



RULE-MAKING ORDER

CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: State Board of Health

- Permanent Rule
- Emergency Rule

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) See Attachment 1 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: To update rules for the siting, design, installation, operation and maintenance of on-site sewage systems. This rule adoption repeals chapter 246-272 WAC and establishes new chapter 246-272A WAC. See Attachment 2.

Citation of existing rules affected by this order:

Repealed: 246-272-00101, -00501, -01001, -02001, -03001, -04001, -05001, -07001, -08001, -09001, -09501, -11001, -11501, -12501, -13501, -14501, -15501, -16501, -17501, -18501, -19501, -20501, -21501, -22501, -23501, -24001, -25001, -26001, -27001, -28001,

Amended: None

Suspended: None

Statutory authority for adoption: RCW 43.20.050

Other authority :

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 05-02-082 & 05-11-109 on 01/05/05 & 05/18/05 (date).

Describe any changes other than editing from proposed to adopted version: For clarity of implementation, in sections 246-272A-0125, 0135, -0150, & -0175 the term "effective date of this chapter" has been replaced with "September 15, 2005", and the term "eighteen months from the effective date of the chapter" has been replaced with "March 15, 2007". In section 246-272A-0425 the phrase "a date four years after the effective date of the rules" is replaced with "September 2009."

WAC 246-272-11501 was added to the list of sections being repealed for consistency with WSR 05-02-082 (original CR102 notice).

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: July 13, 2005

RECEIVED

JUL 21 2005

NAME (TYPE OR PRINT)

Craig McLaughlin

WA STATE BOARD OF HEALTH

SIGNATURE

TITLE

Executive Director

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

JUL 18 2005

TIME

12:22

WSR

05-15-119

AM

PM

CR-103 for chapter 246-272A – On-site Sewage Systems
Attachment 1

Effective Dates For chapter 246-272A WAC	
September 15, 2005	July 1, 2007
-0001 – Purpose, objective and authority	-0170 – Product Development Permits
-0005 - Administration	-0200 - Permits
-0010 - Definitions	-0210 - Location
-0015 – Local management and regulation	-0220 – Site and Soil Evaluation
-0020 - Applicability	-0230 – Design Requirements – general
-0025 – Connection to Public Sewer	-0232 – Design Requirements – septic tank size
-0100- Sewage Technologies	-0234 – Design Requirements – Soil Dispersal
-0110 – Proprietary Treatment - Certification	-0238 – Design Requirements – Facilitate Operation, monitoring and maintenance
-0120 – Proprietary Treatment - Registration	-0240 – Holding Tank Sewage Systems
-0125 – Transition of proprietary treatment	-0250 Installation
-0130 – Bacterial Reduction	-0260 Inspection
-0135- Transition for bacterial reduction	-0265 Record Drawings
-0140 – Proprietary Distribution - certification	-0270 – Operation Monitoring and Maintenance- Owner Responsibilities
-0145- Proprietary Distribution – registration process	-0275 – Operation, monitoring and maintenance – Food service establishments
-0150 – Transition for proprietary distribution	-0280 – Repair of Failures
-0175 – Transition for experimental systems	-0290 - Expansions
-0400 – Technical advisory committee	-0300 - Abandonment
-0410 - Policy advisory committee	-0310 – Septage management
-0420 – Waiver of state regulations	-0320 - Developments, Subdivision, and Minimum Land Area Requirements
-0425 – Rule Review	-0340 Certification of installers, pumpers, and maintenance service providers
-0430 Enforcement	
-0440 – Notice of decision	
-0450 Severability	
Effective Repeal Dates For chapter 246-272 WAC	
September 15, 2005	July 1, 2007
-02001 - Local Regulations	-00101 - Purpose
-03001 - Applicability	-00501 - Administration
-04001 -- Alternative Systems and Proprietary Devices	-01001- Definitions
-05001 – Experimental Systems	-09001 Permits for Onsite Sewage Systems under 3500 gallons per day
-07001 – Connection to Public Sewer	-09501 Location
-08001 - LOSS	-11001 – Soil and Site Evaluation
-21501- Areas of Special Concern	-11501 - Design
-23501- Technical Review Committee	-12501 – Holding Tank Sewage System
-24001- State Advisory Committee	-13501 – Installation
-25001 -Waiver of State Regulations	-14501- Inspection
-26001 - Enforcement	-15501 – Operation and Maintenance
-27001 – Notice of Decision	-16501 – Repair of Failures
-28001 - Severability	-17501 - Expansions

**CR-103 for chapter 246-272A -- On-site Sewage Systems
Attachment 1**

	-18501 - Abandonment
	-19501 -- Septage Mangement
	-20501 -- Developments, Subdivisions and Minimum Land Area Requirements
	-22501 -- Certification of Designers, Installers, Inspectors and Maintenance Personnel

246-272-00990 -- Fees will be recodified as 246-272A-990

On July 1, 2007, the remaining portions of 246-272A become effective and the remaining parts of 246-272 are repealed.

Chapter 246-272A – On-site Sewage Systems
-0001 – Purpose, objective and authority
-0005 - Administration
-0010 - Definitions
-0015 – Local management and regulation
-0020 - Applicability
-0025 – Connection to Public Sewer
-0100- Sewage Technologies
-0110 – Proprietary Treatment - Certification
-0120 – Proprietary Treatment - Registration
-0125 – Transition of proprietary treatment
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-0135- Transition for bacterial reduction
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-0145- Proprietary Distribution – registration process
-0150 – Transition for proprietary distribution
-0170 – Product Development Permits
-0175 – Transition for experimental systems
-0200 - Permits
-0210 - Location
-0220 – Site and Soil Evaluation
-0230 – Design Requirements – general
-0232 – Design Requirements – septic tank size
-0234 – Design Requirements – Soil Dispersal
-0238 – Design Requirements – Facilitate Operation, monitoring and maintenance
-0240 – Holding Tank Sewage Systems
-0250 - Installation
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-0265 - Record Drawings
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-0275 – Operation, monitoring and maintenance – Food service establishments
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-0440 – Notice of decision
-0450 - Severability
- 0990 - Fees