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HOUSE BILL 1390

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State of Washington                      54th Legislature                      1995 Regular Session

By Representatives Beeksma, Sehlin, Hymes and Quall

Read first time 01/24/95. Referred to Committee on Health Care.

1            AN ACT Relating to improving public health through the use of  
2 alternative methods of effluent disposal; and amending RCW 70.118.020  
3 and 70.118.030.

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

5            **Sec. 1.** RCW 70.118.020 and 1994 c 281 s 2 are each amended to read  
6 as follows:

7            As used in this chapter, the terms defined in this section shall  
8 have the meanings indicated unless the context clearly indicates  
9 otherwise.

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

12           (2) "Alternative methods of effluent disposal" means systems  
13 approved by (~~the department of health~~) a local board of health for  
14 that jurisdiction, including at least, mound systems, alternating drain  
15 fields, anaerobic filters, evapotranspiration systems, and aerobic  
16 systems.

17           (3) "Failure" means(~~(:—(a) Effluent has been discharged on the~~  
18 ~~surface of the ground prior to approved treatment; or (b) effluent has~~  
19 ~~percolated to the surface of the ground; or (c) effluent has~~

1 ~~contaminated or threatens to contaminate a ground water supply)) a~~  
2 condition of an on-site sewage system that threatens the public health  
3 by creating a potential for direct or indirect contact between sewage  
4 and the public.

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

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

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

15 (7) "Chemical additive" means those additives containing acids,  
16 bases, or other chemicals deemed unsafe by the department for use in an  
17 on-site sewage disposal system.

18 (8) "Additive manufacturer" means any person who manufactures,  
19 formulates, blends, packages, or repackages an additive product for  
20 sale, use, or distribution within the state.

21 **Sec. 2.** RCW 70.118.030 and 1977 ex.s. c 133 s 3 are each amended  
22 to read as follows:

23 (1) Local boards of health may adopt regulations concerning  
24 alternative methods of effluent disposal, shall identify failing septic  
25 tank drainfield systems in the normal manner, and ~~((will))~~ shall use  
26 reasonable effort to determine new failures. Local boards of health  
27 shall use discretionary judgment ~~((will be made))~~ in implementing  
28 corrections by specifying nonwater-carried sewage disposal devices or  
29 other alternative methods of treatment and effluent disposal as a  
30 measure of ameliorating existing substandard conditions. Local  
31 regulations shall be consistent with the intent and purposes stated  
32 ~~((herein))~~ in this chapter. A local board of health must approve an  
33 alternative method of effluent disposal if: (a) The method complies  
34 with the national sanitation foundation standard number 40 relating to  
35 materials, design, construction, performance, installation, operation,  
36 maintenance, and safety, as in effect on the effective date of this  
37 act; and (b) the soil has been given a percolation test and meets  
38 applicable standards.

1       (2) Local regulations relating to alternative methods of effluent  
2 disposal shall be applicable to local soil conditions and shall assure  
3 protection of public health. Local health districts shall regularly  
4 monitor performance of alternative methods of effluent disposal and  
5 establish a program to enhance maintenance and operation of systems  
6 using alternative methods of effluent disposal.

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