[image002.png](#)

Hello Rachel,
Attached is the summary table with project information.

Regina N. Grimm, P.E.

Assistant Regional Manager

Office of Drinking Water – Southwest Regional Office

Division of Environmental Public Health

Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Monday, December 23, 2024 8:25 AM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - W&B docs

Good morning Derek,

Thank you so much. I appreciate you and your staff.

Rachel

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Monday, December 23, 2024 8:15 AM
To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

Good morning Rachel.

DM J.03 is a Directive Memorandum to staff on our broader compliance process. Attachment 1 is the Formal Enforcement Trigger Table that directs staff when to initiate formal enforcement action.

DM K.02 is a Directive Memorandum to staff on how to classify and follow up to Sanitary Surveys.

These documents are not typically made available to the public as they are directions to staff.

Let me know if you have questions.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Sunday, December 22, 2024 9:58 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - W&B docs

Hi Derek,

Do you have the document with your processes for company compliance?

Thank you
Rachel

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:11 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

Survey report

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:02 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH)

<Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 2:56 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - CAL

From: Pell, Derek (DOH)
Sent: Friday, December 20, 2024 2:40 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Subject: RE: Cascadia - Del Bay docs

From: Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Sent: Friday, December 20, 2024 1:51 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia

Hi Mike and Rachel,

I'm sending you the letters related the systems located in the Southwest Region.

The two disinfection projects (Diamond Point and Agate West) have been required by DOH, but they have not been submitted yet for approval. I have attached the letters directing these water systems to install treatment.

I'm sending the approval letters related to the Estates, Inc. project. These letters include the approval to construct (Approval Letter) and a partial construction completion acknowledgement (Final Approval). WE allow partial project acknowledgement. They were not quite finished with the entire project and requested an extension on the approval to

construct, which we granted.

Regina N. Grimm, P.E.

Assistant Regional Manager
Office of Drinking Water – Southwest Regional Office
Division of Environmental Public Health
Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Young, Mike (UTC) <mike.young@utc.wa.gov>
Sent: Friday, December 20, 2024 9:47 AM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Subject: RE: Cascadia

How difficult would it be to get copies of the approval notices/letters/etc.?

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Thursday, December 19, 2024 4:33 PM
To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia

Hi Rachel.

Attached is an email (red text) I that should answer a number of your questions. This was a response I offered Vicki Colburn when she was seeking to clarify a public disclosure request.

Let me know if you need me to dig deeper.

Thanks.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Wednesday, December 18, 2024 2:21 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Subject: Cascadia

Good afternoon,

Thank you all again for meeting with Mike and I this morning. It will help with my cross-testimony.

If you can provide us with the documents that show your process of steps for the water system plans, DOH's enforcement, or any information you can provide to us would be greatly appreciated and a great benefit.

Thank you.

Rachel Stark
Regulatory Analyst
(360) 664-1272
rachel.stark@utc.wa.gov

Washington Utilities and Transportation Commission
www.utc.wa.gov

From: [Pell, Derek \(DOH\)](#)
To: [Stark, Rachel \(UTC\)](#); [Young, Mike \(UTC\)](#)
Cc: [Majors, Ben M \(DOH\)](#); [Spotts, Sarah M \(DOH\)](#); [Grimm, Regina \(DOH\)](#); [Simas, Alexyss A \(DOH\)](#); [Pell, Derek \(DOH\)](#)
Subject: RE: Cascadia - W&B docs
Date: Monday, December 23, 2024 8:16:11 AM
Attachments: [image001.png](#)
[image002.png](#)
[DM K.02.pdf](#)
[DM J.03.pdf](#)

Good morning Rachel.

DM J.03 is a Directive Memorandum to staff on our broader compliance process. Attachment 1 is the Formal Enforcement Trigger Table that directs staff when to initiate formal enforcement action.

DM K.02 is a Directive Memorandum to staff on how to classify and follow up to Sanitary Surveys.

These documents are not typically made available to the public as they are directions to staff.

Let me know if you have questions.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Sunday, December 22, 2024 9:58 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - W&B docs

Hi Derek,

Do you have the document with your processes for company compliance?

Thank you
Rachel

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:11 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

Survey report

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:02 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 2:56 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - CAL

From: Pell, Derek (DOH)
Sent: Friday, December 20, 2024 2:40 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Subject: RE: Cascadia - Del Bay docs

From: Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Sent: Friday, December 20, 2024 1:51 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia

Hi Mike and Rachel,

I'm sending you the letters related the systems located in the Southwest Region.

The two disinfection projects (Diamond Point and Agate West) have been required by DOH, but

they have not been submitted yet for approval. I have attached the letters directing these water systems to install treatment.

I'm sending the approval letters related to the Estates, Inc. project. These letters include the approval to construct (Approval Letter) and a partial construction completion acknowledgement (Final Approval). WE allow partial project acknowledgement. They were not quite finished with the entire project and requested an extension on the approval to construct, which we granted.

Regina N. Grimm, P.E.

Assistant Regional Manager

Office of Drinking Water – Southwest Regional Office

Division of Environmental Public Health

Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Young, Mike (UTC) <mike.young@utc.wa.gov>

Sent: Friday, December 20, 2024 9:47 AM

To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>

Subject: RE: Cascadia

How difficult would it be to get copies of the approval notices/letters/etc.?

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>

Sent: Thursday, December 19, 2024 4:33 PM

To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>

Subject: RE: Cascadia

Hi Rachel.

Attached is an email (red text) I that should answer a number of your questions. This was a response I offered Vicki Colburn when she was seeking to clarify a public disclosure request.

Let me know if you need me to dig deeper.

Thanks.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Wednesday, December 18, 2024 2:21 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Subject: Cascadia

Good afternoon,

Thank you all again for meeting with Mike and I this morning. It will help with my cross-testimony.

If you can provide us with the documents that show your process of steps for the water system plans, DOH's enforcement, or any information you can provide to us would be greatly appreciated and a great benefit.

Thank you.

Rachel Stark
Regulatory Analyst
(360) 664-1272
rachel.stark@utc.wa.gov

Washington Utilities and Transportation Commission
www.utc.wa.gov

From: [Grimm, Regina \(DOH\)](#)
To: [Young, Mike \(UTC\)](#); [Stark, Rachel \(UTC\)](#)
Cc: [Majors, Ben M \(DOH\)](#); [Spotts, Sarah M \(DOH\)](#); [Pell, Derek \(DOH\)](#)
Subject: RE: Cascadia
Date: Friday, December 20, 2024 1:51:57 PM
Attachments: [image001.png](#)
[image002.png](#)
[Diamond Point 19210 L2A & Cl2 Directive Letter 2023-05-05.pdf](#)
[Agate West 00515 Install Cont Disinfection Treatment CL2 Directive Ltr 2024-09-26.pdf](#)
[Estates Inc 08166 22-0805 Storage BPS Mn Treatment APVL Ltr 2022-09-13.pdf](#)
[Estates Inc 08166 22-0805 Storage BPS Mn Treatment Partial FINAL APVL Ltr 2024-07-23.pdf](#)
[Estates Inc 08166 22-0805 Storage BPS Mn Treatment Sub1 ExtReq 2024-09-20.pdf](#)
[Estates Inc 08166 22-0805 Storage BPS Mn Treatment Sub1 ExtReq Email .2024-09-20.pdf](#)

Hi Mike and Rachel,

I'm sending you the letters related the systems located in the Southwest Region.

The two disinfection projects (Diamond Point and Agate West) have been required by DOH, but they have not been submitted yet for approval. I have attached the letters directing these water systems to install treatment.

I'm sending the approval letters related to the Estates, Inc. project. These letters include the approval to construct (Approval Letter) and a partial construction completion acknowledgement (Final Approval). WE allow partial project acknowledgement. They were not quite finished with the entire project and requested an extension on the approval to construct, which we granted.

Regina N. Grimm, P.E.

Assistant Regional Manager

Office of Drinking Water – Southwest Regional Office

Division of Environmental Public Health

Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Young, Mike (UTC) <mike.young@utc.wa.gov>

Sent: Friday, December 20, 2024 9:47 AM

To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>

Subject: RE: Cascadia

How difficult would it be to get copies of the approval notices/letters/etc.?

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Thursday, December 19, 2024 4:33 PM
To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia

Hi Rachel.

Attached is an email (red text) I that should answer a number of your questions. This was a response I offered Vicki Colburn when she was seeking to clarify a public disclosure request.

Let me know if you need me to dig deeper.

Thanks.
Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Wednesday, December 18, 2024 2:21 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Subject: Cascadia

Good afternoon,

Thank you all again for meeting with Mike and I this morning. It will help with my cross-testimony.

If you can provide us with the documents that show your process of steps for the water system plans, DOH's enforcement, or any information you can provide to us would be greatly appreciated and a great benefit.

Thank you.

Rachel Stark
Regulatory Analyst
(360) 664-1272
rachel.stark@utc.wa.gov

Washington Utilities and Transportation Commission
www.utc.wa.gov

From: [Pell, Derek \(DOH\)](#)
To: [Vicki Colburn](#); [Simas, Alexyss A \(DOH\)](#); [Phillips, Debbie \(DOH\)](#); [DOH EPH Public Disclosure](#)
Cc: [Steve Todd](#); [Kent Hanson](#); [Rick Smith](#); [Dave Bennett](#); [Tom Cox](#); [Blaine Gilles](#); [Majors, Ben M \(DOH\)](#); [Nuño, Crystal M \(DOH\)](#); [Chavez, Krista R \(DOH\)](#); [Medina, Alexis \(DOH\)](#); [Pell, Derek \(DOH\)](#)
Subject: RE: Cascadia / OPEN/PENDING Public Information requests
Date: Monday, October 28, 2024 3:30:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Hi Vicki.

I've coordinated with the NW Regional Planners and Island County Engineer and checked in with Ben Majors in the SW Regional Office.

Below in red text are the submittal numbers and project status for the requested projects.

Please let us know if you would like specific information for your Public Disclosure Request.

Happy to answer any further questions.

Respectfully,

Derek

Derek Pell, PE

Northwest Regional Office Manager
Office of Drinking Water
Environmental Public Health
Washington State Department of Health
derek.pell@doh.wa.gov
doh.wa.gov | 253-395-6768



The physical location of the NW Regional Office of Drinking Water (NWRO) in Kent is closed. Our NWRO functional group remains intact and we are now working remotely. We are in the process of scanning all of our files. Please note, our response times may be slower than usual. We appreciate your patience. Our new mailing address is: 111 Israel Rd SE, PO Box MS: 47822, Olympia, WA 98504.

From: Vicki Colburn <vickinapa@sbcglobal.net>

Sent: Wednesday, October 23, 2024 10:46 AM

To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>

Cc: Steve Todd <stevetodd1864@gmail.com>; Kent Hanson <kent.hanson1@gmail.com>; Rick Smith <ricksmith.wn29@gmail.com>; Dave Bennett <ddb3881@gmail.com>; Tom Cox <tomcoxwgc@msn.com>; Blaine Gilles <blaine.gilles@mac.com>

Subject: Cascadia / OPEN/PENDING Public Information requests

External Email

Good Morning.

Thank you for your recent phone call and offering to help check on the status of some very old public information requests. I hope this email might help facilitate getting the information. If the phone message I left this morning was garbled, my phone number is 360-683-0742.

As I am sure you are aware, we have been seeking this information so that we can be prepared to accurately discuss these issues during the UTC's adjudication process for a current rate filing, UW-240151. I also have pending meetings with Rep. Tharinger and others as we continue to discuss the necessary changes to the private water system industry. These delays are concerning. I hope that we can find a way to expedite these requests.

Pending public information requests filed beginning of September - Looking for status on: N005720-091024, N005721-091024, N005722-091024, N005723-091024

In case it helps clarify what I am looking for, I am asking for DOH project #'s, information/files for projects or work done on Whidbey Island by Cascadia since basically 2018 which include DOH approved projects, emails or other communications including Construction Completion forms between DOH, Cascadia and Cascadia's consultant or contractors.

Submittal #20-0810 A-L Companywide Plan for Island County Water Systems. Approved 8/8/2022. Update on or before 8/4/2030. This is known as the Part A Umbrella Plan.

A -W&B Waterworks

B – Sea View Water

C – Beachcomber H2O

- D – Cal Waterworks
- E – TEL 1
- F – TEL 3
- G – TEL 4
- H – TEL 5
- I – TEL 6
- J – TEL10
- K – TEL 11
- L – Mutiny Bay Waterworks

- a. DEL BAY (WFI#18575K) WATERMAIN Replacement & Consolidation with WB Waterworks.
DOH letter 6/30/2021 acknowledging transfer of ownership to Cascadia.
DOH letter 1/20/2023 Water System Plan Amendment for Service Area Expansion / Del Bay approved.
Standard specs for watermain replacement in an approved water system plan?
- b. CAL Waterworks -(WFI# 310406) Distribution System Loop
Standard specs for watermain replacement in an approved water system plan.
- c. CAL Waterworks Reservoir Replacement & Booster Pump Improvements
Submittal #22-0710 Replace Reservoir Pumphouse Booster Pumps. Approved 8/31/2022.
- d. W&B Waterworks #1(WFI#466703) Watermain replacement and PRV Vault for Mutiny Lane, Mutiny Bay Road
Standard specs for watermain replacement in an approved water system plan.
- e. W&B Waterworks Reservoir , Pumphouse, Treatment and Watermain Replacement
Submittal #22-1111 As Treatment & Reservoir Design. 6/12/2023 DOH approval letter. 6/21/2024 partial CCR, PE certifies completion of reservoir.
Standard specs for watermain replacement in an approved water system plan.
- f. Sea View (WFI#77148Y) Source Development
Submittal #24-0401 Source Approval. 5/31/2024 DOH approval letter.
- g. Rolf Bran (WFI#08915H) Filtration Project
Submittal #23-0601 CT6 Disinfection & As/Fe/Mn Treatment. 7/19/2023 approval

letter.

h. Are you aware of any new or pending projects for your region that Cascadia is considering or has submitted plans for review and approval?

#24-0609 Water System Plan Amendment submitted to SW Regional Office. I understand that this submittal was to add several water systems in Clallam and Jefferson Counties to the Part A Umbrella Plan.

I would also like to discuss the approved WSP that Jennifer Kropak reviewed 1-5-2021 which Cascadia officially adopted 9-1-2021. There seems to be a document missing or incorrectly identified - *the Cascadia Water - Water System Plan Part A*.

Submittal #20-0810 is the Part A Umbrella Plan.

Cascadia has referred to it in their Draft WSP for a Peninsula system. However we have been lead to believe that this document may also incorporate the other systems purchased and included in the Island/Mainland group of systems since the Island WSP was approved in 2021. While we have a copy of the Island WSP, we do not seem to have the Water System Plan Part A . (Umbrella Master Plan?)

Submittal #20-0810 is the Part A Umbrella Plan.

And lastly, I would like to get clarification of some recommendations and requirements I noted in the Design Manual.

Please see Chapter 1 in the Design Manual. It talks about the “musts” v.”shoulds”. “Musts” are directly related to a WAC requirement. “Shoulds” reflect best practices that DOH supports.

Thanks again for understanding the ratepayers needs. Any assistance you can provide will be appreciated.

Vicki Colburn

From: [Pell, Derek \(DOH\)](#)
To: [Stark, Rachel \(UTC\)](#)
Cc: [Majors, Ben M \(DOH\)](#); [Young, Mike \(UTC\)](#); [Grimm, Regina \(DOH\)](#); [Spotts, Sarah M \(DOH\)](#); [Pell, Derek \(DOH\)](#)
Subject: RE: Cascadia
Date: Thursday, December 19, 2024 4:33:05 PM
Attachments: [RE Cascadia OPENPENDING Public Information requests.msg](#)

Hi Rachel.

Attached is an email (red text) I that should answer a number of your questions. This was a response I offered Vicki Colburn when she was seeking to clarify a public disclosure request.

Let me know if you need me to dig deeper.

Thanks.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Wednesday, December 18, 2024 2:21 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Subject: Cascadia

Good afternoon,

Thank you all again for meeting with Mike and I this morning. It will help with my cross-testimony.

If you can provide us with the documents that show your process of steps for the water system plans, DOH's enforcement, or any information you can provide to us would be greatly appreciated and a great benefit.

Thank you.

Rachel Stark
Regulatory Analyst
(360) 664-1272
rachel.stark@utc.wa.gov

Washington Utilities and Transportation Commission
www.utc.wa.gov



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
111 Israel Road Southeast • PO Box 47823 • Olympia, Washington 98504-7823
Tel: (360) 236-3030 • Fax: (360) 236-3029 • TDD/TTY 711

September 13, 2022

Dale Metzger
Estates Inc
Post Office Box 92
Sequim, Washington 98282

Subject: Estates Inc Water System, ID #08166, Clallam County; Storage, BPS, and Mn Treatment, ODW Project #22-0805, **APPROVAL**

Dear Dale Metzger:

The submittal received on August 12, 2022 has been **APPROVED** in accordance with the provisions of WAC 246-290. Future changes in the rules may be more stringent and require facility modification or corrective action.

The approved scope of work includes:

- Replacement of two existing storage tanks with a single 158,000-gallon concrete reservoir.
- Construction of a 590-gpm booster pump station with four 10-hp pumps.
- Construction of an ATEC treatment system for treatment of well S02's water.

APPROVED SYSTEM CAPACITY

The water system capacity was not evaluated as part of this project. The system remains approved to serve 480 connections. It is your responsibility to ensure that physical capacity and water rights are not exceeded.

PROJECT COMPLETION

As required by WAC 246-290-120—within sixty days after construction and prior to use of the approved facilities, submit the following to us by e-mail at swro.admin@doh.wa.gov:

- A Construction Completion Report form signed and stamped by a professional engineer licensed in the state of Washington.
- An updated Water Facilities Inventory (WFI) form reflecting the changes or additions resulting from this project. Please use the most current WFI form using our Sentry Internet database at <https://fortress.wa.gov/doh/eh/portal/odw/si/Intro.aspx>. We will update the treatment status on your Water Facilities Inventory (WFI) once we acknowledge the Construction Completion Report form.
- Please provide an operation and maintenance manual for the treatment plant prior to or with the construction completion report.

By WAC 246-290-120, this approval is valid for two years unless we determine a need to withdraw the approval. If you need an extension, please send us a status report and a written schedule for completion. Extensions may be subject to additional terms and conditions.

CHLORINATION TREATMENT

Disinfection treatment is being installed because you would like to provide a preventative measure to increase public health protection.

Based on the information provided in this project report, the system will maintain a target chlorine residual of at least 0.2 mg/L in all parts of the distribution system. Please note, future changes in the rules may become more stringent or changes in the water system's source water quality may require modifications to the treatment facility.

As long as disinfection treatment is provided, this system is required to:

- Maintain a detectable residual disinfectant concentration (0.2 mg/L) in all active parts of the distribution system.
- Measure and record on ODW forms (example enclosed) residual disinfectant concentration at representative sites in the distribution system daily, five days per week.
- Measure the residual disinfectant concentration at the same time and location as routine and repeat coliform sample collection.
- Submit the chlorination report forms to ODW on a monthly basis, by the 10th of each month.

TREATMENT PLANT RATING AND OPERATOR REQUIREMENTS

A treatment plant rating form has been completed to determine the level of certified operator required to operate your plant. The treatment rating score is 24 points and categorizes the plant as a Class 1 treatment plant (see enclosed treatment rating form). To meet the treatment operations requirement, a Water Treatment Plant Operator 1 (WTPO1) is needed for your system.

WATER QUALITY MONITORING REQUIREMENTS

The water quality monitoring requirements for operating and maintaining the treatment plant are summarized in the table below. The requirements include monitoring the treated (finished) water quality and disinfection byproduct monitoring.

MONITORING CATEGORY	MONITORING REQUIREMENT	LOCATION	FREQUENCY
Treated (finished) water	manganese	After treatment	Monthly at entry to distribution
Disinfection Byproducts	Total Trihalomethane (TTHM)	Distribution system	Annually at 2 locations
	5 Haloacetic Acids (HAA5)	Distribution system	Annually at 2 locations

FINISHED WATER QUALITY

In accordance with WAC 246-290-310, the system is required to **collect finished drinking water samples, at a point directly downstream of the treatment plant, prior to the first consumer, monthly.** Finished drinking water samples from treatment plants utilized for removal of contaminants with established secondary maximum contaminant levels (MCLs) shall be submitted to a certified laboratory for analysis or analyzed for the specific contaminant(s) of concern by the purveyor through department-approved on-site methods.

DISINFECTION BYPRODUCT MONITORING

Disinfection byproducts (DBP) monitoring is required when chlorination treatment is provided, as specified in the Stage 2 Disinfectants and Disinfection Byproducts (D/DBP) rule. This system is required to begin DBP monitoring after construction is complete and the disinfection treatment is operating.

To document the number of samples, the monitoring frequency, and the monitoring locations for your specific system, you need to complete a Stage 2 DBP monitoring plan that can be downloaded from our website under Forms.

LEAD AND COPPER MONITORING

The proposed change in treatment may adversely affect corrosion in the water system or the project report did not adequately address the impact this change may have on the corrosion. After the treatment is placed online, you will be required to evaluate the effect on the lead and copper levels at customer's taps by collecting the following samples:

Collect two sets of ten lead and copper tap samples six month apart.

Collect WQP parameter at both the entry point to distribution and in the distribution system as shown below:

Monitoring Requirement	Location	Frequency
pH - filed measurement	Entry to distribution	Every 2 weeks
pH - field measurement	Distribution system at 2 taps	Quarterly
Alkalinity	Distribution system at 2 taps	Quarterly

WATER RIGHTS

Our approval of your water system project does not confer or guarantee any right to a specific quantity of water. The approved number of service connections is based on your representation of available water quantity. If the Department of Ecology, a local planning agency, or other authority responsible for determining water rights and water system adequacy, determines you have use of less water than you represented, the number of approved connections may be reduced commensurate with the actual amount of water and your legal right to use it.

Regulations establishing a schedule of fees for review of planning, engineering, and construction documents were adopted March 18, 2012 (WAC 246-290-990). Enclosed are an invoice and a list of itemized fees. The total amount due is \$2206.

If you have any questions, please contact me at (360) 236-3018 or by e-mail at rscott.pollock@doh.wa.gov.

Sincerely,



R. Scott Pollock, P.E.
Office of Drinking Water, Regional Engineer

Enclosures

cc: Robert Bennion, DCG, Inc.
Clallam County Health and Human Services

WASHINGTON STATE DEPARTMENT OF HEALTH

ATTACHMENT A

PURIFICATION PLANT CRITERIA WORKSHEET

ABC Classification: WTPO 1

Water Treatment Plant - address and contact person		System Name
Plant Name/Source #s	S01, S02	WA WFI # 081669
Contact Name and Title	Dale Metzger, manager	
Address	Post Office Box 92	
City/State/Zip	Sequim, Washington 98382	
Phone and Fax		

A groundwater supply with only chlorination is considered a distribution system, not a water treatment facility. The addition of any chemical to a public water supply, other than a disinfectant, will be considered a treatment facility and should use this rating worksheet to determine the classification of the facility.* Unless otherwise noted, give full amount of points in the "Your Plant" box.

For example:

Raw water quality is subject to or has elevated:	Points	Your Plant
Correct: Taste and/or odor levels	3	3
Incorrect: Taste and/or odor levels	3	1

Do not double count. If the plant has two horizontal-flow (rectangular basins), **DO NOT** give 10 points, give 5 points. If the plant has more than one type of unit for each process, give points once for each unit.

*With the exception of unit processes installed to allow in-line fluoridation, in-line chlorination, or chemical addition to inhibit corrosion are not included within the scope of the term "purification plant" per WAC 246-292-010.

