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**SUBSTITUTE HOUSE BILL 2222**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** House Agriculture & Natural Resources (originally sponsored by Representatives Blake, Kretz, Short, Eddy, Smith, Takko, Hinkle, Hudgins, Springer, Herrera, Morris, Warnick, Williams, and Chandler)

READ FIRST TIME 02/23/09.

1       AN ACT Relating to conditioning industrial storm water general  
2 discharge permits; and amending RCW 90.48.565.

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

4       **Sec. 1.** RCW 90.48.565 and 2004 c 225 s 5 are each amended to read  
5 as follows:

6       (1) The department shall establish permit fees for construction and  
7 industrial storm water general permits as necessary to fund the  
8 provisions of RCW 90.48.555 and 90.48.560. When calculating  
9 appropriate fee amounts, the department shall take into consideration  
10 differences between large and small businesses and the economic impacts  
11 caused by permit fees on those businesses. Fees established under this  
12 section shall be adopted in accordance with chapter 34.05 RCW.

13       (2) In its biennial discharge fees progress report required by RCW  
14 90.48.465, the department shall include a detailed accounting regarding  
15 the method used to establish permit fees, the amount of permit fees  
16 collected, and the expenditure of permit fees. The detailed accounting  
17 shall include data on inspections conducted and the staff hired to  
18 implement the provisions of RCW 90.48.555 and 90.48.560.

1       (3)(a) The department may use a portion of the permit fees  
2 collected for construction and industrial storm water general permits  
3 as necessary to develop a technical assistance program for permittees  
4 for the industrial and construction storm water general permits. The  
5 program must include specific guidance to assist permittees in permit  
6 compliance. The department will review and report on the current  
7 technical assistance program and identify ways to increase the  
8 program's effectiveness and efficiency. The department shall encourage  
9 permittees to help fund and support the technical assistance program  
10 with in-kind services.

11       (b) The department must develop the technical assistance program in  
12 consultation with an advisory committee comprised of at least fifty  
13 percent impacted permittees.

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