

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1667

Chapter 321, Laws of 1993

53rd Legislature
1993 Regular Session

ON-SITE SEWAGE SYSTEMS--USE OF UNAPPROVED ADDITIVES PROHIBITED

EFFECTIVE DATE: 7/25/93

Passed by the House April 20, 1993
Yeas 70 Nays 27

BRIAN EBERSOLE
**Speaker of the
House of Representatives**

Passed by the Senate April 12, 1993
Yeas 36 Nays 11

JOEL PRITCHARD
President of the Senate

Approved May 12, 1993

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1667** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 12, 1993 - 10:49 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1667

AS AMENDED BY THE SENATE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By House Committee on Environmental Affairs (originally sponsored by Representatives Romero, H. Myers, Heavey, Finkbeiner and Wolfe)

Read first time 02/22/93.

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

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

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

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

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

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

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

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

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

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

13 (6) "On-site sewage disposal system" means any system of piping,
14 treatment devices, or other facilities that convey, store, treat, or
15 dispose of sewage on the property where it originates or on nearby
16 property under the control of the user where the system is not
17 connected to a public sewer system. For purposes of this chapter, an
18 on-site sewage disposal system does not include indoor plumbing and
19 associated fixtures.

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

22 (1) After July 1, 1994, a person may not use, sell, or distribute
23 an additive to on-site sewage disposal systems unless such additive has
24 been specifically approved by the department. The department may
25 approve an additive if it can be demonstrated to the satisfaction of
26 the department that the additive has a positive benefit, and no adverse
27 effect, on the operation or performance of an on-site sewage system.
28 Upon written request by an additive manufacturer or distributor for
29 product evaluation, the department may charge a fee sufficient to cover
30 the costs of evaluating the additive, including the development of
31 standards and review procedures.

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

35 (3) The department is responsible for providing written
36 notification to major distributors and wholesalers of additives of the
37 state-wide prohibition on additives. The notification shall be
38 provided no later than October 1, 1993. Within thirty days of

1 notification from the department, distributors and wholesalers shall
2 provide the same notification to their retail customers. The
3 department shall also provide notification to major distributors and
4 wholesalers of additive products that have been approved.

Passed the House April 20, 1993.

Passed the Senate April 12, 1993.

Approved by the Governor May 12, 1993.

Filed in Office of Secretary of State May 12, 1993.