Item	Points Possible	Your Facility
Size		
Design flow average day, or peak month s average day, whichever is larger (1 point per 0.5 MGD. Round up.) Design flow: Consider this to be the design capacity of the plant. Examples: 9.2 MGD = 19 points, 4.7 MGD = 10 points (20 points maximum allowed) 0.72	1 – 20	1
Water Supply Sources (Rating based on public health significance)		
Seawater/saltwater	0	-
Groundwater	0	0
Groundwater under direct influence of surface water (GWI)	8	-
Surface water	10	-
Average Raw Water Quality Variation - Applies to all sources (surface and groundwater). Key is the effect on treatment process changes that would be necessary to achieve optimized performance. <ul style="list-style-type: none"> Little or no variation - no treatment provided except disinfection (0 points) Minor variation - e.g. "high quality" surface source appropriate for slow sand filtration (1 point) Moderate variation in chemical feed, dosage changes made: monthly (2 points), weekly (3 points), or daily (4 points) Variation significant enough to require pronounced and/or very frequent changes (5 points) Severe variation - source subject to non-point discharges, agricultural/urban storm runoff, flooding (7 points) Raw water quality subject to agricultural or municipal waste point source discharges (8 points) Raw water quality subject to industrial waste pollution (10 points) 	0 – 10	0
Raw water quality is subject to:		
<ul style="list-style-type: none"> Taste and/or odor for which treatment process adjustments are routinely made 	2	-
<ul style="list-style-type: none"> Color > 15 CU (not due to precipitated metals) - see exceptions in Note 1 at end of table. 	3	-
<ul style="list-style-type: none"> Iron or/and manganese > MCL: Fe (2 points), Mn (3 points) (3 points maximum allowed) see exceptions in Note 1 at end of Table 1 	2 – 3	-
<ul style="list-style-type: none"> Algal growths for which treatment process adjustments are routinely made 	3	-

Item	Points Possible	Your Facility
Chemical Treatment/Addition Processes		
Fluoridation	4	-
Disinfection/Oxidation (Note: Points are additive to a maximum of 15 points allowed for this category.) CHECK <u>X</u> ALL THAT APPLY: <ul style="list-style-type: none"> • Chlorination: <ul style="list-style-type: none"> • Hypochlorites (5 points) <u>x</u> • If generated on site (add 1 point) <u> </u> • Chlorine gas (8 points) <u> </u> • Chloramination (10 points) <u> </u> • Chlorine dioxide (10 points) <u> </u> • Ozonation (10 points) <u> </u> • UV Irradiation (2 points) <u> </u> • Iodine, Peroxide, or similar (5 points) <u> </u> • Potassium permanganate (4 points) <u> </u> with pyrolusite <u> </u> (If used with greensand filtration do not give 4 points) 	0 - 15	5
pH adjustment for process control (e.g. pH adjustment aids coagulation)	4	-
Stability or Corrosion Control (If the same chemical is used for both Corrosion Control and pH adjustment, count points only once)	4	-
Coagulation/Flocculation & Filter Aid		
Primary coagulant addition	6	-
Coagulant aid / Flocculant chemical addition (in addition to primary coagulant use)	2	-
Flocculation	2	-
Filter aid addition (Non-ionic/anionic polymers)	2	-
Clarification/Sedimentation		
Sedimentation (plain, tube, plate)	4	-
Contact adsorption	6	-
Other clarification processes (air flotation, ballasted clarification, etc.)	6	-
Upflow clarification ("sludge blanket clarifier") ²	8	-
Filtration		
Granular media filtration (Surface water/GWI) ≤ 3 gpm/sq ft	10	-
Granular media filtration (Surface water/GWI) ≤ 3 gpm/sq ft	20	-
Groundwater filtration	6	6
Membrane filtration <ul style="list-style-type: none"> • For compliance with a primary regulation (10 points) • For compliance with a secondary regulation (6 points) 	6 - 10	-
Diatomaceous earth (pre-coat filtration)	10	-
Cartridge/bag	5	-
Pre-filtration (staged cartridges, pressure sand w/o coagulation, etc.): add one point per stage to maximum of 3 points	1 – 3	-
Slow sand	5	-
Other Treatment Processes		
Aeration	3	-
Air stripping (including diffused air, packed tower aeration)	5	-
Ion-exchange/softening	5	-
Greensand filtration	10	10
Lime-soda ash softening (includes: chemical addition, mixing/flocculation/clarification/filtration - do not add points for these processes separately)	20	-

Item	Points Possible	Your Facility
Granular activated carbon filter (do not assign points when included as a bed layer in another filter)	5	-
Powdered activated carbon	2	-
Blending sources with significantly different water quality <ul style="list-style-type: none"> To achieve MCL compliance (4 points) For aesthetic reasons (2 points) 	2 – 4	-
Reservoir management employing chemical addition	2	-
Electrodialysis	15	-
Other: Certification authority may assign 2 to 15 additional points for processes not listed elsewhere in this document. (Specify:)	2 – 15	-
Residuals Disposal		
<ul style="list-style-type: none"> Discharge to surface, sewer, or equivalent (0 points) On-site disposal, land application (1 point) Discharge to lagoon/drying bed, with no recovery/recycling - e.g. downstream outfall (1 point) Backwash recovery/recycling: discharge to basin or lagoon and then to source (2 points) Backwash recovery/recycling: discharge to basin or lagoon and then to plant intake (3 points) 	0 – 3	1
Facility Characteristics		
Instrumentation - Use of SCADA or similar instrumentation systems to provide data, with: <ul style="list-style-type: none"> Monitoring/alarm only, no process operation - plant has no automated shutdown capability (0 points) Limited process operation - e.g. remote shutdown capability (1 point) Moderate process operation - alarms and shutdown, plus partial remote operation of plant (2 points) Extensive or total process operation - alarms and shutdown, full remote operation of plant possible (4 points) 	0 - 4	1
TOTAL		24

See WAC 246-292-050 for minimum certification requirements:

Class I 30 points or less

Class II 31-55 points

Class III..... 56-75 points

Class IV 76 points and greater

Form Completed by:	R Scott Pollock, P.E.		
Phone: (360) 236-3018		Date: 12 Sep 2022	

Notes:

¹ Raw water quality is subject to:

- Taste and/or odor for which treatment process adjustments are routinely made (2 points): 1) T&O issue has been identified in a pre-design report, etc., 2) a process has been installed to address, and 3) operational control adjustments are made at least seasonally. Do not give points for T&O when there is no specific additional impact on operation. E.g. if a system is already pre-chlorinating for disinfection, give no points for T&O.
- Color > 15 CU (not due to precipitated metals) (3 points) with following exceptions: Color will be considered elevated and points assigned when levels exceed 75 Color Units (CU) for conventional filtration, 40 CU for direct filtration, or 15 CU for all other technologies, except reverse osmosis (no points given for color for reverse osmosis).
- Iron and/or manganese > MCL: Fe (2 points), Mn (3 points) (3 points maximum allowed) **with following exceptions:** Iron and manganese levels will be considered elevated and points assigned if they are greater than the MCL, except for applications of manganese greensand filters. For applications of manganese greensand filters, iron and manganese levels will be considered elevated when their combined level exceeds 1.0 mg/L (3 points)

allowed).

- Algal growths for which treatment process adjustments are routinely made (3 points): Raw water will be considered subject to algae growths when treatment processes are specifically adjusted due to the presence of high levels of algae on at least a weekly basis for at least two months each year.

² **Upflow clarification** ("sludge blanket clarifier") - 8 points - Also known as sludge blanket clarification. Includes such proprietary units as Super-Pulsator. These units include processes for flocculation and sedimentation. Important note: these are not the same as adsorption clarifiers.

Water Treatment Definitions

Definitions reprinted from "Master Glossary of Water and Wastewater Terms," [<http://www.owp.csus.edu/glossary/glossary.php>], with permission from Office of Water Programs, California State University, Sacramento.

Adsorption

The gathering of a gas, liquid, or dissolved substance on the surface or interface zone of another material.

Aeration

The process of adding air to water. Air can be added to water by passing air through water or passing water through air.

Air stripping

A treatment process used to remove dissolved gases and volatile substances from water. Large volumes of air are bubbled through the water being treated to remove (strip out) the dissolved gases and volatile substances.

Chloramination

The application of chlorine and ammonia to water to form chloramines for the purpose of disinfection.

Diatomaceous earth

A fine, siliceous (made of silica) "earth" composed mainly of the skeletal remains of diatoms.

Direct filtration

A method of treating water which consists of the addition of coagulant chemicals, flash mixing, coagulation, minimal flocculation, and filtration. The flocculation facilities may be omitted, but the physical-chemical reactions will occur to some extent. The sedimentation process is omitted.

Electrodialysis

The selective separation of dissolved solids on the basis of electrical charge, by diffusion through a semipermeable membrane across which an electrical potential is imposed.

Reverse osmosis

The application of pressure to a concentrated solution which causes the passage of a liquid from the concentrated solution to a weaker solution across a semipermeable membrane. The membrane allows the passage of the water (solvent) but not the dissolved solids (solutes).

SCADA system

The Supervisory Control And Data Acquisition system is a computer-monitored alarm, response, control and data acquisition system used by drinking water facilities to monitor their operations.

Stabilization

Processes that convert organic materials to a form that resists change. Organic material is stabilized by bacteria which convert the material to gases and other relatively inert substances. Stabilized organic material generally will not give off obnoxious odors.



Office of Drinking Water
INVOICE
 Engineering, Planning, and Sanitary Survey Review Form

TO: ACCOUNTS PAYABLE
 DALE METZGER
 ESTATES INC
 PO BOX 92
 SEQUIM WA 98382

Invoice Number	SW3069	
Invoice Date	September 13, 2022	
Billing Period	30 days	SW

DATE	DESCRIPTION	QTY	COST	AMOUNT
8/12/22	REVIEW AND/OR APPROVAL OF PROJECT REPORT ESTATES INC CLALLAM COUNTY STORAGE, BPS, AND MN TREATMENT SUBMITTAL #: 22-0805	1	1	\$2206.00
	Total			\$2206.00

Payment due within 30 days. Interest shall accrue at 1% per month after 30 days.

Make Checks Payable to Department of Health
Return Lower Portion to:
 Department of Health
 PO Box 1099
 Olympia, WA 98507-1099

Office of Drinking Water
 Engineering, Planning, and Sanitary Survey Review Form

NAME	ESTATES INC	
INVOICE NUMBER	SW3069	
INVOICE DATE	9/13/2022	22-0805 SW
AMOUNT	\$2206.00	

Return to:
 Department of Health
 Revenue Section
 PO Box 1099
 Olympia, WA 98507-1099

DOH Form #331-332

For persons with disabilities, this document is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388).

DOH Staff Name: **R Scott Pollock**

System Name: **Estates Inc**

Exh. RS-13

UW-240151

Sublog Number: **22-0805**

County: **Clallam**

Page 126 of 243

Water System ID: **081669**

ATTACHMENT A

Fixed Fee for Service

WATER SYSTEM PLANS

Project Type	Fee 1st Review	Fee 2nd Review	Approved?	
			Number Hr 1st Review	Number Hr 2nd Review
Total Water system plans	\$0	\$0	0	0

SATELLITE MANAGEMENT AGENCY (SMA) PLANS

Project Type	Fee 1st Review	Fee 2nd Review	Approved?	
			Number Hr 1st Review	Number Hr 2nd Review
Total SMA	\$0	\$0	0	0

PROJECT REPORTS

Project Type	Fee 1st Review	Fee 2nd Review	Approved?	
			Number Hr 1st Review	Number Hr 2nd Review
(d)(1) All types complex treatment processes 100 to 500 Services	\$1,103			
Total Project Reports	\$1,103	\$0	0	0

CONSTRUCTION DOCUMENTS

Project Type	Fee 1st Review	Fee 2nd Review	Approved?	
			Number Hr 1st Review	Number Hr 2nd Review
(f)(1) All types complex treatment processes 100 to 500 Services	\$1,103			
Total Construction documents	\$1,103	\$0	0	0

EXISTING SYSTEM APPROVAL

Project Type	Fee 1st Review	Fee 2nd Review	Approved?	
			Number Hr 1st Review	Number Hr 2nd Review
Total of Existing System approval	\$0	\$0	0	0

GROUP B AND OTHER EVALUATIONS AND APPROVALS

Project Type	Fee 1st Review	Fee 2nd Review	Approved?		No
			Number Hr 1st Review	Number Hr 2nd Review	Number Hr 2nd Review
Total of Other evaluations and approvals	\$0	\$0	0	0	0

Total Fixed Fee for Service

	\$2,206	\$0	0	0
--	----------------	------------	----------	----------

Hourly fee for service	Fee	# Hr	System Size	

Pay This Invoice Amount For This Review	\$2,206	0.0	0	0
--	----------------	------------	----------	----------

			Total for All Project Invoices	Total for All Project Hours
Summary			\$2,206	0

Construction Completion Report

Exh. RS-13

UW-240151

Page 127 of 243

ATTACHMENT A

In accordance with WAC 246-290-120(5), a **Construction Completion Report** is required for all applicable projects. Purveyors **must** submit a Construction Completion Report to the Department of Health (DOH) within sixty (60) days of completion and before use of any water system facility. This includes any source, water quality treatment, storage tanks, booster pump facilities, and distribution projects.

Please type or print legibly in ink:

ESTATES INC

DOH System ID No.: **08166**

Name of Water System

DALE METZGER

DOH Project No.: **22-0805**

Name of Purveyor (Owner or System Contact)

(if applicable)

PO BOX 92

Date Construction Documents

Mailing Address

Approved by DOH **9/13/2022**

SEQUIM, WA 98382

(If applicable)

City State Zip

Project Name and Descriptive Title: STORAGE, BPS, AND MN TREATMENT

Check one:

Entire Project Completed. Description of Portions Completed.

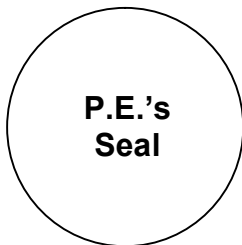
Complete (Attach additional sheets as needed):

Professional Engineer's Acknowledgment

The undersigned professional engineer (PE), or their authorized agent, has inspected the above-described project which, as to layout, size and type of pipe, valves and materials, reservoir and other designed physical facilities, has been constructed and is substantially completed in accordance with construction documents reviewed by the purveyor's engineer or approved by the DOH. In the opinion of the undersigned engineer, the installation, physical testing procedures, water quality tests, and disinfection practices were carried out in accordance with state regulations and principles of standard engineering practice.

I have reviewed the disinfection procedures , pressure test results , and results of the bacteriological test(s) for this project and certify that they comply with the requirements of the construction standards/specifications approved by the DOH. (Check all boxes that apply that are consistent with the nature of the project.)

This project changes the physical capacity of the system to serve consumers. The system is now able to serve equivalent residential units (ERUs.) Not applicable



Date Signed

Name of Engineering Firm

Name of PE Acknowledging Construction

Mailing Address

City State Zip

State/Federal Funding Type (if any)

Engineer's Signature

Please return completed form to DOH regional office checked below.

NWRO Drinking Water
Department of Health, K17-12
20435 72nd Ave S, Suite, 200
Kent, WA 98032
(253) 395-6750

SWRO Drinking Water
Department of Health
PO Box 47823
Olympia, WA 98504-7823
(360) 236-3030

ERO Drinking Water
Department of Health
16201 E Indiana Ave, Suite 1500
Spokane Valley, WA 99216
(509) 329-2100

The purveyor must attach a completed Water Facilities Inventory (WFI) form in accordance with WAC 246-290-120(6), if applicable. Contact the regional office in your area for WFI forms or additional Construction Completion Report forms.



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
SOUTHWEST DRINKING WATER REGIONAL OPERATIONS
111 Israel Road Southeast • PO Box 47823 • Olympia, Washington 98504-7823
Tel: (360) 236-3030 • Fax: (360) 236-3029 • TDD/TTY 711

July 25, 2024

Dale Metzger
Estates Inc
Post Office Box 92
Sequim, Washington 98282

Subject: Estates Inc, ID #08166, Clallam County; Storage, BPS, and Mn Treatment, ODW Project #22-0805, **PARTIAL FINAL APPROVAL for storage and BPS**

Dear Dale Metzger:

This letter acknowledges receipt of the Construction Completion Report (CCR) for the installation of a portion of this project signed by your engineer, Robert L Bennion, on July 23, 2024. The CCR indicates this part of the project has been completed according to plans and specifications approved by the Southwest Drinking Water Regional Operations on September 13, 2022.

The final approved scope of work includes:

- Replacement of two existing storage tanks with a single 158,000-gallon concrete reservoir.
- Construction of a 590-gpm booster pump station with four 10-hp pumps.

The booster pump station and storage reservoir are approved by Washington State Department of Health, Office of Drinking Water for use. According to your engineer, permitting with the county is also complete for this work.

APPROVED SYSTEM CAPACITY

The water system capacity was not evaluated as part of this project. The system remains approved to serve 480 connections. It is your responsibility to ensure that physical capacity and water rights are not exceeded.

PROJECT COMPLETION

This partial final approval does not cover the ATEC treatment system for well S02 portion of the project. As required by WAC 246-290-120—within sixty days after construction and prior to use of the approved treatment facilities, submit the following to us by e-mail at swro.admin@doh.wa.gov:

- A Construction Completion Report form signed and stamped by a professional engineer licensed in the state of Washington.
- An updated Water Facilities Inventory (WFI) form reflecting the changes or additions resulting from this project. Please use the most current WFI form using our Sentry Internet database at <https://fortress.wa.gov/doh/eh/portal/odw/si/Intro.aspx>. We will update the treatment status on your Water Facilities Inventory (WFI) once we acknowledge the Construction Completion Report form.

- Please provide an operation and maintenance manual for the treatment plant prior to or with the construction completion report.

By WAC 246-290-120, the approval dated September 13, 2022 was valid for two years unless we determine a need to withdraw the approval. If you need an extension, please send us a status report and a written schedule for completion. Extensions may be subject to additional terms and conditions.

NEW SYSTEMS THAT NEED AN SMA

This system is required to be operated, and managed or owned by an approved SMA. In the future, if an approved SMA is not available to offer operation and management, or ownership, this approval will be conditioned on periodic review of operational history. If ODW determines this system is in violation of its financial viability or other operating requirements, and an approved SMA is available, it may direct this system to an approved SMA for operation and management, or ownership, if such operations and management, or ownership can be made with reasonable economy and efficiency.

The department's final approval of the storage reservoir and booster pump station portion of the project does not confer or guarantee any right to a specific quantity of water. The approved number of service connections is based on your representation of available water quantity. If the Washington State Department of Ecology, a local planning agency, or other authority responsible for determining water rights and water system adequacy determines that you have use of less water than you represented, the number of approved connections may be reduced commensurate with the actual amount of water and your legal right to use it.

If you have any questions, please contact me at Sarah Spotts by phone at (564) 233-9289 or by e-mail at sarah.spotts@doh.wa.gov. Again, please submit all documents and correspondence to swro.admin@doh.wa.gov.

Sincerely,



Sarah Spotts, P.E.
Office of Drinking Water, Regional Engineer

cc: Cully Lehman, Cascadia Water
Robert Bennion, Facet, Inc.
Clallam County Health & Human Services

From: [Spotts, Sarah M \(DOH\)](#)
To: [DOH EPH DW SWRO Admin](#)
Subject: Clallam - FW: Estate Inc - Project 22-0805 - Extension Request
Date: Monday, September 23, 2024 1:39:07 PM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[Estates DOH Extension Request.pdf](#)

Good afternoon,

Can you please file this email and the attachment in the folder for project 22-0805?

Thanks,
Sarah

Sarah Spotts, P.E. (she/her)
Regional Engineer
[Office of Drinking Water](#) – SW Region
564-233-9289



From: Spotts, Sarah M (DOH)
Sent: Monday, September 23, 2024 1:36 PM
To: Robert Bennion <robert@dcgwatershed.com>; Culley Lehman <culley@cascadiawater.com>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Jeff Tasoff <JTasoff@facetnw.com>
Subject: RE: Estate Inc - Project 22-0805 - Extension Request

Hi Robert,

Yes, your request for an extension is approved. Thank you for submitting this and letting us know that you needed some additional time.

Sarah

Sarah Spotts, P.E. (she/her)
Regional Engineer
Office of Drinking Water – Southwest Regional Office
Division of Environmental Public Health
Washington State Department of Health
sarah.spotts@doh.wa.gov | 564-233-9289
www.doh.wa.gov/community-and-environment/drinking-water



From: Robert Bennion <robert@dgcwatershed.com>
Sent: Friday, September 20, 2024 2:30 PM
To: Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Culley Lehman <culley@cascadiawater.com>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Jeff Tasoff <JTasoff@facetnw.com>
Subject: Estate Inc - Project 22-0805 - Extension Request

External Email

Sarah,

The final installation of the Mn Treatment at Estates, Inc. has been delayed by a backordered backwash meter. This delay necessitates a request for an extension on the project approval. Attached is a formal request for an extension with an anticipated timeline for project completion.

Thanks,

Robert Bennion, PE

Project Manager

T: 360.331.4131 ext. 206

C: 503.515.8648 call/text

E: rbennion@facetnw.com

facetnw.com

Formerly DCG/Watershed



Seattle | Kirkland | Mount Vernon | **Whidbey Island** | Federal Way | Spokane



Proud to Be Named as One of Seattle Business Magazine's Washington's 100 Best Companies to Work for 2021 through 2023.

From: Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>

Sent: Tuesday, June 18, 2024 1:08 PM

To: Culley Lehman <culley@cascadiawater.com>; Robert Bennion <robert@dgcwatershed.com>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>

Subject: final approval needed before use of facilities

You don't often get email from sarah.spotts@doh.wa.gov. [Learn why this is important](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Cully and Robert,

I wanted to just send you a quick note reminding you that our final approval / acknowledgement of the CCR is required before use of the new facilities. The relevant text from the approval letter (attached) is below. I've also attached the CCR for your reference.

Please be aware that we were also contacted by a customer that was concerned about an issue with the building permit. Please verify with the county that everything is squared away with the permit and foundation work before signing and sending in the CCR.

Please let me know if you have any questions.

Thanks,
Sarah

PROJECT COMPLETION

As required by WAC 246-290-120—within sixty days after construction and prior to use of the approved facilities, submit the following to us by e-mail at swro.admin@doh.wa.gov:

- A Construction Completion Report form signed and stamped by a professional engineer licensed in the state of Washington.
- An updated Water Facilities Inventory (WFI) form reflecting the changes or additions resulting from this project. Please use the most current WFI form using our Sentry Internet database at <https://fortress.wa.gov/doh/eh/portal/odw/si/Intro.aspx>. We will update the treatment status on your Water Facilities Inventory (WFI) once we acknowledge the Construction Completion Report form.
- Please provide an operation and maintenance manual for the treatment plant prior to or with the construction completion report.

Sarah Spotts, P.E. (she/her)

Regional Engineer

Office of Drinking Water – Southwest Regional Office

Division of Environmental Public Health

Washington State Department of Health

sarah.spotts@doh.wa.gov | 564-233-9289

www.doh.wa.gov/community-and-environment/drinking-water



DATE: September 20, 2024

TO: Department of Health – Office of Drinking Water
Sarah Spotts, PE
PO Box 47823
Olympia, WA 98249

FROM: Facet
Robert Bennion, PE
PO Box 1132
Freeland, WA 98249

RE: Estates, Inc (Water System ID 08166) Submittal 22-0805
Storage, BPS, and Mn Treatment Project – Extension Request

Dear Sarah Spott, PE

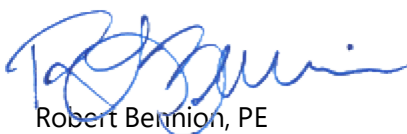
The construction project for DOH submittal 22-0805 for a storage reservoir, booster pumps sled, and manganese treatment system is underway and mostly complete. However, full project completion is not able to be completed prior to the two-year time frame provided in the approval letter. This memorandum has been prepared in order to request an extension to that approval till December 31, 2024.

Currently, the concrete storage reservoir and booster pump sled have been installed and a partial construction completion has been approved the DOH. Prior to full completion of the manganese treatment system, a backwash meter needs to be installed and the system startup and testing completed. At this time, the filter sled, valving, piping, backwash pond, and associated electrical improvements have been installed and the backwash meter has been ordered through the supplier.

It is anticipated that the backwash meter will be received and installed by October 18, 2024 and the treatment system will go through startup and final testing the first week of November 2024. Once startup is complete and the system is function properly, a final construction completion report will be submitted to the DOH prior to bringing the system online. The requested date of December 31, 2024 should provide adequate time to allow for delivery of the missing meter and system startup.

If you have any questions, please feel free to contact me at (360) 331.4131 ext. 206 or at rbennion@facetnw.com.

Sincerely,



Robert Bennion, PE
Project Manager



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER REGIONAL OPERATIONS
PO BOX 47800 ATTN: MS K17-12 OLYMPIA, WA 98504-7800

July 19, 2023

CULLEY J. LEHMAN
CASCADIA WATER, LLC
culley@cascadiawater.com

Subject: Rolf Bruun (ID: 03950)
Skagit County
CT6 Disinfection with Sodium Hypochlorite
Arsenic, Iron & Manganese Removal with Oxidation & Filtration
Submittal # 23-0601

Dear Culley Lehman:

The project report and construction documents received in this office on June 1, 2023 have been reviewed and, in accordance with the provisions of WAC 246-290 are hereby **APPROVED**. The approval issued herein is only valid as it relates to current standards outlined in WAC 246-290, effective on March 9, 2022. Future revisions in the rules may be more stringent and require facility modification or corrective action.

