S-1080.1

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**SENATE BILL 5635**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Senator Christian

AN ACT Relating to approval of certain alternative on-site sewage systems; amending RCW 70.05.074; amending 1997 c 447 s 1 (uncodified); and creating a new section.

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

**Sec.**  1997 c 447 s 1 (uncodified) is amended to read as follows:

The legislature finds that improperly designed, installed, or maintained on-site sewage disposal systems are a major contributor to water pollution in this state. The legislature also recognizes that evolving technology has produced many viable alternatives to traditional on-site septic systems. It is the purpose of this act to help facilitate the siting of new alternative on-site septic systems and to assist local governments in promoting efficient operation of on-site septic ((~~these~~)) systems.

**Sec.**  RCW 70.05.074 and 1997 c 447 s 2 are each amended to read as follows:

(1) The local health officer must respond to the applicant for an on-site sewage system permit within thirty days after receiving a fully completed application. The local health officer must respond that the application is either approved, denied, or pending.

(2) If the local health officer denies an application to install an on-site sewage system, the denial must be for cause and based upon public health and environmental protection concerns, including concerns regarding the ability to operate and maintain the system, or conflicts with other existing laws, regulations, or ordinances. The local health officer must provide the applicant with a written justification for the denial, along with an explanation of the procedure for appeal.

(3) If the local health officer identifies the application as pending and subject to review beyond thirty days, the local health officer must provide the applicant with a written justification that the site-specific conditions or circumstances necessitate a longer time period for a decision on the application. The local health officer must include any specific information necessary to make a decision and the estimated time required for a decision to be made.

(4) A local health officer may not limit the number of alternative sewage systems within his or her jurisdiction without cause. Any such limitation must be based upon public health and environmental protection concerns, including concerns regarding the ability to operate and maintain the system, or conflicts with other existing laws, regulations, or ordinances. If such a limitation is established, the local health officer must justify the limitation in writing, with specific reasons, and must provide an explanation of the procedure for appealing the limitation.

(5) Notwithstanding a limitation which may be imposed under subsection (4) of this section, a local health officer shall approve alternative on-site sewage disposal systems on parcels surrounding a water body for which a total maximum daily load for total phosphorus has been established if: (a) The system meets the highest treatment level established by the department; (b) operation of the system will not violate water quality criteria adopted by the department of ecology and applicable to the water body; and (c) the system will discharge effluent through subsurface soil disposal.

NEW SECTION. **Sec.**  Nothing in this act repeals, limits, or alters the provisions of chapter 70A.110 RCW.

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