



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH

PO Box 47990 • Olympia, Washington 98504-7990

June 24, 2024

David Belanger

Sent Via Email

Dear Mr. Belanger:

This letter provides formal notice that the Washington State Board of Health (Board) denied your petition for rulemaking, submitted on May 8, 2024, at its regular business meeting on June 12, 2024, for the reasons described below.

The petition asked the Board to revise WAC 246-260-131, Operation of Water Recreation Facilities, subsections (6)(b)(i) and(ii), by removing an allowance for the substitution of a swim or dive coach or scuba diver instructor in place of a lifeguard.

Prior to the meeting, Board members were provided with all materials that were submitted relating to the petition. Board staff provided background information about the scope and intent of the existing rule and staff from the Department of Health discussed its current recommendations. The Board and the Department recognize the substitution of lifeguards with coaches as an area for review.

The Board opted to decline the petition because the water recreation rules are currently open for rulemaking. As a piece of the rulemaking, the Board is considering the Center for Disease Control's Model Aquatic Health Code (MAHC) which does not currently recognize the substitution of coaches for lifeguards. Members stated that this issue will already be considered in the coming months, thus the petition is not necessary to bring it under consideration for rulemaking.

RCW 34.05.330(3) allows a person to appeal a petition's denial to the Governor within 30 days of the denial.

Sincerely,

Patty Hayes, MPH
Chair