Design Summary: Due to several months of unsatisfactory coliform data, WSDOH required the community to install disinfection treatment to meet CT6. Presented in this project is a disinfection system and oxidation treatment for iron and manganese. Chlorine will serve the dual purpose of disinfectant and the primary oxidant. The treatment system will be full-scale piloted for approximately sixteen hours. A secondary chlorine injection point is designated downstream of the filters in case primary disinfection byproducts (DBP) maximum contaminant levels (MCLs) are exceeded. In the event of a DBP MCL exceedance, the primary oxidant will be switched to potassium permanganate.

Chlorine injection equipment, including a 30 gal solution tank and Blue-White M14-6T peristaltic metering pump, are to be installed upstream of the filters. Stock 12.5% Sodium hypochlorite solution will be diluted to a concentration of 6,250 mg/L and injected to target a pre-filtration dose of 3.1 mg/L and post-filtration residual of 1.0 mg/L. Contact volume to meet CT6 requirements will be provided predominantly by 6,642 gal of available volume in the water system's reservoir, assuming a baffling efficiency of 10%. Post-contact time chlorine residual will be targeted at 0.5mg/L. Assuming a total contact volume of 27.4 min, minimum chlorine concentration before the first customer tap must be greater than 0.21 mg/L.

The oxidation-filtration treatment system components include five 14" diameter, 60" tall ATEC vessels, delivered via skid. Four of the vessels will contain manganese dioxide coated media (Pyrolox Advantage). The remaining tank will be used as a pre-contact basin. Backwash water will be sourced from the pressurized distribution system and will target a rate of 15 gpm/ft² for 5 mins. Backwash waste will be sent to an existing pond near the treatment facility.

As required in WAC 246-290-120(5) within sixty days following the completion of and prior to use of the above project or portions thereof, the enclosed construction report must be completed by a professional engineer and returned to this Department.

WAC 246-290-120 (8) provides that this approval is in effect for two years unless the Department determines a need to withdraw the approval. An extension of the approval may be obtained by submitting a status report and a written schedule for completion. Extensions may be subject to additional terms and conditions imposed by the Department.

Nothing in this approval shall be construed as satisfying other applicable federal, state, or local statutes, ordinances and regulations.

Please note that an invoice for **\$1,420.00** is enclosed. Pay online with a credit card, debit card, or electronic check (ACH) using the Environmental Health Payment System at <https://secureaccess.wa.gov/>. A check or money order can be mailed to: **DOH, Revenue Section, P.O. Box 1099, Olympia, WA 98507-1099**. More instructions can be found on the invoice.

Sincerely,



Robert E. James, PE
Robert.james@doh.wa.gov

Enclosure

cc: Jeff Tasoff, PE – DCG/Watershed
Ryan Wynn – Water and Wastewater Services
Rachel Wilkens – Skagit County Public Health
PJ Wilkerson – WSDOH

STATE OF WASHINGTON
Department of Health
OFFICE OF DRINKING WATER
Project And Plan Review

Exh. RS-13
UW-240151
Page 137 of 243
ATTACHMENT A

INVOICE

CASCADIA WATER, LLC
ROLF BRUUN
PO BOX 549
FREELAND, WA 98249

WS ID: 08915
Invoice No: 53317
Invoice Date: 07/19/2023
Due Date: 08/18/2023

WS NAME: ROLF BRUUN

PROJECT AND PLAN REVIEW SUBMITAL#: 23-0601

DESCRIPTION	QTY	COST	AMOUNT
Construction Document Review	1	x \$710.00	\$710.00
Project Report	1	x \$710.00	\$710.00
Total Amount Due			\$1420.00

Comments: Rolf Bruun submittal# 23-0601: Invoiced with Approval

1. **Pay online** with a credit card, debit card, or electronic check (ACH) using the Environmental Health Payment System at <https://secureaccess.wa.gov/>.
2. For billing questions, please contact Northwest Drinking Water Regional Operations at (253) 395-6750 or via email DW.NWRO.WSProjects@doh.wa.gov.
3. This invoice is issued in accordance with WAC 246-290-990(3)(c)(iii).
4. For persons with disabilities, this document is available on request in other formats. To submit a request, please call 711 Washington Relay Service.
5. If paying by check:

Make checks payable to Department of Health, Federal ID #91-1444603.

Please return the bottom portion of this invoice with your check.

Invoice Number: 53317
Invoice Amount: \$1420.00
Owner Number: 036585
WS Name: ROLF BRUUN

Invoice Date: 07/19/2023
Invoice Due Date: 08/18/2023
Region: NW
WS ID: 08915

Reference: PROJECT AND PLAN REVIEW FEES

Please remit to:
**ACCOUNTS RECEIVABLE
DOH PROJECT AND PLAN REVIEW FEES
PO BOX 1099
OLYMPIA, WA 98507-1099**



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER REGIONAL OPERATIONS
PO BOX 47800 MS:47822 OLYMPIA, WA 98504-7800

May 31, 2024

Sea View Water LLC
C/O Culley Lehman, General Manager
culley@cascadiawater.com

Jeff Tasoff, PE
Facet Engineering
jtasoff@facetnw.com

Subject: Sea View Water LLC, ID #77148
Island County
Source Approval Report
Submittal #24-0401

Dear Culley Lehman:

The source approval for the above project received in this office on April 1, 2024, and supplemental information received on May 17, 2024, has been reviewed and in accordance with the provisions of WAC 246-290 is **APPROVED**. The approval issued herein is based on conformance with current standards outlined in WAC 246-290, last updated March 9, 2022. Future changes in the rules may be more stringent and require facility modification or corrective action.

Project Summary:

The drilled well #4 (S06) with Ecology tag BPN914 can be pumped at 100 GPM. The total well depth is 276 ft. The static water level is 221 ft. The well is approved as a permanent source and will be used as the primary source for the system. The well is located in an area currently classified as Medium Risk for Seawater Intrusion. As=4.7 ppb, Fe=ND, Mn=0.0022 mg/L, Nitrate=4.86 mg/L. This source does not require treatment therefore existing treatment will be bypassed when Well #4 operates. **The current treatment systems for Well #3 (S02) and the wellfield for Wells #1 and #2 (S01) are not approved by DOH and must be physically disconnected from the system upon placing Well #4 into service. DOH requires a project report for future work to optimize treatment and gain approval for the treatment system before use.**

A satisfactory bacteriological and PFAS sample must be collected and submitted to DOH before placing Well #4 in use. The sample collected and submitted with the project report was positive for Total Coliform. The well does not currently have a well pump in it.

There is no change in the approved number of connections. This water system remains approved to serve 210 Equivalent Residential Units. Our records indicate you are actively serving 190 connections.

As required in WAC 246-290-120 (5)–within sixty days following the completion of and prior to use of the above project or portions thereof, the enclosed construction report must be completed by a professional engineer and returned to this Department. When the certification of completion has been acknowledged by this office, this water system will remain approved to serve 88 equivalent residential units (ERUs) with physical capacity and water rights limitations considered.

The department’s approval of your well #BPN914 does not confer or guarantee any right to a specific quantity of water. The approved number of service connections is based on your representation of available water quantity. If the Washington Department of Ecology, a local planning agency, or other authority responsible for determining water rights and water system adequacy determines that you have used less water than you represented, the number of approved connections may be reduced commensurate with the actual amount of water and your legal right to use it.

Susceptibility Assessment documents have been forwarded to the Source Monitoring staff for review and rating. Future monitoring requirements for this source will be included in the next Water Quality Monitoring Report for your water system.

Per WAC 246-290-120 (6), please revise the enclosed water facility inventory (WFI) report form and submit it with the construction certification to reflect the changes or additions resulting from this project.

WAC 246-290-120 (8) provides that this approval is in effect for two years unless the Department determines a need to withdraw the approval. An extension of the approval may be obtained by submitting a status report and a written schedule for completion. Extensions may be subject to additional terms and conditions imposed by the Department.

Sincerely,



Derek Pell, P.E.
Regional Manager
Office of Drinking Water
Washington State Department of Health
derek.pell@doh.wa.gov



Alexis Medina, E.I.T.
Regional Engineering Staff
Office of Drinking Water
Washington State Department of Health
alexis.medina@doh.wa.gov

Enclosures – Construction Completion Report form, Pressure Leakage and Bacteriological Test Report form, WFI

ecc: Aneta Hupfauer, ICHD
Noel Philip, ECY
Jeff Roeser, DOH
Mary Rucksdashel, DOH
Kris Keenan, PE, Facet Inc

Construction Completion Report

Exh. RS-13

UW-240151

Page 141 of 243

ATTACHMENT A

In accordance with WAC 246-290-120(5), a **Construction Completion Report** is required for all approved construction projects. Purveyors **must** submit a Construction Completion Report to the Department of Health (DOH) within sixty (60) days of completion and before use of any water system facility. This includes any source, water quality treatment, storage tanks, booster pump facilities, and distribution projects.

Please type or print legibly in ink:

Sea View Water LLC

DOH System ID No.: #77148

Name of Water System

Culley Lehman

DOH Project No.: #24-0401

Name of Purveyor (Owner or System Contact)

(if applicable)

PO Box 549

Date Construction Documents

Mailing Address

Approved by DOH May 31, 2024

Freeland WA 98249

(if applicable)

City

State

Zip

Project Name and Descriptive Title: Source Approval Project Report

Check one:

Entire Project Completed. Description of Portions Completed.

Complete (Attach additional sheets as needed):

Professional Engineer's Acknowledgment

The undersigned professional engineer (PE), or their authorized agent, has inspected the above-described project which, as to layout, size and type of pipe, valves and materials, reservoir and other designed physical facilities, has been constructed and is substantially completed in accordance with construction documents reviewed by the purveyor's engineer or approved by the DOH. In the opinion of the undersigned engineer, the installation, physical testing procedures, water quality tests, and disinfection practices were carried out in accordance with state regulations and principles of standard engineering practice.

I have reviewed the disinfection procedures , pressure test results , and results of the bacteriological test(s) for this project and certify that they comply with the requirements of the construction standards/specifications approved by the DOH. (Check all boxes that apply that are consistent with the nature of the project.)

This project changes the physical capacity of the system to serve consumers. The system is now able to serve equivalent residential units (ERUs.) Not applicable

Date Signed

Name of Engineering Firm

PE's Seal

Name of PE Acknowledging Construction

Mailing Address

City State Zip

Engineer's Signature

State/Federal Funding Type (if any)

Please return completed form to DOH regional office checked below.

NWRO Drinking Water
Department of Health
PO Box 47800 MS: K17-12
Olympia, WA 98504

SWRO Drinking Water
Department of Health
PO Box 47823
Olympia, WA 98504-7823

ERO Drinking Water
Department of Health
1500 W. Fourth Ave, Suite 305
Spokane, WA 99201

(253) 395-6750

(360) 236-3030

(509) 456-3115

The purveyor must attach a completed Water Facilities Inventory (WFI) form in accordance with WAC 246-290-120(6), if applicable. Contact the regional office in your area for WFI forms or additional Construction Completion Report forms.

WASHINGTON STATE DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER SECTION
PRESSURE, LEAKAGE AND BACTERIOLOGICAL TEST REPORT

A. General Information:

Water System Name _____ Project _____
Engineer _____ Contractor _____
Pipe Location _____ Installation Date _____

B. Pressure and Leakage Test:

- 1. Is the pipe partially backfilled? Yes / No
- 2. Have the concrete thrustblocks been allowed to cure? Yes / No
- 3. Has water been allowed to sit in the pipe at least 24 hours prior to the beginning of the test? Yes / No
- 4. Have provisions been made to remove any entrapped air? Yes / No
- 5. Are all test ends capped and properly braced? Yes / No

Test Procedure (APWA, AWWA, C-600, etc.) _____
Pipe Material _____ Pipe Class _____
Pipe Diameter _____ Length of Test Section _____
Maximum Test Pressure _____ Maximum Test Pressure _____
Rated Valve Working Pressure _____

Allowable Leakage $L = \frac{ND\sqrt{P}}{7400}$ gallons/hour
Where: N = Number of joints in pipe tested
D = Nominal pipe diameter, inches
P = Average pressure during test, psi

Duration of Test _____ Gallons of Water Used _____

I have reviewed the results of the pressure and leakage test and certify that there was no visible evidence of leakage during the test and procedures utilized and results obtained by the contractor comply with the requirements of the construction specifications approved by the Washington State Department of Health.

Engineer's Signature Date

C. Disinfection and Bacteriological Test:

Type of Disinfection _____ Amount of Disinfection _____
Volume of Pipe _____ Calculated Residual _____
Date Disinfection Added _____ Date Disinfection Flushed _____
Initial Residual _____ Final Residual _____
Lab Sample Number _____ Test Results (attached) _____

I have reviewed the disinfection procedures and results of the bacteriological test for this project and certify that they comply with the requirements of the construction specifications approved by the Washington State Department of Health.

Engineer's Signature Date

WATER FACILITIES INVENTORY (WFI) FORM - Continued

Exh. BS-13
UW-240151

Page 144 of 243
4. GROUP
A

1. SYSTEM ID NO. 77148 Y	2. SYSTEM NAME SEA VIEW WATER LLC	3. COUNTY ISLAND	4. ATTACHMENT A	5. TYPE Comm
------------------------------------	---	----------------------------	------------------------	------------------------

	ACTIVE SERVICE CONNECTIONS	DOH USE ONLY! CALCULATED ACTIVE CONNECTIONS	DOH USE ONLY! APPROVED CONNECTIONS
25. SINGLE FAMILY RESIDENCES (How many of the following do you have?)		190	210
A. Full Time Single Family Residences (Occupied 180 days or more per year)	190		
B. Part Time Single Family Residences (Occupied less than 180 days per year)	0		
26. MULTI-FAMILY RESIDENTIAL BUILDINGS (How many of the following do you have?)			
A. Apartment Buildings, condos, duplexes, barracks, dorms	0		
B. Full Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied more than 180 days/year	0		
C. Part Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied less than 180 days/year	0		
27. NON-RESIDENTIAL CONNECTIONS (How many of the following do you have?)			
A. Recreational Services and/or Transient Accommodations (Campsites, RV sites, hotel/motel/overnight units)	0	0	0
B. Institutional, Commercial/Business, School, Day Care, Industrial Services, etc.	0	0	0
28. TOTAL SERVICE CONNECTIONS		190	210

29. FULL-TIME RESIDENTIAL POPULATION
A. How many residents are served by this system 180 or more days per year? 494

30. PART-TIME RESIDENTIAL POPULATION	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. How many part-time residents are present each month?												
B. How many days per month are they present?												

31. TEMPORARY & TRANSIENT USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. How many total visitors, attendees, travelers, campers, patients or customers have access to the water system each month?												
B. How many days per month is water accessible to the public?												

32. REGULAR NON-RESIDENTIAL USERS	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
A. If you have schools, daycares, or businesses connected to your water system, how many students, daycare children and/or employees are present each month that are NOT already included in the residential population?												
B. How many days per month are they present?												

33. ROUTINE COLIFORM SCHEDULE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
	1	1	1	1	1	1	1	1	1	1	1	1

34. NITRATE SCHEDULE	QUARTERLY	ANNUALLY	ONCE EVERY 3 YEARS
(One Sample per source by time period)			

35. Reason for Submitting WFI:

Update - Change
 Update - No Change
 Inactivate
 Re-Activate
 Name Change
 New System
 Other _____

36. I certify that the information stated on this WFI form is correct to the best of my knowledge.

SIGNATURE: _____ **DATE:** _____
PRINT NAME: _____ **TITLE:** _____

WS ID **WS Name**
77148 SEA VIEW WATER LLC

Exh. RS-13
UW-240151
Page 145 of 243
ATTACHMENT A

Total WFI Printed: 1



Water Facilities Inventory (WFI)

Report Create Date: 5/31/2024
Water System Id(s): 77148
Print Data on Distribution Page: ALL
Print Copies For: DOH Copy
Water System Name: ALL
County: -- Any --
Region: ALL
Group: ALL
Type: ALL
Permit Renewal Quarter: ALL
Water System Is New: ALL
Water System Status: ALL
Water Status Date From: ALL **To** ALL
Water System Update Date ALL **To** ALL
Owner Number: ALL
SMA Number: ALL
SMA Name: ALL
Active Connection Count From: ALL **To:** ALL
Approved Connection Count ALL **To:** ALL
Full-Time Population From: ALL **To:** ALL
Water System Expanding ALL
Source Type: ALL
Source Use: ALL
WFI Printed For: On-Demand



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER REGIONAL OPERATIONS
PO BOX 47800 MS:47822 OLYMPIA, WA 98504-7800

April 12, 2024

SEA VIEW WATER LLC
CULLEY LEHMAN, GENERAL MANAGER
culley@cascadiawater.com

Subject: Sea View Water LLC, ID #77148
Island County
Routine Sanitary Survey

Dear Culley Lehman:

This letter is in follow-up to my routine sanitary survey of your water system on March 19, 2024. Thank you for meeting with me.

The purpose of the sanitary survey is to inspect water system facilities, review operations & maintenance, and discuss ideas to help ensure the drinking water system will continue to be safe and reliable for years to come. These inspections are required by the drinking water regulations (WAC 246-290) every 3-5 years. We covered the eight EPA elements of a survey described in 40 CFR 142.16.

General conclusions. Sea View Water has submitted a new source approval project report to DOH. The new source has better water quality and would reduce manganese loading to the distribution system. It is evident Sea View Water has an aging infrastructure and needs major improvements. Thank you for planning and making steps to invest in infrastructure upgrades which will result in better quality of water to your customers.

2024 Sanitary Survey Issues

Enclosed is a copy of my Sanitary Survey Notes. They, along with this letter, reflect my understanding of your water system and highlight the key issues and specific recommendations (bold type in notes) we discussed during my visit. Please, in the next 45 days, respond to this letter and recommendations. If you disagree with them and/or are unable to take action within 45 days, please explain your intentions and provide a schedule for addressing the applicable findings. Thanks.

Significant Deficiencies – *Potential significant public health risks*

1. Seal the opening where the electrical wires into the wellhead for Well #3 (S02) at Fort Nugent Site. Additionally, no vent was present. Add a downward-facing screened vent where the sounding port is.

Significant Findings – *Defects in your facilities or operations that need immediate attention.*

1. Discontinue the use of chlorine in the treatment system and return to normal operations. Sea View does not have approval to use chlorine. If Sea View Water desires to continue the use of chlorine approval must be gained from DOH. Chlorine is a disinfectant and the disinfectant residual as well as disinfection by-products (DBP) should be monitored if the use continues, as well.
2. Submit photos of both sources at the Island View site demonstrating there are no openings in the wellhead or vent. Send a photo of the source meter and sample tap for each source.
3. Install a gasket/seal on the lip of the hatch for the Fort Nugent reservoir. No gasket/seal was present in the photos and there was evidence of bugs inside the hatch (spider web in the corner).
4. Submit the NSF certification for the potassium permanganate chemical used.
5. An air gap was not present in the backwash line for either treatment plant. Install an approved air gap in the backwash line to remove the cross-connection that exists.

Observations – *To notify you of other violations of drinking water rules.*

1. Iron and manganese are present in the water above the secondary maximum contaminant level (MCL). Manganese does have health effects associated with exposure at high levels. DOH recommends installing treatment to remove iron and manganese if present above the secondary MCL, and issuing PN if above 0.3 mg/L. Refer to the guidance on our website for more information.
<https://doh.wa.gov/sites/default/files/2023-12/331-741.pdf>
2. Please note that water systems need to develop and submit a Lead Service Line Inventory (LSI) by October 16, 2024. Please visit our website for additional guidance. <https://doh.wa.gov/community-and-environment/drinking-water/contaminants/lead/lead-and-copper-rule-revisions>
3. The Water Facilities Inventory (WFI) form must be updated each year. Sea View Water's WFI has not been updated since 2019. Please update.
4. Please note that future projects that change the system, such as booster pump replacement when it is not a like-for-like replacement, require a project report to be submitted and approved by DOH.
5. Continue the work to replace meters and aging mains to reduce distribution system leakage (DSL).
6. When the treatment system(s) are operated iron and manganese samples should be collected at a minimum monthly to verify how effective treatment is working.

Recommendations – *To improve your managerial, financial, or technical capacity.*

1. Plan for the replacement of the reservoirs in the overall CIP plan for Sea View Water. The Fort Nugent reservoir is leaking for the corners and showing signs of aging.
2. The trees/shrubs surrounding both reservoirs should be removed. They are growing too close to the tanks and could damage the foundation. The trees at the Island View site drop significant debris on top of the reservoir and could increase the risk of debris/contaminants entering the reservoir.
3. Research different methods for cleaning manganese build-up in the mains once the new well is online and manganese loading in the system is reduced.
4. I recommend collecting an additional arsenic sample at the entry point to distribution to ensure arsenic isn't present above the MCL. A sample from 2021 showed arsenic above the standard and it is unclear if that was collected pre or post-treatment.

The Drinking Water Regulations require that all Group A public water systems have a sanitary survey every 3-5 years. Regulations establishing a schedule of fees for sanitary surveys have been adopted (WAC 246-290-990). To receive credit for the survey, a sanitary survey fee must be paid. The total cost is **\$510.00**. An itemized invoice for this survey has been sent to the DOH primary contact on file for your water system. Please remit complete payment in the form of a check or money order within thirty days of the date of this letter in the enclosed envelope or mail payment to **WSDOH, Revenue Section, PO Box 1099, Olympia, WA 98507-1099**. DOH now accepts online payment for sanitary surveys. Review DOH Pub #331-688 for guidance.

Your next sanitary survey is tentatively scheduled for 2029.

Helping you ensure a safe and reliable drinking water supply is our highest priority. Please contact me if you have any questions or concerns. **Send all responses to this survey to me and our NWRO Sanitary Survey email: nwro.sanitarysurveys@doh.wa.gov.**

Sincerely,



Alexis Medina, EIT
Northwest Regional Engineering Staff
Office of Drinking Water
Washington State Department of Health
Alexis.Medina@doh.wa.gov
Cell: 564-200-2706

Enclosures – Invoice, Survey Report

ecc: Aneta Hupfauer, Island County Health Department
NWRO Sanitary Surveys



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER REGIONAL OPERATIONS
PO BOX 47800 MS:47822 OLYMPIA, WA 98504-7800

SANITARY SURVEY SUMMARY

March 19, 2024

System: Sea View Water LLC
Island County
ID #77148

Persons Attending: Culley Lehman, Cascadia Water LLC
Alexis Medina, DOH

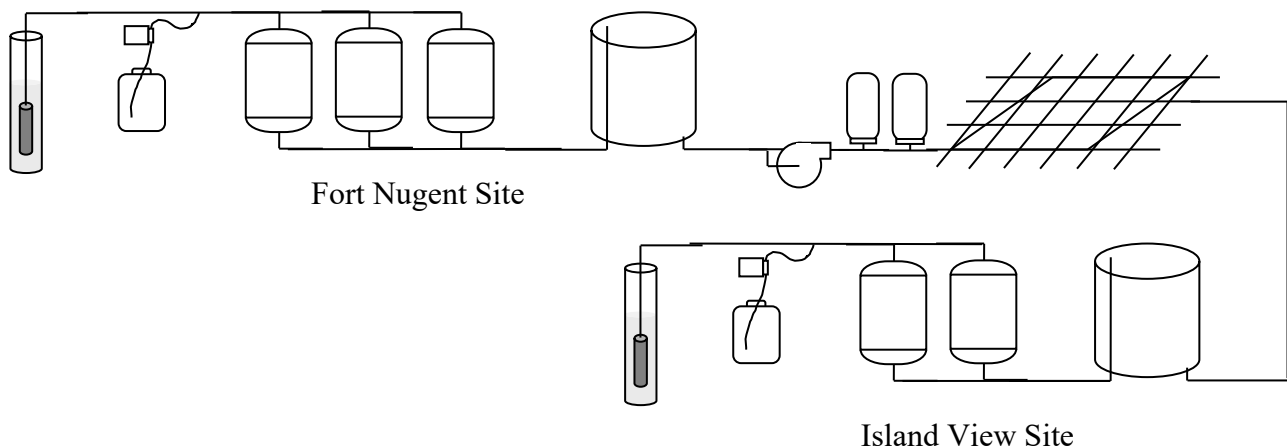
Purpose: Routine Sanitary Survey

General:

Sea View Water located West of Oak Harbor on Whidbey Island serves 190 single-family residential connections. The system is approved for 210 connections. Sea View Water is owned and operated by Cascadia Water, LLC.

