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**SUBSTITUTE SENATE BILL 5450**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Senate Environment, Energy & Technology (originally sponsored by Senators Slatter, Hasegawa, Nobles, Saldaña, Shewmake, C. Wilson, and J. Wilson)

AN ACT Relating to increasing transparency regarding sewage-containing spills; adding new sections to chapter 90.48 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that municipal wastewater treatment plant owners/operators and wastewater collectors with national pollutant discharge elimination system permits are required by their water quality permits to disclose unauthorized spills or discharges containing untreated or undertreated sewage to the department of ecology, but that such notices of sewage spills are not expeditiously or easily made publicly available. Those who count on clean water quality for their jobs in fishing or aquaculture, to enjoy their recreational interests, or to pursue their cultural traditions are likely to be especially impacted by sewage spills, and would particularly benefit from a system of timely public notice in the event of a spill. A number of other states have established systems in which public notification of a spill is available in nearly real time posted by a water quality regulator, and in which alerts can be issued to those interested in the event of a spill in a particular geographic area. Therefore, it is the intent of the legislature to improve the public's ability to know about sewage spills that may impact them by establishing such a system.

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

The definitions in this section apply to sections 3 through 5 of this act unless the context clearly requires otherwise.

(1) "Combined sewer" means a sewer that has been designed to serve as a sanitary sewer and a storm sewer, and into which inflow is allowed by local ordinance.

(2) "Sewage spill" means the intentional or accidental discharge of untreated or undertreated wastewater that does not meet permit requirements, from any portion of a sewage treatment plant or collection system, including a combined sewer, in this state.

(3) "Sewage treatment plant or collection system" means any sewage treatment plant, water pollution control facility, related pumping system, collection system, or other public sewage works.

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

(1) By July 1, 2026, the department must develop and publish a public-facing website that includes, but is not limited to, notices of the locations where sewage spills occur that are reported to the department under individual water quality permits for discharges that contain sewage. The department must post on the website notice of the reported sewage spill. The notice on the department's website must include the following information, as reported to the department:

(a) The estimated volume or rate of discharge and, once known, the final volume discharged;

(b) The level of treatment of the discharge;

(c) The date and time the incident initiated;

(d) The location of the discharge;

(e) Once known, the estimated or actual time the discharge ceased;

(f) The geographic area potentially impacted by the discharge; and

(g) Once known, the steps taken to contain the discharge.

(2) Within a reasonable amount of time following the conclusion of a reported sewage spill under this section, the department must update the website to reflect the total estimated volume of discharges, dates, times, and duration of the spill, waters impacted by the spill, and other final spill information reported to the department.

(3) The department must design the website in a way that effectively communicates with people who have limited English proficiency.

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

(1) By July 1, 2027, the department must implement a public notification system, through which the public may choose to be notified of basic information regarding untreated or undertreated sewage spills. Notifications by the department under this section must occur no later than four hours, within regular working business hours, after the receipt by the department of a notice of a sewage spill. Notifications must reflect or link to the information made available by the department under section 3 of this act.

(2) For purposes of this section, "regular working business hours" constitute the hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding state legal holidays.

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

(1) By March 15, 2026, the department must publish a list of sewage spills reported to the department during the preceding calendar year.

(2) By March 15, 2027, and each March 15th thereafter, the department must publish and make publicly available on the website an annual report of sewage spills that occurred during the preceding calendar year that were reported to the department. The annual report must include the waters impacted, duration, volume, and any action taken by the department related to such sewage spills.

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