



# *K-12 Environmental Health and Safety Rules, Chapter 246-366A WAC*

*Differences Between CR-102 Proposal and June Draft*



**PUBLIC HEALTH**  
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**HEALTHIER WASHINGTON**

*State Board of Health*  
*August 27, 2008*

Ned Therien, State Board of Health



# School Rule Proposal vs. June Draft

## CHAPTER 246-366A WAC

### Changes in Published Proposal from June (Third) Draft

- Proposed effective date and phase-in
- Basic editing
- Code Reviser standardized formatting
- Minor corrections
- Clarification of some language
- Recommendations of EH Committee



# School Rule Proposal vs. June Draft

## Proposed Effective Dates

- New rules generally – Sept 2010
- Annual inspections – Sept 2011
- Drinking water testing – Sept 2011-14
- Heating system design – Sept 2013
- LHO variance reports to DOH – March 2013



# School Rule Proposal vs. June Draft

## Focus on Students Revised

- Specific applicability to students removed from 001, Introduction & Purpose
- Language added to 005, Applicability to note rules do not replace or supersede L&I authority over employee health and safety
- Selective retention of specific applicability limited to students



# School Rule Proposal vs. June Draft

## 005 Applicability

### Clarified:

Application of new construction requirements to alterations and additions – subsection (5)



# School Rule Proposal vs. June Draft

## 010 Definitions

**Removed:**

High-volume copiers and printers



# School Rule Proposal vs. June Draft

## 020 Responsibilities

### Local health officer

- Conduct inspections periodically
- Periodic inspections must become annual beginning Sept 2011



# School Rule Proposal vs. June Draft

## 060 General construction

### Clarified requirement:

Provision of windows for  
students to see outside  
(basic requirement is in existing rule)



# School Rule Proposal vs. June Draft

## 065 General operation & maint.

### Removed requirement:

Provide walk-off mats at major building entrances



# School Rule Proposal vs. June Draft

## 070 Moisture control & mold remediation

### Removed requirement:

Allow adequate time for carpets  
cleaned by wet method to dry before  
occupancy



# School Rule Proposal vs. June Draft

## 080 Safety – Animals

### Clarified requirement:

Allow only those animals, other than service animals, approved under written policies or procedures



# School Rule Proposal vs. June Draft

## 090 Heating and ventilation – Construction

- Clarified requirement to provide locations with mechanical ventilation for activities and equipment that produce air contaminants of public health importance
- Delayed requirements until Sept 2013  
(based on submittal of completed building application):
  - (3) Use air duct materials that will not deteriorate and contribute particles to air
  - (4) Use ducted air returns for new school facilities (not open plenum air returns above suspended ceilings)



# School Rule Proposal vs. June Draft

## 095 Heating and ventilation – Operation & Maintenance

### Clarified provisions:

#### (2) Ventilation

- (a) For newly constructed facilities – ventilate according to mechanical code*
- (b) For previously constructed facilities – strive to provide ventilation according to mechanical code (through maintenance and repair)*

#### (5) Limit student exposure to air contaminants from printers, copiers, and other office equipment



# School Rule Proposal vs. June Draft

## 120 & 125 Restrooms & showers

### Removed requirement:

Provide surfaces on floors and walls near sinks, toilets, and urinals that do not absorb liquids or odors and are easily cleanable.



# School Rule Proposal vs. June Draft

## 130 Water quality – Lead

### Clarified:

(2) Water sampling protocols

(3) Specific dates for initial monitoring of drinking water faucets

- Elementary – initial 50% by Sept 2011
  - remaining 50% by Sept 2012  
(could be 100% of faucets in 50% of schools first year)
- Middle & Jr. High – representative 25% by Sept 2013
- High Schools – representative 25% by Sept 2014



# School Rule Proposal vs. June Draft

## 130 Water quality – Lead (cont.)

- (4) Repeat monitoring – representative 25%  
(10% for very low lead fixtures)
  - Starting 5-year cycle after initial required date
  - Staggered dates specified starting Sept 2017

### Added:

(5)(c)(ii) Corrective action provision involving automatic flushing of faucets



# School Rule Proposal vs. June Draft

## 135 Water quality – Copper

Specific dates for base-line monitoring  
of representative 25% of drinking water  
faucets

- Elementary – by Sept 2012
- Middle & Jr. high – by Sept 2013
- High schools – by Sept 2014



# School Rule Proposal vs. June Draft

## 140 Water quality – Other contaminants

### Simplified language:

Removed specific subsection of local  
school official requirements



# School Rule Proposal vs. June Draft

## 160 Labs & shops – Construction

- Removed requirement:  
Emergency eyewashes and showers must have plumbed waste drains
- Reorganized subsections



# School Rule Proposal vs. June Draft

## 165 Labs & shops – O & M

- Reorganized subsections about hazardous materials selection, labeling, use, storage, and disposal
- Corrected reference to “P-list” under WAC 173-303-9903



# School Rule Proposal vs. June Draft

## 170 Variances

Specific date added for when local health officer must start to submit annual report to DOH regarding variances

- beginning March 2013 for previous calendar year



# School Rule Proposal vs. June Draft

**175 Temporary emergency waivers**

Clarified language

**180 Appeals**

Clarified language



# School Rule Proposal vs. June Draft

## 190 Complaints

Clarified provision that school officials must establish written complaint process

- removed term “policy” to avoid potential conflict with authority of local school boards



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