

WASHINGTON STATE BOARD OF HEALTH

Date: August 7, 2024

To: Washington State Board of Health Members

From: Kate Dean, Board Member

Subject: Variance Request (Cheney) – Chapter 246-262-010(21) WAC, Definition of Diving Envelope, & 246-262-060(5)(vi) Diving envelope Requirements

Background and Summary:

RCW 70.90.120 authorizes the State Board of Health (Board) to adopt rules governing safety, sanitation, and water quality of water recreation facilities. WAC 246-262-160 sets the process for variance requests. The Board has the sole discretion to approve variance requests, if the Board determines the data and our research provides sufficient evidence that the variance will adequately protect public health and safety. Upon receipt of a request, the Board will strive to make a determination on the variance request within sixty days.

On July 17, 2024, the Board received a variance request from Brooke Hanley requesting the approval of 3 separate pieces of equipment under sections 246-262-010(21) WAC, definition of diving envelope, & 246-262-060(5)(vi) diving envelope requirements. The equipment includes a NinjaCross Obstacle Course, AquaZip'n Rope Swing, and a climbing wall.

Today, Board and Department of Health staff will introduce the variance requests for consideration by the Board. Due to the large size of supporting documentation, staff need additional time to complete the review and to determine compliance with the health and safety standards as outlined in Chapter 246-262 WAC.

Staff recommends that the Board hold a special meeting in late August to allow for additional time to review the requests and to provide a timely response to the requester.

Recommended Board Actions

This is an information briefing.

Staff

Andrew Kamali

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