Your water system was last surveyed in December 2019 by Denis Mehinagic, DOH. In 2023 a customer complained about the high concentration of iron and manganese in the system leading to brown water. Cascadia Water responded to the customer and has drilled a new well with better water quality. They have plans to abandon the treatment plants and rely on the new well to reduce iron and manganese loading in the distribution system. Your water system has a green operating permit. DOH approved a Water System Plan for Cascadia-owned systems, which included Sea View Water in August 2022.

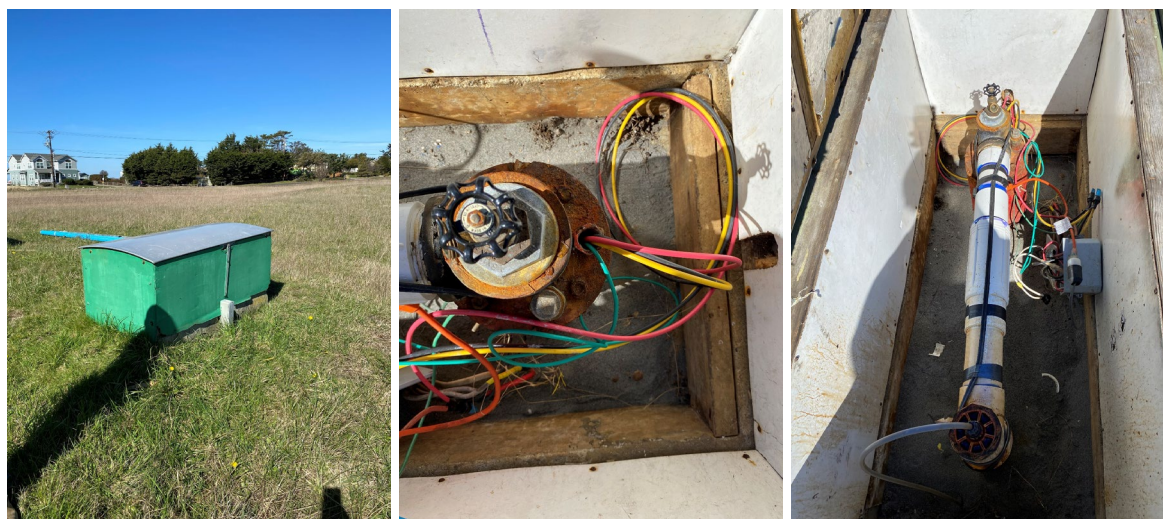
SYSTEM DESCRIPTION:



The system appears to be two separate water systems connected through distribution. The Fort Nugent site is almost identical to the Island View site. Both sites have well(s), greensand filtration, a storage tank, a submersible booster pump at the Island View site, a 10-hp booster pump at the Fort Nugent site, and a 300-gallon pressure tank(s).

Source:

Source ID #	Name:	Description:	Ecology Tag #	SWI* classification
01	Well #1 & 2 WF	Well Field, 100-gpm. Island View Wells. Lag sources for the system.		
02	Well 3	Ground Water Well. 288-ft deep, 80-gpm capacity. Main source. Fort Nugent well.	ABR011	High
03	Well 1	Ground Water Well. 271-ft deep, 50-gpm capacity.	AGA874	High
04	Well 2	Ground Water Well. 277-ft deep, 50-gpm capacity	AGA875	High
05	Whidbey West	Intertie. Cannot be physically located. Sea View and Whidbey West are working on the agreement and future construction of another intertie.		



(L) Fort Nugent Well (Center) No vent and open electrical into wellhead – Needs to be addressed (R) Potassium permanganate injection



(Above) Generator at Fort Nugent site

Well #3 (S02) is located at the Fort Nugent site and is the primary source for the system. Probes in the reservoir at the Fort Nugent site call the well on. The generator on-site powers the well pump, treatment process, and booster pump.



(Above) Well #1 and #2 at Island View Site – enclosures inaccessible during the survey

Well #1 and #2 form a well field (S01) at the Island View site. Both wells are called on by a pressure switch set at 15 psi lower than the Fort Nugent site. The enclosures for both wells were locked, and we weren't able to access them during the survey.

Submit photos of both sources at the Island View site demonstrating there are no openings in the wellhead or vent. Send a photo of the source meter and sample tap for each source.

Sea View Water is developing a new source for the system. The Source Approval project report has been submitted to DOH and is under review.

Treatment:

Island View treatment plant



(L) Potassium permanganate and chlorine solution tanks with feed pumps (Center) & (R) **Rot in the ceiling of treatment house – needs major repair.**



(L) & (Center) 2 filters at Island View site (R) Potassium permanganate injection point



(Above) Island View treatment house

Fort Nugent Treatment



(L) Chlorine injection point (Center) & (R) 3 Greensand media filters



(Above) Chlorine and potassium permanganate solution tanks and chlorine injection point

Both the Island View and Fort Nugent sites have potassium permanganate injection followed by greensand filtration to remove iron and manganese. All chemicals that come in contact with drinking water must have NSF approval. **Submit the NSF approval for the potassium permanganate chemical used.** The treatment systems are old and do not effectively remove iron and manganese. I understand Cascadia plans to abandon the treatment processes and rely on the new well that has better water quality. However, when the treatment system is operated samples should be collected at a minimum monthly to verify how effective treatment is working. Backwash from the Fort Nugent site flows into the nearby ditch. **An air gap was not present in the backwash line for either site. Install an approved air gap in the backwash line to remove the cross-connection that exists.**

At the time of the survey sodium hypochlorite (chlorine) was being injected in addition to potassium permanganate. Sea View Water does not have approval to inject chlorine and did not notify DOH of its use. **Discontinue the use of chlorine in the treatment system and return to normal operations.** If Sea View Water desires to continue the use of chlorine, approval must be gained from DOH. Chlorine is a disinfectant and the disinfectant residual as well as disinfection by-products (DBP) should be monitored if the use continues, as well.

Reservoir:



(L)Fort Nugent Reservoir (Center) For Nugent Reservoir (R) Screened overflow at Fort Nugent reservoir



(Above) Fort Nugent tank-level device



(L) Island View Reservoir (Center) Screened overflow at Island View reservoir (R) Trees overhanging the reservoir which results in excess debris on top of the reservoir



(Above) Vines growing up reservoir – can impact the integrity of the reservoir

Sea View Water has two 30,000-gal concrete reservoirs, one located at the Fort Nugent site and the other at the Island View site. Both reservoirs are filled after treatment. Both reservoirs were cleaned in January 2023 and are scheduled to be cleaned every 3-4 years.

The Fort Nugent reservoir is leaking for the corners and showing signs of aging. Begin to plan for the replacement of both reservoirs. The trees/shrubs surrounding both reservoirs are growing too close to the tanks and could damage the foundation. The trees at the Island View site drop significant debris on top of the reservoir and could increase the risk of debris/contaminants entering the reservoir. They should be removed.

The reservoirs have high and low-level alarms that are tied into the SCADA system and able to be viewed by the operator at any time. The alarms will call out to the operator.

Photos were received on 4/12/2024 for the reservoir overflows, hatches, vents, and other appurtenances. **Install a gasket/seal on the lip of the hatch for the Fort Nugent reservoir. No gasket/seal was present in the photos and there was evidence of bugs inside the hatch (spider web in the corner).**

Booster Pumps and Pressure Tank:



(L) & (Center) Booster pump at Fort Nugent site (R) 300-gallon pressure tanks at Fort Nugent site

The Fort Nugent site has. Previously the Fort Nugent site had a single 7.5 hp submersible pump in the storage tank. That submersible booster pump was replaced by a single 10-hp booster pump in the pump house. Please note for future projects that such changes require a project report to be submitted and approved by DOH. The pump is initiated by a pressure switch on twin 300-gallon pressure tanks. The Island View site has twin 7.5 hp submersible booster pumps in the storage tank. The booster pumps are initiated by a pressure switch on a single 300-gallon pressure tank.

Distribution:



(L) Visible manganese particles in flushed water (R) Flushing of main near Fort Nugent site

The system is a single pressure zone. The Fort Nugent site is set at 40-60 psi while the Island View site is set at 35-55 psi. The system has four fire hydrants but the distribution system was not designed for fire flow. The system is currently flushed monthly due to iron and manganese buildup. Valves are 2x a year. The frequency of flushing will reduce once the new source is approved and comes online and the amount of iron and manganese fed into the system is reduced.

Individual meters are installed on all connections. Individual meters are read every other month. Distribution system leakage (DSL) in 2022 was reported as 11.2% with the 3-year average DSL at 13.8%. The operator indicated that several leaks contributed to the high DSL and they are working to replace the meters with electronic read meters for more accurate data.

Sea View Water does have an active, written Cross Connection Control program. Surveys have been sent to and received from the residents. Cascadia Water is currently working on evaluating the risks and installing any required devices. Ensure the proper backflow prevention devices are installed and inspected annually. Keep up the good work!

Water Quality Monitoring and Reporting:

Nitrate and Arsenic:

Nitrate concentrations reported are consistently less than 1 mg/L, which is below the MCL of 10 mg/L.

The arsenic concentrations have been below the MCL of 10 ppb for the last 10 years for S01, S02, and S03. However, a sample result collected in 2021 from S01 reported arsenic at 10.2 ppb. It is unclear whether that sample was a raw water sample or was collected at the entry point. I recommend collecting an additional arsenic sample at the entry point to distribution to ensure arsenic isn't present above the MCL.

Iron and Manganese:

Sample results collected for iron in 2022 from S01 and S02 were 0.20 and 0.32 mg/L, respectively. Sample results collected for manganese in 2022 from S01 and S02 were 0.517 and 0.317 mg/L, respectively. These sample results state they were taken post-treatment therefore it appears treatment is not working to remove iron or manganese below the secondary MCL. The secondary MCL for iron and manganese are 0.3 mg/L and 0.05 mg/L, respectively.

Manganese is a naturally occurring mineral found in rocks, groundwater, and surface water. Small amounts of manganese are essential nutrients for humans. Our bodies need some manganese to stay healthy, but too much can be harmful, especially to infants. Manganese in water can also stain laundry and create a brownish-black or black stain on toilets, showers, bathtubs, or sinks. Manganese can make water look, smell, or taste bad. Manganese accumulates inside pipes in distribution systems and can be released at higher concentrations. Research worldwide has given us a more complete understanding of how manganese interacts with drinking water systems and its human health impacts. DOH recommends that any water system

with manganese above the secondary MCL install treatment to limit the exposure and issue public notification to customers if manganese is present above 0.3 mg/L.

Coliform Monitoring:

The system is required to collect one coliform sample every month. In the last 5 years, they have not had any confirmed, positive coliform samples. This system is in compliance with the coliform program.

Disinfection By-Products (DBP):

Sea View Water does not disinfect and therefore does not collect DBP samples.

Lead and Copper:

Sea View Water’s lead and copper results collected between 2019 and 2021 were below the action levels. The lead 90th % was 0.0064 mg/L and the copper 90th % was 0.849 mg/L. The action levels for lead and copper are 0.015 mg/L and 1.3 mg/L, respectively. The next set of lead and copper samples is required to be collected by September 2024.

Please note, that water systems need to develop and submit a Lead Service Line Inventory (LSI) by October 16, 2024. Please visit our website for additional guidance.

<https://doh.wa.gov/community-and-environment/drinking-water/contaminants/lead/lead-and-copper-rule-revisions>

PFAS:

From the sample collected in September 2023, all PFAS components were below the detection limits.

SYSTEM OPERATIONS AND MANAGEMENT:

Sea View water system is included in Cascadia Water LLC’s company-wide Water System Plan that was approved by DOH in 2022.

Sea View Water last updated its Water Facilities Inventory (WFI) form on 01/29/2019. The WFI form needs to be updated annually.

OPERATOR CERTIFICATION:

This system is required to have a WDM 1 and WTPO 1 certified operator.

Name of Operator	Certification Number	Certifications	Mandatory Operator
Jeff Breilein	011562	WTPO 1, WDM 1, CCS	<input checked="" type="checkbox"/>

WDS-Water Distribution Specialist; WDM-Water Distribution Manager; WTPO-Water Treatment Plant Operator, CCS-Cross Connection Specialist; If you have any questions or if this information is inaccurate, please contact Operator Certification at (800) 525-2536.



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER REGIONAL OPERATIONS
PO BOX 47800 ATTN: MS K17-12 OLYMPIA, WA 98504-7800

January 20, 2023

CASCADIA -W&B WSP SA EXP
CULLEY LEHMAN
culley@cascadiawater.com

Subject: Cascadia Water, SMA #168
W&B Waterworks 1, ID #46670 - SA Expansion/Planning Level Consolidation
of Del Bay Water System ID #18575
Island County
Water System Plan Amendment for Service Area Expansion/Del Bay - **Approval**
Submittal # 22-0318

Dear Mr. Culley Lehman:

The Cascadia's W&B Waterworks 1 Water System Plan (WSP) Amendment, received in this office on March 11, 2022, resubmitted information on September 14, 2022 and supporting documentation on November 17, 2022, has been reviewed, and in accordance with the provisions of WAC 246-290-100, is **APPROVED**.

Approval of the plan is valid as it relates to current standards outlined in Chapter 246-290 WAC, revised January 2022, Chapter 246-293 WAC, revised September 1997, Chapter 70.116 RCW, the Island County Coordinated Water System Plan (CWSP) and is subject to the qualifications herein.

APPROVED NUMBER OF CONNECTIONS

Per the company-wide plan approval letter, the table states that 500 connections (per Sentry note dated 9/10/2019) will be approved when the W&B Waterworks 1 and Del Bay's intertie is completed, and the inactivation of Del Bay occurs. The 500 connections include the active connections for each water system plus a few additional, 456 and 37 respectively.

The W&B Waterworks 1's water system came with a history of platted lots, and as governance allows, ADU's are considered on a case-by-case basis according to the assigned ERU usage value in the plan.

LOCAL GOVERNMENT CONSISTENCY

The plan meets local government consistency requirements for WSP approval pursuant to RCW 90.03.386 and RCW 43.20. The Board of Island County Commissioners approved the service area expansion, WSR 011/22, on October 18, 2022. DOH received the supporting documentation on November 17, 2022.

SERVICE AREA AND DUTY TO SERVE

Pursuant to RCW 90.03.386(2), the service area identified in this WSP Amendment now represents an increase in "place of use" for this system's water rights. Changes in service area should be made through a WSP amendment.

Cascadia Water's W&B Waterworks water system has a duty to provide new water service within its retail service area.

WATER RESOURCES

The department's approval of your water system plan does not confer or guarantee any right to a specific quantity of water. The approved number of service connections is based on your representation of available water quantity. If the Washington Department of Ecology, a local planning agency, or other authority responsible for determining water rights and water system adequacy determines that you have use of less water than you represented, the number of approved connections may be reduced commensurate with the actual amount of water and your legal right to use it.

Ecology commented on February 11, 2021. Their comments were addressed April 18, 2022.

OTHER

Regulations establishing a schedule of fees for review of planning, engineering, and construction documents were adopted August 3, 2007 (WAC 246-290-990). The total cost is **\$293.00**. An itemized invoice for the review of this submittal is enclosed. Please remit complete payment in the form of a check or money order within thirty days of the date of this letter in the enclosed envelope or mail payment to: **WSDOH, Revenue Section, PO Box 1099, Olympia WA 99507-1099**.

WATER SYSTEM PLANNING

We recognize the effort and commitment involved in the preparation of this plan amendment. Thank you for your cooperation and we look forward to working with you in the future.

Sincerely,



Jennifer Kropack
Regional Planner
(253) 395-6769

Attachment: Invoice

ecc: Jeff Tasoff, PE, Davido
Robert Bennion, PE, Davido
Alexis Medina, Engineer and Derek Pell, PE, DOH
John Lanier, Planner, Island County
Aneta Hupfauer, Island County Public Health
Noel Phillips and Kevin Conner, Water Resources, Ecology, NWRO
Krista Chavez, DOH (Approval for 500, change WFI)

STATE OF WASHINGTON
Department of Health
OFFICE OF DRINKING WATER
Project And Plan Review

Exh. RS-13
UW-240151
Page 164 of 243
ATTACHMENT A

INVOICE

CASCADIA WATER, LLC
W&B WATERWORKS 1
PO BOX 549
FREELAND, WA 98249

WS ID: 46670
Invoice No: 50929
Invoice Date: 01/20/2023
Due Date: 02/19/2023

WS NAME: W&B WATERWORKS 1

PROJECT AND PLAN REVIEW SUBMITAL#: 22-0318

DESCRIPTION	QTY	COST	AMOUNT
Water System Plan	1	x \$293.00	\$293.00
Total Amount Due			\$293.00

Comments: Water System Plan Amendment for Service Area Expansion/Del Bay.

1. **Pay online** with a credit card, debit card, or electronic check (ACH) using the Environmental Health Payment System at <https://secureaccess.wa.gov/>.
2. For billing questions, please contact Northwest Drinking Water Regional Operations at (253) 395-6750 or via email DW.NWRO.WSProjects@doh.wa.gov.
3. This invoice is issued in accordance with WAC 246-290-990(3)(c)(iii).
4. For persons with disabilities, this document is available on request in other formats. To submit a request, please call 711 Washington Relay Service.
5. If paying by check:

Make checks payable to Department of Health, Federal ID #91-1444603.

Please return the bottom portion of this invoice with your check.

Invoice Number: 50929
Invoice Amount: \$293.00
Owner Number: 036585
WS Name: W&B WATERWORKS 1

Invoice Date: 01/20/2023
Invoice Due Date: 02/19/2023
Region: NW
WS ID: 46670

Reference: PROJECT AND PLAN REVIEW FEES

Please remit to:
**ACCOUNTS RECEIVABLE
DOH PROJECT AND PLAN REVIEW FEES
PO BOX 1099
OLYMPIA, WA 98507-1099**



September 14, 2022

State of Washington Department of Health
NW Drinking Water Regional Operations
20425 72nd Avenue, Suite 310
Kent, WA 98032-2388

Re: W&B Waterworks 1 – System Consolidation of Del Bay
Water System Plan Amendment

To Whom It May Concern,

This memorandum has been prepared to provide clarification regarding the amendment of the Water System Plan for Cascadia Water (Cascadia).

Following the initial submittal of Cascadia Water's Water System Plan for review, Cascadia purchased the Del Bay Water System (System ID. 18575K). An evaluation of the Del Bay Water System infrastructure determined that the most economical and logical means of ensuring the availability of safe, clean drinking water to the Del Bay consumers was to replace the existing water mains for Del Bay and extend the distribution system for W&B Waterworks 1 (System ID. 466703) to serve the Del Bay service area. The well currently servicing Del Bay (DOE tag no. AGA 812) will be utilized by W&B as an emergency source.

Cascadia has begun the administrative process with Island County of revising the retail service area for W&B to include the parcels served by Del Bay as well as revising the Franchise Agreement to allow for the consolidation of the systems. Following the consolidation of the service areas, Cascadia plans to transfer the Del Bay water right associated with the (Certificate No. G1-23683C) to the W&B well field. A copy of the Del Bay water right certificate is provided as Attachment I. In the future, once the water rights are successfully transferred, the current Del Bay well will be properly decommissioned with the Department of Ecology (DOE). A water right self-assessment (WRSA) for Del Bay and W&B has been included as Attachment II.

The above memorandum is to provide clarifications regarding the amended Water System Plan for Cascadia Water in regards to the Del Bay and W&B consolidation. If you have any additional questions, please feel free to contact me at (360) 331.4131 x206 or at robert@dcgenr.com.

Sincerely,

Davido Consulting Group, Inc.

A handwritten signature in blue ink, appearing to read 'Robert Bennion', written over a printed name and title.

Robert Bennion, PE
Project Manager

Attachments

Attachment I: Water Right – Del Bay

Attachment II: W&B Waterworks & Del Bay WRSE Form

Attachment I

Water Right – Del Bay

CERTIFICATE OF WATER RIGHT

- Surface Water (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)
- Ground Water (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE September 25, 1980	APPLICATION NUMBER G1-23683	PERMIT NUMBER G1-23683P	CERTIFICATE NUMBER G1-23683C
-------------------------------------	--------------------------------	----------------------------	---------------------------------

NAME DEL BAY INC.			
ADDRESS (STREET) 1056 E. Timber Lane	(CITY) Freeland	(STATE) Washington	(ZIP CODE) 98249

This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown.

PUBLIC WATER TO BE APPROPRIATED

SOURCE Well
TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND	MAXIMUM GALLONS PER MINUTE 37.5	MAXIMUM ACRE-FEET PER YEAR 25.0
-------------------------------	------------------------------------	------------------------------------

QUANTITY, TYPE OF USE, PERIOD OF USE Community domestic supply - continuously, 50 services

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL 22 feet south and 302 feet east from the SW corner of Govt Lot 4, Sec. 9
--

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) SW $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 9	TOWNSHIP N. 29	RANGE, (E. OR W.) W.M. 2	W.R.I.A. 6	COUNTY Island
--	--------------	-------------------	-----------------------------	---------------	------------------

RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
-----	-------	------------------------------------

LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

Area served by Del Bay Inc., within the plats of Baywood Division 1 and Del Mar Vista located within Govt Lot 4 and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9 and Govt Lot 1 of Sec. 16, T. 29N., R2E of W.M.

When the chloride concentration exceeds 250 mg/L, the withdrawal rate shall be reduced or the pump setting raised to reduce the chloride level to below 250 mg/L.

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gauge may be installed in addition to the access port.

The amount of water granted is a maximum limit that shall not be exceeded and the water user shall be entitled only to that amount of water within the specified limit that is beneficially used and required.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.020.

This certificate of water right is specifically subject to relinquishment for nonuse of water as provided in RCW 90.14.180.

Given under my hand and the seal of this office at Redmond Washington, this 30th day of October, 19 81

Department of Ecology

Robert K. McCormick

by

ROBERT K. McCORMICK, Regional Manager

ENGINEERING DATA

OK

FOR COUNTY USE ONLY

Attachment II

Water Right Self-Assessment – W&B Waterworks 1 and Del Bay

Water Right Self-Assessment Form for W&B Waterworks

Mouse-over any link for more information. Click on any link for more detailed instructions.

Water Right Permit, Certificate, or Claim # *If water right is interruptible, identify limitation in yellow section below	WFI Source # If a source has multiple water rights, list each water right on separate line	Existing Water Rights Qi= Instantaneous Flow Rate Allowed (GPM or CFS) Qa= Annual Volume Allowed (Acre-Feet/Year) This includes wholesale water sold				Current Source Production – Most Recent Calendar Year Qi = Max Instantaneous Flow Rate Withdrawn (GPM or CFS) Qa = Annual Volume Withdrawn (Acre-Feet/Year) This includes wholesale water sold				10-Year Forecasted Source Production (determined from WSP) This includes wholesale water sold				20-Year Forecasted Source Production (determined from WSP) This includes wholesale water sold			
		Primary Qi Maximum Rate Allowed	Non-Additive Qi Maximum Rate Allowed	Primary Qa Maximum Volume Allowed	Non-Additive Qa Maximum Volume Allowed	Total Qi Maximum Instantaneous Flow Rate Withdrawn	Current Excess or (Deficiency) Qi	Total Qa Maximum Annual Volume Withdrawn	Current Excess or (Deficiency) Qa	Total Qi Maximum Instantaneous Flow Rate in 10 Years	10-Year Forecasted Excess or (Deficiency) Qi	Total Qa Maximum Annual Volume in 10 Years	10-Year Forecasted Excess or (Deficiency) Qa	Total Qi Maximum Instantaneous Flow Rate in 20 Years	20-Year Forecasted Excess or (Deficiency) Qi	Total Qa Maximum Annual Volume in 20 Years	20-Year Forecasted Excess or (Deficiency) Qa
1 G1-22510C	Groundwater	225 gpm	---	45.0 ac-ft	---			45.0 ac-ft	0.0 ac-ft			45.0 ac-ft	0.0 ac-ft			45.0 ac-ft	0.0 ac-ft
2 G1-24539C	Groundwater	---	225 gpm	105.0 ac-ft	---	225 gpm	0 gpm	55.0 ac-ft	50.0 ac-ft	225 gpm	0 gpm	70.0 ac-ft	35.0 ac-ft	225 gpm	0 gpm	99.3 ac-ft	5.7 ac-ft
3																	
4																	
5																	
6																	
TOTALS =		225 gpm		150 ac-ft		225 gpm	0 gpm	100 ac-ft	50.0 ac-ft	225 gpm	0 gpm	115.0 ac-ft	35.0 ac-ft	225 gpm	0 gpm	114.3 ac-ft	5.7 ac-ft

Column Identifiers for Calculations: A B C =A-C D =B-D E =A-E F =B-F G =A-G H =B-H

PENDING WATER RIGHT APPLICATIONS: Identify any water right applications that have been submitted to Ecology.

