RULE-MAKING ORDER
PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

Agency: State Board of Health

Effective date of rule:
Permanent Rules
☐ 31 days after filing.
☒ Other (specify) 01/01/2019 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
☐ Yes ☒ No If Yes, explain:

Purpose: WAC 246-215-09150 Employee restrooms- toilet facilities. The State Board of Health adopted a change that increases the maximum distance to a readily accessible employee restroom from within 200 feet to within 500 feet for mobile food units.

Citation of rules affected by this order:
New: None
Repealed: None
Amended: WAC 246-215-09150
Suspended: None

Statutory authority for adoption: RCW 43.20.050, RCW 43.20.145

Other authority:

PERMANENT RULE (Including Expedited Rule Making)
Adopted under notice filed as WSR 18-16-078 on 07/30/2018 (date).
Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Peter Beaton
Address: PO BOX 47820, Olympia, WA 98504-7820
Phone: (360) 236-4031
Fax: NA
TTY: (360) 833-6388 or 711
Email: Peter.Beaton@doh.wa.gov
Web site: Other:
Note: If any category is left blank, it will be calculated as zero. 
No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note. 
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

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<thead>
<tr>
<th>Category</th>
<th>New</th>
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<th>Repealed</th>
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<tr>
<td>Federal statute</td>
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<tr>
<td>Federal rules or standards</td>
<td>0</td>
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<tr>
<td>Recently enacted state statutes</td>
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The number of sections adopted at the request of a nongovernmental entity:

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The number of sections adopted in the agency’s own initiative:

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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

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The number of sections adopted using:

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<tr>
<td>Pilot rule making</td>
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<tr>
<td>Other alternative rule making</td>
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Date Adopted: 11/09/2018
Name: Michelle A. Davis
Title: Executive Director

Signature:
AMENDATORY SECTION (Amending WSR 13-03-109, filed 1/17/13, effective 5/1/13)

**WAC 246-215-09150 Employee restrooms—Toilet facilities.** The permit holder shall ensure approved toilet facilities are available for employees:

(1) Readily accessible and within ((200)) 500 feet of the mobile food unit during times of operation, if at any one location for more than one hour; and

(2) Provided with handwashing facilities that meet the requirements specified under WAC 246-215-05210.