Tacoma-Pierce County Health Department
Healthy People in Healthy Communities

Environmental Health Code

Chapter 2

On-Site Sewage

Board of Health Resolution No. 2014 – 4414
Adopted August 6, 2014

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Authority, Purpose, and Administration

SECTION 1: Authority and Purpose

A. This chapter is adopted by the Tacoma Pierce County Board of Health (Board of Health) under the authority of Chapters 70.05, 70.118, 70.118A, and 70.46 of the Revised Code of Washington (RCW) and Chapter 246-272A of the Washington Administrative Code (WAC).

B. The purpose of this chapter is to protect the public health by:

1. Eliminating or minimizing the potential for public exposure to sewage from on-site sewage systems (OSS);

2. Eliminating or minimizing adverse effects to public health that discharges from on-site sewage systems may have on ground and surface waters;

3. Establishing minimum standards of sanitation for sewage; and

4. Setting conditions of project approval for integration with other water quality, land use and wastewater management plans.

C. This chapter directs the location, design, installation, operation, maintenance, and monitoring of on-site sewage systems to:

1. Achieve long-term sewage treatment, dispersal and effluent disposal; and

2. Limit the discharge of contaminants to waters of the state.

D. It is the specific intent of this chapter to place the obligation for complying with these regulations upon property owners, or occupants, where sewage originates and/or sewage producers, sewage contractors, or other persons as applicable under these regulations.

SECTION 2: Administration

A. The health officer shall administer and enforce these regulations under authority of Chapters 70.05, 70.46, 70.118, and 70.118A RCW and Chapter 246-272A WAC. The health officer is authorized to adopt such additional rules, policies, standards or take such other action deemed necessary to carry out the purpose of this chapter.

B. Chapter 246-272A WAC is hereby adopted and incorporated by reference. When or if state and local regulations conflict, the more stringent shall apply.

C. Board of Health Resolution 2007-4001, *On-Site Sewage Systems Management Plan*, developed in accordance with Chapter 246-272A-0015 WAC and Chapter 70.118A RCW, is hereby adopted and incorporated by reference.

D. The health officer may charge fees for the administration of this chapter under authority of Chapter 70.05.060 RCW and Chapter 246-272A-0005 WAC.

E. All Health Department approvals are subject to reconsideration whenever new information that is relevant and material comes to the attention of the health officer. The health officer's approval of a development does not commit the Health Department to issue any particular permits.

F. The Health Department's approval processes are administrative, not adversarial, and depend on the good faith of the applicants and the professionals they hire.

Definitions

SECTION 3: Definitions and Abbreviations

All words used in this chapter shall have their common definition, as used in context, unless a specific definition is set forth herein. The definitions set forth in this chapter shall control, followed by the common definition. The definitions used in this chapter are intended to be used specific to this chapter and should not be used for defining words, terms, or phrases in any other chapter or section of the Environmental Health Code unless specifically indicated otherwise in the text. Additional definitions of general application may be found in Chapter 1of the Environmental Health Code.

Agent: An individual authorized to act for a property owner, in terms of the requirements in this chapter.

Application: Either the act of seeking a required approval or certification from the Health Department or the forms, format and supporting documentation required by the health officer to gain approval or certification.

Approval or Approved: A written statement issued by the health officer or the Health Department regarding a proposal's acceptability and compliance with the requirements of this chapter.

Area of Special Concern: An area with definite boundaries delineated through public process, within which the Board of Health has established additional or higher requirements for OSS either to reduce the probability of failures or to reduce the impacts of OSS upon public health. Examples include, but are not limited to, shellfish protection districts, marine recovery areas, aquifer recharge areas and public swimming beaches.

Basic Site Plan: A detailed drawing of a parcel and its relevant features submitted in support of a development application not requiring a design by a designer.

Bed: A soil dispersal component consisting of an excavation with a width greater than three feet and not exceeding ten feet.

Bedroom: A room, other than a bathroom or a kitchen, within a dwelling unit with at least 80 square feet, a window, a door, and a closet, but this presumption shall not apply to the first family room in a residence or to both one family room and one den in a residence with more than three bedrooms.

Binding Site Plan: A land division process used to create lots or tracts classified for industrial or commercial uses pursuant to Chapter 58.17.035 RCW or residential condominiums pursuant to Chapter 64.34 RCW. Alternatively, a drawing to scale showing the areas and locations of improvements, as well as containing inscriptions setting forth limitations and conditions for use.

Black Water: Wastewater that contains either human urine or human feces.

Boundary Line Adjustment: A division made for the purpose of altering boundary lines which does not create any additional lot, tract, or parcel.

Building Sewer: The non-perforated pipe between the building stub-out and the inlet of the septic tank.

Chapter One (Chapter 1): The first chapter of the Environmental Health Code of the Tacoma-Pierce County Board of Health which contains the General Provisions for this and other chapters.

Certified Installation Firm (Installation Firm): A firm certified by the Health Department that employs certified installers to install, make minor repairs and perform extended maintenance on OSS.

Certified Installer (Installer): An individual with training, skill, and experience in the installation of OSS that is certified by the Health Department to install, make minor repairs and perform extended maintenance on OSS. When performing the work for which they are certified, and when submitting required OSS documentation, the certified installer represents the certified installation firm with which he or she is associated. In this way, the term certified installer may be used interchangeably with certified installation firm.

Certified Operation and Maintenance Firm (O&M Firm): A firm certified by the Health Department that employs certified O&M technicians and specialists to inspect, monitor, and maintain OSS. An O&M firm may also use trucks and tanks approved by the health officer to: (a) pump septage and sewage from portable toilets, septic tanks, and other repositories; (b) transport sewage and septage safely; and (c) dispose of sewage and septage at lawful sites.

Certified Operation and Maintenance Specialist (O&M Specialist): An individual with training, skill, and experience in the operation and maintenance of OSS that is certified by the Health Department to inspect, perform routine maintenance, monitor the performance of and diagnose the cause(s) of failure of an OSS. When performing work on an OSS or submitting required OSS documentation, the certified O&M specialist represents the certified O&M firm with which he or she is associated. In this way, the term certified O&M specialist may be used interchangeably with certified O&M firm.

Certified Operation and Maintenance Technician (O&M Technician): An individual with the training, skill and experience in the maintenance of OSS that is certified by the Health Department to inspect and perform routine maintenance of OSS. When performing work on an OSS or submitting required OSS documentation, the certified O&M technician represents the certified O&M firm with which he or she is associated. In this way, the term certified O&M technician may be used interchangeably with certified O&M firm.

Certified or Licensed Professional: An individual certified by the Health Department or licensed by the State of Washington to design, install, inspect or maintain an OSS.

CBOD: Carbonaceous biochemical oxygen demand, typically expressed in mg/L**.**

Cesspool: A pit receiving untreated sewage and allowing the liquid to seep into the surrounding soil or rock.

Commercial Establishment: Any place of business involved in:

- The sale, lease or rent of new or used products to the consumer public;
- The provision of personal services to the consumer public;

- The provision of leisure services in the form of food or drink and passive or active entertainment; or
- The provision of product repair or servicing consumer goods.

Common Point: Any interconnection of sewerage piping systems whether inside or outside of a building or structure.

Community OSS: An OSS designed to serve either two or more single family dwellings or one multiple family dwelling.

Conforming System: An OSS meeting any of the following criteria:

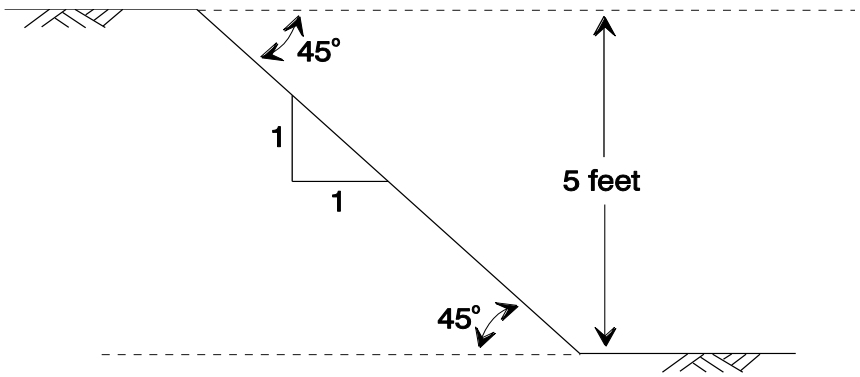
- Fully complies with new construction requirements under Chapter 246-272A WAC and this chapter;
- Approved, installed, and operating in accordance with requirements of previous editions of Chapter 246-272A WAC and this chapter;
- Permitted through the waiver process that assures public health protection by higher treatment performance or other methods; or
- No record of approval but the system is not in failure and its use is consistent with its size and design.

Covenant: An agreement recorded with the Pierce County Auditor stating certain activities and/or practices are required or prohibited.

Cover or Cover Material: Soil placed over a soil dispersal component composed predominately of mineral material with no greater than ten percent organic content. Cover material may contain an organic surface layer for establishing a vegetative landscape to reduce soil erosion. Cover material must preclude accumulation of water over the dispersal component.

Critical Service Item: An item that is essential to the continued function of the OSS and without which the system will fail to function as designed. Critical service items include, but are not limited to, malfunctioning pumps, float switches, air compressors, or ultraviolet disinfection units.

Cut or bank: Any naturally occurring or artificially formed slope greater than one hundred percent (forty-five degrees) and extending vertically at least five feet from the toe of the slope to the top of the slope as follows:



Days: Unless otherwise specified, the days of the calendar year, including weekdays, weekends and holidays.

Decommissioned OSS: An OSS that has been removed from service and rendered unusable by destruction and filling of all tanks with soil or gravel, as described in Chapter 246-272A-0300 WAC.

Decommissioned Well: A well that has been filled or plugged so that it will not produce water, or serve as a channel for movement of water or pollution, or allow the entry of pollutants into the well or aquifers, as described in Chapter 173-160 WAC and Chapter 18.104 RCW.

Density: With respect to the relationship between OSS and land area, the number of single-family residences or unit-volumes of wastewater per acre per day, usually expressed as units/acre.

Design: Plans, specifications, and scaled drawings created by a licensed designer or professional engineer to support a development proposal. A design shall be prepared and contain the information required to demonstrate conformance with the design standards in Chapter 246-272A WAC and this chapter.

Design Flow: The maximum volume of sewage a residence, structure, or other facility is estimated to generate in a twenty-four-hour period. It incorporates both an operating capacity and a surge capacity for the system during periodic heavy use events. The sizing and design of the on-site sewage system components are based on the design flow.

Designer: A person who matches site and soil characteristics with appropriate on-site sewage technology and regulations. This term applies to both OSS treatment system designers licensed under Chapter 18.210 RCW and professional engineers licensed under Chapter 18.43 RCW.

Development: Any man-made change to improved or unimproved real property including, but not limited to, the following:

- The construction, expansion, or modification of a structure, addition to a structure, reconstruction or the placement of a manufactured/mobile home;
- The physical modification of a parcel that may affect the parcel's ability to treat and dispose sewage.

Disinfection: The process of destroying pathogenic microorganisms in sewage through the application of technology such as ultraviolet light, chlorination, or ozonation.

Dispersal Component: A subsurface absorption system (SSAS) or other soil absorption system receiving septic tank or other pretreatment device effluent and transmitting it into original, undisturbed soil.

Distribution Technology: Any arrangement of equipment and/or materials that distributes sewage within an OSS.

Downgradient/Upgradient: The path and direction of least resistance that water will flow towards upon the surface of the ground or upon encountering a water table or a restrictive layer. Also, the likely path that water will travel from a water or sewage source, including nearby cuts

or banks that are on the same horizontal elevation as the dispersal component. Upgradient is the opposite of downgradient.

Drainfield: See dispersal component.

Drainrock: Clean washed gravel or crushed rock ranging in size from three-quarters inch to two and one-half inches, and containing no more than two percent by weight passing a US No. 8 sieve and no more than one percent by weight passing a US No. 200 sieve.

Dry Sewer Lines: A permanent public and/or private wastewater collection system designed and constructed in accordance with the appropriate jurisdiction's standards and specifications for future connection into that jurisdiction's sanitary sewer system. Dry sewer lines shall be constructed from the future connection point in the proposed or existing public right-of-way or private road easement to the boundary of each and every lot that it serves.

Dry Well – Septic Tank Effluent: A subsurface system for the dispersal of septic tank effluent that concentrates the absorption area into a deep excavated area rather than through a trench or bed. Dry wells may also be called "seepage pits."

Dry Well – Storm Water: A subsurface system similar to the dispersal component in a conventional OSS lawfully used to infiltrate storm water.

Effluent: Liquid discharged from a septic tank or other OSS component.

Existing Development: Any type of development that was present prior to the effective date of this chapter.

Expansion: A change in a building, structure, facility, site, development, or use that:

- Causes the permitted or approved sewage quality or design flow of an OSS to exceed its existing treatment or dispersal capability. Examples include, but are not limited to, an increase in the number of bedrooms in a residence, or a change in use from an office to a restaurant or from a residential use to a commercial use;
- Reduces the treatment or dispersal capability of the existing OSS or the reserve area. For example, when a building is placed over existing system components or a reserve area; or
- Reduces a required horizontal or vertical separation.

Extended Maintenance: The act of maintaining or modifying an OSS or its components to correct functional deficiencies or extend the longevity of the system. Examples of extended maintenance include injection of air into the wastewater or infiltrative surface, jetting or cleaning the effluent distribution pipes, and modification of the distribution of effluent.

Extremely gravelly: Soil with sixty percent or more, but less than ninety percent rock fragments by volume.

Failure or Failing: A condition of an OSS or component, or connection to a public sewer system, that threatens the public health by inadequately treating, conveying, and/or dispersing sewage or by creating a potential for direct or indirect contact between sewage and the public. Examples of failure include:

- Sewage discharged directly to surface water or upon the surface of the ground, whether treated or untreated, without written approval from the DOE;
- Sewage discharged to a dispersal component installed below the ordinary high water mark of a surface water body;
- Sewage backing up into a structure caused by slow soil absorption of septic tank effluent;
- Sewage leaking from a sewage tank or collection system;
- Inadequately treated effluent contaminating ground water or surface water as determined by either:
  - Dye observed in the drainfield area with the unaided eye following a dye test; or
  - A combination of:
    - A positive dye test using charcoal packets; and
    - A fecal coliform sample result of 200 colony forming units or more per 100 milliliters from the flow showing dye
- Surface or ground water intrusion into a sewage tank or collection system,
- Cesspools;
- Unlined pit privies;
- Metal tanks unless certified by an installer or O&M specialist to be free from material defect and safe to use;
- Dry wells or seepage pits where evidence of ground water or surface water quality degradation exists;
- Noncompliance with standards stipulated on the permit or design, with the regulations in effect at the time the system was approved for use, or with the regulations in effect at the time the structure was constructed or modified

Fecal Coliform: Bacteria common to the digestive systems of warm-blooded animals that are cultured in standard tests. Counts of these organisms are typically used to indicate potential contamination from sewage or to describe a level of needed disinfection. Generally expressed as colonies per 100 milliliters.

Fill: Any soil horizon either not deposited by natural means or whose structure is disturbed or damaged.

Functional: The state of performing or being able to perform a function. With respect to an OSS, functional shall mean that the system and all its components are whole, working, or ready to work, to successfully treat and dispose of wastewater in compliance with the standards stipulated on the permit or design and/or with the applicable regulations of this chapter.

Geotextile: A non-biodegradable, textile that (a) is permeable to gases, especially oxygen and water vapor, (b) resists the passage of fine soil particles, and (c) is used to separate a subsurface soil absorption system from the material used to cover the OSS.

Gravelly: Soils with fifteen percent or more, but less than thirty-five percent rock fragments by volume.

Gravity System: An OSS consisting of a septic tank and a subsurface soil absorption system with gravity distribution of the effluent.

Gray Water: Sewage from bathtubs, showers, bathroom sinks, washing machines, dishwashers, and kitchen sinks. It includes sewage from any source in a residence or structure that has not come into contact with toilet wastes.

Ground Water: Subsurface water occupying the zone of saturated soil, permanently, seasonally, or as the result of the tides. Also see "Water Table".

Health Department: The Tacoma-Pierce County Health Department.

