

SENATE BILL REPORT

SB 5657

As of February 11, 2019

Title: An act relating to requiring publicly owned wastewater treatment plants that directly discharge to Puget Sound to control pollution from opioids.

Brief Description: Requiring publicly owned wastewater treatment plants that directly discharge to Puget Sound to control pollution from opioids.

Sponsors: Senators Becker, Brown, Short, Bailey, Warnick, Wilson, L., Fortunato, Holy, Wagoner, Zeiger, McCoy and Honeyford.

Brief History:

Committee Activity: Environment, Energy & Technology: 2/13/19.

Brief Summary of Bill

- Requires national pollution discharge elimination system permits for wastewater treatment plants directly discharging into Puget Sound to remove or neutralize opioid and opioid derived pollution.
- Prohibits loans or grants to public bodies responsible for a water pollution control facility not meeting the permit requirements to remove or neutralize opioids or opioid derived pollution.

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & TECHNOLOGY

Staff: Jan Odano (786-7486)

Background: The Department of Ecology (DOE) administers the water pollution control revolving account, also known as the State Revolving Fund (SRF), which was established by Congress in 1987 under the federal Clean Water Act (CWA) to provide low-interest loans to local governments for high priority water quality projects.

The loans are used by cities, counties, federally recognized tribes, special purpose districts, and other public bodies to plan, design, construct, and improve water pollution control facilities such as wastewater treatment plants, main sewers, and stormwater control projects. Borrowers must repay the loans, and the repayments are deposited into the SRF to be made available for future loans.

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 SRF receives funding (1) loan repayments, (2) an annual capitalization grant from the Environmental Protection Agency (EPA), (3) a required 20 percent state match appropriated by the Legislature, and (4) interest earnings on state treasury investments. Federal law prohibits using loan repayments for administration costs; however, DOE may use up to 4 percent of the EPA capitalization grant to cover its SRF administration costs.

The federal water pollution control act, more commonly known as the Clean Water Act (CWA) regulates discharges of pollutants into waters of the United States. The EPA, under the CWA, implements pollution control programs and sets wastewater standards for industry and water quality standards for surface waters. A National Pollution Discharge Elimination System (NPDES) permit is required for industrial, municipal, and other facilities to discharge directly into surface waters. DOE has delegated authority as the water pollution control agency for the state.

Summary of Bill: Beginning January 1, 2020, NPDES permits issued to or renewed for any wastewater treatment plants directly discharging into Puget Sound must require that opioids and other pollution derived from opioids are removed or neutralized to the maximum extent technologically feasible.

Public bodies responsible for a water pollution control facility that must, but do not meet permit requirements to reduce opioid pollution, are ineligible to receive SRF grants or loans.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.