

# WASHINGTON STATE BOARD OF HEALTH

## ENVIRONMENTAL HEALTH COMMITTEE SPECIAL MEETING SUMMARY NOTES

**What:** Environmental Health Committee

**When:** July 19, 2021

**Participating via Zoom:** Board of Health (Board) members Keith Grellner, Fran Bessermin, and Vazaskia Crockrell; Board staff Stuart Glasoe, Kaitlyn Donahoe, Michelle Davis, and Melanie Hisaw; Department of Health (Department) staff Nina Helpling, Theresa Phillips, Peter Beaton, Michael Ellsworth, Anna Hidle, Todd Phillips, Joe Laxson, Jocelyn Jones, Laura Johnson, and Jeremy Simmons; and approximately six members of the public.

### Summary Notes:

#### General Updates

- Michelle Davis and Joe Laxson gave an update on the status of Foundational Public Health Services funding. Ms. Davis described funding approved for Board staffing and other capacity. Mr. Laxson mentioned environmental health priorities under consideration, including food, on-site sewage systems, school environmental health and safety, and drinking water capacity.
- Mr. Laxson briefly summarized initial efforts by the Department to implement requirements of Engrossed Second Substitute Senate Bill 5141 establishing a new Environmental Justice Council and its mission to reduce environmental and health disparities in the state.
- Mr. Laxson briefly explained changes that are underway to reset leadership structure and staffing in the Department's Office of Drinking Water.

#### School Environmental Health and Safety Rules Update, Chapter 246-366A WAC

- Kaitlyn Donahoe summarized the history and status of the school rules, and action taken by the Board at its June meeting to file a CR-103, Order of Adoption, extending the effective date of the rules to August 1, 2022. Ms. Donahoe briefly discussed work with partner agencies and plans to communicate with the Governor's office and other interests aimed at removing the budget proviso preventing implementation of the revised school rules since 2009.

#### August Board Meeting Preparation – Rules Update: On-site Sewage Systems, Chapter 246-272A WAC

- Stuart Glasoe introduced the topic and introduced Jeremy Simmons, Manager of the Department's On-Site Wastewater Program, who highlighted process milestones and discussed key issues addressed in the rulemaking, including management

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plans, property transfer inspections, field verification sampling of treatment products, repairs, nitrogen analysis, and conversion of Department guidance documents to standards that will be adopted by reference in the rule. The rulemaking is scheduled for completion in the first half of 2022.

### **August Board Meeting Preparation – Rulemaking Petition: On-site Sewage Systems, Chapter 246-272A WAC**

- Mr. Glasoe explained that the Board received a petition for rulemaking to amend chapter 246-272A WAC, On-site Sewage Systems, which is currently undergoing revision. He said the petition was hard to interpret and summarize. He mentioned a few issues listed in the petition, and he summarized the options for denying or accepting the petition. Committee Chair Grellner expressed concern with the petition and its potential effect on the existing rules.

### **August Board Meeting Preparation – Rules Briefing: Keeping of Animals, WAC 246-203-130**

- Mr. Glasoe summed the anticipated scope of his upcoming Board presentation and discussed continued work on procedural requirements of the rulemaking, focusing on ongoing efforts to survey potentially affected Washington businesses for feedback on cost impacts to help inform the cost-benefit portion of the Significant Analysis and the Small Business Economic Impact statement (SBEIS). Filing the CR-102, Proposed Rule, will follow the briefing. Remaining work on the filing will determine scheduling of the public hearing, likely November 2021, or January 2022.

### **Environmental Health Rulemaking Project Updates**

- Regarding rulemaking on PFAS drinking water standards, Theresa Phillips confirmed that work is on schedule to file the CR-102, Proposed Rule, for the Group A drinking water rules, chapter 246-290 WAC, and the CR-102 for the companion drinking water lab rules, chapter 246-390 WAC, in early August for public review and comment and a public hearing in October.
- Ms. Phillips also briefly discussed the status of work and staffing to revise and consolidate the water recreation rules, chapters 246-260 WAC and 246-262 WAC.

### **Next Steps:**

- The Environmental Health committee will next meet in September in advance of the October 2021 Board meeting. Topics for that meeting will be determined later. Mr. Glasoe offered to schedule an additional briefing for Member Crockrell focusing on the On-site Sewage rulemaking in advance of the August Board meeting.

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