

**WAC 246-291-060 Waivers.** (1) A health officer or local board of health may grant a waiver from the requirements of this chapter, provided that:

(a) The local health jurisdiction has:

(i) Adopted rules under RCW 70.05.060 or 70.46.060 that are at least as stringent as this chapter; or

(ii) Accepted primary responsibility for administering this chapter in a JPR;

(b) The health officer or local board of health conditions the approval of a waiver to include, at a minimum:

(i) Water quality treatment;

(ii) Monitoring; or

(iii) Maintenance and oversight; and

(c) The health officer or local board of health obtains sufficient evidence from a purveyor that a proposed Group B system will deliver drinking water that does not exceed a primary MCL under WAC 246-291-170, and will provide an adequate supply of water under WAC 246-291-125.

(2) The health officer or local board of health shall not grant a waiver from the residential population requirement for each dwelling unit under WAC 246-291-200(2).

(3) A request for a waiver is not considered an adjudicative proceeding as defined under chapter 34.05 RCW.

(4) A waiver granted under this section shall be valid for up to five years from the date of issuance as specified by the health officer or local board of health if construction of the Group B system is not completed.

[Statutory Authority: RCW 43.20.050 and chapter 70.119A RCW. WSR 12-24-070, § 246-291-060, filed 12/4/12, effective 1/1/14. Statutory Authority: RCW 43.20.050. WSR 94-14-002, § 246-291-060, filed 6/22/94, effective 7/23/94.]