

2SHB 2867 - S AMD to S COMM AMD S-4517.1

By Senator T. Sheldon

ADOPTED 03/08/02

1 On page 3, line 1, after "dollars." strike "The department shall
2 require such permits only if, and as long as, these permits are
3 required under federal law." and insert the following:

4 "Such a permit is required only, and as long as, the interpretation of
5 this court decision is not overturned or modified by future court
6 rulings, administrative rulemaking, or legislative action. In such a
7 case the department shall take appropriate action to rescind or modify
8 these permits."

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EFFECT: Provides clear direction to DOE to rescind or modify this permit requirement if Congress, the federal government, or federal courts modify or overturn the Talent decision that requires NPDES permits for the application of aquatic pesticides.