

Notification of Environmental Justice Assessment on Significant Rulemaking

Updated January 2024

WHAT

The Department of Health (DOH) is conducting an environmental justice assessment for rulemaking under the Drinking Water State Revolving Fund (DWSRF) program (Chapter 246-296 WAC). Through this rulemaking, we will determine qualifications for "disadvantaged community" status within this program. The DWSRF program supports safe and reliable drinking water by providing low interest infrastructure loans and loan principal forgiveness for public water systems across Washington. Visit the [DWSRF website](#) to learn more about the program, including current draft criteria and definitions.

The purpose of an environmental justice assessment is to identify:

- Who might be most impacted by an agency action
- Ways to minimize negative environmental impacts
- How to equitably distribute positive environmental impacts.

Visit our [Environmental Justice webpage](#) to learn more about assessments.

WHY

Access to safe and reliable drinking water is essential to protect you and your community's health. Drinking contaminated water can cause a range of health effects, including gastrointestinal illness, neurological problems, and cancer.

The DWSRF is a financial assistance program funded through the United States Environmental Protection Agency (EPA). With it, we help water systems build and maintain essential drinking water infrastructure to protect public health.

The DWSRF provides assistance to water systems for:

- Improving drinking water treatment.
- Fixing leaky or old pipes (water distribution).
- Improving source of water supply.
- Replacing or constructing finished water storage tanks.
- Other infrastructure projects needed to protect public health.

We are updating our current disadvantaged community definition and criteria. Our goal is to ensure the new definition better matches the experiences of those who face the greatest barriers to accessing safe and reliable drinking water. Under the DWSRF, communities who meet the definition of disadvantaged are eligible for loan subsidy (up to 100% principal forgiveness) for drinking water infrastructure projects. Draft criteria and definition of disadvantaged communities are available on [the DWSRF website](#) and direct feedback can be sent to DWSRF@doh.wa.gov and shared at upcoming engagement opportunities.

WHO

We are specifically trying to reach people and communities served by public water systems who may experience hardship in affording or accessing safe and reliable drinking water due to existing and ongoing systemic inequities. These include, but are not limited to:

- Communities of color;
- Rural communities;
- Tribal communities or communities on tribal lands;
- People who are low-income;
- Migrant workers; and
- People with chronic health conditions or sensitivities that put them at higher risk of impacts.

If you identify as a member of one or more of these groups and would like to share your thoughts or connect with one of our staff, please contact us at DWSRF@doh.wa.gov or see above for ways to get involved.

WHEN

See below for our proposed timeline for rulemaking and how the environmental justice assessment fits into that process. We highlighted **in yellow** when the public can engage in the assessment and rulemaking process:

May 2023	Rulemaking initiated (CR 101 filed). *An emergency rule will be in place until the formal rulemaking process is complete
June 2023	Informal comment period initiated (closes March 1, 2024)
July 2023	Environmental justice assessment initiated
August 2023 - March 2024	Virtual community listening sessions and meetings with community partners
March 2024	Draft rule language
May 2024	Publish environmental justice assessment and draft rule language (CR 102 filed)
May 2024 - June 25, 2024	Formal comment period on draft rule language
June 25, 2024	Public hearing for draft rule language
August 1, 2024	Publish final permanent rule language (CR 103 filed)
September 1, 2024	Rule becomes effective

HOW TO GET INVOLVED

[Sign up on our website to receive updates about this rulemaking](#) and environmental justice assessment, including information about community engagement opportunities.

We are holding three virtual listening sessions over Zoom. At these listening sessions we will share an overview of the rulemaking and workshop draft rule language. Register at bit.ly/DOHDrinkingWaterCall.

- Wednesday, October 4, 2023 from 4:30-6:30pm
- Wednesday, November 1, 2023 from 4:30-6:30pm
- Wednesday, December 6, 2023 from 4:30-6:30pm

After completion of the environmental justice assessment, there will also be a public comment period on the suggested rulemaking language from May-June 25, 2024.

For questions about this rulemaking or the environmental justice assessment, please contact DWSRF staff at DWSRF@doh.wa.gov.



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