

Citizens Send KC Board of Health Back Home with Something to Think About



Stepping it up a notch, approximately 600 community members gathered together at Tahoma Jr. High School in order to send a clear message through to King County Board of Health that they were very displeased with a proposal to charge a \$40 “fee” on all septic systems owners.

What a night filled with the energy of citizens angry at the possibility of a new “fee” (tax) being considered on their private septic tanks by King County Board of Health.

Packing out the Tahoma Jr. High School (TJH) parking lot while more drivers continued to roll in looking for spots on Tuesday, June 21, was a sure indication that a hot button community topic had set off citizens far and wide. Citizens, community leaders and politicians filled the school’s library to overflowing, even though many had only just heard about the meeting days and hours before it was supposed to take place. Originally, organizers thought they might have 30 citizens come to the meeting; however, the huge turnout far exceeded their expectation.

Rallying the crowd as moderator of the meeting, Chad Magendanz, State Representative of the 5th District and Senate candidate, questioned, “How is it we’re at fault?”

Also rallying the crowd was State Senator for the 31st District, Pam Roach, who said, “This is not the first time King County tried to take stuff away from us.”

Roach, who has been in state politics for many years, went on to give a history of how King County dealt with taxes. And as for this time around, Roach said, “You came after us for a tax...we won’t have it.”

Much to the delight of all those packed in the library, news came that everyone was to move to the gymnasium, which was being opened in order to allow more people to participate as well as get informed. As everyone was settling in, Reagan Dunn, King County Councilmember for District 9, was next to rally the crowd when he said, “Taxation without representation,” in reference to the makeup of the Board. He stated that the process leading to the call for a \$40 “fee” was not a good one and that he along with fellow Councilmembers, Kathy Lambert, Dist. 3 and who is also a member of the Board of Health, and Pete von Reichbauer, Dist. 7, are in the minority sitting on the Council.

“We need to mobilize as a community,” said Dunn, “Help me to fight.”

In a letter to Patty Hayes, Director of Public Health signed by Dunn, Lambert and von Reichbauer, it stated that the three councilmembers “...would like to strongly encourage you to insure the process provides adequate time for affected residents to voice their concerns related to the proposed septic tank fee currently being reviewed by the King County Board of Health. This expedited process, requiring a decision prior to the end of July, is simply not enough time to properly listen to and address the concerns raised by many who rely on septic systems in the areas we represent.”

Pointing out that there were many questions from the citizens including the nearly 600 citizens that showed up at the TJH meeting from concerns to the fast track of implementation of the proposal, the three Councilmembers questioned, “With a decision scheduled for July, how can the board possibly have time to thoughtfully assess the range of technical and public concerns regarding this proposal? Would this allow for time to modify a decision that best fits all the members of our diverse county?”

“Again, we would strongly encourage you, as director of the department, to reschedule this proposal for a later time in order to permit the voices of the affected public to be

heard.”

Meanwhile, at the charged up meeting, Betsy Howe, who helped organize the meeting on June 21st, pointed out a piece of a briefing on the proposed on-site sewage program from King County Meeting Agenda for the Board of Health. Reading from the briefing, which started on page 9 of the 28 page document, Howe read the following: *A RULE AND REGULATION for the protection of the Public health against the spread of disease from pollution from on-site sewage systems; establishing a charge to pay for the costs of sustainable administration of the King County On-site sewage system program management plan and protect the public health against pollution from on-site sewage systems....*

In his comments, Paul Brown presented information about Centralized vs Decentralized systems. He stated that with housing developments moving away from urban areas and EPA coming into existence in 1970, it was realized that not everyone could get on centralized sewer systems. By April 1, 1997, a report was submitted by the EPA at the behest of the United States Congress stating that Decentralized disposal systems can protect the environment as well or better than Centralized sewer systems. Going on to point out the benefits of Decentralized systems, Brown told of avoiding potentially large transfers of water from one watershed to another together with being suitable not only for ecologically sensitive areas but recharging local aquifers as well.

Today, OSS property owners are being told that they are not only polluting but spreading disease. However, Brown stated that DNA testing has not been done to determine what the source of pollution of rivers, creeks and groundwater is, because it is too expensive to run the tests. Therefore they are just assuming that the source is human as a result of failing septic systems. “This is bad science,” stated Brown.

Studies by the State Dept. of Health and Environmental agencies showed that pollution of Puget Sound is coming from Waste Water Treatment Plants, Combined Sewer Overflows, Sewage transfer pipe failures, leakage and improper maintenance. This results in billions of gallons of raw sewage polluting yearly. Another 29% of pollutants have not been defined however, other pollutants making their way into rivers and tributaries include animals both domestic, wild and farm as well as through commercial farming operations.

