ODW Now

Highlights

Notable Dates

Same Farm Comments 7/16-8/26

Next DWAG meeting 9/9

DWSRF Const. Loan Guidelines Comments Due 9/6

Lead Service Line Inventory Due 10/16

Connections

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Drinking Water State Revolving Fund Disadvantaged Community Rulemaking

We initiated formal rulemaking in May 2023 to update the definition of disadvantaged community under Chapter 246-296-020 WAC. A public hearing was held in June 2024 and public comment is now closed. The final rule is expected to be published August 1, 2024, and effective September 1, 2024.

The proposed definition of "disadvantaged community" (DAC) means a qualifying service area of a project serving residential connections within a public water system that is disproportionately impacted by economic, health, and environmental burdens. We will assess potential qualifying areas by indicators established in state guidance including, but not limited to population served, social vulnerability, environmental health disparities, and economic hardship. A service area of a project serving residential connections within a public water system owned and operated by a federally recognized tribe is considered a DAC.

We will outline the criteria used to determine DAC status in the Construction Loan Guidelines published on the DWSRF webpage in late July. We will open the draft guidelines for comment until September 6, 2024.

The proposed DAC criteria uses metrics from the Washington Tracking Network (WTN), including Environmental Health Disparities (EHD), Social Vulnerability Index (SVI), and percent of population living below 185 percent of the Federal Poverty Level. For EHD and SVI rankings, a "Federal Funding Friendly" (FFF) rank was calculated and provided by WTN staff, calculated using the same WTN-themed ranking methodology but indicators related to race/ethnicity are omitted from the calculation to abide by federal funding allocation laws.

We are working on an interactive mapping tool for public water systems to view what areas of Washington qualify as DAC under the proposed criteria. We anticipate publishing the map to our DWSRF webpage in September. We encourage public water systems to use the map to gauge if their system or project area serves a DAC, but final determination is made by our staff for the purpose of awarding funding and subsidy.

Free technical assistance is available to help select water systems complete the lead service line inventory through a third-party contracted provider. If assigned, contractors help review records and GIS parcel data, prepare the initial draft inventory spreadsheet, and provide guidance on visual inspection through random sampling of unknown lines. To request this assistance, please email Chelsea.Cannard@doh.wa.gov. ◈

Protect Your System

Protect your system from cybersecurity risks by taking steps to protect your systems from dangerous and costly hackers. The U.S. Environmental Protection Agency (EPA) recently shared that phone scammers are impersonating Cybersecurity and Infrastructure Security Agency (CISA) employees across the country.

For Your Awareness

◆ The Federal government will never contact you via phone requesting payment.

◆ Do not provide any sensitive information or currency over the phone.

◆ If you have concerns about a phone call from one of our Federal Partners, contact the Federal agency directly or through known and established contacts.

Cybersecurity awareness is crucial. Taking simple cybersecurity countermeasures can protect your water system from a cybersecurity incident and associated consequences including:

◆ Damage to public health.

◆ Damage to water system infrastructure.

◆ Service disruptions.

◆ Unauthorized disclosure of Personally Identifiable Information.

◆ Loss of financial solvency—due to lawsuits, service outages, inability to conduct business office activities like billing.

◆ Loss of public trust.

Cyber Hygiene Tips

Passwords are the first line of defense to ensure only specific people have access to the necessary systems and information needed for their position. Best practices include:

◆ Change passwords from the default passwords.

◆ Disable accounts as soon as staff change roles or leave the organization.
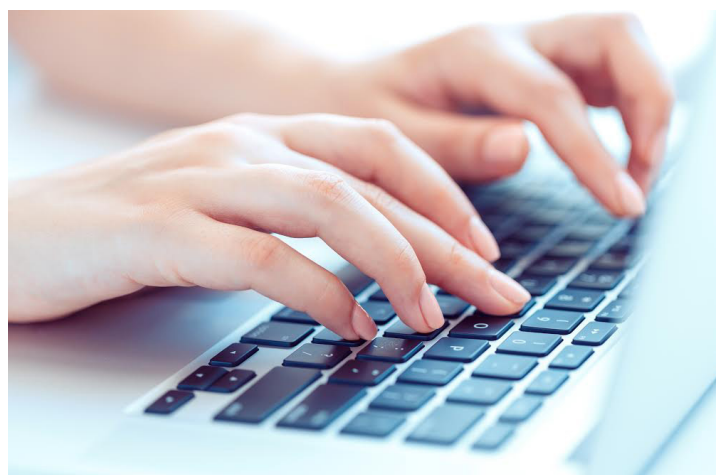
◆ Multi-Factor Authentication (MFA) for remote access if possible.

