
SUBSTITUTE HOUSE BILL 3227

State of Washington

60th Legislature

2008 Regular Session

By House Select Committee on Environmental Health (originally sponsored by Representatives Eickmeyer, Sump, Chase, Quall, Hasegawa, Appleton, Simpson, Haigh, Wallace, Dickerson, Takko, Conway, Pedersen, Kagi, Armstrong, Priest, Walsh, Hinkle, Condotta, McCoy, Roberts, Morris, Hudgins, Rolfes, Lantz, Schual-Berke, Morrell, Campbell, Sells, Sullivan, Kenney, and Linville)

READ FIRST TIME 02/05/08.

1 AN ACT Relating to protecting Hood Canal by removing nitrates and
2 phosphates from on-site sewage disposal systems and wastewater
3 treatment plants; amending RCW 70.118B.040; adding a new section to
4 chapter 90.88 RCW; adding a new section to chapter 70.118 RCW; adding
5 a new section to chapter 70.118A RCW; and adding a new section to
6 chapter 90.48 RCW.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.88 RCW
9 to read as follows:

10 (1) In aquatic rehabilitation zone one, any new or retrofitted on-
11 site sewage disposal systems installed after July 1, 2009, may not
12 discharge to ground or surface waters more than twenty milligrams per
13 liter of total nitrogen. In aquatic rehabilitation zone one, any new
14 or retrofitted wastewater treatment system installed after July 1,
15 2009, must use all known, available, and reasonable methods of nitrogen
16 removal.

17 (2) By December 1, 2008, the department of health and the
18 department of ecology shall jointly report to the legislature regarding

1 the impact of removing phosphates from the discharge of on-site sewage
2 disposal systems and wastewater treatment systems in aquatic
3 rehabilitation zone one.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.118 RCW
5 to read as follows:

6 In aquatic rehabilitation zone one as designated in RCW 90.88.010,
7 any new or retrofitted on-site sewage disposal system installed after
8 July 1, 2009, may not discharge to ground or surface waters more than
9 twenty milligrams per liter of total nitrogen.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.118A
11 RCW to read as follows:

12 In aquatic rehabilitation zone one as designated in RCW 90.88.010,
13 any new or retrofitted on-site sewage disposal system installed after
14 July 1, 2009, may not discharge to ground or surface waters more than
15 twenty milligrams per liter of total nitrogen.

16 **Sec. 4.** RCW 70.118B.040 and 2007 c 343 s 5 are each amended to
17 read as follows:

18 (1) For the protection of human health and the environment, the
19 secretary shall adopt rules for the comprehensive regulation of large
20 on-site sewage systems, which includes, but is not limited to, the
21 siting, design, construction, installation, maintenance, repair, and
22 permitting of the systems.

23 (2) In adopting the rules, the secretary shall, in consultation
24 with the department of ecology, require that large on-site sewage
25 systems comply with the applicable sections of chapter 90.48 RCW
26 regarding control and prevention of pollution of waters of the state,
27 including but not limited to:

28 (a) Surface and groundwater standards established under RCW
29 90.48.035; and

30 (b) Those provisions requiring all known, available, and reasonable
31 methods of treatment.

32 (3) In aquatic rehabilitation zone one as designated in RCW
33 90.88.010, any new or retrofitted large on-site sewage disposal system
34 installed after July 1, 2009, may not discharge to ground or surface
35 waters more than twenty milligrams per liter of total nitrogen.

1 (4) In adopting the rules, the secretary shall ensure that
2 requirements for large on-site sewage systems are consistent with the
3 requirements of any comprehensive plans or development regulations
4 adopted under chapter 36.70A RCW or any other applicable comprehensive
5 plan, land use plan, or development regulation adopted by a city, town,
6 or county.

7 NEW SECTION. **Sec. 5.** A new section is added to chapter 90.48 RCW
8 to read as follows:

9 In aquatic rehabilitation zone one as designated in RCW 90.88.010,
10 any new or retrofitted wastewater treatment system installed after July
11 1, 2009, must use all known, available, and reasonable methods of
12 nitrogen removal.

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