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Message from the Office Director

Governor Inslee appoints a new Secretary of Health

Our Secretary of Health, Mary Selecky, is retiring. Mary has been our leader for the last 15 years and has been working on public issues in our state for 35 years. While her breadth of knowledge is extensive for all things public health, her knowledge of shellfish and wastewater issues is extensive. She understands and supports getting our work done through strong partnerships with local public health, tribes, the shellfish industry, and others. She understands the strong connection between on-site sewage systems and the health of Puget Sound and drinking water sources. Mary has always been there for us - as a key note speaker at the Interstate Shellfish Sanitation Conference in Seattle, showing up at shellfish bed upgrade events, supporting local health programs, or as a Celebrity Slurper at PCSGA's SLURP event. Mary was a joy to work for and we will miss her dearly.



Governor Inslee announced that John Wiesman will be our new Secretary of Health as of April 15. John is currently Clark County's Director of Public Health and has worked in local public health for the last 25 years. We look forward to getting to know John and taking him out in the field on a beach shoreline survey, water sampling boat run, mussel cage cleaning, on-site inspection, or a tour of a reclaimed water facility.

Changes in "Call-Before-You-Dig-Law"

What on-site sewage system owners should know

Changes to the Utilities and Transportation's "call-before-you-dig" law went into effect on January 1, 2013. The changes affect all utilities and anyone excavating, including homeowners, and are intended to decrease damage to underground pipes and utilities.



Small and large on-site sewage systems are defined as "underground facilities" and are subject to the locate requirements. Those who build, repair, and operate on-site sewage systems (owners, their contractors, and operators) are considered "excavators". This law is most applicable to large on-site sewage systems (LOSS) which are likely to have pipelines in easement and roadway areas where other utilities have or want to install underground components. (Individual or small systems may or may not be subject to the law, depending on where their underground pipes and tanks are located.)

If this law applies to you, you have a legal responsibility to:

- Avoid damaging existing underground utilities with your excavation work.

see "Dig law" next page

Dig law (from page 1)

- Locate your on-site pipelines and tanks when others want to excavate near your system.
- Subscribe to the one-call locator service."

Fines can be imposed for failing to comply with the dig law. Anyone with underground components (sewer pipes and other) that fails to properly locate them will be responsible for the costs and delays caused to the excavator, plus attorney fees if court action is brought to require payment of damages.

If you're unsure if this law applies to you, we recommend you visit Utilities and Transportation Commission's website at www.utc.wa.gov/diglaw or contact Washington Utilities and Transportation Commission pipeline safety specialist Anna Gill at (360)-664-1118. If you don't currently perform locates, know how to do it, or haven't subscribed to the one-call locator service, visit the Washington Utilities Coordinating Council website at www.washington-ucc.org for information.

RCW 19.122.020 definitions:

- **Underground facility:** "...any item buried or placed below ground for use in connection with the storage or conveyance of water, sewage, electronic, telephonic or telegraphic communications, cablevision, electric energy, petroleum products, gas, gaseous vapors, hazardous liquids, or other substances and including but not limited to pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments, and those parts of poles or anchors below ground."
- **Excavation:** "...any operation in which earth, rock, or other material on or below the ground is moved or otherwise displaced by any means, except the tilling of soil less than twelve inches in depth for agricultural purposes, or road and ditch maintenance that does not change the original road grade or ditch flowline."
- **Excavator:** "...any person who engages directly in excavation."

Vp Advisory Committee Meets

The Washington *Vibrio parahaemolyticus* Control Plan, WAC 246-282-006, has been opened for possible revision this year. We are looking for changes to the rule that would make the Control Plan less reactive and more proactive in preventing vibrio illness. The *Vibrio parahaemolyticus* Advisory Committee (VpAC), consisting of representatives from the industry, the tribes, local health jurisdictions, the National Oceanographic and Atmospheric Administration, the FDA, and Department of Health staff is meeting several times this year to review data and consider alternatives to the current WAC.

