



School Environmental Health and Safety Rule Project 2024 2025

# **WAC 246-370**

## **School Environmental Health and Safety**

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# **WAC 246-370-001**

## **Purpose**

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## Summary of changes: 001 Purpose

- **Combined:** Introduction statement with Purpose statement

## Language Comparison: 001 Purpose

246-370-001 Draft	246-366-001 & 005	246-366A-001
	These rules and regulations are established as minimum environmental standards for educational facilities and do not necessarily reflect optimum standards for facility planning and operation.	(2) Implementation of this chapter is subject to the state legislature providing funding to public schools in accordance with section 222 of the 2009-11 biennial operating budget, chapter 564, laws of 2009, and may be subject to future legislative requirements. Unless and until legislative action allows for full or partial implementation of this chapter, chapter 246-366 WAC shall take precedent and this chapter shall not be implemented or enforced in any manner. (3) It is the intent of the Washington state board of health to work with the legislature to develop a strategy and timeline for funding and implementation of this chapter.
The purpose of this chapter is to set minimum environmental health and safety standards for school facilities operated for the primary purpose of providing education.	The purpose of this chapter is to maintain minimum environmental health and safety standards for school facilities until legislative action allows for full or partial implementation of chapter 246-366A WAC. To the extent the legislature funds or otherwise allows for its implementation, chapter 246-366A WAC is intended to replace or supersede this chapter.	(1) The purpose of this chapter is to replace chapter 246-366 WAC with a more modern set of minimum environmental health and safety standards for school facilities to promote healthy and safe school environments.

# **WAC 246-370-005**

## **Definitions**

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## Summary of changes: 005 Definitions

- **Added:** 24 New definitions
- **Removed:** 5 Obsolete definitions
- **Modernized:** 3 Existing definitions
- **No Change:** 2 Existing definitions

## Language Comparison: 005 Definitions

246-370-005 Draft	246-366-010	246-366A-010
		(1) "Addition" means an extension or increase in floor area or height of a building or structure.
(1) "Air contaminant" means pollutants in the air that could, depending on dose and circumstances, cause adverse health impacts.		(2) "Air contaminants of public health importance" means pollutants in the indoor air that could, depending on dose and circumstances, have health impacts, including but not limited to: (a) Volatile organic compounds, for example, formaldehyde and benzene; (b) Combustion by-products, for example, carbon monoxide and nitrogen oxides; (c) Vapors and gases, for example, chlorine, mercury, and ozone; (d) Heavy metal dusts and fumes, for example, chromium and lead; and (e) Particulates, for example, wood and ceramic dust.
		(3) "Alteration" means any construction or renovation to an existing structure other than repair or addition.
		(5) "Construction documents" means written, graphic, and pictorial documents prepared or assembled for describing the design, location, and physical characteristics of the elements of a project necessary for obtaining a building permit.
		(6) "Contaminant" means any hazardous material that occurs at greater than natural background levels.

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(2) "Decibel (dB)" means a standard unit of measurement of sound pressure.		(7) "Decibel (dB)" means a standard unit of measurement of sound pressure.
(3) "Decibel, A-weighted (dBA)" means a decibel measure that has been weighted in accordance with the A-weighting scale. The A-weighting adjusts sound level as a function of frequency to correspond approximately to the sensitivity of human hearing.		(8) "Decibel, A-weighted (dBA)" means a decibel measure that has been weighted in accordance with the A-weighting scale. The A-weighting adjusts sound level as a function of frequency to correspond approximately to the sensitivity of human hearing.
(4) "Department" refers to the Washington State Department of Health.	(10) "Department" - Means Washington state department of health.	(9) "Department" means the Washington state department of health.
		(10) "Drinking fountain" means the type of plumbing fixture that delivers a stream of water for drinking without actively cooling the water.
(5) "Emergency washing facilities" means equipment such as emergency showers, eyewashes, eye/face washes, hand-held drench hoses, or other similar units.		(11) "Emergency eye wash" means a hands-free device that: (a) Irrigates and flushes both eyes simultaneously with tepid potable water; (b) Activates an on-off valve in one second or less and remains on without user assistance until intentionally turned off; and (c) Delivers at least 0.4 gallons (1.5 liters) of water per minute for at least fifteen minutes
		(12) "Emergency shower" means a hand-activated shower that delivers tepid potable water to cascade over the user's entire body at a minimum rate of 20 gallons (75 liters) per minute for at least fifteen minutes.
(6) "Emissions" mean substances released into the air, including gases and particles, from various sources.		
(7) "Equivalent Continuous Sound Level" or "Leq" means the sound pressure level of a noise fluctuating over a period of time, expressed as the amount of average energy.		(13) "Equivalent sound level (Leq)" means the level of a constant sound that, over a given time period, contains the same amount of sound energy as the measured fluctuating sound.
		(14) "Faucet" means a type of plumbing fixture that is a valved outlet device attached to a pipe that normally serves a sink or tub and can discharge hot water, cold water, or both.

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		(15) "First draw sample" means a water sample collected immediately upon opening a plumbing fixture that has not been used for at least eight hours prior to collection.
		(16) "Flush sample" means a water sample collected after allowing cold water to run for at least thirty seconds from a plumbing fixture that has not been used for at least eight hours prior to collection.
(8) "Foot candle" means a unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot.		(17) "Foot-candle" means a unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot.
		(18) "Hazardous materials" means toxic, corrosive, flammable, explosive, persistent, or chemically reactive substances that, depending on dose and circumstances, pose a threat to human health.
(9) "Imminent health hazard" means a significant threat or significant danger to health or safety that requires immediate action to prevent serious illness, injury, or death.		(19) "Imminent health hazard" means a significant threat or significant danger to health or safety that requires immediate action to prevent serious illness, injury, or death
		(20) "Implementation" or "implemented" means being given or having the force of law, requiring compliance, and being subject to enforcement.
	(3) "Instructional areas" - Space intended or used for instructional purposes	
(10) "Integrated pest management" means a program that reduces sources of food, water, and shelter for pests by using the least toxic pest controls when necessary.		
		(21) "Laboratory" means instructional areas of the school facility where students might be exposed to greater potential health and safety hazards than typically exist in general academic classrooms. Such laboratories may include, but are not limited to, chemistry, physics, material science, and biology laboratories or art studios (for example: Darkrooms, ceramic studios, and print making studios).



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(11) "Local board of health" means the county or district board of health as defined in RCW 70.05.010(3).		(22) "Local board of health" means the county or district board of health as defined in RCW 70.05.010(3).
(12) "Local health officer" means a legally qualified physician who has been appointed as the health officer for the county or district public health department as defined in RCW 70.05.010(2) or their authorized representative.	(8) "Health officer" - Legally qualified physician who has been appointed as the health officer for the city, town, county or district public health department as defined in RCW 70.05.010(2), or his authorized representative.	(23) "Local health officer" means the legally qualified physician who has been appointed as the health officer for the county or district public health department as defined in RCW 70.05.010, or his or her authorized representative, including, but not limited to, the environmental health director.
		(24) "Mechanical exhaust ventilation" means the removal of indoor air to the outside of the building by mechanical means.
(13) "New construction" means new buildings or structures, including construction of additions to existing school facilities and reconstruction or retrofitting of an existing building not originally intended for use as a school facility. New construction does not include reconstruction of an existing school facility.	(4) "New construction" - Shall include the following: (a) New school building. (b) Additions to existing schools. (c) Renovation, other than minor repair, of existing schools. (d) Schools established in all or part of any existing structures, previously designed or utilized for other purposes. (e) Installation or alteration of any equipment or systems, subject to these regulations, in schools. (f) Portables constructed after the effective date of these regulations.	(4) "Construction" or "construction project" means any activity subject to state or local building codes.
(14) "Noise abatement" means measures taken to reduce unacceptable sounds or vibrations.		
(15) "Noise criterion" means a single number for rating the sound quality of a room by comparing actual or calculated sound level spectra with a series of established octave band spectra.		(25) "Noise criterion (NC)" means a system for rating the noise level in an occupied area by comparing actual or calculated sound level spectra with a series of established octave band spectra.
(16) "Noise criterion 35 (NC35)" means the curve for specifying the maximum permissible sound pressure level for each frequency band.		(26) "Noise criterion 35 (NC35)" means the curve for specifying the maximum permissible sound pressure level for each frequency band.
(17) "OSPI" refers to the Washington Office of Superintendent of Public Instruction.		
	(5) "Occupied zone" - Is that volume of space from the floor to 6 feet above the floor when determining temperature and air movement, exclusive of the 3 foot perimeter on the outside wall.	

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(18) "Portable" means any school building with a prefabricated structure that can be transported and installed on-site to provide additional educational space.	(7) "Portables" - Any structure that is transported to a school site where it is placed or assembled for use as part of a school facility.	(28) "Portable" means any relocatable structure that is transported to a school site and is placed or assembled there for use by students as part of a school facility.
(19) "Preschool" means an educational establishment or learning space offering early childhood education to children not old enough to attend kindergarten.		(27) "Preschool" means an instructional curriculum and portion of a school facility designed to instruct children not old enough to attend kindergarten.
(20) "Readiness Plan" means a written guide to ensure the health and safety of the occupants of a school facility in the event of a particular hazard, such as extreme heat or wildfire smoke.		
		(29) "Repair" means the reconstruction or renewal of any part of an existing school facility for the purpose of its maintenance
(21) "School" means any public institution of learning where the primary purpose is educational instruction for children in any grade from kindergarten through grade twelve, including transition programs, programs where students will advance to grade one the following year, and related activities by the public school as defined in RCW 28A.150.010 and any private school or private institution regulated by chapter 28A.195 RCW.	(1) "School" - Shall mean any publicly financed or private or parochial school or facility used for the purpose of school instruction, from the kindergarten through twelfth grade. This definition does not include a private residence in which parents teach their own natural or legally adopted children.	(30) "School" means any public, religious-affiliated, or private institution for instructing students in any grade from kindergarten through twelfth grade
(22) "School facility" means all buildings and land intended primarily for student use including, but not limited to portables, sports fields, playgrounds, classrooms, and common areas.		(32) "School facility" means buildings or grounds owned or leased by the school or donated to the school for the primary purpose of student use including, but not limited to, portables, playgrounds and sports fields.
(23) "School official" means a member of the school district or school staff who has the authority to make decisions on behalf of the district or school to maintain and improve environmental health and safety within the limitations of this rule.		(33) "School officials" means those persons designated by the school board as responsible for planning, policy development, budgeting, management, or other administrative functions.

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	(2) "Board of education" - An appointive or elective board whose primary responsibility is to operate public or private or parochial schools or to contract for school services	(31) "School board" means an appointed or elected board whose primary responsibility is to operate schools or to contract for school services and includes the governing body or owner of a private school.
	(9) "Secretary" - Means secretary of the Washington state department of health or the secretary's designee.	
		(34) "Shop" means instructional areas of the school facility where students are exposed to greater health and safety hazards than typically exist in general academic classrooms. Shops include, but are not limited to, industrial and agricultural shops, including career and technical education (for example: Metal-working, wood-working, construction, automotive, and horticulture).
	(6) "Site" - Shall include the areas used for buildings, playgrounds and other school functions.	(35) "Site" means any real property used or proposed to be used as a location for a school facility
(24) "Site assessment" means an evaluation of any historical or other readily available information on site conditions and surroundings to evaluate whether the site poses a potential hazard to human health and determine if further investigation is needed.		
(25) "Source capture system" means a mechanical exhaust system designed and constructed to capture air contaminants at their source and release air contaminants to the outdoor atmosphere.		(36) "Source capture system" means a mechanical exhaust system designed and constructed to capture air contaminants at their source and release air contaminants to the outdoor atmosphere.
(26) "Specialized room" means a space or room that has a specific function that uses equipment, furniture, or supplies not found in a standard room that are a potential health and safety risk. This may include but is not limited to a career and technical education room, laboratory, art room, or health room.		

