

WAC 246-272B-02250 LOSS greater than 14,500 gpd—Public notice.

(1) Within one year of receiving the notice of determination under WAC 246-272B-02200 (2)(a), the owner may proceed with public notice. To proceed, the owner shall provide public notice that meets the requirements of this section prior to receiving department approval to construct the LOSS.

(2) The owner shall provide the draft public notice to the department for review and approval. The public notice must include the following information:

- (a) Date of notice;
- (b) Name, mailing and email addresses of the owner;
- (c) Brief description of development to be served by the proposal, including property location and local zoning of the development and drainfield site;
- (d) Proposed LOSS design flow;
- (e) Proposed LOSS waste strength;
- (f) Proposed location of treatment and drainfield site, giving street address and parcel number;
- (g) How to obtain a copy of the operating permit application, draft operating permit, LOSS project information, or additional information from the owner; and
- (h) How to comment to the department and the date comments are due. Comments are due thirty days from the first date of publication.

(3) The department shall review and provide a written response to the owner within fourteen days of receipt of the draft public notice. The department may approve the notice as submitted or require changes to the notice including, but not limited to, corrections, or additional distribution or posting of the public notice to interested parties, local governments, or state agencies.

(4) The owner shall, at the owner's expense:

- (a) Make changes to the public notice as directed by the department prior to publication and distribution;
- (b) Publish the public notice once a week for two consecutive weeks in a local paper of general circulation in the county where the project is proposed;
- (c) Provide additional distribution or posting of the public notice if directed by the department; and
- (d) Submit an affidavit of publication to the department within fourteen days of the second publication.

(5) If the department determines that the public notice does not meet the requirements of this section, the department shall notify the owner in writing and include an invoice for all unpaid fees and the reasons for the decision, and the department may:

- (a) Allow the owner an opportunity to correct public notice deficiencies in order to meet the requirements of this section; or
- (b) Discontinue review of the project.

[Statutory Authority: RCW 70.118B.020. WSR 11-12-035, § 246-272B-02250, filed 5/25/11, effective 7/1/11.]