

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 5894

Chapter 343, Laws of 2007

60th Legislature
2007 Regular Session

ON-SITE SEWAGE SYSTEMS

EFFECTIVE DATE: 07/22/07

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BRAD OWEN

President of the Senate

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FRANK CHOPP

Speaker of the House of Representatives

Approved May 7, 2007, 9:55 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5894** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 8, 2007

**Secretary of State
State of Washington**

1 regulated by local health jurisdictions under state board of health
2 rules. This chapter will provide a framework for comprehensive
3 management of large on-site sewage systems statewide.

4 (3) The primary purpose of this chapter is to establish, in a
5 single state agency, comprehensive regulation of the design, operation,
6 and maintenance of large on-site sewage systems, and their operators,
7 that provides both public health and environmental protection. To
8 accomplish these purposes, this chapter provides for:

9 (a) The permitting and continuing oversight of large on-site sewage
10 systems;

11 (b) The establishment by the department of standards and rules for
12 the siting, design, construction, installation, operation, maintenance,
13 and repair of large on-site sewage systems; and

14 (c) The enforcement by the department of the standards and rules
15 established under this chapter.

16 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this
17 section apply throughout this chapter unless the context clearly
18 requires otherwise.

19 (1) "Department" means the state department of health.

20 (2) "Industrial wastewater" means the water or liquid carried waste
21 from an industrial process. These wastes may result from any process
22 or activity of industry, manufacture, trade, or business, from the
23 development of any natural resource, or from animal operations such as
24 feedlots, poultry houses, or dairies. The term includes contaminated
25 storm water and leachate from solid waste facilities.

26 (3) "Large on-site sewage system" means an on-site sewage system
27 with design flows of between three thousand five hundred gallons per
28 day and one hundred thousand gallons per day.

29 (4) "On-site sewage system" means an integrated system of
30 components, located on or nearby the property it serves, that conveys,
31 stores, treats, and provides subsurface soil treatment and disposal of
32 domestic sewage. It consists of a collection system, a treatment
33 component or treatment sequence, and a subsurface soil disposal
34 component. It may or may not include a mechanical treatment system.
35 An on-site sewage system also refers to a holding tank sewage system or
36 other system that does not have a soil dispersal component. A holding
37 tank that discharges to a sewer is not included in the definition of

1 on-site sewage system. A system into which storm water or industrial
2 wastewater is discharged is not included in the definition of on-site
3 sewage system.

4 (5) "Person" means any individual, corporation, company,
5 association, firm, partnership, governmental agency, or any other
6 entity whatsoever, and the authorized agents of any such entities.

7 (6) "Secretary" means the secretary of health.

8 (7) "Waters of the state" has the same meaning as defined in RCW
9 90.48.020.

10 NEW SECTION. **Sec. 3.** AUTHORIZING THE DEPARTMENT TO PROVIDE
11 COMPREHENSIVE REGULATION OF LARGE ON-SITE SEWAGE SYSTEMS. (1) For the
12 protection of human health and the environment the department shall:

13 (a) Establish and provide for the comprehensive regulation of large
14 on-site sewage systems including, but not limited to, system siting,
15 design, construction, installation, operation, maintenance, and repair;

16 (b) Control and prevent pollution of streams, lakes, rivers, ponds,
17 inland waters, salt waters, water courses, and other surface and
18 underground waters of the state of Washington, except to the extent
19 authorized by permits issued under this chapter;

20 (c) Issue annual operating permits for large on-site sewage systems
21 based on the system's ability to function properly in compliance with
22 the applicable comprehensive regulatory requirements; and

23 (d) Enforce the large on-site sewage system requirements.

24 (2) Large on-site sewage systems permitted by the department may
25 not be used for treatment and disposal of industrial wastewater or
26 combined sanitary sewer and storm water systems.

27 (3) The work group convened under RCW 70.118A.080(4) to make
28 recommendations to the appropriate committees of the legislature for
29 the development of certification or licensing of maintenance
30 specialists shall include recommendations for the development of
31 certification or licensing of large on-site system operators.

32 NEW SECTION. **Sec. 4.** ANNUAL OPERATING PERMITS REQUIRED--
33 APPLICATION. (1) A person may not install or operate a large on-site
34 sewage system without an operating permit as provided in this chapter
35 after July 1, 2009. The owner of the system is responsible for
36 obtaining a permit.

