
SENATE BILL 5028

State of Washington

53rd Legislature

1993 Regular Session

By Senator Haugen

Read first time 01/11/93. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to on-site sewage additives; amending RCW
2 70.118.020; adding a new section to chapter 70.118 RCW; creating a new
3 section; and prescribing penalties.

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

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

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

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

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

3 (2) "Alternative methods of effluent disposal" means systems
4 approved by the department of health, including at least, mound
5 systems, alternating drain fields, anaerobic filters,
6 evapotranspiration systems, and aerobic systems.

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

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

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

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

17 (1) After July 1, 1994, a person may not use, sell, or distribute
18 an additive to on-site sewage disposal systems unless such additive has
19 been specifically approved by the department. The department may
20 approve an additive if it can be demonstrated to the satisfaction of
21 the department that the additive has a positive benefit, and no adverse
22 effect, on the operation or performance of an on-site sewage system.
23 Upon written request by a manufacturer or distributor of an on-site
24 sewage system to evaluate an additive, the department may charge a fee
25 sufficient to cover the cost of evaluating an additive.

26 (2) A violation of subsection (1) of this section is a class 3
27 civil infraction under chapter 7.80 RCW. Each additive sold or
28 distributed in violation of this section shall be a separate
29 infraction. The department and local departments of health shall issue
30 a written warning to any retailer or distributor prior to issuing a
31 notice of civil infraction.

32 (3) The department is responsible for notifying, in writing, major
33 distributors and wholesalers of additives of the state-wide prohibition
34 on additives.

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