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(27) "Stationary machinery" means equipment that is designed to be installed in a fixed location and does not require intermittent movement to service different needs.		
		(37) "Tempered water" means water having a temperature range between eighty-five degrees Fahrenheit and one hundred ten degrees Fahrenheit.
		(38) "Tepid water" means water having a temperature range between sixty degrees Fahrenheit and ninety-five degrees Fahrenheit.
(28) "Transition services" means a coordinated set of activities as defined in WAC 392-172A-01190.		
		(39) "Toxic" means having the properties to cause or significantly contribute to death, injury, or illness.
		(40) "Variance" means an alternative to a specific requirement in these rules, approved by the local health officer, that provides a comparable level of protection.
		(41) "Very low lead plumbing fixture" means plumbing fittings or fixtures used in the installation or repair of any plumbing providing water for human consumption that contain less than 0.3% lead by weight.
		(42) "Water cooler" means a type of mechanical plumbing fixture that actively cools the water.

# **WAC 246-370-010**

## **Applicability**

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## Summary of changes: 010 Applicability

- **Referenced:** Exceptions to chapter 246-370 WAC including:
  - Facilities licensed under Title 110 WAC – Department of Children, Youth, and Families
  - Home-based instruction
  - Locations that provide education services, but education is not the primary function of the facility
  - Private tutoring
  - Post secondary schools
  - State-tribal education compact schools
- **Referenced:** Existing regulations that contain legal requirements for schools to follow for environmental health and safety on:
  - Food handling and preparation
  - Water recreation
  - Sewer and liquid waste disposal
  - Carbon monoxide detection
  - Drinking water

## Language Comparison: 010 Applicability

246-370-010 Draft	246-366-060, -070, & -130	246-366A-005
(1) This chapter applies to all school facilities operated for the primary purpose of providing education, including those primary and secondary school facilities that offer preschool education or transition services. This chapter does not apply to: (a) Any facility or part of a facility that is licensed by the department of children, youth, and families under Title 110 WAC;		(1) To the extent implemented in accordance with legislative action, this chapter, or such portions thereof funded or approved as part of a phase-in or partial implementation, shall apply to all school facilities operated for the primary purpose of providing education at the kindergarten through twelfth grade (K-12) levels, and preschools that are part of such facilities except:
(b) Private residences used for home-based instruction as defined by RCW 28A.225.010(4);		(a) Private residences used for home-based instruction as defined by RCW 28A.225.010(4);
(c) Facilities hosting educational programs where educational instruction is not a primary purpose, including, but not limited to, detention centers, jails, hospitals, mental health units, or long-term care facilities;		(b) Facilities hosting educational programs where educational instruction is not a primary purpose, including, but not limited to, detention centers, jails, hospitals, mental health units, or long-term care facilities;
(d) Private facilities where tutoring is the primary purpose;		(c) Private facilities where tutoring is the primary purpose; and

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246-370-010 Draft	246-366-060, -070, & -130	246-366A-005
(e) Public or private postsecondary education facilities providing instruction to students enrolled in secondary school; and		(d) Public or private postsecondary education facilities providing instruction to students primarily enrolled in secondary school.
(f) State-tribal education compact schools established under chapter 28A.715 RCW.		
(2) Additional environmental health and safety rules that apply to school facilities include, but are not limited to: (a) Chapter 246-215 WAC regarding facility and equipment sanitation, food preparation, food storage, and food temperature control; (b) Chapter 246-217 WAC regarding food service workers, including contracted staff and volunteers, who must maintain a current food worker card as set forth in chapter 246-217 WAC; and	-130(1) Food storage, preparation, and service facilities shall be constructed and maintained and operated in accordance with chapters 246-215 and 246-217 WAC.  -130(2) When central kitchens are used, food shall be transported in tightly covered containers. Only closed vehicles shall be used in transporting foods from central kitchens to other schools.	(2) These rules are in addition to all other requirements that apply to schools and, except as specified, do not affect the applicability of those requirements. (3) Additional environmental health and safety rules that apply to school facilities include, but are not limited to: (a) Chapter 246-215 WAC Food services; (b) Chapter 246-217 WAC Food worker cards;
(c) Chapters 246-260 and 246-262, as applicable, regarding water Recreation Facilities or aquatic venues;		(c) Chapter 246-260 WAC Water recreation facilities; (d) Chapter 246-262 WAC Recreational water contact facilities;
(c) Chapters 246-260 and 246-262, as applicable, regarding water Recreation Facilities or aquatic venues; (d) WAC 51-54A-0915 regarding the installation and maintenance of carbon monoxide detection and alarms in mechanical rooms and occupied zones; and (e) RCW 43.70.830 through 43.70.845 regarding lead in drinking water if the facility was built or all plumbing was replaced before 2016.		
(3) Schools must use sewer and liquid waste disposal that is connected to a municipal sewage disposal system or an on-site sewage disposal system designed, constructed and maintained under chapter 246-272A or 246-272B.	-070 All sewage and wastewater from a school shall be drained to a sewerage disposal system which is approved by the jurisdictional agency. On-site sewage disposal systems shall be designed, constructed and maintained in accordance with chapters 246-272 and 173-240 WAC.	(e) Chapter 246-272A WAC On-site sewage systems; (f) Chapter 246-272B WAC Large on-site sewage system regulations;

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246-370-010 Draft	246-366-060, -070, & -130	246-366A-005
	-060(1) Plumbing: Plumbing shall be sized, installed, and maintained in accordance with the state building code. However, local code requirements shall prevail, when these requirements are more stringent or in excess of the state building code.	
(4) Schools must provide drinking water from public water supplies regulated under WAC 246-290 or 246-291.	-060(2) Water supply: The water supply system for a school shall be designed, constructed, maintained and operated in accordance with chapter 246-290 WAC.	(g) Chapter 246-290 WAC Public water supplies; and (h) Chapter 246-291 WAC Group B public water systems.
(5) These rules are not intended to replace or supersede the department of labor and industries' authority and jurisdiction under Title 296 WAC over employee safety and health. (6) These rules are not intended to replace building code council requirements under Title 51 WAC. In the event this chapter is more stringent to protect health and safety it may supersede Title 51 WAC.		(4) This chapter, or portions thereof, are intended to replace or supersede chapter 246-366 WAC, or corresponding portions thereof as identified by the state board of health, once the legislature has provided funding for implementation by public schools or taken other action to authorize implementation. (5) These rules are not intended to replace or supersede the department of labor and industries' authority and jurisdiction over employee safety and health. (6) These rules are not intended to replace requirements of the building code council under Title 51 WAC, but may be more stringent to protect health and safety.
(7) If the local permitting jurisdiction received a complete building permit application for school construction before the effective date of this chapter, the construction-related requirements of chapter 246-366 WAC apply.		



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246-370-010 Draft	246-366-060, -070, & -130	246-366A-005
		<p>(7) For a school undergoing an alteration or addition, WAC 246-366A-040, 246-366A-060, 246-366A-090, 246-366A-100, 246-366A-110, 246-366A-120, 246-366A-150, and 246-366A-160 apply only to:</p> <ul style="list-style-type: none"><li>(a) Areas that are part of the addition;</li><li>(b) Areas undergoing alteration; and</li><li>(c) Changes to existing building systems, such as heating and ventilation systems, when those changes are included in construction documents or a building permit application describing the alteration or addition.</li></ul> <p>(8) If the local permitting jurisdiction received a complete building permit application for school construction prior to the effective date of any construction-related requirements of this chapter, the construction-related requirements of chapter 246-366 WAC and this chapter in effect at the time of application apply.</p>



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# **WAC 246-370-015**

## **Good Safety Practice and Guidance**

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## Summary of changes: 015 Good Safety Practice and Guidance

- **Updated:** Language without making substantive changes.

## Language Comparison: 015 Good Safety Practice and Guidance

246-370-015 Draft	246-366-140	246-366A-015
<p>(1) Except where more specific requirements apply, school facilities must apply good safety practices to conditions which present a potential hazard to occupants of the school.</p> <p>(2) The department in cooperation with OSPI shall review potentially hazardous conditions in schools which are not aligned with good safety practice, especially in specialized rooms.</p> <p>(3) The department and OSPI shall jointly prepare a guide for use during routine school inspections to identify issues relating to good safety practices. The guide should include recommendations for safe facilities and safety practices.</p> <p>(4) The guide shall be reviewed and updated at least every five years.</p>	<p>(1) The existence of unsafe conditions which present a potential hazard to occupants of the school are in violation of these regulations. The secretary in cooperation with the state superintendent of public instruction shall review potentially hazardous conditions in schools which are in violation of good safety practice, especially in laboratories, industrial arts and vocational instructional areas. They shall jointly prepare a guide for use by department personnel during routine school inspections in identifying violations of good safety practices. The guide should also include recommendations for safe facilities and safety practices.</p>	<p>(1) The department, in cooperation with the office of superintendent of public instruction, shall:</p> <p>(a) Update the Health and Safety Guide for K-12 Schools in Washington (the guide) at least every four years; and</p> <p>(b) Make the guide available on the department's website.</p> <p>(2) The guide is the primary source of guidance for local health officers and school officials implementing these rules.</p>



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# **WAC 246-370-020**

## **Site Assessment**

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## Summary of changes: 020 Site Assessment

- **Added:** Local Health Officer (LHO) may require a site assessment for construction projects on existing school facilities.
- **Added:** School officials must:
  - Have a Phase 1 Site Assessment
  - Notify LHO at least 90 days prior to planning new construction
  - Submit site assessments to LHOs
- **Added:** LHOs must:
  - Review site assessments
  - Provide written approval to a school official within 60 days of receiving a completed site assessment

## Language Comparison: 020 Site Assessment

246-370-020 Draft	246-366-030	246-366A-030
(1) A local health officer shall conduct or require that a site assessment be conducted when a school district is planning: (a) To construct a new school facility on a site that was previously undeveloped or developed for other purposes; or (b) To convert an existing structure for primary use as a school facility.	(1) Before a new school facility is constructed, an addition is made to an existing school facility, or an existing school facility is remodeled, the board of education shall obtain written approval from the health officer that the proposed development site presents no health problems. The board of education may request the health officer make a survey and submit a written health appraisal of any proposed school site.	(1) A full site assessment and local health officer review and approval to determine environmental health and safety risk, is required for: (a) Constructing a new school facility on a site that was previously undeveloped or developed for other purposes; or (b) Converting an existing structure for primary use as a school facility.
	(2) School sites shall be of a size sufficient to provide for the health and safety of the school enrollment.	
(2) A local health officer may conduct or require that a site assessment be conducted when a school district is planning to construct: (a) A new school facility on an existing school site; or (b) An addition to an existing school facility.		(2) The local health officer shall determine, in consultation with school officials, the need for and scope of the site assessment, review, and approval process for: (a) Constructing a new school facility on an existing school site; (b) Constructing an addition to an existing school facility; or (c) Converting part of an existing structure primarily used for other purposes into a school facility.

