

# HOUSE BILL REPORT

## SHB 1743

---

As Amended by Senate

**Title:** An act relating to pollution prevention.

**Brief Description:** Providing for pollution prevention plans.

**Sponsors:** By House Committee on Environmental Affairs  
(originally sponsored by Representatives Flemming, Horn,  
Rust, Linville, Valle and J. Kohl.)

**Brief History:**

Reported by House Committee on:  
Environmental Affairs, February 24, 1993, DPS;  
Passed House, March 16, 1993, 93-2;  
Passed House, February 8, 1994, 94-0;  
Amended by Senate.

---

### HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Rust, Chair; Flemming, Vice Chair; Horn, Ranking Minority Member; Bray; Edmondson; Foreman; Hansen; Holm; L. Johnson; J. Kohl; Linville; and Sheahan.

**Minority Report:** Do not pass. Signed by 1 member: Representative Van Luven, Assistant Ranking Minority Member.

**Staff:** Harry Reinert (786-7110).

**Background:** The Department of Ecology issues permits, conducts inspections, approves plans, and exercises other regulatory control over activities in this state that have an impact on the environment. Many of the department's activities are governed by statutes that do not recognize the existence of other requirements. The department's organizational structure is largely based on the statutory duties it has been given. There are concerns in the business community that this division of responsibility results in inconsistent directives to business and in the environmental community that the environment is adversely affected by inconsistent regulation.

The state of New Jersey has established a pilot program to provide a single facility-wide permit covering all of the

environmental programs managed by that state's environmental agency.

**Summary of Bill:** The Department of Ecology shall develop a pilot program to coordinate all the department's actions affecting a facility. By January 1, 1994, the department shall designate an industry type and up to 10 facilities to participate in the program. The selection of the industry and facilities shall be based on criteria relating to their potential to serve as a model for pollution prevention and multimedia environmental programs. Participation in the program shall be voluntary. The program shall also examine the feasibility of developing facility-wide permits covering all the permits issued by the department. The department shall seek the cooperation of the Environmental Protection Agency.

The department shall submit to the governor and the appropriate standing committees of the Legislature by January 1, 1996 a report evaluating both the pilot program and the feasibility of establishing facility-wide multimedia permits.

**EFFECT OF SENATE AMENDMENT(S):** One Senate amendment extends, by one year, the deadlines for the department to establish the multi-media pilot program and to report to the Legislature. The amendment also adds two agency requirements for selecting an industry type for the pilot program: at least three industry types must be reviewed; and the industry type must subject to regulation for two environmental media (i.e., air and water permits).

The other Senate amendment establishes two additional pilot programs relating to wastewater discharge permits issued by the Department of Ecology. One pilot program authorizes certain industries to prepare their own draft wastewater discharge permits. Draft permits are to be submitted to the department for final approval. The other pilot program directs the department to allow at least 10 major wastewater discharge permittees to contract with private firms to perform annual permit compliance inspections. Provisions are included to prevent conflicts of interest by the contractor. The department must document the time and cost savings from the two wastewater pilot programs, and savings are to be reflected in the next revision of permit fees for permittees participating in the pilot programs. The department must submit a final report to the Legislature by December 1996, evaluating the effectiveness of the wastewater discharge permit pilot programs.

**Fiscal Note:** Available.

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

**Testimony For:** Better coordination of environmental programs administered by the Department of Ecology will mean greater efficiencies for business, cost savings for the agency, and better environmental protection.

**Testimony Against:** None.

**Witnesses:** Representative Stan Flemming.

**VOTE ON FINAL PASSAGE:**

Yeas 94; Excused 4

Excused: Representatives Casada, Reams, Silver, L. Thomas