
Ecology & Parks Committee

HB 2839

Brief Description: Concerning the implementation of the national pollutant discharge elimination system municipal separate storm sewer systems permit.

Sponsors: Representatives Fagan, Schmick, Short and Chandler.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Allows the City of Pullman to delay implementation of the requirements of the National Pollutant Discharge Elimination System municipal separate storm sewer systems permit until calendar year 2014.

Hearing Date: 1/26/10

Staff: Jaclyn Ford (786-7339).

Background:

National Pollutant Discharge Elimination System.

The federal Clean Water Act (CWA) sets effluent limitations for discharges of pollutants. "Pollutant" is defined in the CWA to include a variety of materials that may be discharged into water through human activities, construction or industrial processes, or other methods.

The Department of Ecology (DOE) is delegated federal CWA authority by the U.S. Environmental Protection Agency (EPA). The DOE also is the agency authorized by state law to implement state water quality programs.

The CWA establishes the National Pollutant Discharge Elimination System (NPDES) permit system to regulate wastewater discharges from point sources to surface waters. "Point sources" are defined generally as discernable, discrete, and confined conveyances from which pollutant discharges can or do occur. The NPDES permits are required for anyone who discharges wastewater to surface waters or who has a significant potential to impact surface waters. The NPDES permits also are required for storm water discharges from certain industries, construction

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

sites of specified sizes, and municipalities operating municipal separate storm sewer systems that meet specified criteria.

The federal CWA and implementing EPA storm water regulations established two phases for NPDES permits to control storm water discharges from certain industries and construction sites, and from municipalities operating municipal separate storm sewer systems. The EPA Phase II regulations went into effect in early 2003 and apply to all regulated small municipal separate storm sewer systems. On January 17, 2007 the DOE issued two Phase II Municipal Stormwater Permits: one for western Washington and one for eastern Washington with an effective date of February 16, 2007. The DOE modified the permit on June 17, 2009 to implement the outcomes of appeals.

2000 Census

According to the 2000 census, the City of Pullman is the only city that would meet the requirements of this bill.

Summary of Bill:

Cities east of the crest of the Cascade Mountains with a population between 24,500 and 25,000 and located in a county with a population between 40,500 and 41,500, as reported in the 2000 census, do not have to implement the requirements of the NPDES municipal separate storm sewer systems (MS4) permit until calendar year 2014.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.