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HOUSE BILL 2210

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Chandler, McCune, and Bailey

Read first time 02/13/09. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to the economic impact of department of ecology  
2 draft general permits; and adding a new section to chapter 90.48 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.48 RCW  
5 to read as follows:

6 (1) The department shall prepare an economic impact analysis on all  
7 draft general permits that are intended to directly cover small  
8 businesses. The economic impact analysis must be prepared on the draft  
9 general permit for which public notice is being provided pursuant to  
10 WAC 173-226-130(3) and published with the draft general permit.

11 (2) The purpose of the economic impact analysis is to reduce the  
12 economic impact of the general permit on small businesses by doing one  
13 or more of the following when it is legal and feasible in meeting the  
14 stated objectives of the federal water pollution control act, as  
15 amended (33 U.S.C. Sec. 1751 et seq.) and this chapter:

16 (a) Establishing differing compliance or reporting requirements or  
17 timetables for small businesses;

18 (b) Simplifying, reducing, or eliminating the compliance,

1 monitoring, recordkeeping, and reporting requirements under the general  
2 permit for small businesses;

3 (c) Establishing performance rather than design standards; and  
4 (d) Exempting small businesses from parts of the general permit.

5 (3) The contents of an economic impact analysis of a proposed  
6 general permit must include, at a minimum, the following:

7 (a) A brief description of the compliance requirements of the  
8 general permit, including:

9 (i) The minimum technology-based treatment requirements identified  
10 as necessary under WAC 173-226-070;

11 (ii) The monitoring requirements contained in the general permit;  
12 (iii) The reporting and recordkeeping requirements; and  
13 (iv) Any plan submittal requirements;

14 (b) The estimated costs of compliance for facilities intended to be  
15 covered under the general permit. Costs include, consistent with  
16 subsection (2) of this section, the following:

17 (i) The costs associated with (a) of this subsection;  
18 (ii) The costs of equipment, supplies, labor, and any increased  
19 administrative costs; and  
20 (iii) The costs of professional services likely needed to comply  
21 with the general permit; and

22 (c) A comparison, to the greatest extent possible, of the cost of  
23 compliance for small businesses with the cost of compliance for the  
24 largest ten percent of the facilities intended to be covered under the  
25 general permit. The economic impact analysis must use one or more of  
26 the following as a basis for comparing costs:

27 (i) Cost per employee;  
28 (ii) Cost per hour of labor;  
29 (iii) Cost per one hundred dollars of sales.

30 (4) To obtain information for purposes of this section, the  
31 department should survey a representative sample of affected businesses  
32 or trade associations to assist in the accurate assessment of the costs  
33 of the proposed general permit, and the means to reduce the costs  
34 imposed on small businesses.

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