

# FINAL BILL REPORT

## ESB 5998

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C 263 L 95

Synopsis as Enacted

**Brief Description:** Authorizing local government waivers from specific requirements of on-site sewage system rules adopted by the board of health.

**Sponsors:** Senators Sheldon, Owen, Oke, Fraser, Hochstatter and Palmer.

**Senate Committee on Ecology & Parks**

**House Committee on Agriculture & Ecology**

**Background:** The State Board of Health is authorized to adopt rules and standards governing the design, construction, and operation of sewage systems in order to protect public health. By statute, local boards of health are required to enforce rules adopted by the State Board of Health.

Regulations adopted by the State Board of Health authorize local health officers to grant waivers from specific requirements that apply to on-site septic systems. It is suggested that the waiver provisions contained in the regulations should be placed in statute.

**Summary:** Local health officers are authorized to grant waivers from specific requirements of the State Board of Health on-site septic systems rules. On-site systems with flows under 3500 gallons per day are eligible for such waivers.

The waivers must be evaluated by the local health officer on a site-by-site basis and must be consistent with the intent and standards in the State Board of Health rules.

Local health departments are required to submit quarterly reports to the State Department of Health (DOH) regarding any waivers approved or denied.

Based on review of the quarterly reports, if DOH finds that the waivers are not consistent with the standards in the State Board of Health rules, it must provide technical assistance to the local health officer to correct the inconsistency. If upon further review of the quarterly reports the inconsistency is not corrected, DOH may suspend the authority of the local health officer to grant waivers.

**Votes on Final Passage:**

Senate	49	0	
House	97	0	(House amended)
Senate	47	0	(Senate concurred)

**Effective:** July 23, 1995