◆ Change passwords per organizational policy and immediately if there is concern or evidence of a breach.

Software Updates. Most cyber-attacks target systems with known vulnerabilities. Regularly updating software removes most of these vulnerabilities.

Employee Phishing Training. Phishing is the most common type of cyber-attack. Personnel may open a malicious attachment or link in an email that allows malicious items to enter the water system OT (operational technology) and/or IT (information technology) networks. These emails often mimic communications from legitimate persons or organizations you would normally expect to receive communications from. Best practices include:

◆ All employees shall receive Phishing awareness training at least annually.

◆ Phishing awareness communications delivered to all employees at least quarterly.

◆ New employees should complete phishing awareness training as part of their onboarding process or within 30 days of their start date.

Securing and Storing Data. Best practices include:

Prohibit the use of USBs and other removable media devices except in pre-determined business-critical cases.

◆ Turn on auto-encryption for the transfer and storage of files on all applications when the feature is available.

◆ All critical business data should be regularly backed up using secure and trusted removable media and/or secure and trusted cloud storage.

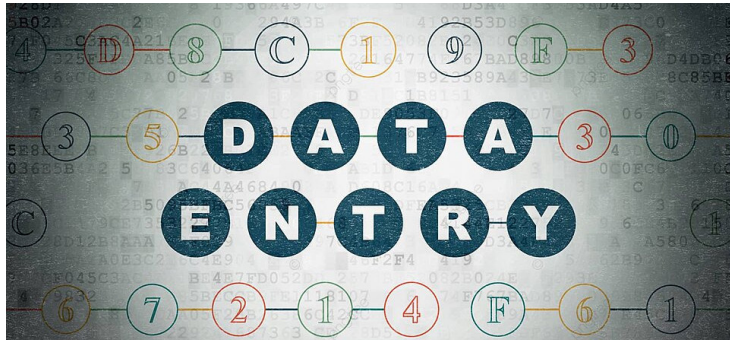◆ Firewalls should exist between OT and business IT service areas.

EPA Cybersecurity Incident Action Checklist

Water Sector Incident Action Checklist—Cybersecurity (epa.gov). ◆

SWAP Map Updates

We recently updated our [Source Water Protection Assessment Program (SWAP) map](#). This mapping tool is part of a grant from the Environmental Protection Agency to ensure clean and safe water for all Washington communities.

Drinking water providers submit data on their wellhead protection areas, surface water watersheds, and digitized service areas. This data is still available in a new, ArcGIS Online format. The new format makes sharing key information easier between local communities, government agencies, technical assistance providers and other partners. This helps to reduce the potential threat of contamination and supply decline in sources of drinking water.

The mapping tool went live on June 11 and feedback or suggestions are welcome at sourcewaterprotection@doh.wa.gov. If you have updates or find inaccuracies in the map, please reach out to your [regional team](#) for support on updating documentation. We combine the data from public water systems and do not create or remove data unless a system submits a request.

We are a leader in source water protection mapping and providing online data since our first source water protection map in 2008. We engage diverse audiences of our public water systems as well as many other local government and partner agencies. This migration to ArcGIS Online is a continuation of our commitment to serve our customers better and demonstrates our values of transparency and innovation in protecting groundwater and surface water resources. 💧

Same Farm Exemption Policy Update

We are beginning a thirty-day public comment period for a revised version of Washington's Same Farm Exemption Policy (policy) associated with [RCW 70A.125.010(12)](#). The comment period runs July 26 to August 26, 2024.

