

SB 5894-S.E - DIGEST

(DIGEST AS ENACTED)

Finds that: (1) Protection of the environment and public health requires properly designed, operated, and maintained on-site sewage systems. Failure of those systems can pose certain health and environmental hazards if sewage leaks above ground or if untreated sewage reaches surface or groundwater.

(2) Chapter 70.118A RCW provides a framework for ongoing management of on-site sewage systems located in marine recovery areas and regulated by local health jurisdictions under state board of health rules. This act will provide a framework for comprehensive management of large on-site sewage systems statewide.

(3) The primary purpose of this act is to establish, in a single state agency, comprehensive regulation of the design, operation, and maintenance of large on-site sewage systems, and their operators, that provides both public health and environmental protection. To accomplish these purposes, this act provides for: (a) the permitting and continuing oversight of large on-site sewage systems; (b) the establishment by the department of standards and rules for the siting, design, construction, installation, operation, maintenance, and repair of large on-site sewage systems; and (c) the enforcement by the department of the standards and rules established under this act.

Declares that the purpose of this act is to establish, in a single state agency, comprehensive regulation of the design, operation, and maintenance of large on-site sewage systems, and their operators, that provides both public health and environmental protection.

Declares the permitting and continuing oversight of large on-site sewage systems.

Directs the state department of health to establish standards and rules for the siting, design, construction, installation, operation, maintenance, and repair of large on-site sewage systems, and to enforce the standards and rules established.

Provides that a person may not install or operate a large on-site sewage system without an operating permit as provided in this act after July 1, 2009. The owner of the system is responsible for obtaining a permit.

Provides that a person who violates a law or rule regulating large on-site sewage systems administered by the department is subject to a penalty of not more than ten thousand dollars per day for every violation. Every violation is a separate and distinct offense. In case of a continuing violation, each day's continuing violation is a separate and distinct violation. The penalty assessed must reflect the

significance of the violation and the previous record of compliance on the part of the person responsible for compliance with large on-site sewage system requirements.

Amends chapters 70.118 and 70.05 RCW to enhance local health officer enforcement authority regarding on-site systems.

Exempts operators certified by the department of health.

Amends RCW 36.94.010 to clarify its applicability to large on-site sewage systems.

Provides that the act shall be null and void if appropriations are not approved.