
Environment Committee

HB 1275

Brief Description: Regarding water discharge fees.

Sponsors: Representatives Hunt, Upthegrove, Dunshee and Ryu; by request of Department of Ecology.

Brief Summary of Bill

- Authorizes the Department of Ecology, in setting fees for domestic municipal wastewater facility permits, to charge the greater of either a minimum fee adopted by rule, or an annual fee of up to 20 cents per month for each residence or residential equivalent contributing to the wastewater system.
- Requires the wastewater permit fee cap of 20 cents per month per residence to rise in step with the fiscal growth factor, starting July 1, 2015.

Hearing Date: 1/30/13

Staff: Jacob Lipson (786-7196).

Background:

The federal Clean Water Act establishes the National Pollutant Discharge Elimination System (NPDES), which regulates wastewater discharges. The NPDES permitting authority is delegated to the state, allowing the Department of Ecology (Department) to issue wastewater permits to cities and counties. The NPDES permits are required for anyone, including a municipality, who discharges wastewater to state surface waters. In addition to NPDES permits, a state wastewater discharge permit is also required for municipal wastewater discharge into either surface or groundwater. Municipal dischargers of wastewater into surface waters must apply for a joint NPDES-state waste discharge permit, while municipal wastewater dischargers into groundwater must apply for a state waste discharge permit.

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.

Wastewater discharge permits place limits on the quantity and type of contaminants that may be discharged. Permits may require wastewater treatment or impose other operating conditions, including monitoring, reporting, and spill prevention planning. The NPDES and state waste discharge permits are valid for five years.

The Department collects wastewater permit fees that cover both state and NPDES permits. The fee amount is based on the complexity of permit issuance and compliance, and may also consider pollutant loading and the toxicity of the discharged wastewater. Fees may not exceed the Department's costs associated with issuing and administering the permit, which include reviewing the permit application and other planning documents, monitoring permit compliance, conducting inspections, and supporting directly-related overhead. The fee amount that the Department may establish is capped at 18 cents per residence or residential equivalent contributing to the municipality's wastewater system.

The fiscal growth factor is the average growth in state personal income for the prior 10 years. A 2009 law temporarily authorized the Department to increase wastewater fees up to the fiscal growth factor in fiscal years 2010 and 2011.

Summary of Bill:

The Department is authorized to set wastewater permit fees for municipalities at the greater of either a minimum fee adopted by rule, or an annual fee of up to 20 cents per month for each residence or residential equivalent contributing to the wastewater system. Starting July 1, 2015, the municipal wastewater discharge fee cap of 20 cents per month will rise each year by the amount of the fiscal growth factor. Minimum fees adopted by the Department by rule are not tied to the fiscal growth factor.

Appropriation: None.

Fiscal Note: Available.

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