

WASHINGTON STATE BOARD OF HEALTH

ENVIRONMENTAL HEALTH COMMITTEE SPECIAL MEETING SUMMARY NOTES

What: Environmental Health (EH) Committee

When: May 8, 2025

Attending: Board of Health (Board) Members: Mindy Flores, Paj Nandi; Board staff: Michelle Davis, Ash Noble, Molly Dinardo, Andrew Kamali, Nina Helpling, Mary Baechler, Michelle Larson, Melanie Hisaw, Ashley Bell; Department of Health (Department) staff: Joe Laxon, Mike Means, Katitza Holthaus, Todd Phillips, Sarah Walker, Brad Burnham, Peter Beaton, Will Cox, Mary Lindgren, and approximately 13 members of the public also attended the meeting.

Summary Notes:

Environmental Health Directors update

- Item not covered.

Same Farm Exemption Update

- Holly Meyers, Director of the Office of Drinking Water (Department), provided an update. The Same Farm policy has not been revised since 1995. The policy update clarifies what small farms must do to be exempt from classification as a Glass A water system and clarifies the distinction between Group A and Group B water systems. The definition of a Group A water system should not permit exceptions. The goal is to align as closely as possible with the federal definition, 40 CFR 141.2, Public Water System. Since 2022, the Department has been collaborating with the EPA regarding land that contains nitrates. The aim is to ensure that everyone has access to safe and reliable drinking water.
- Paj Nandi, Board Member, inquired about the end of the 30-day comment period. Holly responded that it had already concluded in April 2025, with the final policy set to be released to the public next week. Member Nandi asked for any insights. Holly stated that since September, it has been requested that our RCW align with the CFR with them on a questionnaire while managing workload challenges as effectively as possible.

Preview June Board Meeting

- **Per- and Polyfluoroalkyl Substances (PFAS) Exception Rule**
 - Mike Means, Department staff, discussed the PFAs Emergency Rule, Exception Rule, and the adoption of the remaining rules. The rule writing process is now complete, and the draft rules are currently out for public comment. The final rule piece is the permanent rule. A public hearing on

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the Exception Rule is scheduled for May 28, with plans to file the CR-102 for the permanent rule in June.

- **PFAS Emergency Refile**

- Ash Noble, Board staff, explained that the federal government passed PFAS standards in June 2024. The first part of those rules went into effect that month, but the final part does not go into effect until 2029. The Board has previously filed emergency rules to ensure that the existing state rules for PFAs don't expire. A previous emergency rule was filed in February 2025 and will expire in June. New dates will be added to the changes. If approved by the Board, the next emergency rule would expire in October so at least one more will be needed.

- **School Rule Team Updates**

- Andrew Kamali, Board staff, shared that the June meeting will include a public hearing to repeal Chapter 246-366A and a final SRP report for Board approval. Only two comments have been received so far, with the public comment period closing May 21. Nina Helpling will lead the hearing with support from Ash Noble. The final report, about 90 pages with a one-page executive summary, will be available by 5 p.m. today and outlines a three-phase approach: planning, partnerships, and compliance.
- Nina Helpling, Board staff, presented the fiscal analysis outlining the implementation costs, including labor hours, wage ranges, construction, trade services, and consumable goods. Nina shared timing, statistics, and noted that site assessments and local health jurisdiction fees for schools would add to costs. The report also broke down implementation costs by phase, with each phase prioritized (e.g. Indoor Air Quality ranked as priority #4).
- Paj Nandi, Board Member, commented on the incredible amount of work of this report and asked what kind of feedback would be most helpful. Andrew talked about wanting Board Members individual expertise and if they see anything that stands out, and for any needed further explanations.

Preview August Board Meeting

- **Sanitary Control of Shellfish Rule**

- Katitza Holthaus, Department staff, provided updates on the Sanitary Control of Shellfish rulemaking. The Department is currently reviewing formal public comments, developing a cost-benefit analysis, and conducting a small business economic impact survey. The anticipated timeline for this rulemaking is to brief the Board at the August Board meeting, file the CR-102 in September, have an official rule hearing in November, and file the CR-103 at the end of the year.

- **Water Recreation Rule**

- Katitza shared that the Department will discuss the Water Recreation rule at the August Board meeting. Since House Bill 1684 did not pass, therapy rule regulations and other updates will not be included in this rulemaking.

The anticipated timeline is to wrap up the Water Recreation technical advisory committee and finalize proposed rule language in July, update the Board in August, and have an informal public comment period in August and September. The goal is to file the CR-102 early next year. The Department anticipates a delayed effective date.

- **Fluoride Science Panel**

- Lauren Jenks, Assistant Secretary of Environmental Public Health (Department), said a report on fluoridation is expected by August, with updated recommendations reflecting current science.
- Paj Nandi, Board Member, discussed introducing the language around risk.
- Lauren responded that the Fluoride Science Review Panel meetings are recorded.

- **Shellfish Update**

- Katitza Holthaus, Department staff, shared the shellfish rulemaking timeline. This includes a briefing to the Board in August and final rule filing by the end of the year.

- **Outdoor Music Festivals**

- Ash Noble, Board staff, shared that they will discuss a review of the Camps and Outdoor Music Festival rules at the August Board meeting. The rules were last updated in 1991. They are compiling lists of dedicated parties and consulted with colleagues at a recent environmental health conference.
- Andrew Kamali, Board staff, noted an increase in outdoor schools using camp facilities and overlapping school and camp rules.
- Mindy Flores, Board Member, asked about the definition of outdoor schools and if they are temporary or seasonal.
- Andrew said there is no definition and noted the outdoor school they visited in Spokane is outside if the temperature is over 16 degrees Fahrenheit.
- Member Flores asked about the facilities. Ash said they are being reviewed, and Andrew noted camp rules focus on facility infrastructure, not the grounds.

2025 Legislative Session Update

- Joe Laxon, Department staff, provided a legislative session update. The final budget is waiting for the Governor's signature. Joe discussed some of the bills that passed related to Group B water system rules, pesticide safety, private detention facilities, solid waste systems, and lead in cookware. Joe also discussed some bills that did not pass related to the Growth Management Act, Water Recreation facilities, environmental justice and State Environmental Policy Act, public water systems, microenterprise kitchens, and alternative on-site sewage systems. Budget limits kept the number of successful bills low.

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- Paj Nandi, Board Member, asked if most passed bills are still awaiting the Governor's signature. Joe confirmed some are pending but wasn't sure of the exact status.

Next Steps:

- The next Board meeting is on June 4, 2025. It is a hybrid meeting, with the physical location at the Department of Health Town Center Two in Tumwater, WA.
- The final School Rule Project TAC will take place on May 15 in SeaTac.

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PO Box 47990, Olympia, WA 98504-7990
(360) 236-4110 • wsboh@sboh.wa.gov • sboh.wa.gov