



RULE-MAKING ORDER

CR-103 (7/10/97)

(RCW 34.05.360)

Agency: Department of Licensing

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: September 21, 2000

(2) Purpose: To implement the requirement that an examination and license/certificate of competency be established for On-Site Wastewater Treatment System Designers/Inspectors in accordance with 2SSB 5821, Chapter 263, Laws of 1999, codified as chapter 18.210 RCW.

(3) Citation of existing rules affected by this order:

- Repealed:
- Amended:
- Suspended:

(4) Statutory authority for adoption: RCW 18.210.050; RCW 18.210.060
Other Authority:

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 00-16-068 on July 27, 2000 (date).
Describe any changes other than editing from proposed to adopted version: No changes were made.

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date)

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

- Yes
 - No
- If Yes, explain:

(6) Effective date of rule:

- | | |
|--|--|
| Permanent Rules
or Expedited Repeal | Emergency Rules |
| <input checked="" type="checkbox"/> 31 days after filing | <input type="checkbox"/> Immediately |
| <input type="checkbox"/> Other (specify) _____* | <input type="checkbox"/> Later (specify) |

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)
George A. Twiss

Signature
George A. Twiss

Title
Executive Director

Date
September 25, 2000

CODE REVISER USE ONLY

STATE OF WASHINGTON
OFFICE OF THE
CODE REVISER

SEP 25 2000

3:25

00-20-017

**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:

Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed
Recently enacted state statutes:	New <u>5</u>	Amended	Repealed

The number of sections adopted at the request of nongovernmental entity:

New	Amended	Repealed
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The number of sections adopted in the agency's own initiative:

New <u>5</u>	Amended	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	Amended	Repealed
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The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed
Pilot rule making:	New	Amended	Repealed
Other alternative rule making:	New	Amended	Repealed

(New Chapter)

Chapter 196-32 WAC

**On-Site Wastewater Treatment System Designer Licenses/ Inspector
Certificates of Competency**

New Section

WAC 196-32-010 Applications.

All applications must be completed on forms provided by the board and filed with the executive director at the board's address. The deadline for properly completed applications accompanied by the appropriate fee and/or charge as listed in Chapter 196-30 WAC, is three months prior to the date of the examination. Incomplete applications, and applications received after the deadline will be considered for a later examination. Once an application has been approved, no further application is required. Applications submitted without the proper fee shall be considered incomplete.

New Section

WAC 196-32-020 Qualifications for Designer applicants- Experience and education records.

To qualify for examination the law requires a high school diploma or equivalent and four years of experience in the design of on-site wastewater treatment systems of a character satisfactory to the board. The four years of experience must be completed two months prior to the date of the examination. The board shall evaluate all experience, including education, on a case-by-case basis and consider such experience and education as appropriate. The board will use the following criteria in evaluating an applicant's experience record:

Acceptable education experience will be based on transcripts.

(1) Education experience, up to a maximum of two years, may be approved based on the following:

(a) Graduation from a baccalaureate or associate degree program which contains course work in the sciences and technologies of on-site wastewater treatment systems, as provided in RCW 18.210.100.

(b) Completed college level course work without a degree will be evaluated on a case by case basis.

(c) Documented seminars, industry training programs, and other educational or training programs specifically related to the science and technologies of on-site wastewater treatment systems will be evaluated on a case by case basis.

(2) Acceptable work experience shall be four years of broad based, progressive field and office experience in the design of on-site wastewater treatment systems. The applicability of the experience shall be considered by the board based upon the verification provided by the applicant, the level of independent judgments and decisions, and the demonstration of the ability to work within the regulatory structure. This experience must include, but shall not be limited to the following:

(a) Applying state and local health regulations;

(b) Exercising sound judgment when making independent decisions regarding the sciences and technologies of on-site wastewater treatment systems;

(c) Field identification and evaluation of site conditions;

(d) Conducting research and;

(e) Interacting with clients and the public in conformance with chapter 18.210 RCW.

The board may grant partial credit for experience that does not fully meet the requirements in (a) through (e) of this subsection.

(3) Teaching of a character satisfactory to the board may be recognized as experience up to a maximum of one year.

(4) Any work experience gained in a situation which violates the provisions of chapter 18.210 RCW will not be credited towards the experience requirement.

New Section

WAC 196-32-030 Qualifications for Inspector Certificate of Competency

(1) To qualify for examination the law requires a written request from the local health director or designee. Requests shall be submitted on a form prescribed by the board.

New Section

WAC 196-32-040 Examinations.

(1) To become licensed as an on-site wastewater treatment system designer or to become an inspector certificate of competency holder the candidate must pass the on-site designer licensing examination as established by the board. The examinations are given at times and places designated by the board. The schedule of future examinations and an examination syllabus may be obtained from the board office. An applicant who has taken an examination and failed or who qualified for an examination but did not take it shall request to take or retake the examination at least three months prior to the examination date. A written request accompanied by the applicable fee and/or charge as listed in Chapter 196-30 WAC is required to reschedule for an examination.

New Section

WAC 196-32-050 Comity – Licensing of applicants without examination

(1) Applicants for licensure as an on-site wastewater treatment system designer by comity must meet the following criteria:

(a) The applicant's qualifications meet the requirements of chapter 18.210.180 RCW and this chapter;

(b) The applicant is in good standing with the licensing agency in a state, territory, possession, or foreign country. Good standing shall be defined as a currently valid license in the jurisdiction of original registration or the jurisdiction of most recent practice, if different from the jurisdiction of original registration.

(2) This provision does not apply to those individuals who have obtained a license, certificate or other authorization from a local health jurisdiction.