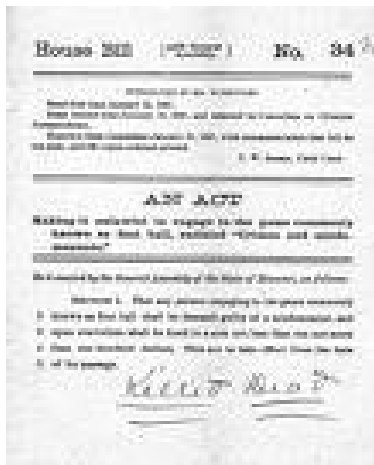




# 2007 LOSS Legislation Overview



<http://apps.leg.wa.gov/RCW/default.aspx?cite=70.118B>

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## RCW 70.118B - Definitions:

(3) "**Large on-site sewage system**" means an on-site sewage system with design flows of between three thousand five hundred gallons per day and one hundred thousand gallons per day.

(4) "On-site sewage system" means an integrated system of components, located on or nearby the property it serves, that conveys, stores, treats, and provides **subsurface soil treatment** and disposal of domestic sewage. It consists of a collection system, a treatment component or treatment sequence, and a subsurface soil disposal component. It **may or may not include a mechanical treatment system.**



## RCW 70.118B - Definitions Cont.

### On-site system definition cont.

An on-site sewage system also refers to a holding tank sewage system or other system that does not have a soil dispersal component. A holding tank that discharges to a sewer is not included in the definition of on-site sewage system. A system into which **storm water** or **industrial wastewater** is discharged is not included in the definition of on-site sewage system.

## **RCW 70.118B – Major provisions:**

- ❑ Grants authority to DOH for approval of all LOSS with design flows up to 100,000 GPD (includes mechanical treatment)
- ❑ Ecology retains authority for industrial waste and combined stormwater / sanitary sewers
- ❑ Directs DOH to develop LOSS rule
- ❑ Authorizes / obligates DOH to protect environment\*  
\* (see slide 7)



## RCW 70.118B (major provisions cont.)

- All LOSS owners must obtain **operating permits** from DOH by **July 1, 2009**
- **DOH must assure permitted LOSS meet standards\* before issuing permits**
- Addresses permit transfer requirements & timelines for LOSS currently permitted by Ecology

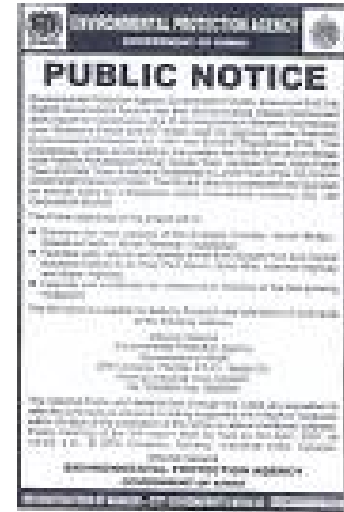
\* for siting, design, construction, installation, operation, maintenance, and repair of LOSS



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## RCW 70.118B (cont.)



- **Public notice** required for LOSS project applications with design flows > 14,500 GPD;
  - Public must have opportunity to **comment**
  - DOH must include provisions for final notice & appeals
- Work group convened under RCW 70.118A.080\*(4) to consider **certification or licensing for LOSS operators**

\* RCW 70.118A On-site sewage disposal system – Marine Recovery Areas

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## RCW 70.118B (cont.)

### Public Health + Environmental Protection

- DOH must assure LOSS projects comply with **applicable** portions of **RCW 90.48** including surface & groundwater standards and requiring all known, available, and reasonable methods of treatment (“**AKART**”).

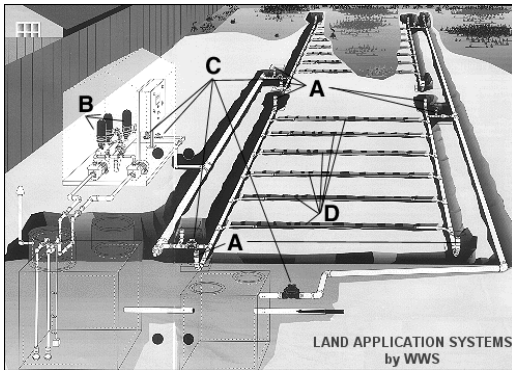
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## RCW 70.118B (cont.)

- DOH must assure that LOSS projects comply with GMA, local comprehensive plans or development regulations
- Strengthens DOH enforcement capability:
  - authorizes fines
  - prescribes maximum penalties
  - outlines enforcement procedures and appeal process
  - limits disposition of any funds collected.





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