

# STATE BOARD OF HEALTH AND WASHINGTON STATE DEPARTMENT OF HEALTH

## Notification of Environmental Justice Assessment on Group A Public Water Supplies PFAS Rulemaking

October 29, 2024

### WHAT

The State Board of Health (Board) and Washington State Department of Health (Department) are conducting a joint Environmental Justice Assessment on potential changes to regulations ([WAC 246-290-315](#) and [WAC 246-290-71006](#)) that help keep public drinking water safe.

The potential changes are to update Group A public water system protections from certain chemicals called Per- and Polyfluoroalkyl Substances (PFAS). Group A public water systems have at least 15 service connections or serve at least 25 people per day for 60 or more days of the year<sup>1</sup>.

The Board is considering changes to its current State Action Levels (SALs) and maintaining current state protections to respond to new national drinking water levels for PFAS adopted by the U.S. [Environmental Protection Agency](#) (EPA).

The purpose of this environmental justice assessment is to identify:

- Who might be most impacted by an agency action
- Environmental benefits, harms, and health impacts of the action
- Ways to minimize or eliminate negative environmental impacts
- How to equitably distribute positive environmental impacts.

Visit the DOH Environmental Justice webpage <https://doh.wa.gov/community-and-environment/health-equity/environmental-justice/assessments> to learn more about Environmental Justice Assessments.

### WHY

On April 10, 2024, the EPA published the first [national standards](#) for PFAS in drinking water. The EPA officially adopted these standards on June 24, 2024.

PFAS are a group of over 9,000 manufactured chemicals used all over the world to make many products<sup>2</sup>. Most PFAS stay in the soil, air, and water of our environment for decades<sup>3</sup>. Current scientific studies report that human exposure to certain PFAS over time can negatively affect health outcomes and may lead to:

- Decreased fertility or increased high blood pressure in pregnant people;
- Developmental effects or delays in children, including low birth weight, accelerated puberty, bone variations, or behavioral changes;

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<sup>1</sup> [WAC 246-290-020:](#)

<sup>2</sup> [Our Current Understanding of the Human Health and Environmental Risks of PFAS | US EPA](#)

<sup>3</sup> [PFAS Explained | US EPA](#)

- Increased risk of some cancers, including prostate, kidney, and testicular cancers;
- Reduced ability of the body’s immune system to fight infections, including reduced vaccine response;
- Interference with the body’s natural hormones; and
- Increased cholesterol levels and risk of metabolic disruption.<sup>4</sup>

New understanding about the negative impacts of PFAS led the EPA to set Maximum Contaminant Levels (limits) for certain PFAS in drinking water to better protect human health.

This rulemaking will ensure current drinking water protections remain in place until the national standards go into effect in 2027.

## WHO

This rulemaking will affect Group A public water system operators/managers and, ultimately, the communities who consume water from these supplies. More than 6.2 million Washington state residents, 85 percent of the state's population, rely on drinking water from public water systems<sup>5</sup>. The goal is to ensure better protections for all community members, including those who are more vulnerable such as the elderly, immunocompromised individuals, pregnant people and children who typically drink more water per pound of body weight, and infants who may consume formula made with contaminated water.

The Board’s rulemaking for Group A public water supplies does not regulate private wells and water systems located within Tribal reservations. Water systems located within Tribal reservations are regulated by the EPA.

If you receive drinking water from a group A public water supply or identify as a member of one or more of these groups and would like to share your thoughts or connect with our staff, please contact us at [drinkingwater@sboh.wa.gov](mailto:drinkingwater@sboh.wa.gov) or see ways to get involved below.

To learn more about drinking water, please visit the webpages below:

- Drinking Water Consumers: <https://doh.wa.gov/you-and-your-family/healthy-home/drinking-water>
- Public Water System Operators: <https://doh.wa.gov/community-and-environment/drinking-water>

## WHEN

See below for the proposed rulemaking timeline and how the environmental justice assessment fits within it. Opportunities for public engagement are highlighted in grey.

Date	Milestone/Action	Purpose
<b>September 30, 2024</b>	Filed CR-101, Preproposal Statement of Inquiry	The Board filed <a href="#">WSR 24-20-093</a> to announce the start of permanent rulemaking. *An emergency rule will be in place until the permanent rulemaking process is complete.
<b>Fall 2024</b>	Initial draft rule complete	Draft language is complete and ready to be reviewed by interested parties including members of the public.
<b>Winter 2024-2025</b>	Information Sharing/Informal Comment Period	Invite all interested/impacted parties to review and share feedback on the draft rule language. All members of the public are welcome to provide comments during the informal comment period.
<b>Spring 2025</b>	Update to the Board	Board staff update the Board at a regularly scheduled meeting. The Board reviews the draft rule language, Environmental Justice Assessment, and economic analyses. The Board makes decision to move to the formal comment period.

<sup>4</sup> [Per- and Polyfluoroalkyl Substances \(PFAS\) \(nih.gov\)](#)

<sup>5</sup> [Drinking Water Systems | Washington State Department of Health](#)

<b>Summer 2025</b>	File CR-102, Proposed Rule Making	Announces the formal comment period and public hearing. All members of the public are welcome to provide written comments during the formal comment period.
<b>Summer 2025</b>	Public Hearing	Hybrid public hearing. All members of the public are welcome to provide oral testimony during the public hearing.
<b>Fall 2025</b>	File CR-103, Rulemaking Order	Announces the rule has been adopted.

These timelines and milestones may change. To stay current, please visit the program website(s) or use the contact information provided below.

## HOW TO GET INVOLVED

For more information about the rule revision, please:

- Visit the Board’s webpage: <https://sboh.wa.gov/rulemaking/agency-rules-and-activity/group-public-water-supplies-pfas-current-rulemakings>
- Visit the Department’s webpage: <https://doh.wa.gov/community-and-environment/drinking-water/regulation-and-compliance/rules/group-public-water-supplies-pfas-emergency-rule>

The Board will use an interested parties list to provide updates on the rule change and opportunities to engage.

- To join the PFAS distribution list, email [drinkingwater@sboh.wa.gov](mailto:drinkingwater@sboh.wa.gov) with the Subject: “PFAS Rulemaking - Subscribe”
- To provide informal comment, email [drinkingwater@sboh.wa.gov](mailto:drinkingwater@sboh.wa.gov)

For questions about this significant rulemaking or the Environmental Justice Assessment, contact Board staff [Shay Bauman](#), 564-669-8929. You may also reach out to Department staff [Mike Means](#), 360-236-3178, and [Kseniya Efremova](#), 360-236-3449..

To request this document in an alternative format or a different language, please contact Board at 360-236-4110 or by email at [wsboh@sboh.wa.gov](mailto:wsboh@sboh.wa.gov).

Please forward this information to anyone you think may be interested in the rulemaking.



**DOH 300-059 October 2024**

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