

**2SHB 1365 - H AMD 875**

By Representative Dye

**NOT CONSIDERED 03/07/2024**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that the 2007  
4 legislature formally established a goal for the state that the health  
5 of Puget Sound be restored by 2020. The state has not yet achieved  
6 this goal, as evidenced by the numerous locations within Puget Sound  
7 that are listed as impaired waters that fail to meet federal water  
8 quality standards. A variety of expensive hurdles remain in place  
9 that have challenged the political will to succeed in cleaning up  
10 Puget Sound. Primary among these hurdles are the significant volumes  
11 of untreated and partially treated sewage that wastewater treatment  
12 systems continue to discharge into Puget Sound as a result of system  
13 failure events, and the lack of infrastructure and processes to  
14 remove nutrients, such as inorganic nitrogen, from wastewater at  
15 treatment facilities, even where facilities are functioning as  
16 intended.

17 (2) Therefore, it is the intent of the legislature to expedite  
18 nutrient discharge reduction activities towards the achievement of  
19 nutrient-related water quality standards across Puget Sound.  
20 Furthermore, in order to ensure that the costs of these water quality  
21 improvements do not fall solely on local governments and utility  
22 ratepayers, it is the intent of the legislature to allocate funding  
23 towards nutrient discharge reductions.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.48  
25 RCW to read as follows:

26 (1) Each operator of a municipal sewerage system as defined by  
27 the department that discharges untreated sewage, partially treated  
28 sewage, or mixtures of untreated stormwater and sewage into state  
29 waters within the Puget Sound watershed must submit a report to the  
30 department by March 31st of each year. The report must include a  
31 summary of the discharges from the system during the previous

1 calendar year, in addition to the reporting that is required in  
2 individual national pollutant discharge elimination system permits.  
3 Specifically, for each treated and untreated discharge into Puget  
4 Sound, the operator must report the location of the discharge, the  
5 estimated volume of the discharge, and the known or potential water  
6 quality impacts including, but not limited to, any beach closures or  
7 other impacts to recreational uses of state waters resulting from the  
8 discharge.

9 (2) By September 1st of each year, relying on the reports  
10 submitted to the department under subsection (1) of this section, the  
11 department must complete a summary report and provide the summary  
12 report to a diverse group of news media outlets in Washington, post  
13 the summary report on its website, and submit the summary report to  
14 the appropriate committees of the legislature consistent with RCW  
15 43.01.036. The summary report must:

16 (a) Summarize the quantity and known water quality impacts of the  
17 preceding year's discharges of treated and untreated sewage into  
18 Puget Sound;

19 (b) Include the number of assessed water body units on the  
20 current federally approved section 303(d) list in Puget Sound  
21 relative to the total number of assessed water body units in Puget  
22 Sound;

23 (c) Identify municipal sewerage systems that are located in areas  
24 where there are nutrient, dissolved oxygen, and bacteria related  
25 impairments in Puget Sound; and

26 (d) Analyze options for improving water quality in Puget Sound  
27 through different wastewater treatment methods that could be deployed  
28 by operators of municipal sewerage systems.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21A  
30 RCW to read as follows:

31 (1) The department must continue, under its existing authorities  
32 and subject to the availability of amounts appropriated for this  
33 specific purpose, to:

34 (a) Provide technical assistance to municipal wastewater sewerage  
35 system operators discharging nutrients into Puget Sound in support of  
36 their efforts to reduce nutrient discharges into Puget Sound;

37 (b) Identify funding opportunities, including federal, state, and  
38 local public funds available for use for the purposes of this  
39 section;

1 (c) Assist municipal sewerage system operators with water quality  
2 grant and loan opportunities;

3 (d) Take all appropriate steps to seek and apply for federal  
4 funds for which the department is eligible, and other grants, and  
5 receive gifts or bequests; and

6 (e) Collaborate with the Puget Sound partnership and other  
7 applicable state agencies.

8 (2) Each year, the department is responsible for providing  
9 financial assistance through its established water quality combined  
10 funding program for municipal wastewater nutrient discharge reduction  
11 projects subject to the availability of amounts appropriated for this  
12 specific purpose. The department must evaluate the effectiveness of  
13 past financial assistance at reducing nutrients in wastewater and  
14 improving water quality. Using this evaluation, the department must  
15 update its criteria for prioritizing financial assistance under the  
16 water quality combined funding program to facilitate higher levels of  
17 nutrient removal from wastewater."

18 Correct the title.

EFFECT: Changes the annual reporting dates for operators of municipal sewerage systems and the department of ecology (ecology) from February 1st to March 31st and from July 1st to September 1st, respectively. Modifies the requirements for these reports, to include that ecology must analyze options for improving Puget Sound water quality through different methods that could be deployed by municipal sewerage system operators. Removes grant prioritization criteria and specifies that ecology is responsible for providing financial assistance through its existing water quality combined funding program. Requires ecology to evaluate the effectiveness of previous financial assistance to reduce nutrients in wastewater and improve water quality. Directs ecology to use this evaluation to update how it prioritizes financial assistance under the water quality combined funding program to facilitate higher levels of nutrient removal from wastewater.

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