

**DRAFT Snohomish County Health Code language – for community review
Contractor Reporting Requirements**

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This code update would amend sections 5.55.030 (Definitions) and 5.55.100 (Reporting Requirements) of the Snohomish County Board of Health Code. The code language below only includes these sections and their potential edits. The full chapter of the Health Code can be found at snohomish.boardofhealth.codes/SCBHC/5.55.

**CHAPTER 5.55
ON-SITE SEWAGE SYSTEM CONTRACTOR REGULATIONS**

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5.55.030 Definitions.

In addition to the definitions found in chapter 246-272A WAC, the following shall apply to this chapter:

“Certificate of competency” or “certification” means a document issued by the health department indicating an individual’s satisfactory completion of the application and testing procedures relative to an installer, monitoring and maintenance specialist, or pumper.

“Certification by reciprocity” means current certification or licensure as a monitoring and maintenance specialist in a local health jurisdiction with an examination process deemed acceptable by the health department’s director of environmental health.

“Certified company” means a business entity which employs individuals possessing an installer, monitoring and maintenance, and/or pumper certification.

“Design.” An OSS design shall consist of a complete scale drawing of the site plan showing the proposed on-site sewage system installation, including all relevant values and details, and using the format and application forms provided by the health

department. The presentation of requisite soil log test holes, information, and markers at the site of the intended development is considered to be part of the design.

“DOH” means the Washington State Department of Health.

“Inspection” means a complete and thorough evaluation of one or more OSS components of an on-site sewage system, and including the ground surface over the gravity-subsurface soil absorption system (SSAS), in order to assess system function, condition, and compliance with chapter 246-272A and title 5 SCHBC. ~~The evaluation of proprietary and nonproprietary pretreatment devices, SSAS other than conventional gravity and other related components such as timers and control panels must be deferred to a certified monitoring and maintenance specialist. Inspection may also include other incidental activities enumerated within the supplemental procedures or for which prior approval has been granted by the health department.~~

“Immediate health or safety hazard” means any condition of an on-site sewage system that poses an immediate or imminent risk to public health, safety, or the environment.

“Inspection report” means a written record that documents the inspection of OSS components, including any work performed, that is prepared and submitted in the format, manner, and timeframe required under SCBHC 5.55.100.

“Certified installer” means a person who personally holds an installer certificate issued by the health department of competency and performs the actual work of installing, repairing, and renovating on-site sewage treatment and disposal systems. A homeowner may act in the capacity of the installer and install his/her own system in accordance with SCBHC 5.55.120.

“Limited repair measure” or “minor repair” means the repair or replacement of existing damaged or malfunctioning OSS components as defined in WAC 246-272A-0010 under “minor repair”. “Limited repair measure” as defined in title 5 SCBHC is synonymous with “minor repair” as that term is defined in chapter 246-272A WAC.

“Limited repair report (for limited repair measures)” or “minor repair report (for minor repairs)” means a written record that documents ~~ation of~~ limited repair measures or minor repair work performed, that is prepared and submitted in the format, manner, and timeframe required under ~~submitted in the format and by the means designated by the health officer within 30 days from the date of service in accordance with~~ SCBHC 5.55.100.

“Certified Monitoring and maintenance specialist” means a person who personally holds a monitoring and maintenance certificate of competency issued by the health department and performs the actual work of monitoring, maintaining, and limited repairs of on-site sewage ~~treatment and disposal~~ systems.

~~“Violation notice”~~ “Notice of violation” means a written determination that the named OSS ~~installer, monitoring and maintenance specialist, or pumper contractor~~ and/or certified company has committed a violation of these rules or regulations.

“On-site sewage system contractor” or “OSS contractor” or “contractor” means a person who is in possession of an installer, monitoring and maintenance specialist, or pumper certificate of competency.

“Permit” means written approval from the health department to construct or repair an OSS in accordance with an approved design and use.

“Professional development hour” or “(PDH)” means the equivalent to one hour participation in trainings or seminars where the major topic is related to OSS regulations, practices, or products.

“Certified pPumper” means a person that personally holds a pumper certificate of competency issued by the health department and performs the actual work of removal of septic tank and/or sewage holding tank contents and the inspection and/or limited repair measures of conventional gravity or pump to gravity on-site sewage systems.

“Pumper’s manual” means a manual developed and distributed by the health department that outlines minimum standards, procedures, and essential information for pumpers.

“Pumping” means the process of removing septage from a sewage tank.

“Pumping report” means a written record that documents the pumping of the OSS, including any work performed, that is prepared and submitted in the format, manner, and timeframe required under SCBHC 5.55.100

“Reporting guide for OSS contractors” means a guide developed and distributed by the health department that outlines the minimum reporting requirements and procedures OSS contractors must follow when conducting inspections, performing pumping services, or completing minor repairs of on-site sewage systems.

