

Bremerton ❖  
Kitsap County  
Health District

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**DATE:** January 2, 1992  
**TO:** Interested Group B Public Water System Managers/Owners  
**FROM:** Drinking Water Program  
**RE:** COMPLIANCE STATUS OF GROUP B WATER SYSTEMS

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In mid-December, many Group B (formerly Class 4) Water System Manager/Owners received a form letter informing them of the compliance status of these water systems. In response to the many phone calls and letter about these notices, please find below responses to the most common questions and concerns:

**1. Why were the letters sent?**

Applications that require Health District approval, such as building permits or requests for water system status reports by lending institutions, are subject to review for water system adequacy. If there are deficiencies noted in the files, approval is held pending completion of requirements. Most Group B system owners are not aware of their compliance status with regard to State and local drinking water regulations. Most become aware only when their building site application is held up or their lending institutions receives an unfavorable status report. This often causes significant delays and inconvenience for property owners trying to build, refinance, or sell their homes. Rather than wait until this occurs, this office made a concerted effort to advise the manager/owners of these systems of information needed for a determination of compliance. The water systems targeted for this review were compiled from a list of systems shown as delinquent for bacteriological monitoring.

**2. We've had this system for a long time, aren't we "grandfathered" in as far as requirements go?**

Most water system requirements noted in the Health District letters have been in effect for some time. Requirements for submission of water system designs, sanitary control areas, and bacteriological monitoring date back to 1936; the requirement for inorganic chemical monitoring dates back to 1946.

Many managers/owners assume that since they have a State identification number, the water system must meet requirements. In 1978, the Health District received a grant to survey water systems for the purpose of tracking by the State Department of Health. ID numbers were issued at that time, but in most cases no formal review of the water system took place.

Some Group B water systems received statements from this office in the late 1970's and 1980's that their "application had been accepted" or even that they had "an approved Class 4 water system." Many of these determinations were based solely on satisfactory water tests and well site inspections. In the interim, several factors have made this office more careful in passing judgment on water system status. The State Attorney General's office has stressed the legal liability to this office to approve only those systems that are in full compliance with State and local regulations. Growth Management legislation and stricter drinking water regulations have also placed water resources under much closer scrutiny. Under WAC 246-290-050, if a water system is out of compliance with current regulations, this office is authorized to require additional information regardless of any prior approvals.

### **3. Do I have to comply with everything on this list? What will happen if I don't comply?**

The Health District has three groupings for compliance status; each determines what types of approvals we will issue:

- a) Adequate: The system satisfies all applicable State and local requirements. Building Site Applications (up to the number of approved connections), Building Clearances, and Water Status Reports will be processed favorably.
- b) Provisionally Adequate: The water quality monitoring is current and satisfactory, designs have been approved, protective well covenants have been recorded, and a well log and pump test results have been submitted. Building Clearances for existing connections will be processed but Building Site Applications will be held pending formal design review. Water System Status Report requests will be returned with a designation of "provisionally adequate;" the lending institution decides whether this is acceptable for processing a loan.
- c) Noncompliant: Building Site Applications are held pending upgrades for compliance; unfavorable Water System Status Reports are issued.

The Health District's policy at this time is to not take enforcement action against provisionally adequate or noncompliant public water systems, as long as water quality monitoring is satisfactory and no complaints are registered by users of the system. Therefore, the incentive to bring water systems into adequate status rests with the system owner(s) and their desire to build, sell, or refinance homes served by the system.

Systems with only two connections may be exempted from public water system requirements if the following conditions apply:

- a) The system is serving only two lots.
- b) Each lot has an area greater than one acre.
- c) The water source for the system is a drilled well.
- d) Fifty-foot protective covenants have been recorded.

Please contact this office if your system qualifies for the reclassification as a two-party well.

**4. What is a “certified designer?”**

Washington State Drinking Water Regulations (Chapter 246-290 and 291 WAC) require that a professional engineer licensed in the State of Washington prepare all water system plans and construction documents. The only exceptions to this regulation are systems with less than ten connections and consisting of a simple well with one pressure zone and no specialized treatment. These smaller systems may be designed by a “county certified water system designer.” The Health District has designed such a program to certify water system designers for systems serving between three and nine connections. Anyone wishing to be certified water system designer in this County must first pass a written exam given by the Health District.

**5. Why would I be out of compliance with respect to inorganic/nitrate chemical analysis if I had a nitrate test done within the last three years?**

According to current drinking water regulations, all Group B systems must have one initial complete inorganic chemical analysis and a subsequent nitrate analysis once every three years. Although systems may have kept up with regular nitrate analyses, many have never had an initial complete inorganic chemical analysis done.

Please contact this office if you have additional questions or concerns.