

WAC 246-296-020 Definitions, abbreviations, and acronyms. The definitions, abbreviations, and acronyms in this section apply throughout this chapter unless the context clearly indicates otherwise.

(1) **"Application"** means the DWARF loan request form provided by the department.

(2) **"Application package"** means the DWARF loan application form(s), requirements, terms of assistance, and related information created by the department.

(3) **"Borrower"** means the person that has legal and financial responsibility for the DWARF loan.

(4) **"Capitalization grant"** means an award by EPA of funds to a state for the DWARF and other purposes as authorized in Section 1452 of the SWARD.

(5) **"Construction completion report"** means a form provided by the department and completed for each specific construction project to document:

(a) Project construction in accordance with chapter 246-290 WAC and general standards of engineering practice;

(b) Physical capacity changes;

(c) Satisfactory test results; and

(d) The completed form is stamped with an engineer's seal, and signed and dated by a professional engineer.

(6) **"Default"** means failure to meet a financial obligation such as a DWARF loan payment.

(7) **"Department"** means the Washington state department of health.

(8) **"Disadvantaged community"** means a qualifying service area of a project serving residential connections within a public water system that is disproportionately impacted by economic, health, and environmental burdens. Potential qualifying areas will be assessed by indicators established in state guidance including, but not limited to: Population served, social vulnerability, environmental health disparities, or economic hardship. A service area of a project serving residential connections within a public water system owned and operated by a federally recognized tribe is considered a disadvantaged community.

(9) **"DWARF (drinking water state revolving fund)"** means the program that meets the requirements of RCW 70A.125.160 to administer federal funds and other funds deposited in a dedicated account used to finance public water system infrastructure improvements and drinking water program activities.

(10) **"DWARF loan"** means an agreement between the department and the borrower in which the DWARF provides funds for eligible assistance and the borrower agrees to repay the principal sum, applicable interest, and DWARF loan fee to the DWARF.

(11) **"DWARF loan fee"** means a nonrefundable fee that is charged on all DWARF loans, including DWARF loans for which all or part of the principal is forgiven.

(12) **"Ecology"** means the Washington state department of ecology.

(13) **"Eligible public water system"** means a Group A community public water system, either privately or publicly owned, or a non-profit Group A noncommunity public water system.

(14) **"Emergency"** means an event such as a natural disaster or other unforeseen or unavoidable circumstances that causes damage or disrupts normal public water system operations and requires immediate action to protect public health and safety. A failure to maintain, replace, reconstruct, upgrade, or make necessary infrastructure improvements does not constitute an emergency.

(15) "**EPA**" means the United States Environmental Protection Agency.

(16) "**Green project**" means a public water system infrastructure improvement project that includes water efficiency, energy efficiency, or environmental innovations as follows:

(a) Water efficiency projects use improved technologies and practices to deliver equal or better service with less water, including preventing water loss and reducing customer demand to protect water resources;

(b) Energy efficiency projects use improved technologies and practices to reduce energy consumption or produce cleaner energy for use in water treatment;

(c) Environmentally innovative projects use new or innovative approaches to manage water resources in a more environmentally sustainable way. Projects that are considered environmentally innovative include those that:

(i) Prevent or remove pollution;

(ii) Help a community adapt to climate change through water resource protection programs; or

(iii) Result in other proven, sustainable environmental benefits.

(17) "**Group A public water system**" is defined and referenced under WAC 246-290-020.

(18) "**Group B public water system**" means a public water system that is not a Group A public water system and is defined and referenced under WAC 246-291-005.

(19) "**Individual water supply system**" means any water system that is not subject to chapter 246-290 or 246-291 WAC; and provides water to either one single-family residence, or to a system with four or fewer connections, all of which serve residences on the same farm.

(20) "**IUP (intended use plan)**" means the federally required document prepared each year by the department identifying the intended uses of the DWARF funds and describing how those uses support the DWARF goals.

(21) "**Loan closeout**" means a loan agreement is complete when the loan is repaid in full.

(22) "**Multiple benefit**" means projects that address more than one type of health risk.

