



## Legislation Details (With Text)

**File #:** BOH15-03      **Version:** 1  
**Type:** R&R      **Status:** Passed  
**File created:**      **In control:** Board of Health  
**On agenda:**      **Final action:** 10/15/2015  
**Enactment date:**      **Enactment #:** BOH15-03

**Title:** A RULE AND REGULATION relating to approved water sources for on-site sewage systems; amending R&R 3, Part 13, Section 3, as amended, and BOH 13.04.070; enacted pursuant to RCW 70.05.060, including the latest amendments or revisions thereto.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. R&R 15-03.pdf, 2. BOH15-03 hearing notice - published 9-30-15 Seattle Times.doc, 3. Staff Report, 4. Affidavit of Pub - Seattle Times 9-30-15.pdf

Date	Ver.	Action By	Action	Result
10/15/2015	1	Board of Health	Hearing Held	
10/15/2015	1	Board of Health	Passed	Pass

A RULE AND REGULATION relating to approved water sources for on-site sewage systems; amending R&R 3, Part 13, Section 3, as amended, and BOH 13.04.070; enacted pursuant to RCW 70.05.060, including the latest amendments or revisions thereto.

BE IT ADOPTED BY THE KING COUNTY BOARD OF HEALTH:

SECTION 1. R&R 3, Part 13, Section 3, as amended, and BOH 13.04.070 are each hereby amended to read as follows:

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

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

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

1. Well location approval: Any proposed new or replacement individual private well location shall be submitted to the health officer and receive approval prior to construction of the well.
  - a. All private water system development in the urban growth area or in the rural area as defined by the King County Comprehensive Plan is subject to the provisions of King County Code Sections 13.24.140 and 13.24.138, respectively.
  - b. Proposed new initial well locations shall be accurately specified upon an OSS site design application and shall be submitted for review by the health officer in conjunction with evaluation of the proposed OSS design. If the protective well radius is within ten feet of any lot line, easement line or any source of contamination, the health officer may require the well site to be surveyed.
  - c. Application for replacement well locations shall be made on forms obtained from the health officer and shall be accompanied by a review fee as specified in the fee schedule.
  - d. The new or replacement well location shall be clearly identified at the site.
  - e. Information shall be provided as part of the well location application to include, at minimum, a completely dimensioned plot plan, drawn to a scale not smaller than one inch equals one hundred feet accurately showing the location of the proposed water well relative to property boundary lines, existing and proposed OSS components including OSS reserve area, existing and proposed structures, roads and driveways, surface water, direction of surface drainage, a designated well protection sanitary control area and any other features relevant to the siting of a water well location.
  - f. A water well site approval is valid for two years from the date of approval or until the expiration of a building permit issued by the building official for construction of the primary structure to be served by the new well, whichever period is longer.

2. Water well protection covenant: The property owner shall establish a water well protection sanitary

control area by providing a recorded protective covenant prohibiting, within a horizontal distance of not less than one hundred feet of the well, potential sources of contamination as described in BOH 12.24.010 and WAC 173-160-171.

3. Demonstrate adequate water quantity by:

a. Drilling, in known or suspected areas of low production, the well and conducting a four hour pump test that demonstrates that the proposed well is capable of providing water to a residential dwelling in the amount of not less than four hundred gallons per day. This pump test may be required to be performed during the months of August, September or October at the health officer's discretion; or

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

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

a. ~~((At least one bacteriological analysis from the well water which does not exceed the maximum contaminant level prescribed in WAC 246-291-320))~~ Bacteriological analysis from at least two raw source water samples from the well indicating no presence of coliform bacteria; and

b. At least one chemical test for nitrate and arsenic from the well water described in table ((1)) 2, WAC ~~((246-291-330))~~ 246-291-170, which does not exceed the primary maximum contaminant level under WAC ~~((246-291-330))~~ 246-291-170.

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

6. Construction of the well must meet Washington state Department of Ecology's construction

standards under chapter 173-160 WAC.

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

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

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

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

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

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

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

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

- a. a professional engineer authorized under a current, valid license to practice in Washington state;
- b. an environmental health professional holding a current, valid registration from either the

Washington State Environmental Health Association or the National Environmental Health Association;

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

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

4. Rainwater catchment system ((source)) design shall conform to ((Part III of Chapter 16 of the Uniform Plumbing Code, 2009 edition)) chapter 51-56 WAC, Uniform Plumbing Code, as amended, and shall include, at a minimum, the following information:

- a. estimated daily and weekly and annual demand;
- b. available catchment area and estimated annual rainwater capture;
- c. roofing materials used;
- d. storage capacity of and materials used in the construction of the rainwater catchment system;
- e. treatment specifications including filtrations and disinfection system specifications; and
- f. operation and maintenance requirements.

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

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

- a. the estimated daily, weekly and annual water supply furnished by the rainwater catchment system;
- b. that the water supply from the rainwater catchment system may be limited due to variations in rainfall or usage; and
- c. that regular maintenance of the treatment system and components is required in order to minimize the risk of consuming contaminated water.

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

SECTION 2. **Severability.** If any provision of this rule or its application to any person or circumstance is held invalid, the remainder of the rule or the application of the provision to other persons or circumstances is not affected.