

FINAL BILL REPORT

HB 2651

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Synopsis as Enacted

Brief Description: Changing the numeric limit for bacterial contamination for industrial storm water permittees with discharges to water bodies listed as impaired to a narrative limit.

Sponsors: Representatives Springer, Chandler, Blake, Upthegrove and Wilcox; by request of Department of Ecology.

House Committee on Environment
Senate Committee on Environment

Background:

Clean Water Act.

The Washington Department of Ecology (Department) administers a state program for discharge of pollutants to state waters. State permits are required for anyone who discharges waste materials from a commercial or industrial operation to ground or to publicly owned treatment plants. State permits are also required for municipalities that discharge to ground.

The federal Clean Water Act (CWA) prohibits the discharge of pollutants in toxic amounts. Stormwater is a pollutant under the CWA. The CWA also establishes the National Pollution Discharge Elimination System (NPDES) permit system to regulate wastewater discharges from point sources to surface waters. A NPDES permit is required for anyone who discharges wastewater to surface waters or who has a significant potential to impact surface waters. The Department has been delegated the authority by the United States Environmental Protection Agency (EPA) to develop and administer NPDES permits.

In the state and NPDES permit programs, the Department issues both individual permits (covering single, specific activities or facilities) and general permits (covering a category of similar dischargers). These permits include limits on the quantity and concentrations of contaminants that may be discharged. These permits also may require wastewater treatment or impose operating or other conditions.

Industrial Stormwater General Permits.

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.

One type of general permit that the Department issues is the industrial stormwater general permit. This permit implements state and federal regulations that require industrial facilities to control stormwater using Best Management Practices to prevent water pollution. The statewide permit covers more than 1,200 facilities that discharge stormwater associated with industrial activity into surface waters and storm drains. Business types that need this permit include lumber, paper, printing, chemicals, petroleum, leather, manufacturing, metals, landfills, transportation, mills, and food.

The Department requires many businesses that are permittees under the industrial stormwater general permit to ensure that their stormwater runoff complies with strict numeric limits for bacteria, if their stormwater runoff goes to an "impaired" water body that already has bacteria pollution. A water body is designated as impaired if the Department has data showing that the water quality standards have been violated for one or more pollutants, and there is no total maximum daily load or pollution control plan. Total maximum daily loads are required for water bodies designated as impaired, and these water bodies are added to a federal list of impaired water bodies under the federal CWA rule 303(d).

Summary:

By July 1, 2012, the industrial stormwater general permit must require permittees with discharges to water bodies listed as impaired for bacteria to comply with nonnumeric, narrative effluent limitations.

An expiration date of January 1, 2015, is added for the section of law that applies to the construction and industrial stormwater general permits.

Votes on Final Passage:

House	97	0
Senate	48	0

Effective: June 7, 2012