

**SENATE BILL REPORT**

**SB 5135**

**AS PASSED SENATE, FEBRUARY 5, 1992**

**Brief Description:** Granting right to a permit for an on-site sewage system under certain conditions.

**SPONSORS:** Senators McCaslin and Nelson.

**SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS**

**Majority Report:** Do pass.

Signed by Senators McCaslin, Chairman; Roach, Vice Chairman; and Matson.

**Staff:** Rod McAulay (786-7754)

**Hearing Dates:** February 4, 1991; February 14, 1991

**BACKGROUND:**

In 1974 the state Board of Health adopted minimum area requirements for the installation of on-site sewage systems (which are usually septic tanks) on residential property. The requirements are intended to insure a sufficient drain field for sewage treatment.

Effective June 30, 1984 the board revised these requirements and made them applicable to all development. On-site sewage systems installed prior to that date are not subject to the revised requirements, although they may have been subject to local requirements adopted earlier by a local board of health.

It is suggested that under certain circumstances, a permit for the installation of the septic tank or other on-site sewage system should not be denied for failure to meet these requirements.

**SUMMARY:**

An on-site sewage permit for a residential structure may not be denied because minimum area requirements are not met when the property on which the structure stands is surrounded by property served by on-site systems approved prior to June 30, 1984.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

The situation is eliminated where a property owner is required to connect to a sewer system where his or her parcel is totally surrounded by parcels with on-site septic systems.

**TESTIMONY AGAINST:**

Subdivision standards could be undermined.

**TESTIFIED:** Karen Van Duesen, State Dept. of Health (con); Gary Lowe, Assn. of Counties (con)