“Violation” means any of the following:

- A. The construction or omission of any significant element of an on-site sewage system which, if left uncorrected, may result in the malfunction of the wastewater treatment or disposal system, or would allow the use of the system to circumvent required treatment and disposal of wastewater;
- B. OSS construction work that is performed without a permit or approval from the health department. This includes but is not limited to: a drainfield installation in violation of the applicable rules and regulations; an installation not fitting the size, shape or topography of the site or its setbacks; use of

- inadequate construction materials, devices or methods; a sewage disposal system construction flaw that could allow the contamination of groundwater; an on-site sewage system that is installed at an unsafe distance from a water supply or surface water; OSS construction that could malfunction or allow sewage to discharge to the surface;
- C. Any OSS work that is performed outside the scope of that individual's certificate of competency;
 - D. Performance of services not consistent with these regulations and health department's minimum standards, procedures, and information for septic tank pumpers as set forth in the pumper's manual and under chapter 246-272A WAC;
 - E. On-site sewage system construction or repair work that is performed beyond the scope of limited (minor) repair measures as defined by these regulations;
 - F. Failure to electronically submit limited (minor) repair reports, ~~monitoring and maintenance inspection~~ reports, or pumping reports for each OSS on the property, to the health department no later than 30 days from the date the work was completed, as required by these regulations;
 - G. Failure to electronically submit a limited (minor) repair report, ~~monitoring and maintenance inspection~~ report, or pumping report to the health department within 24 hours upon discovery of an OSS failure or immediate health or safety hazard, or by the end of the next business day, whichever is later;
 - H. Omission of any significant element of an of an on-site sewage system monitoring inspection or maintenance activity which, if left uncorrected, may result in the malfunction of the wastewater treatment or disposal system, or would allow the use of the system to circumvent required treatment and disposal of wastewater; ~~or~~
 - I. Failure to truthfully report all pertinent observations and activities associated with the pumping or monitoring and maintenance of an OSS; or-
 - ~~I.~~ J. Failure to comply with the minimum reporting requirements as set forth in SCBHC 5.55.100 or in the Reporting Guide for OSS Contractors, as approved by the health department.

"WOSSA" means the Washington On-Site Sewage Association.

5.55.100 Reporting requirements.

- A. OSS contractors performing monitoring and maintenance activities, pumping, and/or limited repair measures on OSS as described under this chapter, chapter 246-272A WAC, and/or in the applicable DOH Department Standards and Guidance documents, shall report the activities to the health department within 30 days of completion in the manner herein described.
- B. OSS contractors shall report the discovery of an OSS failure or any condition posing an immediate health or safety hazard to the health department within 24 hours upon discovery or the end of the next business day, whichever is later. The report must

clearly identify the specific OSS component in failure or presenting a hazard, and, if applicable, the location of any surfacing sewage.

- C. The health department will maintain an electronic database for the purpose of submitting reports of monitoring and maintenance activities, pumping, as well as limited repair measures.
- D. The health department will maintain and distribute an electronic minimum standard report form to be completed by the OSS contractor upon servicing, monitoring and maintaining, pumping, or providing limited repair measures of an OSS. This report will be given to the property owner upon completion of work and an electronic copy forwarded to the health department no later than 30 days from the date of service. A limited exception to this requirement is provided for discovery of OSS failure or immediate health or safety hazard, which must be reported to the health department within 24 hours of discovery, or by the end of the next business day, whichever is later. The contents of this report will include, but not necessarily be limited to:
1. Location of property;
 2. Date of service;
 3. Property tax number of property;
 4. Owner of property;
 5. Description of any observed discharge, sewage, or effluent to the surface of the ground or surface waters;
 6. Septage disposal location, if applicable;
78. Name of person performing the work; and
89. Name of person submitting the report;
9. Date of report submittal; and;
107. Summary of work performed:
- a. ~~Monitoring and maintenance~~ inspection report requirements:
 - (i). Monitoring and maintenance specialists must report:
 - (A). A complete and thorough evaluation of each system component;
 - (B). Any adjustments or calibrations performed on the system and related components;
 - (C). Any ~~limited~~ repair measures performed as defined under this chapter; ~~and~~
 - (D). Replacement or repair of proprietary system components; ~~and~~
 - (E). Description of any other services performed.
 - (ii). Pumpers must report:
 - (A). A complete and thorough evaluation of each system component; ~~and~~
 - (B) Any ~~limited~~ repair measures performed, as defined under this chapter; ~~;~~
 - (C) If pumping was conducted, the number of gallons pumped and the measured depth of the scum and sludge layers; and
 - (D) Description of any other services performed.
 - b. Limited repair report requirements:
 - (i). Monitoring and maintenance specialists and installers must report:

- (A). Any adjustments or calibrations performed on the system and related components such as changes to timer and dose settings;
- (B). A list of system components that are replaced or added including the name of the manufacturer and model number; ~~and~~
- (C). A list of components that were repaired along with an accurate description of the work performed; ~~and~~
- (D). Description of any other services performed.

(ii). Pumpers must report:

- (A). Pump make and model;
- (B). Dose setting; ~~and~~
- (C). A list of components that were repaired along with an accurate description of the work performed; ~~and~~
- (D). Description of any other services performed.

c. Pumping report requirements:

- (i). Gallons pumped;
- (ii). Condition of tank, lids, risers, baffles, and effluent screens;
- ~~(iii). Recording of ponding levels in monitoring ports;~~
- ~~(iiiv). Depth in inches of floating the scum mat and sludge layers; and~~
- (iv.) Any limited repair measures performed, as defined under this chapter; and
- (v). Description of any other services performed;

~~8. Name and certificate number of person performing the work; and~~

~~9. Signature and date.~~

E. OSS contractors must submit a separate report for each OSS on the property.

F. OSS contractors must also submit a separate report for each day an inspection is conducted, including the initial inspection, any follow-up inspections, and limited repair measures. Exceptions to these requirements include:

1. If the system is pumped and inspected by an OSS contractor on the same day, then a single report may be submitted; or

2. If the system is pumped or inspected and limited repair measures are completed on the same day, then a single report may be submitted, provided that all limited repairs completed are clearly documented in the inspection report.

GE. Each report must be accompanied by the applicable Any fee, as set forth in- required under chapter 1.40 SCBHC.