

SENATE BILL REPORT

SHB 1667

AS REPORTED BY COMMITTEE ON ECOLOGY & PARKS, MARCH 31, 1993

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

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

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: Do pass as amended.

Signed by Senators Fraser, Chairman; Deccio, McCaslin, Moore, Sutherland, and Talmadge.

Staff: Cathy Baker (786-7708)

Hearing Dates: March 26, 1993; March 31, 1993

BACKGROUND:

Septic tank additives are generally used to control odors and to reduce the frequency with which tanks must be pumped out.

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 damage 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:

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 cost 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.

SUMMARY OF PROPOSED SENATE AMENDMENT:

A definition of an on-site sewage disposal system is added.

The penalty for violations of the prohibition on selling or distributing an additive is removed. Provisions are added that authorize the Attorney General or appropriate city or county prosecuting attorney to enjoin violations of the prohibition.

Language is added to clarify that the product evaluation fee shall cover the costs to the Department of Health of developing standards and review procedures for evaluating septic tank additives.

The department is to provide notification to major distributors and wholesalers no later than October 1, 1993. The department shall also provide notification to major distributors and manufacturers of additive products that have been approved.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Studies have shown that septic tank additives do not work. Use of septic tank additives can damage drainfields and result in expensive repairs. They can also contaminate groundwater. These additives are not necessary if the on-site system is properly maintained. Counties with sole source aquifers are concerned about groundwater contamination from these additives. A statewide prohibition is most effective in addressing the problem. The bill is an important consumer protection measure.

TESTIMONY AGAINST: None

TESTIFIED: Representative Romero, prime sponsor; Representative Dunshee (pro); Senator Haugen (pro); Mark Soltman, Washington Department of Health (pro)