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HOUSE BILL 1821

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Hunt, Kenney, O'Brien, Haigh, Darneille, Lovick, Eickmeyer, McCoy, Chase, Linville and Wood

Read first time 01/29/2007. Referred to Committee on Select Committee on Environmental Health.

1            AN ACT Relating to an exemption for manufacturers of biological  
2 remediation technologies for use in on-site sewage disposal systems;  
3 amending RCW 70.118.020; and adding a new section to chapter 70.118  
4 RCW.

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

6            **Sec. 1.** RCW 70.118.020 and 1994 c 281 s 2 are each amended to read  
7 as follows:

8            (~~As used~~) The definitions in this section apply throughout this  
9 chapter(~~, the terms defined in this section shall have the meanings~~  
10 ~~indicated~~) unless the context clearly (~~indicates~~) requires  
11 otherwise.

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

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

18            (3) "Failure" means: (a) Effluent has been discharged on the

1 surface of the ground prior to approved treatment; or (b) effluent has  
2 percolated to the surface of the ground; or (c) effluent has  
3 contaminated or threatens to contaminate a ground water supply.

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

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

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

14 (7) "Chemical additive" means those additives containing acids,  
15 bases, or other chemicals deemed unsafe by the department for use in an  
16 on-site sewage disposal system.

17 (8) "Additive manufacturer" means any person who manufactures,  
18 formulates, blends, packages, or repackages an additive product for  
19 sale, use, or distribution within the state.

20 (9) "Repair" means relocation, replacement, reconstruction, or  
21 biological remediation of a failed on-site sewage disposal system.

22 (10) "Biological remediation" means a process that uses  
23 microorganisms to return a contaminated environment, including a drain  
24 field or soil dispersal component, to a state of nonfailure.

25 NEW SECTION. Sec. 2. A new section is added to chapter 70.118 RCW  
26 to read as follows:

27 (1) Manufacturers of biological remediation technologies for use in  
28 on-site sewage disposal systems, including for use in the repair or  
29 recovery of failed drain fields of on-site sewage disposal systems, are  
30 exempted from registering their proprietary treatment products with the  
31 department, only if the following conditions are met:

32 (a) Product performance is verified through product testing using  
33 international association of plumbing and mechanical officials interim  
34 guide criteria standard 180-2003, which relates to aerobic bacterial  
35 generators for insert into septic tanks, grease interceptors, and  
36 grease traps;

1 (b) Product performance is verified through product testing  
2 conducted by a testing facility conforming with the American national  
3 standards institute approved international association of plumbing and  
4 mechanical officials requirements;

5 (c) The product continues its certification under the international  
6 association of plumbing and mechanical officials interim guide criteria  
7 standard 180-2003; and

8 (d) The biological component of the product must meet the  
9 conditions of RCW 70.118.060 relating to additive regulation.

10 (2) American national standards institute approved international  
11 association of plumbing and mechanical officials interim guide criteria  
12 standard 180-2003 only applies to biological remediation technologies  
13 used in on-site sewage disposal systems or in the repair or recovery of  
14 failed drain fields or soil dispersal components of on-site sewage  
15 disposal systems.

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