



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**R&R BOH24-05**

**Proposed No. BOH24-05.2**

**Sponsors**

1                   A RULE AND REGULATION relating to on-site sewage  
2                   treatment and disposal systems; amending R&R 3, Part 13,  
3                   Section 1, as amended, and BOH 13.04.050, R&R 3, Part  
4                   13, Section 3, as amended, and BOH 13.04.070, R&R 99-  
5                   01, Section 2 (part), as amended, and BOH 13.08.018,  
6                   R&R 3, Part 1, Section 5, as amended, and BOH 13.08.020,  
7                   R&R 3, Part 1, Section 5 (part), as amended, and BOH  
8                   13.08.140, R&R 99-01, Section 2 (part), as amended, and  
9                   BOH 13.08.152, R&R 99-01, Section 2 (part), and BOH  
10                  13.08.226, R&R 99-01, Section 2 (part), as amended, and  
11                  BOH 13.08.284, R&R 3, Part 1, Section 5 (part), as  
12                  amended, and BOH 13.08.300, R&R 99-01, Section 2, and  
13                  BOH 13.08.342, R&R 3, Part 1, Section 5 (part), as  
14                  amended, and BOH 13.08.350, R&R 3, Part 1, Section 5  
15                  (part), as amended, and R&R 13.08.380, R&R 3, Part 1,  
16                  Section 5 (part), as amended, and BOH 13.08.490, R&R 3,  
17                  Part 10, Section 2, as amended, and BOH 13.12.030, R&R  
18                  3, Part 10, Section 3(B), as amended, and BOH 13.12.050,  
19                  R&R 3, Part 12, Section 1, as amended, and BOH  
20                  13.16.010, R&R 3, Part 2, Section 1, as amended, and BOH

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21 13.20.010, R&R 3, Part 2, Section 2(B), as amended, and  
22 BOH 13.20.030, R&R 99-01, Section 2, as amended, and  
23 BOH 13.20.035, R&R 3, Part 2, Section 3, as amended, and  
24 BOH 13.20.040, R&R 3, Part 3, Section 1, and BOH  
25 13.24.010, R&R 3, Part 3, Section 2, as amended, and BOH  
26 13.24.020, R&R 3, Part 3, Section 3, as amended, and BOH  
27 13.24.030, R&R 3, Part 3, Sections 1 and 4, as amended,  
28 and BOH 13.28.010, R&R 3, Part 4, Section 2, as amended,  
29 and BOH 13.28.020, R&R 3, Part 4, Section 3, as amended,  
30 and BOH 13.28.030, R&R 3, Part 4, Section 7, as amended,  
31 and BOH 13.28.070, R&R 3, Part 5, Section 2(A), as  
32 amended, and BOH 13.36.010, R&R 3, Part 5, Section  
33 3(C), and BOH 13.40.030, R&R 3, Part 5, Section 5, and  
34 BOH 13.48.010, R&R 3, Part 6, Section 1, as amended, and  
35 BOH 13.52.010, R&R 3, Part 7, Section 5, and BOH  
36 13.56.050, R&R 99-01, Section 2 (Part), as amended, and  
37 BOH 13.56.054, R&R 99-01, Section 2 (part), as amended,  
38 and BOH 13.60.005, R&R 3, Part 8, Section 1, as amended,  
39 and BOH 13.60.010 , R&R 08-03, Section 145, and BOH  
40 13.60.030, R&R 3, Part 9, Section 1, as amended, and BOH  
41 13.64.010, R&R 3, Part 9, Section 2, as amended, and BOH  
42 13.64.020, R&R 3, Part 11, Section 1, as amended, and  
43 BOH 13.68.010, R&R 3, Part 11, Section 2, as amended,

44 and BOH 13.68.020, R&R 3, Part 11, Section 3, as  
45 amended, and BOH 13.68.030, and R&R 3, Part 11,  
46 Section 5, as amended, and BOH 13.68.050, adding new  
47 sections to BOH chapter 13.04, adding new sections to  
48 BOH chapter 13.08, recodifying BOH 13.08.226, repealing  
49 R&R 99-01, Section 2 (part), and BOH 13.08.024, R&R  
50 08-03, Section 12, and BOH 13.08.055, R&R 3, Part 1,  
51 Section 5 (part), as amended, and BOH 13.08.060, R&R 3,  
52 Part 1, Section 5 (part), as amended, and BOH 13.08.070,  
53 R&R 99-01, Section 2 (part), and BOH 13.08.072, R&R  
54 99-01, Section 2 (part), as amended, and BOH 13.08.084,  
55 R&R 3, Part 1, Section 5 (part), as amended, and BOH  
56 13.08.090, R&R 99-01, Section 2 (part), as amended, and  
57 BOH 13.08.114, R&R 08-03, Section 21, and BOH  
58 13.08.115, R&R 08-03, Section 23, and BOH 13.08.117,  
59 R&R 08-03, Section 27, and BOH 13.08.131, R&R 99-01,  
60 Section 2 (part), as amended, and BOH 13.08.132, R&R  
61 99-01, Section 2 (part), and BOH 13.08.134, R&R 08-03,  
62 Section 30, and BOH 13.08.141, R&R 08-03, Section 32,  
63 and BOH 13.08.151, R&R 08-03, Section 34, and BOH  
64 13.08.154, R&R 09-03, Section 37, and BOH 13.08.175,  
65 R&R 3, Part 1, Section 5 (part), as amended, and BOH  
66 13.08.180, R&R 3, Part 1, Section 5 (part), as amended,

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67 and BOH 13.08.190, R&R 99-01, Section 2 (part), as  
68 amended, and BOH 13.08.202, R&R 08-03, Section 40,  
69 and BOH 13.08.205, R&R 99-01, Section 2 (part), and  
70 BOH 13.08.212, R&R 08-03, Section 41, and BOH  
71 13.08.213, R&R 99-01, Section 2 (part), and BOH  
72 13.08.226, R&R 08-03, Section 47, and BOH 13.08.257,  
73 R&R 08-03, Section 49, and BOH 13.08.261, R&R 08-03,  
74 Section 50, and BOH 13.08.263, R&R 3, Part 1, Section 5  
75 (part), as amended, and BOH 13.08.280, R&R 08-03,  
76 Section 55, and BOH 13.08.287, R&R 3, Part 1, Section 5  
77 (part), as amended, and BOH 13.08.290, R&R 08-03,  
78 Section 56, and BOH 13.08.305, R&R 3, Part 1, Section 5  
79 (part), as amended, and BOH 13.08.320, R&R 08-03,  
80 Section 57, and BOH 13.08.3215, R&R 99-01, Section 2  
81 (part), as amended, and BOH 13.08.322, R&R 99-01,  
82 Section 2 (part), as amended, and BOH 13.08.324, R&R  
83 08-03, Section 60, and BOH 13.08.327, 2R&R 3, Part 1,  
84 Section 5 (part), as amended, and BOH 13.08.330, R&R  
85 99-01, Section 2 (part), and BOH 13.08.341, R&R 08-03,  
86 Section 61, and BOH 13.08.346, R&R 99-01, Section 2  
87 (part), as amended, and BOH 13.08.372, R&R 99-01,  
88 Section 2 (part), and BOH 13.08.402, R&R 99-01, Section  
89 2 (part), and BOH 13.08.406, R&R 3, Part 1, Section 5

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90 (part), as amended, and BOH 13.08.410, R&R 08-03,  
 91 Section 69, and BOH 13.08.424, R&R 99-01, Section 2  
 92 (part), and BOH 13.08.426, R&R 08-03, Section 72, and  
 93 BOH 13.08.465, R&R 3, Part 1, Section 5, as amended, and  
 94 BOH 13.08.470, R&R 99-01, Section 2 (part), as amended,  
 95 and BOH 13.08.472, R&R 08-03, Section 74, and BOH  
 96 13.08.477, R&R 08-03, Section 76, and BOH 13.08.482,  
 97 R&R 99-01, Section 2 (part), as amended, and BOH  
 98 13.08.484, R&R 09-03, Section 79, and BOH 13.08.493,  
 99 R&R 08-03, Section 80, and BOH 13.08.4934, R&R 08-03,  
 100 Section 81, and BOH 13.08.4937, R&R 99-01, Section 2  
 101 (part), as amended, and BOH 13.08.496, R&R 3, Part 1,  
 102 Section 5 (part), as amended, and BOH 13.08.500, R&R  
 103 08-03, Section 87, and BOH 13.08.505, R&R 99-01,  
 104 Section 2 (part), and BOH 13.08.512, R&R 99-01, Section  
 105 2 (part), and BOH 13.08.516, R&R 08-03, Section 88, and  
 106 BOH 13.08.520, prescribing penalties, and establishing an  
 107 effective date; enacted pursuant to RCW 43.20.050 and  
 108 70.05.060, including the latest amendments or revisions  
 109 thereto.

110 BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

111 NEW SECTION. SECTION 1. There is hereby added a new section to BOH  
 112 chapter 13.04 to read as follows:

113           **State on-site sewage system regulations adopted.**

114           A. Except as otherwise specifically provided in this title, chapter 246-272A  
115 WAC, Washington On-site Sewage System Regulations, as amended, are hereby adopted  
116 and by this reference made a part of this title.

117           B. If a provision or definition of chapter 246-272A WAC is inconsistent with a  
118 provision or definition otherwise established under this title, the more stringent provision  
119 shall apply.

120           NEW SECTION. SECTION 2. There is hereby added a new section to BOH  
121 chapter 13.04 to read as follows:

122           **Equity impact review.** Whenever the health officer performs review of an on-  
123 site sewage system local management plan under WAC 246-272A-0015, the health  
124 officer will conduct an equity impact review in accordance with King County Ordinance  
125 16948 and report the results of the review to the King County Board of Health before  
126 approving a revised local management plan.

127           SECTION 3. R&R 3, Part 13, Section 1, as amended, and BOH 13.04.050 are  
128 hereby amended to read as follows:

129           **Connection to public sewer.**

130           A. The owner or occupant of lands or premises located within the Urban Growth  
131 Area, as defined in the King County Comprehensive Plan, undertaking new residential or  
132 nonresidential construction, short subdivision or subdivision from which sewage will  
133 originate shall connect the construction to a public sewer if the sewer utility permits such  
134 connection. Within unincorporated King County such connection shall be in accordance  
135 with ((King County Code Section)) K.C.C. 13.24.136. Within incorporated cities such

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136 connection shall be in accordance with the policies of that city or the local sewer utility.  
137 The connection shall be made by connecting the building drain with an approved side  
138 sewer, and the side sewer to the public sewer.

139 B. For existing development located within ((or outside)) the Urban Growth Area  
140 and which is within two hundred feet of a public sewer, where an on-site sewage system  
141 is operating, the owner shall abandon the on-site sewage system in accordance with WAC  
142 246-272A-0300 and connect the sanitary drainage system to the public sewer when the  
143 sewer authority permits such connection and when:

144 1. Repair, modification or replacement of the on-site sewage system is  
145 necessary, or the existing on-site sewage system has failed and an on-site sewage system  
146 fully conforming to this title cannot be designed and installed; or

147 2. Additional construction which in any way affects the on-site sewage system  
148 is proposed.

149 C. The distances set forth in subsection B. of this section shall be calculated  
150 along the shortest route in road rights-of-way and easements((, consistent with the  
151 comprehensive planning and sewer extension practices of the sewer utility involved,))  
152 from the existing sewer to the nearest point of the lands or premises to be served,  
153 consistent with the jurisdictional comprehensive plan and sewer extension practices of  
154 the sewer utility involved.

155 D. Every plumbing fixture and every sanitary drainage system not connected to a  
156 public sewer, or not required by law to be connected to a public sewer, shall be connected  
157 to an on-site sewage system.

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158 E. The health officer is authorized to grant waivers from specific requirements of  
159 this section in accordance with WAC 246-272A-0420, as amended.

160 SECTION 4. R&R 3, Part 13, Section 3, as amended, and BOH 13.04.070 are  
161 hereby amended to read as follows:

162 **Domestic water supply source.** No on-site sewage system may be constructed  
163 or expanded if the plumbing fixtures draining to the system are not supplied with water  
164 from an approved source. An approved water source consists of one of the following:

165 A. Public water source: A public water source currently in compliance with  
166 chapter 246-290 or 246- 291 WAC and BOH Title 12.

167 B. Private individual well source: A private well on a lot five acres or greater in  
168 size or a lot created prior to May 18, 1972, which complies with all of the following  
169 conditions:

170 1.a. Well location approval: Any proposed new or replacement individual  
171 private well location shall be submitted to the health officer and receive approval prior to  
172 construction of the well.

173 ((a. All private water system development in the urban growth area or in the  
174 rural area as defined by the King County Comprehensive Plan is subject to the provisions  
175 of King County Code Sections 13.24.140 and 13.24.138, respectively.))

176 b. Proposed new initial well locations shall be accurately specified upon an  
177 OSS site design application and shall be submitted for review by the health officer in  
178 conjunction with evaluation of the proposed OSS design. If the protective well radius is  
179 within ten feet of any lot line, easement line or any source of contamination, the health  
180 officer may require the well site to be surveyed.



181 c. Application for replacement well locations shall be made on forms obtained  
182 from the health officer and shall be accompanied by a review fee as specified in the fee  
183 schedule.

184 d. The new or replacement well location shall be clearly identified at the site.

185 e. Information shall be provided as part of the well location application to  
186 include, at minimum, a completely dimensioned plot plan, drawn to a scale not smaller  
187 than one inch equals one hundred feet accurately showing the location of the proposed  
188 water well relative to property boundary lines, existing and proposed OSS components  
189 including OSS reserve area, existing and proposed structures, roads and driveways,  
190 surface water, direction of surface drainage, a designated well protection sanitary control  
191 area, and any other features relevant to the siting of a water well location.

192 f. A water well site approval is valid for ((two)) three years from the date of  
193 approval or until the expiration of a building permit issued by the building official for  
194 construction of the primary structure to be served by the new well, whichever period is  
195 longer.

196 2. Water well protection covenant: The property owner shall establish a water  
197 well protection sanitary control area by providing a recorded protective covenant  
198 prohibiting, within a horizontal distance of not less than one hundred feet of the well,  
199 potential sources of contamination as described in BOH 12.24.010 and WAC 173-160-  
200 171.

201 3. Demonstrate adequate water quantity by:

202 a. Drilling, in known or suspected areas of low production, the well and  
203 conducting a four hour pump test that demonstrates that the proposed well is capable of

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204 providing water to a residential dwelling in the amount of not less than four hundred  
205 gallons per day. This pump test may be required to be performed during the months of  
206 August, September, or October at the health officer's discretion; or

207           b. Providing, in all other areas, adequate information to the satisfaction of the  
208 health officer to demonstrate the aquifer's capability to provide four hundred gallons per  
209 day. This information may include well logs or pumping reports from neighboring wells  
210 utilizing the same aquifer. The neighboring well or wells shall be shown on a map of the  
211 surrounding area identifying both the subject property and the location of the well or  
212 wells identified as neighboring. The map shall be included with the OSS site design  
213 application submittal.

214           4. Demonstrate adequate water quality by submitting results of all tests taken for  
215 the following and showing:

216           a. Bacteriological analysis from at least two raw source water samples from the  
217 well indicating no presence of coliform bacteria; and

218           b. At least one chemical test for nitrate and arsenic from the well water  
219 described in table 2, WAC 246-291-170, which does not exceed the primary maximum  
220 contaminant level under WAC 246-291-170.

221           5. Provide a copy of well driller's report under WAC 173-160-141.

222           6. Construction of the well must meet Washington state Department of  
223 Ecology's construction standards under chapter 173-160 WAC.

224           C. A private spring on a lot five acres or greater or a lot created prior to May 18,  
225 1972, that complies with all of the following conditions prior to application for OSS site  
226 design approval:

227           1. Application for an individual private spring water source shall be made on  
228 forms provided by the health officer and shall be accompanied by a fee as specified in the  
229 fee schedule.

230           2. The application shall include: a recorded protective covenant of no less than  
231 two hundred feet up slope and one hundred feet down slope from the spring prohibiting  
232 any potential sources of contamination as described in BOH 13.04.070 B.2., a spring  
233 location plot plan, a detailed spring construction plan, and information demonstrating  
234 acceptable water quality and quantity as specified in BOH 12.20.040 and chapter 246-291  
235 WAC.

236           3. Within thirty days of receiving a complete application the health officer shall  
237 approve, deny or notify the applicant that the application is pending. Reasons for denial  
238 or pendency of the application shall be stated in writing.

239           D. A rainwater catchment system that serves as the only source of drinking water  
240 for a single family residence and that complies with each of the following conditions:

241           1. The health officer finds that requiring connection of the plumbing system to  
242 an approved public water source or to an approved private well would cause undue  
243 hardship.

244           2. Application for a rainwater catchment system source approval shall be  
245 submitted for review on forms provided by the health officer. The applicant shall pay to  
246 the health officer the rainwater catchment system review fee as specified in the fee  
247 schedule, payable after completion of the application review.

248           3. Application for a rainwater catchment system source approval shall be  
249 prepared by any one or more of the following:

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250 a. a professional engineer authorized under a current, valid license to practice  
251 in Washington state;

252 b. an environmental health professional holding a current, valid registration  
253 from either the Washington State Environmental Health Association or the National  
254 Environmental Health Association;

255 c. a King County licensed water system designer holding a current, valid  
256 license to design water systems in King County; and

257 d. a rainwater system designer holding a current, valid accreditation from the  
258 American Rainwater Catchment System Association.

259 4. Rainwater catchment system design shall conform to chapter 51-56 WAC,  
260 Uniform Plumbing Code, as amended, and shall include, at a minimum, the following  
261 information:

262 a. estimated daily and weekly and annual demand;

263 b. available catchment area and estimated annual rainwater capture;

264 c. roofing materials used;

265 d. storage capacity of and materials used in the construction of the rainwater  
266 catchment system;

267 e. treatment specifications including filtrations and disinfection system  
268 specifications; and

269 f. operation and maintenance requirements.

270 5. Composite or shake shingles or other materials determined by the health  
271 officer to present a risk of contamination may not be approved or used as roofing  
272 materials for a rainwater catchment system source.

273           6. Before using a rainwater catchment system source, the property owner shall  
274 file in the county recorder's office a notice on title advising that the property is served by  
275 a rainwater catchment system and including the following information:

276           a. the estimated daily, weekly and annual water supply furnished by the  
277 rainwater catchment system;

278           b. that the water supply from the rainwater catchment system may be limited  
279 due to variations in rainfall or usage; and

280           c. that regular maintenance of the treatment system and components is required  
281 in order to minimize the risk of consuming contaminated water,

282           E. Lot area designated in whole or in part as a critical area may be included in the  
283 computation of the minimum five-acre lot size required under ((S))subsections B. and C.  
284 of this section.