Application Number	New or Change Application?	Date Submitted	Quantities Requested			
			Primary Qi	Non-Additive Qi	Primary Qa	Non-Additive Qa
n/a						

INTERTIES: Systems receiving wholesale water complete this section. Wholesaling systems must include water sold through intertie in the current and forecasted source production columns above.

Name of Wholesaling System Providing Water	Quantities Allowed In Contract		Expiration Date of Contract	Currently Purchased Current quantity purchased through intertie				10-Year Forecasted Purchase Forecasted quantity purchased through intertie				20-Year Forecasted Purchase Forecasted quantity purchased through intertie			
	Maximum Qi Instantaneous Flow Rate	Maximum Qa Annual Volume		Maximum Qi Instantaneous Flow Rate	Current Excess or (Deficiency) Qi	Maximum Qa Annual Volume	Current Excess or (Deficiency) Qa	Maximum Qi 10-Year Forecast	Future Excess or (Deficiency) Qi	Maximum Qa 10-Year Forecast	Future Excess or (Deficiency) Qa	Maximum Qi 20-Year Forecast	Future Excess or (Deficiency) Qi	Maximum Qa 20-Year Forecast	Future Excess or (Deficiency) Qa
1 n/a															
2															
3															
TOTALS =															

Column Identifiers for Calculations: A B C =A-C D =B-D E =A-E F =B-F G =A-G H =B-H

INTERRUPTIBLE WATER RIGHTS: Identify limitations on any water rights listed above that are interruptible.

Water Right #	Conditions of Interruption	Time Period of Interruption
1		
2		
3		

ADDITIONAL COMMENTS:
 W&B Waterworks 1

Water Right Self-Assessment Form for Del Bay(18575K)

Mouse-over any link for more information. Click on any link for more detailed instructions.

Water Right Permit, Certificate, or Claim # <small>*If water right is interruptible, identify limitation in yellow section below</small>	WFI Source # <small>If a source has multiple water rights, list each water right on separate line</small>	Existing Water Rights <small>Qi= Instantaneous Flow Rate Allowed (GPM or CFS) Qa= Annual Volume Allowed (Acre-Feet/Year) This includes wholesale water sold</small>				Current Source Production – Most Recent Calendar Year <small>Qi = Max Instantaneous Flow Rate Withdrawn (GPM or CFS) Qa = Annual Volume Withdrawn (Acre-Feet/Year) This includes wholesale water sold</small>				10-Year Forecasted Source Production (determined from WSP) <small>This includes wholesale water sold</small>				20-Year Forecasted Source Production (determined from WSP) <small>This includes wholesale water sold</small>			
		Primary Qi <small>Maximum Rate Allowed</small>	Non-Additive Qi <small>Maximum Rate Allowed</small>	Primary Qa <small>Maximum Volume Allowed</small>	Non-Additive Qa <small>Maximum Volume Allowed</small>	Total Qi <small>Maximum Instantaneous Flow Rate Withdrawn</small>	Current Excess or (Deficiency) Qi	Total Qa <small>Maximum Annual Volume Withdrawn</small>	Current Excess or (Deficiency) Qa	Total Qi <small>Maximum Instantaneous Flow Rate in 10 Years</small>	10-Year Forecasted Excess or (Deficiency) Qi	Total Qa <small>Maximum Annual Volume in 10 Years</small>	10-Year Forecasted Excess or (Deficiency) Qa	Total Qi <small>Maximum Instantaneous Flow Rate in 20 Years</small>	20-Year Forecasted Excess or (Deficiency) Qi	Total Qa <small>Maximum Annual Volume in 20 Years</small>	20-Year Forecasted Excess or (Deficiency) Qa
1 G1-23683	Groundwater	37.5 gpm		25.0 ac-ft		37.5 gpm	0 gpm	7.7 ac-ft	39.1 ac-ft	37.5 gpm	0 gpm	8.3 ac-ft	16.7 ac-ft	37.5 gpm	0 gpm	8.9 ac-ft	16.1 ac-ft
2																	
3																	
4																	
5																	
6																	
TOTALS =		37.5 gpm		25.0 ac-ft		37.5 gpm	0 gpm	7.7 ac-ft	17.3 ac-ft	37.5 gpm	0 gpm	8.3 ac-ft	16.7 ac-ft	37.5 gpm	0 gpm	8.9 ac-ft	16.1 ac-ft

Column Identifiers for Calculations: A B C =A-C D =B-D E = A-E F =B-F G =A-G H =B-H

PENDING WATER RIGHT APPLICATIONS: Identify any water right applications that have been submitted to Ecology.						
Application Number	New or Change Application?	Date Submitted	Quantities Requested			
			Primary Qi	Non-Additive Qi	Primary Qa	Non-Additive Qa
n/a						

INTERTIES: Systems receiving wholesale water complete this section. Wholesaling systems must include water sold through intertie in the current and forecasted source production columns above.															
Name of Wholesaling System Providing Water	Quantities Allowed In Contract		Expiration Date of Contract	Currently Purchased <small>Current quantity purchased through intertie</small>				10-Year Forecasted Purchase <small>Forecasted quantity purchased through intertie</small>				20-Year Forecasted Purchase <small>Forecasted quantity purchased through intertie</small>			
	Maximum Qi <small>Instantaneous Flow Rate</small>	Maximum Qa <small>Annual Volume</small>		Maximum Qi <small>Instantaneous Flow Rate</small>	Current Excess or (Deficiency) Qi	Maximum Qa <small>Annual Volume</small>	Current Excess or (Deficiency) Qa	Maximum Qi <small>10-Year Forecast</small>	Future Excess or (Deficiency) Qi	Maximum Qa <small>10-Year Forecast</small>	Future Excess or (Deficiency) Qa	Maximum Qi <small>20-Year Forecast</small>	Future Excess or (Deficiency) Qi	Maximum Qa <small>20-Year Forecast</small>	Future Excess or (Deficiency) Qa
1 n/a															
2															
3															
TOTALS =															

Column Identifiers for Calculations: A B C =A-C D =B-D E =A-E F =B-F G =A-G H =B-H

INTERRUPTIBLE WATER RIGHTS: Identify limitations on any water rights listed above that are interruptible.		
Water Right #	Conditions of Interruption	Time Period of Interruption
1		
2		
3		

[ADDITIONAL COMMENTS:](#)

Del Bay (18575K)



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER REGIONAL OPERATIONS
PO BOX 47800 ATTN: MS K17-12 OLYMPIA, WA 98504-7800

June 12, 2023

W&B Waterworks 1
Culley Lehman, Opcigt
culley@cascadiawater.com

Subject: W&B Waterworks 1, ID #46670
Island County
Arsenic Treatment System and Reservoir Design
Capacity to Serve 536 ERUs
Submittal #22-1111

Dear Mr. Lehman:

The referenced submittal received in this office on November 9, 2022, along with supplemental information received on April 27, 2023 and May 25, 2023, has been reviewed and, in accordance with the provisions of WAC 246-290, is hereby **APPROVED**. The approval issued herein is only valid as it relates to current standards outlined in WAC 246-290, effective March 9, 2022. Future revisions in the rules may be more stringent and require facility modifications or corrective action.

Design Summary:

This water system design has been approved to serve 536 residential connections with water right instantaneous flow and treatment capacity being the limiting factor (treatment limits their physical capacity at 536 ERUs). This project includes the demolition of both the existing 50,000-gallon octagonal concrete reservoirs and the construction of a 185,000-gallon reinforced circular concrete reservoir located on a bordering parcel with the finished floor 20' higher in elevation.

The design includes arsenic, iron, and manganese treatment for all four wells. Raw water arsenic concentrations are between 6.8 ppb and 9.2 ppb. Raw water arsenic does not exceed the MCL of 10 ppb however the treatment is designed to reduce arsenic to the lowest concentration possible. The treatment plant design includes oxidation using potassium permanganate and sodium hypochlorite, coagulation with ferric chloride, contact time, and filtration using AS-700 Series media. The addition of sodium hypochlorite is for oxidation purposes only. W&B Waterworks is not required to disinfect. Water will flow through two (2) 30" diameter empty filter vessels and then flow in parallel through eight (8) 30" diameter filters at a loading rate of 5.7 gpm/sf (maximum flow rate of 225 gpm). Each filter will backwash after treating 90,000 gallons or after a run time of 12 hours. Each filter will backwash at a rate of 137 gpm for 5 min. Backwash frequency may change dependent on validation testing to determine when filter breakthroughs occur.

As required in WAC 246-290-120(5) within sixty days following the completion of and prior to use of the above project or portions thereof, the enclosed construction report must be completed by a professional engineer and returned to this Department.

WAC 246-290-120(8) provides that if construction of the project has not been started within two years of the date of this letter, this approval will become null and void unless you take action at that time to arrange for an extension of the approval in the manner prescribed.

The department's approval of this project does not confer or guarantee any right to a specific quantity of water. The approved number of service connections is based on your representation of available water quantity. If the Washington Department of Ecology, a local planning agency, or other authority responsible for determining water rights and water system adequacy determines that you have use of less water than you represented, the number of approved connections may be reduced commensurate with the actual amount of water and your legal right to use it.

Nothing in this approval shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, and regulations.

Please feel free to contact Alexis Medina or me at alexis.medina@doh.wa.gov or bob.james1@doh.wa.gov if we can help answer any questions.

Sincerely,



Robert E. James, P.E.
Regional Engineering Staff
Office of Drinking Water
Washington State Department of Health
bob.james1@doh.wa.gov

Enclosures – Construction Completion Report form

ecc: Aneta Hupfauer, John Lanier and Donah Dunn, ICHD
Alexis Medina, DOH
Krista Chavez, DOH
Robert Bennion, P.E., DCG/Watershed

Construction Completion Report

Exh. RS-13

UW-240151

Page 174 of 243

ATTACHMENT A

In accordance with WAC 246-290-120(5), a **Construction Completion Report** is required for all approved construction projects. Purveyors **must** submit a Construction Completion Report to the Department of Health (DOH) within sixty (60) days of completion and before use of any water system facility. This includes any source, water quality treatment, storage tanks, booster pump facilities, and distribution projects.

Please type or print legibly in ink:

W&B Waterworks 1

DOH System ID No.: #46670

Name of Water System

Culley Lehman, Manager

DOH Project No.: #22-1111

Name of Purveyor (Owner or System Contact)

(if applicable)

PO Box 549

Date Construction Documents

Mailing Address

Approved by DOH June 12, 2023

Freeland WA 98249

(if applicable)

City

State

Zip

Project Name and Descriptive Title:

Check one:

Entire Project Completed. Description of Portions Completed.

Complete (Attach additional sheets as needed):

Professional Engineer's Acknowledgment

The undersigned professional engineer (PE), or their authorized agent, has inspected the above-described project which, as to layout, size and type of pipe, valves and materials, reservoir and other designed physical facilities, has been constructed and is substantially completed in accordance with construction documents reviewed by the purveyor's engineer or approved by the DOH. In the opinion of the undersigned engineer, the installation, physical testing procedures, water quality tests, and disinfection practices were carried out in accordance with state regulations and principles of standard engineering practice.

I have reviewed the disinfection procedures , pressure test results , and results of the bacteriological test(s) for this project and certify that they comply with the requirements of the construction standards/specifications approved by the DOH. (Check all boxes that apply that are consistent with the nature of the project.)

This project changes the physical capacity of the system to serve consumers. The system is now able to serve equivalent residential units (ERUs.) Not applicable

Date Signed

Name of Engineering Firm

PE's Seal

Name of PE Acknowledging Construction

Mailing Address

City State Zip

Engineer's Signature

State/Federal Funding Type (if any)

Please return completed form to DOH regional office checked below.

NWRO Drinking Water
Department of Health
PO Box 47800 MS: K17-12
Olympia, WA 98504

SWRO Drinking Water
Department of Health
PO Box 47823
Olympia, WA 98504-7823

ERO Drinking Water
Department of Health
1500 W. Fourth Ave, Suite 305
Spokane, WA 99201

(253) 395-6750

(360) 236-3030

(509) 456-3115

The purveyor must attach a completed Water Facilities Inventory (WFI) form in accordance with WAC 246-290-120(6), if applicable. Contact the regional office in your area for WFI forms or additional Construction Completion Report forms.

From: [Pell, Derek \(DOH\)](#)
To: [Robert Bennion](#)
Cc: [Medina, Alexis \(DOH\)](#); culley@cascadiawater.com; [Jeff Tasoff](#); [DOH EPH DW NWRO ADMIN](#); [Pell, Derek \(DOH\)](#)
Subject: RE: Project Number: 22-1111 - W&B Waterworks 1 (#4660)
Date: Monday, July 22, 2024 11:11:52 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[W&B Waterworks 1 - 22-1111 - CCR - Phase 1.pdf](#)
[image005.png](#)
[image006.png](#)

Hello Robert.

Thank you for the partial Certification of Completion for this project. You may place the reservoir and associated piping into service.

I look forward to your final certification once the project is fully complete.

Derek

Derek Pell, PE

Northwest Regional Office Manager
Office of Drinking Water
Environmental Public Health
Washington State Department of Health
derek.pell@doh.wa.gov
doh.wa.gov | 253-395-6768



The physical location of the NW Regional Office of Drinking Water (NWRO) in Kent is closed. Our NWRO functional group remains intact and we are now working remotely. We are in the process of scanning all of our files. Please note, our response times may be slower than usual. We appreciate your patience. Our new mailing address is: 111 Israel Rd SE, PO Box MS: 47822, Olympia, WA 98504.

From: Robert Bennion <RBennion@facetnw.com>
Sent: Friday, June 21, 2024 4:06 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Cc: Medina, Alexis (DOH) <Alexis.Medina@doh.wa.gov>; culley@cascadiawater.com; [Jeff Tasoff](#) <JTasoff@facetnw.com>
Subject: Project Number: 22-1111 - W&B Waterworks 1

External Email

Derek,

We are wanting to stay on top of the bringing facilities online out at W&B Waterworks as the construction process progresses. Attached is a CCR for the partial completion of DOH Project no. 22-1111. This details the completion of the reservoir installation and associated piping. The pumphouse and treatment facilities are in progress but we want to make sure the system can benefit from the needed additional storage and hydraulic grade line.

Thanks for all your are doing. I have kept Alexis cc'd so she will have an email record since W&B will probably be a constant in our future discussions. Let me know if you have any questions regarding the attached form.

Robert Bennion, PE

Project Manager

T: 360.331.4131 ext. 206

C: 503.515.8648 call/text

E: rbennion@facetnw.com

facetnw.com

Formerly DCG/Watershed



Seattle | Kirkland | Mount Vernon | **Whidbey Island** | Federal Way | Spokane



Proud to Be Named as One of Seattle Business Magazine's Washington's 100 Best Companies to Work for 2021 through 2023.

Construction Completion Report

Exh. RS-13

UW-240151

Page 177 of 243

ATTACHMENT A

In accordance with WAC 246-290-120(5), a **Construction Completion Report** is required for all approved construction projects. Purveyors **must** submit a Construction Completion Report to the Department of Health (DOH) within sixty (60) days of completion and before use of any water system facility. This includes any source, water quality treatment, storage tanks, booster pump facilities, and distribution projects.

Please type or print legibly in ink:

W&B Waterworks 1

DOH System ID No.: #46670

Name of Water System

Culley Lehman, Manager

DOH Project No.: #22-1111

Name of Purveyor (Owner or System Contact)

(if applicable)

PO Box 549

Date Construction Documents

Mailing Address

Approved by DOH June 12, 2023

Freeland WA 98249

(if applicable)

City State Zip

Project Name and Descriptive Title:

Check one:

Entire Project Completed. Description of Portions Completed.

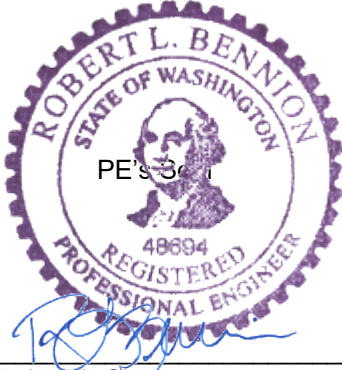
Complete (Attach additional sheets as needed): *The reservoir has been constructed with the associated reservoir fill lines and the gravity distribution line down to the existing reservoirs.*

Professional Engineer's Acknowledgment

The undersigned professional engineer (PE), or their authorized agent, has inspected the above-described project which, as to layout, size and type of pipe, valves and materials, reservoir and other designed physical facilities, has been constructed and is substantially completed in accordance with construction documents reviewed by the purveyor's engineer or approved by the DOH. In the opinion of the undersigned engineer, the installation, physical testing procedures, water quality tests, and disinfection practices were carried out in accordance with state regulations and principles of standard engineering practice.

I have reviewed the disinfection procedures , pressure test results , and results of the bacteriological test(s) for this project and certify that they comply with the requirements of the construction standards/specifications approved by the DOH. (Check all boxes that apply that are consistent with the nature of the project.)

This project changes the physical capacity of the system to serve consumers. The system is now able to serve equivalent residential units (ERUs.) Not applicable *(Pending full project completion)*



Engineer's Signature

06/21/2024

Date Signed
Facet

Name of Engineering Firm

Robert Bennion, PE

Name of PE Acknowledging Construction

PO Box 1132

Mailing Address

Freeland WA 98249

City
n/a

State

Zip

State/Federal Funding Type (if any)

Please return completed form to DOH regional office checked below.

NWRO Drinking Water
Department of Health
PO Box 47800 MS: K17-12
Olympia, WA 98504

SWRO Drinking Water
Department of Health
PO Box 47823
Olympia, WA 98504-7823

ERO Drinking Water
Department of Health
1500 W. Fourth Ave, Suite 305
Spokane, WA 99201

(253) 395-6750

(360) 236-3030

(509) 456-3115

The purveyor must attach a completed Water Facilities Inventory (WFI) form in accordance with WAC 246-290-120(6), if applicable. Contact the regional office in your area for WFI forms or additional Construction Completion Report forms.



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER REGIONAL OPERATIONS
PO BOX 47800 MS:47822 OLYMPIA, WA 98504-7800

April 12, 2024

W&B WATERWORKS 1
CULLEY LEHMAN, GENERAL MANAGER
culley@cascadiawater.com

Subject: W&B Waterworks 1, ID #46670
Island County
Routine Sanitary Survey

Dear Culley Lehman:

This letter is in follow-up to my routine sanitary survey of your water system on March 19, 2024. Thank you for meeting with me.

The purpose of the sanitary survey is to inspect water system facilities, review operations & maintenance, and discuss ideas to help ensure the drinking water system will continue to be safe and reliable for years to come. These inspections are required by the drinking water regulations (WAC 246-290) every 3-5 years. We covered the eight EPA elements of a survey described in 40 CFR 142.16.

General conclusions. W&B Waterworks is in the middle of constructing a new reservoir to replace the two existing reservoirs and build a treatment system to remove naturally occurring arsenic and manganese in the source water. Thank you for investing in the water system to best protect public health!

2024 Sanitary Survey Issues

Enclosed is a copy of my Sanitary Survey Notes. They, along with this letter, reflect my understanding of your water system and highlight the key issues and specific recommendations (bold type in notes) we discussed during my visit. Please, in the next 45 days, respond to this letter and recommendations. If you disagree with them and/or are unable to take action within 45 days, please explain your intentions and provide a schedule for addressing the applicable findings. Thanks.

Significant Deficiencies – *Potential significant public health risks*

1. The overflow screen on the newer, 50,000-gal tank needs finer 24-size mesh. Please replace the screen and submit photos.

Significant Findings – *Defects in your facilities or operations that need immediate attention.*

None

Observations – *To notify you of other violations of drinking water rules.*

1. Iron and manganese are present in the water above the secondary maximum contaminant level (MCL). Manganese does have health effects associated with exposure at high levels. DOH recommends installing treatment to remove iron and manganese if present above the secondary MCL, and issuing PN if above 0.3 mg/L. Refer to the guidance on our website for more information.
<https://doh.wa.gov/sites/default/files/2023-12/331-741.pdf>
2. Please note that water systems need to develop and submit a Lead Service Line Inventory (LSI) by October 16, 2024. Please visit our website for additional guidance. <https://doh.wa.gov/community-and-environment/drinking-water/contaminants/lead/lead-and-copper-rule-revisions>
3. Notify DOH when the consolidation of W&B Waterworks and Del Bay is completed.

Recommendations – *To improve your managerial, financial, or technical capacity.*

1. Improve the well enclosures for all 4 wells. The structures do not allow easy access to the wells and are not adequately protected to prevent rodent and bug entry.
2. Research different methods for cleaning manganese build-up in the mains once treatment is constructed and working to remove manganese and arsenic from the source water.

The Drinking Water Regulations require that all Group A public water systems have a sanitary survey every 3-5 years. Regulations establishing a schedule of fees for sanitary surveys have been adopted (WAC 246-290-990). To receive credit for the survey, a sanitary survey fee must be paid. The total cost is **\$408.00**. An itemized invoice for this survey has been sent to the DOH primary contact on file for your water system. Please remit complete payment in the form of a check or money order within thirty days of the date of this letter in the enclosed envelope or mail payment to **WSDOH, Revenue Section, PO Box 1099, Olympia, WA 98507-1099**. DOH now accepts online payment for sanitary surveys. Review DOH Pub #331-688 for guidance.

Your next sanitary survey is tentatively scheduled for 2029.

Helping you ensure a safe and reliable drinking water supply is our highest priority. Please contact me if you have any questions or concerns. **Send all responses to this survey to me and our NWRO Sanitary Survey email: nwro.sanitarysurveys@doh.wa.gov.**

Sincerely,

A handwritten signature in cursive script that reads "Alexis Medina".

Alexis Medina, EIT

Northwest Regional Engineering Staff

Office of Drinking Water

Washington State Department of Health

Alexis.Medina@doh.wa.gov

Cell: 564-200-2706

Enclosures – Invoice, Survey Report

ecc: Aneta Hupfauer – Island County Health Department
NWRO Sanitary Survey Program



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NORTHWEST DRINKING WATER REGIONAL OPERATIONS
PO BOX 47800 MS:47822 OLYMPIA, WA 98504-7800

SANITARY SURVEY SUMMARY

March 19, 2024

System: W&B Waterworks 1
Island County
ID #46670

Persons Attending: Culley Lehman, Cascadia Water LLC
Alexis Medina, DOH

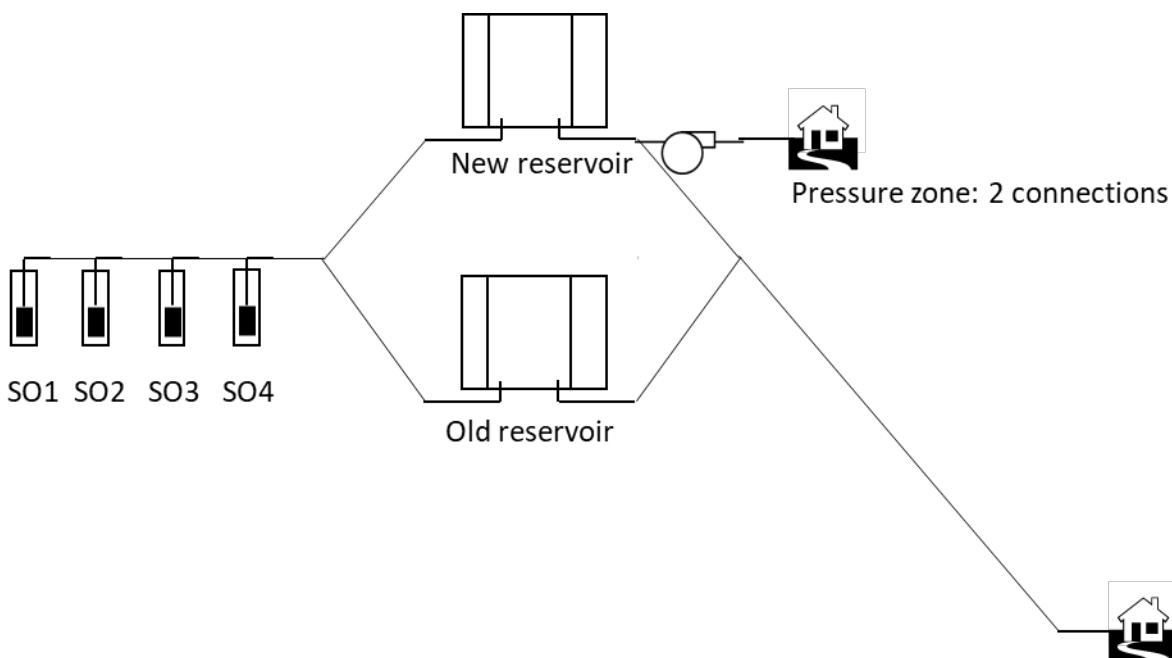
Purpose: Routine Sanitary Survey

General:

W&B Waterworks 1 located just outside of Freeland on Whidbey Island serves 456 single-family residential connections. The system is approved for 500 connections. W&B Waterworks 1 is owned and operated by Cascadia Water, LLC.