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(3) A site assessment must include: (a) A Phase 1 Environmental Site Assessment (ESA) that meets the requirements of the American Society for Testing and Materials (ASTM) Standard #1527-21 (published December 2021);		(3) A full site assessment must include: (a) A Phase 1 Environmental Site Assessment (ESA) that meets the requirements of the American Society for Testing and Materials (ASTM) Standard #1527-05 (published November 2005);
(b) Sampling and analysis of potential contaminants if the Phase 1 ESA indicates that hazardous materials may be present. Sampling and analysis must comply with the applicable rules of the department of ecology, WAC 173-303-110 ; and		(b) Sampling and analysis of potential contaminants if the Phase 1 ESA indicates that hazardous materials may be present. Sampling and analysis must comply with applicable rules of the Washington state department of ecology;
(c) A noise assessment that measures noise from all sources during the hours that school is normally in session. (i) The noise must not exceed: (A) An hourly average of 55 dBA or the mean sound energy level for a specified time in Leq 60 minutes; and (B) A maximum sound level, recorded during a specified time, measured as Lmax, of 75 dBA during the time of day the school is in session.	(3) Noise from any source at a proposed site for a new school, an addition to an existing school, or a portable classroom shall not exceed an hourly average of 55 dBA (Leq 60 minutes) and shall not exceed an hourly maximum (Lmax) of 75 dBA during the time of day the school is in session; except sites exceeding these sound levels are acceptable if a plan for sound reduction is included in the new construction proposal and the plan for sound reduction is approved by the health office.	(c) A noise assessment. Noise from any source must not exceed an hourly average of 55 dBA (the mean sound energy level for a specified time (Leq60 minutes)) and must not exceed an hourly maximum (the maximum sound level recorded during a specified time period (Lmax)) of 75 dBA during the time of day the school is in session. Sites exceeding these sound levels are acceptable if a plan for noise reduction is included in the new construction proposal and the plan for noise reduction is approved by the local health officer.
(4) A school official shall ensure: (a) The local health officer receives notification within 90 days of starting: (i) The preliminary planning for school construction that requires a review and approval of a site assessment by a local health officer under subsection (1) of this section; or (ii) The preliminary planning for school construction under subsection (2) of this section to determine if a site assessment is required;		(4) School officials shall: (a) Notify the local health officer within ninety days of starting preliminary planning for school construction that may require a site assessment with local health officer review and approval.
(b) Consultation with the local health officer throughout the plan development phase regarding the scope of the site assessment when one is required and the timeline for completion of the site assessment;		(b) Consult with the local health officer throughout the plan development phase regarding the scope of the site assessment and the timeline for completion of the site assessment.
		(c) Have a site assessment completed when required under this section.

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(c) The submission of a written report to the local health officer for a required site assessment that assesses the potential impact on health and safety presented by the proposed site and includes, but is not limited to, the following:		(d) Submit a written report to the local health officer assessing the potential impact of health and safety risks presented by the proposed site, including, but not limited to the following: (i) The findings and results obtained under subsection (3) of this section;
(i) The findings and results obtained under subsection (3) of this section; (ii) An analysis of the findings;		(ii) Analysis of the findings;
(iii) If a site exceeds sound levels under subsection (3)(c)(i), the school official must include a plan for noise reduction in the new construction proposal under WAC 246-370-030; (iv) Identified health and safety risks present at the site; (v) A description of any mitigation proposed to address identified health and safety risks present at the site; and		(iii) Description of any mitigation proposed to address identified health and safety risks present at the site; and
(vi) Any site assessment-related information requested by the local health officer to complete the site assessment review and approval process; and		(iv) Any site assessment-related information requested by the local health officer to complete the site assessment review and approval process.
(d) Obtain the site review and written site approval from the local health officer when required under subsection (1) or (2) of this section.		(e) Obtain site review and written site approval from the local health officer when required under subsection (1) or (2) of this section.
		-020(1)(d) Retain for at least six years, unless otherwise required by other state or federal laws, records pertaining to: (iii) Site assessment, review, and approval as required under WAC 246-366A-030;
(5) When notified by a school official of preliminary planning for school construction, the local health officer shall: (a) Conduct an inspection of the proposed site;		(5) The local health officer shall: (a) Conduct an inspection of the proposed site;

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<p>(b) Determine whether a site assessment is required when notice is provided under subsection (4)(a)(ii) of this section and notify the school official of the determination;</p> <p>(c) Review the inspection findings, written report provided under subsection (4)(c), and any other site assessment-related information for environmental health and safety risk;</p>		<p>(b) Review the site assessment for environmental health and safety risk;</p>
<p>(d) For site assessments conducted under subsection (1) of this section, provide written approval or describe site deficiencies needing mitigation to obtain approval or deny use of the proposed school facility site if mitigation is not possible within 60 days of receiving a complete request unless a school official and the local health officer agree to a different timeline; and</p>		<p>(c) For site assessments according to subsection (1) of this section, provide written approval, describe site deficiencies needing mitigation to obtain approval, or deny use of the proposed school facility site within sixty days of receiving a complete request unless the school officials and the local health officer agree to a different timeline; and</p>
<p>(e) For site assessments conducted under subsection (2) of this section, provide written approval or describe site deficiencies needing mitigation to obtain approval of the proposed school facility site within 60 days of receiving a complete request unless the school officials and the local health officer agree to a different timeline.</p>		<p>(d) For site assessments according to subsection (2) of this section, provide written approval or describe site deficiencies needing mitigation to obtain approval of the proposed school facility site within sixty days of receiving a complete request unless the school officials and the local health officer agree to a different timeline.</p>
<p>(6) If a written site assessment request from a school official is received by the local health officer before the effective date of this section, the site assessment requirements of chapter 246-366 WAC apply unless otherwise specified in this chapter.</p>		<p>(6) If school officials notified the local health officer in writing prior to the effective date of this section that construction is planned for a particular site, the site review requirements in effect at the time of notification apply, provided that school officials comply with all agreed on timelines for completion.</p>



**WAC 246-370-030**  
**Construction Plan Review –**  
**New, Alterations, and Portables**

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## Summary of changes: 030 Construction Plan Review – New, Alterations, and Portable

- **Added:** Specifications for types of construction that might require plan review
- **Added:** Set timelines for school officials and LHOs to review construction plans

## Language Comparison: 030 Construction Plan Review – New, Alterations, and Portables

246-370-030 Draft	246-366-040	246-366A-020, -040, & -050
<p>(1) The following school construction projects must be reviewed and approved by the local health officer:</p> <p>(a) Construction of a new school facility, playground, bathroom, shower, or specialized room;</p> <p>(b) Establishment of a school in all or part of any existing structure previously used for another purpose;</p> <p>(c) Additions or alterations consisting of more than 5,000 square feet of floor area or more than 20 percent of the total square feet of an existing school facility, whichever is less;</p> <p>(d) Alteration of a playground, bathroom, shower, or specialized room; and</p> <p>(e) Installation or construction of a portable classroom.</p>	<p>(1) Any board of education, before constructing a new facility, or making any addition to or major alteration of an existing facility or any of the utilities connected with the facility, shall:</p> <p>(a) First submit final plans and specifications of such buildings or changes to the jurisdictional health officer;</p>	<p>-040(1) The following school facility construction projects must be reviewed by the local health officer:</p> <p>(a) Construction of a new school facility;</p> <p>(b) Schools established in all or part of any existing structures previously used for other purposes;</p> <p>(c) Additions or alterations consisting of more than five thousand square feet of floor area or having a value of more than ten percent of the total replacement value of an existing school facility;</p> <p>(d) Any construction of a shop or laboratory for use by students; and</p> <p>(e) Installation of a portable.</p> <p>(2) Review and approval requirements for installation of a playground are established in WAC 246-366A-150.</p>
<p>(2) A school official shall ensure:</p> <p>(a) Consultation with the local health officer takes place at the 50 percent design development stage of school construction project plans to determine if the project requires construction review;</p>	<p>(b) Shall obtain the health officer's recommendations and any required changes, in writing;</p>	<p>-040(3) School officials shall:</p> <p>(a) Consult with the local health officer during preliminary planning for school construction projects that are subject to the requirements of this section;</p> <p>(b) Invite the local health officer to a predevelopment conference with school officials and project design professionals to participate in the discussion about the preliminary design to highlight health and safety matters and requirements of these rules;</p>

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246-370-030 Draft	246-366-040	246-366A-020, -040, & -050
<p>(b) The provision of additional documents, beyond the construction project plans, if requested by the local health officer, which may include, but are not limited to, written statements signed by the project's professional engineer or licensed architect verifying that design elements comply with requirements specified by this chapter;</p> <p>(c) Consultation with the local health officer to determine whether additional construction project review is required to ensure that the project meets the requirements of this chapter;</p> <p>(d) The submission of the design at the 100 percent development stage for the construction design plans.</p>		
<p>(e) The acquisition of a written approval from the local health officer for the construction project before starting construction;</p> <p>(i) If the school official meets the requirements of subsection (2)(a) but the local health officer does not meet the requirements of subsection (3), the school official may proceed with their scheduled construction timeline;</p>	<p>(c) Shall obtain written approval from the health officer, to the effect that such plans and specifications comply with these rules and regulations.</p>	<p>-040(c) Obtain construction project review and written approval from the local health officer regarding environmental health and safety requirements in these rules before starting construction;</p> <p>(d) Provide construction documents to the local health officer at the same time as the local building official to facilitate a concurrent and timely review; and</p> <p>(e) Provide additional documents requested by the local health officer, which may include, but are not limited to, written statements signed by the project's licensed professional engineer verifying that design elements comply with requirements specified by these rules.</p>
<p>(f) The submission of a request for a preoccupancy inspection to the local health officer to correct any imminent health hazards before allowing occupancy at the school facilities; and</p> <p>(g) The local health officer receives notification at least five business days before a desired preoccupancy inspection.</p>		<p>-050(1) School officials shall:</p> <p>(a) Obtain a preoccupancy inspection by the local health officer of construction projects subject to WAC 246-366A-040(1), conducted in coordination with a final inspection by the local building official, in order to ensure imminent health hazards are corrected before allowing school facilities to be occupied; and</p> <p>(b) Notify the local health officer at least five business days before a desired preoccupancy inspection.</p>

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246-370-030 Draft	246-366-040	246-366A-020, -040, & -050
		-020(1)(d) Retain for at least six years, unless otherwise required by other state or federal laws, records pertaining to:(iv) Construction project plan review and approval as required under WAC 246-366A-040;
<p>(3) The local health officer shall:</p> <p>(a) Respond to a request to consult with a school official within 15 business days of receipt;</p> <p>(b) Consult with a school official to determine the necessary documentation for plan review and approval of the particular project;</p> <p>(c) Review construction project plans at the 50 percent design development stage to confirm the need for a construction review and approval to meet the health and safety requirements of this chapter;</p> <p>(d) Consult with a school official when requiring additional construction plan reviews between the 50 and 100 percent construction plan design development stages;</p> <p>(e) Identify and request any additional documents needed to determine compliance with the requirements outlined in this chapter;</p> <p>(f) Provide written approval within 60 days of receiving the 100 percent design development for the construction design plans or provide a written statement describing construction project plan deficiencies that need to change to obtain approval. The school official and the local health officer may alter this timeline if mutually agreed upon; and</p>		<p>-040(4) The local health officer shall:</p> <p>(a) Consult with school officials and determine what is required for plan review and approval;</p> <p>(b) Review construction documents to confirm that the health and safety requirements of these rules are met;</p> <p>(c) Identify and request any additional documents required to determine compliance with requirements specified by these rules; and</p> <p>(d) Provide written approval, or describe plan deficiencies needing change to obtain approval, of the construction project within sixty days of receiving all documents needed to complete the review, unless the school officials and the local health officer agree to a different timeline.</p>