Health Officer: The Tacoma-Pierce County health officer, or an authorized representative of the health officer.

Holding Tank System: An OSS which incorporates a sewage tank without a discharge outlet, the services of an O&M firm, and the off-site treatment and disposal for the sewage generated.

Hydraulic Loading Rate: The amount of effluent applied to a given treatment step, in this regulation expressed as gallons per square foot per day (gal/sq.ft./day).

Industrial Wastewater: The water or liquid carried waste from an industrial process. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feedlots, poultry houses, or dairies. The term includes contaminated storm water and leachate from solid waste facilities.

Infiltrative Surface: The surface within a treatment component or soil dispersal component to which effluent is applied and through which effluent moves into original, undisturbed soil or other porous treatment media.

Installation Permit: A permit issued by the health officer after reviewing and concluding an OSS application meets all the requirements of this chapter. This permit grants authority to the permit holder to install an OSS in accordance with the approved design.

Land Division: The division or re-division of land into lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership, including but not limited to short or long subdivision, binding site plan, planned development district, boundary line adjustment, or any other means to divide land.

Large On-Site Sewage system (LOSS): Any OSS with design flows, at any common point, greater than 3,500 gallons per day.

Legal Existence: Construction or development that was/is permitted (e.g., OSS, building, etc.) and conformed to the conditions of approval at the time the permit was issued.

Lot: A measured area of land having fixed boundaries and established by plat, subdivision, or as otherwise permitted by law, to be used developed, or built upon as a unit. This term shall also include tracts or parcels.

Maintenance: The actions necessary to keep the on-site sewage system components functioning as designed.

Management Entity: Any person who resides or is located in Washington that agrees to take possession and control of an OSS and to discharge the O&M obligations described in this chapter.

Massive Structure: The condition of a soil layer in which the layer appears as a coherent or solid mass not separated into peds of any kind.

Material: Means one of the following:

- As an adjective, of sufficient relevance or weight that a reasonable person would not disregard;
- As an assessment or a decision, a change that may cause one to alter the assessment or decision; or
- As a status or condition, a material change is both discernable and identifiable such that the change diminishes or enhances safety, value or compliance with applicable regulations.

Minimum Lot Size: For OSS, the smallest land area allowed for a single-family residence or a unit-volume of wastewater measured by the property lines of the lot, including the centerline of the roadway if the roadway is a part of the land division.

Minor Repair: The modification or repair of an existing OSS component with the intent to restore or enhance the function of the OSS without adding new components or changing the treatment provided. Minor repair may also include like-for-like replacement of a malfunctioning part, such as a sewage pump, or replacement of a damaged portion, such as up to 10 feet of non-perforated pipe for effluent transport.

Modification: The act of modifying; an alteration or change; the change the form of. The expansion, change in use, change in footprint, remodel of, addition to, or alteration of a development or OSS connected to a development.

Monitoring: Periodic or continuous checking of an OSS, which is performed by observations and measurements, to determine if the system is functioning as intended and if system maintenance is needed. Monitoring also includes maintaining accurate records that document monitoring activities.

Mottling: Spots or blotches of different color or shades of color interspersed with a dominant color in soil caused by intermittent periods of saturation and drying that a) indicate the presence at some time of ground water and (b) suggest poor aeration and impeded drainage.

Non-Conforming System: An OSS that does not meet any of the criteria for a conforming system.

O&G: Oil and grease, a component of sewage typically originating from food stuffs (animal fats or vegetable oils) or consisting of compounds of alcohol or glycerol with fatty acids (soaps and lotions). Typically expressed in mg/L.

On-Site Sewage System (OSS): An integrated system of components located on or nearby the property it serves, that conveys, stores, treats, and/or provides subsurface soil treatment and disposal of sewage. It consists of a collection system, a treatment component or treatment sequence, and a soil dispersal component. An on-site sewage system also refers to a holding tank system or other system that does not have a soil dispersal component.

Operating Capacity: The average daily volume of sewage an OSS can treat and disperse on a sustained basis. The operating capacity, which is lower than the design flow, is an integral part of the design and is used as an index in OSS monitoring.

Operational Evaluation: A report of inspection of all components of an OSS performed by an O&M technician or O&M specialist to determine and report on the system's functional condition. Said report includes any significant defects and/or critical service items found, and the steps proposed and/or taken to remedy such findings. An operational evaluation shall be considered current if it has been completed by a certified O&M professional within the previous six (6) months.

Ordinary High-Water Mark: The mark on lakes, streams, and tidal waters, found by examining the beds and banks and ascertaining where the presence and action of waters are common and usual. The following definitions apply where the ordinary high water mark cannot be found:

- The ordinary high-water mark adjoining marine water is the elevation at mean higher high tide; and
- The ordinary high-water mark adjoining freshwater is the line of mean high water.

Parcel: See definition of "Lot."

Ped: A unit of soil structure such as blocks, column, granule, plate or prism formed by natural processes.

Person: Any individual, corporation, company, association, society, firm, partnership, joint stock company, or any branch of state or local government or any other entity, or the authorized agents of any such entities.

Performance Monitoring: The observation, evaluation, and testing, if required, of an OSS to determine its current compliance with the treatment and disposal standards in effect at the time at which the Health Department issued its permit.

Permeability: A measure of the ease with which liquids or gas move through a porous material. For water, this is usually expressed in units of centimeters per second or feet per day. Hydraulic conductivity is a term for water permeability. Soils and synthetic liners with a water permeability of 1 x 10 –7 cm/sec or less may be considered impermeable.

Planned Development District: A zoning concept, as described in Title 18A of Pierce County Development Regulations, that provides for more flexible land development than regular zoning classifications.

Planned Unit Development: A development characterized by a unified site design, clustered residential units and/or commercial units, and areas of common open space. Includes, but is not limited to Planned Development District, Binding Site Plan, and Subdivision.

Plat: A map or representation of a subdivision, short subdivision, large lot or binding site plan, showing the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

Platy Structure: Soil that contains flat peds that lie horizontally and often overlap. This type of structure will impede the vertical movement of water.

Pressure Distribution System: An OSS consisting of a septic tank and a subsurface soil absorption system using pressure distribution of the effluent, as designed in accordance with the Recommended Standards and Guidance, or similar publications published by the DOH.

Pressure System Pump Test: A process in which either a designer, an installer, or an O&M specialist evaluates the performance of an OSS pump to confirm its proper function and records the residual pressure at the ends of the distribution lines and other data.

Professional Engineer: An individual who is currently licensed as an engineer under the provisions of Chapter 18.43 RCW.

Property Owner: The person, or persons, who has either legal title to, or possession of, real property, a building, structure, or place of business. When application to the Health Department requires the services of a professional engineer or designer, said person shall make application or submit information on behalf of the property owner.

Proprietary Treatment and Distribution Product: A device or method, or a component thereof, held under a patent, trademark or copyright and appearing on the List of Registered On-Site Treatment and Distribution Products published by the DOH.

Public Domain Technology: A sewage treatment and/or distribution technology, method, or material not subject to a patent or trademark.

Public Sewer System: A sewerage system:

- Owned or operated by a city, town, municipal corporation, county, or other approved ownership consisting of a collection system and necessary trunks, pumping facilities and a means of final treatment and disposal; and
- Approved by or under permit from the DOE, the DOH or the health officer.

Public Well: A well that serves as a water source for a public water system.

Real Estate Transaction: Either (a) a transaction for which one of the parties to the transaction asks the Health Department to assess the current status of a property's OSS or (b) any sale, conveyance, transfer of title, or other transaction involving real property recorded with the Pierce County Auditor, except those transactions that are exempt from real estate excise tax under Chapter 458-61A-200 through 217 WAC.

Record Drawing: An accurate, scaled graphic and written record, based on a final construction inspection at the time of initial OSS installation, of the location and features of the OSS that are needed to properly locate, monitor, operate, and maintain that system. The record drawing was formerly referred to as the "as-built."

Remediation: Restorative action of the dispersal component short of a repair, such as reducing the sewage quantity, reducing the organic load, resting a drain field, and/or other means to remove or reduce a biomat clog at the infiltrative surface in order to increase the flow of effluent into the soil.

Repair: To restore a broken or malfunctioning OSS or component to a sound or healthy condition by fixing or replacement in the same area or configuration of the broken component. Repair shall only include relocation or replacement of an entire OSS through the design and permitting process described in this chapter.

Report of System Status (RSS): A document indicating the current status of an OSS. The document also identifies, if known, the system type, components, use, approved wastewater flow, and operation & maintenance requirements.

Reporting: The act of providing the Health Department information in written or electronic form, as determined by the health officer, concerning the operation, inspection, maintenance, or performance monitoring of an OSS.

Reserve Area: Identified land approved and preserved for the installation of a reserve dispersal component for an OSS to replace the primary dispersal component upon its failure.

Residential Sewage: Sewage having the constituency and strength typical of wastewater from domestic households. After normal treatment, residential strength sewage should not exceed 125 mg/l five-day carbonaceous biochemical oxygen demand (CBOD 5), 80 mg/l total suspended solids (TSS), or 20 mg/l oil and grease (O&G).

Restrictive Layer: A stratum impeding the vertical movement of water, air, and/or growth of plant roots, such as hardpan, claypan, fragipan, caliche, some compacted soils, bedrock and unstructured clay soils. This also includes a water table.

Revoke: To terminate all the rights and privileges associated with a certification, permit or formal approval.

Rock Fragment: Rock or mineral fragments having a diameter of two millimeters or more; for example, gravel, cobbles, stones, and boulders.

Recommended Standards and Guidance (RS&G): On-site Treatment Systems Recommended Standards and Guidance Documents published and updated by the DOH.

Seepage Pit: A deep excavation where the sidewall of the excavation is designed to dispose of septic tank effluent. Seepage pits may also be called “dry wells”.

Septage: The mixture of solid wastes, scum, sludge, and liquids pumped from within septic tanks, pump chambers, holding tanks, and other OSS components.

Septic Tank: A watertight treatment receptacle receiving the discharge of sewage from a building sewer or sewers, designed and constructed to permit separation of settleable and floating solids from the liquid, detention and anaerobic digestion of the organic matter, prior to discharge of the liquid.

Sewage: Any urine, feces, and the water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places. For the purposes of this chapter, "sewage" is generally synonymous with domestic wastewater. Also see "residential sewage."

Sewage Quality: Contents in sewage that include:

- CBOD5, TSS, and O&G;
- Other parameters that can adversely affect treatment. Examples include pH, temperature, and dissolved oxygen; and
- Other constituents that create concerns due to specific site sensitivity. Examples include fecal coliform and nitrogen.

Sewage Tank: A prefabricated or cast-in-place septic tank, pump tank/dosing chamber, holding tank, grease interceptor, recirculating filter tank or any other DOH-approved tanks as they relate to on-site sewage systems, including tanks for use with proprietary products.

Sewer Utility: A city, town, municipal corporation, county or other approved ownership that constructs and operates a public sewer system.

Significant Defect: A defect that compromises the watertight integrity of an OSS component, presents a route of accidental entry into an OSS component, or permits human exposure to sewage. Significant defects include, but are not limited to a cracked or broken septic tank or pump chamber, a broken, missing or unsecured access lid, or a leaking or broken pipe connection between components.

Soil Log: A detailed description of soil characteristics providing information on the soil's capacity to act as an acceptable treatment and dispersal medium for sewage.

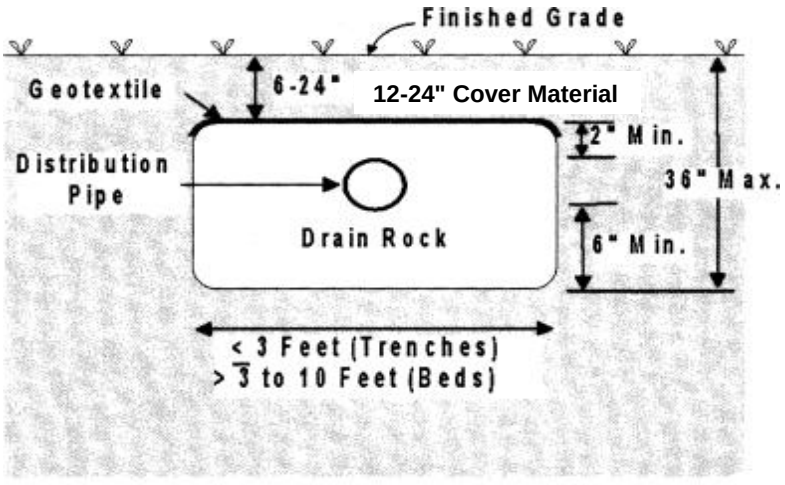
Soil Type: One of seven numerical classifications of fine earth particles and rock fragments as described in Chapter 246-272A-220 (2) (e) WAC.

Strong Structure: A condition where the peds are distinct in undisturbed soil. They separate cleanly when soil is disturbed, and the soil material separates mainly into whole peds when removed.

Subdivision: A division of land or creation of lots or parcels under Chapter 58.17 RCW, as now or hereafter amended.

Subsurface Drip System: An efficient pressurized wastewater distribution system that can deliver small, precise doses of effluent to soil surrounding the drip distribution piping (called dripline) as described in the DOH Recommended Standards and Guidance for Subsurface Drip Systems.

Subsurface Soil Absorption System (SSAS): A shallowly buried, designed system to receive effluent, further treat effluent, and transmit treated effluent into the soil. The system may contain either (a) trenches three feet or less in width or (b) beds between three and ten feet in width and use either distribution pipe within a layer of clean gravel installed in original, undisturbed soil or gravelless drainfield chambers, pipe, or other products approved by the DOH.



Surface Water: Any body of water, whether fresh or marine, flowing or contained in a natural or artificial unlined depression or drainage course and that normally contains water (excluding rain events) during any of the months from June through September, or has been identified as a significant drainage feature or resource by the State Department of Fish & Wildlife or DOE, or the applicable planning authority. Such bodies include but are not limited to natural and artificial lakes, ponds, springs, rivers, streams, swamps, marshes, irrigation canals, ditches, and tidal waters.

Surge Capacity: The wastewater flow discharged to an OSS on a heavy use event, such as a holiday gathering at a single-family residence or a period of maximum occupancy of a commercial structure. Surge is normally followed by a period of lower occupancy. Surge capacity is greater than operating capacity.

Temporary Housing Unit: A temporary structure that conforms to the definition of Temporary Housing Unit, Mother-in-law found in Title 18A Pierce County Development Regulations.

Timed Dosing: Delivery of discrete volumes of sewage to the dispersal component at prescribed time intervals.

Tract: See definition of “Lot.”

Treatment Component: A technology that treats sewage in preparation for further treatment and/or dispersal into the soil environment. Some treatment components, such as mound systems, incorporate a soil dispersal component in lieu of separate treatment and soil dispersal components.

Treatment Level: One of six levels (A, B, C, D, E, & N) used in this chapter to:

- Identify treatment component performance demonstrated through requirements specified in Chapter 246-272A-0110 WAC; and
- Match site conditions of vertical separation and soil type with treatment components. Treatment levels used in these rules are not intended to be applied as field compliance standards. Their intended use is for establishing treatment product performance in a product testing setting under established protocols by qualified testing entities.

Treatment Sequence: Any series of treatment components that discharges treated sewage to the soil dispersal component.

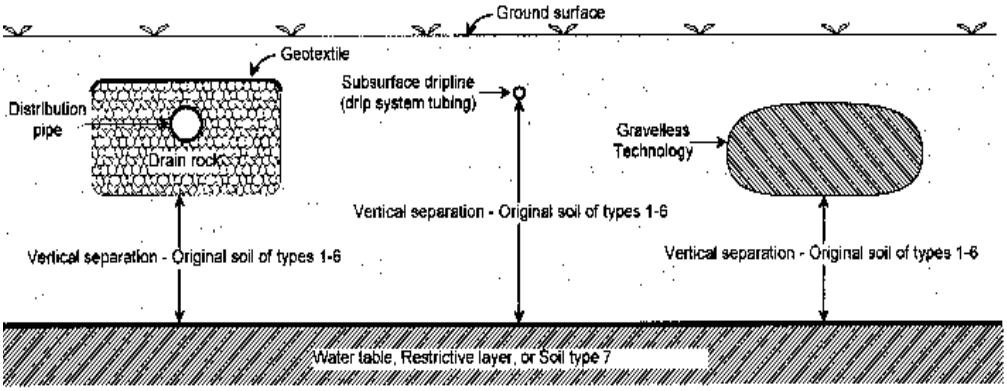
Trench: A soil dispersal component consisting of an excavation with a width of three feet or less.

