

# WASHINGTON STATE BOARD OF HEALTH

## ENVIRONMENTAL HEALTH COMMITTEE SPECIAL MEETING SUMMARY NOTES

**What:** Environmental Health Committee

**When:** December 19, 2022

**Participating via Zoom:** Board of Health (Board) members Keith Grellner, Chair, Patty Hayes, Steve Kutz; Board staff Kaitlyn Campbell, Stuart Glasoe, Michelle Davis, and Melanie Hisaw; Department of Health (Department) staff Theresa Phillips, Joe Laxson, Peter Beaton, Todd Phillips, Joe Graham, Dave Delong, Mike Means, Dani Toepelt, Jeremy Simmons, Brad Burnham, Mike Ellsworth, Nina Helping, Jocelyn Jones, and Anna Hidle. No members of the public attended.

### Summary Notes:

#### Environmental Health Rulemaking Project Updates

- Jeremy Simmons and Stuart Glasoe provided a brief update of the status and anticipated timeline of On-Site Sewage System (chapter 246-272A WAC) rulemaking.
- Dani Toepelt and Mr. Glasoe shared updates on the Sanitary Control of Shellfish (chapter 246-282 WAC) rulemaking. Ms. Toepelt described collaboration with the rule advisory committee and tribes in the rulemaking and discussed with Members Hayes and Kutz the timing and jurisdiction of emergency rulemaking during heatwaves and other extreme heat events.
- Kaitlyn Campbell provided high level updates on the Water Recreation (chapters 246-260 and 246-262 WAC) rulemaking, noting the staff's plans for extensive engagement with local health, industry, and community.

#### Rulemaking Update – Water Recreation, Chapters 246-260 & 246-262 WAC

- Ms. Campbell summarized responses to the team's recent rulemaking survey. She said that over 80 individuals representing local health, industry and regulated entities, community members, and more responded. Ms. Campbell highlighted feedback and policy priorities from local health jurisdictions and regulated entities, noting requests for increased clarity in the rule, guidance regarding natural swimming areas, and what should be incorporated from the federal Model Aquatic Health Code. She said the survey results will inform the rulemaking team's next steps for further engagement with interested parties on the rule revision.

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### **Preparation for January Board Meeting – On-Site Sewage Systems**

- Mr. Glasoe and Mr. Simmons described plans to request a third emergency rule for on-site sewage system proprietary product supply chain shortages, and noted minor updates to this third request
- Mr. Simmons walked through his draft presentation to update the Board on the permanent rulemaking on the on-site sewage systems. Mr. Simmons gave background on on-site sewage systems; the scope of the rules; past history of the rules and rule reviews; the rulemaking process; key issues of the draft rules; and anticipated next steps completing the rulemaking.
- Committee members identified the need to provide additional support to Board members who may not have familiarity with on-site sewage systems. Mr. Glasoe said staff would offer briefings to new members and would add time to the Board update if possible.

### **2023 Legislative Session Preview**

- Ms. Campbell and Joe Laxson provided a preview of the 2023 legislative session. Ms. Campbell discussed her role and the Board's process for identifying, tracking, and analyzing bills. She also shared a brief list of environmental health-related bills that have been pre-filed with the legislature to date. Mr. Laxson discussed anticipated legislation on topics including microenterprise home kitchens, the sanitary control of shellfish (crab), and funding for foundational public health services and public health obligations under the healthy environment for all (HEAL) act.

### **Staff Announcements & Updates**

- Mike Means provided an update on PFAS, including a recent feature in the Seattle Times and anticipated release of federal drinking water standards.
- Ms. Campbell reminded Committee Members to connect with Executive Director Davis on the Board's legislative statement and discussed an upcoming survey for Board Members regarding leadership opportunities in 2023.

### **Committee Member Comments, Questions, and Next Steps**

- Committee Members thanked Board and Department staff. Committee Chair Grellner noted the Board and Committee accomplished a lot this year and wished staff happy holidays.

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