

**DISTRICT BOARD OF HEALTH OF THE BENTON-FRANKLIN
HEALTH DISTRICT**

**Rules and Regulations providing for the regulation of
persons engaged in the pumping, cleaning or removal of
waste from on-site sewage disposal systems; for
permitting those engaged in the pumping, cleaning or
removal of waste from on-site sewage systems;**

**RULES AND
REGULATIONS
(No. 5)
As adopted
April 27, 1995**

WHEREAS, under the provisions of R.C.W. 70.05.060, R.C.W. 70.08, and R.C.W. 70.46.060, this board is charged with the duties of (1) enacting such local rules and regulations as are necessary in order to preserve, promote and improve the public health and provide the enforcement thereof; and (2) providing for the control and prevention of any dangerous, contagious or infectious disease within the jurisdiction of the local Health District.

WHEREAS, the Washington State Board of Health has passed rules and regulations which are mandatory and binding on the local Boards of Health, and **WHEREAS**, these rules and regulations identify that the Health District must specify the proper management of septage removal and disposal.

NOW, THEREFORE, be it resolved by the Benton-Franklin District Board of Health that Rule No. 5, be, and is hereby adopted, and that from and after the date of this resolution, shall be and read as follows: **RULES AND REGULATIONS NO.5**

SEWAGE PUMPERS RULES AND REGULATIONS

Section I. Authority

Pursuant to the authority of Chapter 246-272 WAC, and in accordance with RCW Chapter 70.05 and 70.46, the following regulation is hereby established and adopted by the Benton- Franklin District Board of Health, for persons engaged in the removal and cleaning of septic tank contents.

Section II. Purpose and Objective

The purpose of this regulation is to provide for control, suppression, and prevention of any dangerous, contagious, or infectious disease consistent with state and local regulations by minimizing:

- A. Potential for public exposure to sewage; and
- B. Adverse effects to public health from sewage discharged to ground and surface waters.
- C. Ensuring proper handling and disposal of septage.

Section III. Definitions

"Additive"

means a commercial product added to an on-site sewage system intended to affect performance or aesthetics of an on-site sewage system.

"Approved"

the term "Approved" shall mean acceptable by the Health Officer as stated in writing.

"Benton-Franklin Health District"

means all the area within the boundaries of Benton and Franklin Counties exclusive of the Hanford Reservation.

"Cesspool"

means a pit receiving untreated sewage and allowing the liquid to seep into the surrounding soil or rock.

"Commercial Wastes"

means scum, sludge, and liquids from non-domestic sources pumped from septic tanks, grease traps, pump chambers, holding tanks and other waste water treatment components and not classified under 173-303 WAC as a dangerous waste.

"Health Officer"

means the Health Officer of the Benton-Franklin District Health Department, or a representative authorized by the Health Officer, as defined in chapter 70.05 RCW.

"Holding tank sewage system"

means an on-site sewage system which incorporates a holding tank, the services of a sewage pumper/hauler, and the off-site treatment and disposal for the sewage generated.

"On-site Sewage System (OSS)"

means an integrated arrangement of components for a residence, building, industrial establishment or other places not connected to a public sewer system which:

- 1) Convey, store, treat, and/or provide subsurface soil treatment and disposal of sewage on the property where it originates, upon adjacent or nearby property; and
- 2) Includes piping, treatment devices, other accessories, and soil underlying the disposal component of the initial and reserve areas.

"Permit"

a written certificate issued by the Health Officer, authorizing the performance of a specific function or service.

"Person"

means any individual, corporation, company, association, society, firm, partnership, joint stock company, or any governmental agency, or the authorized agents of any such entities.

"Public Sewer System"

means a sewage system:

- 1) Owned or operated by a city, town, municipal corporation, county, or other approved ownership consisting of a collection system and necessary trunks, pumping facilities and a means of final treatment and disposal; and;
- 2) Approved by or under permit from the Department of Ecology, the Department of Health and/or a local Health Officer.