At the initial meeting on January 23, the VpAC recommended that the new Vibrio Control Plan be a risk-based plan, designed to detect and prevent the occurrence of vibriosis. There was also a general consensus for instituting partial growing area closures and reopening growing areas after the risk had dissipated. Neither of these options is currently in the state Vibrio control plan.

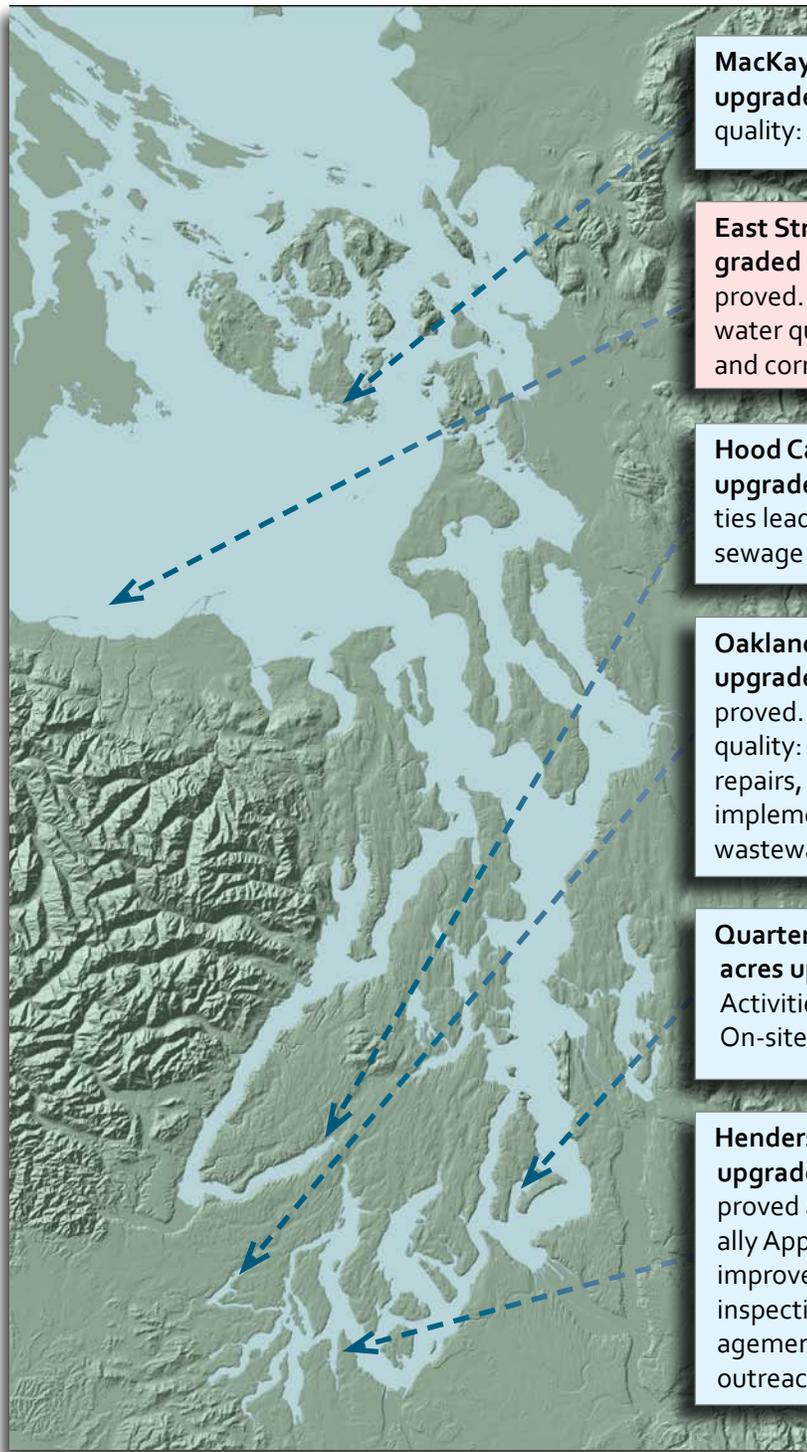
Discussions at the January meeting led to an agreement to establish two subcommittees. The first subcommittee established was the risk assessment subcommittee, which will be considering such factors as serving size, water temperatures, landings data collection, and risk determination. The second subcommittee will deal with environmental sample collection and the location of *Vibrio parahaemolyticus* "hot spots" within the growing areas.