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246-370-030 Draft	246-366-040	246-366A-020, -040, & -050
<p>(g) Conduct an inspection:</p> <p>(i) Before occupancy of a completed construction project and within five business days after receiving a request from a school official;</p> <p>(ii) At any point during the construction period to verify compliance with the requirements of this chapter;</p> <p>(iii) In a coordinated effort with the on-site project manager or other appropriate person identified by a school official; or</p> <p>(iv) To confirm satisfactory correction of the items identified under (h) or (i) of this subsection;</p> <p>(h) If an imminent health hazard is identified during an inspection, work with the school official and local building official to identify and agree upon a solution that the school officials will implement before occupation of the affected portion; and</p> <p>(i) If other conditions of noncompliance with this chapter are identified during an inspection, provide the school official with a written list of items and consultation in developing a correction schedule based on the level of risk to health and safety.</p>	<p>(2) The health officer shall:</p> <p>(a) Conduct a preoccupancy inspection of new construction to determine its conformity with the approved plans and specifications.</p>	<p>-050(2) The local health officer:</p> <p>(a) Shall coordinate all construction-related inspections with the on-site project manager or other appropriate person identified by school officials.</p> <p>(b) May inspect for compliance with these rules during the construction phase.</p> <p>(c) Shall conduct a preoccupancy inspection for construction projects subject to WAC 246-366A-040(1) to verify compliance with these rules before the building is occupied and not more than five business days after the date requested by school officials or as otherwise agreed to by the school officials and the local health officer.</p> <p>(i) If an imminent health hazard is identified, a solution must be identified and agreed to by school officials, the local health officer, and the local building official and implemented by school officials before the affected portion of the building is occupied.</p> <p>(ii) If other conditions of noncompliance with these rules are identified, school officials shall be provided with a written list of items and consulted in developing a correction schedule, based on the level of risk to health and safety.</p> <p>(d) May reinspect to confirm satisfactory correction of the items identified under (c) of this subsection.</p>

# **WAC 246-370-040**

## **Routine Inspection**

# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 040 Routine Inspection

- **Added:** Routine inspection frequency
- **Added:** Allow a trained LHO designee to perform additional inspections

## Language Comparison: 040 Routine Inspection

246-370-040 Draft	246-366-040	246-366A-120
(1) The local health officer shall: (a) Conduct an environmental health and safety inspection of each school facility within their jurisdiction every three years, prioritizing areas for emphasis based on risk;	b) Make periodic inspections of each existing school within his jurisdiction, and forward to the board of education and the administrator of the inspected school a copy of his findings together with any required changes and recommendations.	(2) Responsibilities of the local health officer. (a) Except as provided in (b) of this subsection, the local health officer shall: (i) Periodically conduct an environmental health and safety inspection of each school facility within his or her jurisdiction. Beginning one year after the effective date of this section, those inspections must be conducted at least once each year.
(b) Notify school officials at the time of discovery, or immediately following the inspection, if conditions that pose an imminent health hazard are identified and follow the imminent health hazard requirements set forth in WAC 246-370-120;		(ii) Notify school officials at the time of discovery or immediately following the inspection if conditions that pose an imminent health hazard are identified and recommend actions to mitigate the hazards and prevent exposure.
(c) Consult with school officials upon completion of the inspection about findings and recommended follow-up actions and, if necessary, collaborate with school officials to develop a remediation schedule;		(iii) Consult with school officials upon completion of the inspection about findings and recommended follow-up actions and, if necessary, develop a correction schedule. Approaches and timelines used to address noncompliant conditions will depend on the level of risk to health and safety presented by the condition and may include consideration of low-cost alternatives.
(d) Issue a final inspection report within 60 days following an inspection. The local health officer may establish an alternate timeline for issuing the final inspection report when agreed upon in consultation with school officials. The report must include inspection findings related to this chapter and any required remediation; and		(iv) Develop draft and final inspection reports, in consultation with school officials, within sixty days after conducting an inspection. The report must include inspection findings related to this rule and any required correction schedule.
(e) Confirm, as needed, that corrections are made.		(v) Confirm, as needed, that corrections are accomplished.

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246-370-040 Draft	246-366-040	246-366A-120
		(vi) Retain for at least six years, unless otherwise required by other state or federal laws, records pertaining to: (A) Health and safety inspections of the school facilities performed by the local health officer, including, but not limited to, the final inspection report and correction schedules; and
		(B) Imminent health hazards identified under this section and WAC 246-366A-190, and local health officer actions taken in response.
		(vii) Have the records described in this subsection available to the public, except where otherwise provided by applicable public disclosure law.
(2) The local health officer may: (a) Adjust the inspection interval of the schools within their jurisdiction by developing a written risk-based inspection schedule that is uniformly applied throughout the jurisdiction based on credible data or local risk factors. The time between routine inspections may not: (i) Exceed five years; and (ii) Be more frequent than one year; or		
(b) Allow a school official or qualified designee to conduct the required additional inspections under a program approved by the local health officer if the program includes provisions for: (i) Assuring that the school official or designee conducting the inspection has attended training in the standards, techniques, and methods used to conduct an environmental health and safety inspection;		(b) The local health officer may allow a school official or qualified designee to conduct a required inspection under a program approved by the local health officer not more than two out of every three years. The program must include provisions for: (i) Assuring that the school official or designee conducting the inspection has attended training in the standards, techniques, and methods used to conduct an environmental health and safety inspection;
(ii) Completing a standardized checklist at each inspection; and		(ii) Completing a standardized checklist at each inspection;
(iii) Providing a written report to the local health officer detailing the findings of the inspection, within 60 days of completing the inspection.		(iii) Providing a written report to the local health officer about the findings of the inspection;





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# **WAC 246-370-050**

## **General Building Requirements**

# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 050 General Building Requirements

- **Added:** Backflow devices on housekeeping sinks
- **Added:** Bathrooms and handwashing facilities are available during school hours and scheduled events

## Language Comparison: 050 General Building Requirements

246-370-050 Draft	246-366-050	246-366A-060, -065
A school official shall ensure that school facilities: (1) Are clean and in good repair;	(1) Buildings shall be kept clean and in good repair.	-065 (1) Keep school facilities clean and in good condition.
(2) Do not attract, shelter, or promote the propagation of insects, rodents, bats, birds, or other pests of public health significance;	(5) The premises and all buildings shall be free of insects and rodents of public health significance and conditions which attract, provide harborage and promote propagation of vermin.	-060 (1) Design school facilities to minimize conditions that attract, shelter, and promote the propagation of insects, rodents, bats, birds, and other pests of public health significance. This subsection does not mandate the installation of window screens nor does it prohibit the installation of retention ponds or rain gardens.
(3) Have floors that suit the intended use, allow easy cleaning, and dry easily to inhibit mold growth and mitigate fall risks;	(4) The floors shall have an easily cleanable surface.	-060(5) Provide floors throughout the school facility that are appropriate for the intended use, easily cleanable and can be dried effectively to inhibit mold growth. These floor materials include, but are not limited to, wood, vinyl, linoleum, and tightly woven carpets with water impervious backing.
(4) Have no projections from the finished ceiling that are less than seven clear vertical feet from the finished floor;	(2) Instructional areas shall have a minimum average ceiling height of 8 feet. Ceiling height shall be the clear vertical distance from the finished floor to the finished ceiling. No projections from the finished ceiling shall be less than 7 feet vertical distance from the finished floor, e.g., beams, lighting fixtures, sprinklers, pipe work.	
(5) Have vacuum breakers or backflow prevention devices installed on hose bibs, sinks, and supply nozzles where hoses or tubing can be connected;		
(6) Provide proper storage for student jackets or backpacks, play equipment, and instructional equipment to mitigate trip, pest, or other public health hazards;	(7) There shall be sufficient space provided for the storage of outdoor clothing, play equipment and instructional equipment. The space shall be easily accessible, well lighted, heated and ventilated.	-060 (6) Provide reasonably sufficient space for the storage of play equipment, instructional equipment, and outdoor clothing. The space must be reasonably accessible, lighted, and ventilated.

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246-370-050 Draft	246-366-050	246-366A-060, -065
		-065 (8) Use products that comply with American National Standards Institute/National Sanitation Foundation (ANSI/NSF) Standard 61 (2007) to coat, line, seal, or patch drinking water contact surfaces, if the interior of water piping or plumbing fixtures is coated or lined.
<p>(7) Contain toilet and handwashing facilities that are accessible for use during school hours and scheduled events;</p> <p>(8) Provide handwashing stations equipped with:</p> <ul style="list-style-type: none"> <li>(a) Soap;</li> <li>(b) Single-use towels, disposable towels, blower, or equivalent hand-drying device;</li> <li>(c) Fixtures with water temperatures that do not exceed 120-degrees Fahrenheit; and</li> <li>(d) Fixtures that deliver at least 10 seconds of running water if they are self-closing, metering faucets.</li> </ul> <p>(9) Provide toilet paper in restrooms;</p>	<p>(3) Toilet and handwashing facilities.</p> <p>(a) Adequate, conveniently located toilet and handwashing facilities shall be provided for students and employees. At handwashing facilities soap and single-service towels shall be provided. Common use towels are prohibited. Warm air dryers may be used in place of single-service towels. Toilet paper shall be available, conveniently located adjacent to each toilet fixture.</p> <p>(c) Toilet and handwashing facilities must be accessible for use during school hours and scheduled events.</p> <p>(d) Handwashing facilities shall be provided with hot water at a maximum temperature of 120 degrees Fahrenheit. If hand operated self-closing faucets are used, they must be of a metering type capable of providing at least ten seconds of running water.</p>	
<p>(10) Provide handwashing sinks that are accessible where activities present a potential risk of microbiological or chemical contamination of the hands in any student spaces, which may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>(a) Restrooms;</li> <li>(b) Specialized rooms; or</li> <li>(c) Health rooms; and</li> </ul> <p>(11) Provide accessible drinking fountains that are constructed with a nozzle that directs an arc of water to flow away from the nozzle and is located above water-impervious flooring. The drinking fountains must be deactivated when attached to a handwashing sink in a specialized room or located in a restroom.</p>		

# **WAC 246-370-060**

## **Showers and Restrooms**

# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 060 Showers and Restrooms

- **Added:** At new construction or renovation
  - Must have 1 shower per 15 individuals per each gender participating in physical education or sports teams.
  - Must have 1 toilet per 15 individuals with up to 10% of the fixtures being urinals.