1 (2) The department shall issue operating permits in accordance with
2 the rules adopted under section 5 of this act.

3 (3) The department shall ensure the system meets all applicable
4 siting, design, construction, and installation requirements prior to
5 issuing an initial operating permit. Prior to renewing an operating
6 permit, the department may review the performance of the system to
7 determine compliance with rules and any permit conditions.

8 (4) At the time of initial permit application or at the time of
9 permit renewal the department shall impose those permit conditions,
10 requirements for system improvements, and compliance schedules as it
11 determines are reasonable and necessary to ensure that the system will
12 be operated and maintained properly. Each application must be
13 accompanied by a fee as established in rules adopted by the department.

14 (5) Operating permits shall be issued for a term of one year, and
15 shall be renewed annually, unless the operator fails to apply for a new
16 permit or the department finds good cause to deny the application for
17 renewal.

18 (6) Each permit may be issued only for the site and owner named in
19 the application. Permits are not transferable or assignable except
20 with the written approval of the department.

21 (7) The department may deny an application for a permit or modify,
22 suspend, or revoke a permit in any case in which it finds that the
23 permit was obtained by fraud or there is or has been a failure,
24 refusal, or inability to comply with the requirements of this chapter
25 or the standards or rules adopted under this chapter. RCW 43.70.115
26 governs notice of denial, revocation, suspension, or modification and
27 provides the right to an adjudicative proceeding to the permit
28 applicant or permittee.

29 (8) For systems with design flows of more than fourteen thousand
30 five hundred gallons per day, the department shall adopt rules to
31 ensure adequate public notice and opportunity for review and comment on
32 initial large on-site sewage system permit applications and subsequent
33 permit applications to increase the volume of waste disposal or change
34 effluent characteristics. The rules must include provisions for notice
35 of final decisions. Methods for providing notice may include
36 electronic mail, posting on the department's internet site, publication
37 in a local newspaper, press releases, mailings, or other means of
38 notification the department determines appropriate.

1 (9) A person aggrieved by the issuance of an initial permit, or by
2 the issuance of a subsequent permit to increase the volume of waste
3 disposal or to change effluent characteristics, for systems with design
4 flows of more than fourteen thousand five hundred gallons per day, has
5 the right to an adjudicative proceeding. The application for an
6 adjudicative proceeding must be in writing, state the basis for
7 contesting the action, include a copy of the decision, be served on and
8 received by the department within twenty-eight days of receipt of
9 notice of the final decision, and be served in a manner that shows
10 proof of receipt. An adjudicative proceeding conducted under this
11 subsection is governed by chapter 34.05 RCW.

12 (10) Any permit issued by the department of ecology for a large
13 on-site sewage system under chapter 90.48 RCW is valid until it first
14 expires after the effective date of this section. The system owner
15 shall apply for an operating permit at least one hundred twenty days
16 prior to expiration of the department of ecology permit.

17 (11) Systems required to meet operator certification requirements
18 under chapter 70.95B RCW must continue to meet those requirements as a
19 condition of the department operating permit.

20 NEW SECTION. **Sec. 5.** RULE MAKING. (1) For the protection of
21 human health and the environment, the secretary shall adopt rules for
22 the comprehensive regulation of large on-site sewage systems, which
23 includes, but is not limited to, the siting, design, construction,
24 installation, maintenance, repair, and permitting of the systems.

25 (2) In adopting the rules, the secretary shall, in consultation
26 with the department of ecology, require that large on-site sewage
27 systems comply with the applicable sections of chapter 90.48 RCW
28 regarding control and prevention of pollution of waters of the state,
29 including but not limited to:

30 (a) Surface and ground water standards established under RCW
31 90.48.035; and

32 (b) Those provisions requiring all known, available, and reasonable
33 methods of treatment.

34 (3) In adopting the rules, the secretary shall ensure that
35 requirements for large on-site sewage systems are consistent with the
36 requirements of any comprehensive plans or development regulations

1 adopted under chapter 36.70A RCW or any other applicable comprehensive
2 plan, land use plan, or development regulation adopted by a city, town,
3 or county.

