

**WAC 246-272B-02550 LOSS modifications.** (1) When a LOSS owner proposes a modification to the design, operation, or physical facilities, or when the department requires the owner to make such a modification, the owner shall consult with the department to determine the appropriate site review, environmental review, or engineering documents to prepare and submit.

(2) Based on consultation with the department, the owner proposing a LOSS modification shall submit to the department:

(a) A copy, in electronic format acceptable to the department, of one or more of the following documents that meets the requirements of this chapter: Predesign report, SRS, HGR, engineering report, management plan, O&M manual; or

(b) A copy, in electronic format acceptable to the department, of plans and specifications that meet the requirements of WAC 246-272B-04400; or

(c) Documents identified in subsection (2)(a) and (b) of this section; and

(d) The base fee as established in WAC 246-272-3000.

(3) The owner and department shall follow the process for preparing, submitting, reviewing, and approving site review, environmental review, and engineering submittals consistent with WAC 246-272B-02000, 246-272B-02050, and 246-272B-02100.

(4) The department shall notify the owner in writing of its decision to approve or deny the proposal to repair, expand, or otherwise modify a LOSS.

(5) If the department approves the proposal to repair, expand, or otherwise modify a LOSS where the existing and proposed design flow is 14,500 gpd or less, the department shall issue a notice to construct after receiving all unpaid fees, and the owner shall comply with the requirements of Part 5 of this chapter.

(6) If the department approves the proposal to repair or otherwise modify a LOSS where the existing design flow is more than 14,500 gpd, the flow will not increase, and waste strength will not change, the department shall issue a notice to construct after receiving all unpaid fees, and the owner shall comply with the requirements of Part 5 of this chapter.

(7) If the department approves the proposal to repair, expand, or otherwise modify a LOSS, the owner shall submit an operating permit application consistent with WAC 246-272B-02200, and provide public notice consistent with WAC 246-272B-02250 when:

(a) The proposed modification expands the design flow from 14,500 gpd or less to greater than 14,500 gpd; or

(b) The existing design flow is greater than 14,500 gpd and:

(i) The design flow increases; or

(ii) The waste strength characteristics change.

(8) If the proposal is denied, the notification must include the reasons for the denial.

(9) LOSS owners proposing modifications to the design, operation, or physical facilities identified in subsection (7) of this section shall follow applicable requirements of WAC 246-272B-02300 and 246-272B-02350.

(10) LOSS owners shall report any change in ownership or management entity to the department a minimum of thirty days prior to the change taking effect.

(11) Any new owner shall submit an application for a new operating permit, the permit fee, and a new management plan that meets the

requirements of WAC 246-272B-04100 thirty days prior to assuming ownership.

(12) The department may approve or deny the change in ownership, notifying the owner of the decision in writing.

(a) If the department approves the change in ownership, it shall issue the new owner an operating permit within thirty days of receiving the new application and management plan.

(b) If the department denies the change in ownership, the notice of the decision must include the reasons for the decision.

(13) If the change in ownership is denied:

(a) The owner to whom the operating permit is issued may continue to operate the LOSS;

(b) The department may allow another person to operate the LOSS under a compliance agreement or order; or

(c) The department may direct the person operating the LOSS without a valid operating permit to discontinue operating the LOSS.

[Statutory Authority: RCW 70.118B.020 and 70.118B.040. WSR 19-10-014, § 246-272B-02550, filed 4/22/19, effective 5/23/19. Statutory Authority: RCW 70.118B.020. WSR 11-12-035, § 246-272B-02550, filed 5/25/11, effective 7/1/11.]