



PROPOSED RULE MAKING

CR-102 (June 2024)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: September 05, 2025
TIME: 7:01 AM
WSR 25-19-022

Agency: Department of Health

Original Notice

Supplemental Notice to WSR

Continuance of WSR

Preproposal Statement of Inquiry was filed as WSR 25-15-014 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: Office of Drinking Water program fees. The Department of Health (department) is proposing amending fees for the Office of Drinking Water programs to cover operating costs for the following:

- WAC 246-290-990 for Water system evaluation and project review and approval fees
- WAC 246-292-995 for Certified operator and public water system certification fees
- WAC 246-294-070 for Operating permit fees

This proposal also includes making editorial updates, clarifying and repealing existing fees, and aligning with the Code Reviser's 2025 Bill Drafting Guide.

Hearing location(s):

Date:	Time:	Location:	Comment:
October 21, 2025	1:00PM	Register in advance for this webinar: https://us02web.zoom.us/webinar/register/WN_1y1GVK5UTDSUL1cNSHmbIA After registering, you will receive a confirmation email containing information about joining the webinar.	

Date of intended adoption: October 28, 2025 (Note: This is **NOT** the effective date)

Submit written comments to:	Assistance for persons with disabilities:
Name: Zehra Siddiqui	Contact: Zehra Siddiqui
Address: PO Box 47820, Olympia WA 98504-7820	Phone: (360) 236-3010
Email: zehra.siddiqui@doh.wa.gov	Fax : N/A
Fax: N/A	TTY
Other	Emai: zehra.siddiqui@doh.wa.gov
Beginning: Date and time of filing	Other
By: October 21, 2025 at 11:59pm	By: October 6, 2025

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The department is proposing amending fees for all programs within the Office of Drinking Water to ensure program costs are adequately covered. These fees must be set at a level that covers the costs of administering each program or license.

Reasons supporting proposal: The department completed a financial assessment and determined the current fees are not generating sufficient revenue to cover the operating costs over the biennium. Establishing updated fees is necessary in order to address increased program expenses, existing program deficits, reductions in funding from General Fund State (GFS) and cost-of-living and job classification adjustments made in the 2025-2027 state budget (ESSB 5167). RCW 43.70.110 and 43.70.250 authorize the Secretary of Health to establish various fees associated with licensing and regulation of professions, occupations, or businesses.

Statutory authority for adoption: RCW 43.70.250, RCW 43.70.110, RCW 43.20B.020, RCW 70A.100.130, RCW 70A.120.150, RCW 70A.120.160, RCW 70A.125.100, RCW 70A.125.070

Statute being implemented: RCW 43.70.250, RCW 43.70.110, RCW 43.20B.020, RCW 70A.100.130, RCW 70A.120.150, RCW 70A.120.160, RCW 70A.125.100, RCW 70A.125.070

Is rule necessary because of a:

Federal Law?

Yes No

Federal Court Decision?

Yes No

State Court Decision?

Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Name of proponent: (person or organization)

Type of proponent: Private. Public. Governmental.

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	Zehra Siddiqui	111 Israel Rd. S.E.Tumwater, WA 98501	(360) 236-3010
Implementation	Holly Myers	111 Israel Rd. S.E.Tumwater, WA 98501	(564) 200-2493
Enforcement	Holly Myers	111 Israel Rd. S.E.Tumwater, WA 98501	(564) 200-2493

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?

Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name

Address

Phone

Fax

TTY

Email

Other

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name

Address

Phone

Fax

TTY

Email

Other

No: Please explain: Proposal is not a significant legislative rule according to RCW 34.06.328. The proposal sets or adjusts fees and corrects or clarifies language.

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570](#)(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(3). Check all that apply:

[RCW 34.05.310](#) (4)(b)
(Internal government operations)

[RCW 34.05.310](#) (4)(c)
(Incorporation by reference)

[RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

[RCW 34.05.310](#) (4)(e)
(Dictated by statute)

[RCW 34.05.310](#) (4)(f)
(Set or adjust fees)

[RCW 34.05.310](#) (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(4). (Does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: Check one.

The rule proposal: Is fully exempt. (Skip section 3.) Exemptions identified above apply to all portions of the rule proposal.

The rule proposal: Is partially exempt. (Complete section 3.) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

The rule proposal: Is not exempt. (Complete section 3.) No exemptions were identified above.