## Language Comparison: 060 Showers and Restrooms

246-370-060 Draft	246-366-050 & -060	246-366A-120 & -125
(1) For new construction or alterations of an existing shower facility for grades nine and above with classes in physical education or team sports, at least one shower must: (a) Meet the Federal Americans with Disabilities Act (ADA); (b) Meet the requirements of the uniform plumbing code set forth in chapter 51-56 WAC; (c) Be accessible to any student for use during school hours and scheduled events; and (d) Contain floors that are slip resistant.	-060(4) Showers: (a) Showers shall be provided for classes in physical education, at grades 9 and above. An automatically controlled hot water supply of 100 to 120 degrees Fahrenheit shall be provided. Showers with cold water only shall not be permitted.	-120 School officials shall: (1) Provide shower facilities for grades nine and above for classes in physical education and for team sports. Showers must supply hot water between one hundred and one hundred twenty degrees Fahrenheit.
	-060(b) Drying areas, if provided, shall be adjacent to the showers and adjacent to locker rooms. Shower and drying areas shall have water impervious nonskid floors. Walls shall be water impervious up to showerhead heights. Upper walls and ceiling shall be of smooth, easily washable construction.	-120(3) Locate drying areas, if provided, adjacent to showers and locker or dressing rooms. Walls and ceilings must have an easily cleanable surface and floor surfaces must be water impervious, slip-resistant, and sloped to floor drains.
(2) For new construction or alterations of an existing shower facility for grades nine and above with classes in physical education or team sports, if a locker or dressing room is provided, it must have easy-to-clean walls and floor surfaces that are slip resistant.	-060(c) Locker and/or dressing room floors shall have a water impervious surface. Walls shall have a washable surface. In new construction, floor drains shall be provided in locker and dressing areas.	(4) Provide locker or dressing rooms adjacent to showers or drying rooms. Walls and ceilings must have an easily cleanable surface. When drying areas are provided, floor surfaces in locker or dressing rooms must be appropriate for the intended use, easily cleanable and dryable to effectively inhibit mold growth. When drying areas are not provided, locker or dressing room floor surfaces must be water impervious, slip-resistant, and sloped to floor drains.

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246-370-060 Draft	246-366-050 & -060	246-366A-120 & -125
		-120(2) Provide floor surfaces in shower areas that are water impervious, slip-resistant, and sloped to floor drains. Walls must be water impervious up to showerhead height. Upper walls and ceilings must have an easily cleanable surface.
	-060(d) If towels are supplied by the school, they shall be for individual use only and shall be laundered after each use.	-125(7) When cloth towels are supplied by the school, provide them for individual use and launder them after each use.
(3) For new construction or alterations of an existing restroom facility, restrooms must: (a) Contain handwashing fixtures that do not have water temperatures that exceed 120° F;	-050(3) Toilet and handwashing facilities. (a) Adequate, conveniently located toilet and handwashing facilities shall be provided for students and employees. At handwashing facilities soap and single-service towels shall be provided. Common use towels are prohibited. Warm air dryers may be used in place of single-service towels. Toilet paper shall be available, conveniently located adjacent to each toilet fixture.	-125 School officials shall: (2) Provide hot water to all handwashing plumbing fixtures at a maximum temperature of one hundred twenty degrees Fahrenheit. (3) Provide tempered water for those handwashing plumbing fixtures that do not allow the user to select water temperature. (4) Provide any hand operated, self-closing handwashing plumbing fixtures with the capability of providing at least ten seconds of running water.
(b) Meet the requirements of the uniform plumbing code set forth in chapter 51-56 WAC;	-050(b) The number of toilet and handwashing fixtures in schools established in existing structures, previously designed or utilized for other purposes shall be in accordance with the state building code. However, local code requirements shall prevail, when these requirements are more stringent or in excess of the state building code.	
(c) That contain water-impervious floor surfaces that are slip-resistant and sloped to floor drains;		
(d) Contain walls, floors, and ceilings that are easy to clean; and		
(e) Contain soap and single-use or disposable towels. Blower or equivalent hand-drying devices are prohibited.		-125(1) Provide in each restroom: (a) Toilet paper in each toilet stall; (b) Single service handwashing soap near each handwashing sink; and (c) Single-service towels or an adequate number of warm-air dryers. Common use towels are not allowed.



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# **WAC 246-370-070**

## **Indoor Air Quality and Ventilation**

# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 070 Indoor Air Quality and Ventilation

- **New Section:** Sets prescribed indoor air quality requirements like radon testing, pest management plan, carbon dioxide monitoring plan, and ventilation requirements.

## Language Comparison: 070 Indoor Air Quality and Ventilation

246-370-070 Draft	246-366-080	246-366A-090 -095 & -070
A school official shall ensure: (1) The implementation of a written indoor air quality plan within five years of the effective date of this section that includes: (a) Identified areas of indoor air quality concerns and development of preventive measures to address the concerns;		
(b) A schedule to perform routine inspections of heating, ventilation, and cooling systems;		-095(3) Use and maintain mechanical exhaust ventilation installed for equipment or activities that produce air contaminants of public health importance or moisture.
(c) An integrated pest management plan; (d) A plan for monitoring and mitigating carbon dioxide levels if required by subsection (7)(b)(iii) of this section; and (e) A plan with identified actions for ensuring health and safety for periods of increased health risk or poor outdoor air quality;		
(2) The control of air contaminant sources by: (a) Excluding sources of potential air contaminants from a school facility; or (b) Providing a space with appropriately used and maintained ventilation to minimize student exposure to potential air contaminants;		-095(4) Limit student exposure to air contaminants of public health importance produced by heat laminators, laser printers, photocopiers, and other office equipment by placing such equipment in appropriately ventilated spaces and providing instruction to users on how to operate and maintain equipment as recommended by the manufacturer. (5) Take preventive or corrective action when pesticides, herbicides, or air contaminants of public health importance are likely to be drawn or are drawn into the building or ventilation system.



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246-370-070 Draft	246-366-080	246-366A-090 -095 & -070
(3) The development and implementation of a plan to test for radon every five years in regularly occupied areas on or below ground level;		
(4) The prohibition of air fresheners, candles, or other products that contain fragrances;		
(5) The minimization of student exposure to construction activities that generate emissions by physically containing the activities or conducting activities when students are not present;		

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246-370-070 Draft	246-366-080	246-366A-090 -095 & -070
<p>(6) The prompt control of identified moisture sources and remediation of mold using measures to minimize occupant exposure to mold and chemicals used during the remediation process;</p>	<p>(1) All rooms used by students or staff shall be kept reasonably free of all objectionable odor, excessive heat or condensation.</p>	<p>-070(1) Visually monitor the school facility for water intrusion and moisture accumulation that may lead to mold growth, especially after severe weather events.</p> <p>(2) Begin corrective action within twenty-four hours of discovering water intrusion or moisture accumulation to inhibit and limit mold growth by:</p> <ul style="list-style-type: none"> <li>(a) Identifying and eliminating the cause of the water intrusion or moisture accumulation; and</li> <li>(b) Drying the affected portions of the school facility.</li> </ul> <p>(3) When mold growth is observed or suspected, use recognized remediation procedures such as those provided by the Environmental Protection Agency (Mold Remediation in Schools and Commercial Buildings, EPA 402-K-01-001, March 2001). Begin recognized procedures within twenty-four hours to:</p> <ul style="list-style-type: none"> <li>(a) Identify and eliminate the cause of the moisture or water contributing to the mold growth;</li> <li>(b) Dry the affected portions of the school facility;</li> <li>(c) Investigate the extent of the mold growth, including evaluation of potentially affected materials and surfaces inside walls and under floor coverings, when moisture or water has entered those spaces;</li> <li>(d) Minimize exposure to indoor mold spores and fragments until mold remediation is complete using methods including, but not limited to, containment and negative air pressure; and</li> <li>(e) Remediate surfaces and materials contaminated with mold.</li> </ul> <p>(4) When remediation is required under subsection (3) of this section and there is significant risk of exposure, including when the total area affected is greater than ten square feet, promptly inform school facility staff, students, and parents of the conditions and the plans and time frame for the remediation. The extent of this communication will depend on the likelihood of individual exposure, the scope of the remediation project, and the time required to complete it.</p>

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246-370-070 Draft	246-366-080	246-366A-090 -095 & -070
<p>(7) Adequate ventilation by:</p> <p>(a) Ensuring direct mechanical exhaust for specialized rooms as set forth in WAC 246-370-140; and</p> <p>(b) Ensuring all student-occupied instruction and gathering spaces during hours of occupation provide outdoor air ventilation flow rates as set forth in chapter 51-52 WAC at the time the ventilation system was permitted;</p>	<p>(2) All sources producing air contaminants of public health importance shall be controlled by the provision and maintenance of local mechanical exhaust ventilation systems as approved by the health officer.</p>	<p>-090 School officials shall:</p> <p>(1) Provide mechanical exhaust ventilation that meets or exceeds the requirements in chapter 51-52 WAC at locations intended for equipment or activities that produce air contaminants of public health importance.</p>
<p>(i) If outdoor air ventilation flow rates were not established at the time of the original building construction, ventilation airflow rates must be operated to meet chapter 51-52 WAC or maximum outdoor air ventilation flow rates achievable within existing system capacity;</p> <p>(ii) Compliance is determined based on variables including but not limited to:</p> <p>(A) The type and area of the space;</p> <p>(B) The planned number of occupants; and</p> <p>(C) The type of ventilation system; and</p> <p>(iii) If the school facility does not have a mechanical outdoor air ventilation system or the outdoor air flow rate cannot be determined, provide ongoing carbon dioxide concentration monitoring;</p>		<p>-095(b) For school facilities constructed or sited under a building permit for which the local permitting jurisdiction received a completed building permit application before the effective date of this section, conduct standard operation and maintenance best practices including, but not limited to, making timely repairs, removing obstructions, and replacing filters and fan drive belts, and setting system controls so that, to the extent possible given the design of the ventilation system, outdoor air is provided consistent with WAC 51-52-0403, Table 403.3, Required Outdoor Ventilation Air.</p>
		<p>-090(2) Situate fresh air intakes away from building exhaust vents and other sources of air contaminants of public health importance in a manner that meets or exceeds the requirements in chapter 51-52 WAC. Sources of air contaminants include bus and vehicle loading zones, and might include, but are not limited to, parking areas and areas where pesticides or herbicides are commonly applied.</p>

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246-370-070 Draft	246-366-080	246-366A-090 -095 & -070
		-090(3) Use materials that will not deteriorate and contribute particulates to the air stream if insulating the interior of air handling ducts. Insulation materials must be designed to accommodate duct cleaning and exposure to air flow without deteriorating. This subsection does not apply if the local permitting jurisdiction received a complete building permit application within three years after the effective date of this section.
		-090(4) Use ducted air returns and not open plenum air returns consisting of the open space above suspended ceilings. This subsection does not apply to: (a) Alterations to school facilities;
		-090(b) Additions to school facilities that tie into existing ventilation systems that use open plenum air returns; or
		-090(c) Facilities for which the local permitting jurisdiction received a complete building permit application within three years after the effective date of this section.
		-095 School officials shall: (2) Ventilate occupied areas of school buildings during school hours and school-sponsored events. During periods of ventilation: (a) For school facilities constructed or sited under a building permit for which the local permitting jurisdiction received a completed building permit application on or after the effective date of this section, provide, as a minimum, outdoor air according to WAC 51-52-0403, Table 403.3, Required Outdoor Ventilation Air.
(8) Adequate filtration by: (a) Ensuring particulate matter filtration as set forth in chapter 51-52 WAC at the time the heating, ventilation, and air conditioning systems were permitted, including facilities that have small, ducted air handlers and ventilation systems;		

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246-370-070 Draft	246-366-080	246-366A-090 -095 & -070
(i) If particulate matter filtration requirements were not established at the time of the original installation of the system, the system must meet chapter 51-52 WAC or the maximum particulate matter filtration achievable within existing system capacity; and		
<p>(1) For schools with mechanical heating, ventilation, or cooling systems, the performance of routine maintenance that includes:</p> <p>(a) Testing and balancing for existing heating, ventilation, and air conditioning systems every fifteen years;</p> <p>(b) Performing routine inspections of existing heating, ventilation, and cooling systems to ensure systems are operating within intended parameters of this rule;</p> <p>(c) Replacing filters as needed to achieve required filtration and air flow rates; and</p> <p>(d) Maintaining records of these activities for review upon request by the local health officer.</p>		

# **WAC 246-370-080**

## **Temperature**

# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 080 Temperature

- **Added:** Maximum and minimum temperature requirements
- **Added:** Requirement for the preparation of an extreme temperature readiness plan.

