

## On-Site Rule Revision Issue: Operation, monitoring, and maintenance—Owner responsibilities.

### Issue Statement

Some members of the ORRC have requested that DOH consider revising the requirements for routine maintenance found in -0270 (1)(i) to be less frequent. There is conflicting information available in the literature and varied requirements across the nation. Washington's current requirements are among the most frequent in the nation and have led to difficulty in attaining compliance with these requirements. Less frequent maintenance requirements may be more appropriate and therefore may facilitate LHJ attempts to educate owners and enforce compliance with this requirement. The ORRC's recommended addition of a statewide requirement for property transfer inspections is expected to create a significant ongoing stream of inspections, thus lessening the need to rely on the requirements in -0270.

By moving the requirements for Property Transfer Inspection to section -0270, it clarifies that owners need to have an OSS inspection done.

DOH intends to recommend the ORRC consider a definition and guidance on the use of remediation activities and processes. Introduction of that material dictates inclusion of language on use of remediation activities or process by owners in section -0270.

These revisions are expected to facilitate LHJ application of the rule and thus allow public health to be appropriately protected.

### Recommended Rule Language

Blue = Additions    Red = Deletions

**WAC 246-272A-0270**                      **RED** - deleted                      **BLUE** - added

### Operation, monitoring, and maintenance—Owner responsibilities.

(1) The OSS owner is responsible for operating, monitoring, and maintaining the OSS to minimize the risk of failure, and to accomplish this purpose, shall:

(a) Request assistance from the local health officer upon occurrence of a system failure or suspected system failure;

(b) Obtain approval from the local health officer before repairing, altering or expanding an OSS if required by section 0200, the local health jurisdiction;

(c) Secure and renew contracts for periodic maintenance where if required by the local health jurisdiction;

(d) Obtain and renew operation permits if required by the local health jurisdiction;

(e) Assure a complete evaluation of the Obtain an inspection, as required in WAC 246-272A-0260, by an inspector authorized by the local health officer, of all ~~system~~ OSS components

**Comment [DM(1):** This was moved within this subsection from (j) to (a).

ORRC Meeting #6

As recommended by the Policy Subcommittee, Meeting #7, 3/14/19

and/or property to determine functionality, maintenance needs and compliance with regulations and any permits:

- (i) At least once every three years for all ~~systems~~ OSS consisting solely of a septic tank and gravity SSAS;
- (ii) Annually for all other systems unless more frequent inspections are specified by the local health officer;
- (f) Employ an approved pumper to remove the septage from the tank when the level of solids and scum indicates that removal is necessary;
- (g) Provide maintenance and needed repairs to promptly return the system to a proper operating condition;
- (h) Protect the OSS area and the reserve area from:
  - (i) Cover by structures or impervious material;
  - (ii) Surface drainage, and direct drains, such as footing or roof drains. The drainage must be directed away from the area where the OSS is located;
  - (iii) Soil compaction, for example by vehicular traffic or livestock; and
  - (iv) Damage by soil removal and grade alteration;
- (i) Keep the flow of sewage to the OSS at or below the approved operating capacity and sewage quality;
- (j) Operate and maintain systems as directed by the local health officer;
- ~~(j) Request assistance from the local health officer upon occurrence of a system failure or suspected system failure;~~ and
- (k) At the time of property transfer:
  - (i) Provide to the buyer, all available maintenance and repair records, if available, in addition to the completed seller disclosure statement in accordance with chapter 64.06 RCW for residential real property transfers; -
  - (ii) Obtain an inspection, as required in WAC 246-272A-0260, of the OSS at the time of property transfer by an inspector authorized by the local health officer. The local health officer may verify the results of the property transfer inspection for compliance with WAC 246-272A-0260. The local health officer may waive the requirement for a property transfer inspection if the OSS is in compliance with the inspection requirements of this section; and
  - (iii) Obtain an inspection, as required in WAC 246-272A-0260, of advanced treatment systems with proprietary treatment products done at the time of property transfer by an inspector approved by the local health officer per the product manufacturer recommendations. The local health officer may verify the results of this inspection for compliance with WAC 246-272A-0260 and the product manufacturer recommendations. The local health officer may waive the requirement for a property transfer inspection if the OSS is in compliance with the inspection requirements of this section.
- (2) Persons shall not:
  - (a) Use or introduce strong bases, acids or chlorinated organic solvents into an OSS for the purpose of system cleaning;
  - (b) Use a sewage system additive unless it is specifically approved by the department; or
  - (c) Use an OSS to dispose of waste components atypical of sewage from a residential source.
- (d) Use any remediation process or activity unless approved by the local health officer.

**Comment [DM(2):** Remediation to be defined and discussed at June 6 Policy Subcommittee meeting. This language has been delayed until a further meeting and will be voted on later.

ORRC Meeting #6

As recommended by the Policy Subcommittee, Meeting #7, 3/14/19

**Supporting Information**

**[Handbook for Managing Onsite and Clustered \(Decentralized\) Wastewater Treatment Systems: An Introduction to Management Tools and Information for Implementing EPA's Management Guidelines](#), EPA. 2005**