

DATE: December 29, 2025

TO: Kathleen Buchli, Code Reviser

FROM: Tami Thompson, Regulatory Affairs
Manager

Tami M Thompson

SUBJECT: Rescind Interpretive Statement | Consumer Acceptance Related to
Secondary Contaminants on TNC Systems Filed as WSR 00-07-083

This memo serves as notice that the Department of Health (department) is rescinding an interpretive statement regarding transient non-community (TNC) systems titled “Consumer Acceptance Related to Secondary Contaminants on TNC Systems” filed March 15, 2000 and published as WSR 00-07-083.

This statement clarified when treatment for a secondary contaminant is warranted. The department is rescinding this policy due to the adopted changes to WAC 246-290-320 for follow-up action when contaminant levels are exceeded. Consequently, this interpretive statement is no longer necessary.

Individuals requiring additional information on this should contact Mike Means, Water Quality, Policy, and Certification Manager for the Office of Drinking Water at mike.means@doh.wa.gov.

Thank you for your attention to this matter.

cc: Mike Means, Water Quality, Policy, and Certification Manager

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 27, 2026

TIME: 2:37 PM

WSR 26-04-051



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
DIVISION OF DRINKING WATER
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TDD Relay 1-800-833-6388

Memorandum

TO: Interested Parties
FROM: Gregg Grunenfelder *gg*
SUBJECT: Interpretative Statement Summary

Title of Interpretive Statement:

Consumer acceptance related to secondary contaminants on TNC systems.
Section: WAC 246-290-320(3)(d).

Issuing Entity: Gregg Grunenfelder, Division Director
Division of Drinking Water

Description of Subject Matter:

With respect to providing treatment for a secondary (non-health related) contaminant on a new or existing Transient Noncommunity (TNC) public water system, determining consumer acceptance will be left up to the system owner. It will be considered a business decision that the owner must make as to whether or not the expense of secondary contaminant treatment is warranted.

Division Contact: Ethan Moseng
Division of Drinking Water
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Effective Date: February 29, 2000

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Consistency Statement

February 29, 2000

Topic: Consumer acceptance related to secondary contaminants on TNC systems.
Section: WAC 246-290-320(3)(d).

Issue/Question:

How is consumer acceptance determined for a transient non-community (TNC) water system with respect to secondary contaminant exceedances?

Discussion:

The secondary contaminant policy did not specifically address TNC systems when addressing consumer acceptance. Also, the WAC specifically refers to new community and nontransient noncommunity (NTNC) water systems as requiring treatment for secondary contaminants. It may be assumed that TNCs were specifically omitted from the requirement.

Several questions would need to be addressed before including TNCs in the requirement. First, who is harmed if the source is not treated? Secondary MCLs are established for aesthetic, non-health related reasons, so nobody's health is at significant risk. Second, how would one determine who is the impacted consumer and how would their willingness to bear the costs be measured? By definition, TNC systems serve a changing population of consumers each day. They may or may not be back on a frequent basis. A vote or survey would be meaningless. Also, as consumers on these systems typically are not charged directly for water there would be no direct cost impact on them.

Consumers would let their preference be known by continuing or discontinuing their business on the TNC system if WQ was an issue to them. The owner must decide whether aesthetic water quality concerns is or may be important to potential customers.

Decision:

- ◆ With respect to treatment for a secondary contaminant on a new or existing TNC system, determining consumer acceptance will be left up to the system owner. It will be considered a business decision that the owner must make as to whether or not the expense of secondary contaminant treatment is warranted.

"This Consistency Statement is provided as guidance to regional office staff to ensure consistent implementation of DDW program elements. Decisions by DDW staff to grant /deny an approval, or to take enforcement action, must be based on an RCW or WAC. "