



STATE OF WASHINGTON  
WASHINGTON STATE BOARD OF HEALTH

*PO Box 47990 • Olympia, Washington 98504-7990*

13 August 2021

George Danilov  
P.O. Box 125  
Curtis, WA 98538

Sent Via Email

Dear Mr. Danilov:

Thank you for the rulemaking petition you submitted to the State Board of Health (Board) on July 4, 2021, requesting numerous changes to chapter 246-272A WAC, On-site Sewage Systems.

The Board considered the petition at its meeting on August 11, 2021. The Board also took into consideration other material you wrote and provided to staff in support of the petition. The Board voted to deny the petition and directed staff to consider your concerns as additional stakeholder input in the current rulemaking for the On-site Sewage System code. Since rulemaking for this code is currently underway, reasons for denying your rulemaking petition include the following concerns:

- public health and system-performance risks associated with separating graywater from blackwater in the rules and in the design and use of on-site sewage systems;
- public health risks associated with property owner design and installation of aerobic treatment units that require inspections and maintenance by trained professionals;
- costs, resource demands, and public health risks associated with property owner design and installation of systems coupled with increased and ongoing inspection of systems by public health staff to determine performance and treatment effectiveness; and
- costs and public health risks associated more broadly with transforming the code from its standards-based structure to performance-based rules.

Board members acknowledged and thanked you for your strong interest in these issues. They also appreciated your request for participation by property owners in administration of the rules. Owner participation is particularly important for the safe use and maintenance of on-site sewage systems, a longstanding principle in development and creation of the rules.

Under RCW 34.05.330, petitioners may appeal any agency's decision to deny a petition to repeal or amend a rule. An appeal must be made to the Governor within thirty days of the petition denial. If you require further assistance, please contact Stuart Glasoe, Health Policy Advisor, at (360) 236-4111, or [stuart.glasoe@sboh.wa.gov](mailto:stuart.glasoe@sboh.wa.gov).

Sincerely,

Thomas W. Pendergrass, MD, MSPH, Vice, Chair