

SENATE BILL REPORT

2SSB 5821

As Passed Senate, March 15, 1999

Title: An act relating to professional designers of on-site wastewater treatment systems.

Brief Description: Regulating designers of on-site wastewater treatment systems.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Eide, Morton, Patterson, Swecker, McAuliffe and Fraser).

Brief History:

Committee Activity: Environmental Quality & Water Resources: 2/25/99, 3/2/99 [DPS-WM, DNPS].

Ways & Means: 3/5/99, 3/8/99 [DP2S].

Passed Senate, 3/15/99, 32-14.

SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

Majority Report: That Substitute Senate Bill No. 5821 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Fraser, Chair; Eide, Vice Chair; Honeyford, Jacobsen, McAuliffe and Swecker.

Minority Report: Do not pass substitute.

Signed by Senator Morton.

Staff: Richard Ramsey (786-7412)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5821 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Loveland, Chair; Bauer, Vice Chair; Brown, Vice Chair; Fraser, Honeyford, Kline, Kohl-Welles, Long, McDonald, Rasmussen, Roach, Rossi, B. Sheldon, Snyder, Spanel, Thibaudeau, West, Winsley and Wojahn.

Staff: Kari Guy (786-7437)

Background: In 1997, the Legislature directed the Department of Health to create a work group that would develop recommendations to the Legislature regarding a certification program for occupations related to onsite septic systems. The Onsite Wastewater Certification Work Group returned recommendations relating to bonding levels and other standards for people employed in these occupations and risk analysis relating to the installation and maintenance of different types of septic systems in different parts of the state. In 1998, the Legislature directed the Departments of Health and Licensing to convene an

advisory committee to develop legislation to license designers of onsite septic systems and a certification program for inspectors of onsite septic systems.

Summary of Bill: A licensing program for designers of onsite wastewater treatment systems is established in the Department of Licensing under the jurisdiction of the Board of Professional Engineers and Land Surveyors. The statewide licensing program provides for uniform application of design practices, standards for designs, and individual qualifications. The department must create a committee to advise the board and the department on licensing requirements, examinations, and the administration of the program.

Until the licensing program is fully operational in 2003, the department may issue practice permits as an interim license. License applicants must pass a written examination and meet education and experience requirements.

Employees of local health jurisdictions who inspect, review, or approve the design and construction of onsite systems must obtain a certificate of competency from the department.

As with other professional licensing programs, the program is structured to be self-sufficient on license and application fees. A work group is directed to study and recommend financial assurances of on-site wastewater practitioners including on-site system designers' responsibility for system failures that affect structure and property values.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For (Environmental Quality & Water Resources): A high standard for the industry is needed to protect health, property and the environment. The certified inspectors have a broader "grandfather" provision than the designers; consider having the inspectors meet the same requirements as the designers. The bill could be strengthened by removing or limiting the exemption for homeowners who design their own systems, removing the waiver for exams for designers and accelerating the timelines for developing legislation related to performance bonding and maintenance and operations of on-site systems.

Testimony Against (Environmental Quality & Water Resources): None.

Testified (Environmental Quality & Water Resources): Dick Ducharme, Building Industry Association of Washington (pro); Sandra Sebbas (pro); George Twiss, Department of Licensing (pro); Sharon Nelson (pro); Bill White, Department of Health (pro); Larry Fay, Jefferson County Health Department (pro); Bruce Wulkan, Puget Sound Water Quality Action Team (pro); James Nim (pro).

Testimony For (Ways & Means): This bill is a response to concerns over public health and groundwater protection. Certification will ensure that on-site systems are done right. This is important for the protection of Puget Sound.

Testimony Against (Ways & Means): None.

Testified (Ways & Means): PRO: Bruce Wulkan, Puget Sound Water Quality Action Team; Dick Ducharme, Building Industry Assn. of WA.

House Amendment(s): The Board of Registration for Professional Engineers and Land Surveyors must suspend the license or practice permit of a wastewater treatment system designer who is at least six months delinquent on child support payments.