285           SECTION 5. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.018 are  
286 hereby amended to read as follows:

287           **Abbreviations.**

288           A. "ASTM" means American Society of Testing Materials.

289           B. "ATU" means Aerobic Treatment Unit.

290           C. ("BOD5" means biochemical oxygen demand, typically expressed in mg/L.

291           D. "CBOD5" means carbonaceous biochemical oxygen demand, typically  
292 expressed in mg/L. For purposes of approximate conversion from BOD5 to CBOD5,  
293 multiply the BOD5 by 0.83.

294           E.)) "CEU" means continuing education unit.

295 ((F. "DDES")) D. "DLS" means King County Department of ((development and  
296 environmental)) Local Services.

297 ((G.)) E. "DOH" means the Washington state Department of Health.

298 ((I. "mg/L" means milligrams per liter.

299 J. "NSF" means National Sanitation Foundation International.

300 K. "O and G," means oil and grease, a component of sewage typically originating  
301 from foodstuffs, which are animal fats or vegetable oils, or consisting of compounds of  
302 alcohol or glycerol with fatty acids, which are soaps and lotions. The quantity of O and G  
303 is typically expressed in mg/L.

304 L. "TN" means total nitrogen, typically expressed in mg/L.

305 M. "TSS" means total suspended solids, a measure of all suspended solids in a  
306 liquid, typically expressed in mg/L.

307 N.)) F. ">" means greater than.

308 ((O.)) G. "<" means less than.

309 ((P.)) H. "OSM" means certified on-site system maintainer.

310 SECTION 6. R&R 3, Part 1, Section 5, as amended, and BOH 13.08.020 are  
311 hereby amended to read as follows:

312 **Accessory living quarters.** "Accessory living quarters" means living quarters  
313 ((within an)) accessory ((building)) to a single-family residence and for the sole use of  
314 the family or persons employed on the premises or for the temporary use of guests of the  
315 occupants of the premises. Such quarters have no kitchen facilities and are not rented or  
316 otherwise used as a separate dwelling unit.

317            NEW SECTION. SECTION 7. There is hereby added a new section to BOH  
318 chapter 13.08 to read as follows:

319            **Bedroom.** "Bedroom" means a room used for sleeping and that includes a  
320 window, a door, and a closet. "Bedroom" does not include a room smaller than seventy  
321 square feet in area with a closet, or an entry way with a closet. For the purposes of this  
322 title, "window" includes a means of egress, other than a door, under section R310.1 of the  
323 International Residential Code, 2018 edition.

324            SECTION 8. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.140  
325 are hereby amended to read as follows:

326            **Excessively permeable soils.** "Excessively permeable soils" means soils:  
327            A. ((with)) With a soil texture type 1; or  
328            B. ((other)) With other textures as defined by the United States Department of  
329 Agriculture standards and where conditions are such that the treatment potential is  
330 ineffective in retaining or removing substances of public health significance to  
331 underground sources of drinking water ((and soils with a percolation rate of one and one-  
332 half minutes per inch or faster)).

333            SECTION 9. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.152 are  
334 hereby amended to read as follows:

335            **Failure.** "Failure" means a condition of an on-site sewage system or ((side  
336 sewer)) component that threatens the public health by inadequately treating sewage or by  
337 creating a potential for direct or indirect ((human)) contact between sewage and the  
338 public. Examples of failure include:

339            A. Sewage((, septage or effluent)) on the surface of the ground;

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340 B. Sewage((, septage or effluent)) backing up into a structure caused by slow soil  
341 absorption of septic tank effluent;

342 C. Sewage((, septage or effluent)) leaking from a ((septic tank, pump chamber,  
343 holding tank, conveyance)) sewage tank or collection system;

344 D. Cesspools((,)) or seepage pits ((and pit privies)) where evidence of  
345 groundwater or surface water quality degradation exists;

346 E. Inadequately treated effluent contaminating ground water or surface water;  
347 ((and)) or

348 F. ((Failure to meet conditions)) Noncompliance with standards stipulated on the  
349 permit.

350 SECTION 10. BOH 13.08.226 is hereby recodified as a new section to follow  
351 BOH 13.08.260.

352 SECTION 11. R&R 99-01, Section 2 (part), and BOH 13.08.226 are hereby  
353 amended to read as follows:

354 **((Limited)) Minor repair.** "((Limited)) Minor repair" means the replacement,  
355 addition or alteration of ((a)) any of the following broken or malfunctioning ((building  
356 sewer pipe, sewage tank lid, sewage tank baffles, sewage tank pumps, pump control  
357 floats, pipes connecting multiple sewage tanks and drainfield inspection boxes and ports))  
358 OSS components where the subsurface soil absorption system is not failing;

359 A. Building sewer pipe;

360 B. Sewage tank lids and risers;

361 C. Sewage tank baffles;

362 D. Sewage tank pumps;



- 363 E. Pump control floats;
- 364 F. Pipes connecting multiple sewage tanks;
- 365 G. Drainfield inspection boxes and ports;
- 366 H. Control panels and timers;
- 367 I. Components of a proprietary treatment unit;
- 368 J. UV disinfection units; or
- 369 K. Jetting of pressure distribution pipes or hard plastic or polyvinyl chloride
- 370 pipes in a gravity OSS.

371 SECTION 12. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.284 are  
372 hereby amended to read as follows:

373 **On-site system maintainer.** "On-site system maintainer" ((())or "OSM"((()))  
374 means a qualified person approved by the health officer to conduct performance  
375 monitoring inspections of, diagnose causes of malfunction and failure of, or perform  
376 preventive maintenance on and make ((limited)) minor repairs to on-site sewage systems.

377 SECTION 13. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.300  
378 are hereby amended to read as follows:

379 **Original permeable soil.** "Original permeable soil" means the naturally  
380 occurring soil of soil texture types 1 through ((5)) 6 overlying any impermeable layer,  
381 any cemented layer overlying the groundwater table, or the elevation of groundwater  
382 during the wet season, with a percolation rate not greater than fifty-nine (((59))) minutes  
383 per inch.

384 SECTION 14. R&R 99-01, Section 2, and BOH 13.08.342 are hereby amended  
385 to read as follows:

386           **Pumper.** A. "Pumper" means a qualified person approved by the health officer  
387 and holding a certificate(((s))) or certificates of competency ((pursuant to)) as classified  
388 under BOH ((C))chapter 13.68 ((of this title,)) and this section to perform ((one or more  
389 of the following activities: May also be referred to as a "sludgehauler.")) activities as an  
390 OSS pumper, portable toilet pumper, watercraft sewage tank pumper, grease trap or  
391 interceptor pumper, or miscellaneous sewage pumper.

392           ((A.)) B. An OSS pumper removes sewage and((/or)) septage from sewage  
393 holding tanks, portable toilet units and OSS wastewater tanks and transports the contents  
394 to an approved disposal site, and conducts routine monitoring and performance  
395 inspections of gravity OSS.

396           ((B. Portable)) C. A portable toilet pumper removes sewage from only  
397 portable((/)) or chemical toilet units and transports the contents to an approved disposal  
398 site.

399           ((C. Vessel (boat))) D. A watercraft sewage tank pumper removes sewage from  
400 holding tanks on ((vessels (boats))) watercraft and transports the contents to an approved  
401 disposal site.

402           ((D. Grease trap/interceptor)) E. A grease trap or interceptor pumper removes  
403 animal and vegetable fats, oils, and greases from either grease traps ((and/))or grease  
404 interceptor tanks, or both, and transports the contents to a recycling or approved disposal  
405 site.

406           F. A miscellaneous sewage pumper removes sewage and sewage-contaminated  
407 wastes from sewer lines, lift stations, or other sources of sewage or sewage-contaminated  
408 wastes and transports the contents to an approved disposal site.

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409            SECTION 15. R&R 3, Part 1, Section 5 (part), as amended, and R&R 13.08.350  
410 are hereby amended to read as follows:

411            **Repair.** "Repair" means the ((replacement, reconstruction or relocation of, or  
412 addition or alteration to, a sewage tank, distribution box, tight line, or other  
413 appurtenances of an existing OSS, and including any replacement, reconstruction or  
414 relocation of, or addition or alteration to a soil absorption system)) relocation,  
415 replacement, or reconstruction of a failed OSS or any failed component of an OSS, other  
416 than a minor repair, in order to restore the OSS to nonfailure status.

417            SECTION 16. R&R 3, Part 1, Section 5 (part), as amended, and R&R 13.08.380  
418 are hereby amended to read as follows:

419            **Restrictive layer.** "Restrictive layer" means a stratum impeding the vertical  
420 movement of water, air, and growth of plant roots. Examples of such layers or conditions  
421 are groundwater tables, hardpans, claypans, fragipans, some compacted soil, bedrock,  
422 caliche, and ((clayey)) unstructured clay soil.

423            NEW SECTION. SECTION 17. There is hereby added a new section to BOH  
424 chapter 13.08 to read as follows:

425            **Shoreline.** "Shoreline" means the land area directly bordering marine waters,  
426 rivers with a mean annual flow exceeding twenty cubic feet per second, lakes larger than  
427 twenty acres, or wetlands.

428            SECTION 18. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.490  
429 are hereby amended to read as follows:

430            **Surface water.** "Surface water" means any body of water, whether fresh or  
431 marine, which either flows or is contained in natural or artificial unlined depressions or

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432 drainage course and contains water for forty-eight (((48))) continuous hours during any of  
433 the months of May through October, or is identified by King County department of  
434 natural resources and parks as a significant drainage feature. Such bodies include, but are  
435 not limited to, natural and artificial lakes, ponds, drinking water springs, rivers, streams,  
436 swamps, marshes, tidal water, and wetlands.

437 SECTION 19. R&R 3, Part 10, Section 2, as amended, and BOH 13.12.030 are  
438 hereby amended to read as follows:

439 **Public meetings—Procedure.**

440 A. Meetings shall be held on the call of the health officer, and shall be held with  
441 sufficient frequency that no more than ((forty (40))) ninety days shall elapse from the  
442 time an appeal for reconsideration is commenced until a recommendation is returned to  
443 the health officer by the committee, except that if a continuance is granted at the request  
444 of an appellant the committee shall return its recommendation within a reasonable time.  
445 The filing of any technical report or other exhibit subsequent to the commencement of an  
446 appeal shall be deemed a request for a continuance.

447 B. The committee may make recommendations to the health officer concerning  
448 the health officer's decision or determination that is the subject of the appeal for  
449 reconsideration acting in an advisory capacity only.

450 C. Notice of all meetings of the committee shall be given not less than three  
451 (((3))) days prior thereto to any appellant and to any other person ((which)) that had  
452 previously made known a desire to affect the disposition of the order or decision of the  
453 health officer which is the subject of the appeal for reconsideration.

454 D. All meetings of the committee shall be open to the public. Verbal testimony  
455 may be given to the committee during the meeting.

456 SECTION 20. R&R 3, Part 10, Section 3(B), as amended, and BOH 13.12.050  
457 are hereby amended to read as follows:

458 **Appeal for reconsideration—Filing.** The appeal for reconsideration shall be in  
459 writing, submitted on one or more forms prescribed by the health officer, and shall be  
460 filed with the health officer not later than 5:00 p.m. of the ((sixtieth (60th))) ninetieth  
461 calendar day following the date of the decision or order that is the subject of the appeal.  
462 The appeal shall cite with particularity the decision or order appealed from, and shall  
463 contain a statement of the reason for the appeal and what relief is sought. The appeal  
464 shall be accompanied by any technical reports or other exhibits, prepared at the  
465 appellant's own expense, which the appellant wishes the committee and the health officer  
466 to consider.

467 SECTION 21. R&R 3, Part 12, Section 1, as amended, and BOH 13.16.010 are  
468 hereby amended to read as follows:

469 **Membership.** There is established an on-site wastewater treatment and disposal  
470 ((stakeholders)) technical advisory committee.

471 A. Membership of the advisory committee shall consist of at least ((nine)) twelve  
472 members, including the health officer, ex officio, and any ((eight)) eleven or more of the  
473 following voting members appointed by the health officer:

- 474 1. Sanitary, agricultural or civil engineer licensed by the state of Washington;
- 475 2. On-site sewage system designer;
- 476 3. Seattle Master Builders Association representative;

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- 477 4. Seattle-King County Board of Realtors representative;
- 478 5. A representative of a nonprofit, nonpartisan public affairs or environmental  
479 affairs organization;
- 480 6. On-site sewage system maintainer;
- 481 7. A consumer representing the King County Unincorporated Area Councils;
- 482 8. Representative of incorporated cities;
- 483 9. Representative of a sewer utility district;
- 484 10. On-site sewage system installer;
- 485 11. On-site sewage system pumper; ((and))
- 486 12. Field Sanitarian;
- 487 13. A representative of a federally recognized tribe or an organization under  
488 Title 26 U.S.C. Sec. 501(c)(3) of the Federal Internal Revenue Code of 1986, as  
489 amended, registered in Washington that serves American Indian and Alaska Native  
490 people and provides services within King County;
- 491 14. A consumer representing users of OSS within the Urban Growth Area of  
492 King County;
- 493 15. A consumer representing users of OSS within a Marine Recovery Area or  
494 Shellfish Protection District within King County; and
- 495 16. A consumer representing users of OSS serving commercial properties in  
496 King County.
- 497 B. In addition to the voting members, any combination of the following may be  
498 appointed by the health officer to serve as ex officio members of the committee:
- 499 1. A King County department of natural resources and parks representative;

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- 500           2. A Washington state Department of Ecology representative.  
501           3. A Washington state Department of Health representative; and  
502           4. A United States Department of Agriculture, Natural Resource Conservation  
503 Service representative.

504           SECTION 22. R&R 3, Part 2, Section 1, as amended, and BOH 13.20.010 are  
505 hereby amended to read as follows:

506           **Permits -- general.**

507           A. Unless otherwise specified in this title, it is unlawful to construct, install,  
508 repair, or modify an OSS without an approved OSS ((construction)) installation permit.  
509 Any person, other than the owner of the property where the OSS is located, who  
510 constructs, installs, repairs, or modifies any part of an OSS without an approved OSS  
511 installation permit, including but not limited to replacing a drainfield, will be subject to  
512 the assessment of civil penalty fines of up to one thousand dollars per day, not to exceed  
513 a total of fifteen thousand dollars per violation. The owner of the property where the  
514 OSS is located will be subject to the assessment of civil penalty fines of up to one  
515 thousand dollars per day, not to exceed a total of five thousand dollars per violation for  
516 performing the work without an approved OSS installation permit. The health officer  
517 may reduce or waive the penalty assessed against the property owner under this section  
518 after a permitted OSS installation or repair has been completed and the health officer has  
519 approved the installation or repair. Such permit shall be posted on the building or  
520 premises where the work permitted is being done, before the work is begun, and unless  
521 revoked, shall not be removed until such work has been finally approved by the health  
522 officer.

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523 B. The application submitted for an OSS ((construction)) installation permit shall  
524 be accompanied by an approved site design application or approved repair proposal. The  
525 permit application for a new OSS to serve a building shall be accompanied by evidence  
526 that the responsible building official has issued a building permit authorizing construction  
527 of that building.

528 C. The fee for an OSS ((construction)) installation permit shall be as set forth in  
529 the fee schedule.

530 D. OSS ((construction)) installation permits shall expire ((two)) three years from  
531 date of issue.

532 E. Unless otherwise provided in this title, the applicant for an OSS  
533 ((construction)) installation permit shall be a certified master installer and shall be  
534 responsible for all work done under that permit.

535 F. The applicant for an OSS ((construction)) installation permit may not also be  
536 the designer named on the site application unless the work to be done consists solely of  
537 OSS failure repair.

538 G. Application for an OSS ((construction)) installation permit shall be made in  
539 writing in a manner prescribed by the health officer and shall be accompanied by a fee as  
540 set forth in the fee schedule. The health officer may deny the application if in the health  
541 officer's judgment operation of the system will result in a public health hazard. The  
542 health officer may consider any relevant health and safety factors in making such a  
543 determination. If an application is denied on the grounds of a hazard to public health, the  
544 health officer at the time of the denial shall inform the applicant in writing of the reasons  
545 for the denial and the applicant's right to appeal the denial.

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546 H. Each ((construction)) installation permit issued pursuant to this title for an  
547 OSS installation or repair is nontransferable and is valid only for the designer or installer  
548 named thereon and for the type of OSS construction or repair for which the permit has  
549 been issued. A new ((construction)) installation permit shall be obtained in the event of  
550 change of designer or installer performing the work, or in the type of OSS for which a  
551 permit has previously been issued.

552 SECTION 23. R&R 3, Part 2, Section 2(B), as amended, and BOH 13.20.030 are  
553 hereby amended to read as follows:

554 **Installer certification.**

555 A. Except as provided in BOH 13.20.035 and 13.20.040, it is unlawful to install,  
556 modify or repair OSS without a currently valid installer's certificate of competency.

557 B. ((1. Application)) An applicant for a master installer's or associate installer's  
558 certificate of competency shall ((be made)) submit the application to the health officer  
559 and shall ((be accompanied by a)) include the following with the application:

560 1. Payment of the installer certificate of competency fee as set forth in the fee  
561 schedule under BOH chapter 2.18((.));

562 2. ((The application shall be accompanied by e))Evidence of successful  
563 completion within the previous twelve months of a health officer-recognized course of  
564 instruction in the basics of OSS and installation of OSS((.));

565 3. ((The health officer shall examine the applicant, shall charge an exam fee as  
566 set forth in the fee schedule and may deny the application if in the health officer's  
567 judgment the applicant is for any reason, including previous finding of negligence,  
568 incompetence, misrepresentation or failure to comply with this title, not qualified to

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569 install on-site sewage systems)) Evidence of two years of full-time equivalent  
570 employment with relevant OSS experience within the five-year period preceding  
571 application submittal, except that associate installer is not required to provide this  
572 evidence; and

573 4. A signed attestation that the applicant for a new or renewal certificate of  
574 competency is familiar with and agrees to perform all OSS services in accordance with  
575 the requirements of this title and the King County OSS code of performance and ethics.

576 C. ((1.)) As a condition of certification ((the));

577 1. A master installer ((applicant)) shall submit evidence of and maintain at all  
578 times compliance with state of Washington minimum performance bonding requirements  
579 as stated in chapter 18.27 RCW((.)), as amended;

580 2. ((The health officer may suspend or revoke any master or associate installer's  
581 certificate of competency, pursuant to BOH chapter 1.08)) A first-time applicant for a  
582 master or associate installer's certificate of competency shall submit payment of the  
583 examination fee as set forth in the fee schedule and attain a passing score on the  
584 applicable certification examination; and

585 3. A master or associate installer shall consistently demonstrate reasonable care  
586 and skill in performing work governed by this title, meet the requirements of the OSS  
587 code of performance and ethics, and comply with all the terms and conditions of these  
588 and all other applicable rules and regulations.

