Public Workshops
Webinar 2/12/2020
Southwest 2/14/1010
Northwest 2/19/2020

Southeast 2.20/2020
Northeast 2/21/2020

REVISION OF WAC 246-272-3000
LARGE ON-SITE SEWAGE SYSTEMS FEES

Public Workshops
Webinar 2/12/2020

Southwest 2/14/1010
Northwest 2/19/2020

Southeast 2.20/2020
Northeast 2/21/2020
Today’s presenters

 Dotti Ramey
Supervisor
Large On-site Sewage System Program

 Jeremy Simmons
Manager
Wastewater Management Section
LOSS fee increase - Today’s topics

Large On-site Sewage Systems - LOSS

1. Introductions
2. Background – Why regulate LOSS, and who uses LOSS
3. Existing and future rates
4. Impacts of increased rates to owners/users
5. Why a fee increase is necessary
6. Questions & next steps
Webinar specifics

- If you have questions or comments please enter them in the chat box.
- Put a slide reference with your comment if you want to refer to it.
- We will answer questions at the end of the presentation.
- Questions/comments from today are informal; we will provide info to submit formal comments at the end of the webinar.
Regulatory overview

Chapter 246-272 WAC (Washington Administrative Code)

Fees for wastewater

Rule being amended

Chapter 246-272B WAC

Large On-site Sewage System (LOSS)

This rule is NOT being amended
BACKGROUND
LARGE ON-SITE SEWAGE SYSTEM PROGRAM

- Statutes
- Why do we have a Large On-site Sewage System program?
- Who is Served by Large On-site Sewage Systems?
What is a LOSS?

By Statute (Chapter 70.118B RCW):

- On-site Sewage Systems with Design Flows 3,500 – 100,000 gallons per day (gpd)
- Non-industrial flows
- Soil treatment component

The overarching goal of the statute and regulation is to protect public health and the environment from wastewater treated in on-site systems using consistent standards applied across the state.
By law – we are required to:

70.118B RCW (LOSS statute)

- Provide comprehensive regulation of LOSS including siting, design, construction, installation, operation, maintenance, and repair
- Issue annual operating permits for LOSS
- Impose permit conditions to ensure that the system will be operated and maintained properly
- Control and prevent pollution to waters of state
By law – we are also required to:

**RCW 43.05.020: (Agency Technical Assistance Programs)**

- All regulatory agencies shall develop programs to encourage voluntary compliance by providing technical assistance consistent with statutory requirements.
Why do we have a Large On-site Sewage System program?
OSS compared to LOSS: 25-home subdivision

25-home subdivision
- 3 BR each lot
- 9,000 gpd wastewater
- Type 4 soil
- Minimum lot size: 18,000 sf
- Overall land requirements: 10 acres

9,000 gpd wastewater dispersed over 10 acres
If we use a centralized drainfield area (LOSS)

25-home subdivision
• 3 bedroom home on each lot
• 9,000 gpd wastewater
• Type 4 soil
• Minimum lot size: 18,000 sf
• Overall land requirements: 10 acres
• *Gross estimate drainfield size: 0.75 acre*

9,000 gpd wastewater is dispersed over <1 acre
Comparing the two wastewater options

[small] On-site Sewage Systems

# homes: 25
Flow: 9,000 gallons per day
Total land required: 10 acres
Area used for dispersal: 10 acres

Large On-site Sewage Systems

# homes: 25
Flow: 9,000 gallons per day
Total land required: 10 acres
Area used for dispersal: <1 acre

The potential for a plume of partially treated wastewater to travel offsite is greater for a LOSS
Why do we regulate LOSS? Protect public’s water supply

Locations of LOSS in Eastern WA

Group A & B Public Drinking Water Sources

Source: WA State Source Water Assessment Program
Why do we regulate LOSS? Protect public’s water supply

Location of LOSS is Western WA

Group A & B Public Drinking Water Sources

Source: WA State Source Water Assessment Program
Why do we regulate LOSS? Nitrate in wells

Source: Department of Ecology Nitrate Prioritization Project
Why do we regulate LOSS? Protect Environment

Ref: Status of Shellfish Beaches in western WA

Source: WA State Source Water Assessment Program
Percent of LOSS program flow represented by LOSS Use

- ~573 LOSS permits
- Housing represent ~48% of total LOSS program flows
- Camps represent ~22% of total LOSS program flows
- Schools represent 16% of total LOSS program flows
Percent of total flows represented by each flow range

- ~573 LOSS permits
- ~5 million gallons of sewage per day from LOSS
- 70% of LOSS program flows come from systems with permit flows below 10,000 gpd
- 95% of LOSS program flows come from systems with permit flows below below 20,000 gpd

LOSS with flows 5,000 – 10,000 gpd represent 39% of total flows in the LOSS
EXISTING AND FUTURE PROGRAM FEES
IMPACT ON OWNERS & USERS

- Fees
- Fee calculator
- Cost to permit holders and per-connection costs
LOSS program fee increase

Chapter 246-272 WAC sets fees for LOSS

Section 3000 addresses

- LOSS Annual permit fees
- LOSS Project review fees
- LOSS Inspection & environmental site work fees
## Annual Permit & Project Fees

