

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1667**

53rd Legislature  
1993 Regular Session

Passed by the House April 20, 1993  
Yeas 70 Nays 27

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**Speaker of the  
House of Representatives**

Passed by the Senate April 12, 1993  
Yeas 36 Nays 11

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**President of the Senate**

Approved

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1667** as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1667**

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AS AMENDED BY THE SENATE

Passed Legislature - 1993 Regular Session

**State of Washington                      53rd Legislature                      1993 Regular Session**

**By** House Committee on Environmental Affairs (originally sponsored by Representatives Romero, H. Myers, Heavey, Finkbeiner and Wolfe)

Read first time 02/22/93.

1            AN ACT Relating to on-site sewage additives; amending RCW  
2 70.118.020; adding a new section to chapter 70.118 RCW; and creating a  
3 new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION. **Sec. 1.** The legislature finds that most additives do  
6 not have a positive effect on the operation of on-site systems and can  
7 contaminate ground water aquifers, render septic drainfields  
8 dysfunctional, and result in costly repairs to homeowners. It is  
9 therefore the intent of the legislature to ban the use, sale, and  
10 distribution of additives within the state unless an additive has been  
11 specifically approved by the department of health.

12            **Sec. 2.** RCW 70.118.020 and 1991 c 3 s 367 are each amended to read  
13 as follows:

14            As used in this chapter, the terms defined in this section shall  
15 have the meanings indicated unless the context clearly indicates  
16 otherwise.

17            (1) "Nonwater-carried sewage disposal devices" means any device  
18 that stores and treats nonwater-carried human urine and feces.

1 (2) "Alternative methods of effluent disposal" means systems  
2 approved by the department of health, including at least, mound  
3 systems, alternating drain fields, anaerobic filters,  
4 evapotranspiration systems, and aerobic systems.

5 (3) "Failure" means: (a) Effluent has been discharged on the  
6 surface of the ground prior to approved treatment; or (b) effluent has  
7 percolated to the surface of the ground; or (c) effluent has  
8 contaminated or threatens to contaminate a ground water supply.

9 (4) "Additive" means any commercial product intended to affect the  
10 internal performance or aesthetics of an on-site sewage disposal  
11 system.

12 (5) "Department" means the department of health.

13 (6) "On-site sewage disposal system" means any system of piping,  
14 treatment devices, or other facilities that convey, store, treat, or  
15 dispose of sewage on the property where it originates or on nearby  
16 property under the control of the user where the system is not  
17 connected to a public sewer system. For purposes of this chapter, an  
18 on-site sewage disposal system does not include indoor plumbing and  
19 associated fixtures.

20 NEW SECTION. Sec. 3. A new section is added to chapter 70.118 RCW  
21 to read as follows:

22 (1) After July 1, 1994, a person may not use, sell, or distribute  
23 an additive to on-site sewage disposal systems unless such additive has  
24 been specifically approved by the department. The department may  
25 approve an additive if it can be demonstrated to the satisfaction of  
26 the department that the additive has a positive benefit, and no adverse  
27 effect, on the operation or performance of an on-site sewage system.  
28 Upon written request by an additive manufacturer or distributor for  
29 product evaluation, the department may charge a fee sufficient to cover  
30 the costs of evaluating the additive, including the development of  
31 standards and review procedures.

32 (2) The attorney general or appropriate city or county prosecuting  
33 attorney is authorized to bring an appropriate action to enjoin any  
34 violation of the prohibition on the sale or distribution of additives.

35 (3) The department is responsible for providing written  
36 notification to major distributors and wholesalers of additives of the  
37 state-wide prohibition on additives. The notification shall be  
38 provided no later than October 1, 1993. Within thirty days of

1 notification from the department, distributors and wholesalers shall  
2 provide the same notification to their retail customers. The  
3 department shall also provide notification to major distributors and  
4 wholesalers of additive products that have been approved.

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