



**SNOHOMISH
HEALTH
DISTRICT**

M. WARD HINDS, M.D., M.P.H
Health Officer

DISTRICT MEMBERS

COUNTY

Snohomish

CITIES AND TOWNS

Arlington
Brier
Darrington
Edmonds
Everett
Gold Bar
Granite Falls
Index
Lake Stevens
Lynnwood
Marysville
Mill Creek
Monroe
Mountlake Terrace
Mukilteo
Snohomish
Stanwood
Sultan
Woodway

**SNOHOMISH HEALTH DISTRICT
Courthouse
Everett, WA 98201**

GENERAL INFORMATION	339-5200
ADMINISTRATION	339-5210
MAIN CLINIC	339-5220
TUBERCULOSIS CLINIC	339-5225
PUBLIC HEALTH NURSING	339-5230
CRIPPLED CHILDREN'S SERVICES	339-5240
ENVIRONMENTAL HEALTH	339-5250
FOOD PROGRAM	339-5260
SANITATION PROGRAM	339-5270
VITAL STATISTICS	339-5280
SOUTH COUNTY CLINIC	775-3522
EAST COUNTY CLINIC	793-0201
AIDS PROGRAM	259-2330

**SNOHOMISH HEALTH DISTRICT
RESOLUTION OF THE BOARD OF HEALTH**

89 - 61

RESOLUTION NUMBER: 89 - 61

**RESOLUTION SUBJECT: REVISION TO RULES GOVERNING THE ONSITE
SEWAGE DISPOSAL INSTALLER PROGRAM,
SECTION 8.20.175**

WHEREAS the Board of Health of Snohomish Health District, by Resolution #84 - 23, adopted WAC 248-96 as the Rules and Regulations Governing Onsite Sewage Disposal to be followed and enforced by the Snohomish Health District, and

WHEREAS WAC 248-96-175 Installer Program states: "(1) All systems except as noted in this section shall be installed by a certified installer. Local boards of health shall establish requirements for persons, firms, and corporations engaged in installing or repairing onsite sewage systems. Guidelines stating suggested requirements shall be established by the health officers and the department. The guidelines shall include, but not be limited to, the following: (a) Education; (b) Experience; (c) Testing; and (d) Certification." , and

WHEREAS the Board of Health recognizes that the more recent changes in the design criteria and methods available for onsite sewage disposal system siting and construction are not thoroughly addressed in the current Installer Program rules, in effect since 1971, and

WHEREAS the Board of Health recognizes that a strong Installer Program will help the community to prepare for safe and sanitary siting of onsite sewage disposal systems,

NOW THEREFORE the Board of Health adopts the attached document, titled: 8.20.175 Onsite Sewage Disposal System Installer Program, to protect the public health.

Adopted this 12th day of December, 1989.

Edward M. Morrow

Edward M. Morrow, Chairman
Board of Health

ATTEST:

M. Ward Hinds M.D.

M. Ward Hinds, M.D., M.P.H.
Health Officer

December 12, 1989



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

December 29, 1989

Mr. David S. Peterson, Assistant Director
Environmental Health Division
Snohomish Health District
3000 Rockefeller Avenue
Everett, Washington 98201

Dear Mr. Peterson:

In accordance with the procedure established in WAC 248-96-025, the Department of Health has reviewed Resolution Nos. 89-60 and 89-61, amending sections 8.20.130 and 8.20.175 respectively of the Snohomish Health District's On-site Sewage Regulations. The proposed revisions are consistent with the intent of WAC 248-96 and are hereby approved.

Sincerely,

KRISTINE M. GEBBIE
Secretary



Snohomish Health District
Regulations Governing Onsite Sewage Disposal
Section 8.20.175
ONSITE SEWAGE DISPOSAL SYSTEM INSTALLER PROGRAM

8.20.175 ONSITE SEWAGE DISPOSAL SYSTEM INSTALLER PROGRAM.

Pursuant to WAC 248-96-175 the following Administrative Procedure is adopted.

1. Purpose: The purpose of the Installer Program and the underlying rules and regulations thereto is to establish minimum competency standards for individuals engaged in the practice of installing onsite sewage disposal systems within the jurisdiction of the Snohomish Health District.

The Health Officer and local Board of Health shall administer these regulations under authority and requirements of Chapter 70.05, 70.46, and 43.20 RCW, as well as the underlying Washington Administrative Code, Chapter 248-96 which specifically proclaims in WAC 248-96-175 a mandate for the establishment of the installer program.