<table>
<thead>
<tr>
<th>Description of Fee</th>
<th>Existing Fee</th>
<th>Fee July 1, 2020</th>
<th>Fee July 1, 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Annual Permit Fees</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base fee</td>
<td>$150</td>
<td>$450</td>
<td>$608</td>
</tr>
<tr>
<td>Volume Fee based on Design Flow</td>
<td>$0.01 per gallon</td>
<td>$0.03 per gallon</td>
<td>$0.0405 per gallon</td>
</tr>
<tr>
<td><strong>Project Fees</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Review – Up to 8 hours</td>
<td>$800</td>
<td>$848</td>
<td>$848</td>
</tr>
<tr>
<td>Reduced Review up to 4 hours</td>
<td>$800</td>
<td>$424</td>
<td>$424</td>
</tr>
<tr>
<td>Site inspection</td>
<td>$500</td>
<td>$1000</td>
<td>$1000</td>
</tr>
<tr>
<td>Final inspection – new projects</td>
<td>$500</td>
<td>$500</td>
<td>$500</td>
</tr>
</tbody>
</table>
# New Fees

<table>
<thead>
<tr>
<th>Description of Fee</th>
<th>Existing Fee</th>
<th>Fee July 1, 2020</th>
<th>Fee July 1, 2021</th>
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</thead>
<tbody>
<tr>
<td>New Fees</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Review of LOSS documents in response to permit conditions</td>
<td>$0</td>
<td>$106/hr</td>
<td>$106/hr</td>
</tr>
<tr>
<td>2. Other LOSS review</td>
<td>$0</td>
<td>$106/hr</td>
<td>$106/hr</td>
</tr>
<tr>
<td>3. Inspection for an enforcement event</td>
<td>$0</td>
<td>$1000</td>
<td>$1000</td>
</tr>
<tr>
<td>4. Late application processing fee</td>
<td>$0</td>
<td>$94</td>
<td>$94</td>
</tr>
</tbody>
</table>
Calculating your Permit Fees – download from the website

<table>
<thead>
<tr>
<th>Instructions</th>
<th>Large On-site Sewage System Annual Operating Permit Fee Calculator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Input permitted design operating volume in gallons per day and press Enter.</td>
<td></td>
</tr>
<tr>
<td>See Your Annual Operating Permit Fee</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Current Fee</th>
<th>Effective July 2020</th>
<th>Effective July 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>$290.00</td>
<td>$870.00</td>
<td>$1,175.00</td>
</tr>
</tbody>
</table>

Available on the Rule Revision Website search “LOSS Fee Rule Change 246-272”
Impact to homeowners/renters

- Calculating the annual permit cost for the LOSS
- Calculate the associated per-connection cost (if each home has 3 bedrooms)
For small LOSS: 10 home @ 3,600 gal/day design flow

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<tbody>
<tr>
<td>Input permitted design operating volume in gallons per day and press Enter.</td>
<td>3,600</td>
</tr>
<tr>
<td>Current Fee</td>
<td>Effective July 2020</td>
</tr>
<tr>
<td>See Your Annual Operating Permit Fee</td>
<td>$186.00</td>
</tr>
<tr>
<td>Number of connections</td>
<td>10</td>
</tr>
<tr>
<td>Monthly cost per connection</td>
<td>$1.55</td>
</tr>
</tbody>
</table>

Total monthly cost increase for each connection will be $4.73/month; $56.76/year
For Medium size LOSS: 14,400 gal/day @ 40 homes

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<th>Large On-site Sewage System Annual Operating Permit Fee Calculator</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Input permitted design operating volume in gallons per day and press Enter.</em></td>
<td>14,400</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>See Your Annual Operating Permit Fee</th>
<th>Current Fee</th>
<th>Effective July 2020</th>
<th>Effective July 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 294.00</td>
<td>$ 882.00</td>
<td>$ 1,191.20</td>
</tr>
</tbody>
</table>

| Number of connections | 40 |
| Monthly cost per connection | $ 0.61 | $ 1.84 | $ 2.48 |

*Total monthly cost increase for each connection will be $1.87/month; $22.44/year*
For Large LOSS: 100 homes @ 36,000 gal/day

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<th>Large On-site Sewage System Annual Operating Permit Fee Calculator</th>
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<tbody>
<tr>
<td>Input permitted design operating volume in gallons per day and press Enter.</td>
<td>36,000</td>
</tr>
<tr>
<td>Current Fee</td>
<td>Effective July 2020</td>
</tr>
<tr>
<td>See Your Annual Operating Permit Fee</td>
<td>$ 510.00</td>
</tr>
<tr>
<td>Number of connections</td>
<td>100</td>
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<tr>
<td>Monthly cost per connection</td>
<td>$ 0.43</td>
</tr>
</tbody>
</table>

Total monthly cost increase for each connection will be $1.30/month; $15.60/year
Impacts on Fees: Permit Fee and monthly per-connection cost