4 NEW SECTION. **Sec. 6.** CIVIL PENALTIES. (1) A person who violates
5 a law or rule regulating large on-site sewage systems administered by
6 the department is subject to a penalty of not more than ten thousand
7 dollars per day for every violation. Every violation is a separate and
8 distinct offense. In case of a continuing violation, each day's
9 continuing violation is a separate and distinct violation. The penalty
10 assessed must reflect the significance of the violation and the
11 previous record of compliance on the part of the person responsible for
12 compliance with large on-site sewage system requirements.

13 (2) Every person who, through an act of commission or omission,
14 procures, aids, or abets a violation is considered to have violated the
15 provisions of this section and is subject to the penalty provided in
16 this section.

17 (3) The penalty provided for in this section must be imposed by a
18 notice in writing to the person against whom the civil penalty is
19 assessed and must describe the violation. The notice must be
20 personally served in the manner of service of a summons in a civil
21 action or in a manner that shows proof of receipt. A penalty imposed
22 by this section is due twenty-eight days after receipt of notice unless
23 application for an adjudicative proceeding is filed as provided in
24 subsection (4) of this section.

25 (4) Within twenty-eight days after notice is received, the person
26 incurring the penalty may file an application for an adjudicative
27 proceeding and may pursue subsequent review as provided in chapter
28 34.05 RCW and applicable rules.

29 (5) A penalty imposed by a final administrative order is due upon
30 service of the final administrative order. A person who fails to pay
31 a penalty assessed by a final administrative order within thirty days
32 of service of the final administrative order shall pay, in addition to
33 the amount of the penalty, interest at the rate of one percent of the
34 unpaid balance of the assessed penalty for each month or part of a
35 month that the penalty remains unpaid, commencing with the month in
36 which the notice of penalty was served, and reasonable attorneys' fees

1 as are incurred if civil enforcement of the final administrative order
2 is required to collect the penalty.

3 (6) A person who institutes proceedings for judicial review of a
4 final administrative order assessing a civil penalty under this chapter
5 shall place the full amount of the penalty in an interest-bearing
6 account in the registry of the reviewing court. At the conclusion of
7 the proceeding the court shall, as appropriate, enter a judgment on
8 behalf of the department and order that the judgment be satisfied to
9 the extent possible from moneys paid into the registry of the court or
10 shall enter a judgment in favor of the person appealing the penalty
11 assessment and order return of the moneys paid into the registry of the
12 court together with accrued interest to the person appealing. The
13 judgment may award reasonable attorneys' fees for the cost of the
14 attorney general's office in representing the department.

15 (7) If no appeal is taken from a final administrative order
16 assessing a civil penalty under this chapter, the department may file
17 a certified copy of the final administrative order with the clerk of
18 the superior court in which the large on-site sewage system is located
19 or in Thurston county, and the clerk shall enter judgment in the name
20 of the department and in the amount of the penalty assessed in the
21 final administrative order.

22 (8) A judgment entered under subsection (6) or (7) of this section
23 has the same force and effect as, and is subject to all of the
24 provisions of law relating to, a judgment in a civil action, and may be
25 enforced in the same manner as any other judgment of the court in which
26 it is entered.

27 (9) The large on-site sewage systems account is created in the
28 custody of the state treasurer. All receipts from penalties imposed
29 under this section shall be deposited into the account. Expenditures
30 from the account shall be used by the department to provide training
31 and technical assistance to large on-site sewage system owners and
32 operators. Only the secretary or the secretary's designee may
33 authorize expenditures from the account. The account is subject to
34 allotment procedures under chapter 43.88 RCW, but an appropriation is
35 not required for expenditures.

36 NEW SECTION. **Sec. 7.** INJUNCTIONS. Notwithstanding the existence
37 or use of any other remedy, the department may bring an action to

1 enjoin a violation or threatened violation of this chapter or rules
2 adopted under this chapter. The department may bring the action in the
3 superior court of the county in which the large on-site sewage system
4 is located or in the superior court of Thurston county.

5 NEW SECTION. **Sec. 8.** The authority and duties created in this
6 chapter are in addition to any authority and duties already provided in
7 law. Nothing in this chapter limits the powers of the state or any
8 political subdivision to exercise such authority.