2. Definitions: In addition to the definitions found in WAC 248-96-020, and in any Supplemental Onsite Sewage Disposal Regulations of the Snohomish Health District, the following shall apply:
 - a. Installer Certificate of Competency: A document issued by the Snohomish Health District indicating an individual's satisfactory completion of the application and testing procedures relative to onsite sewage disposal systems.
 - b. Design: An onsite sewage disposal system design shall consist of a complete scale drawing of the site plan showing the proposed sewage disposal system installation, including all relevant values and details, and using the format and application forms provided by the Health District. The presentation of requisite soil test holes, information and markers at the site of the intended development is considered to be part of the design.
 - c. Installer: An individual who personally holds an Installer Certificate of Competency and performs the actual work of installing, maintaining, repairing, and renovating onsite sewage treatment and disposal systems.
 - d. Permit: Written approval from the Snohomish Health District to construct or repair an onsite sewage disposal system in accordance with an approved design and use.
 - e. Violation Notice: Written determination that the named Installer has committed a Violation of the rules or regulations.
 - f. Violation: The construction or omission of any significant element of an onsite sewage disposal system which, if left uncorrected, would likely 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. Also, onsite sewage disposal system construction work that is performed without a permit or approval from the

f. Violation - continued:

Snohomish Health District. 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 ground water; a sewage disposal system that is installed at an unsafe distance from a water supply or surface water; onsite sewage disposal system construction that would malfunction or allow sewage to discharge to the surface.

3. Certificate Required: No person shall engage directly or indirectly in the activity of installing all or any part of an onsite sewage disposal system without first having obtained an Installer Certificate of Competency from the Snohomish Health District.
4. An Onsite Sewage Disposal System Installer Certificate shall be nontransferable.
5. Duties and Obligations: By virtue of performing onsite sewage disposal system construction an Installer incurs the obligation to comply with the minimum requirements for onsite sewage disposal which includes proper installation of an approved system design in conformance with the Health District's standards. All installation work is subject to inspection and approval prior to use.
6. Certification does not allow an individual Installer who also holds a Designer Certificate of Competency to concurrently act as both the Installer and the Designer of the same system.
7. Qualification for Certification: To secure Certification under these regulations an individual shall be subjected to testing, as is further defined herein, as well as be obligated to satisfy Contractor Licensing requirements as referenced.
8. Term of Certification: An Installer Certificate of Competency shall run from the date of issue concurrent with the calendar year, and will expire on December 31st of the year unless otherwise suspended or revoked.
9. Application and Testing Procedure: Certification of Installer's Competency shall be determined in the following manner:
 - a. The applicant must file notice of interest with the Supervisor of the Water and Wastewater Section requesting to be placed on the test candidate register.
 - b. Testing will be conducted at monthly intervals by the Water and Wastewater Section Supervisor of individuals named in the current test candidate register. At the time of testing, an applicant for Installer Certification of Competency must submit an application and payment of the examination fee as listed in the Fee Schedule.

c. Testing will consist of three phases:

- (1) A written exam to determine the applicant's knowledge of public health problems involved in onsite treatment and disposal of sewage; of water and wastewater rules, regulations and policies; of standards of design, construction and installation; of soil/site evaluation; and of sewage treatment theory. If the applicant scores below 70 percent on the written exam, the applicant fails that exam and must wait until the next scheduled examination to re-take the exam, and may not continue with any other part of this examination.
- (2) A practical field exercise consisting of the examination of a site for a proposed onsite sewage disposal system installation, at a time and place selected by the Supervisor, and a verbal description of methods of installation, and submittal of a preliminary written bid for construction of the proposed onsite sewage disposal system including an itemization of materials, equipment and labor costs. This exercise must be taken within 90 days of passing the written examination and completed to the satisfaction of the Section Supervisor, otherwise the applicant will be required to retake the entire testing procedure.
- (3) A satisfactory oral review with the Water and Wastewater Section Supervisor of the test results completes the exam.

10. Installer Certificate of Competency Issuance: A Certificate will be issued by the Health Officer to qualified individuals who have passed the necessary written examination, field exercise, oral review, and otherwise complied with the other licensing and bonding requirements contained herein so as to demonstrate that said candidate appears to be qualified to install sewage disposal systems consistent with the category of the certificate being sought. This Certification does not constitute a guaranty, a warranty, or any representation by the Snohomish Health District relative to the specific work or performance of the Certificate holder.

Test results for the purpose of certification will be retained for only a 90 day period. Failure to complete requirements and obtain Certification within that time will require reapplication and reexamination as outlined in Section 9 unless special arrangements are made by the Supervisor.

- a. A new Certificate shall be issued upon: (1) Determination of competency through testing as described above; (2) Proof of possession of a current, valid General or Specialty Contractor license issued by the State of Washington; (3) Payment of the annual Certification fee as listed in the Fee Schedule.
- b. A renewal Installer Certificate of Competency will be issued to a holder of an expired Installer Certificate; upon receipt of payment not later than March 1st of the next certificate year. A late fee, as prescribed in the Fee Schedule, shall be imposed on

b. continued:

applications for renewal received later than that date. After March 30th the Certificate will be nonrenewable and the Installer must apply for new Certification as outlined in Sections 9 and 10. Onsite sewage disposal installations performed by any Installer seeking renewal of the Installer Certificate will not be approved until the renewal application is completed and the annual fee is paid.

