



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH

PO Box 47990 • Olympia, Washington 98504-7990

November 30, 2015

Gerald Steel
7303 Young Road NW
Olympia, WA 98502

Dear Mr. Steel:

The Washington State Board of Health (Board) considered your petition for rule making at its November 19th meeting. The Board denied your petition for rule making.

Your petition requested that the Board adopt a new rule stating that: “Fluoridation chemical additives allowed to be added to Group A public drinking water systems shall have test results that show the additive at full strength contains no detectable lead or arsenic.”

The Board reviewed your petition, the State Health Officer’s recommendation regarding the petition, and the information prepared by staff including information about the Board’s statutory authorities, its existing regulations regarding maximum contaminant levels (MCL) and additives, and EPA’s process for setting MCLs under the Safe Drinking Water Act (SDWA).

RCW 43.20.050 empowers the Board to adopt rules to assure safe and reliable public drinking water and to protect public health. Pursuant to this authority, consistent with the SDWA, the Board adopted WAC 246-290, Group A Public Water Systems.

WAC 246-290-310 defines the MCLs for arsenic and lead, and WAC 246-290-320 requires follow-up actions by the purveyor of public water systems that exceed an MCL. And WAC 246-290-220 requires that materials, additives, or treatment chemicals added to drinking water meet ANSI/NSF Standard 60, the nationally recognized and adopted requirements for the control of potential adverse human health effects from products added to drinking water.

The Board denied your petition for rulemaking 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.

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RCW 34.05.330 allows a petitioner to appeal any agency's decision to deny a petition to adopt, repeal, or amend a rule to the Governor within 30 days of the denial.

Sincerely,

A handwritten signature in cursive script that reads "Michelle A. Davis".

Michelle Davis
Executive Director