

HOUSE BILL REPORT

HB 1457

*As Reported By House Committee on:
Environmental Affairs*

Title: An act relating to on-site sewage additives.

Brief Description: Prohibiting additives for on-site sewage disposal systems.

Sponsor(s): Representatives Haugen, Wilson and Zellinsky.

Brief History:

Reported by House Committee on:
Environmental Affairs, February 15, 1991, DPS.

**HOUSE COMMITTEE ON
ENVIRONMENTAL AFFAIRS**

Majority Report: *That Substitute House Bill No. 1457 be substituted therefor, and the substitute bill do pass.*
Signed by 12 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; Sprenkle; and Van Luven.

Staff: Rick Anderson 786-7114.

Background: Septic tank additives are generally used to control odors and to reduce the frequency in which the accumulated sludge must be removed.

The active ingredients of these products vary greatly. Such products generally contain chlorinated organic solvents, strong acids or bases, or relatively innocuous nutrient supplements intended to enhance bacterial growth.

Research indicates that such additives are at best, ineffective and may be harmful. Consumers using additives may be at risk in two ways. First, use of additives may ruin the drainfield and result in costly repair. Second, some additives, especially those containing chlorinated organic solvents, may contribute to groundwater contamination.

The Department of Health is currently developing rules for septic and other on-site systems. These rules, in part, ban the use of septic tank additives containing acids, bases,

and chlorinated organic solvents. The proposed rules do not ban the sale or distribution of such additives.

Summary of Substituted Bill: The sale and distribution of septic tank additives are prohibited after July 1, 1991. A civil penalty of \$50 per offense is established. The Department of Health and local health jurisdictions must issue a written warning to retailers and distributors prior to issuing a civil penalty. The Department of Health is responsible for notifying major distributors and wholesalers of septic tank additives.

Substituted Bill Compared to Original Bill: The definition of additives is broadened with the intent to include all septic tank additives. Provisions are added allowing the Department of Health to: 1) exempt additives from the ban if the additive is beneficial and causes no harm; and 2) recover costs of evaluating an additive if requested to do so by a manufacturer or distributor. In the original bill, distribution, sale, and use were subject to a maximum \$50 fine; use of a banned additive is not an infraction under the substitute bill.

Fiscal Note: Requested February 13, 1991.

Effective Date of Substituted Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Banning additives is necessary to prevent consumer fraud and a source of groundwater contamination (Rep. Haugen). Agencies supported the concept of bans but recommended flexibility in the event that an additive is shown to have positive and no adverse effects.

Testimony Against: None.

Witnesses: Representative Mary Margaret Haugen (pro); Dave Lenning, Department of Health (pro); and Dick Wallace, Department of Ecology (pro).