“We as OSS owners want to know definitively the source of this alleged pollution the Board of Health, State Department of Health Services and the Department of Ecology has claimed is coming from septic systems either in failure or not meeting new modern

safety standards,” stated Brown.

Once again, Brown pointed out that an OSS system provided on site primary treatment and clarification of sewage in the septic tank, then secondary treatment takes place when it enters the soil via drain field where natural processes of microbial and fungi interact. The purified liquids at the end of the process eventually evaporate and are taken up by plants as nutrients. What is not taken up by plants is percolated into the water table.

“The County is over reaching by its assertions that older gravity fed septic systems no longer work because they do not meet modern safety standards,” said Brown. “These assertions are both false and do not bear up under decades of EPA declarations that they are the most efficient waste processing systems and in fact are equal or superior to Centralized waste water sewage treatment plants, which are prone to failure, leakage, and sewage overflows due to large volumes of rain, which are a normal occurrences in Puget Sound.”

As pointed out by Brown, should an OSS system fail the spillage stays local and the impact minimal to the environment. However, should a Centralized system fail, millions of gallons of raw sewage dump into local water-ways, lakes and watersheds at one time. Also called into question was the forcing of residents to replace gravity fed systems with electronically controlled pumping systems. Should a power outage take place for an extended amount of time, sewage would back up into the house with an electronic system. However, Decentralized gravity systems will continue to function – power or not.

Community leader Shane Davies of Windermere Real Estate in Maple Valley who is also the Vice President of Governmental & Public Affairs for approximately 6,000 members of the Seattle King County Realtors, said “This newest Tax – let’s not play word games...a fee to the government for something like this is a Tax, plain and simple – proposal by King County is just about as ridiculous as taxing the air we breathe. I’m not even sure how it can be legal.

“Our Realtors have worked hard to help King County register and inspect existing septic systems through the added burden in our real estate sales process. We did this with good intentions to help our clients understand the responsibility of maintaining a healthy septic system and to help King County confirm the existence of old systems and their current condition. We were not enlisted to help create a new data base for unfair taxes.”

Wrapping up his comments, Davies said, “Realtors support sensible improvements to

environmental quality. We believe OSS owners should be responsible for their systems, and we believe that the proper function of OSS is a legitimate interest. However, we do not support the imposition of an annual fee – Tax.”

Some of the comments coming from the nearly 25 community speakers included: “before they tax us, why don’t they tax them (referring to Everett, Seattle, Tacoma, etc.); 400 million tons of fertilizer – what does that do to an aquifer; unlawful search and seizure; show us the data; where are the processes and procedures; where are all the pump reports – [in] boxes, boxes, boxes – no one has a clue; bureaucratic creep; won’t benefit us – will benefit Health Department; come with hands out – we’re sick of it; keep the dreds and see if you get taxes out of them; and many more comments that had the crowd cheering.

Other comments coming from area business leaders included Warren Iverson, Hobart Food Market, stating that those wanting to tax septic tank owners needed to be about fixing the hot spots from the sewer system failures instead. Brett Habenicht, Java Java Coffee Co., came forward with a number of one-liners that were crowd pleasers including: The good citizens of Seattle might not question this...it’s more money to fund their urban utopia. We’re a little different out here and we are done being hamstrung with ridiculous policy, sketchy data, tax and grab government and the blatant infringement upon our private property rights. Go back to Seattle and fix the REAL problems in King County; Allowing these inspectors unfettered access to these systems seems like a blatant privacy violation.; The data is bad. OSS’s are safe and reliable. The majority of waste pollution comes from issues within the connected, sewer treatment systems. And the fact that Canadians are pumping raw waste right into the straits.” – and more.

Longtime resident Darrell Westover stated that it was all just a “smoke screen folks.” A farmer with a PHD degree stated as well that 90% of water from septic systems goes back into the aquifer. He also stated that septic systems “should be encouraged, not discouraged.

Having broken protocol by allowing citizens to air their opinions and concerns prior to hearing from government entities, Megendanz invited Ngozi T. Oleru, PhD, Director, Environmental Health Division Public Health Seattle & King County – to come and comment. Although her comments were very short and the crowd for the most part listened courteously, she said that they had come to hear what the citizens were saying and that there were more opportunities open for the citizens to comment.

Rounding out his remarks, Megendanz said that now is the time for a call to action. “It’s up to us,” he said. “We need to spread the word. This should go away and never be seen again.”

According to organizers, the King County Board of Health anticipated a vote to set a \$40 fee (tax) at their July 21st meeting. However, late breaking news from Dunn’s office on Friday, June 24, revealed that “Public Health agreed with our joint request and has started the process to request a delay of the Board of Health’s vote on this proposal. They have also agreed to reevaluate this measure, keeping in mind the many concerns they have heard from the public.” Citizens are still encouraged to continue writing and sending their comments to the Board of Health.