

HOUSE BILL REPORT

SHB 1667

As Amended by the Senate

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

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

Sponsors: By House Committee on Environmental Affairs
(originally sponsored by Representatives Romero, H. Myers, Heavey, Finkbeiner and Wolfe.)

Brief History:

Reported by House Committee on:
Environmental Affairs, February 18, 1993, DPS;
Passed House, March 13, 1993, 69-29;
Amended by Senate.

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Rust, Chair; Flemming, Vice Chair; Horn, Ranking Minority Member; Bray; Edmondson; Foreman; Hansen; Holm; L. Johnson; J. Kohl; Linville; and Roland.

Minority Report: Do not pass. Signed by 2 members: Representatives Van Luven, Assistant Ranking Minority Member and Sheahan.

Staff: Rick Anderson (786-7114).

Background: Septic tank additives are generally used to control odors and to reduce the frequency in which 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 ineffective at best, 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 in the process of 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 Bill: The use, sale and distribution of septic tank additives is prohibited beginning July 1, 1994. The Department of Health may review and approve an additive for sale within the state. Any costs incurred by the department in reviewing the additive is to be paid by the applicant.

Selling or distributing an additive is subject to a civil penalty of \$50 per additive. The Department of Health and local health jurisdictions are required to 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 the prohibition on septic tank additives.

EFFECT OF SENATE AMENDMENT(S): Indoor plumbing fixtures are not included in the definition of an on-site sewage disposal system. The Department of Health is authorized to include, in its fee, the costs of developing standards for evaluating an additive. The penalty provisions are changed from a civil infraction to authorizing the state and local governments to enjoin any violation. Distributors and wholesalers of additives are required to notify retailers within 30 days of being notified by the department.

Fiscal Note: Not requested.

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

Testimony For: Septic tank additives should be prohibited because they have no apparent benefit, and can damage septic tank systems and create groundwater pollution.

Testimony Against: None.

Witnesses: Mark Soltman, Department of Health; Gregg Grunenfelder, Environmental Health Directors; Joe Danials, Washington State Water/Wastewater Association; and Doris Cellarius, Sierra Club.

VOTE ON FINAL PASSAGE:

Yeas 69; Nays 29

Nays: Representatives Ballard, Ballasiotes, Casada, Chandler, Cooke, Dorn, Dyer, Edmondson, Foreman, Forner,

Fuhrman, Heavey, Lisk, Mielke, Morton, Padden, Schmidt,
Schoesler, Sehlin, Sheahan, Sheldon, Silver, Springer,
Stevens, Tate, Thomas, Van Luven, Wood, Zellinsky