

# Notification of Environmental Justice Assessment on Significant Rulemaking

July 31, 2023

## 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 infrastructure loans, grants, 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 specific types of grants and loan forgiveness for safe and reliable drinking water infrastructure. Draft criteria and definition of disadvantaged communities are available on [the DWSRF website](#) and direct feedback can be sent to [DWSRF@doh.wa.gov](mailto:DWSRF@doh.wa.gov) and shared at upcoming engagement opportunities.

## WHO

In completing this assessment, our DWSRF team will identify and engage with people who experience barriers to accessing safe and reliable drinking water. This will include people who spend a high percentage of their income on water costs.

We will reach out to and engage with communities across our state throughout the environmental justice assessment and rulemaking process. If you believe you meet, or your community meets, the above description and would like to participate in that engagement, please contact us at [DWSRF@doh.wa.gov](mailto:DWSRF@doh.wa.gov).

## 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** | Draft disadvantaged community criteria and tools published to DWSRF webpage. Feedback can be sent to [DWSRF@doh.wa.gov](mailto:DWSRF@doh.wa.gov).

**July 2023** | Environmental justice assessment initiated.

**August 2023 – January 2024** | Virtual and in-person community engagement for permanent rulemaking.

**January-April 2024** | Develop permanent rule language and environmental justice assessment.

**April 2024** | Publish environmental justice assessment.

**April 3, 2024** | Publish draft permanent rule language for public comment (CR-102 filed).

**April – May 2024** | 60-day formal public comment period.

**June 2024** | Review comments and refine disadvantaged community criteria and tools based on public comments.

**July 2024** | Final rulemaking.

**August 1, 2024** | Publish final rule language (CR-103 filed).

**September 1, 2024** | Rulemaking 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 will hold virtual and in-person community engagement events from August 2023 - January 2024. Please sign up for email updates to learn more about opportunities to get involved!

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

For questions about this rulemaking or the environmental justice assessment, please contact DWSRF staff at [DWSRF@doh.wa.gov](mailto:DWSRF@doh.wa.gov).



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