
SENATE BILL 5861

State of Washington

56th Legislature

1999 Regular Session

By Senator Swecker

Read first time 02/12/1999. Referred to Committee on Environmental Quality & Water Resources.

1 AN ACT Relating to alternative on-site septic systems; amending RCW
2 70.118.010, 70.118.020, and 70.118.050; and adding a new section to
3 chapter 70.118 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.118.010 and 1977 ex.s. c 133 s 1 are each amended
6 to read as follows:

7 The legislature finds that over one million, two hundred thousand
8 persons in the state are not served by sanitary sewers and that they
9 must rely on septic tank systems. The failure of large numbers of such
10 systems has resulted in significant health hazards, loss of property
11 values, and water quality degradation. The legislature further finds
12 that failure of such systems could be reduced by utilization of
13 nonwater-carried sewage disposal systems, or other alternative methods
14 of treatment and effluent disposal, as a correctional measure. Waste
15 water volume diminution and disposal of most of the high bacterial
16 waste through composting or other alternative methods of treatment and
17 effluent disposal would result in restorative improvement or correction
18 of existing substandard systems.

1 **Sec. 2.** RCW 70.118.020 and 1994 c 281 s 2 are each amended to read
2 as follows:

3 As used in this chapter, the terms defined in this section shall
4 have the meanings indicated unless the context clearly indicates
5 otherwise.

6 (1) "Nonwater-carried sewage disposal devices" means any device
7 that stores and treats nonwater-carried human urine and feces.

8 (2) "Alternative methods of effluent treatment and disposal" means
9 systems either certified as meeting national sanitation foundation
10 standard 40, or approved by the department of health, or both,
11 including at least, mound systems, alternating drain fields, anaerobic
12 filters, subsurface irrigation, evapotranspiration systems, ((and))
13 aerobic systems, and proprietary devices.

14 (3) "Failure" means: (a) Effluent has been discharged on the
15 surface of the ground prior to approved treatment; or (b) effluent has
16 percolated to the surface of the ground; or (c) effluent has
17 contaminated or threatens to contaminate a ground water supply.

18 (4) "Additive" means any commercial product intended to affect the
19 performance or aesthetics of an on-site sewage disposal system.

20 (5) "Department" means the department of health.

21 (6) "On-site sewage disposal system" means any system of piping,
22 treatment devices, or other facilities that convey, store, treat, or
23 dispose of sewage on the property where it originates or on nearby
24 property under the control of the user where the system is not
25 connected to a public sewer system. For purposes of this chapter, an
26 on-site sewage disposal system does not include indoor plumbing and
27 associated fixtures.

28 (7) "Proprietary device" means an on-site septic system in which
29 the treatment or disposal process is owned by a person or company and
30 has a registered trademark or patent, or utilizes a trademark as
31 certified by the national sanitation foundation or other approved
32 testing laboratories testing to national sanitation foundation standard
33 40 for class I systems.

34 (8) "Chemical additive" means those additives containing acids,
35 bases, or other chemicals deemed unsafe by the department for use in an
36 on-site sewage disposal system.

37 (~~(8)~~) (9) "Additive manufacturer" means any person who
38 manufactures, formulates, blends, packages, or repackages an additive
39 product for sale, use, or distribution within the state.

1 (10) "Treatment standard 1" means ten or less parts per million
2 biochemical oxygen demand, ten or less parts per million total
3 suspended solids, and a fecal count of not more than two hundred.

4 NEW SECTION. Sec. 3. A new section is added to chapter 70.118 RCW
5 to read as follows:

6 Counties must approve a proprietary device or an alternative method
7 of treatment and effluent disposal for use within the county if the
8 method is certified by the national sanitation foundation under
9 standard 40 for class I systems or other certifying agency using the
10 same protocol. The alternative method of treatment and effluent
11 disposal must be installed in accordance with national sanitation
12 foundation standard 40 certification, suggested manufacturer's
13 recommendations, and by a factory certified installer.

14 **Sec. 4.** RCW 70.118.050 and 1989 c 349 s 3 are each amended to read
15 as follows:

16 If the legislative authority of a county or city finds that more
17 restrictive standards than those (~~contained in section 2 of this act~~
18 ~~or those~~) adopted by the state board of health (~~for systems allowed~~
19 ~~under section 2 of this act~~) or limitations on expansion of a
20 residence are necessary to ensure protection of the public health,
21 attainment of state water quality standards, and the protection of
22 shellfish and other public resources, the legislative authority may
23 adopt ordinances or resolutions setting standards as they may find
24 necessary for implementing their findings and may preclude the use of
25 any alternative method of treatment or effluent disposal not meeting
26 treatment standard 1. The legislative authority may identify the
27 geographic areas where it is necessary to implement the more
28 restrictive standards. In addition, the legislative authority may
29 adopt standards for the design, construction, maintenance, and
30 monitoring of sewage disposal systems in accordance with the
31 manufacturer's recommendations and the national sanitation foundation
32 certification or certification by another certifying agency using
33 national sanitation foundation standard 40 protocol for class I
34 systems.

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