



<b>Title:</b> <b>Discovery Procedures for OSS Without Records</b>	Page 1 of 2
<b>Number:</b> [Administrative] Policy OS-10	<b>Effective Date:</b> March 17, 2025
<b>Applies To:</b> Non-Expansion Building Permit Proposals with No OSS Permit	<b>Supersedes:</b> N/A
<b>Approved:</b> Eric Evans, Assistant Environmental Health Director	<b>Next Review:</b> As Needed

**A. Purpose**

The purpose of this policy is to outline the requirements of Section 11 of the regulations and develop criteria for how an existing, unpermitted OSS will be investigated, inspected, evaluated, and reported when discovery and disclosure of the OSS is required by the Health Officer under state and local regulations.

**B. Policy Statement**

This policy is intended to coordinate with Policy #6, Building Clearance Exemptions. This policy is not applicable to new construction or expansion proposals. Refer to Section 10 of the Regulations for new construction requirements.

Existing OSS shall be investigated, inspected, evaluated, and reported to ensure that the OSS is:

- a. Working adequately and not failing;
- b. Located and documented so that a record of its existence can be placed in the local OSS inventory;
- c. Upgraded for accessibility and maintenance; and
- d. Maintained and/or repaired as needed to ensure continued functionality and the protection of public health. Repairs or maintenance must be performed in accordance with the Minor Repair Policy.

**C. Implementing Procedures**

1. When Health District approval is needed to obtain a building permit for a structure that is either served by, or is proposed to be served by, an existing, unpermitted OSS, a property owner has two options (note: both options require the services of a state licensed onsite wastewater designer or engineer):
  - a. Complete and submit a Building Site Application (BSA) for a new OSS, conforming to the requirements for new construction detailed in Section 10, and install the new OSS in accordance with Section 12; or
  - b. Complete and submit a Building Clearance (BC) Application with material facts and information to demonstrate how the unknown OSS and building permit proposal meet the intent of the regulations (see Section 11). A BSA-Compliance design to establish a reserve drainfield may also be required.
2. The following is required to be submitted/reviewed in order to demonstrate that an unknown OSS and the building permit proposal meet the intent of the regulations:
  - a. Complete maintenance inspection service and locate-Each component of the OSS (e.g. septic tank, pump tank, distribution box, drainfield, etc.) will be viewed and inspected to determine:
    - i. The location of each component relative to a benchmark on the property (i.e. the stub-out of clean-out), including horizontal setbacks to the features listed in Tables 1A, 1B, and 1C of the regulations.

- ii. The size (i.e. volume, length, diameter, etc. as applicable to each component), material types, and construction of each component;
  - iii. The functional status of, and any maintenance needs for, each component.
- b. Viewing and inspection of components-Each component will be viewed, inspected, and documented as follows:
  - i. Septic tanks, pump tanks, and other tankage: main lid(s) and inlet/outlet lids exposed and removed so that the tank can be fully inspected, baffles checked, and contents sludge-judged to determine if the tank(s) are water-tight and if there is enough working capacity remaining of if pumping is required.
  - ii. Distribution box: top lid exposed to determine functionality and structural integrity, and whether or not equal distribution is being attained or can be attained with the existing component.
  - iii. Drainfield: ends will be either dug up and exposed or inspected via an electronic locate/video camera to determine the installation depth of the laterals, and the working length of each lateral. A soil log must be excavated in the drainfield area to determine the vertical separation of the drainfield. Two soil logs may be required.
- c. Maintenance inspection report completion and submittal-A full maintenance and inspection report for the OSS and each of its components will be submitted through the Health District's maintenance reporting system.
- d. Site plan-A scaled site plan showing the property lines, structures, utility lines, wells, OSS, etc., will be created to establish a record for the site and will be submitted in accordance with Section 12.C.3 of the regulations.
- e. Bootleg/illegally replaced OSS drainfields-If it is determined through viewing and inspecting the OSS that the drainfield materials and construction are not consistent with the age of the structure(s) connected to it, a full BSA and Permit inspection will be required to demonstrate that the OSS meets current code, or the OSS will need to be replaced with a conforming OSS.
- f. Conditions and limitations.
  - i. Tanks must be watertight, of concrete construction, and have a capacity of:
    1. 500 gallons for homes built before 1974;
    2. 1,000 gallons for homes built 1974 and after; or
    3. Be replaced with a conforming tank through a component replacement permit.
  - ii. Distribution boxes shall be intact and structurally stable, plumb, level, with equal flow or be replaced with a conforming distribution box.
  - iii. Drainfield setbacks to wells and surface water shall be at least the following or a new, conforming OSS will be required:
    1. 50 feet for homes built before 1974;
    2. 75 feet for homes built 1974 and after;
      - a. Reductions down to 50 feet may be considered through a waiver with mitigation, provided the drainfield is functional and meets the minimum working length.
  - iv. Drainfield total working length shall be at least:
    1. 75 feet (150 square feet) for a two-bedroom home;
    2. 100 feet (200 square feet) for a three-bedroom home;
    3. 150 feet (300 square feet) for a four-bedroom or greater home.
  - v. Vertical separation for the drainfield shall be a minimum of 12 inches.
  - vi. A reserve area for a conforming OSS shall be identified and located or the lack thereof shall be noted by the Health District.

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Applicable state and local rule references:

- RCW 70.110.050: The health officer shall find failing OSS and ensure necessary repairs and find unknown systems and ensure that they are inspected as required to ensure that they are functioning properly (and repaired, if necessary).
- WAC-246-272A-0015: LHJ shall progressively develop and maintain an inventory of all known OSS in operation within the jurisdiction, educate OSS owners about their responsibilities to perform OSS operation and maintenance, maintain all operation and maintenance records, and find failing or unknown systems.

- WAC 246-272A-0007: The health officer may modify an existing permit to include additional requirements if the health officer determines that a serious threat to public health exists.
- Kitsap Public Health Board Ordinance 2025-01, Section 11, Existing Development:
  - Purpose of the section-Determine whether or not a project proposal for an existing development is compatible with the existing OSS and reserve area.
  - Upon submittal of material facts and information regarding the OSS for a specific building proposal for an existing development, the Health Officer may waive compliance with these existing development requirements, or direct the applicant to comply with other sections of these, or other Board of Health regulations, when it is determined that public health will not be put at risk by the proposal and the intent of these regulations will still be met.