

SENATE BILL REPORT

SB 5611

As of February 13, 1997

Title: An act relating to the revocation of state certification of projects under federal water quality laws.

Brief Description: Changing provisions relating to state certification of projects under federal water quality laws.

Sponsors: Senator Rasmussen.

Brief History:

Committee Activity: Agriculture & Environment: 2/18/97.

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Staff: Richard Duggan (786-7414)

Background: The federal Clean Water Act includes a state certification requirement which must be met in order to obtain a federal license or permit for a project which may result in a discharge to navigable waters. The applicant for such a license or permit must provide a certificate from the state in which the discharge is located, giving assurance that the discharge will comply with the applicable portions of the effluent standards and monitoring sections of the act.

The Department of Ecology administers the certification program in this state, under the general authority delegated to it to act on behalf of the state for the purposes of the federal law. Except for a departmental rule covering the procedure for public notice of an application for certification, there is no state law or regulation relating to the certification process.

Summary of Bill: The Department of Ecology is required to revoke a water quality certification when the supported application for a federal license or permit is denied. The revocation may be subject to reinstatement if the license or permit is subsequently granted or the application is remanded to the agency following an appeal. Any modification of the proposed activity and any water quality information identified after such a revocation must comply with all applicable state water quality requirements before the certification is reissued.

Appropriation: None.

Fiscal Note: Not requested.

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