
SUBSTITUTE SENATE BILL 6036

State of Washington 61st Legislature 2009 Regular Session

By Senate Environment, Water & Energy (originally sponsored by Senators Fraser, Ranker, and Shin)

READ FIRST TIME 02/25/09.

1 AN ACT Relating to water cleanup planning and implementation; and
2 adding a new section to chapter 90.48 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.48 RCW
5 to read as follows:

6 (1) The department shall amend the state's water quality standards
7 to authorize compliance schedules for discharge permits issued under
8 this chapter that implement a total maximum daily load, to provide that
9 a compliance schedule must be met as soon as possible but may exceed
10 ten years only if, during the first ten years, the entity seeking an
11 extended compliance schedule has made significant investments in
12 advanced technology and has substantially reduced pollutant loading.
13 In making this determination, the department shall consider the nature,
14 magnitude, and cost of point and nonpoint pollution controls
15 implemented by the entity seeking an extended compliance schedule,
16 recognizing that a compliance schedule must be met as soon as possible.
17 Compliance schedules longer than ten years must be unavailable to
18 implement a total maximum daily load that involves only point sources.
19 Compliance schedules must be met as soon as possible but those

1 authorized for longer than ten years may only be authorized for an
2 additional five years at a time, and the total length of any compliance
3 schedule may not exceed twenty years. Compliance schedules for
4 nonpoint sources may exceed twenty years if corrective actions have
5 been fully implemented during the first ten years and significant
6 riparian restoration, such as planting of vegetation, is required to
7 implement a load allocation needed to achieve compliance and the
8 riparian restoration cannot be completed within twenty years.

9 (2) If the United States environmental protection agency
10 disapproves the amendment to the water quality standards necessary to
11 implement this section, the department shall work with the United
12 States environmental protection agency to develop an approved amendment
13 to the state water quality standards that is as consistent as possible
14 with the provisions of this section.

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