## Language Comparison: 080 Temperature

246-370-080 Draft	246-366-090 & -100	246-366A-095
	-100 Heating, ventilating and/or air conditioning systems shall be equipped with automatic room temperature controls.	
(1) A school official shall ensure the development of an extreme temperature readiness plan and implement the plan when a school facility is occupied by students and either of the following conditions apply:		
(a) Classroom temperatures are outside of the range of 65 degrees to 79 degrees Fahrenheit; or (b) Hallways, gymnasiums, and common area temperatures are outside of the range of 60 degrees to 79 degrees Fahrenheit.	-090 The entire facility inhabited by students and employees shall be heated during school hours to maintain a minimum temperature of 65 degrees Fahrenheit except for gymnasiums which shall be maintained at a minimum temperature of 60 degrees Fahrenheit.	School officials shall: (1) Heat occupied areas of school buildings during school hours and school-sponsored events to maintain a minimum temperature of sixty-five degrees Fahrenheit except for gymnasiums and hallways, which must be maintained at a minimum temperature of sixty degrees Fahrenheit.
(2) A school official may consult with a local health officer to develop an extreme temperature readiness plan.		

# **WAC 246-370-090**

## **Noise**



# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 090 Noise

- **Updated:** Language—no substantive changes

## Language Comparison: 090 Noise

246-370-090 Draft	246-366-110	246-366A-100 & -105
A school official shall ensure: (1) For new construction: (a) Ventilation equipment or other equipment that will contribute to mechanical noise sources in a classroom must include designs that ensure that the background sounds conform to a noise criterion curve or equivalent not to exceed NC-35. The school official shall certify that equipment and features are installed according to the approved plans;	(1) In new construction, plans submitted under WAC 246-366-040 shall specify ventilation equipment and other mechanical noise sources in classrooms are designed to provide background sound which conforms to a noise criterion curve or equivalent not to exceed NC-35. The owner shall certify equipment and features are installed according to the approved plans.	-100(1) School officials shall design ventilation equipment and other mechanical noise sources in classrooms to provide background sound which conforms to a noise criterion curve or equivalent not to exceed NC-35. School officials shall certify, or hire the appropriate person to certify, that ventilation equipment and other mechanical noise sources that have been installed meet the NC-35 noise criterion design standard.
(b) The actual background noise at any student location within a newly constructed classroom must not exceed 45 dBA (Leqx) and 70 dB(Leqx) (unweighted scale) where x is thirty seconds or more. The health officer shall determine compliance with this section when the ventilation system and the ventilation system's noise generating components, such as the condenser, heat pump, and other similar components are in operation; and	(2) In new construction, the actual background noise at any student location within the classroom shall not exceed 45 dBA (Legx) and 70 dB (Leqx) (unweighted scale) where x is thirty seconds or more. The health officer shall determine compliance with this section when the ventilation system and the ventilation system's noise generating components, e.g., condenser, heat pump, etc., are in operation.	-105 School officials shall: (1) Maintain the background noise at any student location within classrooms constructed after January 1, 1990, at or below 45 dBA (Leqx) where x is 30 seconds or more. Background noise levels must be determined when the ventilation system and the ventilation system's noise generating components, such as the condenser and heat pump, are operating and the room is unoccupied by students.
(c) The maximum ambient noise level in specialized rooms shall not exceed 65 dBA when all fume and dust exhaust systems are operating;	(4) In new construction, the maximum ambient noise level in industrial arts, vocational agriculture and trade, and industrial classrooms shall not exceed 65 dBA when all fume and dust exhaust systems are operating.	-105(2) Maintain the background noise level at any student location in laboratories and shops with local exhaust ventilation systems constructed after January 1, 1990, at or below 65 dBA (Leqx) where x is 30 seconds or more. Background noise levels must be determined when all ventilation equipment is operating and the room is unoccupied by students.

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<p>(2) Portable classrooms constructed before January 1, 1990, moved within the same school property or the same school district, are excluded from the requirements of this section if the portable classrooms:</p> <ul style="list-style-type: none"> <li>(a) Do not alter the noise abatement features;</li> <li>(b) Do not increase noise-generating features;</li> <li>(c) Were previously used for classroom instruction;</li> <li>(d) Do not change ownership; and</li> <li>(e) Are located on a site that meets the noise assessment requirements set forth in WAC 246-370-020(3)(c);</li> </ul>	<p>(3) Existing portable classrooms, constructed before January 1, 1990, moved from one site to another on the same school property or within the same school district are exempt from the requirements of this section if the portable classrooms meet the following:</p> <ul style="list-style-type: none"> <li>(a) Noise abating or noise generating features shall not be altered in a manner that may increase noise levels;</li> <li>(b) The portable classrooms were previously in use for general instruction;</li> <li>(c) Ownership of the portable classrooms will remain the same; and</li> <li>(d) The new site is in compliance with WAC 246-366-030(3).</li> </ul>	<p>-100(2) Portable classrooms constructed before January 1, 1990, moved within the same school property or within the same school district, are exempt from the requirements of this section if the portable classrooms meet all of the following criteria:</p> <ul style="list-style-type: none"> <li>(a) Noise abating or noise generating features are not altered in a manner that may increase noise levels;</li> <li>(b) The portable classrooms were previously in use for instruction;</li> <li>(c) Ownership of the portable classrooms remains the same; and</li> <li>(d) The new site meets the noise standard in WAC 246-366A-030 (3)(c).</li> </ul>
<p>(3) The maximum noise exposure for students in classrooms shall not exceed the levels specified in Table 1;</p>	<p>(5) The maximum noise exposure for students in vocational education and music areas shall not exceed the levels specified in Table 1.</p>	<p>-105(3) Maintain noise exposure for students below the maximum levels in Table 1</p>
<p>(4) Activities that expose students to sound levels equal to or greater than 115 dBA are prohibited; and</p>	<p>Students shall not be exposed to sound levels equal to or greater than 115 dBA.</p>	<p>-105(4) Not allow student exposure to sound levels equal to or greater than 115 dBA.</p>
<p>(5) Students are provided with and required to use personal protective equipment where noise levels exceed those specified in Table 1. Personal protective equipment must reduce student noise exposure to comply with the levels specified in Table 1.</p>	<p>(6) Should the total noise exposure in vocational education and music areas exceed the levels specified in Table 1 of subsection (5) of this section, hearing protectors, e.g., ear plugs, muffs, etc., shall be provided to and used by the exposed students. Hearing protectors shall reduce student noise exposure to comply with the levels specified in Table 1 of subsection (5) of this section.</p>	<p>-105(5) Provide and require students to use personal protective equipment, for example ear plugs or muffs, where noise levels exceed those specified in Table 1. Personal protective equipment must reduce student noise exposure to comply with the levels specified in Table 1</p>

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Table 1		Table 1		Table 1	
Maximum noise exposures permissible		Maximum noise exposures permissible		Maximum noise exposures permissible	
Duration per day (hours)	Sound Level (dBA)	Duration per day (hours)	Sound Level (dBA)	Duration per day (hours)	Sound Level (dBA)
8	85	8	85	8	85
6	87	6	87	6	87
4	90	4	90	4	90
3	92	3	92	3	92
2	95	2	95	2	95
1-1/2	97	1-1/2	97	1-1/2	97
1	100	1	100	1	100
1/2	105	1/2	105	1/2	105
1/4	110	1/4	110	1/4	110

# **WAC 246-370-100**

## **Lighting**

School Environmental Health and Safety Rule Project 2024 2025

Summary of changes: 100 Lighting

- **Updated:** Language—no substantive changes

Language Comparison: 100 Lighting

246-370-110 Draft	246-366-050 & 120	246-366A-060 & -115
A school official shall ensure that: (1) Light intensities that meet or exceed those specified in Table 2 are provided. Natural lighting, energy-efficient lighting systems, lighting fixtures, or bulbs may be used to maintain the minimum lighting intensities;	-120(1) The following maintained light intensities shall be provided as measured 30 inches above the floor or on working or teaching surfaces. General, task and/or natural lighting may be used to maintain the minimum lighting intensities.	School officials shall: (1) Provide light intensities that meet or exceed those specified in Table 2. General, task and/or natural lighting may be used to maintain the minimum lighting intensities. Energy efficient lighting systems, lighting fixtures, or bulbs that meet the minimum lighting intensities in Table 2 may be used.

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Table 2		Table 2		Table 2	
Lighting intensities measured 30 inches above the floor or on working or teaching surfaces. Some lighting fixtures may require a start-up period before reaching maximum light output.		Lighting intensities measured 30 inches above the floor or on working or teaching surfaces. Some lighting fixtures may require a start-up period before reaching maximum light output.		Lighting intensities measured 30 inches above the floor or on working or teaching surfaces. Some lighting fixtures may require a start-up period before reaching maximum light output.	
Task	Min. Foot Candle Intensity	Task	Min. Foot Candle Intensity	Task	Min. Foot Candle Intensity
Specialized rooms where safety is of prime consideration or fine detail work is done, for example, family and consumer science laboratories, science laboratories (including chemical storage areas), shops, drafting rooms, and art and craft rooms.	50	Specialized rooms where safety is of prime consideration or fine detail work is done, for example, family and consumer science laboratories, science laboratories (including chemical storage areas), shops, drafting rooms, and art and craft rooms.	50	General instructional areas, for example, study halls, lecture rooms, and libraries.	30
Kitchen and food preparation areas.	50	Kitchen and food preparation areas.	50	Special instructional areas where safety is of prime consideration or fine detail work is done, for example, family and consumer science laboratories, science laboratories (including chemical storage areas), shops, drafting rooms, and art and craft rooms.	50
General instructional areas, for example, study halls, lecture rooms, and libraries.	30	General instructional areas, for example, study halls, lecture rooms, and libraries.	30	Noninstructional areas, for example, auditoriums, lunch rooms, assembly rooms, corridors, stairs, storerooms, and restrooms.	10
Gymnasiums: main and auxiliary spaces, shower rooms and locker rooms.	20	Gymnasiums: main and auxiliary spaces, shower rooms and locker rooms.	20	Gymnasiums: main and auxiliary spaces, shower rooms and locker rooms.	20
Non-instructional areas including auditoriums, lunchrooms, food storage rooms, assembly rooms, corridors, stairs, storerooms, and restrooms.	10	Non-instructional areas including auditoriums, lunchrooms, food storage rooms, assembly rooms, corridors, stairs, storerooms, and restrooms.	10		
(2) Excessive brightness and glare in all instructional areas is controlled. Surface contrasts and direct or indirect glare must not cause excessive eye accommodation or eye strain problems;		-120(2) Excessive brightness and glare shall be controlled in all instructional areas. Surface contrasts and direct or indirect glare shall not cause excessive eye accommodation or eye strain problems.		-120(2) Control excessive brightness and glare in all instructional areas. Surface contrasts and direct or indirect glare must not cause excessive eye accommodation or eye strain problems.	

