



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: State Board of Health

Subject of possible Rule making: Chapter 246-272C WAC - A new chapter establishing standards for sewage (septic) tanks. WSR 04-03-010 listed standards for Large On-site Sewage Systems (LOSS) and sewage tanks as the subject of possible rulemaking. This statement of inquiry establishes a separate rule making for sewage tank standards. The LOSS rulemaking will continue under WSR 04-03-010.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.20.050

Reasons why rule on this subject may be needed and what they might accomplish: Under recently adopted on-site sewage system rules, chapter 246-272A WAC, sewage tanks must be reviewed and approved by the Department of Health. Chapter 246-272C will establish criteria for the approval of sewage tanks. Currently there are design criteria and standards for sewage tanks in guidance. The Department of Health finds this guidance should be placed in rule to be enforceable as intended under chapter 246-272A WAC.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None

Process for developing new rule(check all that apply):

- Negotiated rule making
- Pilot Rule Making
- Agency Study
- Other (describe)

DOH and the SBOH will seek the input of interested parties into the development of these rules. Most communication will be electronic and through mailings. Please contact the individuals listed below to participate.

How interested parties can participate in the decision to adopt the new rule and formation of the proposed rules before publication: (List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Mamdouh El-Aarag, Department of Health
 1500 W. 4th Ave., STE 403
 Spokane, WA 99204
 (509) 456-2754 el-aarag.mamdouh@doh.wa.gov
 and
 Ned Therien, State Board of Health
 PO BOX 47990
 Tumwater, WA 98504
 (360) 236-4103 ned.therein@doh.wa.gov

DATE
2/24/06

NAME (Type or Print)
Craig McLaughlin

SIGNATURE

TITLE
Executive Director

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

FEB 28 2006

TIME 7:48 AM

06.06.051 PM