(23) "**Municipality**" means a city, town, special purpose district, or municipal corporation established according to the applicable laws of this state.

(24) "**NEPA**" means the National Environmental Policy Act of 1969, 42 United States Code 4321 et seq., PL-91-190.

(25) "**Nonprofit organization**" means an entity that has a federal tax exempt status identification number.

(26) "**Owner**" means any agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, person, or any other entity that holds as property a public water system.

(27) "**Person**" means any individual, corporation, company, association, society, firm, partnership, joint stock company, or any governmental agency, or the authorized agents of these entities.

(28) "**Principal forgiveness**" means that a reduction of a percentage of the total loan amount is not required to be paid back by the borrower. Principal forgiveness is applied when the project is complete.

(29) "**Project report**" means a department-approved document the borrower or borrower's agency develops under WAC 246-290-110.

(30) "**Public water system**" is defined and referenced under WAC 246-290-020.

(31) "**Receivership**" means the voluntary or involuntary transfer of ownership and operation of a public water system according to chapter 7.60 RCW and RCW 43.70.195.

(32) "**Regional benefit**" means project improvements that affect more than one public water system.

(33) "**Restructuring**" means changing public water system ownership including, but not limited to:

(a) Consolidation of two or more existing public water systems into a single public water system;

(b) Transfer of ownership; or

(c) Receivership.

(34) "**SWARD (Safe Drinking Water Act)**" means Public Law 93-523, including all amendments.

(35) "**SEPA**" means the State Environmental Policy Act under chapter 43.21C RCW.

(36) "**Set-aside**" means the use of a portion of DWARF funds allotted to the state for a range of specific SDWA-related activities under Section 1452 of the SWARD, to fund new programs, and for other drinking water program activities.

(37) "**SERP (state environmental review process)**" means the NEPA-like environmental review process adopted by Washington state to comply with the requirements of 40 C.F.R. 35.3140. SERP combines the SEPA review with additional elements to comply with federal requirements.

(38) "**Surface water**" means a body of water open to the atmosphere and subject to surface runoff.

(39) "**Sustainable**" means able to continue a benefit into the future as a result of appropriate public water system design, processes, operations, governance, and maintenance.

(40) "**SWSMP (small water system management program)**" means a document for a small nonexpanding Group A public water system developed and approved under WAC 246-290-105.

(41) "**System capacity**" means a public water system's operational, technical, managerial, and financial capability to achieve and maintain ongoing compliance with all relevant local, state, and federal plans and regulations.

(42) "**Transfer of ownership**" means to change legal ownership of a public water system from one person to another.

(43) "**Water right**" means a legal authorization, such as a permit, claim, or other authorization, on record with or accepted by the department of ecology, authorizing the beneficial use of water in accordance with all applicable state laws.

(44) "**WFI (water facilities inventory)**" means a department form summarizing a public water system's characteristics.

(45) "**WSP (water system plan)**" means a document that a Group A community public water system submits to the department as required under WAC 246-290-100. The plan addresses a public water system's capacity to comply with relevant local, state, and federal plans and regulations, describes the public water system's present and future needs, and establishes eligibility for funding under this chapter.

[Statutory Authority: RCW 70A.125.160, Federal Safe Drinking Water Act. WSR 24-16-058, § 246-296-020, filed 7/31/24, effective 8/31/24. Statutory Authority: RCW 43.70.040 and 2020 c 20. WSR 22-07-025, § 246-296-020, filed 3/9/22, effective 4/9/22. Statutory Authority: RCW 70.119A.170 as amended by 2016 c 111. WSR 16-14-086, § 246-296-020,

filed 7/5/16, effective 8/5/16. Statutory Authority: RCW 70.119A.170. WSR 16-06-100, § 246-296-020, filed 3/1/16, effective 4/1/16. Statutory Authority: RCW 70.119A.170 and Federal Safe Drinking Water Act, H.R. 1452. WSR 12-01-077, § 246-296-020, filed 12/19/11, effective 2/1/12. Statutory Authority: RCW 70.119A.170. WSR 01-21-137, § 246-296-020, filed 10/24/01, effective 11/24/01.]