
**Agriculture & Natural Resources
Committee**

HB 1413

Brief Description: Concerning water discharge fees.

Sponsors: Representatives McCoy, Nelson, Quall and Blake.

Brief Summary of Bill

- Authorizes the Department of Ecology to charge an annual fee for domestic wastewater facility permits up to 18 cents per month per residence or residential equivalent that is contributing to the wastewater system.
- Allows the Department of Ecology to increase fees up to the fiscal growth factor for the fiscal year 2010.
- Authorizes the Department of Ecology to adjust the fee schedule annually through December 31, 2011.

Hearing Date: 2/12/09

Staff: Jaclyn Ford (786-7339)

Background:

The federal Clean Water Act (CWA) sets effluent limitations for discharges of pollutants. "Pollutant" is defined in the CWA to include a variety of materials that may be discharged into water through human activities, construction or industrial processes, or other methods.

The Washington Department of Ecology (DOE) is delegated federal CWA authority by the United States Environmental Protection Agency (EPA). The DOE also is the agency authorized by state law to implement state water quality programs.

The CWA establishes the National Pollutant Discharge Elimination System (NPDES) permit system to regulate wastewater discharges from point sources to surface waters. "Point sources"

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are defined generally as discernable, discrete, and confined conveyances from which pollutant discharges can or do occur. NPDES permits are required for anyone who discharges wastewater to surface waters or who has a significant potential to impact surface waters.

A wastewater discharge permit places limits on the quantity and concentrations of contaminants that may be discharged. Permits may require wastewater treatment or impose operating or other conditions, including monitoring, reporting, and spill prevention planning. NPDES permits are valid for five years but may be renewed.

In addition to its NPDES permit responsibilities, the DOE administers a state program for discharge of pollutants to state waters. State permits are required for anyone who discharges waste materials from a commercial or industrial operation to ground or to publicly-owned treatment plants. State permits are also required for municipalities that discharge to ground.

The DOE establishes annual fees to collect expenses for issuing and administering state and NPDES discharge permits. Fees must be based on the complexity of permit issuance and compliance. Fees must be established to fully recover but not exceed the program expenses, including permit processing, monitoring, compliance, evaluation, inspection, and program overhead costs.

Summary of Bill:

The DOE may charge an annual fee to municipalities for domestic wastewater facility permits up to 18 cents per month per residence or the residential equivalent that is contributing to the wastewater system. The DOE may also increase fees up to the fiscal growth factor for the Fiscal Year 2010 and is authorized to adjust the fee schedule annually through December 31, 2011.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.