



BOARD OF HEALTH

Minutes of July 14, 2009

Public Hearing to take testimony regarding proposed Amendments to Article I and IV, and Article I, Appendix A

SUMMARY OF ITEMS

1) CALL MEETING TO ORDER

Chair Romero called the public hearing to order at 6:00 P.M. at the Thurston County Courthouse.

Attendance: Chair Romero, Vice-Chair Wolfe, Commissioner Valenzuela, and Clerk of the Board Kathy Patton.

Commissioner Romero explained the purpose of this hearing is for the Thurston County Board of Health to take testimony on proposed amendments to Article I and Article IV of the Thurston County Sanitary Code, including Appendix A, Environmental Health Division Fee Schedule. Revisions to Article I and IV are proposed to implement provisions of the Thurston County On-site Sewage System Management Plan. If adopted, these changes would impose additional requirements for evaluating, maintaining and submitting reports on sewage systems, require design, installation and repair work to be performed by certified professionals and revise requirements for certified professionals and firms, implement new criteria for siting, designing, installing and permitting sewage systems, authorize mandated connection to sewer within the Henderson Watershed but only when it can be documented that onsite sewage causes pollution that exceed water quality limits, revise the definition of failure, add fees for on-site sewage systems and waivers, incorporate changes to implement state law and make various technical and clarifying corrections and revises the processes and standards for reviewing waiver requests, including the appeal process. Commissioner Romero then explained the process for taking public comments.

Art Starry, Environmental Health Division Director gave a brief overview and background on the process for amending Article IV. Washington State's on-site sewage system (OSS) regulations were amended in 2006; the amendments reflect changes required by the Washington State Board of Health and the 2006 Legislature. Article IV, the Thurston County OSS regulations, were updated to meet the minimum requirements of state law on July 2, 2007. The update brought the county into compliance with state law while an advisory committee developed the OSS management plan required of all counties that border Puget Sound.

At the end of 2007 the *Thurston County On-site Sewage System Management Plan* was completed. The Management Plan was developed to guide the use and management of on-site sewage systems. The plan was approved by the Thurston County Board of Health on January 7, 2008. Article IV must be amended to implement the recommendations in the Management Plan.

Following are summaries of the most significant of the proposed amendments to Article IV. The relevant code sections are listed in parentheses at the end of each summary statement:

- Soil loading rates, minimum lot size, and wastewater treatment levels are amended to reflect recent changes in state law (Sections 11 and 21).
- All on-site sewage systems must be evaluated when properties are sold or transferred (Section 16.8). *A new fee is proposed to provide resources so the health officer can oversee this requirement.*
- All septic tank pumping reports must be submitted to the county, preferably using an on-line reporting site (Section 23.8.2.8). *New fees are proposed so the health officer can manage records submitted by on-site professionals and to provide assistance to the public.*
- On-site professionals must complete any OSS inspections needed to renew an operational certificate unless the OSS owner has attended county approved training, in which case the owner can complete the inspection (Section 16.1.1.2).
- All on-site sewage systems must be designed, installed and repaired by certified professionals (Sections 11.2 and 13.1).
- The Board of Health is granted additional authority to require properties served by on-site sewage systems to convert to sewer in the Henderson Watershed Protection Area when it can be documented that OSS cause pollution that exceed water quality limits or adopted county action levels (Appendix A, Section 5).
- The design of new land development served by on-site sewage systems must be based on the use of public domain on-site sewage systems (Section 21.4.2.1.5.1).
- The regulations allow areas to be evaluated to determine if special on-site sewage permit and management standards are needed to protect public health and water resources (Section 22).
- The waiver provisions of Article IV are amended to comply with state law. Changes to Article I are also proposed to align it with Article IV (Section 24 of Article IV, and Section 13 of Article I).

The following individuals provided testimony:

1. Scott Merriman, property owner, had several comments and additions to the code. These were provided to the Clerk and will be included in the final record.
2. Dick Gunstone, septic system pumper, against the fee and pumpers collecting fees “taxes” for paperwork. Suggested a utility tax be put on every septic system and collected by the tax assessor.
3. Jerry Churchill, owner of septic system pumping business and stock holder of another pumping business, noted two other counties that are charging a different fee than our county. He was there representing his customers. Concerned with current economic climate. Would like the county to choose something different.

4. Randy Jackson, septic system designer and installer, against limiting public domain technology on new landuse development. Should be done on a case by case basis.
5. Larry Koeser, owner of septic system pumping business, likes the idea, personally, of going on-line to fill-in the pumper's reports. Would rather see this money be collected from the taxes like is done with the Henderson Watershed.
6. Clarence Fladager, septic system pumper, against the fee and paying for more county staff. Against homeowners doing their own septic inspections.
7. Dan Kelly, septic system installer and certified monitoring specialist, concerned with authorities given to the pumpers to do inspections for which they do not have the certification. Submitted comments to the Clerk.
8. Terry Hull, property owner in Thurston County, commended staff and advisors on the effort for what is a really comprehensive amendment of the regulations and generally should serve the county into the future. Noted some technical changes he would encourage to be changed. Comments will be provided in writing.

When all testimony was complete, Commissioner Romero advised that additional comments could be sent in either by mail or email.

2) ADJOURNMENT

The meeting was adjourned.

BOARD OF HEALTH
Thurston County, Washington

ATTEST:

SANDRA ROMERO, Chair

Kathy Patton, Clerk of the Board

CATHY WOLFE, Vice-Chair

Date: _____

KAREN VALENZUELA, Commissioner