

2 **SHB 1667** - S COMM AMD  
3 By Committee on Ecology & Parks

4 ADOPTED AS AMENDED BY 000710 - 4/12/93

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds that most additives  
8 do not have a positive effect on the operation of on-site systems and  
9 can contaminate ground water aquifers, render septic drainfields  
10 dysfunctional, and result in costly repairs to homeowners. It is  
11 therefore the intent of the legislature to ban the use, sale, and  
12 distribution of additives within the state unless an additive has been  
13 specifically approved by the department of health.

14 **Sec. 2.** RCW 70.118.020 and 1991 c 3 s 367 are each amended to read  
15 as follows:

16 As used in this chapter, the terms defined in this section shall  
17 have the meanings indicated unless the context clearly indicates  
18 otherwise.

19 (1) "Nonwater-carried sewage disposal devices" means any device  
20 that stores and treats nonwater-carried human urine and feces.

21 (2) "Alternative methods of effluent disposal" means systems  
22 approved by the department of health, including at least, mound  
23 systems, alternating drain fields, anaerobic filters,  
24 evapotranspiration systems, and aerobic systems.

25 (3) "Failure" means: (a) Effluent has been discharged on the  
26 surface of the ground prior to approved treatment; or (b) effluent has  
27 percolated to the surface of the ground; or (c) effluent has  
28 contaminated or threatens to contaminate a ground water supply.

29 (4) "Additive" means any commercial product intended to affect the  
30 internal performance or aesthetics of an on-site sewage disposal  
31 system.

32 (5) "Department" means the department of health.

33 (6) "On-site sewage disposal system" means any system of piping,  
34 treatment devices, or other facilities that convey, store, treat, or  
35 dispose of sewage on the property where it originates or on nearby

1 property under the control of the user where the system is not  
2 connected to a public sewer system. For purposes of this chapter, an  
3 on-site sewage disposal system does not include indoor plumbing and  
4 associated fixtures.

5 NEW SECTION. Sec. 3. A new section is added to chapter 70.118 RCW  
6 to read as follows:

7 (1) After July 1, 1994, a person may not use, sell, or distribute  
8 an additive to on-site sewage disposal systems unless such additive has  
9 been specifically approved by the department. The department may  
10 approve an additive if it can be demonstrated to the satisfaction of  
11 the department that the additive has a positive benefit, and no adverse  
12 effect, on the operation or performance of an on-site sewage system.  
13 Upon written request by an additive manufacturer or distributor for  
14 product evaluation, the department may charge a fee sufficient to cover  
15 the costs of evaluating the additive, including the development of  
16 standards and review procedures.

17 (2) The attorney general or appropriate city or county prosecuting  
18 attorney is authorized to bring an appropriate action to enjoin any  
19 violation of the prohibition on the sale or distribution of additives.

20 (3) The department is responsible for providing written  
21 notification to major distributors and wholesalers of additives of the  
22 state-wide prohibition on additives. The notification shall be  
23 provided no later than October 1, 1993. Within thirty days of  
24 notification from the department, distributors and wholesalers shall  
25 provide the same notification to their retail customers. The  
26 department shall also provide notification to major distributors and  
27 wholesalers of additive products that have been approved."

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31 On page 1, line 1 of the title, after "additives;" strike the  
32 remainder of the title and insert "amending RCW 70.118.020; adding a  
33 new section to chapter 70.118 RCW; and creating a new section."

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