

On-Site Rule Revision Issue:

Permit Requirements

(WAC 246-272A-0200)

Issue statement

Chapter 332-130 WAC sets minimum requirements for official land descriptions that include topographic elements. An OSS site plan, as required in WAC 246-272A-0200, falls under this authority. Recent revision of Chapter 332-130 WAC has resulted in the need to revise section WAC-246-272A-0200 so that it complies with the updated requirements for land descriptions. The proposed revisions adapt and incorporate wording from WAC 332-130-145 while retaining the meaning, clarity, and structure of the original wording.

The ORRC has requested that DOH develop and propose a definition of Minor Repair and consider a definition for Malfunction in order to differentiate between Failures and lesser system malfunctions for enforcement and data tracking purposes. The proposed revisions will ensure public health is protected by creating clear classifications for repairs which require a permit and those which do not. They will also facilitate collection and analysis of data on malfunction and failure type which can in turn inform improvement of LHJ methods, DOH guidance, and future regulation revision.

Obsolete language in the section regarding approval of proprietary products has been proposed to be moved.

Recommended Rule Language

BLUE = Additions RED = Deletions
to existing rule language

WAC 246-272A-0200

Permit requirements.

(1) Prior to beginning the construction process, a person proposing the installation, repair, modification, connection to, or expansion of an OSS, shall report the following and obtain a permit from the local health officer, except for a minor repair as described in section

(2):

- (a) General information including:
 - (i) Name and address of the property owner and the applicant at the head of each page of submission;
 - (ii) Parcel number and if available, the address of the site;
 - (iii) Source of drinking water supply;
 - (iv) Identification if the property is within the boundaries of a recognized sewer utility;
 - (v) Size of the parcel;

ORRC Meeting #6

As recommended by the Policy Subcommittee, Meeting #6, 2/21/19

(vi) Type of permit for which application is being made, for example, new installation, repair, expansion, modification, or operational;

(vii) Source of sewage, for example, residence, restaurant, or other type of business;

(viii) Location of utilities;

(ix) Name of the site evaluator;

~~(x) Name, signature and stamp of the designer;~~

(xi) Date of application; and

(xii) Name and signature of the fee simple owner, the contract purchaser of the property or the owner's authorized agent.

(b) The soil and site evaluation as specified under WAC 246-272A-0220.

(c) A dimensioned site plan of the proposed initial system, the reserve area and those areas immediately adjacent that contain characteristics impacting design including:

(i) Designated areas for the proposed initial system and the reserve area;

(ii) The location of all soil logs and other soil tests for the OSS;

(iii) General topography and/or slope;

(iv) Drainage characteristics;

(v) The location of existing and proposed encumbrances affecting system placement, including legal access documents if any component of the OSS is not on the lot where the sewage is generated; ~~and~~

(vi) An arrow indicating north;

(vii) A legend of symbols used;

(viii) Plan scale and a graphic scale bar;

(ix) Vertical datum used (such as "assumed," "NAVD 88," "NSRS," "unknown");

(x) An elevation benchmark and relative elevations of system components;

(xi) Name, signature, stamp, and contact information of the designer/engineer; and

(xii) A statement on limitation of use indicating the site plan is not a survey.

(d) A detailed system design meeting the requirements under WAC 246-272A-0230, 246-272A-0232, 246-272A-0234, and 246-272A-0238 including:

(i) A drawing showing the dimensioned location of components of the proposed OSS, and the system designed for the reserve area if reserve site characteristics differ significantly from the initial area;

(ii) Vertical cross-section drawings showing:

(A) The depth of the soil dispersal component, the vertical separation, and depth of cover material; and

(B) Other new OSS components constructed at the site.

(iii) Calculations and assumptions supporting the proposed design, including:

(A) System operating capacity and design flow;

(B) Soil type; and

(C) Hydraulic loading rate in the soil dispersal component; and

(e) Any additional information as deemed necessary by the local health officer.

(2) A permit is not required for ~~replacement, addition, or modification~~ a minor repair of broken or malfunctioning building sewers, riser and lids, sewage tank lids, sewage tank baffles, sewage tank pumps, pump control floats, pipes connecting multiple sewage

ORRC Meeting #6

As recommended by the Policy Subcommittee, Meeting #6, 2/21/19

~~tanks, and OSS inspection boxes and ports where a sewage tank, treatment component, or soil dispersal component does not need to be replaced.~~ The local health officer may require the owner to submit information regarding these activities for recordkeeping purposes.

(3) The local health officer may develop the information required in subsection (1) of this section if authorized by local regulations.

(4) The local health officer shall:

(a) Respond to an application within thirty days as required in RCW 70.05.074.

(b) Permit only public domain technologies that have a departmental RS&G. Permit only proprietary products that are registered by the department. ~~During the period of transition from the list of approved systems and products to the registered list, the local health officer may permit products on the list of approved systems and products.~~

(c) Issue a permit when the information submitted under subsection (1) of this section meets the requirements contained in this chapter and in local regulations;

(d) Identify the permit as a new installation, repair, expansion, modification, or operational permit;

(e) Specify the expiration date on the permit. The expiration date may not exceed five years from the date of permit issuance;

(f) Include a reminder on the permit application of the applicant's right of appeal; and

(g) If requiring an operational permit, state the period of validity and the date and conditions of renewal.