9 **PART 2**

10 **AMENDING CHAPTERS 70.118 AND 70.05 RCW TO ENHANCE LOCAL**
11 **HEALTH OFFICER ENFORCEMENT AUTHORITY REGARDING ON-SITE SYSTEMS**

12 NEW SECTION. **Sec. 9.** A new section is added to chapter 70.118 RCW
13 to read as follows:

14 CIVIL PENALTIES. A local health officer who is responsible for
15 administering and enforcing regulations regarding on-site sewage
16 disposal systems is authorized to issue civil penalties for violations
17 of those regulations under the same limitations and requirements
18 imposed on the department under section 6 of this act, except that the
19 amount of a penalty shall not exceed one thousand dollars per day for
20 every violation, and judgments shall be entered in the name of the
21 local health jurisdiction and penalties shall be placed into the
22 general fund or funds of the entity or entities operating the local
23 health jurisdiction.

24 **Sec. 10.** RCW 70.05.070 and 1999 c 391 s 5 are each amended to read
25 as follows:

26 The local health officer, acting under the direction of the local
27 board of health or under direction of the administrative officer
28 appointed under RCW 70.05.040 or 70.05.035, if any, shall:

29 (1) Enforce the public health statutes of the state, rules of the
30 state board of health and the secretary of health, and all local health
31 rules, regulations and ordinances within his or her jurisdiction
32 including imposition of penalties authorized under RCW 70.119A.030 and
33 section 9 of this act, the confidentiality provisions in RCW 70.24.105

1 and rules adopted to implement those provisions, and filing of actions
2 authorized by RCW 43.70.190;

3 (2) Take such action as is necessary to maintain health and
4 sanitation supervision over the territory within his or her
5 jurisdiction;

6 (3) Control and prevent the spread of any dangerous, contagious or
7 infectious diseases that may occur within his or her jurisdiction;

8 (4) Inform the public as to the causes, nature, and prevention of
9 disease and disability and the preservation, promotion and improvement
10 of health within his or her jurisdiction;

11 (5) Prevent, control or abate nuisances which are detrimental to
12 the public health;

13 (6) Attend all conferences called by the secretary of health or his
14 or her authorized representative;

15 (7) Collect such fees as are established by the state board of
16 health or the local board of health for the issuance or renewal of
17 licenses or permits or such other fees as may be authorized by law or
18 by the rules of the state board of health;

19 (8) Inspect, as necessary, expansion or modification of existing
20 public water systems, and the construction of new public water systems,
21 to assure that the expansion, modification, or construction conforms to
22 system design and plans;

23 (9) Take such measures as he or she deems necessary in order to
24 promote the public health, to participate in the establishment of
25 health educational or training activities, and to authorize the
26 attendance of employees of the local health department or individuals
27 engaged in community health programs related to or part of the programs
28 of the local health department.

29 **PART 3**
30 **AMENDING STATE BOARD OF HEALTH RULE-MAKING AUTHORITY FOR**
31 **ON-SITE SEWAGE SYSTEMS**

32 **Sec. 11.** RCW 43.20.050 and 1993 c 492 s 489 are each amended to
33 read as follows:

34 (1) The state board of health shall provide a forum for the
35 development of public health policy in Washington state. It is
36 authorized to recommend to the secretary means for obtaining

1 appropriate citizen and professional involvement in all public health
2 policy formulation and other matters related to the powers and duties
3 of the department. It is further empowered to hold hearings and
4 explore ways to improve the health status of the citizenry.

5 (a) At least every five years, the state board shall convene
6 regional forums to gather citizen input on public health issues.

7 (b) Every two years, in coordination with the development of the
8 state biennial budget, the state board shall prepare the state public
9 health report that outlines the health priorities of the ensuing
10 biennium. The report shall:

11 (i) Consider the citizen input gathered at the forums;

12 (ii) Be developed with the assistance of local health departments;

13 (iii) Be based on the best available information collected and
14 reviewed according to RCW 43.70.050 and recommendations from the
15 council;

16 (iv) Be developed with the input of state health care agencies. At
17 least the following directors of state agencies shall provide timely
18 recommendations to the state board on suggested health priorities for
19 the ensuing biennium: The secretary of social and health services, the
20 health care authority administrator, the insurance commissioner, the
21 superintendent of public instruction, the director of labor and
22 industries, the director of ecology, and the director of agriculture;

23 (v) Be used by state health care agency administrators in preparing
24 proposed agency budgets and executive request legislation;

25 (vi) Be submitted by the state board to the governor by January 1st
26 of each even-numbered year for adoption by the governor. The governor,
27 no later than March 1st of that year, shall approve, modify, or
28 disapprove the state public health report.

