

WASHINGTON STATE BOARD OF HEALTH

ENVIRONMENTAL HEALTH COMMITTEE SPECIAL MEETING SUMMARY NOTES

What: Environmental Health Committee

When: September 19, 2022

Participating via Zoom: Board of Health (Board) members Keith Grellner, Chair, Patty Hayes, Steve Kutz; Board staff Kaitlyn Donahoe, Stuart Glasoe, Michelle Davis, Nathan Thai, Hannah Haag, and Melanie Hisaw; Department of Health (Department) staff Theresa Phillips, Joe Laxson, Laura Johnson, Peter Beaton, Todd Phillips, Mike Means, Holly Meyers, Dani Toepelt, Jeremy Simmons, Ashlie Laydon, Brad Burnham, and Anna Hidle; and approximately ten members of the public. This meeting was livestreamed by TVW.

Summary Notes:

Environmental Health Rulemaking Project Updates

- Stuart Glasoe provided updates on the close-out of Keeping of Animals (WAC 246-203-130) rulemaking. The Board filed the final rule on September 15, 2022, and will follow with public notice and updates to the rulemaking web page.
- Jeremy Simmons and Theresa Phillips summarized the status of On-Site Sewage System (chapter 246-272A WAC) rulemaking. They noted that a cost survey has been distributed to local health jurisdictions and industry and the team is continuing to work on the significant analysis. The team plans to update the Board at its November meeting.
- Dani Toepelt and Mr. Glasoe shared updates on the Sanitary Control of Shellfish (chapter 246-282 WAC) rulemaking. Ms. Toepelt mentioned activities such as data collection, surveying tribes and shellfish operations, and noted the first rulemaking meetings with these groups have been scheduled to discuss pre-harvest practice and vibrio.
- Kaitlyn Donahoe provided updates on the Water Recreation (chapters 246-260 and 246-262 WAC) rulemaking. She mentioned steps staff are taking to reconcile the two chapters with federal guidance, as well as intention to establish a technical advisory committee to help guide rulemaking.

Emerging Issues, Future Board Meeting Topics

- Mike Means and Ms. Phillips discussed federal lead/copper rule updates and impacts to future Board rulemaking as it relates to public water systems. Member Kutz asked clarifying questions regarding the impact of these federal changes to Washington's public water systems and homes.

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- Laura Johnson outlined Department activities to mitigate lead, including but not limited to increased testing of children's blood lead levels, testing school drinking water, and working with the Health Care Authority to request Medicaid reimbursement for case management and environmental assessments.
- Member Hayes recommended providing separate briefings on the lead and copper rule as well as Department activities to mitigate lead exposure at future Board meetings.
- Mr. Means provided additional detail regarding per-and polyfluoroalkyl substances (PFAS) as a follow-up to the briefing provided at the Board's August meeting. Member Kutz asked clarifying questions regarding emerging treatment techniques for PFAS contamination.

Preparation for October Board Meeting – Second Emergency Rule (WAC 246-272A-0110), On-Site Sewage System Proprietary Treatment Products

- Mr. Simmons described the original emergency rule for onsite sewage system proprietary treatment products adopted by the Board in June, implementation status of the emergency rule, and the second emergency rule being readied for Board action at its October Board meeting.

Board Initiatives and Priorities

- Ms. Donahoe provided updates on work staff has completed to provide additional guidance for scoping rulemaking projects, expectations of Board members for rulemaking sponsorship, and the format of future policy subcommittee meetings. She and Member Hayes discussed the cadence of future subcommittee meetings. Ms. Donahoe suggested that changes to subcommittee meetings go into effect in early 2023 to allow staff time to consult with committee members on availability and agenda planning.

Committee Member Comments, Questions, and Next Steps

- All board members: Great meeting, appreciate everyone's hard work.

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