



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310) Do NOT use for expedited rule making

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DATE: March 06, 2018

TIME: 10:23 AM

WSR 18-06-082

Agency: State Board of Health

Subject of possible rule making: Chapter 246-272A WAC, On-site sewage systems. The State Board of Health (Board) is considering revisions to the chapter. Priority issues include local management plans, property sale inspections, treatment levels, ultraviolet disinfection, and licensing of operations and maintenance providers. The Board may consider other technical and editorial changes as needed.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.20.050 (3)

Reasons why rules on this subject may be needed and what they might accomplish: WAC 246-272A-0425 requires the Washington State Department of Health (Department) to review the chapter every four years. The purpose of the review is to determine the overall effectiveness of the rules and areas needing revision, and to report the results and recommendations back to the Board and local health officers. The Department used three overlapping methods to review the rules, replicating previous reviews: (1) An online survey of local health jurisdictions; (2) Discussion and input on technical issues by the Department's On-site Sewage System Technical Advisory Group; and (3) Facilitated discussion with a stakeholder panel. The Department developed a report identifying issues for possible rulemaking and the Board directed the Department to begin rulemaking.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Local health jurisdictions have a role in implementing on-site sewage system rules. The Department will convene a broad based stakeholder workgroup and invite local health jurisdictions to participate.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The Board and Department will use a collaborative rule making approach. The Department will convene a broad based stakeholder workgroup. The Department will also keep stakeholders and interested parties informed of the rule development through email, and posting information on the Department's rule making websites. Stakeholders and interested parties will have the opportunity to provide comments throughout the rule making process, during the formal comment period, and at the Board's public hearing. The Department may also hold workshops throughout the rule making process to solicit feedback.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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(If necessary)
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Additional comments: Interested parties may sign up to receive rulemaking notices by emailing their request to wastewatergmt@doh.wa.gov.

Date: 03/05/2018	Signature: 
Name: Michelle A. Davis	
Title: Executive Director	