

SENATE BILL REPORT

SHB 1743

AS REPORTED BY COMMITTEE ON ECOLOGY & PARKS, FEBRUARY 22, 1994

**Brief Description:** Establishing a pilot multimedia program for pollution prevention.

**SPONSORS:** House Committee on Environmental Affairs (originally sponsored by Representatives Flemming, Horn, Rust, Linville, Valle and J. Kohl)

**HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS**

**SENATE COMMITTEE ON ECOLOGY & PARKS**

**Majority Report:** Do pass as amended.

Signed by Senators Fraser, Chairman; Deccio, Moore, Sutherland and Talmadge.

**Staff:** Cathy Baker (786-7708)

**Hearing Dates:** March 29, 1993; March 31, 1993; February 16, 1994; February 22, 1994

**BACKGROUND:**

The Department of Ecology issues permits, conducts inspections, approves plans, and exercises other regulatory control over activities in this state that have an impact on the environment. Many of the department's activities are governed by statutes that do not recognize the existence of other requirements. The department's organizational structure is largely based on the statutory duties it has been given. There are concerns in the business community that this division of responsibility results in inconsistent directives to business and in the environmental community that the environment is adversely affected by inconsistent regulation.

The state of New Jersey has established a pilot program to provide a single facility-wide permit covering all of the environmental programs managed by that state's environmental agency.

**SUMMARY:**

The Department of Ecology shall develop a pilot program to coordinate all the department's actions affecting a facility. By January 1, 1994, the department shall designate an industry type and up to ten facilities to participate in the program. The selection of the industry and facilities shall be based on criteria relating to their potential to serve as a model for pollution prevention and multimedia environmental programs. Participation in the program shall be voluntary. The program shall also examine the feasibility of developing facility-wide

permits covering all the permits issued by the department. The department shall seek the cooperation of the Environmental Protection Agency.

The department shall submit to the Governor and the appropriate standing committees of the Legislature by January 1, 1996 a report evaluating both the pilot program and the feasibility of establishing facility-wide multimedia permits.

**SUMMARY OF PROPOSED COMMITTEE AMENDMENTS:**

The deadlines for the department to establish the multi-media pilot program and report to the Legislature are extended by one year. The department is to choose an industry type based on a review of at least three different industries, and is to consider industries that are subject to regulatory requirements for at least two different environmental media.

Two additional pilot programs are also established within the Department of Ecology. One of the pilot programs authorizes certain industries to prepare their own draft wastewater discharge permits. The department is to establish criteria for types of applicants that will be eligible to participate in the program. Draft permits are to be submitted to the department for final approval.

The other pilot program directs the department to allow at least ten major wastewater discharge permittees to contract with private firms for performance of annual permit compliance inspections. The department is to approve permittees who will be eligible to participate in the program, and is to make available a list of approved contractors with whom the permittees may contract for compliance inspections. Provisions are included to prevent conflicts of interest by the contractor.

The department is to document the time and cost savings from the draft permit preparation by applicants and from private compliance inspections. These savings are to be reflected in the next revision of permit fees for permittees participating in the wastewater discharge permit pilot programs.

A final report is to be submitted to the Legislature by December, 1996, evaluating the effectiveness of the wastewater discharge permit pilot programs.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**TESTIMONY FOR:**

The bill will help the department evaluate the feasibility of moving toward a more multi-media approach to environmental regulation.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Tom Eaton, Department of Ecology (pro)