



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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December 18, 2020

Irina Makarow
Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

**RE: Department of Health and Department of Ecology Per- and Polyfluoroalkyl
Substances Draft Chemical Action Plan**

Dear Irina Makarow:

The Utilities and Transportation Commission (commission) appreciates the opportunity to comment on the Department of Health (DOH) and Department of Ecology's (ECY) Per- and Polyfluoroalkyl Substances (PFAS) Draft Chemical Action Plan (CAP). The commission is limiting its comments solely on those sections of the CAP that potentially affect water companies under the commission's jurisdiction.

The commission has the following recommendations and comments:

1. In the plan's section discussing available funding options for PFAS drinking water mitigation on pages 46 and 47, only the Drinking Water State Revolving Fund loan program is available to private water companies. However, the program has funding limits and a short application period during each year; therefore, its ability to support water company needs considering PFAS requirements may be limited. Additionally, it should be kept in mind that the 50 private water companies (excluding Washington Water Service Company) regulated by the commission are typically small, averaging 360 customers and \$200,000 gross annual revenue. Given the limitations of the revolving fund and water companies budgets when considering PFAS investigations and mitigation may cost well over a million dollars per company water system, the commission recommends additional funding programs be made available to affected companies.
2. In the event a "Do Not Use" order is issued, a company's situation is compounded by the requirement to provide continuing water service while incurring costs to implement

necessary mitigation projects. Emergency funding options available to water companies should be further discussed or established to allow continued operation.

3. The final rules regarding treatment methods described in Appendix 4.5.1 on page 215 should not prescribe specific single treatment methods but should promote least cost alternatives, including combinations of methods, if the chosen method(s) meet established water (quality) standards.
4. Considering litigation and relief for the effects of PFAS on the smaller, investor owned systems may take considerable time and resources, the commission recommends financial and legal assistance be made available during the litigation period.
5. Due to cost impacts to ratepayers on systems regulated by the commission near Joint Base Lewis McChord, commission staff should be included in discussions of testing mandates for these and other investor owned water systems.

Thank you for the opportunity to comment on the proposed Chemical Action Plan. Please contact Benjamin Sharbono, Regulatory Analyst, at 360-664-1242 or at benjamin.sharbono@utc.wa.gov with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark L. Johnson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark L. Johnson
Executive Director and Secretary