

WASHINGTON STATE BOARD OF HEALTH

Date: October 9, 2023

To: Washington State Board of Health Members

From: Keith Grellner, Chair

Subject: Rules Briefing—On-Site Sewage Systems, Chapter 246-272A WAC

Background and Summary:

Under RCW 43.20.050, the State Board of Health (Board) has rulemaking authority for on-site sewage systems with design flows less than three thousand five hundred gallons per day. The Board's rules for On-site Sewage Systems, chapter 246-272A WAC, set comprehensive standards for the siting, design, installation, use, care, and management of these small on-site sewage systems. The Washington Department of Health (Department) and local health jurisdictions jointly administer the rules.

WAC 246-272A-0425 requires the Department to review the rules every four years and report recommendations to the Board and local health officers. The Department last reported on the rules to the Board in January 2018, recommending that the Board initiate rulemaking to update the rules. The Board endorsed the recommendation to initiate rulemaking and filed a CR-101, Preproposal Statement of Inquiry, on March 6, 2018, as WSR 18-06-082. The Department last updated the Board on this rulemaking project in January 2023.

Jeremy Simmons, Manager of the Department's On-Site Wastewater Management Program, will give a formal briefing to the Board on this important rulemaking, providing background on the issues and rules, an overview of the rulemaking process, highlights of key revisions in the final draft rules, and anticipated next steps in the remaining phases of this rulemaking.

This informational briefing involves no Board action. We are planning to file the CR-102, Proposed Rulemaking, in October for public review and comment. A public hearing on the proposed rules is tentatively scheduled for the Board's meeting on January 10, 2024.

Staff

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