

Informal Comment Period—Draft Rule Changes
Drinking Water Lab Data Reporting
Chapter 246-390 WAC



March 2015

Background

We are updating our lab rule to remove duplicative requirements with the Department of Ecology’s rule, Accreditation of Environmental Laboratories, chapter 173-50 WAC. Our draft rule changes the chapter title and adds data reporting requirements to ensure consistent and reliable reporting of analytical data. Adding reporting requirements will assist all public water systems and the Department of Health respond quickly to drinking water quality problems. We have also developed draft guidance and test panels for reporting analytical data.

We want your feedback on the draft rule changes and guidance

The draft rule is on our [rule-making webpage](#) for you to review. Send comments to Theresa.Phillips@doh.wa.gov by **March 31, 2015**.

Provide your suggested changes to the draft rule in a format similar to this example:

WAC Section Number	Suggested Revised Language	Reason for suggested change
010	The rule language should be: ...	Certified labs, water systems, or public health will be better served if my suggested revised language is accepted because...

Summary of Draft Changes

WAC Section Number	Section Title	Draft Changes
Chapter 246-390	Drinking Water Laboratory Certification and Data Reporting Rules	<ul style="list-style-type: none"> Replaces the chapter title “Drinking Water Certification Rules” to clarify the intent.
001	Purpose	<ul style="list-style-type: none"> Changed the title from Purpose-Objectives. Editorial changes to clarify the rule’s purpose is to set minimum certification and reporting requirements. Clarifies labs must comply with this chapter, Ecology’s accreditation chapter, and state and federal requirements.
010	Definitions, abbreviations, and acronyms	<ul style="list-style-type: none"> Changed the title and adds numerous acronyms, abbreviations, and definitions. Integrates abbreviations and acronyms into definitions, numbered definitions, and in alphabetic order. Editorial changes to clarify language.
<i>REPEAL</i> 020	Requirement for certification	<ul style="list-style-type: none"> Repealing this section because it is duplicative with Ecology’s certification chapter.

WAC Section Number	Section Title	Draft Changes
030	Certification	<ul style="list-style-type: none"> Clarifies that a lab must be accredited under Ecology's chapter and comply with data reporting requirements under Health's chapter.
NEW 035	Data reporting	<ul style="list-style-type: none"> Establishes reporting requirements regarding accurate, legible, complete and valid data results. Requires data reports be submitted according to instructions and test panel information on analyte templates. Establishes reporting of sample analysis results as a number, estimated number, or non-detect. Adds a table of analytes and associated analyte numbers, reporting units, and state reporting levels.
REPEAL 040	Provisional certification	<ul style="list-style-type: none"> Repealing this section because it is duplicative with Ecology's certification chapter.
REPEAL 050	Revoking or denying certification	<ul style="list-style-type: none"> Repealing this section, See NEW -095 Revocation and suspension section.
NEW 055	Composite samples	<ul style="list-style-type: none"> Adds that a lab may composite samples in accordance with 40 Code of Federal Regulations 141.23 and 141.24.
REPEAL 060	Reciprocity	<ul style="list-style-type: none"> Repealing this section because it is covered under Ecology's third-party accreditation requirements.
NEW 065	Data reporting timeline	<ul style="list-style-type: none"> Adds reporting timelines for completed reports. Adds reporting timelines by phone, fax, or email for coliform positives samples, contaminants that exceed 4 times the maximum contaminant level (MCL), and nitrates that exceed the MCL. Adds reporting requirements for attempts to contact a public water system and the department using a logbook.
REPEAL 070	Third-party certification	<ul style="list-style-type: none"> Repealing this section because it is duplicative with Ecology's third-party accreditation requirements.
NEW 075	Reporting contracted analytical results	<ul style="list-style-type: none"> Adds reporting requirements for labs that contract with another lab.
NEW 085	Enforcement	<ul style="list-style-type: none"> Aligns enforcement standards with Ecology's enforcement standards. Adds several options for enforcements actions when a lab is out of compliance with this chapter. Adds that the department may revoke or suspend a lab's certification if a lab fails to comply with a notice of correction.

WAC Section Number	Section Title	Draft Changes
<i>NEW</i> 095	Revocation and suspension	<ul style="list-style-type: none"> • Adds revocation and suspension timeframes. • Adds a lab may apply for certification after the suspension or revocation period has ended. • Adds if Ecology suspends or revokes a lab's certification, the department shall also suspend or revoke the certification. • Adds if a lab is suspended or revoked, the lab must notify the department and public water systems of any samples to be invalidated as a result of the action.
100	Appeals	<ul style="list-style-type: none"> • Repeals existing requirements because it is duplicative with Ecology's certification chapter. • Adds a lab may appeal an action taken by the department.
<i>REPEAL</i> 990	Fees	<ul style="list-style-type: none"> • Repeals the fees because it is duplicative with Ecology's fee section and the department no longer charges fees.

For more information about the draft rule:

- Contact [Theresa Phillips](#) at 360-236-3147 or [Derrick Dennis](#) at 360-236-3122

For more information about rule-making:

- To see other rule-making activities, visit our [rule-making website](#)
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