589 D. The master or associate installer's certificate of competency shall expire  
590 December 31 of each year. ((The)) An installer may not obtain installation permits or

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591 construct or repair any OSS after December 31 unless the ((certification)) certificate has  
592 been renewed. ((The holder of such a certificate))

593 E. An installer may renew the certificate ((on or before January 15 of the year  
594 following expiration without taking the examination specified by this section, but only  
595 if)) upon submittal, to the health officer, of a completed renewal application and fee  
596 payment as specified in the fee schedule under BOH chapter 2.18, accompanied by  
597 evidence that at least one CEU credit has been earned by the master or associate installer  
598 during the previous calendar year, except that:

599 ((a. A renewal application accompanied by a fee as specified in the fee  
600 schedule in BOH chapter 2.18 is submitted to the health officer. A late fee of twenty five  
601 percent of the renewal amount will be charged by the health officer for renewal  
602 applications received after January 15; and

603 b. The applicant provides evidence that at least one CEU credit has been  
604 earned by the master installer applicant and the associate installer applicant during the  
605 previous calendar year.

606 4.)) 1. A master or associate installer submitting the renewal application after  
607 January 15 of the year following expiration shall, in addition to the applicable certificate  
608 fee, pay a late fee of twenty five percent of the renewal amount, and provide evidence of  
609 completion of at least one CEU credit during the previous calendar year; and

610 2. A master or associate installer submitting the renewal application more than  
611 twenty-four months after certificate expiration shall, in addition to the applicable  
612 certificate fee, pay the applicable examination fee and must retake and obtain a passing  
613 score on the certification examination specified in this section as a condition of renewal.

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614 F. The health officer may deny any application for an installer's or associate  
615 installer's certificate of competency if in the health officer's judgment the applicant is for  
616 any reason, including previous findings of negligence, incompetence, misrepresentation  
617 or failure to comply with this title, not qualified to install on-site sewage systems.

618 G. The health officer may hold, as necessary, informational((/)) or educational  
619 meetings for all holders of installer's certificates of competency. A minimum of four  
620 weeks' notice of the meeting time and location shall be sent to each installer. Except as  
621 provided by the health officer attendance at the meetings shall be mandatory for all  
622 installers. Failure to attend the required meetings, without prior approval of the health  
623 officer, shall be cause for the health officer to withhold recertification until ((an  
624 examination administered under the provisions of subsection B. of this section is  
625 retaken)) the installer retakes and attains a passing score on the applicable examination  
626 under this section.

627 H. The health officer may assess civil penalty fines of up to one-thousand dollars  
628 per violation per day against any holder of a master or associate installer's certificate of  
629 competency, or institute probationary requirements, or suspend or revoke a master or  
630 associate installer's certificate of competency for the installer's failure to comply with this  
631 title or the King County OSS code of performance and ethics.

632 SECTION 24. R&R 99-01, Section 2, as amended, and BOH 13.20.035 are  
633 hereby amended to read as follows:

634 **Maintainer certification.**

635 A. ((Unless)) Except as otherwise specified in this title, including BOH  
636 13.20.040 and 13.60.010 relating to homeowners, it is unlawful to conduct performance

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637 monitoring inspections ((of and/or perform))<sub>2</sub> preventive maintenance service, ((to  
638 include making limited)) or minor repairs to on-site sewage systems((,)) without a  
639 currently valid OSM certificate of competency.

640 B.((1. Application)) An applicant for an OSM certificate of competency shall  
641 ((be made)) submit the application to the health officer and shall ((be accompanied by a))  
642 include the following with the application:

643 1. Payment of the OSM certificate of competency fee as set forth in the fee  
644 schedule under BOH chapter 2.18((,));

645 2. ((The application shall be accompanied by evidence of two years of relevant  
646 OSS experience.

647 3. The application shall be accompanied by evidence)) Evidence of successful  
648 completion within the previous twelve months of a health officer-recognized course of  
649 instruction in the operation, monitoring and maintenance of on-site sewage systems((,));

650 ((4. The health officer shall examine the applicant except that the health officer  
651 may waive the examination for the designer who is performing monitoring of only these  
652 systems designed by that person. The health officer may deny the application if in the  
653 health officer's judgment the applicant is for any reason, including previous findings of  
654 negligence, incompetence, misrepresentation or failure to comply with this title, not  
655 qualified to monitor and maintain on-site sewage systems)) 3. Evidence of two years of  
656 full-time equivalent employment with relevant OSS experience within the five-year  
657 period preceding application submittal; and

658 4. A signed attestation that the applicant for a new or renewal certificate of  
659 competency is familiar with and agrees to perform all OSS services in accordance with  
660 the requirements of this title and the King County OSS code of performance and ethics.

661 C.((1.)) As a condition of certification ((the));

662 1. A maintainer shall ((a.)) submit evidence of and maintain at all times  
663 compliance with state of Washington minimum performance bonding requirements as  
664 stated in chapter 18.27 RCW, as amended; ((and))

665 ((b.)) 2. A first-time applicant for an OSM certificate of competency shall pay  
666 the examination fee as set forth in the fee schedule and attain a passing score on the  
667 certification examination, except that the health officer may waive the examination for a  
668 designer who performs monitoring of only those systems designed by that person; and

669 3. A maintainer shall consistently demonstrate reasonable care and skill in  
670 performing work governed by this title, meet the requirements of the King County OSS  
671 code of performance and ethics, and ((shall)) comply with all the terms and conditions of  
672 these and all other applicable rules and regulations.

673 ((2. The health officer may suspend or revoke any OSM certificate of  
674 competency, pursuant to BOH chapter 1.08.

675 3.)) D. The OSM certificate of competency shall expire December 31 of each  
676 year. ((The holder of such certificate may renew the certificate on or before January 15  
677 of the year following expiration without taking the examination specified by this section,  
678 but only if:

679 a. a renewal application accompanied by a fee as specified in the fee schedule I  
680 submitted to the health officer. A late fee of twenty-five percent of the renewal amount

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681 will be charged by the health officer for renewal applications received after January 15;  
682 and

683 b. the applicant submits evidence of bonding as specified by BOH  
684 13.20.035.C.1; and

685 c. the applicant submits evidence that at least one CEU credit has been earned  
686 by the OSM applicant during the previous calendar year.

687 4. The on-site system)) A maintainer may not conduct performance monitoring  
688 inspections or perform preventive maintenance of on-site sewage systems after December  
689 31, unless the certification has been renewed.

690 ((5.)) E. A maintainer may renew the OSM certificate of competency on or  
691 before January 15 of the year following expiration upon submittal, to the health officer,  
692 of a completed renewal application, accompanied by evidence that at least one CEU  
693 credit has been earned by the maintainer during the previous calendar year, and fee  
694 payment as specified under BOH chapter 2.18, except that:

695 1. An applicant submitting the renewal application after January 15 of the year  
696 following expiration shall, in addition to the applicable certificate fee, pay a late fee of  
697 twenty five percent of the renewal amount, and submit evidence that the applicant has  
698 earned at least one CEU credit during the previous calendar year; and

699 2. An applicant submitting the renewal application more than twenty-four  
700 months after certificate expiration must retake and obtain a passing score on the  
701 certification examination specified in this section.

702 F. The health officer may deny any application for an OSS maintainer's  
703 certificate of competency if in the health officer's judgment the applicant is for any

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704 reason, including previous findings of negligence, incompetence, misrepresentation or  
705 failure to comply with this title, not qualified to install on-site sewage systems.

706 G. The health officer may hold informational((/)) or educational meetings for all  
707 holders of OSM certificates of competency. A minimum of four weeks' notice of the  
708 meeting time and location shall be sent to each maintainer. Unless otherwise specified by  
709 the health officer, attendance at the meeting shall be mandatory for all maintainers.  
710 Failure to attend the required meetings without prior approval of the health officer shall  
711 be cause for the health officer to withhold recertification until ((an OSM examination is  
712 successfully completed)) the maintainer retakes and attains a passing score on the  
713 certification examination specified in this section.

714 H. The health officer may assess civil penalty fines of up to one-thousand dollars  
715 per violation per day against any holder of an OSS maintainer's certificate of  
716 competency, or institute probationary requirements, or suspend or revoke a maintainer's  
717 certificate of competency for the maintainer's failure to comply with this title or the King  
718 County OSS code of performance and ethics.

719 SECTION 25. R&R 3, Part 2, Section 3, as amended, and BOH 13.20.040 are  
720 hereby amended to read as follows:

721 **Resident owner design, construction and monitoring.**

722 A. A resident owner may personally design a system for the resident owner's own  
723 single-family residence, but only if the site application submitted by the homeowner  
724 demonstrates that:



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725 1. The area where the drainfield and reserve area are to be located has a  
726 minimum of four feet of original permeable soil, and a minimum vertical separation of  
727 three feet is maintained((.));

728 2. Not more than one system is designed in any twelve-month period((.));

729 3. A gravity soil absorption system is proposed; ((and))

730 4. The property is not adjacent to a ((marine)) shoreline;

731 5. The design includes a soil evaluation performed by a state of Washington  
732 licensed on-site sewage system designer or professional engineer, or a soil scientist as  
733 defined under chapter 246-272A WAC; and

734 6. The design describes a system fully conforming with this title.

735 B. A resident owner may personally construct, install, or repair a gravity system  
736 for the resident owner's own single-family dwelling, but only if:

737 1. The area where the drainfield and reserve area are located has a minimum of  
738 four feet of original permeable soil and a minimum vertical separation of three feet is  
739 maintained;

740 2. The resident owner constructs and installs not more than one system in any  
741 twelve-month period; and

742 3. The property is not adjacent to a ((marine)) shoreline.

743 C. The requirement for soil depths as required in ((this subsection B. and))  
744 subsections A. and B. of this section may be waived by the health officer when the  
745 resident owner is making repairs or additions to an existing gravity system or repairing or  
746 replacing the building sewer component of an alternative system.

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747 D. A resident owner of a single-family residence may monitor the performance of  
748 and perform prescribed preventive maintenance services, including minor repairs, for a  
749 gravity OSS ((and for)) or the septic tank component of an alternative OSS, or, upon  
750 approval from the health officer, for a low-pressure distribution system.

751 SECTION 26. R&R 3, Part 3, Section 1, and BOH 13.24.010 are hereby  
752 amended to read as follows:

753 **Application.**

754 A. Application for subdivision or short subdivision approval shall be made to the  
755 health officer on forms provided for this purpose, shall be accompanied by a fee as set  
756 forth in the fee schedule and shall be in sufficient detail to allow evaluation of the  
757 suitability of the proposed means of on-site sewage treatment and disposal. The  
758 application shall be made by a licensed designer or professional engineer as defined  
759 under this title. If a community on-site system is proposed, the preliminary report and  
760 plans and specifications shall be in accordance with BOH 13.28.040. ((If any soils work  
761 is required or evaluation of an existing OSS is necessary the application must be  
762 submitted to the health officer by a licensed septic system designer or qualified  
763 professional engineer.))

764 B. Department review is not required for those subdivisions within the urban  
765 growth area where group A public water and public sewer service will be used for all of  
766 the resultant lots.

767 C. The application for any development, including but not limited to  
768 subdivisions, short subdivisions, mobile home parks, multi-family housing, and  
769 commercial establishments, shall include evidence that suitable site and soil conditions as

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770 required by this title, to adequately treat and dispose of sewage on-site are present. The  
771 applicant for development in a critical aquifer recharge area shall include, in the  
772 application, evidence of compliance with K.C.C. 21A.24.316, as amended, including  
773 evidence of compliance with the critical aquifer recharge area requirements. After  
774 review of the proposed development, the health officer shall either approve, deny, or hold  
775 the proposal pending submittal of additional information.

776 SECTION 27. R&R 3, Part 3, Section 2, as amended, and BOH 13.24.020 are  
777 hereby amended to read as follows:

778 **Determination of minimum lot size.**

779 A. The minimum lot size when creating new lots utilizing OSS shall be  
780 established by the health officer on the basis of the information submitted and any on-site  
781 inspections by the health officer.

782 1. All lots created must be at least ((twelve thousand five hundred)) thirteen  
783 thousand square feet and shall not exceed a maximum flow density of ((one thousand five  
784 hundred seventy gallons of sewage per acre per day)) 3.35 unit volumes of sewage per  
785 day for public water supply and 1 unit volume of sewage per acre per day for private  
786 water supply.

787 2. Lots utilizing an individual private water source shall be at least five acres.

788 B. Factors that may be considered when determining type of on-site system,  
789 connection to sewers, or establishing minimum lot size area include but are not limited to  
790 the following:

791 1. Availability of public sewers, as determined by the King County  
792 Comprehensive Plan;

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- 793            2. Soil type and depth;
- 794            3. Area drainage and lot drainage;
- 795            4. Protection of surface and ground water;
- 796            5. Setbacks from property lines, water supplies, rights of way and easements,
- 797 including but not limited to easements for drainfields, utilities and telecommunications;
- 798            6. Source of domestic water;
- 799            7. Topography, geology and ground cover;
- 800            8. Climatic conditions;
- 801            9. Activity or land use, present and anticipated;
- 802            10. Growth patterns;
- 803            11. Individual and accumulated gross effects on water quality;
- 804            12. Availability of a one hundred percent reserve area for system replacement;
- 805            13. Anticipated sewage volume - as determined by number of lots and
- 806 development;
- 807            14. Effect on other properties;
- 808            15. Compliance with zoning, critical area development restrictions including the
- 809 critical aquifer recharge area requirements under K.C.C. 21A.24.316, as amended, and
- 810 other code requirements of the governing agency as applicable.

811            C. The minimum lot size requirement for creating subdivisions involving single-

812 family residences or mobile home parks shall be determined by the soil type as outlined

813 in Table 13.24-1.

814 **Table 13.24-1**

815 **Minimum Land Area Requirement**

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816 **Single-Family Residence or**

817 **Unit Volume of Sewage**

Type of Water Supply	Soil Type					
	1	2	3	4	5	6
<b>Public Water System</b>	0.5 acre	((12,500) ) <u>13,000</u> sq. ft.	((15,000) ) <u>16,000</u> sq. ft.	((18,000) ) <u>19,000</u> sq. ft.	((20,000) ) <u>21,000</u> sq. ft.	((22,000) ) <u>23,000</u> sq. ft.
<b>Individual/Private Well*</b>	5 acres	5 acres	5 acres	5 acres	5 acres	5 acres
<b><u>Minimum Usable Land Area</u></b>	<u>2,000 sq. ft.</u>	<u>2,000 sq. ft.</u>	<u>2,500 sq. ft.</u>	<u>3,333 sq. ft.</u>	<u>5,000 sq. ft.</u>	<u>10,000 sq. ft.</u>

818 \* Requirements for public wells may preclude use of private wells in certain  
 819 instances. See RCW 19.27.097.

820 **NOTE: Well location and construction must be consistent with the King**  
 821 **County Comprehensive Plan, as amended.**

822 **SECTION 28. R&R 3, Part 3, Section 3, as amended, and BOH 13.24.030 are**  
 823 hereby amended to read as follows:

824           **Evaluation process.** The applicant for subdivision or short subdivision approval  
825 shall obtain the health officer's review of the development proposal in accordance with  
826 this section.

827           A. The applicant shall obtain the health officer's preapplication or preliminary  
828 review before submitting the development proposal to ((DDES)) DLS or other building  
829 official, as applicable, and shall include the following information in the application  
830 submittal:

- 831           1. A vicinity map providing precise directions to the parcel or parcels;
- 832           2. Signage or flagging at the identified entry point to the parcel or parcels;
- 833           3. Critical area review, including critical aquifer recharge area classification,  
834 with all buffers and setbacks shown on the plot plan;
- 835           4. A minimum of two soil logs per proposed lot shall be provided prior to  
836 department preliminary review. Such soil logs shall be excavated in accordance with the  
837 requirements of BOH 13.28.050. The soil log or logs must clearly show that within the  
838 lot area designated for the OSS the vertical separation specified in Table 13.28-1, and  
839 minimum lot sizes specified in Table 13.24-1 are provided((.)); and
- 840           5. A scaled plot plan of the proposed subdivision depicting the land area  
841 proposed for an initial on-site system and a contiguous one hundred percent (100%)  
842 system reserve area and soil log locations. The plot plan shall also identify any wells,  
843 surface water bodies and other features relevant to the siting of an on-site sewage system  
844 on the proposed and adjacent parcels.

845           B. The applicant shall submit the following information to the health officer and  
846 obtain the health officer's final approval of the development proposal:

847 1. A minimum of four soil logs per proposed lot shall be provided. Such soil  
 848 logs shall be excavated in accordance with BOH 13.28.050. Each soil log shall clearly  
 849 show that the vertical separation specified in Table 13.28-1 is provided((.));

850 2. A scaled plot plan identifying sufficient area for a drainfield and a contiguous  
 851 one hundred percent reserve area for each lot shall be submitted after road cuts have been  
 852 made, any plat development site grading affecting the OSS area completed, and drainage  
 853 plan completed. Such a plot plan shall also include any soil log locations, road cuts,  
 854 wells, surface water features, utility easements, storm and surface water retention and  
 855 disposal facilities and other features relevant to the design and installation of an OSS((.));

856 3. The applicant shall submit site designs for those proposed lots where the  
 857 health officer determines that it is unclear that there is sufficient area for an on-site  
 858 system and one hundred percent reserve area((.)); and

859 4. ((If existing homes are on any of the proposed lots then the applicant must  
 860 demonstrate all of the following:

861 a. the existing OSS is in substantial conformance with this title;

862 b. there is adequate reserve area available for repair or replacement of the  
 863 system in accordance with this title; and

864 c. the continued operation of the system does not pose a threat to public health  
 865 or groundwater quality)) For lots with existing homes, the health officer will review all  
 866 applications to determine the compatibility of the proposed subdivision or short  
 867 subdivision with the existing OSS. Factors that the health officer may consider include,  
 868 but are not limited to, the following:

869 a. location of SSAS in relation to foundation and existing improvements;

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870 b. size of SSAS in relation to proposed use;

871 c. condition of the existing OSS;

872 d. potential for reconstruction and repair of the existing on-site sewage  
873 disposal system;

874 e. ultimate purpose of the remodeling; and

875 f. approved source of water.