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(3) Sun control to exclude direct sunlight from window areas and skylights of instructional areas, assembly rooms, and meeting rooms during at least 80 percent of the normal school hours is provided. Sun control is not required for sun angles less than 42 degrees up from the horizontal. Sun control is not required if air conditioning is provided, or special glass is installed having a total solar energy transmission factor of less than 60 percent;	-050(9) Exterior sun control shall be provided to exclude direct sunlight from window areas and skylights of instructional areas, assembly rooms and meeting rooms during at least 80 percent of the normal school hours. Each area shall be considered as an individual case. Sun control is not required for sun angles less than 42 degrees up from the horizontal. Exterior sun control is not required if air conditioning is provided, or special glass installed having a total solar energy transmission factor less than 60 percent.	-060(3) Provide sun control to exclude direct sunlight from window areas and skylights of instructional areas, assembly rooms and meeting rooms during at least eighty percent of the normal school hours. Each area must be considered as an individual case. Sun control is not required for sun angles less than forty-two degrees up from the horizontal. Sun control is not required if air conditioning is provided or special glass is installed having a total solar energy transmission factor less than sixty percent.
(4) Lighting in a manner that minimizes shadows and other lighting deficiencies on work and teaching surfaces is provided; and	-120(3) Lighting shall be provided in a manner which minimizes shadows and other lighting deficiencies on work and teaching surfaces.	-120(3) Provide lighting in a manner that minimizes shadows and other lighting deficiencies on work and teaching surfaces.
(5) Windows in sufficient number, size, and location to enable students to see outside at least 50 percent of the school day are provided. Windows are optional in specialized rooms.	-050(8) Schools shall be provided with windows sufficient in number, size and location to permit students to see to the outside. Windows are optional in special purpose instructional areas including, but not limited to, little theaters, music areas, multipurpose areas, gymnasiums, auditoriums, shops, libraries and seminar areas. No student shall occupy an instructional area without windows more than 50 percent of the school day.	-060(2) Design school facilities with windows in sufficient number, size, and location to enable students to see outside at least fifty percent of the school day. Windows are optional in special purpose instructional areas including, but not limited to, theaters, music areas, multipurpose areas, gymnasiums, auditoriums, shops, laboratories, libraries, and seminar areas.

# **WAC 246-370-110**

## **Injury Prevention**



# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 110 Injury Prevention

- **Added:** Fall protection from balconies or orchestra pits and storage of unsecured equipment
- **Added:** Updated language for chemical storage
- **Added:** Fragrance-free and low-hazard cleaning requirements
- **Added:** Injury and communicable disease prevention planning when animals are allowed in school

## Language Comparison: 110 Injury Prevention

246-370-110 Draft	246-366-050	246-366A-060, -065, & -080
A school official shall ensure: (1) The mitigation of potential slip and fall hazards by, but not limited to: (a) Providing stairwells and ramps with handrails and stairs with surfaces that reduce the risk of injury;	(3) All stairway[s] and steps shall have handrails and nonslip treads.	-060(4) Provide surfaces on steps that reduce the risk of injury caused by slipping.
(b) Providing protection or barriers for areas that have fall risks such as balconies and orchestra pits;		-060(7) Provide measures to reduce potential injury from fall hazards, including but not limited to, retaining walls; performance arts stages and orchestra pits; balconies; mezzanines; and other similar areas of drop-off to a lower floor.
(c) Storing unsecured equipment in a manner that prevents unauthorized use or injury;		-065(7) Safely store play equipment, instructional equipment, and outdoor clothing where reasonably accessible.
(2) The storage of chemicals and cleaning supplies includes: (a) Manufacturer use instructions, warning labels, and safety data sheets for proper storage of the supplies;		
(b) Labels on supplies that are diluted from bulk chemical or cleaning agents with the accurate agent name and dilution rates;	(6) All poisonous compounds shall be easily identified, used with extreme caution and stored in such a manner as to prevent unauthorized use or possible contamination of food and drink.	-065(4) Label, use, store and dispose of hazardous materials to: (a) Prevent health and safety hazards;
(c) The original bulk or concentrated containers of cleaning and disinfectant agents for reference to labels and instructions until diluted contents are exhausted;		

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(d) Separation of incompatible substances; and		-065(b) Keep incompatible substances apart from each other;
(e) Access limited to authorized users;		-065(c) Prevent unauthorized access and use; and
(3) The use of fragrance-free and low-hazard cleaning and sanitation supplies when available or ensure cleaning at a time and manner that would limit exposure to students; and		-065(5) Select supplies and methods of use that reduce exposure to hazardous materials.
		-065(6) Allow only those hazardous materials in schools that they have approved for use. Types of commercial products that might contain hazardous materials include, but are not limited to, cleaners, sanitizers, maintenance supplies, pesticides, herbicides, and instruction-related supplies.
(4) Documentation of a policy to mitigate injury and the spread of diseases if the school allows animals other than service animals in a school facility.		-080(1) School officials shall allow in school facilities only those animals, other than service animals, approved under written policies or procedures.
		-080(2) School officials shall develop written policies or procedures for any animals allowed in school facilities to prevent: (a) Injuries caused by wild, dangerous, or aggressive animals; (b) Spread of diseases from animals known to commonly carry diseases including, but not limited to, rabies, psittacosis, and salmonellosis; (c) Allergic reactions; (d) Exposure to animal wastes; and (e) Handling animals or their bedding without proper handwashing afterward. (3) Written policies or procedures required under subsection (2) of this section shall address service animals in the school facility that are not well behaved or present a risk to health and safety.



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# **WAC 246-370-120**

## **Imminent Health Hazard Procedure**

# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 120 Imminent Health Hazard Procedure

- **New Section:** Sets prescribed imminent health hazard requirements for hazards like sewage spillage

## Language Comparison: 120 Imminent Health Hazard Procedure

246-370-120 Draft	246-366-	246-366A-020
(1) If a school official identifies a condition that could pose an imminent health hazard, a school official shall ensure:		
(a) The immediate mitigation of hazards and prevention of exposure if an imminent health hazard is confirmed;		(ii) Promptly notify the local health officer; and
(b) The immediate consultation with the local health officer to investigate the suspected hazard; and		(c) When conditions are identified that pose an imminent health hazard: (i) Take immediate action to mitigate hazards and prevent exposure;
(c) Consultation with the local health officer in developing appropriate health and safety messages for school staff, students, and parents.		(iii) Promptly inform school facility staff, students, and parents about the conditions and actions taken in response.
		(d) Retain for at least six years, unless otherwise required by other state or federal laws, records pertaining to: (ii) Imminent health hazards identified under this section and WAC 246-366A-190, and actions taken in response;
(2) If a local health officer identifies a condition that is an imminent health hazard at a school, the local health officer shall:		
(a) Immediately inform school officials of the imminent health hazard;		
(b) Consult with school officials to mitigate hazards and prevent exposure; and		
(c) If requested, assist school officials in developing health and safety messages for school staff, students, and parents.		

# **WAC 246-370-130**

## **Playgrounds**

# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 130 Playgrounds

- **New Section:** Sets prescribed installation and maintenance requirements for playgrounds

## Language Comparison: 130 Playgrounds

246-370-130 Draft	246-366-	246-366A-150 & -155
(1) A school official shall ensure: (a) Consultation with the local health officer regarding playground review and approval requirements takes place prior to: (i) Installing new playground equipment or fall protection surfaces; (ii) Adding new playground features or equipment to an existing playground; or (iii) Modifying existing playground equipment, features, or fall protection surfaces;		-150(1) School officials shall: (a) Consult with the local health officer regarding playground review and approval requirements consistent with the scope of the project when proposing to: (i) Install new playground equipment or fall protection surfaces; (ii) Add new playground features or equipment to an existing playground; or (iii) Modify, other than repair and maintain, existing playground equipment, features, or fall protection surfaces.
(b) The proper installation, maintenance, and operation of playground equipment, including used equipment, and fall protection surfaces: (i) In a manner consistent with the ASTM F 1487-21: Standard Consumer Safety Performance Specification for Playground Equipment for Public Use; and		-150(c) Install playground equipment, including used equipment, and fall protection surfaces: (i) That meet the ASTM F 1487-01: Standard Consumer Safety Performance Specification for Playground Equipment for Public Use; and
(ii) In a manner consistent with the manufacturer's instructions and Consumer Product Safety Commission Handbook for Public Playground Safety, 2010;		-150(ii) In a manner that is consistent with the manufacturer's instructions and Consumer Product Safety Commission Handbook for Public Playground Safety, 2008.
(c) The local health officer receives requested information including playground plans, equipment specifications, and any additional information; and		-150(b) If required by the local health officer after consultation: (i) Provide playground plans and equipment specifications and any additional information the local health officer requests; and
(d) Acquisition of a plan review and written approval from the local health officer before installing, adding, or modifying playground equipment or fall protection surfaces.		-150(ii) Obtain plan review and written approval from the local health officer before installing, adding, or modifying playground equipment or fall protection surfaces.

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(2) The local health officer shall: (a) Consult with a school official to determine necessary documentation for playground plan review and approval consistent with the scope of the particular project;		-150(2) The local health officer shall: (a) Consult with school officials to determine what is required for playground plan review and approval consistent with the scope of the project.
(b) Review playground plans and equipment specifications to confirm that the requirements of these rules are addressed;		-150(b) If playground review and approval is required: (i) Review playground plans and equipment specifications to confirm that the requirements of these rules are addressed;
(c) Identify and request any additional documents required to complete the review;		-150(ii) Identify and request any additional documents required to complete the review;
(d) Provide written approval or denial of the playground plans and equipment specifications within 60 days of receiving all documents needed to complete the review unless the school officials and the local health officer agree to a different timeline;		-150(iii) Provide written approval or denial of the playground plans and equipment specifications within thirty days of receiving all documents needed to complete the review, unless the school officials and the local health officer agree to a different timeline; and
(e) Verify that playground installation complies with the requirements of this section; and		-150(iv) Verify that playground installation complies with requirements of this section.
(f) Coordinate all playground-related inspections with the school official.		-150(c) Coordinate all playground-related inspections with school officials.
(3) The use of chromated copper arsenate or creosote-treated wood to construct or install playground equipment, landscape structures, or other structures on which students may play is prohibited.		-155(d) Prohibit the use of chromated copper arsenate or creosote treated wood to construct or install playground equipment, landscape structures, or other structures on which students may play.

# **WAC 246-370-140**

## **Specialized Rooms**



# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 140 Specialized Rooms

- **New Section:** Sets prescribed requirements for specialized rooms like health rooms, laboratories, and wood shops

## Language Comparison: 140 Specialized Rooms

246-370-140 Draft	246-366-140	246-366A-060, -110, -160, & -165
(1) A school official shall ensure specialized rooms that are part of a school facility include, if applicable: (a) Single-use soap and single-use towels at handwashing sinks;		-160 School officials shall: (4) Provide handwashing and appropriate drying facilities in an easily accessible location in each laboratory and shop.
(b) Emergency washing facilities that contain an emergency shower or emergency eyewash fountain or both: (i) An emergency shower must: (A) Be provided when there is potential for major portions of a person's body to contact corrosives, strong irritants, or toxic chemicals; and	(2) In new construction, chemistry laboratories shall be provided with an eyewash fountain and a shower head for flushing in cases of chemical spill and clothing fires. If more than one laboratory is provided, one of each fixture will be adequate if the laboratories are in close proximity.	-160(2) Provide an emergency shower for each laboratory where hazardous materials are used and the potential for chemical spills exists.
(B) Deliver water that cascades over the user's entire body at a minimum rate of 20 gallons (75 liters) per minute for fifteen minutes or more;		-010(12) "Emergency shower" means a hand-activated shower that delivers tepid potable water to cascade over the user's entire body at a minimum rate of 20 gallons (75 liters) per minute for at least fifteen minutes.
(ii) An emergency eyewash fountain must: (A) Be provided when there is potential for a person's eyes to be exposed to corrosives, strong irritants, or toxic chemicals;		-160(1) Provide an emergency eyewash fountain for each laboratory and shop where hazardous materials are used or eye irritants are produced.
(B) Irrigate and flush both eyes simultaneously while the user holds their eyes open;		-010(11) "Emergency eye wash" means a hands-free device that: (a) Irrigates and flushes both eyes simultaneously with tepid potable water;
(C) Contain an on-off valve that activates in one second or less and remains on without user assistance until intentionally turned off; and		-010(b) Activates an on-off valve in one second or less and remains on without user assistance until intentionally turned off; and
(D) Deliver at least 0.4 gallons (1.5 liters) of water per minute for fifteen minutes or more;		-010(c) Delivers at least 0.4 gallons (1.5 liters) of water per minute for at least fifteen minutes.

