



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

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DATE: July 07, 2025

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WSR 25-15-015

Agency: Department of Health

Subject of possible rule making: Office of Environmental Health and Safety programs fees. The Department of Health (department) is considering amending fees for the Office of Environmental Health and Safety programs to cover operating costs. This may include updating or restructuring existing fees, making editorial updates, repealing obsolete fees, or creating new fees for the following:

- WAC 246-205-990 for Decontamination of Illegal Drug Manufacturing or Storage Sites
- WAC 246-260-9901 for Water Recreation Facilities
- WAC 246-262-990 for Recreational Water Contact Facilities
- WACs 246-272-1000 through 246-272-6000 for Onsite Sewage Systems
- WAC 246-272-3000 for Large Onsite Sewage Systems
- WAC 246-282-990 for Commercial Shellfish
- WAC 246-358-990 for Temporary Worker Housing
- WAC 246-360-990 and 246-360-020 for Transient Accommodations
- WAC 246-380-990 for Food Service
- Creating a new fee section in chapter 246-215 WAC for Food Service.

Amendments to existing rules within the chapters of rule cited above may be needed to align rule language with fee changes.

Statutes authorizing the agency to adopt rules on this subject:

- RCW 43.70.250, 64.44.060, and 64.44.070, Decontamination of Illegal Drug Manufacturing or Storage Sites
- RCW 43.70.250 and 70.90.150, Water Recreation Facilities
- RCW 43.70.250 and 70.90.150, Recreational Water Contact Facilities
- RCW 43.70.110, 43.70.250, and 43.20B.020, Onsite Sewage Systems
- RCW 43.70.110, 43.70.250, 43.20B.020, and 70A.115.040, Large Onsite Sewage Systems
- RCW 43.70.250 and 69.30.050, Commercial Shellfish
- RCW 43.70.250, 43.70.334 through 43.70.340, and chapter 70.114A RCW, Temporary Worker Housing
- RCW 43.70.110, 43.70.250, and 70.62.220, Transient Accommodations
- RCW 43.70.250, Food Service

Reasons why rules on this subject may be needed and what they might accomplish: The department is considering amending fees for all programs within the Office of Environmental Health and Safety to ensure program costs are adequately covered. The department has completed an initial assessment and determined the current fees are not generating sufficient revenue to cover the operating costs over the biennium. This is necessary to address existing program deficits, reductions in funding from General Fund State (GFS) and Foundational Public Health Services (FPHS) accounts, and cost-of-living adjustments made in the 2025-2027 state budget (ESSB 5167). RCW 43.70.110 and 43.70.250 authorize the Secretary of Health to establish various fees associated with licensing and regulation of professions, occupations, or businesses. These fees must be set at a level that covers the costs of administering each program or license.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe) Collaborative

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Other:	Other:

Additional comments: The department will use a collaborative rule making approach by keeping interested parties informed of the rule development through email and posting information on the department's rulemaking websites. Interested parties will have the opportunity to provide comments throughout the rulemaking process and at the public hearing. Please contact Zehra Siddiqui at zehra.siddiqui@doh.wa.gov to be added to the applicable interested parties list.

Date: 7/2/2025**Name:** Kristin Peterson, JD for Jessica Todorovich, MS**Title:** Chief of Policy for Acting Secretary of Health**Signature:**