

FINAL BILL REPORT

SSB 6081

C 281 L 94

SYNOPSIS AS ENACTED

Brief Description: Regulating the use, sale, and distribution of on-site sewage additives.

SPONSORS: Senate Committee on Ecology & Parks (originally sponsored by Senators Haugen, Deccio, Bauer and Winsley)

SENATE COMMITTEE ON ECOLOGY & PARKS

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

HOUSE COMMITTEE ON APPROPRIATIONS

BACKGROUND:

During the 1993 session, the Legislature enacted a law which prohibits the use, sale, or distribution of septic tank additives after July 1, 1994 (L 1993 C 321). Under the provisions of the law, the Department of Health (DOH) is authorized to approve septic tank additives if it can be demonstrated to the satisfaction of the department that the additive has a positive benefit, and no adverse effect, on the operation of an on-site septic system. DOH is authorized to charge a fee sufficient to cover the costs of evaluating and approving an additive product.

As required by the law, DOH provided notification to approximately 100 major distributors and wholesalers of the statewide prohibition on additives prior to October 1, 1993. Distributors and wholesalers were required to provide notification to their retail customers within 30 days of receiving notice from DOH.

DOH is forming an advisory committee to assist the agency in developing product review and approval criteria and standards. Industry representatives, product users, on-site sewage professionals, regulatory agencies and members of the academic community have been invited to apply to sit on the advisory committee. The advisory committee was scheduled to begin meeting in February 1994.

There are generally two types of septic tank additives: (1) chemical-based products which may contain chlorinated organic solvents, strong acids or bases; and (2) biological-based products which may contain enzymes, bacteria, or yeast.

SUMMARY:

Chemical-based additives are prohibited as of July 1, 1994. A process is established to evaluate all other septic tank additive products. No septic tank additive product may be sold after July 1, 1996 without specific approval from the Department of Health.

Manufacturers must register their product with the Department of Health and may request that the product be reviewed. The department must adopt rules establishing the criteria, review procedures, and fees necessary to evaluate additives. The review criteria are to be designed to determine if the product has an adverse effect on public health or water quality. The department must approve or deny an additive within 45 days of receiving a complete evaluation of the additive.

Manufacturers must re-register the product each time the product formulation changes. The department, at its discretion, may require a new evaluation for re-registered products.

Provisions are added to protect the confidentiality of proprietary information given to the department during the review and approval process. Consumer protection provisions dealing with product labeling and advertisement claims are included.

The department is prohibited from funding rule-making, product evaluations, or other activities required by the measure with funds appropriated to implement the Puget Sound water quality plan.

VOTES ON FINAL PASSAGE:

Senate	46	0	
House	97	0	(House amended)
Senate	45	2	(Senate concurred)

EFFECTIVE: April 1, 1994