

# WASHINGTON STATE BOARD OF HEALTH

## ENVIRONMENTAL HEALTH COMMITTEE SPECIAL MEETING SUMMARY NOTES

**What:** Environmental Health Committee

**When:** September 15, 2023

**Participating:** Board of Health (Board) members Steve Kutz, Kate Dean, and Dimyana Abdelmalek; Board staff Andrew Kamali, Stuart Glasoe, Michelle Larson, and Molly Dinardo; Department of Health (Department) staff Joe Laxson, Jeremy Simmons, Mike Means, Jocelyn Jones, Anne Marie Charles, and Juan Gamez Briceño. Other Department staff and members of the public attended the meeting.

### Summary Notes:

#### Committee Chair Selection

- At the suggestion of staff, Board Members tabled this item to a future Environmental Health Committee meeting.

#### General Updates

- Joe Laxson briefly discussed issues the Department is monitoring or working on during the interim legislative period, including the Department's 2024 decision package, the crab/biotoxin bill (SSHB 1010), and microenterprise home kitchens (SHB 1706). Stuart Glasoe noted that Senator Van De Wege requested a Health Impact Review (HIR) on SSHB 1010.
- Joe Laxson updated members on the agency's efforts to implement the HEAL Act (environmental justice law), including initial work on three pilot Environmental Justice (EJ) Assessments and plans to expand and apply EJ assessments to significant agency actions.
- Stuart Glasoe noted that he and Andrew Kamali plan to attend the annual meeting of environmental health directors in Leavenworth (September 26-28) and give a joint presentation on rulemaking with Department staff.
- Mike Means previewed a statewide forum on per and polyfluoroalkyl substances (PFAS) scheduled for September 19-20 focusing on PFAS impacts associated with drinking water and wastewater.

#### Preview October Board Meeting

- With input from Stuart Glasoe, Jeremy Simmons previewed the upcoming Board briefing on revisions to the On-Site Sewage System rules, chapter 246-272A

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WAC. Jeremy focused on key issues in the rulemaking and fielded numerous questions from Board members. Key discussion topics included local management plans, field verification of proprietary treatment products, property transfer inspections, system repairs, system remediation, and minimum lot size and land area. The anticipated project timeline involves the upcoming Board briefing followed by the CR-102 filing (Proposed Rulemaking), public review and comment, and a public hearing tentatively scheduled for January 2024.

### **Preview November Board Meeting**

- Mike Means explained plans to revise the Group A drinking water rules, chapter 246-290 WAC, to reference updated federal lead and copper rules which will likely involve requesting a rulemaking extension from U.S. Environmental Protection Agency (EPA) and requesting delegated rulemaking authority from the Board. Department staff continue to monitor the issues and best course of action.
- Mike Means said the Department also plans to request delegated rulemaking authority from the Board to do limited revisions to the Group A drinking water rules to align water system planning with ESSHB 1181 which established new requirements for water utilities to address climate resilience in their water system plans.
- Andrew Kamali previewed tentative plans to convene a panel discussion of climate change and impacts on health, noting that it is an outstanding task/topic in the Board's strategic plan.

### **Other EH Rulemaking Updates**

- Andrew Kamali updated Members on rulemaking for water recreation facilities, chapter 246-260 and 262 WAC, including the status of the Technical Advisory Committee (TAC) meetings and ongoing work addressing issues in the recent petition pertaining to disabilities and specific rule language. Andrew reaffirmed plans to update the Board in January on progress related to the petition.
- Jocelyn Jones and Stuart Glasoe discussed the status of work revising the shellfish sanitation rules, chapter 246-282 WAC. This includes work preparing draft rule language for public review and comment, and initial work evaluating the revisions for analysis in the pending Significant Analysis and Small Business Economic Impact Statement (SBEIS).
- Stuart Glasoe briefly explained plans to review the Board's piggeries rule, WAC 246-203-180, which dates back to the 1930s to determine its value and function and whether to retain, revise, or repeal the rule.
- Andrew Kamali and Dr. Abdelmalek introduced and discussed public health concerns and challenges associated with contamination and cleanup of illicit drugs such as fentanyl and methamphetamine, and related issues with the joint rules (Board/Department) on decontamination of illegal drug sites, chapter 246-205 WAC. Anne Marie Charles followed with detailed discussion of key issues

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and challenges of the Department's clandestine drug lab program. The rules have been flagged for possible review by staff.

**Committee Member Comments, Questions, and Next Steps**

- Next committee meeting tentatively scheduled for December 2023.

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