

**On-Site Rule Revision Issue:  
OSS MINIMUM HORIZONTAL SEPARATIONS  
(WAC 246-272A-0210 Location)**

**Problem statement**

Some of the items from existing Table IV need clarification or a definition. Some items are new. The proposal is to make some needed changes, with increased clarity as the goal. A clear, uniform understanding of the pertinent definitions and setback requirements will help protect public health and the environment.

Be mindful that in the process of prior subcommittee decision-making regarding the stormwater-related items, the table may already have changes. Eventually all of the horizontal separation issues will be combined into the same Table.

**Options**

1. Revise as proposed,
2. Make additions/deletions/changes to proposed, or
3. Make no changes.

**PROs/CONs**

<b>PROs (options 1 or 2)</b>	<b>CON (option 3)</b>
<ul style="list-style-type: none"><li>• Provides more definition, clarity, and direction throughout the state.</li><li>• Provides more consistency with other DOH WAC (DW).</li></ul>	<ul style="list-style-type: none"><li>• More potential for differences in how each LHJ administers the setbacks to individual items.</li></ul>

**Recommendations to Consider**

**BLUE** = Additions      **RED** = Deletions

Minimum Horizontal Separations

The Technical Subcommittee voted to make the following revisions to Table IV:

**-0201** (1) Persons shall design and install OSS to meet the minimum horizontal separations shown in Table IV, Minimum Horizontal Separations:

**Table IV  
Minimum Horizontal Separations**

Items Requiring Setback	From edge of soil dispersal component and reserve area	From sewage tank and distribution box	From building sewer, and nonperforated distribution pipe
Well <del>or suction line</del>	100 ft.	50 ft.	50 ft.
<u>Non-public, drinking water well</u>	<u>100 ft.</u>	<u>50 ft.</u>	<u>50 ft.</u>
Public, drinking water well	100 ft.	100 ft.	100 ft.
Public, drinking water spring <u>or surface water</u> measured from the ordinary high-water mark <sup>1</sup>	200 ft.	200 ft.	100 ft.
<u>Non-public, drinking water spring or surface water</u> measured from the ordinary high-water mark <sup>+</sup>	100 ft.	50 ft.	50 ft.
<u>Non-public, in-ground, drinking water containment vessel</u>	<u>20 ft.</u>	<u>10 ft.</u>	<u>10 ft.</u>
Pressurized water supply line <u>or easement for water supply line</u>	10 ft.	10 ft.	10 ft.
<u>Closed geothermal loop</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>10 ft.</u>
Decommissioned well (decommissioned in accordance with chapter <u>173-160</u> WAC)	10 ft.	N/A	N/A
Surface water measured from the ordinary high-water mark	100 ft.	50 ft.	10 ft.
Building foundation/in-ground swimming pool	10 ft.	5 ft.	2 ft.
Property line or easement line	5 ft.	5 ft.	N/A
Interceptors/curtain drains/foundation drains/drainage ditches			
Down-gradient <sup>2</sup> :	30 ft.	5 ft.	N/A
Up-gradient <sup>2</sup> :	10 ft.	N/A	N/A
Other site features that may allow effluent to surface			
Down-gradient <sup>2</sup> :	30 ft.	5 ft.	N/A
Up-gradient <sup>2</sup> :	10 ft.	N/A	N/A

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Down-gradient cuts or banks with at least 5 ft. of original, undisturbed soil above a restrictive layer due to a structural or textural change	25 ft.	N/A	N/A
Down-gradient cuts or banks with less than 5 ft. of original, undisturbed soil above a restrictive layer due to a structural or textural change	50 ft.	N/A	N/A
Other adjacent soil dispersal components/ <del>subsurface stormwater infiltration systems</del>	10 ft.	N/A	N/A

<sup>1</sup> If surface water is used as a public drinking water supply, the designer shall locate the OSS outside of the required source water protection area.

<sup>2</sup> ~~The item is down-gradient when liquid will flow toward it upon encountering a water table or a restrictive layer. The item is up-gradient when liquid will flow away from it upon encountering a water table or restrictive layer.~~

(2) If any condition indicates a greater potential for contamination or pollution, the local health officer may increase the minimum horizontal separations. Examples of such conditions include excessively permeable soils, unconfined aquifers, shallow or saturated soils, dug wells, and improperly abandoned wells.

(3) The local health officer may allow a reduced horizontal separation to not less than two feet where the property line; or easement line; ~~in-ground swimming pool, or building foundation~~ is up-gradient.

(4) The horizontal separation between an OSS dispersal component and an individual water well, individual spring, or surface water that is not a public water source can be reduced to a minimum of seventy-five feet, by the local health officer, and be described as a conforming system upon signed approval by the health officer if the applicant demonstrates:

(a) Adequate protective site-specific conditions, such as physical settings with low hydro-geologic susceptibility from contaminant infiltration. Examples of such conditions include evidence of confining layers and/or aquatards separating potable water from the OSS treatment zone, excessive depth to groundwater, down-gradient contaminant source, or outside the zone of influence; or

(b) Design and proper operation of an OSS system assuring enhanced treatment performance beyond that accomplished by meeting the vertical separation and effluent distribution requirements described in WAC 246-272A-0230 Table VI; or

(c) Evidence of protective conditions involving both (a) and (b) of this subsection.

(5) Persons shall design and/or install a soil dispersal component only if:

(a) The slope is less than forty-five percent (twenty-four degrees);

(b) The area is not subject to:

(i) Encroachment by buildings or construction such as placement of power poles and underground utilities;

(ii) Cover by impervious material;

(iii) Vehicular traffic; or

(iv) Other activities adversely affecting the soil or the performance of the OSS.

(c) Sufficient reserve area for replacement exists to treat and dispose one hundred percent of the design flow;

~~(d) The land is stable;~~ and

(d e) Surface drainage is directed away from the site.

(6) The local health officer may approve a sewer transport line within ten feet of a water supply line if the sewer line is constructed in accordance with section C1-9.1 of the department of ecology's "Criteria For Sewage Works Design," ~~December 1998~~2008.

The Technical Subcommittee voted to define the following accompanying terms to Table IV:

**Need definitions/work:**

Public water supply

Proposed: As defined in 246-290 WAC, Group A public water supplies; and 246-291 WAC, Group B public water systems.

Non-public, in-ground, drinking water containment vessel

Proposed: Any in-ground containment vessel used to store drinking water.

Geothermal loop

Proposed: A network of underground piping carrying fluid under pressure used to help heat and cool a structure.

Downgradient item

Proposed: An item that subsurface water flows toward, and is usually located lower in elevation.

Up-gradient item

Proposed: An item that subsurface water does not flow toward, or flows away from, and is usually located higher in elevation.

Stable landforms

Proposed: add language in the rule everywhere stable land is discussed rather than keep in subsection (5)(d). Land features not affected by water or wind erosion: such as floodways, floodplains, drainage areas, dunes, and landslide zones.