

HOUSE BILL REPORT

SSB 5079

As Reported By House Committee On:
Agriculture & Ecology

Title: An act relating to permit processing.

Brief Description: Providing an alternative means to comply with wastewater discharge permit requirements.

Sponsors: Senate Committee on Agriculture & Environment (originally sponsored by Senator Swecker).

Brief History:

Committee Activity:

Agriculture & Ecology: 3/20/97, 3/27/97 [DPA].

HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

Majority Report: Do pass as amended. Signed by 8 members: Representatives Chandler, Chairman; Parlette, Vice Chairman; Schoesler, Vice Chairman; Anderson, Assistant Ranking Minority Member; Delvin; Koster; Mastin and Sump.

Minority Report: Do not pass. Signed by 3 members: Representatives Linville, Ranking Minority Member; Cooper and Regala.

Staff: Rick Anderson (786-7114).

Background: Any person who owns or operates a facility discharging wastewater to waters of the state must apply for a wastewater discharge permit. Except for a small number of permits issued to certain energy facilities, all discharge permits are drafted and issued by DOE staff, with conditions that place limits on the quantity and concentration of contaminants that may be discharged. Public notice and an opportunity to comment is provided for each draft permit and a hearing may be required if there is sufficient public interest. Permits are generally issued for a five-year period. The department charges fees to recover the costs of administering the permits.

Summary of Amended Bill: Legislative findings are made regarding the benefits of allowing the private preparation of draft wastewater discharge permits issued by the DOE.

For each application for a new or modified wastewater permit submitted to the DOE, the DOE must determine whether or not the permit will be processed in 180 days. If the permit will not be processed within 180 days, the DOE must notify the applicant and the applicant may choose to withdraw the application and re-submit the application in the form of a draft permit. The DOE is required to approve or deny the proposed permit within 45 days if no hearing is required or within 90 days if a hearing is required. The DOE is directed to provide guidelines specifying the elements of a complete draft permit.

Amended Bill Compared to Substitute Bill: The striking amendment makes technical changes to clarify that a person may submit a draft permit only when the DOE determines that it cannot process the permit within 180 days.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill is an example of regulatory reform. It provides options to business and may save the DOE money. This bill does not involve discharge permits issued by the Energy Facility Site Evaluation Council.

Testimony Against: It is a conflict of interest to allow a discharger to write his or her own permit. If there are not enough DOE staff to issue permits in a timely manner, then more DOE employees should be hired.

Testified: Senator Dan Swecker, sponsor; David McCraney, Energy Facility Site Evaluation Council; Mike Llewelyn, Department of Ecology; and Doug Levy, City of Everett; (in favor). Bruce Wishart, People for Puget Sound (con).