
**Agriculture & Natural
Resources Committee**

HB 1888

Brief Description: Changing the public notification requirements with respect to wastewater discharge permits.

Sponsors: Representatives Linville and Schoesler; by request of Department of Ecology.

Brief Summary of Bill

- Requires the Department of Ecology to notify interested parties and the public of applications for wastewater discharge permits.
- Allows the use of methods other than newspaper publication for public notice of wastewater permit applications.

Hearing Date: 2/25/03

Staff: Derek Green (786-5793).

Background:

Wastewater discharge permits place limits on the quantity and concentrations of contaminants that may be discharged into surface or ground waters or publicly-owned sewage systems. Permits may require wastewater treatment or impose operating or other conditions, including monitoring, reporting, and spill prevention planning.

The Department of Ecology (DOE) administers wastewater discharge permits under both state and federal law. Under the federal Clean Water Act, permits known as National Pollution Discharge Elimination System (NPDES) permits are required for anyone who discharges wastewater to surface waters or who has a significant potential to impact surface waters. The United States Environmental Protection Agency has delegated the administration of NPDES permits to the DOE. The DOE also administers state permits, which are required for commercial and industrial operations that discharge wastewater into ground water or publicly-owned treatment plants and municipal operations discharging wastewater to ground water.

In order to receive a wastewater discharge permit, an applicant must first file an application with the DOE. The applicant also must publish notice of the application twice in a newspaper of general circulation within the county in which the proposed disposal of waste material is planned. The DOE is required to notify other agencies about the application and to allow public comments on the applications by interested parties. The DOE must evaluate the application and determine whether issuance of a permit would result in pollution in violation of public policy.

Summary of Bill:

The procedure for providing public notice of wastewater discharge permit applications is amended. The Department of Ecology (DOE) has the responsibility for providing public notice of the application. In a manner reasonably calculated to give actual notice to affected parties, the DOE is required to provide public notice of the proposed discharge as well as the DOE's actions related to the application. The DOE may provide notice by electronic mail, posting on the DOE's internet site, publication in newspapers, press releases, mailings and other information media. In addition, the DOE is required to maintain a list of interested persons and notify them by electronic distribution or regular mail of the applications and the DOE's actions related to the applications.

The public comment period for responding to proposed draft permits or denials is established as a minimum of thirty days.

Appropriation: None.

Fiscal Note: Available.

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