Your water system was last surveyed in September 2019 by Aneta Hupfauer, ICHD. No complaints on file. Your water system has a green operating permit. DOH approved a Water System Plan for Cascadia-owned systems, which included W&B Waterworks in August 2022.

SYSTEM DESCRIPTION:



Wells 1, 2, 3, and 4 form a wellfield (S05) and are the sole sources of the water system. No treatment is currently provided. Water is pumped into 2 reservoirs. There are two pressure zones, one gravity and one pressurized. The pressure zone is pressurized by one booster pump that serves 2 connections. The wells are in an area currently classified as medium risk of seawater intrusion (SWI).

Source:



(L) Well #1 with sample tap and source meter (R) Screened vent on Well #1



(L) Well #2 (Center) Screened vent on Well #2 (R) Source meter and sample tap



(L) Well #3 (Center) Secondary vent on Well #3 (R) Source meter and sample tap



(L) & (R) Screened vents on Well #3



(L) Well #4 (R) Screened vent on Well #4 – screen bubbled but fully intact

Well	Description
Well #1 (AGA932)	Permanent, lead source. 6-inch diameter well drilled to 310 feet. A screened vent, source meter, and sample tap are present. The transducer in the reservoir that is tied into SCADA calls the well on.
Well #2 (AGA931)	Seasonal source. Drilled to 291 feet. Only used in periods of high demand (typically only in the summer or a fire event).
Well #3 (AGA930)	Permanent lag source. 6-inch diameter well drilled to 280 feet. A screened vent, source meter, and sample tap are present.
Well #4 (AGA929)	Seasonal source. Drilled to 307 feet. Only used in periods of high demand (typically only in the summer or a fire event).

Well #1 is the lead well, well #3 is called on next, followed by well #2 and #4 which will come on simultaneously. All the wells are located near the two existing reservoirs and are in an area classified as medium risk for SWI. The operator performs site visits 3-5x a week. The generator on site can only supply power to well #1.

The structures over all 4 wells need improvement. They are hard to open and access the well and do not provide adequate protection from rodents and bugs.

Treatment:

W&B Waterworks 1 does not currently provide any type of treatment. However, treatment to remove naturally occurring manganese and arsenic was designed and approved by DOH in June 2023. Construction of the treatment plant will begin after the new reservoir construction is completed.

Reservoir:



(L) & (R) Existing reservoirs – soon to be demolished once the new tank is finished and online



(L) Existing reservoirs with wells nearby (Center) Overflow for reservoir (R) Finer mesh needed for overflow screen



(Above) Construction is underway for the new reservoir

W&B Waterworks 1 has two 50,000-gal octagonal concrete reservoirs. The reservoirs are filled from the bottom. Both reservoirs are filled in parallel from the sources. Both reservoirs were cleaned in January 2023 and are scheduled to be cleaned every 3-4 years. The design for a 185,000-gal reinforced circular concrete reservoir was approved by DOH in August 2022. Construction was underway during the time of the survey and the expected completion date was the end of May 2024. The 185,000-gal reservoir will replace both the 50,000-gal reservoirs. The older of the two 50,000-gal reservoirs was leaking significantly at the corners. Thank you for planning and replacing the aging infrastructure!

The reservoirs have high and low-level alarms that are tied into the SCADA system and able to be viewed by the operator at any time. The alarms will call out to the operator.

Photos were received on 4/12/2024 of the reservoir appurtenances for both reservoirs. Thank you. **The overflow screen on the newer, 50,000-gal tank needs finer 24-size mesh. Please replace the screen and submit photos.**

Booster Pumps and Pressure Tank:



(L) Booster pump housing near reservoir (R) 1-HP Booster pump for 2 connections

This system has two pressure zones, gravity and pressurized. The pressurized zone is supplied by one 1-hp booster pump that supplies 2 residential connections. This booster pump will be eliminated with the completion of the reservoir and treatment system upgrades.

W&B Waterworks does not have any pressure tanks.

Distribution:



(L) Generator for backup power (R) Newly rebuilt PRV in distribution

The water mains are 8- and 6-inch PVC throughout with a few 4-inch lateral lines. Three pressure-reducing valves reduce pressure to the lower elevation connections. Fire flow is provided to 34 fire hydrants in the distribution system. The system is flushed 1x a year due to iron and manganese buildup. Valves are exercised at the time of the flush.

Individual meters are installed on all connections. Individual meters are read every other month. Distribution system leakage in 2022 was reported as 1.7% with the 3-year average DSL at 9.6%. Due to large leaks in 2021, the 3-year average DSL increased, however a downward trend is expected.

W&B Waterworks 1 does have an active, written Cross Connection Control program. Surveys have been sent to and received from the residents. Cascadia Water is currently working on evaluating the risks and installing any required devices. Ensure the proper backflow prevention devices are installed and inspected annually. Keep up the good work!

Water Quality Monitoring and Reporting:

Nitrate and Arsenic:

Nitrate concentrations reported are consistently less than 2.5 mg/L, which is below the MCL of 10 mg/L.

The arsenic concentrations for a blended sample were 7.9 ppb, which is 10 ppb. Well #4 (S04) has the highest concentration of the wells at 8.2 ppb. The treatment system has been designed to remove arsenic to as low as possible.

Iron and Manganese:

Iron concentrations were reported at 0.09 mg/L in 2019. Manganese exceeds the secondary MCL in the raw water. The sample results from a sample collected in 2022 from the wellfield had manganese concentrations at 0.474. The secondary MCL for iron and manganese are 0.3 mg/L and 0.05 mg/L, respectively.

Manganese is a naturally occurring mineral found in rocks, groundwater, and surface water. Small amounts of manganese are essential nutrients for humans. Our bodies need some manganese to stay healthy, but too much can be harmful, especially to infants. Manganese in water can also stain laundry and create a brownish-black or black stain on toilets, showers, bathtubs, or sinks. Manganese can make water look, smell, or taste bad. Manganese accumulates inside pipes in distribution systems and can be released at higher concentrations. Research worldwide has given us a more complete understanding of how manganese interacts with drinking water systems and its human health impacts. DOH recommends that any water system with manganese above the secondary MCL install treatment to limit the exposure and issue public notification to customers if manganese is present above 0.3 mg/L.

W&B Waterworks treatment system is designed to remove manganese below the SMCL and should be constructed and operational by the end of 2024.

Coliform Monitoring:

The system is required to collect two coliform samples every month. In the last 5 years, they have not had any confirmed, positive coliform samples. This system is in compliance with the coliform program.

Disinfection By-Products (DBP):

W&B Waterworks does not disinfect and therefore does not collect DBP samples.

Lead and Copper:

W&B Waterwork's lead and copper results collected between 2021 and 2023 were below the action levels. The lead 90th % was 0.0013 mg/L and the copper 90th % was 0.16 mg/L. The action levels for lead and copper are 0.015 mg/L and 1.3 mg/L, respectively.

Please note, that water systems need to develop and submit a Lead Service Line Inventory (LSI) by October 16, 2024. Please visit our website for additional guidance.

<https://doh.wa.gov/community-and-environment/drinking-water/contaminants/lead/lead-and-copper-rule-revisions>

PFAS:

From the sample collected in August 2023, all PFAS components were below the detection limits.

SYSTEM OPERATIONS AND MANAGEMENT:

W&B Waterworks 1 water system is included in Cascadia Water LLC's company-wide Water System Plan that was approved by DOH in 2022.

W&B Waterworks and Del Bay Water System are working to consolidate. The consolidation of the two water systems is underway, however, not yet completed. Notify DOH when the consolidation is complete.

W&B Waterworks 1 last updated its Water Facilities Inventory (WFI) form on 08/03/2023. The WFI form needs to be updated annually. Thank you!

OPERATOR CERTIFICATION:

This system is required to have a WDM 1 certified operator.

Name of Operator	Certification Number	Certifications	Mandatory Operator
Adam Lehman	010506	WTPO 1, WDM 3, CCS, WDS	<input checked="" type="checkbox"/>

WDS-Water Distribution Specialist; WDM-Water Distribution Manager; WTPO-Water Treatment Plant Operator, CCS-Cross Connection Specialist; If you have any questions or if this information is inaccurate, please contact Operator Certification at (800) 525-2536.

From: [DOH EPH DW SWRO Admin](#)
To: RBennion@facetnw.com
Cc: [Emma Erickson](#); [Kindall, Abbey](#); [Young, Mike \(UTC\)](#); [Stark, Rachel \(UTC\)](#); culley@cascadiawater.com; [Hahn, Deirdra \(ECY\)](#)
Subject: ODW Invoice and Comment Letter – 24-0609 WSP Part A
Date: Wednesday, December 18, 2024 10:24:22 AM
Attachments: [image001.png](#)
[Cascadia SMA 168 24-0609 Part A WSP Amendment Cmt Ltr 2024-12-18.pdf](#)
[Cascadia SMA 168 24-0609 Part A WSP Amendment Inv 2024-12-18.pdf](#)

Water System Name: Cascadia SMA 168
Project Name: WSP Part A
Project #24-0609

Dear Robert Bennion:

Please note the attached Invoice #57471 and Fee worksheet. This invoice must be paid by January 17, 2025. Please forward these documents to your Accounts Payable department when you receive them.

We have completed our review of your submittal. Please review the attached ODW comment letter and submit your responses to swro.admin@doh.wa.gov. All comments must be addressed before we can finish our review and move to approval.

If you have any questions, please let the assigned engineer/planner know, and they will respond to you directly.

Thank you

Admin Support

Southwest Drinking Water Regional Operations
Environmental Public Health, Office of Drinking Water
swro.admin@doh.wa.gov
360.236.3030 | www.doh.wa.gov
360.236.3029 (fax)



From: [Grimm, Regina \(DOH\)](#)
To: [Stark, Rachel \(UTC\)](#); [Pell, Derek \(DOH\)](#); [Young, Mike \(UTC\)](#)
Cc: [Majors, Ben M \(DOH\)](#); [Spotts, Sarah M \(DOH\)](#); [Simas, Alexyss A \(DOH\)](#); [DOH EPH DW SWRO Admin](#)
Subject: RE: Cascadia - W&B docs
Date: Monday, December 23, 2024 1:00:50 PM
Attachments: [image001.png](#)
[image002.png](#)

Hello Rachel and Mike,

Our SW region admin uploaded the Cascadia WSP documents to the UTC box.com about. Deb said she sent you the link to download them. If you have any questions please contact Debbie Phillips at our admin email.

This is the list of systems we updated the WSPs for:

System Name and ID	Submittal
Cascadia_SMA_168	24-0609 Part A WSP Amendment
Diamond Point_192104	24-0611 WSP Pt B Update
Monterra_55990Y	24-0613 WSP Pt B Update
Estates Inc_081669	24-0612 WSP Pt B Update
Discovery Bay Village_19430W	24-0610 WSP Pt B Update

Regina N. Grimm, P.E.

Assistant Regional Manager

Office of Drinking Water – Southwest Regional Office

Division of Environmental Public Health

Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Sent: Monday, December 23, 2024 8:25 AM

To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Young, Mike (UTC) <mike.young@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>

Subject: RE: Cascadia - W&B docs

Good morning Derek,

Thank you so much. I appreciate you and your staff.

Rachel

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Monday, December 23, 2024 8:15 AM
To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

Good morning Rachel.

DM J.03 is a Directive Memorandum to staff on our broader compliance process. Attachment 1 is the Formal Enforcement Trigger Table that directs staff when to initiate formal enforcement action.

DM K.02 is a Directive Memorandum to staff on how to classify and follow up to Sanitary Surveys.

These documents are not typically made available to the public as they are directions to staff.

Let me know if you have questions.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Sunday, December 22, 2024 9:58 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - W&B docs

Hi Derek,

Do you have the document with your processes for company compliance?

Thank you
Rachel

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:11 PM

To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

Survey report

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:02 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 2:56 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - CAL

From: Pell, Derek (DOH)
Sent: Friday, December 20, 2024 2:40 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Subject: RE: Cascadia - Del Bay docs

From: Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Sent: Friday, December 20, 2024 1:51 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia

Hi Mike and Rachel,

I'm sending you the letters related the systems located in the Southwest Region.

The two disinfection projects (Diamond Point and Agate West) have been required by DOH, but they have not been submitted yet for approval. I have attached the letters directing these water systems to install treatment.

I'm sending the approval letters related to the Estates, Inc. project. These letters include the approval to construct (Approval Letter) and a partial construction completion acknowledgement (Final Approval). WE allow partial project acknowledgement. They were not quite finished with the entire project and requested an extension on the approval to construct, which we granted.

Regina N. Grimm, P.E.

Assistant Regional Manager

Office of Drinking Water – Southwest Regional Office

Division of Environmental Public Health

Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Young, Mike (UTC) <mike.young@utc.wa.gov>

Sent: Friday, December 20, 2024 9:47 AM

To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH)

<Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>

Subject: RE: Cascadia

How difficult would it be to get copies of the approval notices/letters/etc.?

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>

Sent: Thursday, December 19, 2024 4:33 PM

To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC)

<mike.young@utc.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M

(DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>

Subject: RE: Cascadia

Hi Rachel.

Attached is an email (red text) I that should answer a number of your questions. This was a response I offered Vicki Colburn when she was seeking to clarify a public disclosure request.

Let me know if you need me to dig deeper.

Thanks.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Wednesday, December 18, 2024 2:21 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Subject: Cascadia

Good afternoon,

Thank you all again for meeting with Mike and I this morning. It will help with my cross-testimony.

If you can provide us with the documents that show your process of steps for the water system plans, DOH's enforcement, or any information you can provide to us would be greatly appreciated and a great benefit.

Thank you.

Rachel Stark
Regulatory Analyst
(360) 664-1272
rachel.stark@utc.wa.gov

Washington Utilities and Transportation Commission
www.utc.wa.gov

From: [Grimm, Regina \(DOH\)](#)
To: [Stark, Rachel \(UTC\)](#); [Pell, Derek \(DOH\)](#); [Young, Mike \(UTC\)](#)
Cc: [Majors, Ben M \(DOH\)](#); [Spotts, Sarah M \(DOH\)](#); [Simas, Alexyss A \(DOH\)](#)
Subject: RE: Cascadia - W&B docs
Date: Monday, December 23, 2024 9:45:59 AM
Attachments: [Cascadia_List of capital improvement projects.docx](#)
[image001.png](#)
[image002.png](#)

Hello Rachel,
Attached is the summary table with project information.

Regina N. Grimm, P.E.

Assistant Regional Manager

Office of Drinking Water – Southwest Regional Office

Division of Environmental Public Health

Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Monday, December 23, 2024 8:25 AM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - W&B docs

Good morning Derek,

Thank you so much. I appreciate you and your staff.

Rachel

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Monday, December 23, 2024 8:15 AM
To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

Good morning Rachel.

DM J.03 is a Directive Memorandum to staff on our broader compliance process. Attachment 1 is the Formal Enforcement Trigger Table that directs staff when to initiate formal enforcement action.

DM K.02 is a Directive Memorandum to staff on how to classify and follow up to Sanitary Surveys.

These documents are not typically made available to the public as they are directions to staff.

Let me know if you have questions.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Sunday, December 22, 2024 9:58 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - W&B docs

Hi Derek,

Do you have the document with your processes for company compliance?

Thank you
Rachel

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:11 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

Survey report

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:02 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH)

<Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 2:56 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - CAL

From: Pell, Derek (DOH)
Sent: Friday, December 20, 2024 2:40 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Subject: RE: Cascadia - Del Bay docs

From: Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Sent: Friday, December 20, 2024 1:51 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia

Hi Mike and Rachel,

I'm sending you the letters related the systems located in the Southwest Region.

The two disinfection projects (Diamond Point and Agate West) have been required by DOH, but they have not been submitted yet for approval. I have attached the letters directing these water systems to install treatment.

I'm sending the approval letters related to the Estates, Inc. project. These letters include the approval to construct (Approval Letter) and a partial construction completion acknowledgement (Final Approval). WE allow partial project acknowledgement. They were not quite finished with the entire project and requested an extension on the approval to

construct, which we granted.

Regina N. Grimm, P.E.

Assistant Regional Manager
Office of Drinking Water – Southwest Regional Office
Division of Environmental Public Health
Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Young, Mike (UTC) <mike.young@utc.wa.gov>
Sent: Friday, December 20, 2024 9:47 AM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Subject: RE: Cascadia

How difficult would it be to get copies of the approval notices/letters/etc.?

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Thursday, December 19, 2024 4:33 PM
To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia

Hi Rachel.

Attached is an email (red text) I that should answer a number of your questions. This was a response I offered Vicki Colburn when she was seeking to clarify a public disclosure request.

Let me know if you need me to dig deeper.

Thanks.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Wednesday, December 18, 2024 2:21 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Subject: Cascadia

Good afternoon,

Thank you all again for meeting with Mike and I this morning. It will help with my cross-testimony.

If you can provide us with the documents that show your process of steps for the water system plans, DOH's enforcement, or any information you can provide to us would be greatly appreciated and a great benefit.

Thank you.

Rachel Stark
Regulatory Analyst
(360) 664-1272
rachel.stark@utc.wa.gov

Washington Utilities and Transportation Commission
www.utc.wa.gov

From: [Pell, Derek \(DOH\)](#)
To: [Stark, Rachel \(UTC\)](#); [Young, Mike \(UTC\)](#)
Cc: [Majors, Ben M \(DOH\)](#); [Spotts, Sarah M \(DOH\)](#); [Grimm, Regina \(DOH\)](#); [Simas, Alexyss A \(DOH\)](#); [Pell, Derek \(DOH\)](#)
Subject: RE: Cascadia - W&B docs
Date: Monday, December 23, 2024 8:16:11 AM
Attachments: [image001.png](#)
[image002.png](#)
[DM K.02.pdf](#)
[DM J.03.pdf](#)

Good morning Rachel.

DM J.03 is a Directive Memorandum to staff on our broader compliance process. Attachment 1 is the Formal Enforcement Trigger Table that directs staff when to initiate formal enforcement action.

DM K.02 is a Directive Memorandum to staff on how to classify and follow up to Sanitary Surveys.

These documents are not typically made available to the public as they are directions to staff.

Let me know if you have questions.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Sunday, December 22, 2024 9:58 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Young, Mike (UTC) <mike.young@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - W&B docs

Hi Derek,

Do you have the document with your processes for company compliance?

Thank you
Rachel

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:11 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

Survey report

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 3:02 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia - W&B docs

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Friday, December 20, 2024 2:56 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Simas, Alexyss A (DOH) <Alexyss.Simas@doh.wa.gov>
Subject: RE: Cascadia - CAL

From: Pell, Derek (DOH)
Sent: Friday, December 20, 2024 2:40 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Subject: RE: Cascadia - Del Bay docs

From: Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>
Sent: Friday, December 20, 2024 1:51 PM
To: Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia

Hi Mike and Rachel,

I'm sending you the letters related the systems located in the Southwest Region.

The two disinfection projects (Diamond Point and Agate West) have been required by DOH, but

they have not been submitted yet for approval. I have attached the letters directing these water systems to install treatment.

I'm sending the approval letters related to the Estates, Inc. project. These letters include the approval to construct (Approval Letter) and a partial construction completion acknowledgement (Final Approval). WE allow partial project acknowledgement. They were not quite finished with the entire project and requested an extension on the approval to construct, which we granted.

Regina N. Grimm, P.E.

Assistant Regional Manager

Office of Drinking Water – Southwest Regional Office

Division of Environmental Public Health

Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Young, Mike (UTC) <mike.young@utc.wa.gov>

Sent: Friday, December 20, 2024 9:47 AM

To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH)

<Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>

Subject: RE: Cascadia

How difficult would it be to get copies of the approval notices/letters/etc.?

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>

Sent: Thursday, December 19, 2024 4:33 PM

To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC)

<mike.young@utc.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>

Subject: RE: Cascadia

Hi Rachel.

Attached is an email (red text) I that should answer a number of your questions. This was a response I offered Vicki Colburn when she was seeking to clarify a public disclosure request.

Let me know if you need me to dig deeper.

Thanks.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Wednesday, December 18, 2024 2:21 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Subject: Cascadia

Good afternoon,

Thank you all again for meeting with Mike and I this morning. It will help with my cross-testimony.

If you can provide us with the documents that show your process of steps for the water system plans, DOH's enforcement, or any information you can provide to us would be greatly appreciated and a great benefit.

Thank you.

Rachel Stark
Regulatory Analyst
(360) 664-1272
rachel.stark@utc.wa.gov

Washington Utilities and Transportation Commission
www.utc.wa.gov

From: [Grimm, Regina \(DOH\)](#)
To: [Young, Mike \(UTC\)](#); [Stark, Rachel \(UTC\)](#)
Cc: [Majors, Ben M \(DOH\)](#); [Spotts, Sarah M \(DOH\)](#); [Pell, Derek \(DOH\)](#)
Subject: RE: Cascadia
Date: Friday, December 20, 2024 1:51:57 PM
Attachments: [image001.png](#)
[image002.png](#)
[Diamond Point 19210 L2A & Cl2 Directive Letter 2023-05-05.pdf](#)
[Agate West 00515 Install Cont Disinfection Treatment CL2 Directive Ltr 2024-09-26.pdf](#)
[Estates Inc 08166 22-0805 Storage BPS Mn Treatment APVL Ltr 2022-09-13.pdf](#)
[Estates Inc 08166 22-0805 Storage BPS Mn Treatment Partial FINAL APVL Ltr 2024-07-23.pdf](#)
[Estates Inc 08166 22-0805 Storage BPS Mn Treatment Sub1 ExtReq 2024-09-20.pdf](#)
[Estates Inc 08166 22-0805 Storage BPS Mn Treatment Sub1 ExtReq Email .2024-09-20.pdf](#)

Hi Mike and Rachel,

I'm sending you the letters related the systems located in the Southwest Region.

The two disinfection projects (Diamond Point and Agate West) have been required by DOH, but they have not been submitted yet for approval. I have attached the letters directing these water systems to install treatment.

I'm sending the approval letters related to the Estates, Inc. project. These letters include the approval to construct (Approval Letter) and a partial construction completion acknowledgement (Final Approval). WE allow partial project acknowledgement. They were not quite finished with the entire project and requested an extension on the approval to construct, which we granted.

Regina N. Grimm, P.E.

Assistant Regional Manager

Office of Drinking Water – Southwest Regional Office

Division of Environmental Public Health

Washington State Department of Health

regina.grimm@doh.wa.gov

564-669-0857 | <https://www.doh.wa.gov/CommunityandEnvironment/DrinkingWater>



From: Young, Mike (UTC) <mike.young@utc.wa.gov>

Sent: Friday, December 20, 2024 9:47 AM

To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>

Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>

Subject: RE: Cascadia

How difficult would it be to get copies of the approval notices/letters/etc.?

From: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Sent: Thursday, December 19, 2024 4:33 PM
To: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>
Subject: RE: Cascadia

Hi Rachel.

Attached is an email (red text) I that should answer a number of your questions. This was a response I offered Vicki Colburn when she was seeking to clarify a public disclosure request.

Let me know if you need me to dig deeper.

Thanks.
Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Wednesday, December 18, 2024 2:21 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Subject: Cascadia

Good afternoon,

Thank you all again for meeting with Mike and I this morning. It will help with my cross-testimony.

If you can provide us with the documents that show your process of steps for the water system plans, DOH's enforcement, or any information you can provide to us would be greatly appreciated and a great benefit.

Thank you.

Rachel Stark
Regulatory Analyst
(360) 664-1272
rachel.stark@utc.wa.gov

Washington Utilities and Transportation Commission
www.utc.wa.gov

From: [Pell, Derek \(DOH\)](#)
To: [Vicki Colburn](#); [Simas, Alexyss A \(DOH\)](#); [Phillips, Debbie \(DOH\)](#); [DOH EPH Public Disclosure](#)
Cc: [Steve Todd](#); [Kent Hanson](#); [Rick Smith](#); [Dave Bennett](#); [Tom Cox](#); [Blaine Gilles](#); [Majors, Ben M \(DOH\)](#); [Nuño, Crystal M \(DOH\)](#); [Chavez, Krista R \(DOH\)](#); [Medina, Alexis \(DOH\)](#); [Pell, Derek \(DOH\)](#)
Subject: RE: Cascadia / OPEN/PENDING Public Information requests
Date: Monday, October 28, 2024 3:30:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Hi Vicki.