TSS: Total suspended solids, a measure of all suspended solids in a liquid, typically expressed in mg/L.

Unit Volume of Sewage: Any of the following anticipated sewage flows:

- From a single-family residence;
- From a mobile home site in a mobile home park; or
- 450 gallons of sewage per day where the development is not single-family residences or a mobile home park.

Vertical Separation: The depth of unsaturated, original, undisturbed soil of soil types 1-6 between the bottom infiltrative surface of a soil dispersal component and the highest seasonal water table, a restrictive layer, or soil type 7 as illustrated below by the profile drawing of a subsurface soil absorption system:



Very Gravelly: Soil containing thirty-five percent or more, but less than sixty percent rock fragments by volume.

Water Table: The upper surface of a saturated zone, whether permanent or seasonal. Also see "ground water."

Well: Any excavation that is constructed when the intended use of the well is for the location, diversion, artificial recharge, observation, monitoring, dewatering or withdrawal of ground water for agricultural, municipal, industrial, domestic, or commercial use. A shallow temporary observation port for monitoring height of water table, or the effect of OSS on a water table, is excluded from this definition.

General Requirements

SECTION 4: Applicability

A. General Requirements.

1. This chapter shall apply to all activities associated with design, installation, operation, maintenance, and repair of on-site sewage systems in Pierce County, including the creation of new developments, lots, tracts, or parcels when an OSS is planned or required.

2. This chapter shall apply to the owner, operator, or occupant of any residence, place of business, or other building, structure, or place where people congregate, reside or are employed that must use an OSS designed or permitted to handle up to 3,500 gallons per day (gpd).

3. This chapter shall apply to the owner, operator, or occupant of any residence, place of business, or other building, structure, or place where people congregate, reside, or are employed, that is connected to a public sewer system or large or community onsite sewage system, in the event any of the following occur: public exposure to sewage; a sewage discharge to the ground surface, surface water or ground water; or back-up of sewage into a structure.

4. This chapter shall apply to persons that perform any type of work, construction, repair, replacement, adjustment, modification, or improvement to any OSS.

5. The health officer:

   a. Shall apply this chapter to any OSS treating sewage and dispersing effluent from residential sources with design flows up to three thousand five hundred gallons per day; and

   b. May apply this chapter to an OSS for nonresidential sources of sewage if treatment, siting, design, installation, and operation and maintenance measures provide treatment and effluent dispersal equal to that required of residential sources.

6. This chapter shall not apply to industrial wastewater.

B. Previously submitted OSS application.

1. If a complete OSS application has been submitted to the Tacoma-Pierce County Health Department (Health Department) prior to the effective date of this chapter, then the application:

   a. Shall be acted upon in accordance with regulations in force at the time of application submittal;

b. Shall have a maximum validity of three years from the date of submittal; and

c. May be modified to include additional requirements if the health officer determines that a serious threat to public health exists.

C. Existing lots of record.

1. If a lot of record was lawfully created prior to the effective date of these regulations, then development of the lot for the use designated at the time of lot creation shall be allowed without meeting the Health Department's minimum lot size or density requirements for an OSS but shall meet all other requirements of this chapter.

2. If a lot of record was lawfully created prior to the effective date of these regulations, and the proposed use is different from the use designated at the time of lot creation, or if no use was designated, then the proposal shall meet all of the requirements of this chapter.

D. Existing development or OSS.

1. An existing development or OSS in legal existence prior to the effective date of this chapter, that does not meet the criteria listed in Section 4.D.2, shall not be required to comply with these regulations, except for the use, monitoring, and maintenance requirements of Sections 37 through 44 and Sections 32 through 36, which are applicable to all onsite sewage systems. Any such existing development or OSS is accepted for continued use in the same manner, except upon the health officer's determination of any of the following:

a. An OSS determined to be failing;

b. An OSS in need of repair or replacement;

c. An OSS or property determined to be a health hazard or nuisance due to inadequate sewage treatment, dispersal, or disposal;

d. An OSS connected to a building or structure that has been modified or expanded without approval from the health officer and/or applicable building department; or

e. An OSS not being used consistent with the terms and conditions of its permit approval or its original intended use.

2. An existing development or OSS in legal existence prior to the effective date of this chapter shall be required to comply with these regulations when the property owner, owner's agent, occupant, or operator, proposes and/or implements an expansion or modification of an onsite sewage system or property after the effective date of this chapter.

3. The health officer may waive compliance with these regulations for an existing development or onsite sewage system in legal existence prior to the effective date of these regulations when material facts are presented to show that the proposed repair, replacement, expansion, or modification is compatible with, and does not adversely impact the existing permitted OSS or approved reserve area as determined by the health officer. The health officer may require applications and fees to submit these material facts.

4. An OSS for which there are no records of being previously approved by the Health Department, Washington Department of Health (DOH), or Washington Department of Ecology (DOE) shall be accepted for continued use in the same manner, except upon the health officer's determination that any of the conditions listed in Section 4.D.1 are present.

SECTION 5: Fees

A. The purpose of fees and service charges is to cover the costs and expenses of administering and enforcing these regulations. Fees will be charged in accordance with the applicable schedule of fees as adopted by the Board of Health. In addition to regular fees for application review and permitting, the health officer may charge supplemental fees for additional service or reduce fees for a shortened period of certification as provided below:

B. If a change in conditions outside the control of the Health Department, a failure by an applicant or agent to keep an appointment, or an amendment to an application requires a repeat visit or repeated review to process an application, then the applicant shall pay an additional fee.

C. Initial certification fees for OSS Professionals and Firms shall be prorated as follows:

1. 100% payable if application is submitted between March 15th and September15th; or

2. 50% payable if application is submitted between September 16th and March 14th.

SECTION 6: Approved Sewage Disposal and Domestic Water Source Required

Every residence, business, or other place where people congregate, reside, or work in Pierce County shall have an:

A. Adequate, lawful source of potable water; and

B. Approved means to dispose of sewage.

SECTION 7: Requirements to Discharge Sewage; Pre-existing OSS

No one may cause or allow discharge of sewage in any form in Pierce County into the air, on surface water, upon the surface of the ground, into a holding tank, or underground without possessing and complying with:

A. A valid OSS or sanitary sewer approval from either the DOH or DOE; or

B. A valid OSS approval from the Health Department.

SECTION 8: Responsibilities of OSS Owner

A. The owner, occupant, or operator of a property served by an OSS has the responsibility to:

1. Use, operate, monitor and maintain the OSS to protect public health and assure long-term wastewater treatment and disposal;

2. Ensure compliance with all applicable statutes, state regulations, and local regulations related to the use of the OSS;

3. Provide full disclosure in all matters regarding the OSS to the Health Department, contractors, and successors in interest to the property.

B. These responsibilities run with the land and successors in interest to the property owner assume the same responsibilities. Nothing in this chapter apportions responsibility among the property owner and successors in interest.

SECTION 9: Responsibilities of Participants in the OSS Development Process

Participants in the OSS development and review process shall have the following responsibilities and performance requirements.

A. Property owners shall:

1. Comply with all applicable regulatory requirements for development and use of a property served by an OSS;

2. Employ and be responsible for the oversight of appropriately licensed or certified OSS professionals to design, install, modify, or inspect and maintain an OSS to comply with the requirements of this chapter;

3. Inform the professionals hired and the Health Department of all known restrictions, encumbrances, or special conditions related to the development or use of a property or OSS; and

4. Consent to reasonable and necessary inspections to ascertain compliance with this chapter as they relate to OSS review and development.

B. Designers shall:

1. Design an OSS that complies with all applicable regulatory requirements;

2. Communicate and coordinate with the owner, installer, maintenance provider, and health officer as needed to comply with this chapter;

3. Disclose and address in their submittals all known restrictions, conditions, encumbrances and other limitations that may affect compliance with this chapter; and

4. Be responsible for any deviations from the approved design that are granted by the designer to the installer, and determine when such a deviation requires redesign submission for approval by the health officer.

C. Installers and installation firms shall:

1. Perform work within the scope of practice for installers contained in Section 48;

2. Have in their possession the installation permit and a copy of the most current design approved by the health officer for the site;

3. Follow and abide by the approved design and any design specifications or directions on the approved design;

4. Obtain consent from the designer for any deviations from the approved design;

5. Submit legible and complete information on forms and reports required by this chapter; and

6. Communicate and coordinate with the owner, designer, maintenance provider, and health officer as needed to comply with this chapter.

D. Operation & maintenance (O&M) professionals and O&M firms shall:

1. Perform work within the scope of practice for their certification contained in Section 48;

2. Accurately record and report the results of the OSS inspection and maintenance performed in the manner required by this chapter;

3. Submit legible and complete information on forms and reports required by this chapter; and

4. Communicate and coordinate with the owner, designer, installer, and health officer as needed to conform to this chapter.

SECTION 10: Connection to Public Sewer

Sewer availability will be determined by the local sewer utility.

A. The health officer shall not allow installation, replacement, or extension of an OSS, an increase in wastewater flow, or a change of use of a facility, residence or other structure within a local sewer service area unless the sewer utility allows the continued use of OSS for the project to proceed.

B. When public sewers are available, connection shall be required:

1. For new construction;

2. To meet the requirements of the comprehensive land use plan, development regulations or other applicable requirements;

3. In the event of an OSS failure;

4. When there is a proposed change in use of a facility, residence, or other structure served by an OSS that exceeds the wastewater strength or capacity of the existing OSS; and

5. When the health officer has determined that the continued use of an OSS creates a serious public health risk.

C. The owner of a facility, residence, or other structure served by an OSS previously repaired under the requirements of Table IX of Chapter 246-272A-0280 WAC or Table VI of Chapter 246-272-16501 WAC shall connect to public sewer when available. This shall also apply to a substandard OSS repaired under previous OSS regulations.

D. Upon connection to public sewer, the owner of a facility, residence, or other structure shall decommission the OSS according to the requirements contained in Section 36 of this chapter and Chapter 246-272A-0300 WAC.

SECTION 11: Professional Standing

Wherever this chapter relies upon a person or firm to provide a specialized skill, and the person or firm relied upon is regulated by any government, the person or firm must both possess current licensure, certification, or other evidence of approval and be in good standing with all relevant regulatory bodies.

SECTION 12: Areas of Special Concern

A. To protect public health, the Board of Health may designate areas of special concern with OSS requirements more stringent than for ordinary circumstances. In so doing, the health officer shall include an opportunity for public notice and comment prior to adoption.

B. Criteria which the Board of Health may consider for Areas of Special Concern include, but are not limited to, up-gradient areas directly influencing shellfish harvest, designated swimming areas, groundwater protection, and regions where it has been determined that OSS are a source of contamination and, therefore, increased health risk.

C. Areas of Special Concern currently designated by the Board of Health are:

1. The Key Peninsula Marine Recovery Area designated through Board of Health Resolution 2007-4001 *On-Site Sewage Systems Management Plan*, in accordance with Chapter 246-272A-0015 WAC and Chapter 70.118A RCW, including shellfish protection districts at Rocky Bay, Burley Lagoon, and Filucy Bay. Resolution 2007-4001 is incorporated herein by reference and expressly made a part of these regulations.

2. Additional Areas of Special Concern, when designated by the Board of Health, shall be incorporated herein by reference and expressly made a part of these regulations.

SECTION 13: OSS Failure

The property owner, occupant, or operator shall be responsible for the timely repair or replacement of a malfunctioning or failing OSS or system component.

A. If public sewer is not available, options shall include the following:

1. Repair in conformance with this chapter; or

2. Connection to a DOH-approved large on-site sewage system (LOSS).

B. When none of the remedies in Section 13.A. are possible, the owner shall coordinate with the health officer to attain one of the following:

1. Repair or replace the OSS in conformance with Chapter 246-272A-0280 WAC;

2. Use of a permitted holding tank; or

3. Abandon the property.

C. If an OSS shows appreciable signs of failure that resolve without OSS repair, then the property owner shall employ a certified O&M specialist (O&M specialist) to evaluate the system and certify its proper function. Thereafter, a recurrence of any material sign of failure shall require implementation of one of the repair options contained in this section.

SECTION 14: Community System Management

In addition to the design requirements of this chapter, all proposals for a community OSS shall include a community OSS management, monitoring and maintenance program plan that includes the following information:

A. Designation and Approval of Management Entity.

1. Management and oversight of a community OSS shall be provided by an entity approved by the health officer.

2. The type of management entity and the degree of management required shall be commensurate with the complexity of the system, the site conditions, and the financial assurance program proposed for the system.

B. Management, Monitoring and Maintenance Contract Required.

1. The owners of properties connected to a community system shall maintain a valid management, monitoring, and maintenance contract, with a Health Department-approved O&M firm that addresses the following:

a. Emergency response procedures in the case of a system malfunction or failure including:

1) Timely, effective notification to owners and users of the system;

2) Mitigation of the malfunction or failure to prevent or reduce the occurrence or extent of sewage discharge on the ground surface or to surface waters;

3) Investigation procedures to determine the cause of the malfunction or failure; and

4) Development and submittal of a repair plan to correct the system malfunction or failure.

b. Frequency and type of monitoring and maintenance inspections of the system;

c. Maintenance procedures specifying how needed maintenance will be performed on the system; and

d. Minimum record keeping requirements for monitoring and maintenance inspections, based on the type and complexity of the system.

C. Recorded User Agreement and Financial Assurance Plan.

1. A covenant agreement shall be recorded to the title of each parcel connected to the community system that specifies the following:

a. The responsibility of the owner for complying with the management, monitoring, and maintenance program plan;

b. Procedures for the formation of a homeowners association, and/or contracting with an approved management entity, to ensure conformance to the management, monitoring and maintenance program plan;

c. The financial assurance plan that will be utilized to collect and disburse funds as necessary to assure conformance to the management, monitoring and maintenance program plan; and

d. A statement that notifies the owners that the health officer shall have the authority to enforce all aspects of the management, monitoring, and maintenance program plan.

2. A notice to title shall be recorded with the Pierce County Auditor on each parcel connected to the community system to notify persons that the parcel is connected to a community system, and that adherence to the management, monitoring, and maintenance program plan, as well as the financial assurance plan, is required with ownership of the parcel.

Land Division Activities

SECTION 15: Land Division Activities

A. Sections 15 through 17 identify and prescribe general requirements for approval of the following land division activities for properties that rely on or plan to rely on OSS for wastewater treatment and disposal:

1. Establishing new lots through short or long subdivision;
2. Binding Site Plan;
3. Planned Development District;
4. Boundary line adjustment;
5. Modification of existing land use; and
6. Any other means to divide a parcel or tract of land.

SECTION 16: Land Division Approval Required

All land division activities, where the use of an OSS is planned or required, shall require review and a recommendation of approval by the health officer, as required by Chapter 58.17.150 RCW. To obtain approval, the property owner shall make application to the health officer as described in Section 17.B.

SECTION 17: Requirements for Land Division Approval

The Health Department's responsibility to recommend approval of new land divisions is limited to ensuring that the proposed method to treat and dispose of sewage for the project is both lawful and effective.

A. The following standards shall be required to determine the feasibility of land division proposals using an OSS including, but not limited to, creation of new lots or parcels, planned development district, boundary line adjustment, and binding site plan:

For review of any land division, the health officer may require an OSS design justification submitted by a designer for each lot or parcel proposed.