Recently, we were working on an issue supporting the Lower Yakima Valley community and realized the policy needed clarity regarding the eligibility for exemption. As a result, we began to review and update the policy. The draft revisions more clearly define which water systems are eligible for the exemption.

Please review the draft copy on our [Policies webpage](#). For questions, please send comments to odwpubliccomment@doh.wa.gov. 💧

Drinking Water Advisory Group (DWAG) Next Meeting September 9

We will discuss office updates, cybersecurity updates, CCR rule changes, Water Use Efficiency and more.

We hold all our meetings through Microsoft Teams video, so you can join our meeting with your computer, laptop, tablet, or phone from wherever you are. We post the Teams links and meeting agenda on our [DWAG Meeting webpage](#). After the meeting we post any handouts or presentations and, within a month, we post the meeting notes.

Do you want to receive advance notice of meetings and their agendas? [Join our advisory group email list](#).

Do you have questions about the advisory group or topics you'd like to discuss? Email [Brad Burnham](#) with your ideas. 💧

Lead and Copper Rule Revisions: What Happens After October 16, 2024?

As you may have read in our [May](#) and [January](#) *ODW Now* issues, Community and NTNC water systems are required to complete a [Lead Service Line Inventory](#) and submit the inventory to us through our [Submittal Portal](#) by October 16, 2024. Around the same time, EPA is expected to finalize and publish the Lead and Copper Rule Improvements (LCRI), which will build on LCRR and introduce new or revised requirements for public water systems for monitoring for and controlling lead in distribution systems.

What changes should community and NTNC public water systems expect this Fall?

Most requirements of the LCRR are on hold and will be updated or replaced by the LCRI.

What is NOT changing October 16

- Compliance monitoring requirements.
- Sampling plan tiers and sampling protocol.
- School and Childcare facility sampling.
- Lead Service Line Replacement Plans.
- Corrosion control study requirements.
- Lead action level exceedance (ALE) when the 90th percentile is greater than 15ppb.
- Public education and notification requirements not related to ALE or the LSLI.

Systems should continue monitoring for lead and copper under the CFR as codified on July 1, 2020. Please refer to your [*WQMS Instructions* 331-645 (PDF)](#) for monitoring requirements.

Please note, there are existing state requirements for lead in schools and childcare facilities subject to the [Governor's Directive on Lead, 16-06](#). Please visit our [Lead in School Drinking Water](#) and [Lead in Child Care Drinking Water](#) webpages for more information.

What IS changing October 16

Community and NTNC water systems must complete and submit their Lead Service Line Inventories, which includes making the inventories publicly available and providing notices to customers served by lead service lines, galvanized requiring replacement, and service lines of unknown materials within 30 days of completing the inventory. Please be aware that failure to meet these requirements will result in violations under the LCRR:

- Systems that fail to complete their initial LSLI by October 16, 2024, will receive a **Treatment Technique Violation**.
- Systems that fail to make the inventory publicly accessible by October 16, 2024, will receive a **Treatment Technique Violation**.
- Systems that fail to submit their completed, initial LSLI by October 16, 2024, will receive a **Reporting Violation**.

Starting on October 16, water systems should also be aware that Action Level Exceedances (ALEs) for lead, when the 90th percentile lead level exceeds 15ppb, will require Tier 1 Public Notifications to be issued within 24 hours of when a system learns of the exceedance ([EPA Template for Lead ALE Tier 1 PN](#)). We recommend that public water systems scheduled to monitor for lead this summer do so early enough to report results and, if needed, conduct additional monitoring or follow-up actions prior to the effective date of the new Tier 1 PN requirement.