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The VpAC will continue to meet monthly through October 2013. The goal is to have a new Vibrio control plan before the State Board of Health in March of 2014. For more information see our [Vibrio Rule Revision web page](#).

Over 1,400 Acres Upgraded in 2012

The creation of Shellfish Protection Districts, implementation of closure response plans, and other long-term efforts by many stakeholders resulted in the successful upgrade of 1,417 acres of shellfish harvesting areas in 2012. Only 27 acres were downgraded. Affected areas are:



MacKaye Harbor (San Juan County) – 65 acres upgraded. Activities leading to improved water quality: Reduced number of boats in Barlow Bay.

East Straits (Clallam County) – 27 acres downgraded from Approved to Conditionally Approved. One marine water station failed the water quality standard. Pollution identification and correction activities have started.

Hood Canal 9 (Mason County) – 280 acres upgraded from Prohibited to Approved. Activities leading to improved water quality: On-site sewage system repairs, Belfair sewer system.

Oakland Bay (Mason County) – 799 acres upgraded from Conditionally Approved to Approved. Activities leading to improved water quality: On-site sewage system inspections and repairs, agricultural best management practices implemented, education and outreach, Shelton wastewater treatment plant upgrades

Quartermaster Harbor (King County) – 173 acres upgraded from Prohibited to Approved. Activities leading to improved water quality: On-site sewage system inspections.

Henderson Inlet (Thurston County) – 50 acres upgraded from Prohibited to Conditionally Approved and 50 acres upgraded from Conditionally Approved to Approved. Activities leading to improved water quality: On-site sewage system inspections and repairs, agricultural best management practices implemented, education and outreach.

The 2012 classification changes add to our goal of improving 10,000 acres in Puget Sound by 2020. So far we have accumulated 2,774 acres towards this goal; a number that was substantially impacted by the 4,000 acre Samish Bay downgrade in 2011.

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On-Site Sewage Projects in Puget Sound

Our office helped develop an ambitious set of on-site sewage system (OSS) projects for the 2012 Puget Sound Action Agenda. The list of projects, or near-term actions (NTAs) as they're called in the Action Agenda, has generated interest (and some confusion). We thought it would be helpful to summarize them and show which ones are being funded with EPA Puget Sound Grant Funds.

Effectively manage and control pollution from on-site sewage systems (Strategy C5.1.)

Near Term Actions (NTA):

NTA1: Effectiveness of OSS Rule. DOH, in consultation with Puget Sound local health jurisdictions (LHJs) and other interests, will evaluate the effectiveness of the state OSS rule, identify potential changes, and outline recommendations to the State Board of Health by December 2013.

NTA2: OSS O&M Program Best Practices. DOH will work with Puget Sound LHJs to identify successes and best practices, explore common program standards, and recommend approaches to improve the local O&M programs by September 2014. (funded with \$150,000 EPA Pathogen Grant Funds)

NTA3: OSS Nitrogen Treatment Technologies. DOH will evaluate public domain OSS treatment technologies for nitrogen reduction and develop standards and guidance for their use if testing results indicate the technologies are effective and reliable. The evaluation will be completed by June 2014, followed by work on standards and guidance. (Funded with \$600,000 EPA Toxic/Nutrient Grant Funds.)

Improve and expand funding for on-site sewage systems (Strategy C5.3.)

Near Term Actions (NTA):

NTA1: Regional OSS Homeowner Loan Program. DOH, Ecology, Puget Sound Partnership, and Puget Sound LHJs will evaluate options and support proposals to fund a unified, self-sustaining, low-interest loan program in the Puget Sound region to help OSS owners repair and replace their systems by September 2014. (The regional funding projects are jointly funded with \$200,000 EPA Pathogen Grant Funds.)