876 SECTION 29. R&R 3, Part 3, Sections 1 and 4, as amended, and BOH 13.28.010

877 are hereby amended to read as follows:

878 **Application submittal, review, approval.**

879 A. Application for site design approval for a proposed new OSS installation,  
880 repair or replacement of an existing failed soil absorption system, or modification,  
881 connection to or expansion of an OSS shall be made on forms provided by the health  
882 officer and be accompanied by 1. a plan review fee as set forth in the fee schedule and 2.  
883 a plan that demonstrates that the standards required in this title are met.

884 B. Approval of plans shall expire ((two)) three years from date of approval unless  
885 a valid building permit application has been accepted for review by the building official  
886 for construction of the building for which the OSS has been designed. Upon expiration  
887 of plan approval or building permit the applicant shall submit a complete new application  
888 with fees for review and approval by the health officer.

889 C. After review of a site design application, the health officer may deny the  
890 application if in the health officer's judgment the physical features of the property on  
891 which it is proposed to locate the OSS, or the design of the proposed OSS, are not  
892 adequate for effective operation of such a system.



893 D. Each site application denial or withdrawal of a previously issued approval  
894 shall be in writing citing the reason or reasons and shall include a notice of the applicant's  
895 right to appeal for reconsideration pursuant to this title.

896 SECTION 30. R&R 3, Part 4, Section 2, as amended, and BOH 13.28.020 are  
897 hereby amended to read as follows:

898 **Design support materials.** Design of OSS shall be in accordance with this title  
899 and shall accommodate all sewage from the buildings and premises to be served. The  
900 type of system required shall be determined by a soil and site evaluation conducted by the  
901 designer, which shall include location, soil type, vertical separation and other relevant  
902 conditions. All design control ((panels)) points shall be located with the designated  
903 drainfield areas and remain in place until the health officer has issued final approval for  
904 the installed OSS.

905 A. The OSS site design application shall include the following:

906 1. A completed site design application form for the individual OSS that includes  
907 the following information:

- 908 a. approximate address of property;
  - 909 b. parcel number and legal description of property;
  - 910 c. type and size of building the system will support;
  - 911 d. name and address of property owner, applicant and system designer;
  - 912 e. size of the parcel;
  - 913 f. whether the property is within the urban area or rural area as designated by  
914 the King County Comprehensive Plan; and, if located within the urban area, the distance  
915 of the nearest property line to the closest public sewer line;
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- 916 g. designation of an approved domestic water supply source;
- 917 h. type of development for which site design application is being made, for  
918 example: single-family, multi-family or commercial; and type of permit, for example:  
919 new installation((,)) or repair((, or limited repair)) of an existing OSS;
- 920 i. the presence of critical area or areas, including critical aquifer recharge  
921 areas, to be delineated on the scaled plot plan;
- 922 j. date of testing;
- 923 k. original signature in blue ink and Washington state Department of Licensing  
924 certificate of competency number of designer or professional engineer's registration  
925 number; and
- 926 1. all other information requested on the site application for on-site sewage  
927 disposal system form((,));
- 928 2. Results of a soil and site evaluation conducted by the designer. The designer  
929 shall:
- 930 a. provide soil logs that accurately describe subsurface soil conditions present  
931 within the primary and reserve soil absorption areas;
- 932 b. use soil and site evaluation procedures and terminology in accordance with  
933 Chapter 3 and Appendix A of the Design Manual: On-Site Wastewater Treatment and  
934 Disposal Systems, United States Environmental Protection Agency, EPA-625/1-80-012,  
935 October, 1980 or as amended, except where modified by, or in conflict, with this title;
- 936 c. use the soil names and particle size limits of the United States Department of  
937 Agriculture Soil Conservation Service classification system;

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- 938           d. determine texture, structure, compaction and other soil characteristics that  
 939 affect the treatment and water movement potential of the soil by using either normal field  
 940 ((and/))or laboratory procedures, or both, such as particle size analysis;
- 941           e. classify the soil as in Table 13.28-3, Soil Textural Classification;
- 942           f. describe ground water conditions, including the date of the observation or  
 943 observations, and the probable maximum water table height;
- 944           g. describe existence of structurally deficient soils, such as slide zones and  
 945 dunes, or those soils subject to major wind or water erosion events;
- 946           h. describe the existence and location of critical areas, for example designated  
 947 flood plains and incorporate into design drawings; and
- 948           i. describe the location of any encumbrances affecting system placement, such  
 949 as:
- 950           (1) wells, other water sources and water supply lines;
- 951           (2) surface water and storm water infiltration areas;
- 952           (3) abandoned wells;
- 953           (4) outcrops of bedrock and restrictive layers;
- 954           (5) buildings;
- 955           (6) property lines and lines of easements;
- 956           (7) drainage structures such as footing drains, curtain drains, and drainage  
 957 ditches;
- 958           (8) cuts, banks, and fills;
- 959           (9) driveways and parking areas;
- 960           (10) existing OSS; and

- 961 (11) underground utilities((.));
- 962 3. A completely dimensioned overall parcel plot plan, drawn to a one inch
- 963 equals twenty feet scale, or the largest scale that will allow the parcel plot plan to be
- 964 presented on a single page, no smaller than eight and one-half by eleven inches and no
- 965 larger than eleven by seventeen inches, accurately showing:
- 966 a. site drainage characteristics including direction of surface drainage;
- 967 b. an arrow indicating north;
- 968 c. topographical contours at two foot intervals over the OSS area and all other
- 969 areas containing features relevant to the design and installation of an adequate and
- 970 efficient OSS;
- 971 d. maximum building footprints, wastewater tanks and primary and reserve
- 972 soil absorption system locations;
- 973 e. all locations of and routes to soil log excavations, with such locations and
- 974 routes clearly identified by appropriate signage or flagging on the property;
- 975 f. locations of and routes to potable water sources near property lines (drilled
- 976 wells within one hundred feet and all other sources within two hundred feet, and all well
- 977 heads, with such locations and routes clearly identified by appropriate signage or flagging
- 978 on the property;
- 979 g. location of property and easement lines;
- 980 h. location and description of design control point or points within the
- 981 designated drainfield area; and
- 982 i. the boundaries of the SSAS detail drawing((.));
- 983 4. Construction plans and specifications showing:

984 a. plumbing stub elevation; and

985 b. vertical section detail drawings depicting dimensions of wastewater tank  
986 details to include minimum and maximum elevation of installation, maximum depth of  
987 cover over tanks, acceptable seasonal groundwater table elevation at all tank locations,  
988 and depth of required bedding material. For drainfields, minimum and maximum  
989 drainfield width and depth, vertical separation and amount of cover material and  
990 placement if any, and any other OSS components to be constructed at the site((.));

991 5. An SSAS detail drawing scaled one inch equals twenty feet (or one inch  
992 equals thirty feet on larger lots) depicting design control point or points, the dimensions  
993 and location of all components of the proposed primary and reserve systems including  
994 trench widths, lengths and horizontal separations. If the location of the reserve area is at  
995 an elevation above the outlet of the septic tank, the design shall include all tanks, dosing  
996 chambers and piping necessary to allow distribution of the effluent to the reserve area  
997 with a minimum of disruption to the original subsurface field and other property of the  
998 owner. The health officer may require the installation of the dosing chamber, pressure  
999 lines and distribution box/inspection box where the future access to the reserve area will  
1000 be severely limited. Drawings may be submitted electronically in a format acceptable to  
1001 and with the prior agreement of the health officer((.));

1002 6. Location of a pump tank controls in plain view of the pump tank shall be  
1003 included on the design drawings.

1004 7. Construction details for and location of any proposed footing drains, curtain  
1005 drains and interceptor drains((.));

1006 8. Calculations and observations supporting the proposed design, including:

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- 1007           a. soil type; and
- 1008           b. hydraulic loading rate in the soil absorption component.
- 1009           9. An accurate vicinity location sketch and route map to the property, including
- 1010 written directions to the property from the last named street or road. Signage shall be
- 1011 displayed at the entrance to the property and include the names of the designer and
- 1012 applicant. A cleared and flagged route to the soil log and well site locations must be
- 1013 provided from the property entrance((.));
- 1014           10. Proof of availability of an approved domestic water supply source((.));
- 1015           11. One or more recorded easements describing the locations of all potable
- 1016 water lines connected to a well, spring, rain water catchment system, or water meter on
- 1017 the property and extending to service connections beyond the property boundary. The
- 1018 health officer may require each such easement to include, as applicable, provision for
- 1019 location of water storage reservoirs, well housing, pressure tanks, and any other facilities
- 1020 and equipment associated with the water source; and
- 1021           12. Such other information as the health officer may require.
- 1022           B. Additional requirements for an application for an OSS serving buildings other
- 1023 than or in addition to single-family residences:
- 1024           1. Information to establish that the sewage is not industrial wastewater;
- 1025           2. Information to establish that the sewage effluent applied to the infiltrative
- 1026 surface does not exceed typical residential effluent characteristics by providing waste
- 1027 strength characteristics and parameters;
- 1028           3. For all commercial developments not classified as community on-site
- 1029 systems, recorded covenants declaring that the owner or owners of the property or

1030 properties served by the OSS are responsible for the operation, monitoring, and  
1031 maintenance of the OSS in accordance with this title; and

1032 4. Proof of a system operation monitoring and maintenance plan in accordance  
1033 with requirements of BOH chapter 13.60.

1034 SECTION 31. R&R 3, Part 4, Section 3, as amended, and BOH 13.28.030 are  
1035 hereby amended to read as follows:

1036 **General design requirements.**

1037 A. Collection systems will be designed to comply with criteria set forth in  
1038 Criteria for Sewage Works Design, Washington state Department of Ecology, November  
1039 2007 or as thereafter amended.

1040 B. ((Maximum Slopes. 1.)) OSS shall not be allowed on slopes exceeding forty  
1041 percent.

1042 ((2.)) On slopes exceeding thirty percent, the SSAS shall be pressure  
1043 distribution and have a maximum SSAS trench width of two feet.

1044 C. SSAS reserve area or areas shall be designated equal to at least one hundred  
1045 percent of the primary SSAS area. One or more areas may be designated as SSAS  
1046 reserve areas. If more than one area is designated or if access is limited, at the discretion  
1047 of the health officer the reserve system may be required to be installed along with the  
1048 primary SSAS. At least two soil log excavations shall be installed in each designated  
1049 reserve area. Construction plans for the SSAS reserve area may be required by the health  
1050 officer.

1051 D. OSS for lots created after July 1, 1984, shall be located on the same lot as the  
1052 buildings they are designed to serve. Any existing OSS which is failing and for which

1053 there is insufficient area on the lot to repair the system may be replaced by an OSS  
1054 located off-site provided proof of easements is submitted to the health officer. Proof of  
1055 lot creation date must be provided when requesting use of a drainfield easement for new  
1056 construction. All drainfield easements shall be surveyed and permanently marked, and  
1057 the soils within the easements protected against disturbance. Approval shall be subject to  
1058 such additional conditions as deemed necessary by the health officer to protect public  
1059 health.

1060 E. Any application for site design approval for OSS in a critical area shall include  
1061 documentation from the applicable jurisdictional authority indicating critical area review  
1062 has been completed. All critical areas and their buffers shall be identified and drawn to  
1063 scale on the design drawing submittals. OSS shall not be located on landforms that are  
1064 unstable.

1065 F. Where any type of drain is to be installed for the purpose of intercepting  
1066 subsurface water and channeling, concentrating, focusing or directing its flow onto a  
1067 downstream property not under the ownership or agency of the applicant or King County,  
1068 a release of damages holding King County and its employees harmless for any  
1069 subsequent erosion or loss or limitation of use of such property must be executed and  
1070 filed with the King County records and elections division and which shall run with the  
1071 land, prior to approval of any site application.

1072 G. All types of drains installed for the purpose of affecting vertical separation  
1073 shall be verified as effective during the winter water table season as outlined in BOH  
1074 13.28.060.C.



1075 H. No downspout or footing drain shall be directly or indirectly connected to an  
1076 OSS and the OSS shall be so constructed and installed that surface water or groundwater  
1077 will not interfere with the operation of the system.

1078 I. Seepage pits shall not be used for the disposal of septic tank effluent.

1079 J. The installation and use of cesspools and pit privies for disposal of sewage is  
1080 not permitted.

1081 K. When grease traps are used, the design and installation will comply with  
1082 criteria set forth in the Uniform Plumbing Code, ((2006)) 2021 Edition, International  
1083 Association of Plumbing and Mechanical Officials, as amended. In addition the design  
1084 application shall include a grease trap maintenance schedule.

1085 L. When siphon systems are used, they shall comply with Recommended  
1086 Standards and Guidance for Pressure Distribution Systems, Washington State Department  
1087 of Health, July 1, 2007.

1088 M. The connection of an accessory dwelling unit as defined under K.C.C. Title  
1089 21A or accessory living quarters as defined in this title to an OSS ((is)) designed for or in  
1090 use by a single-family residence or commercial structure may be permitted provided that  
1091 public health and groundwater quality are not affected, and the OSS is designed for the  
1092 anticipated increased flow. For the purposes of this title, including the determination of  
1093 required absorption areas, loading rates, and minimum capacities for septic tanks, each  
1094 bedroom in an accessory dwelling unit or accessory living quarter shall be included in the  
1095 total number of bedrooms to be served by the OSS in addition to the bedrooms in the  
1096 primary residence. An accessory dwelling unit or accessory living quarter with no  
1097 bedroom shall be deemed equivalent to one bedroom within the single-family primary

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1098 residence associated with the accessory dwelling unit or accessory living quarter. In  
1099 medical hardship cases as described in K.C.C. 21A.32.170, the health officer may allow  
1100 the temporary connection of a mobile home or temporary dwelling to an existing OSS  
1101 designed only for a single-family residence provided that neither public health nor  
1102 groundwater quality are negatively affected.

1103 N. Pump lines shall be installed at a depth which precludes disruption or damage  
1104 by installation of other utilities or freezing.

1105 O. No part of an OSS shall be constructed in the ((zero rise)) FEMA floodway of  
1106 a flood hazard area as described by K.C.C. Title 21A. New OSS to serve new  
1107 subdivisions shall be located outside the limits of a flood hazard area. The installation of  
1108 new OSS within the flood fringe area of the one-hundred-year flood plain, as determined  
1109 by ((DDES)) DLS or the local building official, may be allowed if the applicant  
1110 demonstrates that:

- 1111 1. The proposed building parcel is an existing legal building site;
- 1112 2. No feasible alternative site outside the flood hazard area is available;
- 1113 3. Wastewater tanks and electrical components will be flood-proofed to the  
1114 flood protection elevation;
- 1115 4. A conforming subsurface soil absorption system can be installed; and
- 1116 5. ((DDES)) DLS or the local building official permits the development which  
1117 is proposed to be served by the OSS.

1118 P. No part of a SSAS including the drainrock shall be located in fill material or  
1119 disturbed soils.

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1120 Q. SSAS shall be constructed with observation ports terminating within utility  
 1121 boxes adjustable to final grade over the ends of the drainfield pipes, or other methods of  
 1122 drainfield detection approved by the health officer to aid in the future locating of these  
 1123 components.

1124 R. OSS shall not be permitted where a minimum vertical separation of three feet  
 1125 of permeable soil below the infiltrative surface cannot be maintained except as provided  
 1126 in Table 13.28-1. The health officer may require greater vertical separation as needed to  
 1127 protect public health when the aquifer is used for a potable water supply.

1128 **Table 13.28-1**  
 1129 **Minimum Treatment Level, Bacteria Level, and Effluent Distribution Method**  
 1130 **Required by Various Soil Types, Vertical Separation, and Original Soil Depth**  
 1131 **Conditions**

Vertical Separation (in inches)	Soil Type			
	1	2	3-4	5-6 <sup>3</sup>
	<b><u>Minimum Treatment Level, Bacteria Level, and Effluent Distribution Method</u></b>			
<u>12&lt;18</u> <sup>1, 2</sup>	<b><u>A &amp; BL1</u></b> - pressure with timed dosing	<b><u>B &amp; BL2</u></b> - pressure with timed dosing	<b><u>B &amp; BL2</u></b> - pressure with timed dosing	<b><u>B &amp; BL2</u></b> - pressure with timed dosing
((>18≤24))	<b><u>B &amp; BL2</u></b> -	<b><u>B &amp; BL2</u></b> -	<b><u>B &amp; BL2</u></b> -	<b><u>B &amp; BL2</u></b> -

$\geq 18 < 24$	pressure with timed dosing	pressure with timed dosing	pressure with timed dosing	pressure with timed dosing
$((>24 \leq 36))$ $\geq 24 < 36$	<b>B &amp; BL2</b> - pressure with timed dosing	<b>C &amp; BL3</b> - pressure with timed dosing	<b>E</b> -pressure with timed dosing	<b>E</b> -pressure with timed dosing
$((>36 \leq 60))$ $\geq 36 < 60$	<b>B &amp; BL2</b> - pressure with timed dosing	<b>E</b> -pressure with timed dosing	<b>E</b> -((pressure with timed dosing)) <u>gravity</u>	<b>E</b> -((pressure with timed dosing)) <u>gravity</u>
$((>))_{\geq 60}$	<b>C &amp; BL2</b> - pressure with timed dosing	<b>E</b> -gravity	<b>E</b> -gravity	<b>E</b> -((pressure with timed dosing)) <u>gravity</u>

1132 **Table 13.28-1 Explanatory Notes**

1133 1. Except as provided in footnote 2, the minimum required original,  
1134 undisturbed, permeable soil depth is eighteen inches.

1135 2. For existing lots of record where the original undisturbed soil depth above a  
1136 restrictive layer is between 12 and 18 inches the following is required:

1137 a. Minimum lot size is 5 acres. Any lot area placed into a separate sensitive  
1138 area protection tract in accordance with King County Code Section 21A.24.180 may also  
1139 be included in the computation of the minimum five (5) acre lot size required by this  
1140 section.

1141 b. The owner shall file a covenant with the King County records and elections  
1142 division agreeing not to subdivide the parcel utilizing the OSS to less than 5 acres until  
1143 public sewer service is provided.

1144 c. A water table study shall be conducted during a time of high seasonal water  
 1145 table to establish available soil depth.

1146 d. A system meeting treatment level A, or two treatment level B systems in  
 1147 combination meeting treatment level A without the use of disinfection, such as a mound  
 1148 preceded by an intermittent sandfilter, shall be used.

1149 3. SSAS in soil type 6 must utilize pressure distribution with timed dosing.

1150 S. Disinfection may not be used:

1151 1. To achieve ((the fecal coliform requirements to meet treatment levels A or B  
 1152 in Type 1 soils; or treatment level C)) BL1 or BL2 in Type 1 soils; or

1153 2. To achieve BL3; or

1154 3. On lots with less than eighteen inches of soil; or

1155 ((3.)) 4. In a critical aquifer recharge area.

1156 T. The coarsest textured soil within the vertical separation selected determines  
 1157 the minimum treatment level and method of distribution.

