

2 **SHB 1667** - S COMM AMD
3 By Committee on Ecology & Parks

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds that most additives
8 do not have a positive effect on the operation of on-site systems and
9 can contaminate ground water aquifers, render septic drainfields
10 dysfunctional, and result in costly repairs to homeowners. It is
11 therefore the intent of the legislature to ban the use, sale, and
12 distribution of additives within the state unless an additive has been
13 specifically approved by the department of health.

14 **Sec. 2.** RCW 70.118.020 and 1991 c 3 s 367 are each amended to read
15 as follows:

16 As used in this chapter, the terms defined in this section shall
17 have the meanings indicated unless the context clearly indicates
18 otherwise.

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

21 (2) "Alternative methods of effluent disposal" means systems
22 approved by the department of health, including at least, mound
23 systems, alternating drain fields, anaerobic filters,
24 evapotranspiration systems, and aerobic systems.

25 (3) "Failure" means: (a) Effluent has been discharged on the
26 surface of the ground prior to approved treatment; or (b) effluent has
27 percolated to the surface of the ground; or (c) effluent has
28 contaminated or threatens to contaminate a ground water supply.

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

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

33 (6) "On-site sewage disposal system" means any system of piping,
34 treatment devices, or other facilities that convey, store, treat, or
35 dispose of sewage on the property where it originates or on nearby

1 property under the control of the user where the system is not
2 connected to a public sewer system. For purposes of this chapter, an
3 on-site sewage disposal system does not include indoor plumbing and
4 associated fixtures.

5 NEW SECTION. Sec. 3. A new section is added to chapter 70.118 RCW
6 to read as follows:

7 (1) After July 1, 1994, a person may not use, sell, or distribute
8 an additive to on-site sewage disposal systems unless such additive has
9 been specifically approved by the department. The department may
10 approve an additive if it can be demonstrated to the satisfaction of
11 the department that the additive has a positive benefit, and no adverse
12 effect, on the operation or performance of an on-site sewage system.
13 Upon written request by an additive manufacturer or distributor for
14 product evaluation, the department may charge a fee sufficient to cover
15 the costs of evaluating the additive, including the development of
16 standards and review procedures.

17 (2) The attorney general or appropriate city or county prosecuting
18 attorney is authorized to bring an appropriate action to enjoin any
19 violation of the prohibition on the sale or distribution of additives.

20 (3) The department is responsible for providing written
21 notification to major distributors and wholesalers of additives of the
22 state-wide prohibition on additives. The notification shall be
23 provided no later than October 1, 1993. The department shall also
24 provide notification to major distributors and wholesalers of additive
25 products that have been approved."

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29 On page 1, line 1 of the title, after "additives;" strike the
30 remainder of the title and insert "amending RCW 70.118.020; adding a
31 new section to chapter 70.118 RCW; and creating a new section."

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