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**SENATE BILL 6191**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Senators McCoy and Chase

AN ACT Relating to the treatment of wastewater; and amending RCW 90.48.160, 90.48.490, and 90.48.520.

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

**Sec.**  RCW 90.48.160 and 1989 c 293 s 2 are each amended to read as follows:

(1)(a) Any person who conducts a commercial or industrial operation of any type which results in the disposal of solid or liquid waste material into the waters of the state, including commercial or industrial operators discharging solid or liquid waste material into sewerage systems operated by municipalities or public entities which discharge into public waters of the state, shall procure a permit from either the department or the ((~~thermal power plant~~)) energy facility site evaluation council as provided in RCW 90.48.262(2) before disposing of such waste material: PROVIDED, That this section shall not apply to any person discharging domestic sewage only into a sewerage system.

(b) The department may, through the adoption of rules, eliminate the permit requirements for disposing of wastes into publicly operated sewerage systems for:

((~~(1)~~)) (i) Categories of or individual municipalities or public corporations operating sewerage systems; or

((~~(2)~~)) (ii) Any category of waste disposer;

if the department determines such permit requirements are no longer necessary for the effective implementation of this chapter. The department may by rule eliminate the permit requirements for disposing of wastes by upland finfish rearing facilities unless a permit is required under the federal clean water act's national pollutant discharge elimination system.

(2) Beginning January 1, 2017, any new operation disposing of solid or liquid waste material into the waters of the state requiring a permit under subsection (1) of this section must include enhanced biological nutrient removal or any combination of treatment technologies that remove at a minimum eighty percent of pharmaceutical or personal care product chemical constituents or substances found in wastewater.

**Sec.**  RCW 90.48.490 and 1985 c 249 s 3 are each amended to read as follows:

Plans for upgrading sewage treatment facilities and plans for new sewage treatment facilities shall:

(1) Address the greatest reasonable reduction of combined sewer overflows and implementation of pretreatment standards; and

(2) Include enhanced biological nutrient removal or any combination of treatment technologies that remove at a minimum eighty percent of pharmaceutical or personal care product chemical constituents or substances found in wastewater.

**Sec.**  RCW 90.48.520 and 1987 c 500 s 1 are each amended to read as follows:

In order to improve water quality by controlling toxicants in wastewater, the department of ecology shall in issuing and renewing state and federal wastewater discharge permits review the applicant's operations and incorporate permit conditions which require all known, available, and reasonable methods to control toxicants in the applicant's wastewater. Permit conditions must include enhanced biological nutrient removal or any combination of treatment technologies that remove at a minimum eighty percent of pharmaceutical or personal care product chemical constituents or substances. Such conditions may include, but are not limited to: (1) Limits on the discharge of specific chemicals, and (2) limits on the overall toxicity of the effluent. The toxicity of the effluent shall be determined by techniques such as chronic or acute bioassays. Such conditions shall be required regardless of the quality of receiving water and regardless of the minimum water quality standards. In no event shall the discharge of toxicants be allowed that would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria.

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