

SENATE BILL REPORT

ESB 5590

As Passed Senate, March 13, 1997

Title: An act relating to funding of a state biosolids management program.

Brief Description: Funding a biosolids management program.

Sponsors: Senators Newhouse, Fraser, Swecker, Morton, McAuliffe and Rasmussen.

Brief History:

Committee Activity: Agriculture & Environment: 2/13/97 [DPA].

Ways & Means: 2/27/97, 3/4/97 [DPA (AE)].

Passed Senate, 3/13/97, 48-0.

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Majority Report: Do pass as amended.

Signed by Senators Morton, Chair; Swecker, Vice Chair; Fraser, McAuliffe, Newhouse, Oke and Rasmussen.

Staff: Kari Guy (786-7437)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Agriculture & Environment.

Signed by Senators West, Chair; Deccio, Vice Chair; Strannigan, Vice Chair; Bauer, Brown, Fraser, Hochstatter, Kohl, Long, Loveland, McDonald, Roach, Rossi, Schow, Sheldon, Snyder, Spanel, Swecker, Thibaudeau, Winsley and Zarelli.

Staff: Cathy Baker (786-7708)

Background: In 1992, the Legislature directed the Department of Ecology to develop a biosolids management program. "Biosolids" is defined as municipal sewage sludge that results from the wastewater treatment process and can be beneficially recycled. Most biosolids in the state are applied to forest or agricultural lands; a small proportion is incinerated. A biosolids fee surcharge of 5 percent is added to the wastewater discharge permit fee for all municipalities who do not incinerate their wastes.

Currently, biosolids are managed by local health departments as a solid waste. In response to the 1992 legislation, the Department of Ecology has developed a biosolids program with a new system of permitting. Under the new program, the Department of Ecology takes the lead, and local health departments have the option of seeking delegation from the state. The new program is consistent with changes that have been implemented by the Environmental Protection Agency at the federal level.

It has been suggested that the existing funding provided by the 5 percent surcharge on wastewater discharge permit fees will not be adequate to fund the new biosolids program.

Summary of Bill: The Department of Ecology is directed to establish annual fees for administering the biosolids permitting program. Fees are determined by the number of residences served by the permittee's biosolids management program. The fees must be established by rule.

All fees must be deposited in the biosolids permit account in the state treasury, and may be spent after appropriation to administer biosolids permits. The Department of Ecology must report to the Legislature on the use of moneys from the biosolids permit account on or before December 31 of odd-numbered years.

The Department of Ecology is directed to study the feasibility of modifying the fee schedule in areas where program authority has been delegated to local health departments.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For (Agriculture & Environment): The bill would ensure that biosolids are regulated by local health departments and the Department of Ecology, and not by the federal EPA. The strong state program has had a direct impact in lowering the cost of biosolids recycling. State adoption of the biosolids rule will implement strict quality standards, and classify biosolids as a valuable commodity rather than a solid waste. The biosolids program is an effective, efficient partnership between local health districts and the state, and this bill will guarantee that the program will continue.

Testimony Against (Agriculture & Environment): None.

Testified (Agriculture & Environment): PRO: Dan Thompson, City of Everett; Ed Dzedzy, Lincoln County WSEHD; Jim Pendowski, Department of Ecology Solid Waste Program; Roger Hickey, Bio Recycling Corp.; Robert Thode, Five Mountain Farms, Inc.; David K. Ruud, Boulder Park, Inc.; Ed Thorpe, Coalition for Clean Water.

Testimony For (Ways & Means): The bill will enable the state to administer the biosolids permit program, rather than the federal EPA. State administration of the program will streamline the permit process for local governments and others who work with biosolids. This funding is necessary for the state to effectively administer the program.

Testimony Against (Ways & Means): None.

Testified (Ways & Means): PRO: Dan Thompson, City of Everett; Ed Thorpe, Coalition for Clean Water; Jim Pendowski, Department of Ecology.

House Amendment(s): Technical assistance is added as an expense that may be recovered through the biosolids permit fee.