B. The person proposing a new land division, excluding a boundary line adjustment, shall submit a land division application including, but not limited to, the following:

1. The application form;
2. Required fees;

3. Two copies of the most recent site plan submitted to the local planning authority. The site plan shall illustrate or include the following:

   a. The property owner name and phone number on each page;

   b. The applicant name and phone number (if different from the property owner) on each page;

   c. The site address (if available) and parcel number on each page;

   d. A bar scale and a north arrow on each page;

   e. The number of each page and the total number of pages;

   f. Existing and proposed property and easement lines, including line dimensions;

   g. Open space, critical areas and buffer areas;

   h. Existing and proposed utilities, above and below ground, both public and private;

   i. All wells on or within 100 feet of the property. For each well, show a 100 foot radius. Show any decommissioned wells on the property with a 10 foot radius;

   j. The number or letter of each lot or tract and the land area in square feet;

   k. A legend of plan icons and abbreviations;

   l. The named access street (both streets if the lot is on a corner);

   m. The outline of existing structures, including labels for use of each;

   n. All existing OSS components and the reserve area;

   o. Any OSS or reserve area components in the proposal that are located on a different parcel. The site plan shall show the parcel where the off-site components are located;

   p. All interceptor drains and storm water systems on or within 30 feet of the property;

   q. All driveways on the property; and

   r. Soil test holes identified by number or letter;

4. A site and soil evaluation conducted by a designer as required in Section 18 of this chapter;

5. Written soil logs prepared by a designer. Each proposed lot shall be represented by at least one soil log. The health officer may require additional soil logs if necessary to evaluate the development proposal;

6. Site preparation as required in Section 19 of this chapter;

7. Documentation as needed to support or supplement the land division proposal including, but not limited to:

   a. A current operational evaluation for any existing OSS on the property; and

   b. The record drawing for any existing OSS on the property, if available;

C. Calculation of Required Minimum Land Area for a land division.

1. General Requirements:

   a. Determination of the minimum lot size or land area required for a land division shall use Method 1, Method 2, or one of the Special Allowances provided in this section. Each land division shall use only one means to calculate required minimum land area.

   b. Except as modified by Method 2 and the Special Allowances in this section, the minimum lot size or land area shall be based on soil type. In no case shall the maximum sewage density exceed 3.5 unit volumes of sewage per day per acre. Except as noted in Section 16.G, the minimum area for new lots shall be 12,500 square feet or larger.

   c. No portion of the land area within the proposed land division that is under surface water may be included in the minimum land area calculation.

   d. The health officer may require larger lot sizes or land areas per unit volume of sewage where the Board of Health has determined it necessary to protect public health.

D. Community or existing OSS in a proposed land division .

1. Any community OSS or OSS components proposed as justification for a land division shall be installed and approved by the health officer prior to approval of the land division.

2. An existing OSS in a proposed land division that would increase the total daily flow on a parcel, other than expansion of a single-family residence, shall conform to this chapter. The OSS shall be modified or replaced as necessary to conform to the treatment and density requirements for the new land division.

E. Method 1:

1. Table 1 shows the minimum lot size or land area per unit volume of sewage per single-family residence.

Table 1: Minimum Land Area for Single Family Lots

Type of Water Supply	Soil Type (defined by Chapter 246-272A-0220 WAC)						
		1	2	3	4	5	6
Public	**Land area per unit volume sewage**	21,780 sq. ft.	12,500 sq. ft	15,000 sq. ft.	18,000 sq. ft.	20,000 sq. ft.	22,000 sq. ft.
Individual well on each lot or parcel	**Land area per unit volume sewage**	1.0 acre	1.0 acre	1.0 acre	1.0 acre	2.0 acres	2.0 acres

2. For a land division proposing structures other than single-family residences, the minimum land area shall be calculated as shown in Table 2.

Table 2: Minimum Land Area for Land Division other than Single Family

Soil Type (defined by Chapter 246-272A-0220 WAC)	1	2	3	4	5	6
Square feet of land area per gallon of daily sewage flow	48.40	27.78	33.33	40.00	44.44	48.89

F. Method 2:

1. If the proponent of the land division desires to utilize Method 2 for determination of minimum land area per unit volume of sewage, a designer shall submit justification that meets the requirements of Chapter 246-272A-0320(2)(d) WAC, Method II(i).

2. The health officer may allow inclusion of the area to the centerline of a road or street right-of-way in a minimum land area calculation if all of the following conditions are met:

   a. The road or street right-of-way is dedicated as part of the proposed land division;
   b. The dedicated road or street right-of-way is along the perimeter of the land division; and
   c. Lots or parcels are at least twelve thousand five hundred square feet in size, including the dedicated right-of-way.

G. Planned unit development or land division within a sewer service area.

If a planned unit development is proposed, or a proposed land division is within the service area of a recognized sewer utility, the health officer may reduce the minimum lot size or land area per unit volume of sewage if all of the following conditions are met:

1. There is a signed, notarized, and recorded deed covenant restricting any development on lots or parcels above the approved density with the overall density meeting the minimum land area requirements of Table 1. These lots or parcels shall be identified on the development site plan;

2. A management entity is responsible for operation and maintenance of the OSS, or all OSS are individually owned and located on the lot or parcel on which the effluent is generated;

3. Dry sewer lines shall be constructed for all lots or parcels; and

4. Extinguishment of the deed covenant and higher density development shall be allowed only when the entire development connects to public sewers.

H. Urban growth areas (UGA).

If a land division is within an UGA with *maximum* lot or parcel size requirements that are less than the minimum land area shown in Table 1, then the health officer may approve creation of the lots or parcels for use with an OSS when the following conditions are met:

1. The applicant submits written documentation from the local planning authority of the UGA that lists the requirements for maximum lot size or parcel area;

2. The proposed lot or parcel is not less than twelve thousand five hundred square feet;

3. The lots or parcels created for OSS but not conforming to Table 1 are justified by a design submitted by a designer; and

4. There is a signed, notarized, deed covenant recorded to restrict creation of further lots or parcels until such time as the entire development is connected to public sewers.

I. Boundary line adjustment (BLA).

The purpose of the Health Department's review of a BLA is to assure that the potential impacts on any OSS are adequately evaluated and mitigated, as needed, and to assure the long-term ability of the OSS to treat and dispose wastewater.

1. The health officer shall not approve a proposed BLA that will result in any of the following:

   a. Reducing the land area of a conforming lot or parcel such that it no longer conforms to the minimum land area requirements of Table 1;

   b. Reducing the land area of a lot or parcel that does not conform to the minimum land area requirements of Table 1 at the time of the proposed BLA; or

   c. Encroachment on any adjacent property by an OSS without an easement.

2. Submittal Requirements:

   a. The applicant shall submit a basic site plan containing all the information set forth in Section 28.B.;

   b. If, prior to the BLA, one or more lots or parcels have less land area than required by Table 1, the proposal must be justified by a design submitted by a designer; and

   c. Undeveloped parcels with land area conforming to Table 1 and no other encumbrances adversely impacting an OSS may be approved without design justification.

Design Requirements

SECTION 18: Soil And Site Evaluation

A. Only professional engineers or designers may perform soil and site evaluations for the purpose of OSS design.

B. The person evaluating the soil and site shall:

1. Evaluate as many soil test holes as necessary to determine the applicability of the design proposal to specific design or other requirements of this regulation;

2. Consider the stability of soils within and in close proximity of the primary and reserve OSS areas;

3. Determine ground water conditions and the probable maximum height to establish vertical separation for the purpose of OSS design;

4. Establish the topography of the proposed initial system, the reserve area, and those areas immediately adjacent that contain characteristics impacting the design;

5. Evaluate the drainage characteristics of the proposed initial system, the reserve area and those areas immediately adjacent that contain characteristics impacting the design;

6. Locate existing features affecting system placement, including, but not limited to:

   a. Wells and suction lines;

   b. Water sources and supply lines;

   c. Surface water and storm water infiltration areas;

   d. Abandoned wells;

   e. Outcrops of bedrock and restrictive layers;

   f. Buildings;

   g. Property lines and lines of easement;

   h. Interceptors such as footing drains, curtain drains, and drainage ditches;

   i. Cuts, banks, and fills;

   j. Driveways and parking areas;

   k. Existing OSS; and

   l. Underground utilities.

7. Use the soil and site evaluation procedures and terminology in accordance with Chapter 6 of the *On-site Wastewater Treatment Systems Manual*, EPA 625/R-00/008, February 2002 except where modified by, or in conflict with, this chapter or Chapter 246-272A WAC;

8. Use the soil names and particle size limits of the United States Department of Agriculture Natural Resources Conservation Service classification system;

9. Determine texture, structure, compaction and other soil characteristics that affect the treatment and water movement potential of the soil by using normal field and/or laboratory procedures such as particle size analysis; and

10. Classify the soil as in Table 3, *Soil Type Descriptions and Maximum Hydraulic Loading Rate*.

SECTION 19: Site Preparation

The owner of the property or an authorized agent shall:

A. Prepare the soil test holes to:

1. Allow examination of the soil profile in its original position by:

a. Excavating pits at least 24 inches in diameter and deep enough to enable observation of soil characteristics by visual and tactile means to a depth three feet deeper than the anticipated infiltrative surface at the bottom of the soil dispersal component; or

b. Stopping at a shallower depth if a water table or restrictive layer is encountered;

2. Allow determination of the soil's texture, structure, color, bulk density or compaction, water absorption capabilities or permeability, and the elevation of the highest seasonal water table.

B. Clearly mark and number the test holes for comparison to the design submitted; and

C. Assume responsibility for constructing and maintaining the soil test holes in a manner to prevent injury as required by Chapter 296-155 WAC.

Table 3: Soil Type Descriptions and Maximum Hydraulic Loading Rate

Soil Type	Soil Textural Classifications	Loading Rate for Residential Effluent Using Gravity or Pressure Distribution (gal./sq. ft./day)
1	Gravelly and very gravelly coarse sands, all extremely gravelly soils excluding soil types 5 and 6, all soil types with greater than or equal to 90% rock fragments.	1.0
2	Coarse sands.	1.0
3	Medium sands, loamy coarse sands, loamy medium sands.	0.8
4	Fine sands, loamy fine sands, sandy loams, loams.	0.6
5	Very fine sands, loamy very fine sands; or silt loams, sandy clay loams, clay loams and silty clay loams with a moderate or strong structure (excluding platy structure.	0.4
6	Other silt loams, sandy clay loams, clay loams, silty clay loams.	0.2
7 Unsuitable for treatment or dispersal	Sandy clay, clay, silty clay, strongly cemented or firm soils soil with a moderate or strong platy structure any soil with a massive structure any soil with appreciable amounts of expanding clays.	Not Suitable

SECTION 20: Location

A. Persons shall design and install OSS to meet the minimum horizontal separations shown in Table 4, *Minimum Horizontal Separations* .

B. A reduced horizontal separation to not less than two feet may be allowed where an in-ground swimming pool, building foundation, or a property line or easement line is up-gradient.

C. The horizontal separation between an OSS dispersal component and an individual water well, individual spring, or surface water that is not a public water source can be reduced to a minimum of seventy-five feet and be described as a conforming system if the applicant demonstrates:

1. Adequate protective site-specific conditions, such as physical settings with low hydro-geologic susceptibility from contaminant infiltration. Examples of such conditions include evidence of confining layers and/or aquatards separating potable water from the OSS treatment zone, excessive depth to ground water, down-gradient contaminant source, or outside the zone of influence; or

2. Design and proper operation of an OSS assuring enhanced treatment performance beyond that accomplished by meeting the vertical separation and effluent distribution requirements described in Table 6, *Treatment Component Performance Levels and Method of Distribution*; or

3. Evidence of protective conditions involving both of the requirements in Sections 20.C.1 and 20.C.2.

D. Persons shall design and/or install a soil dispersal component only if:

1. The slope is less than forty-five percent (twenty-four degrees);

2. The area is not subject to:

a. Encroachment by buildings or construction such as placement of power poles and underground utilities;

b. Cover by impervious material;

c. Vehicular traffic; or

d. Other activities adversely affecting the soil or the performance of the OSS

3. Sufficient reserve area for replacement exists to treat and dispose one hundred percent of the design flow;

4. The land is stable; and

5. Surface drainage is directed away from the site.

E. If a sewer transport line is constructed within ten feet of a water supply line, the sewer line shall be constructed in accordance with Section C1-9 of the DOE publication "*Criteria For Sewage Works Design*," December 1998.

Table 4: Minimum Horizontal Separations

Items Requiring Setback	From edge of soil dispersal component and reserve area	From sewage tank and distribution box	From building sewer and nonperforated distribution pipe
Well or suction line	100 ft.	50 ft.	50 ft.
Public drinking water well	100 ft.	100 ft.	100 ft.
Public drinking water spring measured from the ordinary high-water mark	200 ft.	200 ft.	100 ft.
Spring or surface water used as drinking water source measured from the ordinary high-water mark[1]	100 ft.	50 ft.	50 ft.
Pressurized water supply line	10 ft.	10 ft.	10 ft.
Decommissioned well (decommissioned in accordance with Chapter 173-160 WAC)	10 ft.	N/A	N/A
Surface water measured from the ordinary high-water mark	100 ft.	50 ft.	10 ft.
Building foundation/in-ground swimming pool	10 ft.	5 ft.	2 ft.
Property or easement line	5 ft.	5 ft.	N/A
Interceptor/curtain drains/foundation drains/drainage ditches			
Down-gradient[2]:	30 ft.	5 ft.	N/A
Up-gradient[2]:	10 ft.	N/A	N/A
Other site features that may allow effluent to surface			
Down-gradient[2]:	30 ft.	5 ft.	N/A
Up-gradient[2]:	10 ft.	N/A	N/A
Down-gradient cuts or banks with at least 5 ft. of original undisturbed soil above a restrictive layer due to a structural or textural change	25 ft.	N/A	N/A
Down-gradient cuts or banks with less than 5 ft. of original undisturbed soil above a restrictive layer due to a structural or textural change	50 ft.	N/A	N/A
Other adjacent soil dispersal components\subsurface storm water infiltration systems	10 ft.	N/A	N/A

[1]If surface water is used as a public drinking water supply, the designer shall locate the OSS outside of the required source water protection area.

[2]The item is down-gradient when liquid will flow toward it upon encountering a water table or a restrictive layer. The item is up-gradient when liquid will flow away from it upon encountering a water table or restrictive layer.

SECTION 21: General Design Requirements

A. On-site sewage systems may only be designed by professional engineers, licensed under Chapter 18.43 RCW or on-site sewage treatment system designers, licensed under Chapter 18.210 RCW.

B. Only registered proprietary treatment components with O&M specialists or installers, from at least two (2) separate certified firms, willing and able to maintain the OSS containing the proprietary components may be approved in Pierce County.

C. OSS Designs shall meet the specifications of the On-Site Wastewater Construction Manual for Pierce County and the Recommended Standards and Guidance (RS&G) as modified by policy developed by the health officer with stakeholder input. In the event of any conflict between this chapter, the Construction Manual and the RS&G, the provisions shall apply in the following order of precedence:

1. This chapter;

2. The Construction Manual; and

3. The RS&G as modified by policy.

D. Design flows.

1. All sewage from the building served shall be directed to the OSS.

2. The OSS shall be designed to treat and disperse the sewage volume as follows:

3. For single-family residences:

a. The minimum design flow shall be three hundred sixty gallons per day; and

b. For residences with more than two bedrooms, the minimum design flow shall be one hundred twenty gallons per bedroom per day.

4. For multi-family structures:

a. The minimum design flow shall be two hundred forty gallons per day; and

b. For multi-family structures with more than two bedrooms, the minimum design flow shall be one hundred twenty gallons per bedroom per day.

5. For other facilities the designer shall use:

a. The high end of the range of the typical flow values shown in *On-site Wastewater Treatment Systems Manual*, USEPA, EPA-625/R-00/008, February 2002; or

b. Provide metered flow documentation from similar uses. Metered flows shall incorporate both an operating capacity and a surge capacity.

E. Wastewater quality.

1. The OSS shall be designed to address sewage quality as follows:

a. For all systems, the designer shall consider:

1) $CBOD_5$, TSS, and O&G;

2) Other parameters that can adversely affect treatment anywhere along the treatment sequence. Examples include pH and temperature;

3) The sensitivity of the site where the OSS will be installed. Examples include areas where fecal coliform constituents can result in public health concerns, such as shellfish growing areas, designated swimming areas, and other areas identified by the local OSS management plan; and

4) Nitrogen contributions. Where nitrogen has been identified as a contaminant of concern by the local OSS management plan required shall be addressed through lot size and/or treatment.

b. For OSS treating sewage from a nonresidential source, the designer shall provide the following information:

1) Information to show the sewage is not industrial wastewater;

2) Information regarding the sewage quality and identifying chemicals found in the sewage that are not found in sewage from a residential source; and

3) A site-specific design providing the treatment level equal to that required of sewage from a residential source.