I've coordinated with the NW Regional Planners and Island County Engineer and checked in with Ben Majors in the SW Regional Office.

Below in red text are the submittal numbers and project status for the requested projects.

Please let us know if you would like specific information for your Public Disclosure Request.

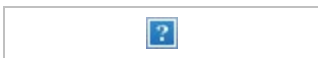
Happy to answer any further questions.

Respectfully,

Derek

Derek Pell, PE

Northwest Regional Office Manager
Office of Drinking Water
Environmental Public Health
Washington State Department of Health
derek.pell@doh.wa.gov
doh.wa.gov | 253-395-6768



The physical location of the NW Regional Office of Drinking Water (NWRO) in Kent is closed. Our NWRO functional group remains intact and we are now working remotely. We are in the process of scanning all of our files. Please note, our response times may be slower than usual. We appreciate your patience. Our new mailing address is: 111 Israel Rd SE, PO Box MS: 47822, Olympia, WA 98504.

From: Vicki Colburn <vickinapa@sbcglobal.net>

Sent: Wednesday, October 23, 2024 10:46 AM

To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>

Cc: Steve Todd <stevetodd1864@gmail.com>; Kent Hanson <kent.hanson1@gmail.com>; Rick Smith <ricksmith.wn29@gmail.com>; Dave Bennett <ddb3881@gmail.com>; Tom Cox <tomcoxwgc@msn.com>; Blaine Gilles <blaine.gilles@mac.com>

Subject: Cascadia / OPEN/PENDING Public Information requests

External Email

Good Morning.

Thank you for your recent phone call and offering to help check on the status of some very old public information requests. I hope this email might help facilitate getting the information. If the phone message I left this morning was garbled, my phone number is 360-683-0742.

As I am sure you are aware, we have been seeking this information so that we can be prepared to accurately discuss these issues during the UTC's adjudication process for a current rate filing, UW-240151. I also have pending meetings with Rep. Tharinger and others as we continue to discuss the necessary changes to the private water system industry. These delays are concerning. I hope that we can find a way to expedite these requests.

Pending public information requests filed beginning of September - Looking for status on: N005720-091024, N005721-091024, N005722-091024, N005723-091024

In case it helps clarify what I am looking for, I am asking for DOH project #'s, information/files for projects or work done on Whidbey Island by Cascadia since basically 2018 which include DOH approved projects, emails or other communications including Construction Completion forms between DOH, Cascadia and Cascadia's consultant or contractors.

Submittal #20-0810 A-L Companywide Plan for Island County Water Systems. Approved 8/8/2022. Update on or before 8/4/2030. This is known as the Part A Umbrella Plan.

A -W&B Waterworks

B – Sea View Water

C – Beachcomber H2O

- D – Cal Waterworks
- E – TEL 1
- F – TEL 3
- G – TEL 4
- H – TEL 5
- I – TEL 6
- J – TEL10
- K – TEL 11
- L – Mutiny Bay Waterworks

- a. DEL BAY (WFI#18575K) WATERMAIN Replacement & Consolidation with WB Waterworks.
 - DOH letter 6/30/2021 acknowledging transfer of ownership to Cascadia.
 - DOH letter 1/20/2023 Water System Plan Amendment for Service Area Expansion / Del Bay approved.
 - Standard specs for watermain replacement in an approved water system plan?

- b. CAL Waterworks -(WFI# 310406) Distribution System Loop
 - Standard specs for watermain replacement in an approved water system plan.

- c. CAL Waterworks Reservoir Replacement & Booster Pump Improvements
 - Submittal #22-0710 Replace Reservoir Pumphouse Booster Pumps. Approved 8/31/2022.

- d. W&B Waterworks #1(WFI#466703) Watermain replacement and PRV Vault for Mutiny Lane, Mutiny Bay Road
 - Standard specs for watermain replacement in an approved water system plan.

- e. W&B Waterworks Reservoir , Pumphouse, Treatment and Watermain Replacement
 - Submittal #22-1111 As Treatment & Reservoir Design. 6/12/2023 DOH approval letter. 6/21/2024 partial CCR, PE certifies completion of reservoir.
 - Standard specs for watermain replacement in an approved water system plan.

- f. Sea View (WFI#77148Y) Source Development
 - Submittal #24-0401 Source Approval. 5/31/2024 DOH approval letter.

- g. Rolf Bran (WFI#08915H) Filtration Project
 - Submittal #23-0601 CT6 Disinfection & As/Fe/Mn Treatment. 7/19/2023 approval

letter.

h. Are you aware of any new or pending projects for your region that Cascadia is considering or has submitted plans for review and approval?

#24-0609 Water System Plan Amendment submitted to SW Regional Office. I understand that this submittal was to add several water systems in Clallam and Jefferson Counties to the Part A Umbrella Plan.

I would also like to discuss the approved WSP that Jennifer Kropak reviewed 1-5-2021 which Cascadia officially adopted 9-1-2021. There seems to be a document missing or incorrectly identified - *the Cascadia Water - Water System Plan Part A*.

Submittal #20-0810 is the Part A Umbrella Plan.

Cascadia has referred to it in their Draft WSP for a Peninsula system. However we have been lead to believe that this document may also incorporate the other systems purchased and included in the Island/Mainland group of systems since the Island WSP was approved in 2021. While we have a copy of the Island WSP, we do not seem to have the Water System Plan Part A . (Umbrella Master Plan?)

Submittal #20-0810 is the Part A Umbrella Plan.

And lastly, I would like to get clarification of some recommendations and requirements I noted in the Design Manual.

Please see Chapter 1 in the Design Manual. It talks about the “musts” v.”shoulds”. “Musts” are directly related to a WAC requirement. “Shoulds” reflect best practices that DOH supports.

Thanks again for understanding the ratepayers needs. Any assistance you can provide will be appreciated.

Vicki Colburn

From: [Pell, Derek \(DOH\)](#)
To: [Stark, Rachel \(UTC\)](#)
Cc: [Majors, Ben M \(DOH\)](#); [Young, Mike \(UTC\)](#); [Grimm, Regina \(DOH\)](#); [Spotts, Sarah M \(DOH\)](#); [Pell, Derek \(DOH\)](#)
Subject: RE: Cascadia
Date: Thursday, December 19, 2024 4:33:05 PM
Attachments: [RE Cascadia OPENPENDING Public Information requests.msg](#)

Hi Rachel.

Attached is an email (red text) I that should answer a number of your questions. This was a response I offered Vicki Colburn when she was seeking to clarify a public disclosure request.

Let me know if you need me to dig deeper.

Thanks.

Derek

From: Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Sent: Wednesday, December 18, 2024 2:21 PM
To: Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Grimm, Regina (DOH) <Regina.Grimm@DOH.WA.GOV>; Spotts, Sarah M (DOH) <Sarah.Spotts@doh.wa.gov>
Cc: Majors, Ben M (DOH) <Ben.Majors@doh.wa.gov>; Young, Mike (UTC) <mike.young@utc.wa.gov>; Stark, Rachel (UTC) <rachel.stark@utc.wa.gov>
Subject: Cascadia

Good afternoon,

Thank you all again for meeting with Mike and I this morning. It will help with my cross-testimony.

If you can provide us with the documents that show your process of steps for the water system plans, DOH's enforcement, or any information you can provide to us would be greatly appreciated and a great benefit.

Thank you.

Rachel Stark
Regulatory Analyst
(360) 664-1272
rachel.stark@utc.wa.gov

Washington Utilities and Transportation Commission
www.utc.wa.gov

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of

SEA VIEW WATER, LLC,

Applicant,

For the Sale and Transfer of Assets to
CASCADIA WATER, LLC

DOCKET UW-180629

ORDER 01

ORDER GRANTING APPLICATION
FOR SALE AND TRANSFER OF
ASSETS; ADOPTING TARIFF

BACKGROUND

- 1 On July 17, 2018, Sea View Water, LLC (Sea View Water or Company) and Cascadia Water, LLC (Cascadia Water) (collectively, the Companies) filed with the Washington Utilities and Transportation Commission (Commission) an application for sale and transfer of assets pursuant to the provisions of RCW 80.12 (Application).
- 2 Sea View Water serves 190 customers near Oak Harbor on Whidbey Island in Island County. The Company's system is known as Sea View Water (ID#79245N). Cascadia Water is purchasing the assets of Sea View Water and a 20-acre lot associated with Sea View Water to be used as a future well site.
- 3 The Companies explained several benefits of the sale and transfer of assets. First, Cascadia Water desires to own and operate water systems on an ongoing basis and Sea View Water's current owners no longer desire to own and operate the water system. Second, Cascadia Water will be able to bring economies-of-scale benefits to the Company in certain areas, such as billing, collecting, and insurance. Cascadia has performed a review as outlined in the Application that focuses on whether there is "no harm" to Sea View Water customers and "no harm" to Cascadia's parent company, Northwest Natural Water, LLC. Finally, Cascadia Water has performed operations and billing, and its staff is familiar with the Company's operations.
- 4 Sea View Water notified its customers of the sale and transfer of assets by mail on September 4, 2018. Cascadia Water filed with the Commission the journal entries by which it proposes to record on its books the transfer of water system assets authorized herein. The effective date for accounting purposes will be October 15, 2018.

5 Pursuant to RCW 80.12.020 and WAC 480-143-170, applicants proposing a transaction
of this sort must “at least demonstrate no harm to the public interest.”¹ The Commission
also looks to the new Company’s financial and managerial fitness to run the operations.²

6 Commission staff (Staff) has reviewed the Application and determined that the
Companies have sufficiently demonstrated there are substantial benefits to the transfer.
Accordingly, Staff recommends the Commission grant the Companies’ Application.

DISCUSSION

7 We agree with Staff’s recommendation and approve the Application. Based on Staff’s
review, it appears the transaction exceeds the “no harm” standard and will be in the
public interest. We note that this Order approves only the sale and transfer of assets, and
neither approves nor disapproves the reasonableness of the purchase price or any fees,
charges, rates, or accounting allocations related to the transaction. The Commission
reserves the right to review those fees, rates, or accounting allocations in a future rate
proceeding.

FINDINGS AND CONCLUSIONS

8 (1) The Commission is an agency of the State of Washington vested by statute with
the authority to regulate the rates, rules, regulations, practices, accounts,
securities, transfers of property and affiliated interests of public service
companies, including water companies.

9 (2) Sea View Water is an investor-owned water company and is a public service
company subject to Commission jurisdiction.

10 (3) Cascadia Water is an investor-owned water company and is a public service
company subject to Commission jurisdiction.

11 (4) Sea View Water notified its customers of the sale and transfer of assets by mail on
September 4, 2018.

¹ *In Re Application of PacifiCorp & Scottish Power, LLC*, Docket UE-981627, Third Supplemental Order on Prehearing Conference at 2-3 (April 2, 1999).

² *Id.*

- 12 (5) Cascadia Water will acquire the water system assets of Sea View Water.
- 13 (6) As a result of this sale and transfer of water systems assets, Cascadia Water will adopt Sea View Water's rates into its tariff rates.
- 14 (7) This matter was brought before the Commission at its regularly scheduled meeting on October 11, 2018.
- 15 (8) The proposed transfer and tariff rate adoption will have an effective date of October 15, 2018. For accounting purposes, the Company's accounting records will be transferred and effective on October 15, 2018.
- 16 (9) The Application meets the requirements of RCW 80.12 and the rules and regulations of the Commission. WAC 480-143.
- 17 (10) After reviewing the Application Sea View Water filed in Docket UW-180629 on July 17, 2018, and giving due consideration, the Commission finds that the Application of the Sale and Transfer of Assets by Sea View Water to Cascadia Water is consistent with, and demonstrates no harm to, the public interest and should be approved.

ORDER

THE COMMISSION ORDERS:

- 18 (1) The Commission authorizes the Sale and Transfer of the assets of Sea View Water, LLC, to Cascadia Water, LLC consistent with the joint Application filed on July 17, 2018, and consistent with RCW 80.12.020. No material change, revision, or amendment to the joint Application and agreement shall become effective without the Commission's prior written approval.
- 19 (2) The Commission approves Cascadia Water, LLC's adoption of the tariff of Sea View Water, LLC, to be effective on the date of the transfer, October 11, 2018.
- 20 (3) This Order shall not affect the Commission's authority over rates, services, accounts, valuations, estimates, or determination of costs, on any matters that may come before it. Nor shall this Order be construed as an agreement to any estimate or determination of costs, or any valuation of property claimed or asserted.

- 21 (4) The Commission retains jurisdiction over the subject matter and Sea View Water, LLC, and Cascadia Water, LLC to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective October 11, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

ANN E. RENDAHL, Commissioner

JAY M. BALASBAS, Commissioner

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of

MONTERRA, INC.,

Applicant,

For the Sale and Transfer of Assets to
CASCADIA WATER, LLC

DOCKET UW-190116

ORDER 01

APPROVING APPLICATION FOR
SALE AND TRANSFER OF ASSETS;
ADOPTING TARIFF AND
APPROVING CORPORATE
RESTRUCTURING

BACKGROUND

- 1 On February 21, 2019, Cascadia Water, LLC (Cascadia Water) filed with the Washington Utilities and Transportation Commission (Commission) an application for sale and transfer of assets pursuant to the provisions of Chapter 80.12 RCW (Application).
- 2 Cascadia Water is purchasing the assets of Monterra, Inc. (Monterra or Company; collectively with Cascadia Water, the Companies). Monterra serves 185 customers near Sequim in Clallam County. The Company's system is known as Monterra (ID#55990Y).
- 3 Cascadia Water describes in the Application the benefits of the sale and transfer of assets. First, Cascadia Water desires to own and operate water systems on an ongoing basis and Monterra's current owners no longer desire to own and operate the water system. Second, Cascadia Water will be able to bring economies-of-scale benefits to the Company in certain areas, such as billing, collecting, and insurance. Cascadia performed a review as outlined in its application that looks at "no harm" to Monterra customers and "no harm" to Cascadia's parent company Northwest Natural Gas Company. Finally, Cascadia Water has performed operations and billing, and its staff is familiar with the Company's operations.
- 4 Monterra notified its customers of the sale and transfer of assets in a mailing on March 8, 2019. Cascadia Water filed with the Commission the journal entries by which it proposes to record on its books the transfer of water system assets authorized herein. The effective date for accounting purposes will be April 15, 2019.

5 Cascadia also requested:

Commission approval to adjust Cascadia’s corporate structure under RCW 80.12.020, to make Cascadia a direct subsidiary of NWN Water of Washington, LLC (“Washington Water”) – another NWN Water subsidiary. This internal reorganization will have no practical impact on Cascadia’s operations or its customers. NWN Water and NW Natural Holdings would remain Cascadia’s parent companies with the addition of NWN Water of Washington, LLC as an intermediate entity.¹

6 Commission staff (Staff) has reviewed the application and determined that the Companies have sufficiently demonstrated there are substantial benefits to the transfer. Accordingly, Staff recommends the Commission approve the Application.

DISCUSSION

7 Pursuant to RCW 80.12.020 and WAC 480-143-170, applicants proposing a transaction of this sort must “at least demonstrate no harm to the public interest.”² The Commission also looks to the new Company’s financial and managerial fitness to run the operations.³

8 We agree with Staff’s recommendation and approve the Application. We find that the transaction exceeds the “no harm” standard and is consistent with the public interest. We note that this Order approves only the sale and transfer of assets, and neither approves nor disapproves the reasonableness of the purchase price or any fees, charges, rates, or accounting allocations related to the transaction. The Commission reserves the right to review those fees, rates, or accounting allocations in a future rate proceeding.

FINDINGS AND CONCLUSIONS

9 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including water companies.

¹ Application at 2, ¶ 3.

² *In Re Application of PacifiCorp & Scottish Power, LLC*, Docket UE-981627, Third Supplemental Order on Prehearing Conference at 2-3 (April 2, 1999).

³ *Id.*

- 10 (2) Monterra is an investor-owned water company and is a public service company subject to Commission jurisdiction.
- 11 (3) Cascadia Water is an investor-owned water company and is a public service company subject to Commission jurisdiction.
- 12 (4) Monterra notified its customers of the sale and transfer of assets in a mailing on March 8, 2019.
- 13 (5) Cascadia Water will acquire the water system assets of Monterra.
- 14 (6) As a result of this sale and transfer of water system assets, Cascadia Water will adopt Monterra's rates into its tariff rates.
- 15 (7) This matter was brought before the Commission at its regularly scheduled meeting on April 11, 2019.
- 16 (8) The proposed transfer and tariff rate adoption will have an effective date of April 15, 2019. For accounting purposes, the Company's accounting records will be transferred and effective on April 15, 2019.
- 17 (9) The Application meets the requirements of RCW 80.12 and the rules and regulations of the Commission. *See* Chapter 480-143 WAC.
- 18 (10) After reviewing the Application Monterra filed in Docket UW-190116 on February 21, 2019, as revised on March 11, 2019, and giving due consideration, the Commission finds that the Application of the Sale and Transfer of Assets by Monterra to Cascadia Water is consistent with, and demonstrates no harm to, the public interest and should be approved.
- 19 (11) The request for approval of restructuring will have no practical impact on customers or operations, demonstrates no harm to the public interest, and should be approved.

ORDER

THE COMMISSION ORDERS:

- 20 (1) The Commission authorizes the Sale and Transfer of the assets of Monterra, Inc.,
to Cascadia Water, LLC, consistent with the joint application filed on February
21, 2019, as revised on March 11, 2019, and consistent with RCW 80.12.020. No
material change, revision, or amendment to the joint application and agreement
shall become effective without the Commission's prior written approval.
- 21 (2) The Commission approves Cascadia Water, LLC's adoption of the tariff of
Monterra, Inc., to be effective on the date of the transfer, April 11, 2019.
- 22 (3) The Commission approves the adjustment of Cascadia Water, LLC's corporate
structure under RCW 80.12.020, to make Cascadia Water, LLC, a direct
subsidiary of NWN Water of Washington, LLC – another NWN Water
subsidiary.
- 23 (4) This Order shall not affect the Commission's authority over rates, services,
accounts, valuations, estimates, or determination of costs, on any matters that may
come before it. This Order shall not be construed as an agreement to any estimate
or determination of costs, or any valuation of property claimed or asserted.
- 24 (5) The Commission retains jurisdiction over the subject matter and Monterra, Inc.,
and Cascadia Water, LLC, to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public
interest directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective April 11, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON, Executive Director and Secretary

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of	DOCKET UW-190117
ESTATES WATER SYSTEMS, INC.,	ORDER 01
Applicant,	
For the Sale and Transfer of Assets to CASCADIA WATER, LLC	APPROVING APPLICATION FOR SALE AND TRANSFER OF ASSETS; ADOPTING TARIFF AND APPROVING CORPORATE RESTRUCTURING

BACKGROUND

- 1 On February 21, 2019, Cascadia Water, LLC (Cascadia Water) filed with the Washington Utilities and Transportation Commission (Commission) an application for sale and transfer of assets pursuant to the provisions of Title 80.12 RCW (Application).
- 2 Cascadia Water is purchasing the assets of Estates Water Systems, Inc. (Estates Water or Company; collectively with Cascadia Water, the Companies). Estates Water serves 365 customers near Sequim in Clallam County. The Company's system is known as Estates Water (ID#081669).
- 3 Cascadia Water explains several benefits of the sale and transfer of assets. First, Cascadia Water desires to own and operate water systems on an ongoing basis and Estates Water's current owners no longer desire to own and operate the water system. Second, Cascadia Water will be able to bring economies-of-scale benefits to the Company in certain areas, such as billing, collecting, and insurance. Cascadia performed a review as outlined in its Application that looks at "no harm" to Estates Water customers and "no harm" to Cascadia's parent company, Northwest Natural Gas Company. Finally, Cascadia Water has performed operations and billing, and its staff is familiar with the Company's operations.
- 4 Estates Water notified its customers of the sale and transfer of assets in a mailing on March 8, 2019. Cascadia Water filed with the Commission the journal entries by which it proposes to record on its books the transfer of water system assets authorized herein. The effective date for accounting purposes will be April 15, 2019.

5 Cascadia also requests:

Commission approval pursuant to RCW 80.12.020 for a reorganization of Cascadia’s corporate structure—one which will have no practical impact on Cascadia’s operations or its customers. Cascadia is currently a wholly-owned subsidiary of NW Natural Water Company, LLC (“NWN Water”), which in turn is a wholly-owned subsidiary of Northwest Natural Holding Company (“NW Natural Holdings”). Under the proposed reorganization, Cascadia will become a direct subsidiary of NWN Water of Washington, LLC (“Washington Water”)—another NWN Water subsidiary. NWN Water and NW Natural Holdings would remain Cascadia’s parent companies with the addition of Washington Water as an intermediate entity.¹

6 Commission staff (Staff) has reviewed the application and determined that the Companies have sufficiently demonstrated there are substantial benefits to the transfer. Accordingly, Staff recommends the Commission approve the Application.

DISCUSSION

7 Pursuant to RCW 80.12.020 and WAC 480-143-170, applicants proposing a transaction of this sort must “at least demonstrate no harm to the public interest.”² The Commission also looks to the new Company’s financial and managerial fitness to run the operations.³

8 We agree with Staff’s recommendation and approve the Application. We find that the transaction exceeds the “no harm” standard and is consistent with the public interest. We note that this Order approves only the sale and transfer of assets, and neither approves nor disapproves the reasonableness of the purchase price or any fees, charges, rates, or accounting allocations related to the transaction. The Commission reserves the right to review those fees, rates, or accounting allocations in a future rate proceeding.

¹ Application at 1-2, ¶ 2 (internal citations omitted).

² *In Re Application of PacifiCorp & Scottish Power, LLC*, Docket UE-981627, Third Supplemental Order on Prehearing Conference at 2-3 (April 2, 1999).

³ *Id.*

FINDINGS AND CONCLUSIONS

- 9 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including water companies.
- 10 (2) Estates Water is an investor-owned water company and is a public service company subject to Commission jurisdiction.
- 11 (3) Cascadia Water is an investor-owned water company and is a public service company subject to Commission jurisdiction.
- 12 (4) Estates Water notified its customers of the sale and transfer of assets in a mailing on March 8, 2019.
- 13 (5) Cascadia Water will acquire the water system assets of Estates Water.
- 14 (6) As a result of this sale and transfer of water systems assets, Cascadia Water will adopt Estates Water's rates into its tariff rates.
- 15 (7) This matter was brought before the Commission at its regularly scheduled meeting on April 11, 2019.
- 16 (8) The proposed transfer and tariff rate adoption will have an effective date of April 15, 2019. For accounting purposes, the Company's accounting records will be transferred and effective on April 15, 2019.
- 17 (9) The Application meets the requirements of RCW 80.12 and the rules and regulations of the Commission. See Chapter 480-143 WAC.
- 18 (10) After reviewing the Application Estates Water filed in Docket UW-190117 on February 21, 2019, as revised on March 11, 2019, and giving due consideration, the Commission finds that the Application of the Sale and Transfer of Assets by Estates Water to Cascadia Water is consistent with, and demonstrates no harm to, the public interest and should be approved.

- 19 (11) The request for approval of restructuring will have no practical impact on customers or operations, demonstrates no harm to the public interest, and should be approved.

ORDER

THE COMMISSION ORDERS:

- 20 (1) The Commission authorizes the Sale and Transfer of the assets of Estates Water Systems, Inc., to Cascadia Water, LLC, consistent with the joint application filed on February 21, 2019, as revised on March 11, 2019, and consistent with RCW 80.12.020. No material change, revision, or amendment to the joint application and agreement shall become effective without the Commission's prior written approval.
- 21 (2) The Commission approves Cascadia Water, LLC's adoption of the tariff of Estates Water Systems, Inc., to be effective on the date of the transfer, April 11, 2019.
- 22 (3) The Commission approves the adjustment of Cascadia Water, LLC's corporate structure under RCW 80.12.020, to make Cascadia Water, LLC, a direct subsidiary of NWN Water of Washington, LLC – another NWN Water subsidiary.
- 23 (4) This Order shall not affect the Commission's authority over rates, services, accounts, valuations, estimates, or determination of costs, on any matters that may come before it. This Order shall not be construed as an agreement to any estimate or determination of costs, or any valuation of property claimed or asserted.

