

WAC 246-203-130

Domestic Animal Waste

- (1) A person may not keep or shelter animals in such a manner that the domestic animal waste creates a nuisance or health hazard. The purpose of this section is to establish standards for the prevention, control, and abatement of health hazards and nuisance detrimental to human health related to the disposal of domestic animal waste, including handling and storage of domestic animal waste, as described in subsection (3) of this section.
- (2) The following definitions apply throughout this section unless the context clearly indicates otherwise.
 - (a) **“Containment area”** means an area where domestic animals are held, housed, or kept for a period of time and includes, but is not limited to, stables, corrals, confinement areas, kennels, pens, and yards.
 - (b) **“Domestic animal”** means an animal domesticated to live and breed in a tame condition under the care of humans. Domestic animal includes livestock and non-livestock such as dogs and cats.
 - (c) **“Domestic animal waste”** means excreta from a domestic animal and includes associated wash water, feed, and bedding soiled with the excreta.
 - (d) **“Health hazard”** includes any organism, chemical, condition, or circumstance that poses a direct and immediate risk to human health.
 - (e) **“Livestock”** means domestic animals raised for use or for profit, especially on a farm, and includes horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, and game birds.
 - (f) **“Local health officer”** means the health officer of the local health jurisdiction, or an authorized representative.
 - (g) **“Nuisance”** includes an act or omission that harms, endangers, or interferes with the health or safety of another person.
 - (h) **“Person”** means any individual, corporation, company, association, society, firm, partnership, joint stock company, or any governmental agency, or the authorized agents of these entities.
 - (i) **“Sanitary”** means of or relating to conditions that affect hygiene and health, especially relating to cleanliness and other precautions against disease.
 - (j) **“Stockpiling”** means the temporary piling of domestic animal waste from livestock prior to use or disposal. Stockpiling does not include active composting or lagoon storage of domestic animal waste from livestock.
 - (k) **“Surface water”** means a body of water open to the atmosphere and subject to surface runoff including, but not limited to, lakes, ponds, streams, rivers, and marine waters.
- (3) Unless superseded by more stringent standards in federal, state, or municipal law, the following standards shall be met in order to help prevent, control, and abate nuisance and health hazards related to the disposal of domestic animal waste. Not including free-range grazing, livestock trails, trail riding, and other diffuse sources of domestic animal waste, domestic animal waste must:

- (a) Be collected at intervals sufficient to maintain sanitary conditions in containment areas;
- (b) Be handled to prevent deposition, leaching, and runoff to:
 - (i) Another person's property;
 - (ii) Drinking water sources; and
 - (iii) Surface water bodies used for swimming, shellfish harvesting, or other activity with potential to affect human health;
- (c) Be handled as follows if it is domestic animal waste from non-livestock:
 - (i) Not stockpiled;
 - (ii) Held in a watertight container if stored for more than one day prior to proper disposal; and
 - (iii) Bagged and disposed of as solid waste; and
- (d) Be handled as follows if it is domestic animal waste from livestock that is collected and stockpiled for later use or disposal:
 - (i) Stored to control odors and attraction of flies, rodents, and other vectors;
 - (ii) Stored no longer than one year; and
 - (iii) Sited:
 - (A) One hundred feet or more from a drinking water well;
 - (B) Two hundred feet or more from a public drinking water spring;
 - (C) Outside the sanitary control area of a public drinking water source if different from the areas set forth in (d)(iii)(A) and (B) of this subsection;
 - (D) One hundred feet or more from a surface water body unless:
 - (I) The surface water body is upgradient or is protected by a levee or other physical barrier; or
 - (II) The surface water body is protected by one or more control or treatment practices (e.g., storage pad, cover, storage structure, or filter strip) that capture and prevent leachate and runoff; and
 - (E) Outside seasonally or frequently flooded areas unless used or disposed of prior to flooding.
- (4) The local health officer may investigate and enforce this section. Enforcement actions may include any proceeding within the local health officer's statutory authority. Before taking enforcement action the local health officer must attempt to communicate with the person who may be in violation of this section in order to explore the facts and, if the local health officer determines that a violation has occurred, allow the person reasonable time to correct the violation.