



DATE: December 29, 2025

TO: Kathleen Buchli, Code Reviser

FROM: Tami Thompson, Regulatory Affairs
Manager

SUBJECT: Rescind Policy Statement | Penalty Settlement Filed as WSR 97-06-109

This memo serves as notice that the Department of Health (department) is rescinding a policy statement titled “Penalty Settlement” filed March 5, 1997 and published in WSR 97-06-109.

This policy statement outlined steps for issuing a civil penalty. The department is rescinding this policy due to the adoption of enforcement sections in chapter 246-290 WAC concerning Group A public water systems and chapter 246-291 WAC concerning Group B public water systems. Consequently, this policy is no longer necessary.

Individuals requiring additional information on this should contact Mike Means, Water Quality, Policy, and Certification Manager for the Office of Drinking Water at mike.means@doh.wa.gov.

Thank you for your attention to this matter.

cc: Mike Means, Water Quality, Policy, and Certification Manager



OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 27, 2026

TIME: 2:30 PM

WSR 26-04-049



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
DIVISION OF DRINKING WATER
Airdustrual Center, Bldg. 3 • P.O. Box 47822 • Olympia, Washington 98504-7822
TDD Relay 1-800-833-6388

December 16, 1996

NOTICE OF ADOPTION OF POLICY

Title of Policy Penalty Settlement

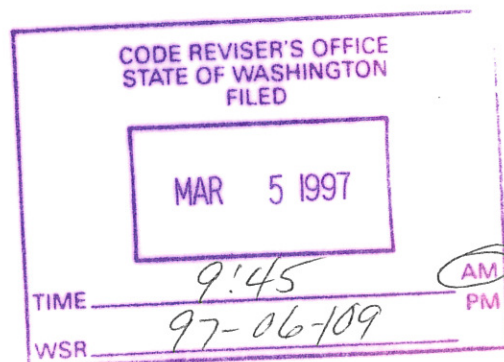
Effective Date New: 12/15/96 Revision:

**Issuing Agency/
Division** Department of Health
Environmental Health Programs
Division of Drinking Water

Description : RCW 70.119A.040 authorizes the Department to levy civil penalties as part of an enforcement action against any person violating a law or rule regulating public water systems administered by the Department of Health. The Drinking Water Program will consider mitigation or reduction of any civil penalty imposed by the Program under certain limited circumstances when the mitigation is part of a settlement of the underlying enforcement action.

Contact: Judy J. Welch
Division of Drinking Water
Headquarters
P.O. Box 47822
Olympia, Washington 98504-7822

Telephone: (360) 664-8770
Internet: jjw0303@hub.doh.wa.gov



RECEIVED

U.S. DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20535

March 2, 1961

MEMORANDUM

TO : DIRECTOR, FBI

FROM : SAC, NEW YORK

SUBJECT: [Illegible]

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CODE REVISOR'S OFFICE

Division of Drinking Water Policy/Procedure

Title:	Penalty Settlement	Number: J.25
References:	Compliance Manual TAB 5	
Contact:	John Aden	
Effective Date:	December 15, 1996	
Supersedes:	N/A	
Approved:	 Director, Division of Drinking Water	

POLICY:

The Division of Drinking Water views the issuance of civil penalties authorized by RCW 70.119A.040, as an enforcement tool to be used against purveyors showing unwillingness to comply with applicable drinking water regulations. The issuance of penalties is a serious step and not one taken lightly by the Department. As such, once issued, the Department has a responsibility to carry through with enforcement and collection of these penalties. To avoid further penalties, purveyors are encouraged to work with the Department to resolve compliance issues, but it shall be the policy of the Drinking Water Program, that once a penalty is issued it will only be considered for mitigation under limited circumstances (Refer to Guideline titled "Civil Penalty Settlement").

PURPOSE STATEMENT/BACKGROUND:

In 1986 the legislature authorized the Department to levy civil penalties to any person violating a law or rule regulating public water systems administered by the Department of Health. The legislature felt that conformance with laws and regulations to preserve and protect the purity of drinking water in our public water systems was of utmost importance.

Direction for the issuance of civil penalties can be found in the Division's Compliance Manual under TAB 5.

