

WASHINGTON STATE BOARD OF HEALTH

Date: November 13, 2024

To: Washington State Board of Health Members

From: Patty Hayes, Board Chair

Subject: Request for Delegated Rulemaking, [WAC 246-282-005](#) Sanitary Control of Shellfish Minimum Performance Standards to Revise the Reference to the Recently Adopted Model Ordinance – Possible Action

Background and Summary:

On September 3, 2024, the National Shellfish Sanitation Program (NSSP) released the 2023 revision to its *Guide for the Control of Molluscan Shellfish* (guide). The guide consists of a Model Ordinance, supporting guidance documents, recommended forms, and other related materials. This new version supersedes the 2019 version referenced in WAC 246-282-005(1)(a).

The Department of Health (Department) is requesting delegation of rulemaking authority from the State Board of Health (Board) to adopt by reference the newest version of the Model Ordinance. For prior revisions, the Board has delegated rulemaking authority to the Department.

The Delegation Memo provided by the Department outlines how this request conforms with the Board's delegation criteria and the need for the rule change. Danielle Toepelt with the Department will present the delegation request for Board Members to consider.

Recommended Board Actions:

The Board may wish to consider and amend, if necessary, the following motion:

The Board moves to delegate rulemaking authority to the Department of Health to adopt by reference the newest version of the NSSP *Guide for the Control of Molluscan Shellfish*.

Staff

Shay Bauman, Policy Advisor

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