Chapter 246-272A WAC

WAC 246-272A-0425 requires DOH to:

- Evaluate the effectiveness of the rule every four years
- Determine if revisions are needed
- Report recommendations to the state board of health and local health officers
Chronological Rule Reviews

- 2005
  - Rule Adopted
- 2009
  - No Revision
- 2013
  - No Revision
- 2017
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2017 Evaluation Process

- Online survey sent to all the environmental health directors
- Technical advisory group meeting
- On-site system rule review panel meeting
- Internal review
# 2017 Evaluation Stakeholders

## Onsite Rule Review Panel
- LHJs
- Shellfish Industry
- Dept. of Ecology
- Installer
- Homeowners/Citizens (COOMWA)
- O&M Provider
- Engineer
- WOSSA
- Proprietary Product Manufacture
- Tulalip Tribe
- National Estuary Program
- Environmental Advocacy Groups

## Technical Advisory Group
- Addressed Technical Issues
- Designer, Installer, O&M Provider
- Engineer
- LHJs from Different Regions of State
- Realtor
- Certified Soil Scientist

## Survey of LHJs
- Asked If The Rule Provides Statutory Intent
- 32 of 35 LHJs Participated
Chapter 246-272A WAC
Seven Key Issues Were Identified

- Definitions
- Local management plans
- Property transfer inspections
- Application of treatment levels

Treatment Levels Table VI

<table>
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<tr>
<th>Vertical Separation</th>
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<tr>
<td>1</td>
<td>2</td>
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<tr>
<td>≥12&quot; &lt; 18&quot;</td>
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<tr>
<td>≥18&quot; &lt; 24&quot;</td>
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<td>≥24&quot; &lt; 36&quot;</td>
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<td>B</td>
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<tr>
<td>≥60&quot;</td>
<td>C</td>
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Seven Key Issues Were Identified (continued)

- Ultraviolet light (UV) disinfection effectiveness and approval
- Horizontal setbacks (system location)
- Statewide O&M service providers licensing
Other Issues Identified During Rule Review

Operation & Maintenance
- Design Requirements
- Secure Tank Lids
- Service Provider Licensing
- Prohibited Waste Types

Monitoring
- Disinfection Used to Meet Treatment Levels
- Field Effectiveness Verification
- Nitrogen Reduction

Design Requirements
- Treatment Levels
- Minimum Lot Sizes
- Repair of Failures / Connection to Sewers
- Minimum Tank Size
Conclusions of Review Process

DOH reported to State Board of Health that:

- Stakeholder majority believe revisions are needed in system design, maintenance, and monitoring requirements.

- **Seven key issues** identified are significant enough to warrant rule revisions.

- An additional eighteen medium ranking issues were identified where changes will improve rule effectiveness.

- A thoughtful revision process driven by diverse stakeholders will produce the most balanced and equitable regulations that are protective of public health while not being over-burdensome.
Conclusions of Review Process

State Board of Health:

- On January 10, 2018 directed DOH to begin rule revision as soon as possible.
- On March 6, 2018 filed a CR 101 stating Board intent to consider rule revision.
Issues for Consideration

Key Issues From State Board of Health Report

- Local Management Plans
- Property Transfer Inspections
- UV Disinfection Effectiveness and Approval
- Horizontal Setback Requirements
- Statewide Licensing of Service Providers
- Definitions
- Application of Treatment Levels
Other High Level Issues From Report

Operation & Maintenance
- Design Requirements
- Secure Tank Lids
- Prohibited Waste Types

Monitoring
- Disinfection Used to Meet Treatment Levels
- Field Effectiveness Verification
- Nitrogen Reduction

Design Requirements
- Effluent Application Rates
- Minimum Lot Sizes
- Repair of Failures / Connection to Sewers
- Minimum Tank Size
Legislation

HB 2420
- Repairs/Failure
- Inspection Access
- and Notification
- Easements
- Maintenance
- Contracts

HB 1476
- Update
- Management
- Plans
Other Issues

New Issues From ORRC

Issues Collected by DOH

Issues From the Public