NTA2: Regional OSS Program Funding Source. DOH, Puget Sound LHJs, and other interests will evaluate approaches and mechanisms (e.g., a regional flush tax or sewer surcharge) to establish a dedicated funding source to help the 12 Puget Sound counties implement their OSS management plans and programs by September 2014. (The regional funding projects are jointly funded with \$200,000 EPA Pathogen Grant Funds.)

NTA3: Funding Mechanism for Local OSS Programs. DOH and Puget Sound LHJs will work to authorize local boards of health to contract with county treasurers to collect fees via property tax statements to implement local OSS plans and programs by June 2012. (State legislation SSB 6116 was signed June 2012; see inset above right.)

Whatcom County Adopts Septic Fee Using New Local Funding Mechanism

In November 2012 the Whatcom County Council adopted a \$19 annual fee for owners of on-site sewage systems in the county. The county will use new property tax authority passed by the 2012 state legislature to collect the fee (see Strategy C5.3, NTA3).

Faced with a budget shortfall caused by general fund cuts and the loss of long term interlocal agreement funds, county staff worked with the County Council's Health and Safety Committee and Finance Committee to find a funding solution.

Several funding options were considered, and the resulting fee covers OSS owners countywide costing \$19 annually. This funding provides for program coverage countywide, with emphasis on the County's two designated protection areas (Drayton Harbor and Lake Whatcom). The new fee replaces two previously collected fees—a \$35 inspection filing fee and a 3¢ per gallon septage surcharge.

The fee will apply evenly to about 24,000 OSS owners, cost less than the fees it replaced, and provide stable funding for Whatcom County's on-site sewage system program.

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Staff Updates

Amy Georgeson

Amy Georgeson has stepped into our recently vacated Shoreline Survey / Restoration position. She previously worked at Mason County Public Health in the Solid and Hazardous Waste Program and the Water Quality/On-site Programs. Amy has over 10 years' experience assessing and protecting water quality within the Hood Canal watershed. She has performed monitoring and on-site sewage system assessments in the North Bay, Oakland Bay, and Totten/Little Skookum watersheds. She was the project manager for a methamphetamine lab remediation pilot study, working in conjunction with the Centers for Disease Control and Prevention and WA Department of Health.

Amy is originally from Fargo, North Dakota (keep clear of her and wood-chippers) and began her westward migration in 1992, when she moved to Billings, MT. In 1998 she moved to Olympia to attend The Evergreen State College where she received a Bachelor of Science and a Bachelor of Arts in 2002, focusing on Watershed Ecology and Central American Studies. When she is not working, she enjoys traveling, photography, gardening, and being in or near the water or up in the mountains, unless it is too wet and cold, then she is probably knitting, reading, making jewelry, or playing Catan.



Liz Maier



Liz Maier is our new Recreational Shellfish lead, stepping into that position when Greg Combs retired from state service at the end of last year. She came to us from Clallam County's Environmental Health Division, where she worked for six years on water quality and shellfish protection, onsite septic system management, and education and outreach programs. Prior to her work in environmental public health, Liz performed ecological risk assessments and investigated contaminated sites for a consulting firm in Bellevue. She holds a bachelor's degree in environmental and evolutionary biology from Dartmouth College and a master's degree in environmental engineering from Cornell University.

Originally from Ohio, Liz has lived and worked in western Washington since 2001. In her spare time, she enjoys gardening, hiking, reading, going to the symphony, following her favorite sports teams, and exploring the beaches, mountains, and valleys of the Pacific Northwest.

OSWP Listservs

Get the latest updates via email by joining our office listservs. You must join each list individually, and you can unsubscribe at any time.

[Shellfish](#) – Notifications that impact commercial shellfish operations such as closures, rulemaking activity, vibrio illnesses, newsletters, etc.

[Wastewater](#) – General information such as updates on RS&Gs, proprietary product lists, TAG agendas, newsletters, and other general topics.

[Wastewater-LOSS](#) – Large On-site Sewage Systems issues and updates.



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