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**HOUSE BILL 2113**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Representatives Riccelli, Ormsby, Fitzgibbon, McCaslin, and Volz

AN ACT Relating to codifying the Spokane river regional toxics task force; adding a new section to chapter 90.48 RCW; and providing an expiration date.

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

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

(1) The Spokane river regional toxics task force is established in order to develop and oversee implementation of a comprehensive plan to bring the Spokane river into compliance with water quality standards for listed toxics. To accomplish this goal, the task force must:

(a) Identify data gaps and collect necessary data on listed toxics;

(b) Analyze data to characterize the amounts, sources, and locations of listed toxics entering the Spokane river;

(c) Prepare recommendations for controlling and reducing the sources of listed toxics;

(d) Review proposed toxic management plans, source management plans, and best management practices; and

(e) Monitor and assess the effectiveness of toxic reduction measures.

(2)(a) The voting membership of the task force consists, as identified by the department, of one representative of each:

(i) Public or private entity that is issued a national pollutant discharge elimination permit for discharge to the Spokane river, and for which the permit requires participation in a task force; and

(ii) Organization that had signed, as of January 1, 2019, a memorandum to participate in a task force with a mission similar to the directive established under subsection (1) of this section.

(b) The department shall extend invitations to participate as nonvoting members in the task force to the following sovereign governments:

(i) The Spokane tribe of Indians; and

(ii) The Coeur D'Alene tribe of Indians.

(c) Nonvoting members of the task force include representatives of:

(i) The department;

(ii) The United States environmental protection agency;

(iii) The Idaho department of water quality;

(iv) The Spokane regional health district;

(v) The department of health; and

(vi) Other entities invited at the invitation of the department.

(3) The task force shall elect a chair and adopt rules for conducting the business of the task force. Each entity specified in subsection (2)(a) of this section has one vote for the purposes of conducting the business of the task force. The task force must strive for unanimity among voting members on all task force decisions. Decisions of the task force may be made by the voting members in attendance at a task force meeting.

(4) The expenses of the task force must be paid by sources of public or private funding made available for this purpose.

(5) The task force must provide for an independent community technical advisor to assist in review of data, studies, and control measures, and may hire staff or contract or provide for additional technical or administrative support as necessary. The task force may form subcommittees in order to effectuate the business of the task force.

(6) All meetings of the task force must be open to the public.

(7) Members of the task force are not entitled to be reimbursed for travel or participation expenses. Members of the task force are not state employees and are not eligible for state benefits as a consequence of their participation on the task force.

(8) Nothing in this section limits the authority of the department to develop a total maximum daily load for the Spokane river or to take other actions consistent with the authority granted under this chapter.

(9) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Listed toxics" means PCBs and dioxins regulated under this chapter.

(b) "PCBs" or "polychlorinated biphenyls" means any polychlorinated biphenyl congeners and homologs.

(c) "Task force" means the Spokane river regional toxics task force.

(10) This section expires July 1, 2029.

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