29 (c) In fulfilling its responsibilities under this subsection, the
30 state board may create ad hoc committees or other such committees of
31 limited duration as necessary.

32 (2) In order to protect public health, the state board of health
33 shall:

34 (a) Adopt rules necessary to assure safe and reliable public
35 drinking water and to protect the public health. Such rules shall
36 establish requirements regarding:

37 (i) The design and construction of public water system facilities,

1 including proper sizing of pipes and storage for the number and type of
2 customers;

3 (ii) Drinking water quality standards, monitoring requirements, and
4 laboratory certification requirements;

5 (iii) Public water system management and reporting requirements;

6 (iv) Public water system planning and emergency response
7 requirements;

8 (v) Public water system operation and maintenance requirements;

9 (vi) Water quality, reliability, and management of existing but
10 inadequate public water systems; and

11 (vii) Quality standards for the source or supply, or both source
12 and supply, of water for bottled water plants.

13 (b) Adopt rules and standards for prevention, control, and
14 abatement of health hazards and nuisances related to the disposal of
15 wastes, solid and liquid, including but not limited to sewage, garbage,
16 refuse, and other environmental contaminants; adopt standards and
17 procedures governing the design, construction, and operation of sewage,
18 garbage, refuse and other solid waste collection, treatment, and
19 disposal facilities;

20 (c) Adopt rules controlling public health related to environmental
21 conditions including but not limited to heating, lighting, ventilation,
22 sanitary facilities, cleanliness and space in all types of public
23 facilities including but not limited to food service establishments,
24 schools, institutions, recreational facilities and transient
25 accommodations and in places of work;

26 (d) Adopt rules for the imposition and use of isolation and
27 quarantine;

28 (e) Adopt rules for the prevention and control of infectious and
29 noninfectious diseases, including food and vector borne illness, and
30 rules governing the receipt and conveyance of remains of deceased
31 persons, and such other sanitary matters as admit of and may best be
32 controlled by universal rule; and

33 (f) Adopt rules for accessing existing data bases for the purposes
34 of performing health related research.

35 (3) The state board shall adopt rules for the design, construction,
36 installation, operation, and maintenance of those on-site sewage
37 systems with design flows of less than three thousand five hundred
38 gallons per day.

1 reports, plans, and specifications for the construction of new sewerage
2 systems, sewage treatment or disposal plants or systems, or for
3 improvements or extensions to existing sewerage systems or sewage
4 treatment or disposal plants, and the proposed method of future
5 operation and maintenance of said facility or facilities, shall be
6 submitted to and be approved by the department, before construction
7 thereof may begin. No approval shall be given until the department is
8 satisfied that said plans and specifications and the methods of
9 operation and maintenance submitted are adequate to protect the quality
10 of the state's waters as provided for in this chapter. Approval under
11 this chapter is not required for large on-site sewage systems permitted
12 by the department of health under chapter 70.-- RCW (sections 1 through
13 8 of this act) or for on-site sewage systems regulated by local health
14 jurisdictions under rules of the state board of health.

15 (2) To promote efficiency in service delivery and intergovernmental
16 cooperation in protecting the quality of the state's waters, the
17 department may delegate the authority for review and approval of
18 engineering reports, plans, and specifications for the construction of
19 new sewerage systems, sewage treatment or disposal plants or systems,
20 or for improvements or extensions to existing sewerage system or sewage
21 treatment or disposal plants, and the proposed method of future
22 operations and maintenance of said facility or facilities and
23 industrial pretreatment systems, to local units of government
24 requesting such delegation and meeting criteria established by the
25 department.

26 (3) For any new or revised general sewer plan submitted for review
27 under this section, the department shall review and either approve,
28 conditionally approve, reject, or request amendments within ninety days
29 of the receipt of the submission of the plan. The department may
30 extend this ninety-day time limitation for new submittals by up to an
31 additional ninety days if insufficient time exists to adequately review
32 the general sewer plan. For rejections of plans or extensions of the
33 timeline, the department shall provide in writing to the local
34 government entity the reason for such action. In addition, the
35 governing body of the local government entity and the department may
36 mutually agree to an extension of the deadlines contained in this
37 section.

