

WSR 24-13-109  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH  
[Filed June 20, 2024, 8:06 a.m.]

Subject of Possible Rule Making: Penalty schedule for large on-site sewage system regulations. The department of health (department) is considering amending chapter 246-272B WAC to add a penalty schedule for the issuance of civil penalties.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70A.115.040 and 70A.115.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 70A.115.050 gives the department the ability to assess a penalty of not more than \$10,000 per day for every violation of a law or rule regulating large onsite sewage systems. Rules that establish a penalty schedule would clarify the department's penalties based on the severity of the violation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The department will use a collaborative rule-making approach.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ashlie Laydon, P.O. Box 47822, Olympia, WA 98504-7822, phone 360-236-3000, TTY 711, email ashlie.laydon@doh.wa.gov, website www.doh.wa.gov; or Andrew Jones, P.O. Box 47824, Olympia, WA 98504-7824, phone 360-236-3378, TTY 711, email andrew.jones@doh.wa.gov, website www.doh.wa.gov.

Additional comments: The department will keep interested parties informed of the rule development through email and by posting information on the department's rule-making website. Interested parties will have an opportunity to provide comments throughout the rule-making process, during the formal comment period, and at the public hearing. Interested parties may contact Ashlie Laydon or Andrew Jones to be added to the interested parties list.

June 20 2024  
Kristin Peterson, JD  
Chief of Policy  
for Umair A. Shah, MD, MPH  
Secretary