(5) The local health officer may revoke or deny a permit for just cause. Examples include, but are not limited to:

(a) Construction or continued use of an OSS that threatens the public health;

(b) Misrepresentation or concealment of material fact in information submitted to the local health officer; or

(c) Failure to meet conditions of the permit, this chapter or any local regulations.

(6) Before the local health officer issues a permit for the installation of an OSS to serve more than one development, the applicant shall show:

(a) An approved public entity owning or managing the OSS in perpetuity; or

(b) A management arrangement acceptable to the local health officer, recorded in covenant, lasting until the on-site system is no longer needed, and containing, but not limited to:

(i) A recorded easement ~~or restrictive covenant~~ allowing access for construction, operation, monitoring maintenance, and repair of the OSS; and

(ii) Identification of an adequate financing mechanism to assure the funding of operation, maintenance, and repair of the OSS.

(7) The local health officer shall not delegate the authority to issue permits.

(8) The local health officer may stipulate additional requirements for a particular permit if necessary for public health protection.

Comment [SJJ(1): Match language here with min l;and paper, or vis a versa

Comment [DM(2): Policy subc did not vote on this orange language. OSS staff need to check with AAG about this language.

ORRC Meeting #6

As recommended by the Policy Subcommittee, Meeting #6, 2/21/19

WAC 246-272A-0010

Added because of (1).

Modification: Alteration of an existing on-site sewage component that does not result in an expansion of the system. A modification is not a repair.

Added because of (2).

"Minor repair" means the repair or replacement of any of the following existing damaged or malfunctioning OSS components: ~~fifteen ten~~ (15) feet or less of a SSAS ~~pipng or conveyance~~; control panels; building sewers; any other portions of tightline in the OSS; risers and riser lids; sewage tank lids; sewage tank baffles; effluent filters; sewage tank pumps; pump control floats; and OSS inspection boxes and ports where a sewage tank, treatment component, or soil dispersal component does not need to be replaced.

Added because of "Minor repair."

"Malfunction" means a system deficiency that can be corrected by means of a minor repair.

Supporting Information

Thurston County regulation example:

"Minor repair" means the repair or replacement of any of the following OSS components: tightline pipe between a structure and a sewage tank; tightline between a sewage tank and the dispersal component; a pump; an interceptor drain; sewage tank pumps; pump control floats; effluent filters; pipes connecting multiple sewage tanks; OSS inspection boxes and ports where a sewage tank, treatment component, or soil dispersal component does not need to be replaced; and the replacement of a small section ten (10) feet or less of the SSAS damaged as the result of digging into it as part of an OSS evaluation.

WAC 332-130-145

Topographic elements on maps—Requirements.

For the purposes of this section, topographic elements consist of information shown on a map which depicts the horizontal and vertical positions of natural and/or fabricated features and existing terrain surfaces. Usually, contour lines and spot elevations are used to depict surface relief, but a variety of methods can be used to show changes in terrain.

The following requirements shall apply to maps that include topographic elements, prepared by professionals registered under chapters [18.43](#) and [18.210](#) RCW. Such requirements should be considered minimum only. The professional conducting the work will determine what precision and accuracy are expected to be utilized for topographic mapping services necessitating various levels of accuracy.

(1) The following elements must be included on every map that includes topographic elements:

(a) Vertical datum used (such as "assumed," "NAVD 88," "NSRS," "unknown");

(b) North arrow;

ORRC Meeting #6

As recommended by the Policy Subcommittee, Meeting #6, 2/21/19

- (c) Map scale and graphic scale bar;
- (d) Legend of symbols used;
- (e) Licensee name and contact information;
- (f) Seal and signature of licensee.

(2) Statements of clarification for elements shown:

- (a) Basis of elevations citing benchmark(s) used with elevation(s) (such as "city bench mark 20-01, elevation 456.32 feet, GPS observation including metadata");
 - (b) Purpose or intended use of the topographic elements shown on the map (such as "preliminary plat," "on-site septic design," "civil engineering design");
 - (c) A description of the source of the contours (such as "contours derived from direct field observations," or "contours shown are from county GIS");
 - (d) Labeling to determine contour interval(s);
 - (e) Description of project benchmarks established (such as "railroad spike in power pole," "chiseled 'X' in concrete curb");
 - (f) Statement of elevations and contour accuracy (such as "national mapping standards, one-half the contour interval");
 - (g) Statement on limitation of use (such as "preliminary-not for design," "this is not a boundary survey");
 - (h) Source of boundary information (such as "record of survey including auditor indexing information," "county GIS") and method(s) used to relate area mapped to said boundaries.
- (3) Statements of clarification of utility information shown:
- (a) Source of utility location (such as "surface markings," "as-built," "potholing," or "field measurement");
 - (b) Statement of accuracy of utility depiction (such as "locations of underground utilities shown hereon are based upon field measurement" or "locations of underground utilities shown hereon are based upon as-built maps");
 - (c) A statement of the scope of work between the project owner and the licensee regarding the comprehensiveness, exclusions, and limits of the utility investigations leading to these utility depictions.

[Statutory Authority: RCW [58.24.040](#)(1). WSR 18-17-080, § 332-130-145, filed 8/13/18, effective 9/13/18.]