F. Septic tanks and sizing.

1 Only septic and sewage tanks appearing on the Approved On-site Sewage Tanks List, or any subsequent list of approved sewage tanks published by the DOH, shall be installed in Pierce County.

2. Septic tanks shall:

a. Have at least two compartments with the first compartment liquid volume equal to one-half to two-thirds of the required total liquid volume. This standard may be met by one tank with two compartments or by two single compartment tanks in series.

b. Have the following minimum liquid volumes:

1) For single family residential use Table 5, *Required Minimum Liquid Volumes of Septic Tanks*:

Table 5: Required Minimum Liquid Volumes of Septic Tanks

Number of Bedrooms	Required Minimum Liquid Tank Volume in Gallons
≤ 4	1000
Each additional bedroom	250

2) For OSS treating sewage from a residential source, other than one single-family residence, two hundred fifty gallons per bedroom with a minimum of one thousand gallons;

3) For OSS treating sewage from a nonresidential source, three times the design flow.

G. Drainage.

Drainage from the surface, footing drains, roof drains, subsurface storm water infiltration systems, and other non sewage drains shall be prevented from impacting the OSS, the area where the OSS is located, and the reserve area

H. Vertical separation and treatment component performance.

1. The vertical separation selected for the design establishes the minimum treatment level. The vertical separation selected shall be used consistently throughout the design process.

2. Treatment levels:
Requirements for matching treatment component and method of distribution with soil conditions of the soil dispersal component are listed in Table 6. The method of distribution applies to the soil dispersal component.

3. Disinfection shall not be used to achieve the fecal coliform requirements to meet:

a. Treatment levels A or B in Type 1 soils; or

b. Treatment level C.

4. The coarsest textured soil within the vertical separation selected by the designer shall determine the minimum treatment level and method of distribution.

5. Chlorination shall not be used as a means of effluent disinfection in Pierce County.

I. Community system requirements.

If a proposed design is for a community OSS, or a connection to a community OSS, the design submission shall include the requirements of Section 14 of this chapter.

Table 6: Treatment Component Performance Levels and Method of Distribution[1]

Vertical Separation in inches	Soil Type		
	1	2	3-6
12 < 18	**A** – pressure with timed dosing	**B** – pressure with timed dosing	**B** – pressure with timed dosing
≥ 18 < 24	**B** – pressure with timed dosing	**B** – pressure with timed dosing	**B** – pressure with timed dosing
≥ 24 < 36	**B** – pressure with timed dosing	**C** – pressure with timed dosing	**E** – pressure with timed dosing
≥ 36 < 60	**B** – pressure with timed dosing	**E** – pressure with timed dosing	**E** – gravity
≥ 60	**C** – pressure with timed dosing	**E** – gravity	**E** – gravity

[1]The treatment component performance levels correspond with those established for treatment components under the product testing requirements in Chapter 246-272A-0110 WAC.

J. Absorption Area Requirements.

1. Maximum hydraulic loading rates shall be based on the rates described in Table 3;

2. Calculation of the absorption area except for dripline product is based on:

   a. The design flow; and

   b. Loading rates equal to or less than those in Table 3 applied to the infiltrative surface of the soil dispersal component or the finest textured soil within the vertical separation selected by the designer, whichever has the finest texture; and

3. Calculation of the absorption area for drip line product is based on:

   a. The design flow; and

   b. Loading rates that are dependent on the soil type, other soil and site characteristics, and the spacing of dripline and emitters

4. The primary and reserve areas shall be sized to at least one hundred percent of the loading rates listed in Table 3.

K. Soil dispersal component requirements.

1. The health officer shall not approve designs for cesspools, dry wells, or seepage pits.

2. All dispersal components using pressure distribution shall use timed dosing.

3. All soil dispersal components, except those using a subsurface dripline product, shall be designed to meet the distribution requirements in Table 6.

4. All soil dispersal components using a subsurface dripline product shall:

   a. Be installed a minimum of six inches into original, undisturbed soil;

   b. Be used only for effluent quality equal to Treatment Level A, B, C or D; and

   c. Use timed dosing.

5. Soil dispersal components having daily design flow between one thousand and three thousand five hundred gallons of sewage per day shall:

   a. Only be located in soil types 1-5;

   b. Only be located on slopes of less than thirty percent, or seventeen degrees; and

   c. Have pressure distribution including time dosing.

L. Subsurface soil absorption system (SSAS) requirements.

1. The infiltrative surface shall not be deeper than three feet below the finished grade, however ASTM C-33 sand or Coarse Sand Media, as referenced in the RS&G for Mound Systems, may be used to bridge to original, undisturbed soil. The depth of such system shall not exceed ten feet from the finished grade.

2. A minimum of six inches of sidewall must be located in original undisturbed soil.

3. Beds shall be designed only in soil types 1, 2, or 3. Bed widths exceeding ten feet will be considered ten feet wide for calculation of absorption area,

4. Individual laterals greater than one hundred feet in length shall use pressure distribution.

5. A layer of between six and twenty-four inches of cover material is required over all SSAS.

6. For SSAS with drainrock and distribution pipe:

   a. A minimum of two inches of drainrock is required above the distribution pipe; and

   b. The sidewall below the invert of the distribution pipe is located in original undisturbed soil.

SECTION 22: Design Requirements to Facilitate Operation, Monitoring and Maintenance

The OSS shall be designed to facilitate operation, monitoring, and maintenance according to the following criteria:

A. For all systems, service access and monitoring ports at finished grade are required for all system components. Specific component requirements include

1. Septic tanks shall have service access manholes and monitoring ports for the inlet and outlet. If effluent filters are used, access to the filter is required at finished grade with the filter handle within six inches of the access lid;

2. Surge, flow equalization or other sewage tanks shall have service access manholes;

3. Other pretreatment units (such as aerobic treatment units and packed-bed filters) shall have service access manholes and monitoring ports;

4. Pump chambers, tanks and vaults shall have service access manholes;

5. Disinfection units shall have service access and be installed to facilitate complete maintenance and cleaning; and

6. Soil dispersal components shall have monitoring ports for both distribution devices and the infiltrative surface.

B. For systems using pumps, clearly accessible controls and warning devices are required including:

1. Process controls such as float and pressure activated pump on/off switches, pump-run timers and process flow controls;

2. Diagnostic tools including dose cycle counters and hour meters on the sewage stream; and

3. Audible and visual alarms designed to alert a resident of a malfunction. The alarm shall be placed on a circuit independent of the pump circuit.

C. All tank accesses shall be designed to allow for monitoring and maintenance and shall be secured to minimize injury or unauthorized access in a manner approved by the health officer.

SECTION 23: Holding Tank Systems

A. A person shall not install or use a holding tank system except in the following situations:

1. Permanent use limited to commercial flows of 500 gallons per day or less where it has been demonstrated that installation and use of a conforming OSS is impossible;

2. Interim use limited to emergency situations where the use will be for one year or less; or

3. Repair of an existing residence where it has been demonstrated that installation and use of any other OSS would not adequately protect public health.

B. All designs for holding tank systems shall comply with applicable regulations and the most current recommended standards and guidance document published by the DOH.

C. Owners of holding tank systems shall at all times have a valid contract with a certified O&M firm (O&M firm) for maintenance, pumping and reporting to the Health Department.

D. The property owner shall terminate use of a holding tank system and make connection to public sewer when sewer becomes available to the parcel.

SECTION 24: Recommended Standards and Guidance Documents

A. The Health Department shall permit only proprietary treatment and distribution products registered by the DOH, and only public domain technologies for which Recommended Standards and Guidance (RS&G) documents are published by the DOH.

B. The RS&G published by the DOH are recognized as best management practices for design, operation, monitoring, and maintenance of an OSS. The health officer shall develop policies in collaboration with stakeholders for use of RS&G in Pierce County.

Application Requirements for Development Activities

SECTION 25: Initial Development of Lots or Parcels

These standards shall be applied to improvement of previously undeveloped lots or parcels and to lots or parcels where the previous development is replaced or increased by substantial site modification that equals new development.

A. All initial development of lots or parcels shall:

1. Be justified by design submitted by a designer;

2. Meet all requirements of this chapter; and

3. Require final approval from the Health Department or clearance for use and occupancy of the structure(s).

SECTION 26: Requirements for Development Activities

A. Application.

1. To request review for approval of a development proposal, the property owner shall make application on the forms and in the format designated by the health officer and submit the required fee.

2. An application for a development proposal, including but not limited to, new building activity, repair, or modification of an OSS and site redevelopment or modification, shall be valid for a period of three years from the date a complete application is submitted.

3. A single renewal of approval for up to two (2) years, not to exceed a total of five (5) years from the original date of application, may be granted by the health officer.

4. The development shall be completed prior to the expiration of the development application. Completion shall be determined by the following:

   a. If an OSS or OSS component is proposed for installation, then completion shall be the submission of a completed record drawing application by a designer; or

   b. If an OSS or OSS component is not proposed for installation, completion shall be approval of the application by the health officer.

B. Renewal of approval.

1. Renewal Requirements:

a. If the development proposal includes an OSS design, a designer shall submit the following:

1) The renewal application and required fee;

2) The designer's certification that the previously-approved design is still appropriate for the site and complies with all applicable regulations in force on the day of submission for renewal;

3) Four copies of the design; and

4) A current critical areas checklist for the property.

b. If the site conditions or the regulations in force have changed so that the previously-approved design will not comply with applicable regulations in force on the day of submission for renewal without a redesign, then the application for renewal shall include a redesign and fees for both the renewal and redesign.

c. If the development proposal does not include an OSS design, the applicant shall submit the following:

1) The renewal application and required fee; and

2) A current critical areas checklist for the property.

C. Operational evaluation.

All applications for development activities shall include a current operational evaluation for all existing OSS on the property. Any significant defects or critical service items must be resolved, and a satisfactory operational evaluation shall be required, prior to approval of the application**.**

D. Compliance.

As applicable under other Health Department regulations for drinking water, solid waste, underground storage tanks, or contaminated property, compliance with those regulations is required as a condition of the health officer's approval of plans, applications, or permits required under this chapter.

E. Location of Existing System.

1. The location of an existing OSS shall be accurately depicted on the site plan containing the development proposal. The purpose for depicting the OSS location is to aid in the identification of setbacks, not to create a record drawing of OSS construction. Should the Health Department require additional information to support a development proposal, the applicant may be required to conduct further investigation.

2. The location of an existing OSS shall be clearly documented by either:

a. A record drawing on file with the Health Department; or

b. Documentation by a certified or licensed OSS professional.

3. Procedures to document OSS location shall be reported as required by Section 43 of this chapter.

F. Reserve area.

1. Approval of a development activity shall require a reserve area that conforms to the standards for new construction for all structures generating wastewater on the property.

2. For existing development, a waiver from the requirement for a reserve area conforming to the standards for new construction shall be granted when the applicant demonstrates the following:

a. There will not be an expansion or change of use in the structure served by the OSS;

b. A design is submitted by a designer for a replacement system that will maximize the wastewater treatment and OSS longevity to the maximum extent possible on the property;

c. A reserve area is designed for 150 percent of the daily flow;

d. The reserve area meets all setbacks from surface water and drinking water sources;

e. An acknowledgement of the substandard repair options and potential future restrictions of use is signed by the owner and recorded with the County Auditor; and

f. The area of proposed development is not more suitable for future repair of the OSS than the proposed reserve area.

SECTION 27: Application Requirements

A. Prior to commencing a development that requires an OSS, the property owner or agent shall make application as required in this chapter and Chapter 246-272A-0200(1)(a) WAC.

B. The application shall include the following:

1. The application form;

2. Required fees;

3. Four copies of the appropriate site plan:

a. The basic site plan if there will be no installation of OSS components other than replacement of an existing septic tank by a certified installation firm (installation firm); or

b. The design site plan if there will be installation work greater than the replacement of an existing septic tank OSS components.

4. Documentation as needed to support or supplement the application including, but not limited to:

a. A current operational evaluation for any existing OSS on the property;

b. The record drawing for any existing OSS on the property, if available;

c. A critical areas checklist obtained from the planning and land use authority for the property;

d. If not a residential use, justification of flow and wastewater strength;

e. Design calculations;

f. Proposed easements or covenants;

g. Any other regulatory or contractual lot restrictions;

h. Application for waiver;

i. Documentation of an available drinking water source;

j. A copy of the approved plat for the parcel; and

k. A copy of any recent survey that may impact the design.

C. A designer may request a consultation for a potential development proposal by submitting a Consultation Request Form with the required fee. A minimum of one (1) hour shall be paid in advance of the consultation.

D. When a certified installer (installer) submits a development application and basic site plan for tank installation, the basic site plan shall include the location of the new tank, any tanks to be decommissioned, and required setbacks. Following installation and inspection, the installer shall submit the record drawing application and record drawing. The record drawing shall show the location of any decommissioned tanks, the new or replaced tank relative to the existing site features, and indicate the correct connections have been made and setbacks have been maintained.

SECTION 28: Site Plan Requirements

A. General requirements.

1. The site plan shall be drawn on only one side of paper that is at least 8 ½ inches by 11 inches, but not larger than 11 inches by 17 inches;

2. The required scale is 1 inch = 20 feet or 1 inch = 30 feet. If the drawing is so large that it will not fit on the required size paper, a greater scale shall be used to depict the entire site on one page and an additional page drawn at the required scale shall be used to depict the area of the development; and

3. The drawing shall be clear and the labeling and numbering shall be legible.

B. Basic site plan.

The basic site plan shall illustrate or include the following:

1. The property owner name and phone number on each page;

2. The contractor or applicant name and phone number (if different from the property owner) on each page;

3. The site address and parcel number on each page;

4. The number of each page and total number of pages;

5. Existing and proposed property and easement lines, including line dimensions;

6. A bar scale and a north arrow on each page with scaled drawings. Each page shall have the parcel drawn in the same orientation, except the page of greater scale may vary from this requirement;

7. The named access street (both streets if the lot is on a corner);

8. Existing and proposed structures, including labels for use of each. For each residence, the number of bedrooms existing and proposed;

9. All components of the OSS and soil test holes, if required to support the development;

10. The water line(s) and any well(s) on the property or within 100 feet of the property. For each well, show a 100 foot radius;

11. Surface water on or within 100 feet of the property; and

12. Driveways, parking areas, patios, and decks.

C. Design site plan.

1. Applications requiring design justification shall contain additional information to demonstrate conformance with Chapter 246-272A-0200 through 0238 WAC and this chapter. The licensed designer or professional engineer submitting a design shall be responsible for the proposal's clarity and completeness in demonstrating conformance with applicable standards.

