

FINAL BILL REPORT

SSB 5787

C 210 L 03
Synopsis as Enacted

Brief Description: Protecting water quality.

Sponsors: Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Morton, Prentice, Hale, Jacobsen, Kohl-Welles, Hewitt, Doumit and Horn).

Senate Committee on Natural Resources, Energy & Water
House Committee on Agriculture & Natural Resources

Background: The Department of Ecology is the state water pollution control agency responsible for implementing all state and federal water pollution control laws and regulations. This includes providing certification that permits issued by federal agencies comply with water quality standards, according to section 401 of the federal Clean Water Act.

Summary: For purposes of issuing water quality certifications under section 401 of the federal Clean Water Act and administrative orders under state law, the Department of Ecology is authorized to require use of a valid and reliable leaching test included in regulations adopted under the state Model Toxics Control Act to evaluate the suitability of fill material that will be placed in waters of the state. Any such requirement by the department in the past is ratified and approved as a valid and reliable method for determining that concentrations of chemicals in fill material do not pose an unacceptable risk of violating water quality standards and is in effect as imposed by the department for all work not completed by June 1, 2003. The Department of Ecology is directed to identify and assess the effectiveness of leaching tests for evaluating impacts of imported fill material, and to report the test list and any methodology gaps to the Legislature by December 31, 2003.

Votes on Final Passage:

Senate	37	12
House	61	25 (House amended)
Senate	38	10 (Senate concurred)

Effective: May 9, 2003