1158 U. Based upon the treatment capacity and design flow the designer of an OSS  
 1159 shall establish the operational capacity of the system. This information shall be included  
 1160 with the design application and record drawing submission.

1161 V. Any reduction in horizontal separation for a pressure sewer line crossing a  
 1162 surface water source shall meet the requirements of the publication, Granting Waivers  
 1163 from State On-site Sewage System Regulations, chapter 246-272A WAC, as amended,  
 1164 published by the Washington state Department of Health.

1165 W. All OSS must comply with the applicable treatment levels contained in Table  
 1166 13.28-1 and applicable setbacks contained in Table 13.28-2; though the health officer

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1167 may grant any setback reduction authorized under Table 13.28-2 only in response to a  
1168 written request for such reduction from the designer of record if the request includes all  
1169 reasons for the proposed reduction and describes all mitigation measures required under  
1170 this title or as may be required by the health officer in the exercise of reasonable  
1171 discretion for the protection of the public health.

1172 X. In preparing any OSS site design application, the designer shall consider:

- 1173 1. CBOD5, TSS and O and G;
- 1174 2. Other parameters that can adversely affect treatment anywhere along the  
1175 treatment sequence. Examples include pH, temperature and dissolved oxygen;
- 1176 3. The sensitivity of the site where the OSS will be installed, such as shellfish  
1177 growing areas, designated swimming areas, and other areas identified in the management  
1178 plan.

1179 Y. ((Nitrogen contributions, where nitrogen has been identified as a contaminant  
1180 of concern by the management plan, shall be addressed through either lot size or  
1181 treatment, or both.)) The applicant for development in a critical aquifer recharge area  
1182 shall include, in the application, evidence of compliance with K.C.C. 21A.24.316, as  
1183 amended, including evidence of compliance with the critical aquifer recharge area  
1184 requirements.

1185 Z. Design and installation of OSS with electrical components shall include a  
1186 readily accessible control panel exterior to the structure served by the OSS and meeting  
1187 the following standards:

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1188 1. Located in an external location between three and five feet in elevation above  
 1189 finished grade, meeting state of Washington Department of Labor and Industry's  
 1190 electrical safety requirements;

1191 2. Includes an electrical power control switch to enable power shutoff to the  
 1192 OSS for maintenance or repair without the need for access to any circuit breaker panels  
 1193 or other power controls within the structure served by the OSS;

1194 3. Connected to dedicated electrical circuits with the alarm and pump circuits  
 1195 independent of one another;

1196 4. Contains audible and visual alarms to alert the owner or occupant of a system  
 1197 deficiency or malfunction; and

1198 5. Includes a remote notification device for the alarm system when the OSS  
 1199 alarm notification device is located over 100 feet from the building it serves, such as an  
 1200 auto-dialer or telemetry notification system, to notify the respective monitoring and  
 1201 maintenance service provider or the property owner or occupant of alarm events.

1202 **Table 13.28-2**

1203 **Minimum Horizontal Separations**

1204 **(Setbacks)**

	<b>MEASURE FROM</b>		
<b>Items Requiring Setback</b>	<b>Edge of soil dispersal component trench or reserve area</b>	<b>Septic tank, holding tank, containment vessel, pump</b>	<b>Building sewer, collection, and nonperforated distribution</b>

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		<b>chamber, and distribution box</b>	<b>line <sup>1</sup></b>
Potable Water Source <sup>2</sup>			
-- Private well	100 ft.	100 ft.	100 ft.
-- Public drinking water well	100 ft.	100 ft.	100 ft.
-- Drinking water spring/dug well <sup>3</sup>	200 ft.	200 ft.	200 ft.
<u>Non-potable water source <sup>2</sup></u>	<u>100 ft</u>	<u>100 ft</u>	<u>100 ft</u>
Pressurized water supply line <sup>4</sup>	10 ft.	10 ft.	10 ft.
Properly decommissioned well <sup>5</sup>	10 ft.	10 ft.	N/A
Surface water <sup>2, 6, 7</sup>	100ft.	50 ft.	10 ft.
Seasonal water <sup>2, 7</sup>	30 ft.	15 ft.	
Swimming Pools			
A. Down-gradient <sup>8</sup>	A. 15ft + height of the cut. Need not exceed 30 ft.	5 ft.	2 ft.
B. Up-gradient <sup>8</sup>	B. 10 ft.	5 ft.	2 ft.
C. If underdrains are	C. 30 ft.	N/A	N/A



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present, either down-gradient or up-gradient			
Building foundation:			
A. Down-gradient <sup>8</sup>	A. 15 ft. + height of foundation cut. Need not exceed 30 ft. <sup>8,9</sup>	5 ft.	2 ft.
B. Up-gradient <sup>8</sup>	B. 10 ft.	5 ft.	2 ft.
Property or easement line	10 ft. <sup>10,11</sup>	5 ft.	N/A
Decks (first floor) with post and pier supports	5 ft.	5 ft.	N/A <sup>15</sup>
Decks – post and block (2nd Floor at least 6 ft. high)	2 ft. Outside a line from any pier supports	Not under any pier supports	N/A
Decks Cantilevered (at least 6 ft. high)	0 ft.	0 ft.	N/A
Septic tanks, pump tanks, treatment tanks, sandfilter containment vessels			
A. Down-gradient <sup>8</sup>	A. 15 ft. + height of excavation. Need not	N/A	N/A

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	exceed 30 ft. <sup>9</sup>		
B. Up-gradient <sup>8</sup>	B. 5 ft.		
Interceptor/curtain drains/footing drains.			
-- Down-gradient <sup>8</sup>	30 ft.	5 ft.	N/A
-- Up-gradient <sup>8</sup>	10 ft.	N/A	N/A
<u>Lined<sup>16</sup> stormwater detention pond<sup>17</sup></u>			
-- <u>Down-gradient</u>	<u>100 ft<sup>18</sup></u>	<u>N/A</u>	<u>N/A</u>
-- <u>Up-gradient</u>	<u>100 ft<sup>19</sup></u>	<u>N/A</u>	<u>N/A</u>
<u>Unlined<sup>16</sup> stormwater infiltration pond<sup>17</sup></u>	<u>100 ft.</u>	<u>50 ft.</u>	<u>10 ft.</u>
<u>Irrigation canal or irrigation pond<sup>17</sup></u>	<u>100 ft.</u>	<u>50 ft.</u>	<u>10 ft.</u>
<u>Subsurface stormwater infiltration or dispersion component<sup>17</sup></u>			
-- <u>Down-gradient</u>	<u>100 ft<sup>18</sup></u>	<u>10 ft.</u>	<u>N/A</u>
-- <u>Up-gradient</u>	<u>100 ft<sup>18</sup></u>	<u>10 ft.</u>	<u>N/A</u>
((Infiltration and			

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Dispersion Trenches			
A. Down-gradient	30 ft.	10 ft.	5 ft.
B. Up-gradient	100 ft. <sup>14</sup>	30 ft.	5 ft.))
Down-gradient cuts or banks 5 ft. or less in vertical height	15 ft. + height of bank <sup>9, 13</sup>		
Down-gradient cuts or banks greater than 5 ft. in vertical height with at least 5 ft of original, undisturbed soil above a restrictive layer due to a structural or textural change <sup>8</sup>	15 ft. + height of bank but shall not be less than 25 ft. <sup>9, 12</sup>	N/A	N/A
Down-gradient cuts or banks greater than 5 ft. in vertical height with less than 5 ft. of original, undisturbed soil above a restrictive layer due to a structural or textural change <sup>8</sup>	15 ft. + height of bank but shall not be less than 50 ft. <sup>12</sup>	N/A	N/A

**1205 Table 13.28-2 Explanatory Notes**

1206 1. "Building sewer" as defined by the most current edition of the Uniform  
1207 Plumbing Code. "Nonperforated distribution" also includes pressure sewer transport  
1208 lines.

1209 2. With excessively permeable soils or other sites where conditions indicate a  
1210 greater potential for ground or surface water contamination or pollution such as  
1211 unconfined aquifers, shallow or saturated soils, dug wells, and improperly abandoned  
1212 wells, the distance from any water supply or surface water may be increased by the health  
1213 officer.

1214 3. Setbacks from private or public springs and from shallow wells without intact  
1215 casings or those wells which are not constructed in accordance with chapter 173-160  
1216 WAC and are utilized as a source of drinking water shall comply with BOH 13.04.070.C.

1217 4. The health officer may approve a sewer transport line crossing a water supply  
1218 line (([if the sewer line)) when there is no other reasonable means to keep them from  
1219 crossing and if the sewer line is constructed(([])) in accordance with Section 2.4 of the  
1220 Department of Ecology's Criteria for Sewage Works Design, revised November 2007 or  
1221 equivalent.

1222 5. Before any component may be placed within one hundred feet of a well, the  
1223 designer shall submit a "decommissioned water well report" completed by a licensed well  
1224 driller, which verifies that appropriate decommissioning procedures noted in chapter 173-  
1225 160 WAC were followed.

1226           6. Setback measured from ordinary high water mark of surface water. Greater  
1227 setback may be required to prevent pollution. The health officer will state reasons for  
1228 greater setback to applicant in writing.

1229           7. This separation may not be reduced by culverting of streams without prior  
1230 written approval for the culverting from King County or applicable building official, but  
1231 in no case shall this separation be less than fifteen feet plus the height of the excavation  
1232 which contains the culvert. Need not exceed thirty feet.

1233           8. The item is down-gradient when liquid will flow toward it upon encountering a  
1234 water table or a restrictive layer. The item is up-gradient when liquid will flow away  
1235 from it upon encountering a water table or restrictive layer.

1236           9. May be reduced to ten feet by the health officer when bottom of infiltrative  
1237 surface is downgradient from the base of the foundation cut or wastewater tank  
1238 excavation, or there is at least five feet of original undisturbed unsaturated soil above a  
1239 restrictive layer formed due to a structural or textural change.

1240           10. May be reduced five feet by the health officer in repairs to existing systems,  
1241 in setbacks to easements or where a confirmed property line is up-gradient from the soil  
1242 absorption component. A survey may be required by the health officer to ensure  
1243 compliance with setback requirements.

1244           11. This distance may be increased to thirty feet by the health officer where cuts  
1245 or construction on neighboring properties may affect the system.

1246           12. Need not exceed one hundred feet.

1247           13. May be reduced to ten feet when the bottom of the infiltrative surface is  
1248 below the base of the cut or bank and no restrictive layer or layer formed due to a

1249 structural or textural change is intersected or there is at least five feet of original,  
1250 undisturbed soil above a restrictive layer or layer due to a structural change.

1251       14. The health officer may reduce this setback to thirty feet if the soil depth is  
1252 four feet or greater and is soil type 1, 2 or 3.

1253       15. Any sewer clean-out shall be accessible for OSS maintenance or repair.

1254       16. "Lined" means any component that has the intended function of detaining the  
1255 stormwater with no intention of dispersal into surrounding soil.

1256       17. Infiltration or discharge from stormwater management facilities must be  
1257 located downgradient of the primary and reserve drainfield areas unless the site design  
1258 application submitted to the health officer clearly demonstrates that site topography  
1259 prevents discharged flows from stormwater management facilities from intersecting the  
1260 OSS drainfield and the design is consistent with local stormwater management authority  
1261 rules and policies.

1262       18. The health officer may reduce this setback to not less than 30 feet upon  
1263 finding that the OSS site design application clearly demonstrates that the setback  
1264 reduction presents no increased risk of effluent from the OSS entering any component of  
1265 a stormwater management system.

1266       19. The health officer may reduce this setback to not less than 10 feet upon  
1267 finding that the OSS site design application clearly demonstrates that the setback  
1268 reduction presents no increased risk of effluent from the OSS entering any component of  
1269 a stormwater management system.

1270       SECTION 32. R&R 3, Part 4, Section 7, as amended, and BOH 13.28.070 are  
1271 hereby amended to read as follows:

1272 **Required absorption area.**

1273 A. Single-family dwellings.

1274 1. For design purposes a minimum design flow of one hundred fifty gallons((/))  
 1275 per bedroom((/)) per day shall be utilized in determining unit volume with a minimum of  
 1276 three bedrooms.

1277 2. For each additional bedroom OSS designs must use at least an additional one  
 1278 hundred ((twenty)) fifty gallons((/)) per bedroom((/)) per day.

1279 3. For single-family residences with additional accessory dwelling units or  
 1280 accessory living quarters served by the same OSS, the minimum design flow for each  
 1281 additional dwelling is one hundred fifty gallons per bedroom per day.

1282 4. For accessory dwelling units or accessory living quarters served by their own  
 1283 OSS not connected to the OSS serving the primary single-family residence, a minimum  
 1284 design flow of one hundred fifty gallons per bedroom per day shall be utilized in  
 1285 determining unit volume with a minimum of two bedrooms.

1286 5. Loading rates shall be determined according to soil texture type as outlined in  
 1287 Table 13.28-4. The finest textured soil in the selected vertical separation establishes the  
 1288 loading rate.

1289 **Table 13.28-4**

1290 **Maximum Hydraulic Loading Rate for Residential Sewage<sup>1</sup>**

		<b>Loading Rate for Residential</b>
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<b>Soil Type</b>	<b>Soil Textural Classification Description</b>	<b>Effluent Using Gravity or Pressure Distribution (gal./sq.ft./day)<sup>5</sup></b>
1	Gravelly and very gravelly <sup>2</sup> coarse sands, all extremely gravelly <sup>3</sup> soils excluding Soil types 5 & 6, all soil type with greater than or equal to 90% rock fragments	1.0 <sup>4</sup>
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 <sup>6</sup>
5	Very fine sands, loamy very fine sands; or silt loams, sandy clay loams, clay loams and silty clay loams with a moderate structure <sup>3</sup> or strong structure (excluding a platy structure).	0.4 <sup>6</sup>
6	Other silt loams, sandy clay loams, clay loams, silty clay loams.	0.2 <sup>6,7</sup>
7	Sandy clay, silty clay and strongly cemented 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

1291 **Table 13.28-4 Explanatory Notes**

1292 1. Compacted soils, cemented soils, and/or poor soil structure may require a

1293 reduction of the loading rate or render the soil unsuitable for OSS.



- 1294            2. Very Gravelly = >35% and <60% gravel and coarse fragments, by volume.
- 1295            3. Extremely Gravelly = ((>60%)) ≥60% gravel and coarse fragments, by
- 1296 volume.
- 1297            4. Due to the highly permeable nature of type 1 soil, only systems ((which)) that
- 1298 meet or exceed the treatment levels required in Table 13.28-1 may be installed.
- 1299            5. The loading rate listed for the soil type present in the nongravel portion is to
- 1300 be used for calculating the minimum absorption area required. The value is to be
- 1301 determined from this table.
- 1302            6. OSS installed in soil texture type 4, type 5<sub>1</sub> or type 6 shall be constructed
- 1303 during dry weather (defined as at least two consecutive weeks without appreciable
- 1304 rainfall) and dry soil conditions to minimize compaction and smearing during excavation,
- 1305 as verified at the site.
- 1306            7. SSAS in soil type 6 must utilize pressure distribution.
- 1307            B. Buildings other than single-family residences.
- 1308            1. Soil dispersal components having daily design flow between one thousand
- 1309 and three thousand five hundred gallons of sewage per day shall:
- 1310            a. be located only on soil types 1 through 5;
- 1311            b. be located only on slopes of less than thirty percent, or seventeen degrees;
- 1312 and
- 1313            c. have pressure distribution and timed dosing.
- 1314            2. Schools with OSS and who use laboratories and shop facilities shall have
- 1315 plumbing drains for these facilities directed to holding tanks separate from the common
- 1316 wastewater drains to the OSS.

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1317 3. For OSS treating sewage from a nonresidential source, the designer shall  
 1318 provide the following:

1319 a. information showing that none of the chemicals or other materials listed in  
 1320 BOH 13.04.058 will be introduced into the OSS; and

1321 b. a site-specific design providing the treatment level equal to or greater than  
 1322 the treatment level required of sewage from a residential source.

1323 4. The owner of an OSS for a commercial development not classified as a  
 1324 community on-site system shall file a covenant declaring that the owner is responsible for  
 1325 the operation, monitoring, and maintenance of the OSS in accordance with this title.

1326 5. Required absorption area must be determined by using one of the following  
 1327 methods:

1328 a. by using the figures given in Table 13.28-5, or the Onsite Wastewater  
 1329 Treatment Systems Manual, EPA/625/R-00/008, as amended, then using the appropriate  
 1330 application rate from Table 13.28-4; or

1331 b. by determining average water meter readings for one year from at least three  
 1332 similar establishments and adding a minimum safety factor of fifty percent. Both  
 1333 operating capacity and surge capacity must be determined.

1334 6. The minimum SSAS area must be not less than two hundred square feet.

1335 **Table 13.28-5**

Type of Establishment <sup>1</sup>	Gallons Per Person Per Day
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Multiple Family Dwelling (per person – 2 per bedroom – Minimum of 2 bedrooms per unit)	75
Factories, office buildings, etc. (add 100 gallons/day for each utility sink per shift; food establishment not included)	20
Food Establishments – with food preparation	50  (gallons per seat)
Taverns – no food preparation (estimate patrons per day and add 15 gallons/employee)	5
Mobile Home Parks (figure minimum 3 bedrooms, 2 people per bedroom)	75
Resort Camps	50
Work or Construction Camps	50
Day Camps (no meals served)	15
Swimming Pools and Bathhouse (sanitary facilities only)	15
Country Clubs (per member present, add 15 gallons/day per employee)	130
Motels with kitchen (figure 2 persons per bed space)	50
Motels (figure 2 persons per bed space)	40
Theaters (per auditorium seat)	5
Airports (per passenger)	5
Retail Stores (per toilet room for customer use)	650

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Retail Stores (per employee per shift – add 100 gallons/day for each utility sink)	15
Service Stations (per vehicle served)	15
Churches without kitchen (seating capacity)	5
Churches with kitchen (seating capacity)	15
Recreational Vehicle Parks (without sewer and water hookups – with central toilets and showers – per space)	50
Recreational Vehicle Parks (with sewer and water hookups – with central toilets and showers – per space)	100
Boarding Houses (per person)	50
Campgrounds (with central comfort station – with flush toilets and showers – per space)	50
Campground (with central comfort station – without showers – per space)	25
Picnic Parks (flush toilets only – per person)	5
Picnic Parks (with flush toilets – bathhouse and showers – per person)	10
For uses not listed in this table, the upper range values in Onsite Wastewater Treatment Systems Manual, February 2002, EPA/625/R-00/008, as amended, United States Environmental Protection Agency, shall be used. If the type of facility is not listed in the EPA design manual, design flows from one of the following shall be used:  (A) Design Standards for Large On-site Sewage Systems,	

<p>1993, Washington State Department of Health (available upon request to the department); or</p> <p>(B) Criteria for Sewage Works Design, revised November 2007, Washington State Department of Ecology (available online).</p>	
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1336 <sup>1</sup>For buildings other than single-family residences the requirements of Section  
 1337 13.28.020(B) shall be met.

