

# HOUSE BILL REPORT

## ESB 5998

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### As Passed House - Amended:

April 6, 1995

**Title:** An act relating to local government waivers from specific requirements of on-site sewage system rules adopted by the board of health.

**Brief Description:** Authorizing local government waivers from specific requirements of on-site sewage system rules adopted by the board of health.

**Sponsors:** Senators Sheldon, Owen, Oke, Fraser, Hochstatter and Palmer.

### Brief History:

#### Committee Activity:

Agriculture & Ecology: 3/27/95 [DPA].

#### Floor Activity:

Amended.

Passed House: 4/6/95, 97-0.

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## HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** Do pass as amended. Signed by 13 members: Representatives Chandler, Chairman; Koster, Vice Chairman; McMorris, Vice Chairman; Chappell, Assistant Ranking Minority Member; Boldt; Clements; R. Fisher; Honeyford; Johnson; Kremen; Regala; Rust and Schoesler.

**Staff:** Bill Lynch (786-7092).

**Background:** The State Board of Health is authorized to adopt rules and standards governing the design, construction, and operation of sewage systems in order to protect the public health. Local boards of health are required to enforce rules adopted by the State Board of Health.

Regulations adopted by the State Board of Health authorize local health officers to grant waivers from certain state requirements that apply to on-site systems. It is suggested that these waiver provisions be placed in statute.

**Summary of Bill:** Local health officers are authorized to grant waivers from specific requirements of the State Board of Health pertaining to on-site septic systems. On-

site septic systems with sewage flows under 3500 gallons per day are eligible for such waivers.

The waivers must be evaluated by the local health officer on an individual site-by-site basis. The waiver must be consistent with the standards and the intent of the State Board of Health rules. Local health officers must submit quarterly reports to the Department of Health regarding any waivers approved or denied.

Based upon review of the quarterly reports, if the Department of Health finds that the waivers are not consistent with the standards in the State Board of Health rules, the department must provide technical assistance to the local health officer to correct the inconsistency. If upon further review of the quarterly reports, the inconsistency is not corrected, the department may suspend the authority of the local health officer to grant waivers.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This allows more local control. Soils differ in different parts of the state, so some flexibility is needed.

**Testimony Against:** None.

**Testified:** Senator Sheldon (prime sponsor); Brian Minnich, Building Industry Association of Washington (pro); Eric Slagle, Department of Health (pro); Larry Ward, Kitsap Home Builders Association (pro); and Dan Baskins, Kitsap Home Builders Association (pro).