GUIDELINE

Civil Penalty Settlement

Once a civil penalty has been issued to a water system purveyor as authorized under RCW 70.119A.040, the purveyor receiving the penalty may request an appeal by contacting the Office of Professional Standards (OPS), Department of Health. Once an appeal has been filed with OPS, the Department may consider mitigating or dismissing the penalty as part of a formal settlement agreement. The Department will not consider any type of mitigation unless an appeal has been properly filed. When contacted by the purveyor, staff will take the following steps:

1. Confirm that a proper appeal has been filed with OPS;
2. Clarify the reason and authority for issuing the penalty;
3. Restate what the purveyor can do to avoid further penalties;
4. Explain that the Department may consider mitigating the penalty as part of settlement if:
 - a) A change of ownership takes place and the new owner is:
 - i) A Department approved Satellite Management Agency; or
 - ii) An entity willing and able to own and operate the water system in a manner that assures the Department that compliance with applicable regulations will be achieved.
 - b) Improvements are made to system facilities/operation as approved by the Department, which bring the system back into compliance with applicable requirements. In this case, documented costs of improvements could be considered toward reduction of the original penalty amount.
5. Notify the Assistant Attorney General (AAG) representing the Department that a settlement agreement is being sought and clarify the AAG's involvement in negotiations.

If the Department, in conjunction with the AAG, approves one of the conditions listed above, the penalty may be mitigated as part of the settlement agreement following submittal of appropriate change of ownership documentation, documentation of installation of improvements or documentation of operational change. The final written settlement/mitigation agreement will be prepared by the AAG or purveyor's legal representative and signed by the purveyor and the Department and a copy filed with OPS.



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
1112 S.E. Quince St., MS/7890, P.O. Box 47890
Olympia, Washington 98504-7890
(206) 753-5871 • (SCAN) 234-5871
TDD (206) 664-0064 • FAX (206) 586-7424

WASHINGTON STATE BOARD OF PHARMACY

NOTICE OF ADOPTION OF POLICY STATEMENT

Title: Tobacco Free Pharmacies

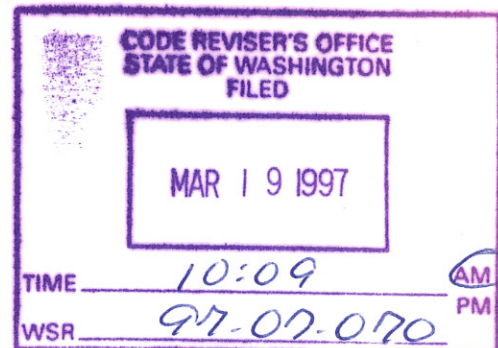
Issuing Entity: Washington State Board of Pharmacy

Subject: The Board has adopted the following policy statement:

Given that the use of tobacco products is the most preventable cause of death and disability, and that pharmacists promote a healthy lifestyle to their patients, the Board urges pharmacists to remove all tobacco products from their pharmacies and to actively support their patients' efforts to quit using tobacco in any form.

Effective Date: February 19, 1997

Contact Person: Donald H. Williams, Executive Director
Department of Health
Board of Pharmacy
P.O. Box 47863
Olympia, WA 98504-7863
(360) 753-6834



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PM _____ AM _____

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DEPARTMENT OF HEALTH

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Olympia, Washington 98504-7890
(206) 753-5871 • (SCAN) 234-5871
TDD (206) 664-0064 • FAX (206) 586-7424

NOTICE OF ADOPTION OF POLICY STATEMENT

Title of Policy: Suspension of License for Default of Student Loans, D18.02

Issuing Entity: Health Professions Quality Assurance Division, Department of Health

Subject Matter: This revises the current division policy. The policy establishes the policy and procedures for Department staff to follow in suspending licenses, registrations or certifications for non-payment of student loans.

Effective Date: 3/7/97

Contact Person: Diana Ehri, Administrator
Department of Health
Health Policy and Constituent Relations
P O Box 47860
1300 SE Quince Street
Olympia, Washington 98504-7860
(360) 753-9177

CODE REVISER'S OFFICE STATE OF WASHINGTON FILED	
MAR 19 1997	
TIME	10:11 AM
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STATE OF WASHINGTON
DEPARTMENT OF HEALTH
DIVISION OF DRINKING WATER

*Airdustrual Center, Bldg. 3 • P.O. Box 47822 • Olympia, Washington 98504-7822
TDD Relay 1-800-833-6388*

December 31, 1996

TO: Interested Parties

FROM: B. David Clark, Director

SUBJECT: Policy/Interpretive Statement Summary

The attached policy titled Penalty Settlement (J.25) has been issued and signed into effect by the Division of Drinking Water. In accordance with RCW 34.05.230 this policy is to be filed with the Code Reviser.

RECEIVED

MAR 03 1997

DEPT. OF HEALTH
OFFICE OF THE SECRETARY