- 24 (5) The Commission retains jurisdiction over the subject matter and Estates Water Systems, Inc., and Cascadia Water, LLC, to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective April 11, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON, Executive Director and Secretary

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of

PELICAN POINT WATER COMPANY,

Applicant,

For the Sale and Transfer of Assets to
CASCADIA WATER, LLC

DOCKET UW-210564

ORDER 01

GRANTING APPLICATION FOR
SALE AND TRANSFER OF ASSETS;
ADOPTING TARIFF; APPROVING
AFFILIATED TRANSACTIONS

BACKGROUND

- 1 On July 16, 2021, Pelican Point Water Company (Pelican Point or Company) and Cascadia Water, LLC, (Cascadia) (jointly, Companies) filed with the Washington Utilities and Transportation Commission (Commission) an application for sale and transfer of assets pursuant to the provisions of RCW 80.12 (Application).
- 2 Cascadia is purchasing the assets of Pelican Point. Pelican Point serves 500 customers near Moses Lake in Grant County. The Company's system is known as Pelican Point (ID#66800L).
- 3 Cascadia describes in the Application the benefits of the sale and transfer of assets. First, Cascadia desires to own and operate water systems on an ongoing basis and Pelican Point's current owners no longer desire to own and operate the water system. Second, Cascadia will be able to bring economies-of-scale benefits to the Company in certain areas such as billing, collecting, and insurance. Cascadia performed a review as outlined in the Application, submitting that there is "no harm" to Pelican Point customers and "no harm" to Cascadia's parent company, Northwest Natural Gas Company. Finally, Cascadia has performed operations and billing, and its Staff is familiar with the Company's operations.
- 4 Pelican Point notified its customers of the sale and transfer of assets in a mailing on July 20, 2021. Cascadia filed with the Commission the journal entries by which it proposes to record on its books the transfer of water system assets authorized herein. The effective date for accounting purposes will be September 1, 2021.

5 Cascadia has also filed requesting Commission approval of contracts for services by
affiliated interest parties that will be providing operation services. Gem State
Infrastructure, LLC, will provide operations and maintenance services.

6 Commission staff (Staff) reviewed the Application and determined that the Companies
have sufficiently demonstrated there are substantial benefits to the transfer. Accordingly,
Staff recommends the Commission grant the Companies' Application.

DISCUSSION

7 Pursuant to RCW 80.12.020 and WAC 480-143-170, a public service company proposing
to sell facilities that are necessary or useful in the performance of its duties to the public
must secure an order from the Commission authorizing the transaction. The public
service company must "at least demonstrate no harm to the public interest."¹ The
Commission also considers the purchasing company's financial and managerial fitness to
run the operations.²

8 We agree with Staff's recommendation and approve the Application. The Companies
have demonstrated that the proposed transaction will not harm the public interest.
Cascadia provides sufficient detail in its Application regarding the Company's experience
and the benefits of the transaction.

9 We also approve the Companies proposal to contract with Gem State Infrastructure, LLC.
Public service companies must establish that affiliated interest agreements are reasonable
and consistent with the public interest.³ After reviewing the Companies' joint filing, we
have sufficient assurance that the contracts with Gem State Infrastructure, LLC, meet this
standard.

¹ *In the matter of the Application of Fragaria Landing Water Co., Lowper Inc., dba Lowper Water Co., Marbello Water Co., Inc., and SJM Water Service Inc., Applicant, For the Sale and Transfer of Stock to Iliad Water Servs. Inc.*, Docket UW-150688, Order 01 at ¶15 (July 30, 2015) (citing *In Re Application of PacifiCorp & Scottish Power, LLC*, Docket UE-981627, Third Suppl. Order on Prehearing Conference at 2-3 (Apr. 2, 1999)). See also WAC 480-143-170 ("If, upon the examination of any application and accompanying exhibits, or upon a hearing concerning the same, the commission finds the proposed transaction is not consistent with the public interest, it shall deny the application.").

² *Id.*

³ RCW 81.16.020.

10 We note that this Order approves only the sale and transfer of assets, and neither approves nor disapproves the reasonableness of the purchase price or any fees, charges, rates, or accounting allocations related to the transaction. The Commission reserves the right to review those fees, rates, or accounting allocations in a future rate proceeding.

FINDINGS AND CONCLUSIONS

- 11 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including water companies.
- 12 (2) Pelican Point is an investor-owned water company and is a public service company subject to Commission jurisdiction.
- 13 (3) Cascadia is an investor-owned water company and is a public service company subject to Commission jurisdiction.
- 14 (4) Pelican Point notified its customers of the sale and transfer of assets in a mailing on July 20, 2021.
- 15 (5) Cascadia will acquire the water system assets of Pelican Point.
- 16 (6) As a result of this sale and transfer of water systems assets, Cascadia will adopt Pelican Point rates into its tariff rates.
- 17 (7) This matter was brought before the Commission at its regularly scheduled meeting on August 26, 2021.
- 18 (8) The proposed transfer and tariff rate adoption will have an effective date of September 1, 2021. For accounting purposes, the Company's accounting records will be transferred and effective on September 1, 2021.
- 19 (9) The Application meets the requirements of RCW 80.12 and the rules and regulations of the Commission. See also WAC 480-143.
- 20 (10) After reviewing the Application Pelican Point filed in Docket UW-210564 on July 16, 2021, and giving due consideration, the Commission finds that the Application of the Sale and Transfer of Assets by Pelican Point to Cascadia is

consistent with, and demonstrates no harm to, the public interest and should be approved.

- 21 (11) The request for approval of restructuring will have no practical impact on customers or operations and demonstrates no harm to the public interest and should be approved.

ORDER

THE COMMISSION ORDERS:

- 22 (1) The Commission authorizes the Sale and Transfer of the assets of Pelican Point Water Company to Cascadia Water, LLC, consistent with the joint Application filed on July 16, 2021, and consistent with RCW 80.12.020. No material change, revision, or amendment to the joint Application and agreement shall become effective without the Commission's prior written approval.
- 23 (2) The Commission approves Cascadia Water, LLC's adoption of the tariff of Pelican Point Water Company, to be effective on the date of the transfer, September 1, 2021.
- 24 (3) The Commission approves the affiliated transactions of Cascadia Water, LLC's business operations as set forth in paragraph 9 of this Order.
- 25 (4) This Order shall not affect the Commission's authority over rates, services, accounts, valuations, estimates, or determination of costs, on any matters that may come before it. Nor shall this Order be construed as an agreement to any estimate or determination of costs, or any valuation of property claimed or asserted.
- 26 (5) The Commission retains jurisdiction over the subject matter and Pelican Point Water Company, and Cascadia Water, LLC, to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective August 26, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503

P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY 1-800-833-6384 or 711

July 29, 2022

NOTICE OF ERRATA TO ORDER 01

Re: *In the Matter of the Application of Northwest Water Services, LLC, for the Sale and Transfer of Assets to Cascadia Water, LLC,*
Docket UW-220425

TO ALL PARTIES:

On July 14, 2022, the Washington Utilities and Transportation Commission (Commission) issued Order 01 Granting Application for Sale and Transfer of Assets; Adopting Tariff (Order 01). In paragraphs 4, 14, and 18 Order 01 incorrectly states an effective date of May 12, 2022. The correct effective date is August 1, 2022. Also, paragraphs 4 and 11 incorrectly state that the Company notified customers on June 8, 2022. The correct notification date is June 14, 2022.

The Commission hereby corrects paragraph 4 to read as follows:

- 4 Northwest Water notified its customers of the sale and transfer of assets in a mailing on June 14, 2022. Cascadia filed with the Commission the journal entries by which it proposes to record on its books the transfer of water system assets authorized herein. The effective date for accounting purposes will be August 1, 2022.

The Commission hereby corrects paragraph 11 to read as follows:

- 11 (4) Northwest Water notified its customers of the sale and transfer of assets in a mailing on June 14, 2022.

The Commission hereby corrects paragraph 14 to read as follows:

- 14 (7) The proposed transfer and tariff rate adoption will have an effective date of August 1, 2022. For accounting purposes, the Company's accounting records will be transferred and effective on August 1, 2022.

The Commission hereby corrects paragraph 18 to read as follows:

- 18 (2) The Commission approves Cascadia Water, LLC's adoption of the tariffs of Northwest Water Services, LLC, to be effective on the date of the transfer, August 1, 2022.

AMANDA MAXWELL
Executive Director and Secretary

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of

NORTHWEST WATER SERVICES,
LLC,

Applicant,

For the Sale and Transfer of Assets to
CASCADIA WATER, LLC

DOCKET UW-220425

ORDER 01

GRANTING APPLICATION FOR
SALE AND TRANSFER OF ASSETS;
ADOPTING TARIFF

BACKGROUND

- 1 On June 8, 2022, Northwest Water Service, LLC, (Northwest Water or Company) and Cascadia Water, LLC, (Cascadia) (collectively, the Companies), filed with the Washington Utilities and Transportation Commission (Commission) an application for the sale and transfer of assets pursuant to the provisions of Revised Code of Washington (RCW) 80.12 (Application).
- 2 Northwest Water serves 450 customers near Mount Vernon in Skagit County. The Company's systems are known as Bacus Road #1(ID#64327Y), Blanchard Knob Water System (ID#AC712 E), Cedarhearth Water (ID#96889D), Lake Alyson (ID#50691R), Rolf Brunn (ID#08915H), Silver Lake Water (ID#79245N), Skagit River Colony (ID#69244 3), and Tjetland (ID#17475C). If the Commission approves the sale and transfer of the assets of Northwest Water to Cascadia, Cascadia will be subject to any obligations the Commission imposed on Northwest Water.
- 3 The Companies explained several benefits of the sale and transfer of assets. First, Cascadia desires to own and operate water systems on an ongoing basis and Northwest Water's current owners no longer desire to own and operate the water system. Second, Cascadia will be able to bring economies of scale benefits to the Company in certain areas, such as billing, collecting, and insurance. Finally, Cascadia has performed operations and billing, and its staff is familiar with the Company's operations.
- 4 Northwest Water notified its customers of the sale and transfer of assets in a mailing on June 8, 2022. Cascadia filed with the Commission the journal entries by which it proposes to record on its books the transfer of water system assets authorized herein. The effective date for accounting purposes will be May 12, 2022.

5 Pursuant to RCW 80.12.020 and WAC 480-143-170, applicants proposing a transaction
of this sort must “at least demonstrate no harm to the public interest.”¹ The Commission
also looks to the new Company’s financial and managerial fitness to run the operations.²

6 Commission staff (Staff) has reviewed the application and determined that the
Companies have sufficiently demonstrated there are substantial benefits to the transfer.
Accordingly, Staff recommends the Commission grant the Companies’ Application.

DISCUSSION

7 We agree with Staff’ recommendation and approve the Application. Based on Staff’s
review, it appears the transaction exceeds the “no harm” standard and is in the public
interest. We note that this Order approves only the sale and transfer of assets, and neither
approves nor disapproves the reasonableness of the purchase price or any fees, charges,
rates, or accounting allocations related to the transaction. The Commission reserves the
right to review those fees, rates, or accounting allocations in a future rate proceeding.

FINDINGS AND CONCLUSIONS

- 8 (1) The Commission is an agency of the State of Washington vested by statute with
the authority to regulate the rates, rules, regulations, practices, accounts,
securities, transfers of property and affiliated interests of public service
companies, including water companies.
- 9 (2) Northwest Water is an investor-owned water company and is a public service
company subject to Commission jurisdiction.

¹*In the matter of the Application of Fragaria Landing Water Co., d/b/a Lowper Inc., d/b/a Lowper Water Co., Marbello Water Co., Inc., and SJM Water Service Inc., Applicant, For the Sale and Transfer of Stock to Iliad Water Servs. Inc., Docket UW-150688, Order 01 at ¶ 15 (July 30, 2015) (citing In Re Application of PacifiCorp & Scottish Power, LLC, Docket UE-981627, Third Supplemental Order on Prehearing Conference at 2-3 (April 2, 1999)). See also WAC 480-143-70: “if, upon the examination of any application and accompanying exhibits, or upon a hearing concerning the same, the commission finds the proposed transaction is not consistent with the public interest, it shall deny the application.”*

² *Id.*

³ RCW 81.16.020.

- 10 (3) Cascadia is an investor-owned water company and is a public service company subject to Commission jurisdiction.
- 11 (4) Northwest Water notified its customers of the sale and transfer of assets in a mailing on June 8, 2022.
- 12 (5) As a result of this sale and transfer of water systems assets, Cascadia will bring Northwest Water under its tariff rates.
- 13 (6) This matter was brought before the Commission at its regularly scheduled meeting on July 14, 2022.
- 14 (7) The proposed transfer and tariff rate adoption will have an effective date of May 12, 2022. For accounting purposes, the Company's accounting records will be transferred and effective on May 12, 2022.
- 15 (8) The application meets the requirements of RCW 80.12 and the rules and regulations of the Commission. WAC 480-143.
- 16 (9) After reviewing the Application Northwest Water filed in Docket UW-220425 on June 8, 2022, and giving due consideration, the Commission finds that the Application of the Sale and Transfer of Assets by Northwest Water to Cascadia is consistent with, and demonstrates no harm to, the public interest and should be approved.

ORDER

THE COMMISSION ORDERS:

- 17 (1) The Commission authorizes the Sale and Transfer of the assets of Northwest Water Services, LLC, to Cascadia Water, LLC, consistent with the joint application filed on June 8, 2022, and consistent with RCW 80.12.020. No material change, revision, or amendment to the joint application and agreement shall become effective without the Commission's prior written approval.
- 18 (2) The Commission approves Cascadia Water, LLC's adoption of the tariffs of Northwest Water Services, LLC, to be effective on the date of the transfer, May 12, 2022.

- 19 (3) This Order shall not affect the Commission's authority over rates, services, accounts, valuations, estimates, or determination of costs, on any matters that may come before it. No shall this Order be construed as an agreement to any estimate or determination of costs, or any valuation of property claimed or asserted.
- 20 (4) The Commission retains jurisdiction over the subject matter and Northwest Water Services, LLC, and Cascadia Water, LLC, to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective July 14, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL
Executive Director and Secretary

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of

AQUARIUS UTILITIES, LLC,

Applicant,

For the Sale and Transfer of Assets to
CASCADIA WATER, LLC

DOCKET UW-220469

ORDER 01

GRANTING APPLICATION FOR
SALE AND TRANSFER OF ASSETS;
ADOPTING TARIFF

BACKGROUND

- 1 On June 28, 2022, Aquarius Utilities, LLC, (Aquarius or Company) and Cascadia Water, LLC, (Cascadia) (collectively, the Companies) filed with the Washington Utilities and Transportation Commission (Commission) an application for sale and transfer of assets pursuant to Revised Code of Washington (RCW) 80.12 (Application).
- 2 Aquarius serves 962 customers in Callum, Kitsap, and Mason Counties. The Company's systems are known as Agate West Water System (ID# 00515F), Diamond Point Water System (ID# 192104), Island Lake Water System (ID# 36150W), and Lynch Cove Water System (ID# 49100U).
- 3 The Companies explained several benefits of the sale and transfer of assets. First, Cascadia desires to own and operate water systems on an ongoing basis and Aquarius's current owners no longer desire to own and operate the water system. Second, Cascadia will be able to bring economies of scale benefits to the Company in certain areas, such as billing, collecting, and insurance. Cascadia performed a review outlined in the Application, submitting that there is "no harm" to Aquarius customers and "no harm" to Cascadia customers or Cascadia's parent company, Northwest Natural Gas Company. Cascadia has performed operations and billing, and its Staff is familiar with the Company's operations.
- 4 Aquarius notified its customers of the sale and transfer of assets in a mailing on June 24, 2022. Cascadia represents that the transaction does not include an acquisition adjustment and will not include costs of acquisition in future rate cases. The effective date for accounting purposes will be August 1, 2022.

5 Pursuant to RCW 80.12.020 and Washington Administrative Code (WAC) 480-143-170,
applicants proposing a transaction of this sort must “at least demonstrate no harm to the
public interest.”¹ The Commission also looks to the new Company’s financial and
managerial fitness to run the operations.²

6 Commission staff (Staff) has reviewed the application and determined that the
Companies have sufficiently demonstrated there are substantial benefits to the transfer.
Accordingly, Staff recommends the Commission grant the Companies’ Application.

DISCUSSION

7 We agree with Staff’s recommendation and approve the Application. Based on Staff’s
review, it appears the transaction exceeds the “no harm” standard and will be in the
public interest. We note that this Order approves only the sale and transfer of assets, and
neither approves nor disapproves the reasonableness of the purchase price or any fees,
charges, rates, or accounting allocations related to the transaction. The Commission
reserves the right to review those fees, rates, or accounting allocations in a future rate
proceeding.

FINDINGS AND CONCLUSIONS

8 (1) The Commission is an agency of the State of Washington vested by statute with
the authority to regulate the rates, rules, regulations, practices, accounts,
securities, transfers of property, and affiliated interests of public service
companies, including water companies.

9 (2) Aquarius is an investor-owned water company and is a public service company
subject to Commission jurisdiction.

10 (3) Cascadia is an investor-owned water company and is a public service company
subject to Commission jurisdiction.

11 (4) Aquarius notified its customers of the sale and transfer of assets in a mailing on
June 24, 2022.

¹ *In Re Application of PacifiCorp & Scottish Power, LLC*, Docket UE-981627, Third Supplemental Order on Prehearing Conference at 2-3 (April 2, 1999).

² *Id.*

- 12 (5) Cascadia will acquire the water system assets of Aquarius.
- 13 (6) As a result of this sale and transfer of water systems assets, Cascadia will adopt Aquarius rates into its tariff rates.
- 14 (7) This matter was brought before the Commission at its regularly scheduled meeting on July 28, 2022.
- 15 (8) The proposed transfer and tariff rate adoption will have an effective date of August 1, 2022. For accounting purposes, the Company's accounting records will be transferred and effective on August 1, 2022.
- 16 (9) The Application meets the requirements of RCW 80.12 and the rules and regulations of the Commission. See WAC 480-143.
- 17 (10) After reviewing the Application Aquarius filed in Docket UW-220469 on June 28, 2022, and giving due consideration, the Commission finds that the Application of the Sale and Transfer of Assets by Aquarius to Cascadia is consistent with, and demonstrates no harm to, the public interest and should be approved.

ORDER

THE COMMISSION ORDERS:

- 18 (1) The Commission authorizes the Sale and Transfer of the assets of Aquarius Utilities, LLC, to Cascadia Water, LLC, consistent with the joint application filed on June 28, 2022, and consistent with RCW 80.12.020. No material change, revision, or amendment to the joint application and agreement shall become effective without the Commission's prior written approval.
- 19 (2) The Commission approves Cascadia Water's, LLC, adoption of the tariffs of Aquarius Utilities, LLC, to be effective on the date of the transfer, August 1, 2022.
- 20 (3) This Order shall not affect the Commission's authority over rates, services, accounts, valuations, estimates, or determination of costs, on any matters that may come before it. Nor shall this Order be construed as an agreement to any estimate or determination of costs, or any valuation of property claimed or asserted.

- 21 (4) The Commission retains jurisdiction over the subject matter and Aquarius Utilities, LLC, and Cascadia Water, LLC, to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective July 28, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL
Executive Director and Secretary

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of

PEDERSEN FAMILY, LLC,

Applicant,

For the Sale and Transfer of Assets to
CASCADIA WATER, LLC

DOCKET UW-220900

ORDER 01

GRANTING APPLICATION FOR
SALE AND TRANSFER OF ASSETS;
ADOPTING TARIFF

BACKGROUND

- 1 On November 30, 2022, Pedersen Family, LLC, (Pedersen or Company) and Cascadia Water, LLC, (Cascadia) (collectively, the Companies), filed with the Washington Utilities and Transportation Commission (Commission) a joint Application for sale and transfer of assets pursuant to the provisions of RCW 80.12 (Application).
- 2 Pedersen serves 230 customers in Clallam County. The Company seeks to sell three of the four water systems listed in its tariff. The water systems named in the Application are known as Dungeness Bay Plat Water System (ID# 20300E), Jamestown on Wilcox Lane Water System (ID# 06344V), and Pedersen Family Group B Water System (ID# AC321).
- 3 Pedersen will continue to operate the SkyRidge Club House Water System (ID# AA575F), which operates a single well used for the SkyRidge golf course.
- 4 The Companies explain several benefits of the sale and transfer of assets. First, Cascadia desires to own and operate water systems on an ongoing basis and Pedersen's current owners no longer desire to own and operate the water systems. Second, Cascadia will be able to bring economies of scale benefits to the Company in certain areas, such as customer service, maintenance, investment, and management. Cascadia performed a review outlined in the Application, submitting that there is "no harm" to Pedersen's customers and "no harm" to Cascadia customers or Cascadia's parent company, Northwest Natural Gas Company.

5 Cascadia submitted a notice to customers for the sale and transfer of assets dated
November 30, 2022.¹ Cascadia states that the transaction does not include an acquisition
adjustment and that it will not include the cost of the acquisition in future rate cases.

6 Commission staff (Staff) has reviewed the Application and determined that the
Companies have sufficiently demonstrated there are substantial benefits to the transfer.
Accordingly, Staff recommends the Commission grant the Companies' Application.

DISCUSSION

7 Pursuant to RCW 80.12.020 and WAC 480-143-170, applicants proposing a property
transfer transaction must "at least demonstrate no harm to the public interest."² The
Commission also looks to the new Company's financial and managerial fitness to run the
operations.³

8 We agree with Staff's recommendation and approve the Application. Based on Staff's
review, it appears the transaction meets the "no harm" standard and is in the public
interest. We note that this Order approves only the sale and transfer of assets, and neither
approves nor disapproves the reasonableness of the purchase price or any fees, charges,
rates, or accounting allocations related to the transaction. The Commission reserves the
right to review those fees, rates, or accounting allocations in a future rate proceeding.

FINDINGS AND CONCLUSIONS

- 9 (1) The Commission is an agency of the State of Washington vested by statute with
the authority to regulate the rates, rules, regulations, practices, accounts,
securities, transfers of property and affiliated interests of public service
companies, including water companies.
- 10 (2) Pedersen is an investor-owned water company and is a public service company
subject to Commission jurisdiction.
- 11 (3) Cascadia is an investor-owned water company and is a public service company
subject to Commission jurisdiction.

¹ 220900-Cascadia-Pedersen-Acquisition-Exh-8-11-30-22.pdf

² *In Re Application of PacifiCorp & Scottish Power, LLC*, Docket UE-981627, Third
Supplemental Order on Prehearing Conference at 2-3 (April 2, 1999).

³ *Id.*

- 12 (4) Pedersen notified its customers of the sale and transfer of assets in a mailing on
November 30, 2022.
- 13 (5) Cascadia will acquire the three water systems assets of Pedersen.
- 14 (6) As a result of this sale and transfer of water systems assets, Cascadia will adopt
Pedersen's rates into its tariff rates.
- 15 (7) This matter was brought before the Commission at its regularly scheduled
meeting on January 12, 2023.
- 16 (8) The proposed transfer and tariff rate adoption will have an effective date of the
Transfer Date. For accounting purposes, the Company's accounting records will
be transferred and effective on February 1, 2023.
- 17 (9) The application meets the requirements of RCW 80.12 and the rules and
regulations of the Commission. WAC 480-143.
- 18 (10) After reviewing the Application Cascadia filed in Docket UW-220900 on
November 30, 2022, and giving due consideration, the Commission finds that the
Application of the Sale and Transfer of Assets by Pedersen to Cascadia is
consistent with, and demonstrates no harm to, the public interest and should be
approved.

ORDER

THE COMMISSION ORDERS:

- 19 (1) The Commission authorizes the Sale and Transfer of the assets of Pedersen
Family, LLC, to Cascadia Water, LLC, consistent with the joint application filed
on November 30, 2022, and consistent with RCW 80.12.020. No material change,
revision, or amendment to the joint application and agreement shall become
effective without the Commission's prior written approval.
- 20 (2) The Commission approves Cascadia Water, LLC's adoption of the tariffs of
Pedersen Family, LLC, to be effective on the date of the transfer, February 1,
2023.

- 21 (3) This Order shall not affect the Commission's authority over rates, services, accounts, valuations, estimates, or determination of costs, on any matters that may come before it. Nor shall this Order be construed as an agreement to any estimate or determination of costs, or any valuation of property claimed or asserted.
- 22 (4) The Commission retains jurisdiction over the subject matter and Pedersen Family, LLC, and Cascadia Water, LLC, to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective January 12, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL
Executive Director and Secretary