

---

SECOND SUBSTITUTE HOUSE BILL 1715

---

State of Washington

64th Legislature

2015 Regular Session

By House Appropriations (originally sponsored by Representatives Peterson, Fitzgibbon, and S. Hunt; by request of Department of Health)

READ FIRST TIME 02/27/15.

1 AN ACT Relating to protecting Puget Sound through funding and  
2 implementing local on-site sewage program management plans; amending  
3 RCW 70.05.190, 70.118A.030, and 70.118A.070; adding a new section to  
4 chapter 70.118A RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds there are an  
7 estimated six hundred thousand on-site sewage systems in the Puget  
8 Sound area. These systems are a critical part of the region's  
9 wastewater treatment infrastructure.

10 (2) On-site sewage systems are an effective method of treating  
11 wastewater, but need appropriate operation and maintenance to  
12 adequately treat wastewater. Failing systems contribute to pollution  
13 of Puget Sound and other regional waters and can pose a threat to  
14 human health.

15 (3) The Puget Sound septic finance advisory committee reports  
16 that on-site sewage management programs need added emphasis on  
17 minimum program requirements to help ensure more consistent  
18 implementation across the region.

19 (4) An on-site sewage system charge should serve as the  
20 sustainable revenue source for the region's on-site sewage management  
21 plans and should be established in each county to fit efficiently

1 with other existing revenue sources to avoid duplicate charges for  
2 on-site sewage services.

3 (5) Because homeowners bear the cost of repairing and replacing  
4 their systems when they break down, an accessible, unified, self-  
5 sustaining low-interest loan program to help owners address failing  
6 systems would benefit the entire region.

7 **Sec. 2.** RCW 70.05.190 and 2012 c 175 s 1 are each amended to  
8 read as follows:

9 (1) ~~((A))~~ Except as provided in this section, the local board of  
10 health in the twelve counties bordering Puget Sound may collect an  
11 annual charge or a rate for each on-site sewage system located in the  
12 basin of the Puget Sound, as that term is defined in RCW 90.71.010,  
13 for the purpose of implementing ~~((an))~~ the on-site sewage program  
14 management plan ~~((may~~

15 ~~(a) Impose and collect reasonable rates or charges in an amount~~  
16 ~~sufficient to pay for the actual costs of administration and~~  
17 ~~operation of the on-site sewage program management plan; and~~

18 ~~(b))~~ required under chapter 70.118A RCW.

19 (2) The local board of health may collect the charge or rate  
20 imposed under this section in areas of the county located outside the  
21 Puget Sound basin.

22 (3) The local board of health may contract with the county  
23 treasurer to collect the ~~((rates or charges imposed))~~ charge or rate  
24 authorized under this section in accordance with RCW 84.56.035.

25 ~~((2))~~ (4) A person exempt from paying property taxes under RCW  
26 84.36.381 is also exempt from the on-site sewage program charge  
27 authorized under this section.

28 (5) In executing the provisions in subsection (1) of this  
29 section, a local board of health does not have the authority to  
30 impose a lien on real property for failure to pay ~~((rates and charges~~  
31 ~~imposed))~~ the charge and rates authorized by this section.

32 ~~((3) Nothing in this section provides a local board of health~~  
33 ~~with the ability to impose and collect rates and charges related to~~  
34 ~~the implementation of an on-site sewage program management plan~~  
35 ~~beyond those powers currently designated under RCW 70.05.060(7).))~~

36 (6) County legislative authorities may use multiple revenue  
37 sources to finance activities and services that address overlapping  
38 nonpoint pollution needs, such as water quality monitoring or  
39 pollution identification and correction.

1       **Sec. 3.** RCW 70.118A.030 and 2006 c 18 s 3 are each amended to  
2 read as follows:

3       (~~By July 1, 2007,~~) (1) The local health officers of health  
4 jurisdictions in the twelve counties bordering Puget Sound shall  
5 develop a written on-site program management plan to provide guidance  
6 to the local health jurisdiction.

7       (2) Local health officers shall update on-site program management  
8 plans at least once every five years to implement local priorities  
9 and program requirements and standards identified in this chapter and  
10 chapter 246-272A WAC. The on-site program management plans must be  
11 updated and submitted to the department for review and approval by  
12 July 1, 2016, and every five years thereafter.

13       **Sec. 4.** RCW 70.118A.070 and 2006 c 18 s 7 are each amended to  
14 read as follows:

15       (1) The on-site program management plans of local health  
16 jurisdictions required under RCW 70.118A.030 must be submitted to the  
17 department (~~by July 1, 2007,~~) and be reviewed to determine if they  
18 (~~contain all necessary elements. The department shall provide in~~  
19 ~~writing to the local board of health its review of the completeness~~  
20 ~~of the plan)) fulfill the minimum on-site program management plan  
21 requirements and standards established by the board by rule. The  
22 board may adopt additional criteria by rule for approving on-site  
23 program management plans. Any additional criteria may not take effect  
24 until one year after it is adopted.~~

25       (2) In reviewing the on-site (~~strategy component of the~~)  
26 program management plan, the department shall ensure that all  
27 required elements, including designation of any marine recovery area,  
28 have been addressed.

29       (3) Within (~~thirty~~) sixty days of receiving an on-site  
30 (~~strategy~~) program management plan, the department shall either  
31 approve the on-site (~~strategy~~) program management plan or provide  
32 in writing the reasons for not approving the (~~strategy~~) on-site  
33 program management plan and recommend changes. If the department does  
34 not approve the on-site (~~strategy~~) program management plan, the  
35 local health officer must amend and resubmit the on-site program  
36 management plan to the department for approval.

37       (4) Upon receipt of department approval or after (~~thirty~~) sixty  
38 days without notification, whichever comes first, the local health

1 officer shall implement the on-site ((strategy)) program management  
2 plan.

3 (5) If the department denies approval of an on-site ((strategy))  
4 program management plan, the local health officer may appeal the  
5 denial to the board. The board must make a final determination  
6 concerning the denial.

7 (6) The department shall assist local health jurisdictions in:

8 (a) Developing written on-site program management plans required  
9 by RCW 70.118A.030;

10 (b) Identifying reasonable methods for finding unknown systems;  
11 and

12 (c) Developing or enhancing electronic data systems that will  
13 enable each local health jurisdiction to actively manage all on-site  
14 sewage ((disposal)) systems within their jurisdictions, with priority  
15 given to those on-site sewage ((disposal)) systems that are located  
16 in or which could affect designated marine recovery areas.

17 NEW SECTION. **Sec. 5.** A new section is added to chapter 70.118A  
18 RCW to read as follows:

19 To assist homeowners with the repair and replacement of on-site  
20 sewage systems, the department and counties may consult with the  
21 department of ecology to capitalize and administer a sustainable  
22 unified low-interest loan program through the department of ecology's  
23 established water quality financial assistance program.

--- END ---