

**SENATE RESOLUTION
1994-8708**

By Senators Owen, Sheldon, Oke, Amondson and Loveland

WHEREAS, The 1994 Legislature adopted legislation requiring executive agencies to adopt rules that accurately reflect the intent of the legislature; and

WHEREAS, The Board of Health has spent more than four years in consideration of proposed rules for the design, installation, operation and maintenance of on-site septic systems; and

WHEREAS, The final rule adopted by the Board implements a statewide rule for on-site septic systems that fails to reflect any of the unique soil and topographical conditions that exist in different geographical regions within Washington; and

WHEREAS, Many of those citizens who spent more than four years of work fashioning a rule for on-site septic systems knew that the greatest threats posed by on-site septic systems came from existing systems that had not received proper maintenance; and

WHEREAS, The Board of Health proposed rule for on-site septic systems does not require implementation of operations and maintenance standards until the year 2000, and

WHEREAS, The Board of Health failed to adequately consider objections raised to the proposed rule by duly authorized local health officers; and

WHEREAS, Local health officers, real estate professionals, and others object to the implementation of the proposed rule as adopted;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate asks that the Washington Board of Health delay implementation of Washington Administrative Code, amendments to Chapter 246-272 et seq until the completion of discussions with those local health departments in counties with soil and topographical conditions that make compliance with the amendments extremely difficult; and

BE IT FURTHER RESOLVED, That the Board of Health begin discussions by July 1, 1994 with counties serving notice that they wish to obtain waivers from the rules set forth in Chapter 246-272; and

BE IT FURTHER RESOLVED, That the Board of Health delay implementation of the amendments to Chapter 246-272 in those counties having provided said notice until June 30, 1995; and

BE IT FURTHER RESOLVED, That the Washington State Board of Health amend Washington Administrative Code 246-272 to implement the operations and maintenance sections effective June 30, 1995.

I, Marty Brown, Secretary of the Senate,
do hereby certify that this is a true and
correct copy of Senate Resolution 1994-8708,
adopted by the Senate March 14, 1994.

MARTY BROWN
Secretary of the Senate