



ENVIRONMENTAL HEALTH COMMITTEE SPECIAL MEETING SUMMARY NOTES

What: Environmental Health Committee

When: February 14, 2020

Attending: Board members Jill Wood and Keith Grellner; Board staff Kelie Kahler, Chris Trent, and Stuart Glasoe; Department of Health staff Michael Ellsworth, Jeremy Simmons, Peter Beaton, Tami Thompson, Joe Laxson, and Joe Graham. One citizen also attended.

Participating by phone: Board members Fran Bessermin and Dr. Bob Lutz; Board staff Michelle Davis; Department of Health staff Susan Shelton and Mike Means.

Summary Notes:

Updates

- The Board briefly discussed the 2020 legislative session with input from Department staff. Stuart Glasoe highlighted SB 6342, which would dovetail with Board rulemaking on per- and polyfluoroalkyl substances (PFAS) and require PFAS water system testing and development of a PFAS maximum contaminant level. Chris Trent highlighted SB 6434, which would regulate microenterprise home kitchens. Joe Laxson explained the department's work on both the food safety and health equity aspects of SB 6434.
- Stuart provided an updated table of anticipated milestones for Board environmental health rulemaking projects in 2020, noting that the table informs Board agenda planning and undergoes regular updating to reflect evolving project timelines.

Rulemaking Updates

The March Board meeting agenda includes no environmental health topics so the February Committee meeting included no preparation of agenda topics and instead included a full rundown of Board environmental health rulemaking projects.

- WAC 246-203-130, Keeping of Animals—Stuart mentioned staff meetings with the Washington Department of Agriculture and Washington Department of Ecology,

circulation of the public review draft with a January 31 comment deadline (later extended to March 13), and plans to analyze the feedback and work with peers and Board members on key issues to develop proposed rule language.

- Chapter 246-500 WAC, Handling of Human Remains—Chris reminded the Board that ESSB 5001 legalized two new methods of human disposition (alkaline hydrolysis and natural organic reduction). The Board’s pending rulemaking will address concerns raised by the Department of Health regarding destruction/die-off of high-risk infectious disease agents associated with the two methods and the handling of human remains. She said the CR-101 would be filed soon.
- Chapters 246-260 and 262 WAC, Water Recreation Facilities—Peter Beaton briefly described work developing a crosswalk between the two state codes and the national model aquatic health code, exploring options to better resource the project and possibly combine the state codes into a single WAC, and identifying interests to potentially assist as stakeholders in the rulemaking.
- Chapter 246-272A WAC, On-Site Sewage Systems (OSS)—Jeremy Simmons mentioned the final meeting of the project’s stakeholder group the previous day and updated Board members on the status of work on two key issues, (1) inspection of OSS at the time of property transfers and (2) local management plans in Puget Sound and non-Puget Sound counties. Work remains on proposed rule language and related analyses, with rule adoption aiming for late 2020.
- Chapter 246-215 WAC, Food Service—Susan Shelton summarized the status of the rulemaking project and briefed the Board on key issues, highlighting such issues as bare hand contact, reusable containers, food date marking, and dogs in outdoor eating areas. She also listed other issues staff are working on with local health jurisdictions or lawmakers, including lemonade stands, raw milk, and donated food pantries.
- Chapter 246-290 WAC, Group A Drinking Water Supplies—Mike Means gave a brief update on the status of PFAS drinking water rulemaking and tied it back to overlapping work by the legislature on SB 6342. The department extended the comment deadline on the draft rules to January 31 and planned to process the feedback to ready ideas and issues for discussion with the Board in a project update at its April meeting. In addition to outreach to statewide environmental health directors, Board members brainstormed and advised staff on opportunities to educate and engage local health officers in the rulemaking due to the sensitive and complex nature of the issues and potential impacts on communities and local health leaders where PFAS is detected.

Next Steps:

- The Environmental Health Committee will likely next meet in late March in advance of the April Board meeting, which is expected to feature a formal briefing on the food service rules and an informal update on the PFAS drinking water rules.

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