(3) Small business economic impact statement: Complete this section if any portion is not exempt.

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs.

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name
Address
Phone
Fax
TTY
Email
Other

Signature:

Date: 9/5/2025

Name: Kristin Peterson, JD for Dennis E. Worsham

Title: Chief of Policy for Secretary of Health



WAC 246-290-990 Water system evaluation and project review and approval fees. ((1)) The fees for the review and approval of water system plans, project reports, construction documents, existing systems, and related evaluations required under chapters 246-290, 246-291, 246-293, 246-294, and 246-295 WAC are:

(a) Water system plans required under WAC 246-290-100, 246-290-105, 246-291-140, 246-293-220, and 246-293-230.

Project Type	Group B	Group A			
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services
Water system plan (New and Updated)	\$138	\$491	\$1,206	\$2,280	\$3,705
Minor water system plan alteration	\$31	\$115	\$293	\$565	\$919

((b)) Satellite management agency (SMA) plans for Group A and Group B water systems required under WAC 246-295-040.

Project Type	Total Active or Approved Services				
	<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
SMA plan for ownership (New and Updated)	\$491	\$1,206	\$2,280	\$3,705	\$5,484
SMA approval amendment		\$102 per hour or appropriate fee from category above, whichever is less			
SMA plan for operation only (New and Updated)	\$1,206	\$1,206	\$1,206	\$1,206	\$1,206

Note: SMAs owning water systems and submitting planning documents to the department for review shall be charged only the SMA fee.

((c)) New plan elements required under WAC 246-290-100, 246-290-105, 246-290-125, 246-290-132, 246-290-135, 246-290-691, and 246-291-140 including:

((i)) Water use efficiency; and

((ii)) Wellhead protection, shall be reviewed separately by the department and the fee assessed shall reflect the time spent for this review and shall be calculated based on \$102 per hour. After the initial submittal, updated information shall be reviewed as part of the updated water system plan and the review fee shall be included in the applicable updated plan review fee listed under (a) or (b) of this subsection.

((d)) Project reports required under WAC 246-290-110 and design reports required under WAC 246-291-120.

Project Type	Group B	Group A			
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services
All types of filtration or other complex treatment processes	\$348	\$710	\$1,103	\$1,598	\$2,204
Chemical addition only, such as ion exchange, hypochlorination, or fluoridation	\$102	\$205	\$348	\$525	\$743
Complete water system (an additional fee shall be assessed for review of treatment facility, if any)	\$205	\$491	\$778	\$1,137	\$1,564
System modifications requiring a detailed evaluation to determine whether the system, as modified, will comply with regulations (an additional fee shall be assessed for review of treatment facility, if any)	\$138	\$348	\$565	\$851	\$1,206
					\$1,626

Note: In accordance with WAC 246-290-125, project reports are not required for minor projects that are described in sufficient detail in an approved water system plan, and have been reviewed as part of the process for approving the water system plan.

~~(e) Special reports or plans required under WAC 246-290-230, 246-290-235, 246-290-250, 246-290-470, 246-290-636, 246-290-640, 246-290-654, 246-290-676, 246-291-230 including:~~

- ~~(i) Corrosion control recommendation report;~~
- ~~(ii) Corrosion control study;~~
- ~~(iii) Plan to cover uncovered reservoirs;~~
- ~~(iv) Predesign study;~~
- ~~(v) Uncovered reservoir plan of operation;~~
- ~~(vi) Tracer study plan;~~
- ~~(vii) Surface water or GWI treatment facility operations plan;~~
- ~~(viii) Filtration pilot study; or~~

~~(ix) GWI determination reports, shall be reviewed by the department and the fee assessed shall reflect the time spent for this review and shall be calculated based on \$102 per hour.~~

~~(f) Construction documents required under WAC 246-290-120 and design reports required under WAC 246-291-120.~~

