

SENATE BILL REPORT

SB 6145

As of January 22, 1996

Title: An act relating to permit processing.

Brief Description: Changing permit processing.

Sponsors: Senator Swecker.

Brief History:

Committee Activity: Ecology & Parks: 1/24/96.

SENATE COMMITTEE ON ECOLOGY & PARKS

Staff: Kari Guy (786-7437)

Background: Clean Air Act. The Washington Clean Air Act requires renewable permits for the operation of air contaminant sources, issued by either the Department of Ecology or local air pollution control authority. The Department of Ecology or local air authority must determine whether the new source will meet state and federal regulatory requirements. Permits are issued for a term of five years.

Water Pollution Control. Anyone who owns or operates a facility discharging or proposing to discharge wastewater to the state waters must apply for a wastewater discharge permit from the Department of Ecology. Permits are issued for a term of five years. The Department of Ecology has divided the state into five areas to better organize the permit renewal process. New applications are reviewed as they are received.

Surface Water Code and Ground Water Code. Under the 1917 Surface Water Code and the 1945 Ground Water Code, all withdrawals of surface and ground waters of the state require the issuance of a permit. The Department of Ecology is responsible for issuing water right permits, based on criteria specified in the codes. Rights under a permit are granted in perpetuity. Permit applications are processed generally in the order in which applications are received. There is currently a permit backlog for processing water right applications of several thousand applications.

It has been suggested that permit backlogs in these programs could be resolved through privatization of some aspects of the permitting process.

Summary of Bill: The Department of Ecology is required to determine within 15 days of receipt of an application whether the application is likely to be processed within 180 days. If the permit cannot be processed within 180 days or there is a current permit backlog, the applicant may take the application to a private consultant to draft a permit proposal. Upon submittal of the permit proposal, the Department of Ecology has 45 days to approve or deny the proposal. These requirements apply to permits issued under the following statutes: State

Environmental Policy Act; Clean Air Act; Water Code; Regulation of Ground Waters; Water Pollution Control; and Shoreline Management Act.

The permit requirements also apply to issuance of an Hydraulic Project Approval by the Department of Fish and Wildlife.

Appropriation: None.

Fiscal Note: Requested on January 10, 1996.

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