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**SENATE BILL 5635**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senator Christian

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

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

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

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

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

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

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

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

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

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

34 NEW SECTION. **Sec. 3.** Nothing in this act repeals, limits, or  
35 alters the provisions of chapter 70A.110 RCW.

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