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
All types of filtration or other complex treatment processes	\$348	\$710	\$1,103	\$1,598	\$2,204	\$2,922
Chemical addition only, such as ion exchange, hypochlorination, or fluoridation	\$102	\$205	\$348	\$525	\$743	\$994
Complete new water system except treatment (an additional fee shall be assessed for review of treatment facility, if any)	\$281	\$633	\$919	\$1,279	\$1,709	\$2,204
New source only (an additional fee shall be assessed for review of treatment facility, if any)	\$205	\$382	\$525	\$710	\$919	\$1,172
One or more of the following submitted as a package and not requiring a detailed evaluation as determined by the department: Water line installation, booster pump station, modifications to source pumping, piping/valving, controls or storage reservoir (an additional fee shall be assessed for review of treatment facility, if any)	\$138	\$241	\$382	\$565	\$778	\$1,027
Documents submitted for projects such as water line installation, booster pump stations, modifications to source pumping, piping/valving, controls or storage reservoirs as determined by the department where such projects:						
Comply with design standards established by the department;						
Are prepared by a professional engineer in accordance with WAC 246-290-040; and						
Do not require a detailed evaluation by the department.	\$64	\$118	\$198	\$281	\$389	\$512

~~(g) Existing system approval required under WAC 246-290-140 and 246-291-130. For the purpose of this subsection the department shall determine whether a system is expanding or nonexpanding.~~

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
NONEXPANDING system not requiring a detailed evaluation by the department	\$268	\$539	\$811	\$1,083	\$1,355	\$1,626
NONEXPANDING system requiring a detailed evaluation as determined by the department	\$404	\$811	\$1,229	\$1,626	\$2,034	\$2,441

Project Type	Group B	Group A			
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services
EXPANDING system not requiring a detailed evaluation by the department	\$539	\$1,083	\$1,626	\$2,169	\$2,714
EXPANDING system requiring a detailed evaluation as determined by the department	\$676	\$1,355	\$2,034	\$2,714	\$3,391

(h) Other evaluations and approvals. As applicable, these fees will be charged in addition to the basic fees assessed under (a) through (h) of this subsection.

Project Type	Group B	Group A			
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services
Well-site evaluation and approval including the site inspection and hydrogeologic information review.	\$205	\$309	\$363	\$451	\$565
Regulatory monitoring plan ¹	No plan required	\$198	\$268	\$337	\$404
Unfiltered system annual comprehensive report	Not applicable	\$404	\$676	\$947	\$1,218
Water system compliance report	\$115	\$115	\$115	\$115	\$115

¹A comprehensive document containing coliform, inorganic chemical and organic chemical monitoring plans in accordance with WAC 246-290-300.

(2) To determine the appropriate fee for a noncommunity system, calculate the service equivalent by taking the average population served each day of operation and dividing by 25 for a transient noncommunity (TNC) system and two and one-half for nontransient noncommunity (NTNC) system. Use the number of service equivalents to find out what Group A size category to look under and submit the appropriate fee. (All noncommunity systems are Group A systems as described in WAC 246-290-020.)

(3) Additional review and approval fees may be assessed as follows:

(a) The basic fee covers an evaluation, or the review of an initial submittal and one resubmittal if required. If additional resubmittals are required, an additional 25 percent of the original fee will be assessed for each additional resubmittal. For water system plan and SMA plan preparation the basic fee also covers a preplanning conference;

(b) Fees for department project approval based on local technical review will be determined on a case-by-case basis as outlined in the applicable memorandum of understanding between the department and the respective local agency;

(c) Fees may be assessed for services which the department determines are not described under subsection (1) of this section. If assessed, the fees will be calculated based on a rate of \$102 per hour.

Examples of these services include, but are not limited to:

(i) Collection of water quality samples requested by purveyor;

(ii) Review of alternate technologies requested by purveyor, manufacturer or authorized representative;

(iii) Sanitary surveys, including the time spent as part of the annual on-site inspections for systems under WAC 246-290-690(3) that is in addition to the time necessary to assess watershed control and disinfection treatment;

(iv) Well field designations; or

(v) Transfers of ownership under WAC 246-290-035 or 246-294-060.