"Pump/Dosing Tank"

means a watertight receptacle or tank that contains pumping or dosing equipment.

"Pumper"

means any person engaged in the pumping, cleaning or removal of septic tank, cesspool, seepage pit or drywell contents, whether for profit or otherwise.

"Residential sewage"

means sewage having the constituency and strength typical of wastewater from domestic households and generally considered as having the following characteristics:

- a. BOD₅ of 230 mg/l or less.
- b. Total suspended solids of 150 mg/l or less.
- c. total oil and grease of 50 mg/l or less.

"Seepage Pit"

includes excavations more than three feet deep where the sidewall of the excavation is designed to dispose of septic tank effluent. Seepage pits may also be called "dry wells".

"Septage"

means the mixture of solid wastes, scum, sludge, and liquids pumped from within septic tanks, pump chambers, holding tanks, and other OSS components. This does not include industrial or commercial wastes.

"Septic Tank"

means a watertight pretreatment receptacle receiving the discharge of sewage from a building sewer or sewers, designed and constructed to permit separation of settleable and floating solids from the liquid, detention and anaerobic digestion of the organic matter, prior to discharge of the liquid.

"Sewage"

means any urine, feces, and the water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places. For the purposes of these regulations, "sewage" is generally synonymous with domestic waste water, but may include commercial wastes that are similar in characteristics to residential sewage.

"Surface Water"

means any body of water, whether fresh or marine, flowing or contained in natural or artificial depressions for significant periods of the year, including natural and artificial lakes, ponds, rivers, streams, irrigation canals, swamps, marshes, and tidal waters.

Section IV. Applicability

These requirements shall apply to all persons engaged in pumping or cleaning the contents of any on-site sewage system (OSS), septic tank, cesspool, seepage pit, grease trap, chemical toilet, pump/dosing tank, holding tank sewage system or other such facilities within the Benton-Franklin Health District.

Section V. Permit

No person shall carry on or engage in pumping, cleaning or removing the wastes from any portion of an OSS, septic tank, pump chamber, cesspool, seepage pit, grease trap, chemical toilet, pump/dosing tank, holding tank sewage system or other such facilities without having first obtained a permit, for each vehicle so used or engaged, from the Health Officer pursuant to Section VI of this regulation.

Section VI. Permit Requirements

- A. Applications for a permit shall be on forms provided by the district. The district shall inform the applicant of any additional information required upon review of the application. Each permit shall terminate on December 31st of each year.
- B. Each vehicle used in the pumping and/or transport of sewage is required to have its own separate permit which shall be maintained within the vehicle.
- C. The permit fee for each separate permit and renewal will be charged in accordance with the current district fee schedule.
- D. A permit shall be issued only after a written operating plan is submitted and approved by the District. An operating plan shall include:
 - 1) Procedures for pumping:
 - a: Septic Tanks
 - i. single compartment.
 - ii. two compartment.
 - iii. Non-concrete.
 - b: Chemical toilets.
 - c: Pump/Dosing Tanks.
 - d: Holding Tanks.
 - 2) Vehicle maintenance and cleaning procedures.
 - 3) Record keeping requirements.
 - 4) Dumping procedures and locations.
 - 5) Safety and health protection measures for pumper and other persons present during pumping.
 - 6) Commercial waste procedures.

- 7) Supply list for each pumper truck.
 - 8) Spill cleanup plan.
- E. The District shall provide each permittee a list of current approved disposal sites within the Benton-Franklin Health District.