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(iii) Emergency washing facilities must: (A) Be located so that it takes no more than 10 seconds to reach and the travel distance should be no more than 50 feet;		-160(3) Assure that all emergency eyewash fountains and showers have unobstructed access and are reachable within ten seconds.
(B) Be kept free of obstacles blocking their use;		
(C) Function correctly;		
(D) Provide the quality and quantity of water that is satisfactory for emergency washing purposes; and		
(E) Be designed, installed, and maintained in accordance with the American National Standards Institute (ANSI) publication Z358.1 - 2014, American National Standard for Emergency Eyewash and Shower Equipment;		
		-160(6) Provide all stationary machinery in laboratories and shops with magnetic-type switches to prevent machines from automatically restarting upon restoration of power after an electrical failure or activation of the emergency shut-off.
(c) A prohibition of use and storage of compounds that are: (i) Considered shock-sensitive explosives, for example, picric acid, dinitro-organics, isopropyl ether, ethyl ether, tetrahydrofuran, dioxane; or		-165 In laboratories and shops, school officials shall: (1) Select, label, use, store and dispose of hazardous materials in accordance with WAC 246-366A-065. (2) Prohibit use and storage of compounds that are: (a) Considered shock-sensitive explosives, for example, picric acid, dinitro-organics, isopropyl ether, ethyl ether, tetrahydrofuran, dioxane; or
(ii) Lethal at low concentrations when inhaled or in contact with skin, for example, pure cyanides, hydrofluoric acid, toxic compressed gases, mercury liquid and mercury compounds, and chemicals identified as the P-list under WAC 173-303-9903. This excludes prescribed medications such as epinephrine pens;		-165(b) Lethal at low concentrations when inhaled or in contact with skin, for example, pure cyanides, hydrofluoric acid, toxic compressed gases, mercury liquid and mercury compounds, and chemicals identified as the P-list under WAC 173-303-9903.
(d) Safety procedures and processes for instructing students regarding the proper use of hazardous materials or equipment;		-165(3) Adopt safety procedures and processes for instructing students regarding the proper use of hazardous materials and equipment.

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(e) Appropriate personal protective equipment when exposure to potential hazards might occur;		-165(4) Provide and require use of appropriate personal protective equipment when exposure to potential hazards might occur. Potential hazards include, but are not limited to hazardous material exposures, burns, cuts, and punctures.
(f) Appropriate situation-specific emergency equipment is available when exposure to potential hazards might occur;		-160(5) Provide situation-specific emergency and protective equipment during demonstrations with hazardous materials and with hazardous procedures. Examples of protective equipment include, but are not limited to, safety shields for eyes, protective gloves that are fire retardant and chemical resistant, respiratory protection, and fire extinguishers.
(g) Appropriate ventilation, source capture system, or other equipment approved by the local health officer to prevent the recirculation of air into the room or transfer of airflow into other parts of the school facility and to prevent contaminants from entering the students breathing zone; and		-160(7) Provide mechanical exhaust ventilation in hazardous material storerooms, and in laboratories and shops where equipment or activities may produce air contaminants of public health importance. (8) When activities or equipment in laboratories or shops produce air contaminants of public health importance, provide an appropriate source capture system to prevent those contaminants from entering the student's breathing zone. These activities and equipment include, but are not limited to, spray painting, welding, pottery kilns, chemistry experiments, and wood-working. (9) Design ventilation systems to operate so that air is not recirculated and does not flow from the laboratory or shop to other parts of the school facility. Open plenum air returns consisting of the space above suspended ceilings in laboratories and shops must not be used to recirculate air to other parts of the school facility.
(h) Emergency shut-off valves or switches for gas and electricity connected to stationary machinery are installed during new construction. Valves or switches must:		-160(5) Provide emergency shut-offs for gas and electricity connected to stationary machinery in laboratories and shops. Emergency shut-offs must:
(i) Be located close to the exit door;		(a) Be located in close proximity to the room exit door;
(ii) Have unobstructed access; and		-160(b) Have unobstructed access; and

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(iii) Have signage posted adjacent to the valve that room occupants can easily read and understand from the opposite side of the room during an emergency.		-160(c) Have signage readable from across the room for immediate identification during an emergency.
(2) If a school facility has a designated health room, a school official shall ensure that it includes: (a) The means to visually supervise and provide privacy for room occupants;		-060(8) Provide the following items for health rooms, if health rooms are provided: -060(a) The means to visually supervise and provide privacy of room occupants;
(b) Surfaces that staff can easily clean and sanitize;		-060(b) Surfaces that can be easily cleaned and sanitized;
(c) A handwashing sink in the room;		-060(c) A handwashing sink in the room;
(d) An adjoining restroom; and		-060(d) An adjoining restroom; and
(e) Mechanical exhaust ventilation that prevents air from flowing from the health room to other parts of the school facility.		-060(e) Mechanical exhaust ventilation so that air does not flow from the health room to other parts of the school facility

# **WAC 246-370-150**

## **Variances and Emergency Waivers**

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## Summary of changes: 150 Variances and Emergency Waivers

- **Updated:** Language—no substantive changes

## Language Comparison: 150 Variances and Emergency Waivers

246-370-150 Draft	246-366-150	246-366A-150, -170, & -175
(1) A school official may: (a) Submit a written variance request to the local health officer if there is an alternative that meets the intent of this chapter. The variance request must include:	The secretary may allow the substitution of procedures or equipment for those outlined in these regulations, when such procedures or equipment have been demonstrated to be equivalent to those heretofore prescribed. When the secretary judges that such substitutions are justified, he shall grant permission for the substitution in writing. Requests for substitution shall be directed to the jurisdictional health officer who shall immediately forward them, including his recommendations, to the secretary. All decisions, substitutions, or interpretations shall be made a matter of public record and open to inspection.	-170(1) School officials: (a) May request a variance from requirements in these rules from the local health officer if they wish to use an alternative to meet the intent of these rules.
(i) The specific rule section or sections that the variance would replace;		-170(i) The request for a variance must be in writing and describe: (A) The specific requirement the variance is requested to replace;
(ii) The alternative proposed to replace the rule section or sections;		-170(B) The alternative proposed to meet the specific requirement; and
(iii) A description of how the variance will provide a comparable level of protection as the rule section or sections that it will replace; and		-170(C) How the proposed alternative will provide at least a comparable level of protection as that provided by the specific requirement.
(iv) Any clarifying documentation needed to support the request, including but not limited to, engineering reports, scientific data, or photos; and		-170(ii) The request for a variance must include information as needed to support and clarify the request, such as material descriptions and specifications, engineering reports, photos, drawings, or sketches.
(b) Implement a variance only after obtaining approval from the local health officer.		-170(b) May implement a variance only after obtaining approval from the local health officer.

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		-170(2) The local health officer shall: (a) Initially review documents submitted with the request for a variance and inform school officials if additional information is required.
		-170(b) Compare the health and safety aspects of the specific requirement being addressed and the variance proposal to determine if the proposal provides at least a comparable level of protection as that provided by the specific requirement.
(2) The local health officer shall provide written approval or denial of a request for a variance to the school applicant and the department within 60 days of receiving a complete written variance request, unless the school official and the local health officer agree to a different timeline.		-170(c) Provide written approval or denial of a request for a variance within sixty days of receiving a complete written request, unless school officials and the local health officer agree to a different timeline.
		-170(d) Submit an annual written report to the department regarding all variance requests. The report must be submitted by March 1st of each year, beginning the third year after the effective date of this section, and cover the calendar period January through December of the previous year.
(3) The local health officer may grant a school official an emergency waiver from some or all the requirements in this chapter for the use of a temporary facility, if the facility normally used by the school is not safe to be occupied.		-175 The local health officer may grant school officials an emergency waiver from some or all of the requirements in these rules for the temporary use of a facility or site as a school when the facility normally used by the school is not safe to be occupied due to a natural or man-made disaster.
		-150 The board of health may, at its discretion, exempt a school from complying with parts of these regulations when it has been found after thorough investigation and consideration that such exemption may be made in an individual case without placing the health or safety of the students or staff of the school in danger and that strict enforcement of the regulation would create an undue hardship upon the school.

# **WAC 246-370-160**

## **Appeals**



# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 160 Appeals

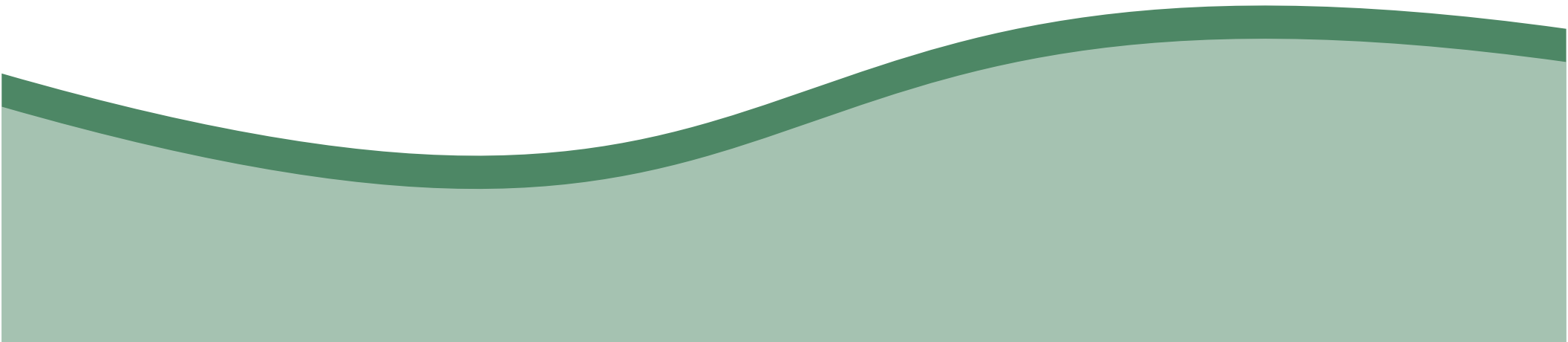
- **Updated:** Language—no substantive changes

## Language Comparison: 160 Appeals

246-370-160 Draft	246-366-	246-366A-180
(1) A school official may appeal any environmental health and safety decisions or actions of the local health officer to the local board of health.		Decisions or actions of the local health officer may be appealed to the local board of health in a manner consistent with their established procedure.
(2) The local board of health will conduct environmental health and safety appeals in a manner consistent with the written procedure within each office.		

# **WAC 246-370-170**

## **Severability**



# School Environmental Health and Safety Rule Project 2024 2025

## Summary of changes: 170 Severability

- **Updated:** Language—no substantive changes

## Language Comparison: 170 Severability

246-370-170 Draft	246-366-160	246-366A-200
If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.	If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.	If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.