

DATE: December 30, 2025

TO: Kathleen Buchli, Code Reviser

FROM: Tami Thompson, Regulatory Affairs
Manager



SUBJECT: Rescind Policy Statement | Voluntary Water Sampling for Growing Area
Classifications Filed as WSR 02-11-053

This memo serves as notice that the Department of Health (department) is rescinding a policy statement titled “Voluntary Water Sampling for Growing Area Classifications”, filed May 9, 2002, and published as WSR 02-11-053.

This statement established a procedure for a licensed shellfish operation to voluntarily collect and submit water samples for the initial or continued classification of a shellfish growing area. The department is rescinding this policy because it is outdated and is not needed with department current business practices.

Individuals requiring additional information on this should contact Todd Phillips, Director of the Office of Environmental Health and Safety, at todd.phillips@doh.wa.gov.

Thank you for your attention to this matter.

cc: Todd Phillips, Director, Office of Environmental Health and Safety



OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 27, 2026

TIME: 2:43 PM

WSR 26-04-053



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
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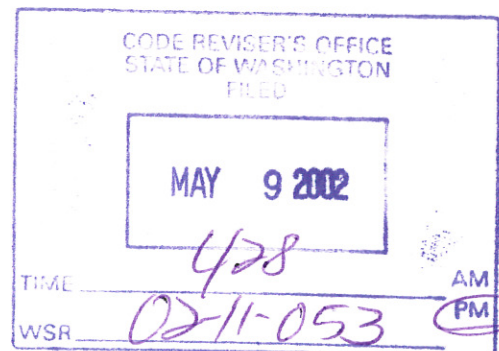
March 8, 2002

TO: Interested Parties
FROM: Jennifer Tebaldi, Office Director
SUBJECT: POLICY STATEMENT SUMMARY

The Washington State Department of Health, Division of Environmental Health Programs, Office of Food Safety and Shellfish has a revised policy titled, "*Voluntary Water Sampling for Growing Area Classifications.*"

This policy establishes procedures to allow a licensed shellfish operation, or a person seeking a shellfish operation, to collect some of the water samples for the initial or continued classification of a shellfish growing area. This policy has been in effect for several years, but this revision expands to include "continued" classification, not just initial classifications of a shellfish growing area. This policy applies only to water samples collected for microbiological analyses of fecal coliform bacteria. Participation in sampling marine water is strictly voluntary.

For further information, please contact Bob Woolrich, Growing Area Manager, at 360.236.3329 or e-mail bob.woolrich@doh.wa.gov.



**Department of Health
Office of Shellfish Programs
Policy and Procedure**

Title:	Voluntary Water Sampling for Growing Area Classifications	Number:	016
References:			
Contact:	Bob Woolrich		
Effective Date:	May 8, 2002		
Supersedes:	October 30, 1998		
Approved:	Jennifer Tebaldi, Director, Office of Shellfish Programs		

Policy Statement:

For the initial or continued classification of a shellfish growing area, the Department of Health (DOH) may allow a licensed shellfish operation or a person seeking a shellfish operation license to collect marine water samples. (Within this policy "licensed commercial shellfish operation" is hereafter referred to as a "company.") This policy applies only to water samples collected for microbiological analyses of fecal coliform bacteria.

A company's participation in sampling marine water is strictly voluntary.

DOH shall not allow a company that has been found to be in violation of Chapter 69.30 RCW or other fisheries laws to participate. DOH may deny, revoke, or suspend the shellfish operation license and certificate of approval of a company [Chapter 69.30.080 RCW and Chapter 246-282-090 (5)(d) WAC] for obtaining or attempting to obtain approval by fraudulent means or misrepresentation. DOH may require a company to cease sampling; shall reject data that fails to comply with the sampling requirements of Chapter 69.30 RCW, Chapter 246-282 WAC, the National Shellfish Sanitation Program's (NSSP) Model Ordinance, and DOH's policies and procedures; and may apply other penalties allowed by law. If a company fails to follow a water sampling plan written under this policy, DOH may prohibit that company from further participation in collection of marine water samples for classification purposes.

The procedure below establishes guidance to DOH.

Procedure:

Before a company may collect marine water samples for initial or continued classification of shellfish growing waters, DOH and the company must agree in writing on a sampling plan.

Attached at the end of this policy and procedure is a model "Sampling Plan for Water Quality Monitoring."

DOH will:

1. Provide training to the company in water sampling methods required by the NSSP and DOH regulations, policies, and procedures;
2. Provide a written copy of the DOH marine water sampling policy / procedure to the company;
3. Monitor and evaluate the sampling methods used by the company;
4. Provide consultation to the company;
5. Provide the water bottles and field data sheets necessary for the water sampling plan to the company;
6. Provide the laboratory analyses and results of the water sampling to the company;
7. Collect at least fifty percent (50%) of the water samples;
8. Reject monitoring data that fails to comply with the sampling requirements of Chapter 69.30 RCW, Chapter 246-282 WAC, the NSSP, and/or DOH's policies and procedures;
9. Reject monitoring data that is not taken per the schedule, frequency, or conditions established by DOH in the water sampling plan;
10. Maintain and archive the marine water sampling data;
11. Complete all other portions of the sanitary survey and develop the sanitary survey reports within the requirements of Chapter 69.30 RCW, Chapter 246-282 WAC, and the NSSP;
12. Assume no responsibility for the safety of a company or their employees, nor assume responsibility for their equipment utilized for collecting water samples; and
13. Grant no right nor guarantee that participation in voluntary water sampling will result in an initial classification or that a certain classification will be given by the department.

The sampling plan (016A) will specify:

1. The water sampling stations from which samples will be taken;
2. The frequency and conditions of water sampling by the company and DOH;
3. The names of the company's approved water samplers; and
4. The length of time of the contract is in effect and the requirements for renewal, if needed.

Within the sampling plan, the Company must agree:

1. To assign and use only persons trained by DOH staff and designated as "approved" samplers to collect samples;
2. To collect the samples, complete the field data sheets, and transport the samples according to the NSSP and DOH regulations, policies, and procedures;
3. To collect samples at the water sampling stations established by DOH;
4. To collect samples according to the schedule, frequency, and conditions set by DOH;
5. To arrange and pay for the cost of transporting the samples to the laboratory;
6. To provide sampling equipment not provided by DOH;
7. To immediately communicate all cancellations and sampling problems to DOH;
8. To allow DOH staff to monitor and evaluate their sampling technique and to visit the area in question at any time for reasons related to shellfish sanitation;
9. To terminate their sampling at the direction of DOH;

10. To release and discharge the state of Washington, DOH, its agents and employees from any claims, defenses, and causes of action arising out of or related to a water sampling plan;
11. That the company and its employees performing water sampling under this policy are not employees, agents, or volunteers of DOH, and that the company and its employees shall not claim any benefit of an employee, agent or volunteer of DOH or the state of Washington; and
12. To have the principal officer of the business sign the sampling plan.