~~(d) Additional fees assessed by the department shall be billed to the purveyor using an itemized invoice.~~

~~(4) If the legislature revises the water system operating permit fee under RCW 70A.125.100 to incorporate into it one or more fees for service currently assessed separately under this section, and the purveyor has paid that consolidated fee, the department shall not assess or collect a separate fee under this section for any such service.~~

~~(5) All fees required under this section except as noted in subsection (3) of this section, shall be submitted prior to the department's approval. Payment of fees shall be in the form of a check or money order made payable to: The Department of Health, P.O. Box 1099, Olympia, Washington 98507-1099. Payment of a fee shall not guarantee approval of the submitted document or evaluation request.~~

~~(6) Purveyors unable to determine the appropriate fee payment to submit should contact the department.) (1) This section outlines fees for the review and approval of water system plans, project reports, construction documents, existing systems, other services, and related evaluations and inspections required under chapters 246-290, 246-291, 246-293, 246-294, and 246-295 WAC.~~

(2) The department shall collect the following nonrefundable fees:

(a) \$880 for submittal reviews for Group B workbooks, small water system management programs, water system plan amendments, new groundwater sources, chemical addition only, water line installation, booster pump stations, source modifications, surface or groundwater treatment modifications, new reservoirs, and existing system approvals. This includes four hours of department staff time. Additional time will be billed at the hourly rate of \$220 per hour.

(b) \$1,760 for submittal reviews for new or updated water system plans, satellite management agency plans, surface water treatment, groundwater treatment, and complete new water systems. This includes eight hours of department staff time. Additional time will be billed at the hourly rate of \$220 per hour.

(c) \$750 for sanitary surveys for transient noncommunity systems. This includes three hours of department staff time. Additional time will be billed at the hourly rate of \$250 per hour.

(d) \$1,250 for sanitary surveys for nontransient noncommunity and community systems with 499 or less connections. This includes five hours of department staff time. Additional time will be billed at the hourly rate of \$250 per hour.

(e) \$2,250 for sanitary surveys for water systems with 500 to 9,999 connections. This includes nine hours of department staff time. Additional time will be billed at the hourly rate of \$250 per hour.

(f) \$4,250 for sanitary surveys for water systems with 10,000 or more connections. This includes 17 hours of department staff time. Additional time will be billed at the hourly rate of \$250 per hour.

(g) \$500 for each sanitary survey site visit, watershed inspection visit, and well site evaluation visit made by department staff. This fee is in addition to the applicable fees listed in this subsection.

(h) \$220 per hour for any other service provided by the department. Examples of these services include, but are not limited to:

(i) Collection of water quality samples requested by purveyor;
(ii) Review of corrosion control recommendation reports or studies;

(iii) Review of alternate technologies requested by purveyor, manufacturer, or authorized representative;

- (iv) Well field designations;
- (v) Transfers of ownership under WAC 246-290-035 or 246-294-060;
- (vi) Unfiltered system annual comprehensive report;
- (vii) Regulatory monitoring plan; and
- (viii) Lead service inventory.

(3) Additional reviews, surveys, well site evaluations, or watershed inspections conducted by the department will be billed the applicable fee listed in subsection (2) of this section.

(4) The secretary of health may enter into agreements with a local health jurisdiction or third-party contractor to establish payment arrangements for reimbursement and invoicing of services for sanitary surveys or well site evaluations, if the local health jurisdiction or third-party contractor is conducting the sanitary survey or well site evaluation instead of the department. If the local health jurisdiction or third-party contractor does not invoice the water purveyor for the services provided, the department will invoice the purveyor the applicable fees outlined in this section.

(5) Payment of a fee shall not guarantee approval of the submitted document or evaluation request.

WAC 246-292-995 Certified operator and public water system certification fees. (1) Table 8 specifies certified operator fees:

Table 8
Certified Operator Fees

Operator Classification	Application Fee By Examination	Application Fee By Reciprocity	Annual Renewal Fee	Late Fee (Assessed for failure to submit the fee within the time period specified on the renewal form)
WTPO	<u>(((\$87.00)) \$141.00</u>	<u>(((\$177.00)) \$287.00</u>	<u>(((\$42)) \$68.00</u> (Regardless of the number of classifications held by the operator)	<u>(((\$35)) \$57.00</u> (Regardless of the number of classifications held by the operator)
WDM	<u>(((\$87.00)) \$141.00</u>	<u>(((\$177.00)) \$287.00</u>		
WDS	<u>(((\$87.00)) \$141.00</u>	<u>(((\$177.00)) \$287.00</u>		
CCS	<u>(((\$51.00)) \$83.00</u>	Not applicable		
BAT	<u>(((\$51.00)) \$83.00</u>	Not applicable		
BTO	Not applicable	Not applicable		

(2) A public water system shall pay the fee in Table 9 in combination with the system's annual operating permit fee as required in chapter 246-294 WAC.