2. A design site plan will include, but not be limited to, the following elements:

a. General site plan elements that shall appear on each page:

1) The property owner name and phone number;

2) The contractor or applicant name and phone number (if different from the property owner);

3) The designer name and phone number;

4) The site address and parcel number;

5) The number of each page and the total number of pages;

6) The stamp of the licensed designer or professional engineer;

7) The date of design creation or subsequent design revision;

8) A 3" wide by 2" high blank box shall be provided for the approval stamp.

b. Design site plan elements that shall appear on the page(s) containing the parcel drawing(s):

1) Each representation of the parcel(s) shall show existing and proposed property and easement lines, including line dimensions;

2) Open space, environmentally sensitive and critical areas, including buffer areas;

3) A north arrow and the named access street (both streets if the lot is on a corner) on each page showing the parcel(s);

4) A legend defining abbreviations and symbols used in the design;

5) The outline of existing and proposed structures, including labels for use of each. For each structure producing wastewater, the number of bedrooms existing and proposed or, if commercial, the existing and proposed wastewater flow;

6) The primary, or current, dispersal area and the reserve area, if required;

7) All existing and proposed OSS components, labeled to identify the type, purpose and capacity, if applicable;

8) If any existing or proposed OSS components are or will be located on a different parcel, the design shall clearly indicate and describe access to the easement area from the parcel to be served;

9) The make and model of existing proprietary treatment and distribution products shall be labeled. If proposed, proprietary treatment and distribution products shall be labeled but may specify “or equal if approved by the designer”;

10) OSS setbacks from features identified in Table 4, *Minimum Horizontal Separations*;

11) Two soil test holes in the primary drainfield area and two in the reserve area, identified by number or letter;

12) Written soil profiles for the soil test holes, including date recorded, depth to the highest seasonal water table or first restrictive layer;

13) Topography including contour lines at 1 foot intervals within 20 feet of any OSS component;

14) The water line(s) and any well(s) on or within 100 feet of the property. For each well, show a 100 foot radius. Show any decommissioned well(s) on the property with a 10 foot radius;

15) All interceptor drains and storm water systems within 30 feet of the dispersal component or reserve area;

16) Surface water and drainage courses on or within 100 feet of the property;

17) Driveways, parking areas, patios and decks;

18) Existing and proposed underground utilities;

19) A benchmark showing a reference elevation, the elevation of the plumbing stub, and the inlet and outlet elevations of all components;

20) All cuts, banks and fills; and

21) Any other information necessary to clearly depict the development proposal.

c. Supporting site plan elements that shall appear on pages following the drawing(s):

1) A vicinity map to aid in location of the parcel;

2) Pump calculations, including orifice size, orientation and spacing, dose size, number of doses per day, and pump curve;

3) Capacities of all septic tanks, pump tanks and pumps;

4) Proposed timer settings required to achieve the dose size and number of doses per day;

5) Construction notes and specifications;

6) A profile of:

a. The disposal component showing:

i. Maximum and minimum depths, if a trench or bed;

ii. Trench or bed width;

iii. Depth of cover;

iv. Location and description of effluent distribution pipe;

v. Size and depth of drainrock or type of proprietary gravelless distribution product;

vi. Geotextile over drainrock;

vii. Type and depth of cover material over the trench; and

vii. Vertical separation;

b. l proposed devices to distribute effluent including, but not limited to, distribution box, step down, valves or header manifold;

c. Inspection and maintenance ports;

d. All septic tanks, including location of the effluent filter when a pump is used;

e. All pump tanks, including:

i. Placement of pumps and controls; and

ii. Volumes required for pump submergence, working volume and emergency storage;

f. Proprietary treatment devices such as an aerobic treatment unit or packed-bed filter; and

g. Public domain treatment devices such as a sand filter or mound.

SECTION 29: Application Review and Response

A. Upon receipt of a complete application:

1. The health officer shall:

a. Review the application and supporting documentation;

b. Evaluate the site conditions and demonstrations as applicable;

c. Determine the application's compliance with all applicable regulatory requirements; and

d. Respond to an application within 30 days of submission.

2. The health officer may require the designer or applicant to provide any additional information about the soil, site, or existing OSS affecting application approval.

3. Prior to approval of an application, completed or recorded copies of all documents required for approval shall be submitted by the designer or applicant. Examples of required documents include easements, covenants, franchises, and maintenance agreements.

B. Upon completion of application review, the health officer shall notify the designer or applicant in writing of the following:

1. Application approval;

2. Any regulatory deficiencies discovered in the review. No further action will be taken on the application until a response is received; or

3. Disapproval of the application when it is not feasible for the property or the OSS to meet minimum requirements for approval.

C. The applicant or designer may request a second review. The following shall be the procedure for a second review:

1. The applicant or designer submits a request in writing that includes a description of the regulatory deficiencies that are in dispute, and the required resubmission fee;

2. The design, and the site if necessary, are reviewed by senior program staff; and

3. The second reviewer issues one of the following:

   a. Application approval;

   b. A second review report confirming the existence of unresolved regulatory deficiencies; or

   c. Disapproval of the application.

4. Should the original review be overturned, the resubmission or re-inspection fees will be reimbursed to the applicant.

5. Further consideration beyond the second review shall be requested by the applicant through the appeals process described in Chapter 1.

D. The health officer shall disapprove the application when the applicant makes a request in writing for a decision without addressing outstanding deficiencies.

E. The health officer shall render a decision on the height of seasonal water table within 12 months of receipt of an application. The designer or applicant may make separate application for review of ground water conditions during months of probable high water table. If typical precipitation conditions are not experienced, then the last determination of the health officer shall prevail.

SECTION 30: OSS Installation, Inspection, Record Drawing and Approval for Use

A. Installation.

1. When the OSS is ready for installation, the property owner shall contract with an installation firm to install the system and shall authorize the designer to release the installation permit to the installation firm.

2. If an installer has been approved by the health officer to install a new or replacement septic tank or pump tank, then he shall be responsible to release the installation permit, complete the installation, call for inspection, and submit the record drawing application, as described in this chapter.

3. Prior to the release of the installation permit, the designer shall inspect the site to confirm that the approved design still matches the site and the OSS will meet all applicable regulations. By releasing the permit to an installation firm, the designer certifies the site is acceptable for the installation of the approved design at the time the permit was requested.

4. After the designer releases the permit to an installation firm, the health officer shall make the permit and a copy of the most recently approved design available to the installer. The installer shall pay the installation permit fee and pick up the permit in person or request the permit be mailed to the installation firm.

5. With the installation permit posted at the site, the installer shall then install the OSS as shown on the approved design. If, prior to or during installation, the

installer observes site or soil conditions that will cause the installation to fail to meet applicable regulations, the installer shall be responsible to stop and contact the designer to address the concern. Any significant variation from the approved design shall require prior approval by the designer and justification, including redesign if necessary, at the time of record drawing submission.

B. Inspection.

1. Following installation of the OSS, the installer shall sign and date the installation permit and notify the designer the installation is complete and ready for inspection.

2. The designer shall inspect the OSS and, if the installation meets all applicable requirements, approve the system, sign and date the installation permit and notify the health officer the system is ready for inspection.

3. If the designer does not approve the OSS, the designer shall notify the installer of the deficient item(s) and the action(s) necessary for correction.

   The installer shall make the necessary corrections and notify the designer. The designer shall then re-inspect the OSS and either approve the system, sign and date the installation permit, and notify the health officer the system is ready for inspection, or once again disapprove the installation and notify the installer of the deficient item(s) and the action(s) necessary for correction.

4. When notified the OSS is ready for inspection, the health officer shall have the next three business days, excluding the day the notice is received, to inspect the system. The health officer shall respond with installation approval, a review report, or disapproval of the OSS.

5. If the installation is approved by the health officer, or the health officer's three-day inspection window has lapsed, the installer shall cover the OSS, or delegate the cover to another person, and provide a backfill verification form to the designer.

C. OSS record drawing.

1. Following installation and inspection of the OSS, the designer shall prepare a record drawing to document the installation. The designer shall then submit the record drawing application to the Health Department. The record drawing application shall include the following:

   a. The record drawing application form;

   b. Four copies of the record drawing, stamped by the designer;

   c. A copy of the OSS installation permit signed and dated by both the designer and installer;

   d. Completed maintenance contracts or agreements, if required;

   e. Recorded documents required for the OSS or reserve area;
   f. Any supporting documentation required for OSS approval; and

g. Any required fees.

2. The record drawing application shall be made in the format designated by the health officer.

3. The OSS installation shall be completed and the record drawing application submitted within the three year period of application validity. Approved development applications not reaching this stage prior to expiration shall require renewal or reapplication if renewal is not possible.

4. The record drawing shall be subject to the same requirements for paper size and scale as development site plans. The record drawing shall be clear and the labeling and numbering shall be legible.

5. The record drawing for a designed OSS shall illustrate or include the following:

a. The property owner name and phone number on each page;

b. The contractor or applicant name and phone number (if different from the property owner) on each page;

c. The property address and parcel number on each page;

d. The designer name, phone number and stamp on each page;

e. The installation firm name and phone number on each page;

f. The number of each page and total number of pages;

g. Property and easement lines, including line dimensions;

h. A bar scale and a north arrow on each page that contains a parcel drawing;

i. The location of the benchmark used for the design drawing;

j. The outline of all existing structures, including labels for each. For each residence, the number of bedrooms or, for other uses, the purpose and design flow for each structure;

k. The location of the reserve dispersal lines or bed;

l. All components of the OSS installed, labeled to identify the make, model, type, purpose and capacity including:

1) Tanks, pumps and effluent filters;

2) Timers and pump controls;

3) Inspection and maintenance ports;
4) Distribution devices; and

5) Treatment devices.

m. For sand-lined trenches or beds, sand filters and mounds, the designer's certification that the sand medium used meets the specifications on the approved design;

n. The depth of cover material used;

o. Trench or bed depth and width, including pipe size and the type of distribution medium such as washed drainrock or gravelless chamber;

p. If the OSS is designed with pressure distribution, subsurface drip or pump to gravity, all of the following that apply:

1) The dose size and number of doses per day;

2) Orifice size and spacing;

3) The results of the draw down test in inches per minute;

4) The pump run time for a complete dose, or timer settings and number of doses per day;

5) Dose counter and pump run time readings; and

6) The residual pressure at the ends of the distribution lines.

q. The water line(s) and any well(s) on the property or within 100 feet of the property. For each well, show a 100 foot radius. Show any decommissioned well(s) on the property with a 10 foot radius;

r. The location of all interceptor drains and storm water systems on or within 30 feet of the property;

s. Surface water within 100 feet of the OSS;

t. Driveways, parking areas, patios and decks;

u. Known underground utilities;

v. Setbacks from OSS components to all natural and man-made features requiring minimum horizontal separations;

w. All modifications to the property, such as topography, cuts, fills and landscaping, that may impact the OSS or reserve area; and

x. A 3" wide by 2" high blank box shall be provided for the "accepted record drawing" stamp on each page.

6. If an installer is approved by the health officer to install a septic tank or pump tank, the record drawing shall consist of the basic site plan including:

   a. The location of any decommissioned tank(s);

   b. The location of the new or replaced tank(s); and

   c. Demonstration of the correct connections and setbacks.

7. The health officer shall review the record drawing application and respond with record drawing acceptance, a review report or disapproval of the application.

D. Approval for use.

If the record drawing is accepted, the health officer shall forward a notice of acceptance and copies of the record drawing stamped “accepted record drawing” to the designer. The OSS is not approved for use until the health officer has accepted the record drawing.

SECTION 31: Modification of Existing Development

A. This section identifies regulated development activities for previously-developed properties that rely on OSS for wastewater treatment and disposal, and sets forth the requirements for the Health Department’s approval of proposals to modify existing development. The purpose of the Health Department’s review is to assure that the potential impacts of site development and changes in use are adequately evaluated and mitigated, as needed, to assure the long-term ability of the parcel to properly treat and dispose wastewater.

B. Development Activity and Requirements: The following tables (7 through 9) describe individual development activities or groups of development activities and the requirements for approval.

Table 7: Activities Impacting an OSS

Activity	Requirement
Expansion of an existing structure served by an OSS; Replacement of an existing structure currently served by an OSS; Addition of a residential or commercial structure to the property; or Change in use of a structure served by an existing OSS.	A. If a record of approval by the Health Department exists for the OSS currently serving the property, then the applicant shall establish: 1. Proper function demonstrated through a current operational evaluation. The health officer may also require dye testing to confirm system function; and 2. The capacity to serve the proposed wastewater flow and strength. B. If a record of OSS approval for the current OSS, wastewater flow or system capacity is not available, the suitability of the system may be demonstrated by one of the following methods: 1. Complete the OSS design, installation, and permitting process for new construction as contained in this chapter; or 2. Provide documentation that demonstrates all of the following: a. The OSS is functioning properly; b. The OSS is located no less than seventy-five feet from surface water or an individual drinking water well. With mitigation from a designer, the health officer may approve an OSS up to 50 feet from surface water or an individual drinking water well; c. A conforming reserve area is available (minimum 360 gpd for single-family residences); d. The septic tank capacity is a minimum of 1000 gallons and has two compartments; e. All other setback requirements of this regulation are met; f. The OSS has not been determined substandard or conditional in previous permitting or review by the health officer; and g. The development will not increase the strength of the wastewater discharged to the OSS;

Table 8: Repair or Replacement of a Failing OSS

Activity	Requirement
Repair or replacement of a failing OSS when any development activity is proposed	Complete the OSS design, installation, and permitting process for new construction as contained in this regulation

Table 9: Activities Not Impacting an OSS

Activity	Requirement
Change in footprint or increase in square footage of a structure served by an OSS that does not result in an expansion; Addition of an outbuilding or structure not served by an OSS; or Connection of a non-residential structure to an existing OSS that does not result in an expansion.	Any OSS on the property shall be functioning properly. The development activity shall maintain all setbacks of this regulation. The operation and effectiveness of the OSS shall not be adversely impacted by the activity.

Other Regulated Activities

SECTION 32: Repair of OSS or OSS Components

A. The process and requirements for the repair of an OSS or OSS components are as follows:

1. Submittal of a design by a licensed designer for approval by the Health Department;

2. Issuance of an installation permit to an installation firm;

3. Installation of the repair to the OSS or OSS components by an installer; and

4. The designer and installer shall follow the procedures for design, inspection, and submission of a record drawing as described in this chapter.

B. If an OSS repair cannot comply with all applicable regulations, the property owner shall sign and record a notice to title prior to release of the installation permit. The notice to title shall state the following:

1. The nature of the substandard item(s);

2. A prohibition against expansion of the OSS, addition of any structures or change of use to the property without the written approval from the health officer; and

3. Acknowledgement of the obligation to comply with the O&M requirements set forth in Sections 37 through 44 of this chapter.

C. An installer may install a new or replacement tank for an existing OSS with an installation permit granted for that purpose. The installer shall follow the procedure for application, permitting, inspection, and submission of a record drawing required by this chapter.

SECTION 33: Extended Maintenance and Minor Repair of OSS

The intent of this section is to provide a property owner with options to correct specific functional deficiencies or to perform maintenance to extend the longevity of an existing OSS.

A. An installation permit is not required for the maintenance, modification, or minor repair activities described in Section 33. B. However all maintenance, modification, and minor repair activities governed by this chapter shall be reported to the Health Department.

B. The following activities performed on an OSS, regardless of the intent, shall be considered reportable extended maintenance and minor repair activities:

1. Any mechanical method to reduce clogging of the infiltrative surface of an OSS dispersal component, such as air injection into the ground;

2. Addition of a device to aerate septic tank effluent, but not including devices installed to meet a treatment standard for development or OSS repair.

3. Cleaning or replacement of any non-perforated pipe or other component following the septic tank or pump tank;

4. Repair of a septic tank or pump tank without replacement;

5. Jetting, flushing or other cleaning of distribution pipe within an OSS treatment or dispersal component;

6. Correction of deficiencies in the distribution of effluent to OSS treatment or dispersal components;

7. Installation of ports for inspection, monitoring or maintenance in an OSS treatment or dispersal component;

8. Addition of cover material to an OSS treatment or dispersal component to contain or abate surfacing sewage; and

9. Any other activities outside the scope of practice for an O&M technician.

C. All of the activities governed by this section shall be performed by, or under the direct supervision of, an O&M specialist or installer.

D. The following activities shall not be allowed under this section:

1. Any activity that results in a potential risk to degradation of ground or surface water, or other risk to public health;

2. Any activity that would result in or imply approval of a change of use or wastewater strength, or an increase in wastewater flow to an OSS;

3. Correction of failures with surfacing sewage where the surfacing will not be resolved on the date of the activity;

4. Replacement of the dispersal component other than repair of a damaged segment not to exceed 10 feet with non-perforated pipe;

5. Any physical alteration of the trench or bed bottom or sidewalls, such as raking or scraping;

6. Removal or replacement of drainrock below the invert of the distribution pipe;

7. Any method to increase the storage capacity or alter the dispersal component; or

8. Installation or alteration of any OSS component in conflict with the permitting requirements of this chapter.

E. The O&M specialist or installer responsible for activities in this section shall report in the following sequence and meet all reporting requirements. Reporting shall not be considered complete until all requirements are met:

1. Prior to performing any of the activities allowed in this section the O&M specialist or installer shall notify the Health Department by the procedure established by the health officer of the intent to perform diagnostic work or any activity allowed in this section. Said notification shall report any condition of OSS failure known at the commencement of the activity.

2. Within ten (10) days of completion of any activities allowed in this section, the O&M specialist or installer shall file an electronic report of all services performed and the current status of the OSS and any remaining deficiencies. The report shall be required regardless of whether further work is to be performed to correct any remaining deficiencies.

