



Petition for Rulemaking

WAC 246-290-220, Drinking Water Materials and Additives

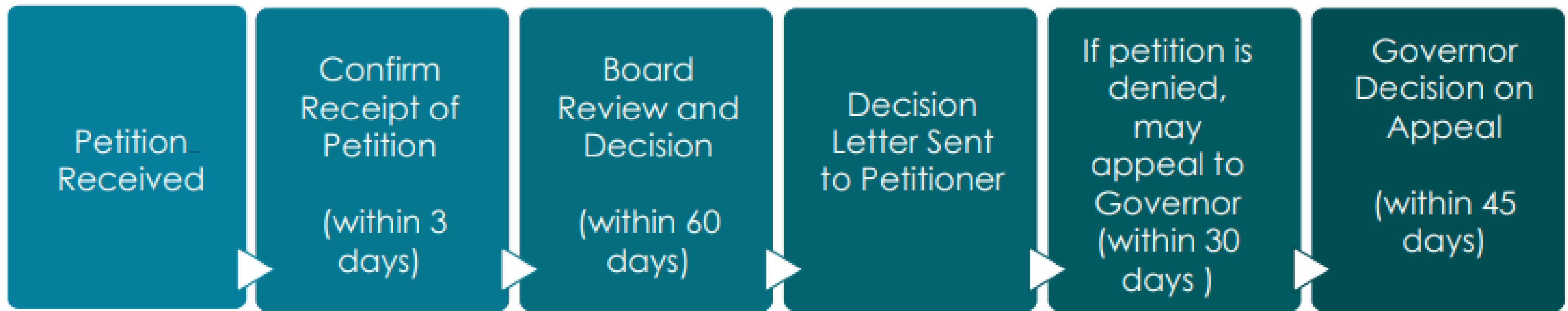
Shay Bauman, Policy Advisor – January 8, 2025

WASHINGTON STATE 
BOARD OF HEALTH

Background

Under the Administrative Procedures Act, RCW 34.05.330, any person may petition a state agency to adopt, repeal, or amend any rule within its authority.

Overview of the Board's Petition Process



RCW 43.20.050 grants the Board authority to adopt rules for Group A Public Water Systems necessary to assure safe and reliable drinking water and protect the public health. These rules are within Chapter 246-290 WAC.

Petition

The petition requests the Board add a new section to WAC 246-290-220 stating the following:

In keeping with the Federal Safe Drinking Water Act S.433 and the Food Drug and Cosmetic Act, Title 21, the Board of Health does not recommend any substance be added to water with intent to treat humans, unrelated to treatment of water as defined in RCW 18.64.011(14)(15) or 21 U.S. Code § 321(g)(1), unless approved by the Food and Drug Administration in compliance with the U. S. Food, Drug and Cosmetic Act. This recommendation does not apply to substances added to water to make water safer as determined by the U.S. Environmental Protection Administration in compliance with the Safe Drinking Water Act.



WAC 246-290-220 – Drinking Water Materials and Additives

WAC 246-290-220 requires Group A public water systems to test and certify for conformance with NSF/ANSI Standards 60 and 61 for:

- treatment chemicals added to public drinking water supplies; and
- public water system components in substantial contact with potable water such as water pipes, tank coatings or liners, and treatment system media.



Previous Board Recommendations

In an April 2015 Workshop Report, the Board recommended strategies to improve the oral health of Washington residents, including the following:

- Health Systems
- Community Water Fluoridation
- Sealant Programs
- Interprofessional Collaboration
- Oral Health Literacy
- Surveillance
- Workforce Development



Board Discussion

Petition Request: add a new subsection to WAC 246-290-220 stating the following:

In keeping with the Federal Safe Drinking Water Act S.433 and the Food Drug and Cosmetic Act, Title 21, the Board of Health does not recommend any substance be added to water with intent to treat humans, unrelated to treatment of water as defined in RCW 18.64.011(14)(15) or 21 U.S. Code § 321(g)(1), unless approved by the Food and Drug Administration in compliance with the U. S. Food, Drug and Cosmetic Act. This recommendation does not apply to substances added to water to make water safer as determined by the U.S. Environmental Protection Administration in compliance with the Safe Drinking Water Act.

Staff Recommendation:

Decline the petition for rulemaking

- Pending science review in coordination with DOH
- Monitoring EPA action

THANK YOU

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