(3) A public water system that fails to submit the required annual fees by the deadline specified on the renewal form shall pay the late fee as specified in Table 9.

Table 9
Public Water System Annual Certification Fees

Public Water System Size* (Number of Service Connections on WFI form)	Public Water System Certification Fee	Late Fee
Less than 601	<u>(((\$132.00)) \$214.00</u>	<u>(((\$35.00)) \$57.00</u>
601 through 6,000	<u>(((\$403.00)) \$653.00</u>	<u>(((\$40.30)) \$65.00</u>
6,001 through 20,000	<u>(((\$536.00)) \$868.00</u>	<u>(((\$53.60)) \$87.00</u>
More than 20,000	<u>(((\$809.00)) \$1,311.00</u>	<u>(((\$80.90)) \$131.00</u>

* Approved SMAs shall pay a fee based on total services in all public water systems owned by the SMA.

(4) An individual applying for a temporary certification shall pay a fee of ((eighty-seven dollars)) \$141 to the department as required in WAC 246-292-080.

(5) Fees are not refundable or transferable.

WAC 246-294-070 Fees. (1) The department shall collect the following fees for Group A water system operating permits ((are authorized under RCW 70A.125.100 and are)) listed in Table 2.

TABLE 2
OPERATING PERMIT FEES

((Classification	2012	2013	2014 and following years
Base fee for all water systems	\$100.00	\$100.00	\$100.00
Per connection fee:			
14 or fewer services	\$0.65	\$0.98	\$1.30
15 - 99 services	\$0.63	\$0.94	\$1.25
100 - 499 services	\$0.60	\$0.90	\$1.20
500 - 999 services	\$0.58	\$0.86	\$1.15
1,000 - 9,999 services	\$0.55	\$0.83	\$1.10
10,000 - 95,000 services	\$0.53	\$0.79	\$1.05
95,001 or more services	\$50,000.00 per year	\$75,000.00 per year	\$100,000.00 per year
SMA	Use the per connection fee amount above to calculate the fee based on total number of all service connections owned plus a \$100 base fee	Use the per connection fee amount above to calculate the fee based on total number of all service connections owned plus a \$100 base fee	Use the per connection fee amount above to calculate the fee based on total number of all service connections owned plus a \$100 base fee
Late fee (late fee is charged seventy days after the department mails the renewal application)	Add 10% to applicable fee or \$25.00, whichever is greater	Add 10% to applicable fee or \$25.00, whichever is greater	Add 10% to applicable fee or \$25.00, whichever is greater))

Classification	2026	2027 and following years
Base fee for all water systems	\$110.00	\$200.00
Per connection fee:		
14 or fewer services	\$1.43	\$1.50
15 - 99 services	\$1.38	\$1.50
100 - 499 services	\$1.32	\$1.50
500 - 999 services	\$1.27	\$1.50
1,000 - 9,999 services	\$1.21	\$1.50
10,000 - 95,000 services	\$1.16	\$1.50
95,001	\$110,000.00 per year	\$1.50
133,334 or more	\$110,000.00 per year	\$1.50
SMA	Use the per connection fee amount above to calculate the fee based on total number of all service connections owned plus a \$110.00 base fee	Use the per connection fee amount above to calculate the fee based on total number of all service connections owned plus a \$200.00 base fee
Late fee (late fee is charged seventy days after the department mails the renewal application)	Add 10% to applicable fee or \$27.50, whichever is greater	Add 10% to applicable fee or \$50.00, whichever is greater

(2) For purposes of determining the operating permit fee, service connections ((~~shall~~)) will be counted as follows:

(a) For community water systems, the operating permit fee is based on the total number of residential service connections and non-residential service connections.

(b) Nonresidential service connections are counted as one service connection for each property as defined in WAC 246-294-010(11) regardless of how many buildings are on the property.

(3) For NTNC and TNC systems, owners shall pay the fee in Table 2 based on equivalent number of service connections. Population information used in calculating equivalent number of service connections ((~~shall~~)) will come from the WFI. The department shall use the following formulas to determine equivalent number of service connections:

(a) For NTNC populations, divide the average population served each day by two and one-half; and

(b) For TNC populations, which include recreational service connections, divide the average population served each day by 25.