

On-Site Rule Revision Committee Recommended Draft Rule Language

WAC 246-272A-0015

Local management plans.

- (1) By July 1, 2022, the local health officer of each health jurisdiction shall develop or revise a written management plan for all OSS within the jurisdiction. At a minimum, the plan must specify how the local health jurisdiction will:
 - (a) Progressively develop and maintain an inventory including the number and location of all OSS in operation within the jurisdiction;
 - (b) Identify any of the following areas where OSS could pose an increased public health risk, if applicable:
 - (i) Shellfish protection districts or shellfish growing areas;
 - (ii) Sole source aquifers designated by the USEPA;
 - (iii) Areas in which aquifers used for potable water as designated under the Washington State Growth Management Act, chapter [36.70A](#) RCW are critically impacted by recharge;
 - (iv) Designated wellhead protection areas for Group A public water systems;
 - (v) Up-gradient areas directly influencing water recreation facilities designated for swimming in natural waters with artificial boundaries within the waters as described by the Water Recreation Facilities Act, chapter [70.90](#) RCW;
 - (vi) Areas designated by the department of ecology as special protection areas under WAC [173-200-090](#), Water quality standards for groundwaters of the state of Washington;
 - (vii) Wetland areas under production of crops for human consumption;
 - (viii) Frequently flooded areas including areas delineated by the Federal Emergency Management Agency and or as designated under the Washington State Growth Management Act, chapter [36.70A](#) RCW;
 - (ix) Areas where nitrogen has been identified as a contaminant of concern; and
 - (x) Other areas designated by the local health officer.

(c) Identify operation, maintenance and monitoring requirements commensurate with risks posed by OSS within the geographic areas identified in (b) of this subsection;

(d) Educate OSS owners regarding their responsibilities under the local management plan and provide operation and maintenance information for all types of systems in use within the jurisdiction;

(e) Remind and encourage homeowners to complete the operation and maintenance inspections required by WAC [246-272A-0270](#);

(f) Maintain records required under this chapter, including all operation and maintenance activities as identified;

(g) Enforce OSS owner permit application, operation, monitoring and maintenance and failure repair requirements defined in WAC [246-272A-0200\(1\)](#), [246-272A-0260](#), [246-272A-0270](#), [246-272A-0275](#), and [246-272A-0280](#) (1) and (2);

(h) Describe the capacity of the local health jurisdiction to adequately fund and implement the local OSS plan, including a summary of program expenditures by activity, source of funds, and a strategy for filling any funding gaps;

(i) Ensure that it was developed to coordinate with the comprehensive land use plan of the entities governing development in the health officer's jurisdiction; and

(j) Ensure opportunity for public input into development of the plan.

(2) After local board of health approval following a public hearing, the local health officer shall:

(a) Submit a copy of the plan for departmental review;

(b) Review the plan and update as necessary at least once every five years from the date of local board of health plan approval;

(c) Implement the plan and report annually to the department in a format specified by the department. Annual reports should include any of the following data elements, if applicable: type, age, location, status of compliance with inspections required by WAC [246-272A-0270](#), unknown OSS, number of inspections, number of property transfer inspections, or other elements deemed necessary; and

(d) Supply a copy of the plan to the entities responsible for land use planning and development regulations in the health officer's jurisdiction.

(3) The department shall review the plan to ensure the elements in subsection (1) of this section have been addressed and provide any comments in writing to the local board of health. Any revisions made by the local health officer to the OSS plan required in subsection (2) of this section shall be submitted for department review.

(4) The department shall maintain and update guidance including best management practices and provide technical assistance to assist local health jurisdictions in plan development.

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