

ENGROSSED SUBSTITUTE SENATE BILL 5894

Clarifying the regulatory authority for on-site sewage systems

PROGRAM IMPACTS

The bill establishes Department of Health (DOH) as the responsible agency for regulating Large On-Site Sewage Systems (LOSS). DOH must adopt rules for LOSS, including:

- Regulating design, construction, installation, operation, maintenance and repair for LOSS;
- Controlling and preventing pollution of the state's waters;
- Issuing permits for LOSS; and
- Enforcing LOSS requirements.

The rules must meet surface and ground water standards and require all known, available and reasonable methods of treatment. All LOSS must have annual permits after July 1, 2009. The bill provides for the transition of permits from Ecology. The bill also limits the State Board of Health's authority to only systems under 3500 gpd. Ecology must work with DOH during the rule development.

The bill overrides parts of current Ecology rules. Specifically:

- WAC 173-216-030(5)
- WAC 173-221-030(10)
- WAC 173-240-020(5).

RESOURCE IMPACTS

Ecology received no additional resources for this bill. Resource impacts on the Department of Ecology include:

- Working with DOH on their rule development and revision;
- Transferring an unknown number of state waste discharge permits to DOH;
- Coordinating with DOH on wastewater treatment to ensure consistency; and
- Revising our rules to be consistent with new permitting thresholds.

WORK PLAN

John Stormon will continue to serve as Ecology's representative for LOSS issues on DOH committees. This work is in the Water Quality Program Plan.

As facilities transfer from Ecology permitting to DOH permitting, we will stop collecting fees from those facilities. The workload associated with those facilities will also transfer to DOH. We expect 16 or fewer facilities to transfer. That number of permits will not cause a significant change in our resources or workload.

As stated in the fiscal note, Ecology will revise our rules the next time rule revision is needed. We will not revise the rules specifically to implement this legislation.

Contact person(s):

John Stormon, Water Quality Program; 360/407-7221; jsto461@ecy.wa.gov

Melodie Selby, Water Quality Program; 360/407-6489; mse1461@ecy.wa.gov