1338 SECTION 33. R&R 3, Part 5, Section 2(A), as amended, and BOH 13.36.010 are  
 1339 hereby amended to read as follows:

1340 **Design standards.**

1341 A. No septic tank, effluent pump tank, sewage holding tank, grease trap or any  
 1342 other sewage tank may be installed in King County unless:

1343 1. The tank is included on the DOH publication, List of Approved On-site  
 1344 Sewage Tanks;

1345 2. The tank conforms to the DOH publication, Recommended Standards and  
 1346 Guidance for Performance, Application, Design, Construction, Installation and Testing  
 1347 On-site Sewage System Tanks, July 1, 2007, as amended; and

1348 3. The health officer has approved plans for the tank installation. Such plans  
 1349 shall show all dimensions, reinforcing, structural details and other pertinent data as  
 1350 required by the health officer. Upon approval by the health officer, the plans will be  
 1351 assigned an official number.

1352 B. ((Tanks made of materials other than concrete shall be approved by the  
 1353 secretary prior to approval by the health officer.

1354 C.)) No pre-cast wastewater tank may be installed except those which are  
 1355 included on the registered list and have been clearly and legibly marked on the upper  
 1356 surface of the lid showing the number assigned by the health officer, name of the  
 1357 manufacturer, tank model number, tank capacity in gallons and date of manufacture.

1358 ((D.)) C. No metal septic tanks shall be installed in areas under the jurisdiction of  
 1359 the department.

1360 ((E.)) D. All septic tanks, whether they are installed or used singly, in series or in  
 1361 a divided system, must be designed according to waste load and in no case shall have a  
 1362 total capacity of less than one thousand five hundred gallons, except by written  
 1363 permission of the health officer.

1364 **Minimum Capacities for**  
 1365 **Single-Family Residence Septic Tanks**

Number of Bedrooms	Minimum Liquid Capacity Below Outlet Invert (Gallons)
4 or less	1500
Each additional bedroom, add	250
Garbage grinder installed, add <sup>1</sup>	250

1366 1. Use of garbage grinders increases settleable and floatable solids accumulations in the  
 1367 septic tank, increases wastewater strength and thus increases the potential for system  
 1368 failure especially if frequent and regular tank monitoring and maintenance is not

1369 performed. Therefore, use of garbage grinders is not recommended (See Section  
1370 13.60.005(a)(3)).

1371 ((F.)) E. No septic tank with a compartment smaller than two hundred fifty  
1372 gallons liquid capacity may be installed.

1373 ((G.)) F. A septic tank designed to service any facility except a single-family  
1374 residence or multiple family housing shall have a liquid capacity at least equal to three  
1375 times the projected design flow, with a minimum of one thousand five hundred gallons.  
1376 Septic tanks serving multiple family housing shall have a minimum liquid capacity equal  
1377 to two times the projected design flow but not less than one thousand five hundred  
1378 gallons.

1379 ((H.)) G. All septic tanks or combinations of tanks installed shall provide at least  
1380 two compartments. No wastewater tanks may be joined below the normal inverts unless  
1381 otherwise preapproved by the health officer.

1382 ((I.)) H. When multi-compartment tanks or two or more tanks in series are used,  
1383 the first compartment or tank shall have a liquid capacity of two-thirds to three quarters  
1384 of total required liquid capacity.

1385 ((J.)) I. The minimum liquid capacity of a tank receiving intermittent use shall be  
1386 determined from the maximum expected daily waste load, but shall in no case be less  
1387 than one thousand five hundred gallons.

1388 ((K.)) J. The plan review fee shall be as specified in the fee schedule, payable at  
1389 the time of initial plan submission. In addition to the initial plan review fee, a revision  
1390 review fee shall be assessed as specified in the fee schedule, payable at the time of

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1391 completion of the plan review, for review of any resubmissions, corrections, or additions  
1392 required.

1393 SECTION 34. R&R 3, Part 5, Section 3(C), and BOH 13.40.030, are hereby  
1394 amended to read as follows:

1395 **Size requirement.** The dosing tank shall be of sufficient size so as to provide the  
1396 total volume required ((one day's total dosing gallonage plus one day's estimated waste  
1397 volume but)) for two days of the design flow and shall not be less than one thousand five  
1398 hundred gallons.

1399 SECTION 35. R&R 3, Part 5, Section 5, and BOH 13.48.010 are hereby  
1400 amended to read as follows:

1401 **Specifications.**

1402 A. No OSS may be constructed unless there has first been a soil evaluation for  
1403 the site completed in the manner described in BOH 13.28.050 to determine type, size and  
1404 location of the OSS. SSAS design and construction shall be in accordance with the  
1405 following:

1406 1. Maximum bottom width of trenches shall be twenty-four inches except a  
1407 maximum width of up to thirty-six inches may be allowed provided that:

1408 a. for soil types 1 through 4 the SSAS is at least pressure distribution in  
1409 accordance with BOH 13.48.060 (pressure distribution systems); and

1410 b. for soil types 5 and 6 the effluent shall meet the next higher treatment level  
1411 as indicated in table 13.28-1 unless treatment level B is already required prior to  
1412 discharge to the SSAS; and

1413 c. the slope does not exceed thirty percent.



1414           2. Beds are allowed only in excessively permeable soils consisting of very  
1415 gravelly coarse sands or coarser, extremely gravelly soils. SSAS installed in beds must  
1416 be pressure distribution and meet treatment level B or greater.

1417           3. The maximum depth of soil cover over the top of SSAS drainrock shall not  
1418 exceed twenty-four inches except by written permission of the health officer. The  
1419 infiltrative surface or bottom of the drainfield shall not be deeper than thirty-six inches  
1420 below the finished grade.

1421           4. The minimum depth of soil cover over drainrock shall not be less than twelve  
1422 inches unless otherwise authorized by the health officer.

1423           5. Minimum depth of drainrock under drainfield lines shall not be less than six  
1424 inches.

1425           6. The amount of drainrock over drainfield lines shall not be less than two  
1426 inches.

1427           7. Drainrock shall be clean, washed, uniformly graded, nondeteriorating gravel,  
1428 size ((three-eighths inches to seven-eighths inches or three-quarters inches to one-and-))  
1429 three-fourths of an inch to two and one-half inches with no visible fine particles adhering  
1430 to gravel surfaces and with the percent by weight passing the U.S. No. 200 sieve not  
1431 greater than 0.5 percent.

1432           8. Minimum separation between drainfield trench side walls shall not be less  
1433 than four feet of undisturbed soil ((for soil texture types 1, 2, and 3 and shall not be less  
1434 than six feet for soil texture type 4, 5 and 6)).

1435           9. Individual laterals greater than one hundred feet in length must use pressure  
1436 distribution.

1437           10. No gravelless drainfield system may be installed unless it satisfies the  
1438 requirements of BOH 13.52.054.

1439           11. The designer shall specify, in the OSS design, the SSAS cover material to be  
1440 used and shall verify, in the record drawing, that the cover material used conforms with  
1441 the design specifications.

1442           B. Horizontal separations shall be maintained in accordance with BOH  
1443 13.28.030W and Table 13.28- 2.

1444           C. No drainfield pipes shall be installed unless all fittings are rigidly joined  
1445 together in accordance with the pipe manufacturer's directions.

1446           D. Approved rigid drainfield pipe, such as PVC, shall be used, but only if stakes  
1447 are placed in the trench center at not more than five-foot intervals to maintain grade and a  
1448 transit level laser or equally accurate instrument shall be used to assure that proper grade  
1449 is maintained.

1450           E. No drainfield shall be installed that requires a change in grade and earth cover  
1451 unless terracing is accomplished by the use of a suitable plastic or concrete drop box or  
1452 by use of rigid plastic pipe with glued joints (overflow stepdown). Such installation shall  
1453 have an earth dam twenty-four inches thick preceding terracing. Earth dams shall consist  
1454 of original undisturbed soil.

1455           F. Not less than one drainfield trench monitoring port of at least four inches in  
1456 diameter, which is anchored, with an easily removable cover that extends to finished  
1457 grade, shall be installed down to the infiltrative surface in each drainfield lateral.

1458           G. No OSS shall be installed unless the pipe lines between the building and the  
1459 septic tank, the septic tank and the distribution box, under paved areas, and within ten

1460 feet of any buildings, shall be constructed of plastic, or cast-iron pipe laid with watertight  
1461 joints. The pipe materials shall conform to material specifications of the Uniform  
1462 Plumbing Code.

1463 H. No drainfield shall be installed that, after installation of the gravel over the  
1464 pipe, is not then covered with a geotextile barrier material that meets the specifications of  
1465 Section 5, Design Standards for Large On-site Sewage Systems, December 1993,  
1466 amended July 1994, Washington State Department of Health, as amended.

1467 I. No drainfield shall be installed under driveways, roadways, parking areas,  
1468 paved areas or under areas subject to compaction by vehicular traffic.

1469 J. Pipe used for construction of gravity drainfield lines shall be a minimum of  
1470 four inches inside diameter and constructed of rigid materials conforming with ASTM  
1471 F481-02, as amended.

1472 K. Pipe used for construction of tightline must comply with the current Uniform  
1473 Plumbing Code.

1474 L. SSAS shall be installed in undisturbed native soil. Trees or tree stumps greater  
1475 than eighteen inches in diameter, when measured two feet above grade, shall be left  
1476 standing, cut at ground level, burned in place, or managed by other methods acceptable to  
1477 the health officer that will avoid disturbing the soil.

1478 SECTION 36. R&R 3, Part 6, Section 1, as amended, and BOH 13.52.010 are  
1479 hereby amended to read as follows:

1480  **Holding tanks.**

1481 A. Sewage holding tanks may be permitted only for controlled, nonresidential  
1482 usage or as an interim method to handle emergency situations or to correct existing

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1483 problem systems; provided, that an on-site system management program satisfactory to  
1484 the health officer has been established to assure on-going operation and maintenance.

1485 B. ((In addition, t))The applicant ((must)) for a holding tank shall provide a no-  
1486 protest agreement with the sewerage authority or a signed petition supporting formation  
1487 of a ULID if the property is within a sewer service area.

1488 C. ((Design plans shall be submitted)) The applicant shall submit holding tank  
1489 design plans in conformance with this title to the health officer for review. The ((design  
1490 and)) owner shall ensure that holding tank maintenance and operation ((shall be in  
1491 accordance)) conform with this title and with Guidelines for Holding Tank Sewage  
1492 Systems, July 2007, Washington State Department of Health, as amended. The  
1493 application shall include specifications for the anticipated daily sewage load, the tank  
1494 capacity, the alarm device, the overflow elevation, the location of the tank, and any other  
1495 information pertinent to the installation.

1496 D. ((A minimum bond of five thousand dollars must be filed with the health  
1497 officer or management authority to guarantee cleanup in case of accidental spill and/or  
1498 repair of the system.

1499 E. A copy of a pumping contract with a certified OSS pumper must be filed with  
1500 the department)) The owner shall enter into an active pumping contract with a certified  
1501 OSS pumper and file a copy of the contract with the health officer. The owner shall  
1502 maintain the contract at all times until the holding tank has been decommissioned. The  
1503 pumper shall notify the health officer if the contract is at any time canceled or not  
1504 renewed by either party to the contract.

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1505 F. The owner or applicant shall obtain ((A))an OSS installation permit ((must be  
1506 obtained)) prior to installation of the tank.

1507 G. ((Monitoring)) The owner shall cause monitoring and maintenance ((shall)) of  
1508 the tank to be performed in accordance with BOH 13.60.010. The owner shall ensure  
1509 that pumping of the holding tank occurs at least as frequently as specified under the  
1510 approved holding tank design, or, alternatively, that the holding tank installation includes  
1511 technology to monitor septage levels in the tank and notify the owner and contracted  
1512 pumper if ninety percent of the tank capacity is exceeded.

1513 SECTION 37. R&R No. 3, Part 7, Section 5, and BOH 13.56.050 are each hereby  
1514 amended to read as follows:

1515 **Record drawing.**

1516 A. ((Whenever a designer approves an installation,)) Within thirty days after  
1517 approving an OSS installation and notifying the health officer of system completion, the  
1518 designer shall prepare, sign, and submit electronically to the health officer a completely  
1519 scaled and dimensioned record drawing and certification of the approved OSS ((shall be  
1520 prepared in triplicate by the designer of the system on forms provided by the health  
1521 officer. These forms shall then be signed by the designer and within thirty days of  
1522 notifying the health officer of system completion all three complete copies shall be  
1523 submitted)). Where an installation, alteration or repair is undertaken without a design  
1524 prepared by a designer, the installer or OSM performing the installation, alteration or  
1525 repair shall provide a reconciled ((record drawing)) site sketch to the health officer and  
1526 the OSS owner at the time of final inspection.

1527 B. The following details are required for all record drawings:

- 1528           1. An accurate plot plan, with measurements and directions accurate to within  
1529 one-half of one foot, showing the locations of the essential components of the OSS  
1530 including:
- 1531           a. all sewage tanks, tank pump out lids, tank inspection access ports and depth  
1532 of tank burial.
  - 1533           b. all plumbing stub outlets.
  - 1534           c. building sewer line between building and septic tank.
  - 1535           d. effluent transport line between septic tank and distribution box or inspection  
1536 box.
  - 1537           e. the ends, and all changes in direction, of installed and found buried pipes  
1538 and electrical cables that are part of the OSS.
  - 1539           f. the distribution/inspection box.
  - 1540           g. all soil absorption system laterals and permanent visible marker locations.
- 1541 The length and width of each individual drainfield lateral shall be shown to scale and the  
1542 total number of lineal feet and square footage of laterals specified on the drawing. A  
1543 dimensioned reserve soil absorption system area shall be included. h.
- 1544           h. the location of any unusual construction features such as step downs((,)) in  
1545 the drainfield laterals((,)) must be clearly indicated.
  - 1546           i. distance between any drainfield laterals and the edges of any fill soils, cuts,  
1547 banks, terraces, foundations, property lines, lakes, streams, wells or other water sources,  
1548 water lines, driveways and impermeable surfaces.
  - 1549           j. the location and detail of soil absorption system inspection ports.
  - 1550           k. location and depth of permeable cover added after installation.
-

1551            1. if ((a pump system)) the OSS contains a pump, the pump size, manufacturer,  
 1552 model, pump cycle duration, dose in gallons/cycle and pump timer settings.

1553            m. location, size, shape, and placement of all buildings on the building site  
 1554 showing their relation to the OSS and to any easements, underground oil storage tanks,  
 1555 utility lines and property lines.

1556            n. location, direction of flow, and discharge point of all ground and/or surface  
 1557 water interceptor drains and on-site stormwater infiltration systems.

1558            o. orientation of drawing with north direction by arrow.

1559            p. location of private water supply (well, spring, etc.).

1560            q. location of design control point.

1561            2. Clearly Indicated Scale using the appropriate scaled increments shown on a  
 1562 typical engineering scale. Recommended scale of one inch equals twenty feet. Scales  
 1563 utilizing ratios smaller than one inch equals thirty feet are not acceptable.

1564            3. One copy of an OSS owner's operating, maintenance and technical  
 1565 specifications manual which includes:

1566            a. system performance specifications, including initial settings of electrical or  
 1567 mechanical devices needed to operate the system as intended by the designer and  
 1568 installer;

1569            b. system operating instructions, including((, for proprietary products,))  
 1570 manufacturer's standard product literature for proprietary products;

1571            c. system preventive maintenance instructions and service schedule;

1572            d. make, model and/or performance specifications of all system components;

1573 ((and))

1574 e. check list and schedule for routine monitoring inspections, effluent sampling  
1575 and reports((.)); and

1576 f. record that materials and equipment meet the specifications contained in the  
1577 design.

1578 4. Copy of recorded "notice on title" required by BOH 13.56.054, and an  
1579 operation and maintenance services agreement as applicable.

1580 5. Copy of OSS installation permit.

1581 6. Documentation describing the waste strength range within which the OSS is  
1582 designed to operate.

1583 SECTION 38. R&R 99-01, Section 2 (Part), as amended, and BOH 13.56.054 are  
1584 hereby amended to read as follows:

1585 **Notice on title.**

1586 A. New Systems. The owner shall record a notice on title with the King County  
1587 records and election division. This notice shall include all of the owner's responsibilities  
1588 described in BOH 13.60.005 and Table 13.60-1.

1589 B. Existing systems.

1590 1. Prior to sale or transfer of property ownership, if the building is served by an  
1591 OSS and the notice on title required by this section has not been recorded, then the owner  
1592 shall record the notice as set forth in BOH 13.56.054.A. At the time of sale the seller  
1593 shall obtain the buyer's signature acknowledging receipt of a copy of this recorded notice.

1594 2. At the time of sale or transfer of property ownership, the buyer or transferee  
1595 of a property served by an OSS shall forward to the health officer a fee as set forth in the



1596 fee schedule and submit a signed copy of the notice on title as set forth in BOH

1597 13.56.054.A.

1598 ((3. At the time a building is remodeled or expanded, if it is not connected to  
1599 public sewer and the notice on title required by this section has not been recorded, then  
1600 the owner shall record the notice as set forth in BOH 13.56.054.A.))

