



DATE: November 19, 2015

TO: Washington State Board of Health Members

FROM: James Sledge, Board Member

SUBJECT: PETITION FOR RULE-MAKING REGARDING LEAD AND ARSENIC CONTAMINATION OF FLUORIDATION ADDITIVES

Background and Summary:

RCW 34.05.330 allows any person to petition the Board to adopt, repeal or amend any rule within its authority. The Board has 60 days to consider the petition and respond. On October 2, 2015, the Board received a petition from Gerald Steel, requesting that the Board adopt a new rule that only allows fluoridation additives that do not add any lead or arsenic to drinking water. Mr. Steel proposes the following rule language:

- “Fluoridation chemical additives allowed to be added to Group A public drinking water shall have test results that show the additive at full strength contains no detectable lead or arsenic.”

David DeLong, Health Policy Advisor, is here to provide more detail on this petition and answer questions.

Recommended Board Action:

The Board may wish to consider the following motion:

The Board denies the petition for rule-making to adopt a new rule to “test fluoridation additives at full strength disallowing any with detectable levels of lead and arsenic” because the regulatory framework provided in Washington State statute and rule is sufficient to protect the public health and provide safe and reliable drinking water without adopting the requested rule. The board directs the executive director to draft a response to the petitioner advising of the Board’s decision.

Staff Contact: David DeLong