

# FINAL BILL REPORT

## SSB 6036

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C 457 L 09  
Synopsis as Enacted

**Brief Description:** Concerning water cleanup planning and implementation.

**Sponsors:** Senate Committee on Environment, Water & Energy (originally sponsored by Senators Fraser, Ranker and Shin).

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

**Background:** The modern framework for federal water pollution control regulation was enacted in 1972 as federal law amendments now referred to as the Clean Water Act (CWA). The CWA sets a national goal to restore and maintain the chemical, physical, and biological integrity of the nation's waters and to eliminate discharge of pollutants into navigable waters.

The CWA also requires states to adopt standards to protect fish and other aquatic life as well as humans using water for recreation, drinking water, and fish. Water quality standards are rules specifying the desired water quality to be achieved or maintained and protecting existing water quality from degradation.

The Department of Ecology (Ecology) is the state agency delegated authority to implement provisions of the federal CWA. Under that authority, Ecology develops total maximum daily load assessments and allocations (TMDLs) for water bodies that violate water quality standards. The objective of a TMDL is to allocate allowable loads among different pollutant sources so that the appropriate control actions can be taken and water quality standards achieved. The TMDLs are submitted to the U. S. Environmental Protection Agency (EPA) for approval.

**Summary:** Ecology must amend the state's water quality standards to authorize compliance schedules longer than ten years for discharge permits that implement allocations contained in a TMDL. Any such amendment must be submitted to the EPA under the CWA. Compliance schedules for the permits may exceed ten years if Ecology determines that:

- the permittee is meeting its requirements under the TMDL as soon as possible;
- the actions proposed in the compliance schedule are sufficient to achieve water quality standards as soon as possible;
- a compliance schedule is appropriate; and

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*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.*

- the permittee is not able to meet its waste load allocation solely by controlling and treating its own effluent.

**Votes on Final Passage:**

Senate	48	0	
House	98	0	(House amended)
Senate	48	0	(Senate concurred)

**Effective:** July 26, 2009