F. If the O&M firm or installation firm responsible for reporting the activities governed by this section fails to provide notice before, or timely report after completion of an activity, the firm shall be in violation of this chapter and the penalties described in Chapter 1 shall apply. Each occurrence shall be a separate violation and subject to penalties.

G. The O&M firm or installation firm responsible for reporting shall be required to pay a late- or non-reporting fee as established by the Fee Schedule of the Board of Health;

H. Repeated failure to provide notice or timely report shall result in certification enforcement proceedings as described in Section 50.

I. Upon notice by the health officer, the property owner shall expose portions of the OSS to confirm that all work performed is within the scope of this section.

SECTION 34: Report of System Status for Real Estate Transactions

A. A real estate transaction for real property served by an OSS shall not be completed without a Report of System Status (RSS) issued by the Health Department; provided, properties where a new OSS has been in service for less than six months shall be exempt from this requirement. Examples of exempt properties include new systems approved for use by the health officer via new construction and permitted OSS repair.

B. The property owner shall make application for a RSS on the forms and in the format designated by the health officer, and submit the required fee. A current operational evaluation for each OSS on the property, and any other documentation required to support the submission shall accompany the application.

C. One completed RSS application and fee shall be required for each structure served by an OSS.

D. The health officer shall not issue a RSS if the OSS has an unresolved critical service item, significant defect, is failing, or is not in compliance with Health Department regulations.

E. If the OSS has an unresolved critical service item, significant defect, is failing, or is not in compliance with these regulations, and the condition can not be corrected prior to transfer of title, then the property owner shall provide the Health Department with a contract or work order with an appropriately certified or licensed OSS professional to correct the service items or defects. If the health officer determines that the contract or work order is sufficient to correct the deficiency, the RSS may be issued with a stated condition that the new property owner will be held responsible to complete the corrections within 90 days after title is transferred.

F. Applications for RSS placed on hold for unresolved issues shall expire one year from the date of submission. Otherwise, a RSS issued by the health officer shall expire one year from the date of issue.

G. A RSS may not be renewed. Following expiration, the property owner must reapply to receive another RSS.

H. It shall be a violation of this chapter to transfer title to a property where a RSS is required but not obtain the RSS.

SECTION 35: Temporary Use of Property

A. To allow care of a parent or parents, or one individual who is a close relative, of a resident property owner or of the owner's spouse, the health officer may approve a temporary housing unit.

1. The property owner shall submit the following:

   a. Medical documentation of the individual's need to receive care from the property owner or the owner's spouse;

   b. A signed statement acknowledging the temporary nature of the housing unit and affirming that the unit will be removed within 60 days of the resolution of the individual's infirmity or illness;

   c. A proposal for addition of a residential structure to the property which meets all requirements of this chapter, except the density requirement as noted in Section 35.A.2.; and

   d. Design justification submitted by a designer for construction of a new or enlarged OSS, or justification submitted by the property owner for use of an existing OSS. Property owner justification shall include, but not be limited to, design capacity of the existing OSS, current use and condition of the OSS.

2. Due to the temporary nature of the use, the health officer may approve a proposal for a temporary housing unit without consideration of development density, as long as it has been determined that the temporary use will not adversely impact public health.

3. The property owner shall renew the approval of the temporary housing unit annually. Renewal of approval shall include submission of a current operational evaluation for the OSS, submission of an application and required fee, and submission of renewed medical documentation of the individual's need to receive care from the property owner or the owner's spouse.

4. Failure to renew the approval for a temporary housing unit, or failure to remove the unit without renewal, within 60 days after expiration shall constitute a violation of this chapter.

SECTION 36: OSS Decommissioning

Persons abandoning or permanently discontinuing use of an OSS tank installed for any purpose or any seepage pit, cesspool, or other sewage container shall complete the following:

A. Have the contents removed by an O&M firm approved for pumping;

B. Remove or destroy the tank lid(s);

C. Remove the tank or leave in place and fill the void space of the tank with soil or gravel;

D. Indicate the location(s) of the decommissioned tank(s) on a scaled site plan or copy of the OSS record drawing; and

E. Complete and submit to the Health Department a tank decommissioning form signed by a licensed contractor, the site plan, the pumping receipt for the tank, and the required fee.

Persons decommissioning any tank(s) as part of an approved development or repair proposal that includes installation of an OSS, or OSS component requiring an installation permit, shall show the decommissioned tank(s) on the record drawing submitted and shall be exempt from the decommissioning certification fee. All other requirements of this section shall be met.

OSS Operation and Maintenance

SECTION 37: Purpose and Jurisdiction

A. This section regulates the inspection, monitoring, maintenance, and reporting of system information for an OSS in Pierce County.

B. The OSS under the jurisdiction of the DOH or DOE are exempt from this chapter, unless the health officer has determined the exemption will threaten the public health.

C. It is the intent of the following regulations to ensure that the OSS is used, monitored, and maintained in an adequate manner to protect public health, ensure proper functionality of the system, and prevent system failure.

SECTION 38: Risk-Based Classification

A. An OSS is classified by the degree of risk to public health associated with system failure or the system's inability to operate within design parameters or performance requirements. An unclassified OSS will be classified by the health officer at the time of application for Report of System Status or any development proposal, or at the time of record review, site survey, or report of OSS inspection or service. Upon classification, the health officer will notify the owner of the OSS.

B. Factors that increase the risk classification of an OSS include, but are not limited to

1. Potential to expose the public to sewage;

2. Potential degradation of the water resources of Pierce County;

3. Potential impact to areas of special concern in Pierce County;

4. System complexity and proprietary components which increase frequency of maintenance required by the manufacturer and/or regulatory mandates;

5. Age of the OSS;

6. Use of an OSS different from its original intended purpose;

7. Limitations to the site's potential for a conforming OSS repair;

8. An OSS's history of repairs or repeated need for correction of significant defects; and

9. A system's inability to provide adequate treatment as demonstrated through water quality sampling or dye testing.

SECTION 39: Applicability and Implementation

A. The requirements of Sections 42 through 44 shall apply and be implemented as follows:

1. High risk OSS include but are not limited to:

a. Community systems with more than two connections;

b. Systems serving mobile home parks and recreational vehicle parks;

c. Systems serving multifamily development with more than two units;

d. Systems serving commercial establishments with design flow greater than 1000 gallons per day or generating waste strength greater than residential sewage;

e. Systems serving public or private schools;

f. Holding tanks;

g. Substandard repair systems due to inadequate vertical separation or inadequate horizontal separation to surface water or a domestic water source;

h. Recirculating and stratified sand filters;

i. Systems containing proprietary treatment or dispersal components on the DOH *List of Registered On-site Treatment and Distribution Products*, excluding gravelless chamber and gravel substitute products;

j. OSS in areas of special concern with risk factors identified in Section 38;

k. Any other OSS determined to be high risk by the health officer due to the presence of multiple risk factors identified in Section 38; and

2. Moderate risk OSS include but are not limited to:

a. Community systems serving two connections;

b. Systems serving multifamily development with two units;

c. Systems serving commercial establishments with design flow of 1000 gallons per day or less, and generating waste equal to residential sewage;

d. Systems using pressure distribution to disperse effluent;

e. Systems serving in-home child care facilities;

f. Temporary use of a mobile home or other removable living quarters for the care of another person;

g. Systems for individual single-family residences with any component located on a parcel other than the one where the wastewater is generated;

h. Mounds and intermittent sand filters;

i. OSS in areas of special concern;

j. Any OSS determined to be moderate risk by the health officer due to the presence of risk factors identified in Section 38; and

3. Low risk OSS include but are not limited to gravity systems and systems using a pump to reach a gravity dispersal component.

SECTION 40: Continuation of Existing Classifications

A. To the extent they are compatible with this chapter, the health officer shall continue the existing classifications, notifications, and ongoing inspections established under previous regulations.

B. OSS that received risk classifications under previous regulations will be evaluated and revised as necessary to comply with this chapter. If said revisions result in more restrictive or less restrictive inspection requirements, the OSS owner shall be given notice prior to implementation of the new requirements.

SECTION 41: Owner Notification and OSS Registration

A. The system O&M inspection, maintenance, and reporting requirements for the proposed or existing OSS will be shown on review and approval documents issued in response to applications submitted to the health officer. The review and approval documents issued by the health officer will also serve to notify OSS owners of their O&M obligations under Chapter 246-272A-0270 WAC.

B. The health officer will give written notice of system O&M requirements to property owners in advance of the due date. Notice will be made by regular mail and, unless returned undeliverable, will be assumed to have been delivered and received. If mail is returned undeliverable, the health officer will use alternate means to locate a viable mailing address and deliver the notice to the OSS owner.

C. In the order of implementation and frequency described in Sections 39 and 42, OSS owners will be notified of the O&M inspection and reporting requirements for their systems. This initial notice will occur no less than 30 days prior to the due date of the inspection and report.

D. If a report of satisfactory inspection is not received within thirty days of the due date, a second notice will be sent to the OSS owner.

E. If a report of satisfactory inspection is not received within thirty days after the second notice, the OSS will be considered out of compliance and the owner in violation of this chapter. A notice of violation shall be sent to the owner.

F. After satisfactory completion of the first series of notice and reporting, subsequent notice of inspection requirements will be sent to the OSS owner at intervals described in Section 41, using the same notice procedure as described in Sections 41.B through 41.D.

G. If a notice of violation has been issued for non-compliance with inspection and reporting requirements, subsequent inspection notices will be sent annually to the OSS owner.

SECTION 42: Frequency of Inspection

A. An OSS owner shall assure a complete evaluation of the system components and/or property to determine functionality, maintenance needs and compliance with regulations and any permits as required under Chapter 246-272A-0270 WAC. Submission of the results of the evaluation to the health officer shall not be required except as noted in Sections 42.B through 42.E of this chapter.

B. Unless other events, such as submission of an application for OSS review or approval of a development proposal, require an evaluation in advance, the property owner shall obtain the services of an O&M firm to conduct and to report an operational evaluation to the Health Department at intervals described in Section 43.

C. An operational evaluation shall be reported to the Health Department at the following intervals established in the OSS Management Plan:

1. High risk systems shall require an operational evaluation annually;

2. Moderate risk systems shall require an operational evaluation every three years; and

3. Low risk systems shall require an operational evaluation:

    a. Prior to submission of an application for report of system status (RSS);

    b. Following approval of a development activity and installation of an OSS; or

    c. Upon notification by the health officer.

D. An OSS containing a proprietary treatment or distribution component shall be inspected at the frequency established in the applicable recommended standards and guidance document published by the DOH.

E. If the manufacturer, patent holder, DOH, Health Department, any other regulatory body, or designer has differing recommendations or requirements for inspection and maintenance intervals for an OSS, or any component of the OSS, then the property owner shall follow the most frequent service interval.

F. If the condition of the OSS, the site, or the surroundings so indicate, the health officer may attach specific monitoring or maintenance requirements to an OSS approval.

SECTION 43: Reporting Requirements

A. All work to pump, inspect, perform extended maintenance or minor repair shall be reported to the Health Department by the certified person or firm performing the work. The report must be submitted within the time frame described in this chapter and in the format and method determined by the health officer.

B. Reporting for all events, except pumping only and for no other purpose than removal of accumulated liquid and solids, shall include an operational evaluation of the OSS. Each report shall be complete, accurate and describe the condition of the OSS at the time of service, including all work completed, work required or recommended to be performed and the operational status of the OSS.

C. Tank pumping only, for no other purpose than removal of accumulated liquid and solids, shall be reported as follows:

1. An O&M firm shall report all tank pumping within 30 days of the service. The information shall be reported in the format and by the method prescribed by the health officer.

2. The pumping information reported shall include the following:

a. Date of service

b. Property address where the tank is located

c. Name of the O&M firm

d. Name of certified personnel performing the work

e. Amount pumped

f. Comments, including any services recommended but not performed and the reason the service was not performed

SECTION 44: Inspection Requirements

A. The following are the minimum requirements for an operational evaluation for the purposes of routine inspection, pumping, diagnosis of problems, extended maintenance and minor repairs of OSS:

1. Septic Tank

a. Sludge and scum levels for each compartment;

b. Whether the tank requires pumping and the amount to be pumped;

c. Liquid level before pumping in relation to the height of the outlet;

d. Condition of all lids, risers, baffles and effluent filter screens;

e. Structural integrity and water tightness of the tank, its pipes, and their connections; and

f. Signs of groundwater infiltration.

2. Pump Tank

a. Sludge level;

b. Liquid level before pumping in relation to the pump, float switches, and outlet;

c. Condition of its lids, risers, filter screens;

d. Structural integrity and water tightness of the pump tank, its pipes, and their connections;

e. Signs of groundwater infiltration;

f. Observe the condition and function of the following:

1) Pump;

2) Float switches;

3) Wiring;

4) Test alarm;

g. Check the pump dosing controls against the design specifications, if available, and refer to an O&M specialist or installer if adjustment is needed;

h. Record the number of pump cycles or operating hours and record the date and time of the inspection;

i. Perform a drawdown test and record the results in the inspection report;

j. Perform a pressure system pump test, if the system is equipped for this measurement;

3. Dispersal Component

a. Examine for seepage, soft ground, surfacing effluent, odors, vehicular traffic, presence of livestock, excavation or unauthorized building activity;

b. Examine any cuts, ditches, drains, or fresh water or marine shoreline within 30 feet of the dispersal area for signs of surfacing effluent; and

c. Check monitoring ports for ponded effluent.

4. Risers and Access Ports

Check the accessibility, security, and integrity of the risers and access ports.

5. Sand Filter: If the OSS also uses a sand filter, report the condition of the following:

a. Liquid level compared to the pump, float switches, and the sand filter medium;

b. Condition of all lids and risers;

c. Signs of groundwater infiltration;

d. Observe the condition and function of the following:

1) Pump;

2) Float switches;

3) Wiring;

4) Test alarm;

6. Check the pump dosing controls against the design specifications, if available, and refer to an O&M Specialist if adjustment is needed.

a. Record the number of pump cycles or operating hours and record the date and time of the inspection

b. Check for effluent ponding in gravel bed above the sand filter medium.

c. Perform a drawdown test and record the results in the inspection report

d. Perform a pressure system pump test, if the system is equipped for this measurement

B. Proprietary Components

1. If the OSS also contains a proprietary treatment or distribution component, then the operational evaluation shall also confirm continuing compliance with the manufacturer's or patent holder's specifications.

2. Should the manufacturer or patent holder limit the period in which routine inspection and maintenance is required, this limit shall not supersede the requirements of the Health Department.

C. Non-Residential OSS

If the OSS serves a facility that generates wastewater greater than residential strength or non-residential wastewater, the health officer may require sampling of the effluent at a point before it enters the disposal component for $CBOD_5$, TSS, and O&G to confirm that only residential-strength sewage is entering the disposal component.

Certification of OSS Professionals and Firms

SECTION 45: Professional Certification Established

Sections 45 through 50 establish certification requirements for individuals in three overlapping scopes of practice: installers; O&M specialists; and certified O&M technicians (O&M technicians). Further, these sections establish certification for O&M firms and OSS installation firms.

A. Each certified individual shall conduct his or her work in the employ of a certified firm appropriate to the work performed.

B. When complying with the requirements of this chapter, the certified individual represents the certified firm with which he or she is employed. The certified firm, as well as the certified individual, may be subject to disciplinary action for violating the requirements of this chapter.

C. To ensure the safety and reliability of OSS in Pierce County, only skilled, certified professionals shall install, inspect, monitor, maintain, modify, repair or pump OSS. A limited exception is established in Section 49.

SECTION 46: Certification Requirements

A. Each certification shall be valid March 15th through March 14th of the following year, regardless of the date of application or approval. All certifications shall expire on midnight March 14th of each year. Any individual or firm that is not certified by March 15th shall not do OSS work that requires certification.

B. Initial certification for individuals.

1. Each candidate for initial certification shall complete all of the following:

   a. Submit a completed application and fee;

   b. Submit documentation of required training for the certification requested;

   c. Provide documentation of relevant experience as required for the certification requested; and

   d. Pass the examination for the desired certification or apply for certification by reciprocity.

2. Reciprocity in lieu of examination shall be based on current certification and good standing in another county of Washington State with which the health officer has established continuing reciprocal certification recognition under substantially similar certification requirements.