1 PART 5

2 AMENDING RCW 36.94.010 TO CLARIFY ITS APPLICABILITY TO
3 LARGE ON-SITE SEWAGE SYSTEMS

4 Sec. 14. RCW 36.94.010 and 1997 c 447 s 10 are each amended to
5 read as follows:

6 As used in this chapter:

7 (1) A "system of sewerage" means and may include any or all of the
8 following:

9 (a) Sanitary sewage collection, treatment, and/or disposal
10 facilities and services, including without limitation on-site or off-
11 site sanitary sewerage facilities, large on-site sewage systems defined
12 under section 2 of this act, inspection services and maintenance
13 services for private or public on-site systems, or any other means of
14 sewage treatment and disposal approved by the county;

15 (b) Combined sanitary sewage disposal and storm or surface water
16 drains and facilities;

17 (c) Storm or surface water drains, channels, and facilities;

18 (d) Outfalls for storm drainage or sanitary sewage and works,
19 plants, and facilities for storm drainage or sanitary sewage treatment
20 and disposal, and rights and interests in property relating to the
21 system;

22 (e) Combined water and sewerage systems;

23 (f) Point and nonpoint water pollution monitoring programs that are
24 directly related to the sewerage facilities and programs operated by a
25 county;

26 (g) Public restroom and sanitary facilities;

27 (h) The facilities and services authorized in RCW 36.94.020; and

28 (i) Any combination of or part of any or all of such facilities.

29 (2) A "system of water" means and includes:

30 (a) A water distribution system, including dams, reservoirs,
31 aqueducts, plants, pumping stations, transmission and lateral
32 distribution lines and other facilities for distribution of water;

33 (b) A combined water and sewerage system;

34 (c) Any combination of or any part of any or all of such
35 facilities.

36 (3) A "sewerage and/or water general plan" means a general plan for
37 a system of sewerage and/or water for the county which shall be an

1 element of the comprehensive plan established by the county pursuant to
2 RCW 36.70.350(6) and/or chapter 35.63 RCW, if there is such a
3 comprehensive plan.

4 (a) A sewerage general plan shall include the general location and
5 description of treatment and disposal facilities, trunk and interceptor
6 sewers, pumping stations, monitoring and control facilities, channels,
7 local service areas and a general description of the collection system
8 to serve those areas, a description of on-site sanitary sewerage system
9 inspection services and maintenance services, and other facilities and
10 services as may be required to provide a functional and implementable
11 plan, including preliminary engineering to assure feasibility. The
12 plan may also include a description of the regulations deemed
13 appropriate to carrying out surface drainage plans.

14 (b) A water general plan shall include the general location and
15 description of water resources to be utilized, wells, treatment
16 facilities, transmission lines, storage reservoirs, pumping stations,
17 and monitoring and control facilities as may be required to provide a
18 functional and implementable plan.

19 (c) Water and/or sewerage general plans shall include preliminary
20 engineering in adequate detail to assure technical feasibility and, to
21 the extent then known, shall further discuss the methods of
22 distributing the cost and expense of the system and shall indicate the
23 economic feasibility of plan implementation. The plans may also
24 specify local or lateral facilities and services. The sewerage and/or
25 water general plan does not mean the final engineering construction or
26 financing plans for the system.

27 (4) "Municipal corporation" means and includes any city, town,
28 metropolitan municipal corporation, any public utility district which
29 operates and maintains a sewer or water system, any sewer, water,
30 diking, or drainage district, any diking, drainage, and sewerage
31 improvement district, and any irrigation district.

32 (5) A "private utility" means and includes all utilities, both
33 public and private, which provide sewerage and/or water service and
34 which are not municipal corporations within the definition of this
35 chapter. The ownership of a private utility may be in a corporation,
36 nonprofit or for profit, in a cooperative association, in a mutual
37 organization, or in individuals.

1 (6) "Board" means one or more boards of county commissioners and/or
2 the legislative authority of a home rule charter county.

3 NEW SECTION. **Sec. 15.** Sections 1 through 8 of this act constitute
4 a new chapter in Title 70 RCW.

5 NEW SECTION. **Sec. 16.** Captions and part headings used in this act
6 are not any part of the law.

7 NEW SECTION. **Sec. 17.** If specific funding for the purposes of
8 this act, referencing this act by bill or chapter number, is not
9 provided by June 30, 2007, in the omnibus appropriations act, this act
10 is null and void.

Passed by the Senate April 17, 2007.

Passed by the House April 10, 2007.

Approved by the Governor May 7, 2007.

Filed in Office of Secretary of State May 8, 2007.