EVALUATING THE EFFECTIVENESS OF CHAPTER 246-272A WAC

Washington State Board of Health
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Presenter

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Division of Environmental Health
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Healthy Places – Healthy People
Chapter 246-272A WAC

The on-site sewage system rule protects public health by minimizing:

- The potential for exposure to sewage from on-site sewage systems
- Adverse effects of discharges from on-site sewage systems on ground surface waters
Chapter 246-272A WAC

Regulates on-site sewage systems:

- Location
- Design
- Installation
- Operation
- Maintenance
- Monitoring
Chapter 246-272A WAC

Requirements for local health jurisdictions:

- Local rules must be reviewed by the Department of Health

- If no local rules, chapter 246-272A WAC is in effect
  - Local health jurisdictions who:
    - Adopted their own rules: 22
    - Adopted chapter 246-272A WAC by reference: 2
    - Defer to chapter 276-272A WAC: 11
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

OSS Rule Time Line

Healthy Places – Healthy People
Chronological Rule Reviews

2005 • Rule Adopted

2009 • No Revision

2013 • No Revision

2017

Healthy Places – Healthy People
Chapter 246-272A WAC

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

<table>
<thead>
<tr>
<th>Onsite Rule Review Panel</th>
<th>Survey of LHJs</th>
<th>Technical Advisory Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>• LHJs</td>
<td>• Asked If The Rule Provides Statutory Intent</td>
<td>• Addressed Technical Issues</td>
</tr>
<tr>
<td>• Shellfish Industry</td>
<td>• 32 of 35 LHJs Participated</td>
<td>• Designer, Installer, O&amp;M Provider</td>
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<tr>
<td>• Dept. of Ecology</td>
<td></td>
<td>• Engineer</td>
</tr>
<tr>
<td>• Installer</td>
<td></td>
<td>• LHJs from Different Regions of State</td>
</tr>
<tr>
<td>• Homeowners/Citizens (COOMWA)</td>
<td></td>
<td>• Realtor</td>
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<tr>
<td>• O&amp;M Provider</td>
<td></td>
<td>• Certified Soil Scientist</td>
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<tr>
<td>• Engineer</td>
<td></td>
<td></td>
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<tr>
<td>• WOSSA</td>
<td></td>
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<tr>
<td>• Proprietary Product Manufacture</td>
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<tr>
<td>• Tulalip Tribe</td>
<td></td>
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<tr>
<td>• National Estuary Program</td>
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<tr>
<td>• Environmental Advocacy Groups</td>
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</tbody>
</table>
Chapter 246-272A WAC
Seven Key Issues Were Identified

 Definitions

 Local management plans

 Property transfer inspections

 Application of treatment levels

<table>
<thead>
<tr>
<th>Vertical Separation</th>
<th>Soil Type</th>
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<tbody>
<tr>
<td>≥12” &lt; 18”</td>
<td>A B B</td>
</tr>
<tr>
<td>≥18” &lt; 24”</td>
<td>B B B</td>
</tr>
<tr>
<td>≥24” &lt; 36”</td>
<td>B C E</td>
</tr>
<tr>
<td>≥36” &lt; 60”</td>
<td>B E E</td>
</tr>
<tr>
<td>≥60”</td>
<td>C E E</td>
</tr>
</tbody>
</table>

FOR SALE
House with Septic

Treatment Levels Table VI

Pressure distribution
Pressure distribution
Gravity distribution
Chapter 246-272A WAC

Seven Key Issues Were Identified (continued)

- Ultraviolet light (UV) disinfection effectiveness and approval

- Horizontal setbacks (system location)

- Statewide O&M service providers licensing
Conclusions

- 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.
Recommendation

- Initiate rule revision as soon as possible.
Questions?