



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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DATE: June 20, 2024

TIME: 8:06 AM

WSR 24-13-109

**Agency:** Department of Health

**Subject of possible rule making:** Penalty schedule for Large Onsite Sewage System Regulations. The Department of Health (department) is considering amending chapter 246-272B WAC to add a penalty schedule for the issuance of civil penalties.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 70A.115.040 and RCW 70A.115.050

**Reasons why rules on this subject may be needed and what they might accomplish:** RCW 70A.115.050 gives the department the ability to assess a penalty of not more than ten thousand dollars per day for every violation of a law or rule regulating large onsite sewage systems. Rules that establish a penalty schedule would clarify the department's penalties based on the severity of the violation.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** None.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) The department will use a collaborative rulemaking approach.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

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(If necessary)  
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**Additional comments:** The department will keep interested parties informed of the rule development through email and by posting information on the department's rulemaking website. Interested parties will have an opportunity to provide comments throughout the rulemaking process, during the formal comment period, and at the public hearing. Interested parties may contact Ashlie Laydon or Andrew Jones to be added to the interested parties list.

**Date:** 6/20/2024

**Name:** Kristin Peterson, JD for Umair A. Shah, MD, MPH

**Title:** Chief of Policy for Secretary of Health

**Signature:**

A handwritten signature in black ink, appearing to read "Kristin Peterson". The signature is written in a cursive style with a large initial "K".