3. At the discretion of the health officer, and with advance notice to candidates for certification, any required examination may include written, oral, and practical components.
4. During the first year of certification, all certified individuals shall be on probation.

C. Training and experience requirements for initial certification for individuals.

1. O&M technician shall require a minimum of eight (8) hours O&M training within the past 12 months.

2. O&M specialist shall require a minimum of 24 hours O&M training within the past 12 months and a minimum of two (2) years aggregate experience as an OSS installer, designer, regulator, or technician in Pierce County or another county of Washington State.

3. Installer shall require a minimum of eight (8) hours installation training within the past 12 months, and a minimum of one (1) year experience working under the supervision of an installer or as an installer in Pierce County or another county of Washington State.

D. Initial certification for O&M and installation firms.

1. Each firm seeking certification shall complete all of the following:

a. Submit a completed application and fee;

b. Submit a list of certified individuals who will be performing the work for the firm. A minimum of one (1) appropriately certified individual shall be required for each firm;

c. Provide a certificate of liability insurance for general liability coverage in the amount of $1,000,000 or more per occurrence; and

d. Provide a copy of a valid contractor license.

2. Applicants for O&M firm certification with one or more pumping trucks or interim storage tanks shall demonstrate compliance with the following requirements:

a. All trucks and above ground tanks used for pumping, storage, or transportation of septage shall pass inspection by the health officer or present documentation of satisfactory inspection within the previous 90 days by another county of Washington State under substantially similar certification requirements.

b. Pump trucks shall comply with the following:

1) Display the firm's name and Health Department certification number in letters and numbers at least four inches high that contrast with the background color of the truck where they appear;

2) All tanks, hoses, pumps and other accessories shall be maintained water tight and in good condition;

3) All tanks shall be constructed of metal, fully enclosed and water tight;

4) All tank openings and drains shall close and seal tightly;

5) Tanks shall be equipped with an overfill protection device such as a positive check valve or contents level gauge; and

6) Minimum tank size shall be 1,250 gallons except for tanks used for pumping portable toilets only.

3. O&M firms with underground tanks located in Pierce County and used for interim storage of septage, whether at the primary place of business or elsewhere, shall present a certification from a professional engineer reporting an inspection within the prior 90 days that pressure tested each tank, or performed a leak test and found each tank to be water-tight.

SECTION 47: Certification Renewal

All certified individuals and firms shall apply for renewal prior to February 15th. Applications for certification renewal received after February 15th shall be assessed a late certification renewal fee. Re-certification applications received by the Health Department after February 15th of each year will not be guaranteed certification by March 15th deadline.

A. Certification renewal for individuals.

1. To apply for renewal of individual certification, a candidate shall have been certified for that profession within the previous 24 months and in good standing when certified. Individuals not certified in the previous 12 months shall provide evidence of training for that profession equal to two (2) years of the requirements described in Section 47. B (e.g., 8 hours instead of 4 hours for an O&M technician), to demonstrate continuing contact with the profession. Individuals not certified for that profession within 24 months, or those not certified in the previous 12 months but unable to meet the training requirements, shall meet the requirements for initial certification.

2. Each candidate for certification renewal shall complete all of the following:

a. Submit a completed application and fee;

b. Be current in all required reports and submission fees; and

c. Submit documentation of required training for the certification renewal requested.

B. Training requirements for certification renewal.

1. O&M technician shall require a minimum of four (4) hours OSS training within the past 12 months.

2. O&M specialist shall require a minimum of eight (8) hours OSS training within the past 12 months.

3. Installer shall require a minimum of eight (8) hours OSS training within the past 12 months.

C. Certification renewal for firms.

1. Each firm seeking certification renewal shall complete all of the following:

a. Submit a completed application and fee;

b. Be current in all required reports and submission fees;

c. Submit an updated list of certified individuals who will be performing the work for the firm. A minimum of one (1) appropriately certified individual shall be required for each firm;

d. Provide a certificate of liability insurance for general liability coverage in the amount of $1,000,000 or more per occurrence; and

e. Provide a copy of a valid contractor license.

D. Pump trucks and interim storage tanks.

Applicants for O&M firm certification shall demonstrate continued compliance with the truck and interim storage tank requirements for initial certification listed in Section 46.D.2.

E. Individuals and firms under disciplinary penalty may apply for recertification pending resolution of the issue or completion of the disciplinary action, but shall not receive notice of recertification before resolution or completion.

SECTION 48: Scope of Practice

A. Prior to inspection, monitoring, and maintenance activities, a certified individual shall obtain the record drawing for an OSS, or inquire and confirm from the health officer that the record drawing is unavailable. The record drawing may also be obtained from either the property owner or the certified individual's own records, but shall be the most recent version available.

B. Timely reporting.

1. All certified individuals shall report the failure of an OSS to the health officer immediately.

2. If reporting is required for any activity performed by certified individuals, said reporting shall be made to the Health Department in the format and by the means designated by the health officer.

3. Reporting of routine activities, such as inspection and pumping shall be completed within 30 days of the activity. Extended maintenance and minor repairs shall be reported to the health officer within ten (10) days of the activity.

C. Installation firm and installer.

1. An installer may install any approved conforming or nonconforming OSS design for which the installer has training, installation specifications, and access to appropriate materials and equipment.

2. An installer may perform a tank replacement where approved by the health officer.

3. An installer may perform extended maintenance and minor repair of OSS as identified in Section 33 of this chapter.

4. An installer may supervise the inspection and maintenance of a proprietary component governed by this chapter, provided the installer is approved to install or maintain the component by the manufacturer or patent holder.

5. If an activity does not require a permit, the installer shall report the activity to the Health Department as described in Section 43 of this chapter. If a permit is required, the installer shall follow the permitting procedure described in this chapter.

D. O&M technician.

An O&M technician shall provide a thorough and complete evaluation of each component of every system inspected during an operational evaluation. A report of the operational evaluation shall be made available to the property owner and transmitted to the Health Department.

1. An O&M technician may perform and report the following:

a. Inspect a septic tank, pump tank, grease trap or other sewage storage tank, and determine the need for pumping;

b. Pump a septic tank, pump tank, grease trap or other sewage storage tank;

c. Visually inspect the ground surface over OSS components and the dispersal area;

d. Evaluate or service non-proprietary OSS components;

e. Add or replace the following:

1) A sewer line clean-out, tank lid, riser or riser lid

2) A tank baffle or outlet filter; or

3) A check valve or quick disconnect in a pump tank.

2. The O&M technician shall defer to an O&M specialist for inspection or adjustment of any component he or she is not certified to inspect or adjust.

3. The O&M technician may only perform work on a community, commercial or multifamily OSS within the limits in the scope of practice described in Section 48.D.1. The O&M technician shall only perform the work under the direction and supervision of an O&M specialist.

4. The O&M technician shall only perform activities considered extended maintenance and minor repair under the direction and supervision of an O&M specialist.

E. O&M specialist.

An O&M specialist shall provide a thorough and complete evaluation of each component of every system inspected during an operational evaluation. A report of the operational evaluation shall be made available to the property owner and transmitted to the Health Department.

1. Except as specifically stated otherwise, an O&M specialist. may perform and report any activity associated with the operation. and maintenance. of OSS required by this chapter.

2. Only an O&M specialist shall perform, or direct and supervise an O&M technician to perform, and report maintenance activities associated with community, commercial and multifamily OSS.

3. Only an O&M specialist shall perform, or direct and supervise an O&M technician to perform, and report activities considered extended maintenance and minor repair of an OSS.

4. Only an O&M specialist who has also obtained written approval from either the manufacturer or patent holder may work on a proprietary component governed by this chapter.

F. O&M firm.

1. An O&M firm shall employ O&M technicians or specialists to inspect, monitor, and maintain OSS. The O&M firm may also be certified to pump septic tanks, pump tanks and other receptacles for human sewage that are components of OSS.

2. An O&M firm may employ personnel not certified by the Health Department to clean portable toilets or pump grease traps and other receptacles for human sewage that are not a component of OSS.

3. The O&M firm shall transport septage in a safe and sanitary manner and dispose it at a legal disposal site.

4. The O&M firm shall report all inspection, service and maintenance activities in the manner and format determined by the health officer.

SECTION 49: Property Owner Installation

Except on properties adjacent to a marine shoreline, a property owner may install a gravity OSS for a single-family residence he or she intends to occupy if all of the conditions in Sections 49.A through 49.D are met. In no case shall a property owner perform more than one installation in a calendar year.

A. The property owner shall be in possession of a valid, approved design for a gravity OSS with no pump or siphon required;

B. The property owner shall pay the property owner exam fee, take and pass the exam;

C. The installation shall occur within one (1) year of the date the property owner passes the exam, or before the expiration of the design approval, whichever is sooner; and

D. The installation shall follow the approved design and meet the requirements of this chapter, except for the professional installer certification requirements.

SECTION 50: Enforcement Procedures for Certified Professionals

A. Discipline.

1. The health officer may discipline certified professionals, O&M firms, and OSS installation firms for negligence, misrepresentation, or failure to comply with these, or other, applicable regulations.

2. Violations may include but are not limited to:

a. A failure to submit required documentation within required time limits;

b. A failure to comply with this chapter;

c. A negligent failure to exercise due care in one's work, including but not limited to a failure to respond to clients, other professionals, or the Health Department within a reasonable time, or a failure to perform work;

d. A willful failure to exercise due care in one's work, including but not limited to a misrepresentation of any material fact, such as the qualifications of an O&M technician, specialist, or OSS installer, the requirements of this chapter, or the condition of an OSS; and

e. Any criminal act in the course of the work performed by a certified professional, O&M firm or OSS installation firm.

B. Enforcement options.

1. When a certified professional violates the provisions under this chapter, the health officer may initiate enforcement or disciplinary action, or any other legal proceeding authorized by law, including but not limited to any one or a combination of the following:

a. An informal administrative conference, convened at the request of the health officer to explore facts and resolve problems;

b. A certification hearing to answer charges of negligence, misrepresentation, or failure to comply with these or other applicable regulations;

c. Enforcement orders directed to the owner and/or operator of the OSS and/or person causing or responsible for the violation of this chapter;

d. Denial, probation, suspension, modification, or revocation of certifications;

e. Civil or criminal action; or

f. Administrative civil penalties.

C. Enforcement procedures for certified professionals.

At the discretion of the health officer, the following procedures may be used in lieu of the general enforcement procedures set forth in Chapter 1; provided that the requirements for investigation of complaints, probable cause, and burden of proof, as set forth in Chapter 1, shall also apply to these enforcement procedures.

1. Administrative Conference.

a. The health officer may summon a certified professional to attend an administrative conference to answer charges of negligence, misrepresentation, or failure to comply with this chapter or other applicable regulations.

b. The purpose of the administrative conference is to communicate and discuss the facts of the charges brought forward, to allow the certified professional to respond in fact to the charges, and to provide a means to resolve the charges or violations in a satisfactory and expeditious manner without the formalities of a certification hearing.

c. Procedure:

1) The health officer shall send a written notice, via regular and certified/return receipt requested mail, notifying the certified professional of the charges, and the date, time, and location of the conference.

2) The health officer shall determine who may attend the administrative conference.

3) The health officer will oversee the conference, and allow the certified professional to respond to the charges.

4) Based on the facts presented and discussions held during the conference, the health officer may affirm, modify, or rescind the charges contained in the notice, and/or may refer the certified professional to a formal certification hearing where the certification may be put into conditional probation, or suspended or revoked.

5) The administrative conference is at the discretion of the health officer, and is not a prerequisite for a certification hearing.

D. Certification hearing.

1. The health officer may summon a certified professional to attend a certification hearing to answer to charges of negligence, misrepresentation, or failure to comply with these, or other, applicable regulations.

2. The purpose of the certification hearing is to communicate and discuss the facts of the charges brought forward, to allow the certified professional to respond, and to provide a means to resolve the charges or violations in a satisfactory and expeditious manner.

3. The health officer may place a certification in a conditional probation, or suspend or revoke a certification if, after the hearing, the health officer determines by a preponderance of the evidence that negligence, misrepresentation, or failure to comply with these, or other applicable, regulations has occurred.

4. Procedure:

a. The health officer shall send a written notice, via regular and certified/return receipt requested mail, notifying the certified professional of the charges, and the date, time, and location of the hearing;

b. The health officer shall determine who may attend the hearing;

c. The health officer will preside over the hearing and allow the certified professional to respond to the charges and provide material facts in response to the charges;

d. Based on the facts presented during the hearing, the health officer may affirm, modify, or rescind the charges contained in the notice; and

e. The health officer shall prepare and issue a written notice of findings and decision from the hearing within five (5) business days of the conclusion of the hearing.

f. If the health officer determines that the facts support the charges, then the health officer may place the certified professional on probation, or suspend or revoke the certification.

5. Certification probation shall be a specific period of not less than six (6) months or more than one (1) year. Violations of any of the terms and/or conditions of the probation will result in suspension or revocation of the certification. A maximum of one probationary period shall be in effect at any one time. Exceeding one probation in any three year period will result in suspension. All probations and suspensions shall carry over from one certification period to the next.

6. Certification suspension shall be for a specific period of not less than one (1) month or more than one (1) year. The individual or firm on suspension shall apply in writing to the health officer, at the end of the suspension period, requesting reinstatement, and shall pay a reinstatement fee. In addition, prior to reinstatement the firm or individual shall meet all current and previous certification responsibilities and requirements. Exceeding one suspension in any one year period or two suspensions in any three year period will result in revocation of certification. All suspensions shall carry over from one certification period to the next. An individual or firm on suspension will be not be allowed to design, install, pump, or monitor systems during the period of suspension.

7. Revocation is the complete denial of the rights and privileges associated with certification of an individual or firm. An individual or firm whose certification has been revoked shall not be allowed to become certified again for a period not less than three (3) years from the date of revocation. An individual or firm seeking recertification shall also successfully meet all the requirements for obtaining an initial certification prior to becoming certified, as well as any previous responsibilities or financial obligations. This includes a probationary period of one (1) year.

8. If an engineer or designer has not performed their responsibilities in a manner consistent with the requirements of this chapter and related policies, procedures, and guidelines, and the requirements of Title 18 RCW, the health officer shall submit evidence to the Washington State Board of Registration for professional engineers.

E. Appeal of certification hearing.

A certified contractor may appeal the results of a certification hearing according to the procedures contained in Chapter 1 of these regulations.

F. Enforcement orders authorized under this section include the following:

1. Orders requiring corrective measures necessary to effect compliance with this chapter. Such orders may include a compliance schedule; and

2. Orders to stop work and/or refrain from using any OSS or portion of the OSS or improvements to the OSS until all permits, certifications, and approvals required by this chapter are obtained.

3. Enforcement orders issued under this section shall follow the requirements described in Chapter 1.

Enforcement; Appeals and Waivers

SECTION 51: Enforcement

In the event any person violates or fails to comply with the requirements of this chapter, the health officer may pursue any of the remedies set forth herein or any of the remedies or penalties set forth in Chapter 1.

SECTION 52: Appeals

Any person aggrieved by a decision or final order of the health officer shall have the right to appeal such decision or order in accordance with the appeal procedures set forth in Chapter 1.

SECTION 53: Waivers

Waivers shall be considered on a site by site basis as follows:

A. The waiver procedures described in Chapter 1 shall apply to all requests for waivers from the local requirements of this chapter.

B. The health officer may grant a waiver from the specific requirements of this chapter for OSS under 3500 gallons per day if:

1. The waiver procedures set forth in Chapter 1 have been followed;

2. A strict interpretation of this chapter will result in significant hardship;

3. The waiver application contains justification describing how the requested waiver is consistent with the purpose and objectives of this Chapter to 272A-0420 WAC meet the public health intent of this chapter; and

4. the health officer determines that the waiver is consistent with the standards in and intent of this chapter.

C. Applications for a waiver from state regulations shall meet the requirements of DOH publication, An Application Guide for Granting Waivers from State On-Site Sewage System Regulations, Chapter 246-272A WAC. All waivers from state regulations shall meet the requirements of Chapter 246-272A-0420 WAC.

SECTION 54: Severability

If any section, sentence, clause or phrase of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause, or phrase of this chapter.