

WAC 246-272A-0125 Transition from the list of approved systems and products to the registered list—Treatment products. (1) The department's list of approved systems and products shall:

(a) Become static on September 15, 2005. Subsequent changes, additions or deletions to the list of approved systems and products will only be made if approved by the department based on completed applications received prior to September 15, 2005.

(b) Remain in effect until March 15, 2007.

(2) Treatment products not on the department's list of approved systems and products on September 15, 2005, and not otherwise eligible for inclusion on the list by submittal of a completed application prior to September 15, 2005, must be registered with the department according to the requirements of this chapter before being permitted by the local health officer.

(3) Between September 15, 2005, and March 15, 2007, the local health officer may permit treatment products that are on the department's list of approved systems and products or registered with the department under the requirements of this chapter.

(4) After March 15, 2007, local health officers may only permit those treatment products registered under the requirements of this chapter.

(5) In order to be registered, manufacturers with treatment product models specified on the department's list of approved systems and products (excluding products being evaluated under the experimental systems program) on September 15, 2005, or subsequently added to the list as provided in subsection (1)(a) of this section, shall apply for product registration before March 15, 2007, using the following information:

(a) For treatment products approved for use with sewage typical of a residential source:

(i) If product approval was based on performance test results obtained from testing conducted according to a ANSI/NSF Standard 40 protocol dated prior to July 1996, the manufacturer may apply for registration as established by these rules using the performance test results obtained by a qualified testing facility from testing conducted according to a ANSI/NSF Standard 40 test protocol dated prior to July 1996;

(ii) In order to be registered, manufacturers must identify on their application for product registration if the reported product testing results use an excursion allowance. If an excursion allowance is used, only the excursion allowance provided in 1996 and later NSF protocols may be used;

(iii) Thirty-day averaging of sample results must meet the requirements established in 1996 and later NSF protocols;

(iv) If product approval was based upon the performance information obtained through the department's former experimental systems program, manufacturers may apply for registration under this chapter using the performance test results obtained from their experimental system program. This provision is valid for only those models on the list of approved systems and products;

(b) For products approved for use with high-strength residential or commercial sewage:

(i) Manufacturers may apply for product registration using the performance test results and other information previously provided to the department in support of product approval application.

(ii) If product approval was based upon the performance information obtained through the department's former experimental systems program, manufacturers may apply for registration under this chapter using the performance test results obtained from their experimental system program. This provision is valid for only those models on the list of approved systems and products;

(c) Test results for BOD₅ may be submitted in lieu of test results for CBOD₅. In these cases the numerical values for CBOD₅, will be determined using the following formula:

$$(BOD_5 \text{ value} \times .83 = CBOD_5 \text{ value});$$

(d) In order to be registered for treatment levels A, B or C, a manufacturer shall provide data demonstrating that each of the parameters (CBOD₅, TSS and fecal coliform) is met;

(e) Fecal coliform reduction performance must be demonstrated according to the provisions and requirements established in WAC 246-272A-0130 Bacteriological reduction; and

(f) Manufacturers and treatment products must meet all other requirements established in these rules for product registration.

[Statutory Authority: RCW 43.20.050. WSR 05-15-119, § 246-272A-0125, filed 7/18/05, effective 9/15/05.]