**Annual Permit Fees**

- Current
- July 2020
- July 2021

**Monthly Per-connection cost**

- Current
- July 2020
- July 2021

95% of LOSS
Comparison of LOSS Fees and WA Ecology permit fees for 800-50,000 gpd plants

<table>
<thead>
<tr>
<th>Permit Flow (gpd)</th>
<th>Ecology Permit Fee 2020*</th>
<th>LOSS Permit Fee July 2020</th>
<th>Ecology Permit Fee 2021*</th>
<th>LOSS Permit Fee July 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,600</td>
<td>$5,721</td>
<td>$558</td>
<td>$6,032</td>
<td>$754</td>
</tr>
<tr>
<td>14,400</td>
<td>$5,721</td>
<td>$882</td>
<td>$6,032</td>
<td>$1,191</td>
</tr>
<tr>
<td>36,000</td>
<td>$5,721</td>
<td>$1,530</td>
<td>$6,032</td>
<td>$2,066</td>
</tr>
</tbody>
</table>

Note: Annual permit fee for Ecology permit based on private or public-owned domestic wastewater facilities with flows 0.0008 mgd (800 gpd) - .5 mgd (50,000 gpd) (WAC 173-224-040 (3)(e)).
WHY DO WE NEED TO INCREASE PERMIT FEES?
LARGE ON-SITE SEWAGE SYSTEM PROGRAM

- Brief history of LOSS program
- Fee drivers
- Impact of fee increase on program budget
A brief history of LOSS

**Few special provisions for LOSS**
- "Larger OSS" require DOH review
- "Larger OSS" permitted by counties

**1st LOSS Fees**
- Inspections - $100
- Project review - $400
- Hourly review - $100

**LOSS stand-alone rule & fee increase**
- 2003 246-272B - Design Flow 3,500-14,500 gpd
  - No mechanical treatment
  - No permit for pre-1974 LOSS
- 2007 1st Fee increase:
  - Inspections: $500
  - Proj Rev: $800
  - Hourly Rev: $100

**Expanded LOSS program**
- 3,500-100,000 gpd
- Mechanical treatment
- Environmental protection added
- Find/Permit ALL LOSS (pre 1974 too)
- Operators required
- Enforce on permit conditions

<table>
<thead>
<tr>
<th>Year</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>1974-1991</td>
<td>No permits</td>
</tr>
<tr>
<td>1991</td>
<td>No permits</td>
</tr>
<tr>
<td>2003-2007</td>
<td>290 permits</td>
</tr>
<tr>
<td>2011</td>
<td>580 permits</td>
</tr>
</tbody>
</table>
Fee Increase Drivers

- “Seed money” made available in 2007 to allow LOSS program to determine staffing and infrastructure needs has been exhausted.
- LOSS program needs have been identified.
- State’s general fund allocations and LOSS fee revenue are insufficient to meet program needs.
- 2 staff positions temporarily left vacant since 2018.
- Lack of resources for providing education, trouble shooting support, and proactive technical assistance.
Other Considerations

The complexity of regulating LOSS has increased since 2007

• Technology has become more complex
• Environmental pressures have increased and become more complex
• Designs have become more innovative and complex
• Sites for new LOSS have become increasingly more challenging

Older, simpler LOSS are close to or beyond their design life

• Existing LOSS have aged and require more oversight to prevent failures
• Many older LOSS have drainfield application rates that exceed design standards of today, indicating potential overloading of drainfields.
How will the increase impact the program funding?

Permit and project fees will cover ~42% of total program costs

~42% of total revenue from fees
NEXT STEPS

- Webpage
- Comment period
Learn more about the fee increase

Fee increase

• Web Search: “Washington Large On-site Rule Revision”

• Or Go to: https://www.doh.wa.gov/CommunityandEnvironment/WastewaterManagement/RulesandRegulations/LargeOnsiteRuleRevision

General info

• Web search “Washington large onsite sewage system”

• Or go to: https://www.doh.wa.gov/CommunityandEnvironment/WastewaterManagement/LOSSProgram/LOSSGuidance

Rule Revision Contacts

Jeremy Simmons
• 360-236-3346

Peter Beaton
• 360-236-4031
## Rule Revision Process Timeline

<table>
<thead>
<tr>
<th>Date</th>
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| January 15, 2020      | • File Proposed Rule Making Notice  
                      • Formal public comment period open                                |
| February 12 – February 21, 2020 | • Conduct Statewide Stakeholder Workshops                                    |
| March 2, 2020         | • Formal public comment period closed  
                      • Public Hearing (Tumwater)                                         |
| July 1, 2020          | • First phase of fee increase effective                                       |

- CR-102 Filed
- Public Outreach
- CR-103 Filed
- Phase I Permit Fee Increase
Formal public comment period ends March 2, 2020

To comment:
- Add a comment on our Rules Comment webpage
- Submit comments on the rule revision to Peter.Beaton@doh.wa.gov, or
- Send mail to:
  Peter Beaton
  Department of Health
  PO Box 47822
  Olympia, WA 98504-7822
How can we help?

- Questions

- Can we help you with outreach -
  - To your neighbors and residents?
  - To your school board or community?
Thank you!