

WSR 21-17-040
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
[Filed August 9, 2021, 3:06 p.m.]

Subject of Possible Rule Making: Chapter 246-275 WAC, Onsite non-potable water systems. The department of health (department) is considering adopting a new rule chapter to implement ESHB 1184 (chapter 156, Laws of 2021) to establish risk-based water quality standards for the onsite treatment of nonpotable alternative water sources for non-potable end uses and construction standards to achieve the risk-based framework water quality standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 90.46.200; and ESHB 1184 (chapter 156, Laws of 2021).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules will allow for the use of locally issued building permits, rather than waivers, for the onsite treatment of nonpotable alternative water sources for nonpotable end uses, including toilet and urinal supply water, clothes washing, irrigation, and dust suppression. Adopted standards may be necessary to provide uniform water quality and construction standards across the state for multifamily residential, commercial, and mixed-use buildings, and district-scale projects, including a mix of multifamily residential, commercial, and mixed-use buildings. The department will consider applicable national standards as part of this rule making.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of ecology, Washington state building code council, and the Washington state department of labor and industries.

Process for Developing New Rule: Collaborative rule making through application of National Blue Ribbon Commission for Onsite Non-potable Water System model rules and consultation with affected agencies and stakeholders. Rule-making notices will be delivered via Gov-Delivery to various general interest and environmental public health lists. To receive notices, interested persons may sign up for any or all lists at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brian A. Sayrs, Department of Health, 16201 East Indiana Avenue, Suite 1500, Spokane Valley, WA 99216, phone 509-326-2212, TTY 711, email brian.sayrs@doh.wa.gov; or Jocelyn Jones, Department of Health, P.O. Box 47820, Olympia, WA 98504-7820, phone 360-236-3020, TTY 711, email jocelyn.jones@doh.wa.gov.

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