Please send questions to LCRRassistance@doh.wa.gov.
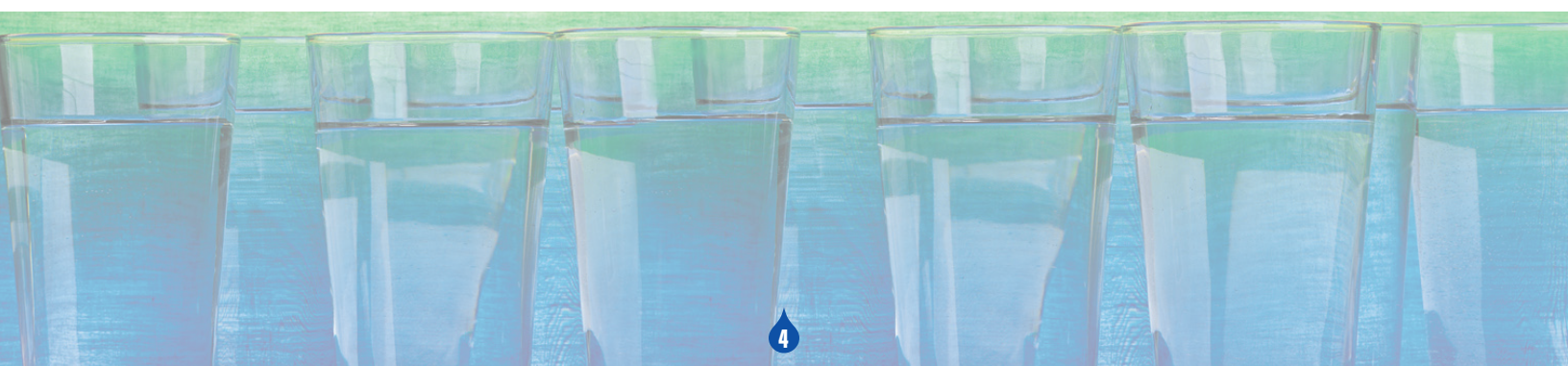
Consumer Confidence Rule Changes in 2027

On June 24, 2024, the federal Environmental Protection Agency's (EPA) final Consumer Confidence Rule (CCR) became effective. The CCR was revised by EPA after reviewing comments from the public, water systems, and state agencies including ODW. The revised CCR strives to make annual drinking water reports both more understandable and more accessible to water systems' customers. The CCRs distributed to consumers provide a valuable source of information about their water quality and contaminants found in their drinking water. The CCR also provides an excellent opportunity for water systems to showcase positive changes happening in water systems.

Implementation of changes in the CCR program start January 1, 2027, with the first CCRs, subject to the new rule, distributed on or before July 1, 2027. Some of the key changes to include:

- **Inclusion of a summary section.** All CCRs are required to prominently display at the beginning of the report a summary section, including an overview of violations and compliance information, instructions for requesting a paper copy, and how to obtain language assistance or translation.

- **Biannual CCR distribution requirements for larger systems.** Water systems serving 10,000 or more people will need to produce and distribute CCRs twice a year on July 1 and a December 31. The July 1 CCR must contain information and data collected during the previous calendar year. The December 31 CCR must contain a six-month update based on the data collected between January 1 and June 30 of the current calendar year if the system receives a violation or experiences an Action Level Exceedance. Systems are also required to include Unregulated Contaminant Monitoring Rule (UCMR) results collected during the first half of the year. Systems without violations, action-level exceedances (ALE), or UCMR reportable results may simply resend their previous CCR.

- **Increased internet access to CCRs.** Systems serving 50,000 or more people must post CCRs on a publicly available website.

- **Ensuring accessibility of CCRs for people with limited English proficiency.** This includes a requirement that CCRs provide information on where consumers can obtain either a translated copy of the report or assistance in other languages.

- **Compressed timeline for certifying CCR delivery.** Signed CCR Certification Forms must be completed and delivered to us within ten days of the July 1 and December 31 deadlines for smaller systems and larger systems, respectively. We strongly recommend sending the Certification Forms along with your CCRs.

Most of the changes in the CCR revision are subtle and aligned with what most water systems are already doing. The changes made to the rule make systems' existing best practices into requirements.

Please ensure you become familiar with the new CCR requirements before the 2027 implementation date. For more detailed information regarding the rule revisions, please review EPA's Consumer Confidence Reports Rule Revisions webpage.

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