1601 SECTION 39. R&R 99-01, Section 2 (part), as amended, and BOH 13.60.005 are  
1602 hereby amended to read as follows:

1603 **Operation and maintenance.**

1604 A. The OSS owner is responsible for the continuous proper operation and  
1605 maintenance of the OSS, and shall:

1606 1. Determine the level of solids and scum in the septic tank at least once every  
1607 three years for residential systems with no garbage grinder and once every year if a  
1608 garbage grinder is installed and, unless otherwise provided in writing by the health  
1609 officer, once every year for commercial systems((.));

1610 2. Employ an approved pumper to remove the septage from the tank when the  
1611 level of solids and scum indicates that removal is necessary((.));

1612 3. Cause preventive maintenance/system performance monitoring inspections to  
1613 be conducted and any indicated service to be performed by an approved person at a  
1614 minimum frequency in accordance with Table 13.60-1 unless otherwise established by  
1615 the health officer((.));

1616 4. Secure and renew contracts, as needed, to fulfill the OSS operation and  
1617 maintenance requirements of Table 13.60-1((.));

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- 1618           5. Operate and maintain all OSS in accordance with this title, with pertinent  
1619 alternative system guidelines issued by the DOH and with the approved OSS owner's  
1620 operating and maintenance instruction manual((.));
- 1621           6. Protect the OSS area including the reserve area from:
- 1622           a. cover by structures or impervious material;
- 1623           b. surface drainage;
- 1624           c. soil compaction, for example, by vehicular traffic or livestock; and
- 1625           d. damage by soil removal and grade alteration((.));
- 1626           7. Maintain the flow of sewage to the OSS at or below the approved operating  
1627 capacity and sewage quality standards for residential strength waste water((.));
- 1628           8. Direct drains, such as footing or roof drains away from the area where the  
1629 OSS is located((.));
- 1630           9. At time of property transfer, provide the buyer with maintenance records, if  
1631 available, in addition to the completed seller disclosure statement in accordance with  
1632 chapter 64.06 RCW for residential real property transfers; and
- 1633           10. Ensure that all tank access lids are secured to minimize risk of injury or  
1634 unauthorized access.
- 1635           B. The owner shall not allow:
- 1636           1. Use or introduction of strong bases, strong acids or organic solvents into an  
1637 OSS for the purpose of system cleaning;
- 1638           2. Use of a sewage system additive unless it is specifically approved by the  
1639 DOH; or

1640 3. Use of an OSS to dispose of waste components atypical of residential  
1641 wastewater, for example, but not limited to, petroleum products, paints, solvents, or  
1642 pesticides.

1643 SECTION 40. R&R 3, Part 8, Section 1, as amended, and BOH 13.60.010 are  
1644 hereby amended to read as follows:

1645 **Monitoring of residential, community or commercial systems.**

1646 A. The owner shall cause ((monitoring of the)) performance monitoring and  
1647 preventive maintenance inspections of any OSS at a frequency and by a qualified person  
1648 as specified in Table 13.60-1.

1649 B. For all system types, service access and monitoring ports to finished grade are  
1650 required for all system components. Specific component requirement include the  
1651 following:

1652 1. Septic tanks shall have service access maintenance ports and monitoring ports  
1653 for the inlet and outlet. If effluent filters are used, access to the filter at finished grade is  
1654 required;

1655 2. Surge, flow equalization or other sewage tanks shall be accessible for  
1656 monitoring and maintenance;

1657 3. All pretreatment units shall have service access maintenance ports and  
1658 monitoring ports;

1659 4. Pump chambers, tanks and vaults shall have service access maintenance  
1660 ports;

1661 5. Disinfection units shall have service access and be installed to facilitate  
1662 complete maintenance and cleaning;

1663           6. Soil dispersal components shall have monitoring ports for both distribution  
 1664 devices such as valves or other controls and the infiltrative surface; and

1665           7. Any person providing service to an OSS shall secure tank access lids after  
 1666 servicing the OSS or provide clearly visible marking and notification to the property  
 1667 owner and occupants before leaving the site.

1668           C. Systems using pumps shall have accessible controls and warning devices.

1669           D. To facilitate maintenance and safety, control panels shall be located in line of  
 1670 sight of the pump tank.

1671           E. OSS serving food establishments require, at a minimum, an annual  
 1672 performance monitoring and preventive maintenance inspection and periodic pumping as  
 1673 needed.

1674           F. ((Operation and maintenance)) Performance monitoring and preventive  
 1675 maintenance inspections of any OSS in a marine recovery area shall be performed by a  
 1676 licensed OSS maintainer and at a frequency determined by the health officer based upon  
 1677 type, size, age, system condition, and system location, but not less than once per year. If  
 1678 no accurate record drawing for the OSS has been prepared and filed with the department,  
 1679 the licensed OSS maintainer performing the ((maintenance and performance monitoring))  
 1680 inspection shall prepare and submit to the health officer a reconciled ((record drawing))  
 1681 site sketch together with the ((system)) operation and performance monitoring report  
 1682 required under this chapter.

1683   **Table 13.60-1**

1684   **Minimum Frequency of ((Preventive Maintenance/)) Performance Monitoring and**  
 1685   **Preventive Maintenance Inspections**

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	Gravity System <u>without Pump</u> <sup>4</sup>	Public Domain Technology <sup>2</sup>	Proprietary Technology <sup>3,5</sup>	Commercial and Food Establishment	Non-Discharging Toilets <sup>6</sup>
<b>Initial<sup>1</sup> Inspection</b>	6 months	6 months	45 days	45 days	N/A
<b>Regular Inspection frequency</b>	Every 3 years	Annually	((Every 6 months)) <u>Annually</u>	Annually ((or 6 months depending on Technology used))	Annually
<b>Who May Perform the Inspection</b>	Owner or Licensed Maintainer or Licensed OSS Pumper	Licensed Maintainer	Licensed Maintainer	Licensed Maintainer	Owner

1686 **Table 13.60-1 Explanatory Notes**

1687 1. The initial inspection is to be performed at the time interval indicated following  
 1688 occupancy.

1689 2. Public domain technology includes such systems as((:)) mounds, intermittent sand  
 1690 filters, and pressure distribution.

- 1691 3. Proprietary Technology includes such systems as((:)) ATUs, Glendon up-flow filters,  
1692 Advantex pack bed filters, and subsurface drip.
- 1693 4. ((At least an annual septic tank maintenance check is required if the structure served is  
1694 equipped with a garbage grinder waste disposal unit.)) If a screened outlet baffle is  
1695 present an annual ((check)) cleaning is recommended. ((Pumpers shall report each  
1696 pumping event to the health officer in accordance with BOH chapter 13.68.))
- 1697 5. Table 13.60-1 specifies the minimum required monitoring frequency. A more  
1698 stringent monitoring frequency shall be used if recommended by the manufacturer.
- 1699 6. This monitoring is in addition to that required for the OSS receiving the building's  
1700 nontoilet liquid waste.
- 1701 G. The person conducting the ((maintenance and)) performance monitoring and  
1702 preventive maintenance inspection shall submit ((a system)) an operation and  
1703 ((maintenance/)) performance monitoring report, on forms provided by the health officer,  
1704 to the owner at the time of the inspection and to the health officer accompanied by a  
1705 filing fee as specified in the fee schedule within thirty days of the inspection.
- 1706 H. Any person holding a King County OSS certificate of competency or  
1707 Washington state on-site sewage system designer or professional engineer license who  
1708 observes effluent surfacing from an OSS component or sewage backing up into a  
1709 structure shall report the failure on forms provided by the health officer within five  
1710 business days of observing the failure.
- 1711 I. The fee for each ((OSS monitoring/performance inspection)) monitoring report  
1712 required by the health officer shall be in accordance with the fee schedule.
-

1713 ((I. Preventive maintenance and monitoring)) J.1. For any commercial  
1714 development using OSS, performance monitoring and preventive maintenance inspection  
1715 of the OSS ((performance and)), including quality of effluent, shall be required ((for any  
1716 commercial development using OSS)).

1717 ((1.)) 2. The minimum frequency and the type of inspection required shall be in  
1718 accordance with Table 13.60-1 unless otherwise established by the health officer.

1719 ((2.)) 3. At least an annual inspection of OSS serving food establishments shall  
1720 be conducted.

1721 ((J.)) K. For properties where required performance monitoring and((/or))  
1722 preventive maintenance inspections are at least thirty days overdue the health officer may  
1723 notify the owner that the OSS is not in compliance with these rules. The health officer  
1724 may, in addition to provisions of BOH chapter 1.08 of this code, cause a notice of  
1725 noncompliance to be recorded with the real property records for the subject lot.

1726 SECTION 41. R&R 08-03, Section 145, and BOH 13.60.030 are hereby  
1727 amended to read as follows:

1728 **Operation and maintenance at time of sale.**

1729 A. The seller or grantor of any single-family or multiple family residential  
1730 property served by an OSS shall, prior to transfer of title to the property, have a property  
1731 transfer monitoring and performance inspection performed by a licensed OSM. The  
1732 licensed OSM shall file with the department an on-site system report and applicable fee  
1733 in accordance with the fee schedule.

1734           ((1.)) B. If no record drawing is on file with the department, the OSM shall  
1735 prepare a ((record drawing)) site sketch and include it with the O&M report submitted to  
1736 the department.

1737           ((2.)) C. If a record drawing is on file with the department but does not  
1738 accurately depict the OSS, the OSM shall prepare a ((reconciled record drawing)) site  
1739 sketch and include it with the O&M report submitted to the department.

1740           ((3.)) D. A property transfer monitoring and performance inspection is not  
1741 required if such an inspection was performed within the previous ((6 months.)) twelve  
1742 months, provided the property has not been transferred since the most recent inspection.

1743           ((4.)) E. At the time of property transfer, the owner shall provide, to the buyer,  
1744 maintenance records, if available, in addition to the completed seller disclosure statement  
1745 in accordance with chapter 64.06 RCW for residential real property transfers.

1746           SECTION 42. R&R No. 3, Part 9, Section 1, as amended, and BOH 13.64.010  
1747 are each hereby amended to read as follows:

1748           **Repairs of failing OSS.**

1749           A. This title shall be applied to the maximum extent permitted by the site for any  
1750 repair necessitated by the failure of an existing OSS. The health officer may waive  
1751 compliance with these requirements if a conforming repair is not feasible and if in the  
1752 health officer's judgment the repaired system will not have an adverse effect on public  
1753 health, but the repaired system shall not discharge onto the surface of the ground, into  
1754 surface waters, or otherwise fail.

1755           B. The health officer ((may)) shall require a site design in accordance with BOH  
1756 chapter 13.28 for the repair or replacement of a failing soil absorption component ((and if



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1757 deemed necessary)) or for a ((limited)) repair. Prior to designing the repair system, the  
 1758 designer shall consider the contributing factors of the failure to enable the repair to  
 1759 address identified causes of the failure, and shall include this information in any design or  
 1760 repair proposal to the department. ((The health officer shall require a site design in  
 1761 accordance with chapter 13.28 for the repair or replacement of a failing soil absorption  
 1762 component and if deemed necessary for a limited repair.))

1763 C. It is unlawful to repair an OSS without ((an)) a department approved OSS  
 1764 ((limited)) repair permit, except that a permit is not required for a minor repair as defined  
 1765 under BOH chapter 13.08.

1766 **Table 13.64-1**  
 1767 **Minimum Treatment Level and Bacteria Level Required for Repair or Replacement**  
 1768 **of Soil Absorption Components on Sites not Meeting Vertical and/or Horizontal**  
 1769 **Separation Requirements of this Title**

		<b>Horizontal Separation<sup>1</sup></b>												
		<b>((&lt;25)) &lt; 30 feet<sup>2,3</sup></b>			<b>((25 &lt; 50)) ≥30 &lt; 50 feet<sup>2,3</sup></b>			<b>((50 &lt; 100)) ≥ 50 &lt; 100 feet<sup>2,3</sup></b>			<b>((&gt; 100)) ≥ 100 feet<sup>2,3</sup></b>			
Vertical Separation (in inches)		<b>Soil Type</b>			<b>Soil Type</b>			<b>Soil Type</b>			<b>Soil Type</b>			
		<b>1</b>	<b>2</b>	<b>3-6</b>	<b>1</b>	<b>2</b>	<b>3-6</b>	<b>1</b>	<b>2</b>	<b>3-6</b>	<b>1</b>	<b>2</b>	<b>3-6</b>	
		<b><u>Minimum Treatment Level and Bacteria Level</u></b>												
< 12		<b>A &amp;</b>	<b>A &amp;</b>	<b>A &amp;</b>	<b>A &amp;</b>	<b>A &amp;</b>	<b>A &amp;</b>	<b>A &amp;</b>	<b>A &amp;</b>	<b>A &amp;</b>	<b>((B))</b>	<b>B &amp;</b>	<b>B &amp;</b>	<b>B &amp;</b>
		<b><u>BL1</u></b>	<b><u>BL1</u></b>	<b><u>BL1</u></b>	<b><u>BL1</u></b>	<b><u>BL1</u></b>	<b><u>BL1</u></b>	<b><u>BL1</u></b>	<b><u>BL1</u></b>	<b><u>BL1</u></b>	<b>A &amp;</b>	<b><u>BL2</u></b>	<b><u>BL2</u></b>	<b><u>BL2</u></b>
											<b><u>BL1</u></b>			

((>12 < 18)) ≥ 12 < 18	A & <u>BL1</u>	A & <u>BL1</u>	A & <u>BL1</u>	A & <u>BL1</u>	B & <u>BL2</u>	B & <u>BL2</u>	A & <u>BL1</u>	B & <u>BL2</u>	B & <u>BL2</u>	Conforming Systems
((> 18 < 24)) ≥ 18 < 24	A & <u>BL1</u>	A & <u>BL1</u>	A & <u>BL1</u>	A & <u>BL1</u>	B & <u>BL2</u>	B & <u>BL2</u>	A & <u>BL1</u>	B & <u>BL2</u>	((C)) B & <u>BL2</u>	
((> 24 < 36)) ≥ 24 < 36	A & <u>BL1</u>	B & <u>BL2</u>	B & <u>BL2</u>	B & <u>BL2</u>	((C)) B & <u>BL2</u>	((C)) B & <u>BL2</u>	B & <u>BL2</u>	((C)) B & <u>BL2</u>	C & <u>BL3</u>	
((> 36)) ≥ 36	A & <u>BL1</u>	B & <u>BL2</u>	B & <u>BL2</u>	B & <u>BL2</u>	C & <u>BL3</u>	C & <u>BL3</u>	B & <u>BL2</u>	C & <u>BL3</u>	((E))C & <u>BL3</u>	

1770 **Table 13.64-1 Explanatory Notes**

1771 The horizontal separation indicated in this table is the distance between the soil  
 1772 dispersal component and the surface water, well, or spring. If the soil dispersal  
 1773 component is up-gradient of a surface water, well, or spring to be used as a potable water  
 1774 source, or beach where shellfish are harvested, the next higher treatment level shall apply  
 1775 unless treatment level A and BL1 is already required.

1776 1. The Treatment Levels refer to effluent quality achieved before discharge to  
 1777 unsaturated subsurface soil.

1778 2. Alternative systems which meet the Treatment Level without disinfection are  
 1779 required when the repair OSS is adjacent to fresh water bodies.

1780 3. When adjacent to fresh surface water bodies the next higher Treatment Level  
 1781 ((A)) shall be provided unless Treatment Level A and BL1 is already provided.

1782 D. The treatment level required for repair or replacement of soil absorption  
1783 components of an existing failed OSS when conforming vertical separation and  
1784 conforming horizontal separation to surface water and/or to individual private wells is not  
1785 possible shall be in accordance with Table 13.64-1.

1786 E. Alterations or repairs to an OSS shall be documented in a repair record  
1787 drawing submitted to the health officer for final approval at time of final inspection,  
1788 unless a full design application was submitted for the repair.

1789 F. ((The owner receiving a Table 13.64-1 repair permit where treatment Level A  
1790 or B is required shall:

- 1791 1. Immediately report any OSS failure to the health officer;
- 1792 2. Continuously operate, maintain and monitor the OSS performance in  
1793 accordance with the appropriate recommended standards and guidance for the technology  
1794 in use; and
- 1795 3. Report the results of the OSS maintenance and monitoring to the health  
1796 officer quarterly when Treatment Level A is required and annually when Treatment Level  
1797 B is required.

1798 G.)) The owner receiving a permit shall file a "notice on title" in accordance with  
1799 13.56.054 and the notice shall include:

- 1800 1. A notarized agreement to comply with the conditions of BOH 13.64.010.F  
1801 above; and
- 1802 2. A disclosure that a nonconforming OSS has been installed to correct a failure  
1803 because a conforming OSS is not feasible due to site and soil limitations and that due to

1804 the OSS nonconformity the system is not authorized to support new building construction  
1805 or expansions or major alterations of the existing structure.

1806 ((H.)) G. The health officer may authorize in writing a horizontal separation of  
1807 not less than seventy-five feet between an OSS dispersal component and an individual  
1808 private drilled well, but only if:

1809 1. ((t))The well is located on the same parcel as the property served by the OSS;

1810 2. ((t))The OSS is designed and operated to provide treatment level A or  
1811 treatment performance beyond that accomplished by meeting the vertical separation and  
1812 effluent distribution requirements described in Table 13.64-1; and

1813 3. ((t))The owner monitors drinking water quality for coliform and nitrate and  
1814 periodically submits drinking water quality reports to the health officer at least annually.

1815 ((I.)) H. For any designed repair, the designer shall include, on the record  
1816 drawing document, the operating capacity of the repaired OSS and provide a copy of the  
1817 record drawing document to the owner.

1818 ((J.)) I. For any repair required to be performed in accordance with Table 13.64-1  
1819 of this title, disinfection may not be used to achieve the fecal coliform requirements to  
1820 meet:

1821 1. Treatment levels ((A or B)) BL1 or BL2 where there is less than eighteen  
1822 inches of vertical separation((:)); or

1823 2. Treatment levels ((A or B)) BL1 or BL2 in type 1 soils; or

1824 3. Treatment level ((C)) BL3.

1825 ((K.)) J. Except as provided in BOH 13.20.040, OSS repairs shall be supervised  
1826 by an OSS master installer certified pursuant to BOH 13.20.020 and 13.20.030.

1827 ((L.)) K. When the work of repairing an existing OSS has been completed, but  
1828 before it is closed and covered, the installer shall notify the owner and the person who  
1829 designed the repair ((and owner shall be notified)) that the work has been completed.  
1830 The person who designed the repair shall then proceed as described in BOH 13.56.030((,  
1831 subsections)) B. and C. The person designing the repair shall then call for the health  
1832 officer to inspect the system.

1833 L. For a ((limited)) minor repair, the installer or maintainer shall submit a ((limited))  
1834 minor repair report to the health officer within five working days after completing the  
1835 repair with a site sketch documenting any changes in OSS components.

1836 M. Unless otherwise directed by the health officer, OSS repairs shall not be  
1837 covered until the health officer has given approval.

1838 SECTION 43. R&R 3, Part 9, Section 2, as amended, and BOH 13.64.020 are  
1839 hereby amended to read as follows:

1840 **Remodeling – approval required.**

1841 A. Existing buildings or structures to which additions, alterations, or  
1842 improvements which would impact the operation of the OSS are made after the effective  
1843 date of this title shall be served by an OSS complying with this title((; provided,  
1844 however)), except that the health officer may waive compliance with these requirements  
1845 for existing buildings or structures when the addition, alterations, repairs, or  
1846 improvements to the building or structure are compatible with and do not adversely  
1847 impact the OSS including the potential reserve area, do not affect the adequacy of the  
1848 system to treat the sewage over the remaining useful life of the building or structure, and

1849 do not adversely affect the ability of the continued operation of the system to protect  
1850 public health, surface water quality, or groundwater quality.