11. Suspension and Revocation: The Health Officer may suspend or revoke any Installer Certification of Competency upon making the determination that the holder has performed with negligence, incompetence, misrepresentation, or violation of the rules, regulations guidelines, policies, or practices adopted by the Snohomish Health District which pertain to water supply and wastewater disposal, either existing at the time of Certification or as thereafter enacted. A Certificate may be suspended by the Health Officer for any of the following reasons:

- a. For committing a Violation that would allow the existence of a real or potentially serious threat to the public health or to the quality of surface and ground waters, or for making any serious, material misrepresentation of major facts as part of the construction of any onsite sewage disposal system.
- b. When the holder has been issued three Notices of Violation by the Environmental Health Division staff within any 12 month period.
- c. When the holder's surety bond or General or Specialty Contractor's license is no longer valid or in effect.

12. Procedures for Suspension of Certificate

- a. Violation: When the Water and Wastewater Section Supervisor finds that the Installer has committed a significant violation of the regulations, principles, or practices of onsite sewage disposal system installation, a Notice of Violation shall be issued. The Installer shall be notified by certified and regular mail of the issuance of the Violation Notice. Where such violation notice constitutes the third notice of violation within any 12 month period, the Installer shall also be notified of the immediate suspension of the Installer Certificate.
- b. Upon finding that the conditions of Installer Certification are no longer in effect, specifically the maintenance of the Washington State Contractor license, or by the abandonment of the occupation either by relocation out of state, or by inactivity for more than one year, the Certification shall be suspended. The Installer shall be notified by certified and regular mail of the immediate suspension of the Installer Certificate of Competency.

13. Procedures for Reinstatement of Suspended Installer Certificate of Competency.

- a. The Installer shall make written application for reinstatement to the Water and Wastewater Section Supervisor, specifying what practices, performance, and conditions that were named as grounds for suspension have been remedied, and a description of changes in performance that will occur which will directly avoid the repetition of past violations.
- b. The Water and Wastewater Section Supervisor, upon determining that noted deficiencies have been satisfactorily addressed, shall schedule the Installer for participation in the next available test. Re-Certification is subject to the installer's successful completion of the application and testing procedure and payment of testing and licensing fees as per Section 9 and 10 of this regulation.
- c. Upon proof of reinstatement of the performance bond or Contractor's License, where that is the only fault, the Certificate of Competency can be immediately reinstated by the Supervisor.

14. Appeals Procedure.

- a. Any installer who feels that the suspension of the Certificate of Competency by the Water and Wastewater Section Supervisor is an incorrect action may submit an appeal. Such request must be filed in writing with the Director of Environmental Health within twenty (20) calendar days, with the date of suspension counting as the first day.
- b. In the request for an administrative review, the Installer must specifically state which violations cited by the Water and Wastewater Section Supervisor were incorrectly cited, or which portions of these Certification procedures were incorrectly applied. In these instances, suspension of the Certificate will be stayed pending outcome of the final hearing unless, in the opinion of the Health Officer, there exists an imminent health hazard that would result from the continued activity of the Installer.
- c. An administrative review shall be conducted in accordance with the Step One Appeals Procedure of the Snohomish Health District Rules and Regulations Governing Onsite Sewage Disposal, Section 8.20.150, APPEALS.

15. Revocation of the Installer Certificate of Competency. The Certificate may be revoked for any of the following reasons:

- a. **Extremely serious Violation:** A Violation of a severity and magnitude that, in the opinion of the Health Officer, warrants immediate revocation. Including but not limited to the following actions: the creation of an extremely serious health hazard; the concealment of major facts or pertinent information regarding an installation; allowing

- a. Extremely Serious Violation: continued:

another to submit work using the name on the Installer Certificate; by using the name of another Certificate Holder; fraudulent representation; or asserting undue influence on or interference with Health District staff.
 - b. Repeated Violations: When notification of the Installer through the violation notice process has resulted in the issuance of a Notice of Violation beyond the second suspension of Certification, the Certificate shall be subject to complete revocation by the Health Officer.
 - c. Once revoked, a Certificate of Competency will not be granted to an individual at any time within the subsequent three (3) year period from the date of notification.
16. Procedures for Revocation of an Installer Certificate of Competency. The Health Officer will not revoke a Certificate until an opportunity has been provided for a hearing before the Health Officer or the Health Officer's designee. Certificates shall be revoked through issuance of a Health Officer's Order, to be mailed to the Certificate Holder by regular and certified mail.
 17. Installing without Certification. An individual found to be engaging in the business of onsite sewage disposal system installation or repair without requisite Certification shall be notified by the Water and Wastewater Section Supervisor, by certified mail of these requirements. If eligible, the individual is to submit for examination at the next regularly scheduled time, and pay double the test and Certification fee. Refusal to comply with these requirements will then make the individual ineligible for Certification for three (3) years.
 18. These procedures will apply to all currently Certified Installers as of the effective date of this Resolution.
 19. Severability: Should any part of these rules and regulations be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the remainder.
 20. Effective Date: These rules and regulations shall take effect upon the date of approval by the Washington State Department of Health.