Section VII. Equipment

- A. All pumps, valves, flex lines, piping, tank seams, hatch covers, or other liquid contact areas shall be maintained in a water tight condition at all times.
- B. All tanks shall be securely and permanently fastened to the pump truck to ensure adequate safety and prevent tampering.
- C. Pumper trucks must be equipped with self priming pumps, without by-passes, orifices or other devices which contribute to operational failures, interruptions or spills.
- D. The main tank discharge nozzle shall have a shut off valve, capable of suspending flow at any time during off loading and be equipped with a cap for watertight containment when not in immediate use.
- E. All equipment must be properly maintained and kept clean.
- F. Each truck shall at all times be supplied with a pressurized fresh water tank, disinfectants (properly labeled and stored) and implements necessary for equipment cleanup purposes. In lieu of pressurized water, procedures outlining effective cleanup practices may be developed (sole reliance on the availability of water at the job site is not acceptable) and incorporated into the approved operating plan.
- G. All vehicles used in the pumping and/or transport of sewage shall be so identified by name of owner, and either address or phone number, posted and permanently attached or painted letters, in a location that is clearly visible to the public. Letters shall not be less than 5" high for firm name, nor less than 3" high for address and/or telephone number.
- H. Each vehicle engaged in the pumping or cleaning of an OSS or its components shall have a permit and a copy of said permit shall be available for inspection in the vehicle.
- I. Inspection of equipment may be made at any reasonable time by a representative Health Officer, after presentation of credentials.

- J. All pumpers are responsible for complying with all applicable local, state and federal regulations, with respect to pumping including, but not limited to regulations promulgated by the Washington Department of Transportation & Utilities, and/or the Washington State Department of Labor & Industries.

Section VIII. Performance/Operation

- A. The permittee shall keep records of each and every pumping which occurs. The records shall identify the name, address, phone number, date, and location of each pumping. In addition, records shall identify the type of waste, amount, and location of disposal. These records shall be kept on forms approved by the district and shall be submitted monthly to the district by not later than the 15th day of each month following the reported month.
- B. Materials removed from on-site sewage systems, related facilities, other treatment facilities, and industrial or commercial establishments shall be disposed of solely in approved sites and facilities, and in accordance with the rules, regulations and operating permit governing said facility.
- C. Septage shall not be commingled with any other types of wastes. Trucks transporting different types of wastes shall be thoroughly rinsed and said rinse water disposed of at an approved site prior to acceptance of a different type of waste.
- D. No material shall be disposed of in any stream, river lake, irrigation ditch/canal, or any surface water.
- E. Contents from any OSS, or related appurtenance shall not be discharged or placed upon the surface of the ground, except in facilities permitted under and in compliance with, Chapter 70.95 RCW as amended, including all applicable rules and regulations promulgated thereunder, including but not limited to Chapter 173-304 WAC (Minimum Function Standards for Solid Waste Handling).
- F. Additives shall not be sold, nor offered for sale, nor used to reduce the frequency of removal of septage from the septic tank, nor to clean or enhance any part of the OSS unless said additives are listed and approved by the Washington State Department of Health in accordance with all applicable statutes and regulations.
- G. All waste spilled must be promptly removed to an approved disposal site and any residue remaining must be treated with agricultural lime to suppress odors, pathogens and for public health protection. The customer's premises must be left in a clean and sanitary condition.

Section IX. Inspections

The District shall perform inspections of all pumper vehicles and related facilities for the purpose of determining compliance with these rules and regulations.

Section X. Suspension or Revocation

- A. Any sewage pumpers permit issued under the provisions of these requirements may be suspended or revoked upon a hearing of the Health Officer for making false application, misrepresentation, or failure to comply with any of the provisions of these requirements.
- B. The Health Officer shall notify the permittee in writing as to the date, time, and place of the hearing at least five (5) working days prior to the date of the hearing.
- C. Decisions of the Health Officer may be appealed only to the District Board of Health, Appeals Board. Appeals shall be processed in accordance with the procedures specified in Appendix A of the Benton Franklin District Board of Health Rules and Regulations No. 2.

Section XI. Penalty

Any person, firm, or corporation violating any provision of this chapter shall be guilty of a misdemeanor.

Section XII. Severability

If any provision of these regulations is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remaining provisions and the applicability thereof to other persons and circumstances shall not be affected thereby.

Section XII Effective Date

These regulations will take effect and be in full force on May 31, 1995.