1851 B. Applications for approval by the health officer of existing OSS serving  
1852 existing buildings undergoing addition, alteration, repair, or improvement shall be made  
1853 as provided in this section. The application shall be made on forms furnished by the  
1854 health officer.

1855 C.1. The health officer will review all applications to determine the compatibility  
1856 of the proposed addition, alteration, repair, or improvement with the existing OSS.

1857 ((1.)) 2. Factors that the health officer may consider include, but are not limited  
1858 to, the following:

1859 a. location of SSAS in relation to foundation and existing improvements;  
1860 b. size of SSAS in relation to proposed use;  
1861 c. condition of the existing OSS;  
1862 d. ((useful anticipated life of the existing on-site sewage disposal system;  
1863 e.)) potential for reconstruction and repair of the existing on-site sewage  
1864 disposal system;

1865 ((f.)) e. ultimate purpose of the remodeling; and

1866 ((g.)) f. approved source of water.

1867 ((2.)) 3. The health officer may require the applicant to furnish such exhibits and  
1868 information as may be deemed relevant and necessary to the application.

1869 D. Any applicant ((for a permit for a change)) changing ((of)) use in a  
1870 commercial structure served by an OSS, or for a change of use from residential to  
1871 commercial in a structure served by an OSS, shall obtain the health officer's review and

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1872 approval of the OSS before the OSS may be utilized to serve the new use in the structure.  
1873 Any such applicant for a change in use approval for the continued use of the OSS shall  
1874 ((submit a written)) cause the application for approval by the health officer to be  
1875 submitted by a licensed OSS designer or professional engineer on forms provided by the  
1876 health officer. The application shall include information detailing the anticipated  
1877 wastewater strength of the proposed use and any processes or uses which may impact the  
1878 wastewater characteristics and flows of the existing OSS.

1879 E. The nonrefundable fee for such a review shall be as specified in the fee  
1880 schedule, payable to the department. No charge shall be made for applications for  
1881 projects that are determined to be categorically exempt by the health officer.

1882 SECTION 44. R&R 3, Part 11, Section 1, as amended, and BOH 13.68.010 are  
1883 hereby amended to read as follows:

1884 **Pumper certification requirements.**

1885 A. It is unlawful for any person to carry on or engage in the business of pumping  
1886 out the contents of septic tanks, cesspools, grease traps, seepage pits, vault privies,  
1887 portable toilets, and other receptacles of human sewage or to transport over the highways  
1888 or to dispose of the contents therefrom in King County unless the pumper business  
1889 operator and in addition, each employee of the OSS pumper who engages in OSS  
1890 pumping activities, holds a valid certificate of competency and each vehicle has an  
1891 annual inspection tab issued by the health officer in accordance with this title for  
1892 conducting such business. The following liquid waste pumper's certificate of  
1893 competency classifications are established:

1894 1. OSS pumper;

- 1895 2. Grease trap((/)) or interceptor pumper;
- 1896 3. ((Vessel)) Watercraft sewage holding tank pumper;
- 1897 4. Portable toilet pumper; and
- 1898 5. Miscellaneous sewage pumper.

1899 B. All persons holding a valid pumper registration on the effective date of these  
 1900 regulations will be classified by the health officer in accordance with subsection((s)) A.1.  
 1901 through ((A))4. of this section.

1902 C. A holder of an OSS pumper classification certificate of competency may, in  
 1903 addition to the pumping and transporting activity under this section, conduct routine  
 1904 preventive maintenance and performance monitoring inspections of gravity OSS, except  
 1905 that an OSS inspection at time of property sale under BOH 13.60.030 shall be performed  
 1906 by a licensed OSS maintainer. A liquid waste pumper of any classification may not  
 1907 perform minor repairs on any OSS component other than lids, risers, baffles, and building  
 1908 sewer tightlines.

1909 D. An applicant may be issued a certificate under such terms, conditions orders  
 1910 and direction as the health officer may deem necessary for the protection of public health.  
 1911 The health officer may waive any specific condition required by this chapter for  
 1912 certification when, in the opinion of the health officer, the condition duplicates a  
 1913 requirement of another regulatory agency and which the applicant has fulfilled.

1914 E. As a condition of certification, a pumper shall consistently demonstrate  
 1915 reasonable care and skill in performing work governed by this title, meet the  
 1916 requirements of the King County OSS code of performance and ethics, and comply with  
 1917 all the terms and conditions of these and all other applicable rules and regulations.

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1918            SECTION 45. R&R 3, Part 11, Section 2, as amended, and BOH 13.68.020 are  
1919 hereby amended to read as follows;

1920            **Application.** ((All applications for pumper certification under this title shall be  
1921 submitted)) An applicant for a pumper certificate of competency shall submit the  
1922 application to the health officer((. The application shall state the applicant's name in full;  
1923 if a partnership, then the names of the partners, the relation of the applicant to the firm or  
1924 partnership; the name of the corporation if a corporation; the place of business and place  
1925 of residence of the applicant; each of the partners in the business, if a partnership; and the  
1926 place of business of the corporation, if a corporation. The applicant shall also provide))  
1927 and shall include the following with the application:

1928            A. If an individual, the applicant's name in full, signature, place of residence, and  
1929 name and place of business;

1930            B. If a partnership or corporation, the names of the partners or officers, the  
1931 relation of the applicant to the partnership or corporation, the signature of the managing  
1932 partner or authorized officer, and the name and primary place of business of the  
1933 partnership or corporation;

1934            C. ((t))The number and identification of all vehicles to be used;

1935            D. ((t))The type, location and name of all the sites that the applicant will use to  
1936 dispose of the contents of septic tanks, cesspools, grease traps, grease interceptors,  
1937 seepage pits, vault privies, portable toilets and other receptacles of human sewage;  
1938 ((and))

1939            E. A valid disposal site letter of authorization including the name and address of  
1940 the person, firm, or corporation who is responsible for the operation of each disposal

1941 site((. A valid disposal site letter of authorization must accompany the application. The  
1942 application shall be signed by the authorized officer of the corporation, if a corporation,  
1943 or by the managing partner, if a partnership, or by the individual owner, if owned by an  
1944 individual, and by the individual applicant)); and

1945 F. A signed attestation that the applicant for a new or renewal pumper certificate  
1946 of competency is familiar with and agrees to perform all OSS services in accordance with  
1947 the requirements of this title and the King County OSS code of performance and ethics.

1948 SECTION 46. R&R 3, Part 11, Section 3, as amended, and BOH 13.68.030 are  
1949 hereby amended to read as follows:

1950 **Examination and inspection.**

1951 A. Except as described in BOH 13.68.010.B., a pumper's certificate of  
1952 competency and((/or)) vehicle inspection tab, as applicable, shall be issued to the  
1953 applicant only after:

1954 1. Completion of a course of instruction given by ((a)) one or more qualified  
1955 ((person(s))) persons acceptable to the health officer and which covers, as applicable to  
1956 the certificate of competency classification, basic sanitation principles affecting public  
1957 health, on-site sewage concepts, details of proper servicing of sewage tanks ((or other  
1958 receptacles of human sewage)) and all components of a gravity OSS, and the transporting  
1959 and disposing of sewage, septage, sludge, or fats, oils and grease;

1960 2. Satisfactory completion of an examination relevant to the pumper certificate  
1961 of competency classification, which may include but not necessarily be limited to the  
1962 applicant's knowledge of sanitation principles affecting public health, ((knowledge of  
1963 principles of on-site sewage system)) OSS operations, ((knowledge of)) sewage tanks

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1964 ((and/or portable toilet)) and all components of a gravity OSS, servicing procedures, and  
1965 knowledge of regulations governing disposal of septage, sewage, and((/or)) fats, oils, and  
1966 grease((, and)). The examination may also include an assessment of the reliability of the  
1967 applicant in observing sanitation laws, regulations, and directions, plus other pertinent  
1968 information as deemed necessary by the health officer. ((except that the grease)) Grease  
1969 trap((/)) or interceptor pumpers, ((vessel)) watercraft sewage holding tank pumpers,  
1970 ((and)) portable toilet pumpers, and miscellaneous sewage pumpers may be exempted  
1971 from such examination upon satisfactory completion of an industry certification((/)) or  
1972 training program, or both, acceptable to the health officer. The fee for such an  
1973 examination or evaluation of training documentation shall be as specified in the fee  
1974 schedule payable in advance and nonrefundable;

1975           3. Annual inspection and approval of the applicant's equipment to be used in the  
1976 performance of the business;

1977           4. The business operator provides the health officer with evidence of  
1978 compliance with state of Washington minimum bonding requirements as stated in chapter  
1979 18.27 RCW and contractor's liability insurance for at least fifty thousand dollars; and

1980           5. Business operators, other than OSS pumpers, sign and provide to the health  
1981 officer a statement certifying that all employees working in contact with equipment  
1982 potentially contaminated by sewage have successfully completed a course of instruction  
1983 given by a qualified person or persons acceptable to the health officer which covers basic  
1984 sanitation principles affecting public health.

1985           B. Certificate of competency and vehicle inspection fees shall be as specified in  
1986 the fee schedule.

1987 C. After certification has been approved by the health officer, the applicant will  
1988 be issued a certification of competency registration number. The business owner shall  
1989 permanently affix said number preceded by the letters "KC No." on each of the  
1990 applicant's collection vehicles. ((Said)) The numbers must be in a contrasting color to  
1991 that of the vehicle and in letters at least three inches high and placed along with the  
1992 annual wastewater vehicle tab in a conspicuous place designated by the health officer. In  
1993 addition, the name of the operating firm shall be conspicuously displayed on both sides of  
1994 the truck.

1995 D.1. Certificates shall expire December 31((st)) of each year.

1996 ((1.)) 2. The health officer may renew certificates of competency provided that  
1997 the applicant submits not later than December 31((st)) a complete renewal application  
1998 accompanied by((:)) a fee as set forth in the fee schedule, authorization for continued use  
1999 of all disposal sites, a completed annual vehicle inspection report, and proof of minimum  
2000 bonding and insurance requirements((; and)).

2001 ((2.)) 3. Complete applications for renewal submitted after January 15 shall be  
2002 subject to a late fee in the amount of one-half the renewal fee, after January 31 double the  
2003 renewal fee and after February 10 a renewal shall not be granted without passing a  
2004 competency examination.

2005 SECTION 47. R&R 3, Part 11, Section 5, as amended, and BOH 13.68.050 are  
2006 hereby amended to read as follows:

2007 **Revocation of certificate of competency and inspection certificates.** ((Any  
2008 certificate of competency and inspection certificate issued under this title may be  
2009 suspended or revoked for cause by the health officer pursuant to)) The health officer may

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2010 assess civil penalty fines of up to one-thousand dollars per violation per day against any  
2011 holder of an OSS pumper's certificate of competency, or institute probationary  
2012 requirements, or suspend or revoke a pumper's certificate of competency for the pumper's  
2013 failure to comply with this title or the King County OSS code of performance and ethics.

2014 SECTION 48. R&R 99-01, Section 2 (part), and BOH 13.08.024 are hereby  
2015 repealed.

2016 SECTION 49. R&R 08-03, Section 12, and BOH 13.08.055 are hereby repealed.

2017 SECTION 50. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.060  
2018 are hereby repealed.

2019 SECTION 51. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.070  
2020 are hereby repealed.

2021 SECTION 52. R&R 99-01, Section 2 (part), and BOH 13.08.072 are hereby  
2022 repealed.

2023 SECTION 53. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.084 are  
2024 hereby repealed.

2025 SECTION 54. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.090  
2026 are hereby repealed.

2027 SECTION 55. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.114 are  
2028 hereby repealed.

2029 SECTION 56. R&R 08-03, Section 21, and BOH 13.08.115 are hereby repealed.

2030 SECTION 57. R&R 08-03, Section 23, and BOH 13.08.117 are hereby repealed.

2031 SECTION 58. R&R 08-03, Section 27, and BOH 13.08.131 are hereby repealed.

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2032            SECTION 59. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.132 are  
2033 hereby repealed.

2034            SECTION 60. R&R 99-01, Section 2 (part), and BOH 13.08.134 are hereby  
2035 repealed.

2036            SECTION 61. R&R 08-03, Section 30, and BOH 13.08.141 are hereby repealed.

2037            SECTION 62. R&R 08-03, Section 32, and BOH 13.08.151 are hereby repealed.

2038            SECTION 63. R&R 08-03, Section 34, and BOH 13.08.154 are hereby repealed.

2039            SECTION 64. R&R 09-03, Section 37, and BOH 13.08.175 are hereby repealed.

2040            SECTION 65. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.180  
2041 are hereby repealed.

2042            SECTION 66. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.190  
2043 are hereby repealed.

2044            SECTION 67. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.202 are  
2045 hereby repealed.

2046            SECTION 68. R&R 08-03, Section 40, and BOH 13.08.205 are hereby repealed.

2047            SECTION 69. R&R 99-01, Section 2 (part), and BOH 13.08.212 are hereby  
2048 repealed.

2049            SECTION 70. R&R 08-03, Section 41, and BOH 13.08.213 are hereby repealed.

2050            SECTION 71. R&R 99-01, Section 2 (part), and BOH 13.08.226 are hereby  
2051 repealed.

2052            SECTION 72. R&R 08-03, Section 47, and BOH 13.08.257 are hereby repealed.

2053            SECTION 73. R&R 08-03, Section 49, and BOH 13.08.261 are hereby repealed.

2054            SECTION 74. R&R 08-03, Section 50, and BOH 13.08.263 are hereby repealed.

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2055            SECTION 75. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.280  
2056 are hereby repealed.

2057            SECTION 76. R&R 08-03, Section 55, and BOH 13.08.287 are hereby repealed.

2058            SECTION 77. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.290  
2059 are hereby repealed.

2060            SECTION 78. R&R 08-03, Section 56, and BOH 13.08.305 are hereby repealed.

2061            SECTION 79. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.320  
2062 are hereby repealed.

2063            SECTION 80. R&R 08-03, Section 57, and BOH 13.08.3215 are hereby  
2064 repealed.

2065            SECTION 81. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.322 are  
2066 hereby repealed.

2067            SECTION 82. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.324 are  
2068 hereby repealed.

2069            SECTION 83. R&R 08-03, Section 60, and BOH 13.08.327 are hereby repealed.

2070            SECTION 84. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.330  
2071 are hereby repealed.

2072            SECTION 85. R&R 99-01, Section 2 (part), and BOH 13.08.341 are hereby  
2073 repealed.

2074            SECTION 86. R&R No. 08-03, Section 61, and BOH 13.08.346 are hereby  
2075 repealed.

2076            SECTION 87. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.372 are  
2077 hereby repealed.

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2078            SECTION 88. R&R 99-01, Section 2 (part), and BOH 13.08.402 are hereby  
2079 repealed.

2080            SECTION 89. R&R 99-01, Section 2 (part), and BOH 13.08.406 are hereby  
2081 repealed.

2082            SECTION 90. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.410  
2083 are hereby repealed.

2084            SECTION 91. R&R 08-03, Section 69, and BOH 13.08.424 are hereby repealed.

2085            SECTION 92. R&R 99-01, Section 2 (part), and BOH 13.08.426 are hereby  
2086 repealed.

2087            SECTION 93. R&R No. 08-03, Section 72, and BOH 13.08.465 are hereby  
2088 repealed.

2089            SECTION 94. R&R No. 3, Part 1, Section 5, as amended, and BOH 13.08.470  
2090 are hereby repealed.

2091            SECTION 95. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.472 are  
2092 hereby repealed.

2093            SECTION 96. R&R 08-03, Section 74, and BOH 13.08.477 are hereby repealed.

2094            SECTION 97. R&R 08-03, Section 76, and BOH 13.08.482 are hereby repealed.

2095            SECTION 98. R&R 99-01, Section 2 (part), as amended, and BOH 13.08.484 are  
2096 hereby repealed.

2097            SECTION 99. R&R 09-03, Section 79, and BOH 13.08.493 are hereby repealed.

2098            SECTION 100. R&R 08-03, Section 80, and BOH 13.08.4934 are hereby  
2099 repealed.



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2100            SECTION 101. R&R 08-03, Section 81, and BOH 13.08.4937 are hereby  
2101 repealed.

2102            SECTION 102. R&R 3, Part 1, Section 5 (part), as amended, and BOH 13.08.500  
2103 are hereby repealed.

2104            SECTION 103. R&R 08-03, Section 87, and BOH 13.08.505 are hereby  
2105 repealed.

2106            SECTION 104. R&R 99-01, Section 2 (part), and BOH 13.08.512 are hereby  
2107 repealed.

2108            SECTION 105. R&R 99-01, Section 2 (part), and BOH 13.08.516 are hereby  
2109 repealed.

2110            SECTION 106. R&R 08-03, Section 88, and BOH 13.08.520 are hereby  
2111 repealed.

2112            SECTION 107. **Effective date.** This rule takes effect April 1, 2025.

2113            SECTION 108. **Severability.** If any provision of this rule or its application to

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- 2114 any person or circumstance is held invalid, the remainder of the rule or the application of  
2115 the provision to other persons or circumstances is not affected.

R&R BOH24-05 was introduced on and passed as amended by the Board of Health on 2/20/2025, by the following vote:


Yes: 11 - Archiopoli, Barón, Chew, Daniels, de Castro, Gudgel,  
Lam, Loo, Mohammed, Mosqueda and de Michele  
No: 2 - Dunn and Young  
Excused: 5 - Hollingsworth, Kettle, Nelson, Rakes and Williams

KING COUNTY BOARD OF HEALTH  
KING COUNTY, WASHINGTON

Signed by:  
  
ADD2DCD9E4B3430...

Teresa Mosqueda, Chair

ATTEST:

DocuSigned by:  
  
8DE1BB375AD3422...

Melani Hay, Clerk of the Council

**Attachments:** None

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 teresa.mosqueda@kingcounty.gov  
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Melani Hay  
 melani.hay@kingcounty.gov  
 Clerk of the Council  
 King County Council  
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 Resent: 2/27/2025 8:52:35 AM  
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 Signed: 2/27/2025 8:55:06 AM

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Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

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 erin.house@kingcounty.gov  
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Signing Complete	Security Checked	2/27/2025 8:55:06 AM
Completed	Security Checked	2/27/2025 8:55:10 AM

<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
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<b>Electronic Record and Signature Disclosure</b>
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## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

From time to time, King County-Department of 02 (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

### **Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### **Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

### **How to contact King County-Department of 02:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov)

### **To advise King County-Department of 02 of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov) and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

### **To request paper copies from King County-Department of 02**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov) and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

### **To withdraw your consent with King County-Department of 02**

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov) and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

### **Required hardware and software**

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

### **Acknowledging your access and consent to receive and sign documents electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify King County-Department of 02 as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by King County-Department of 02 during the course of your relationship with King County-Department of 02.