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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

Read first time 02/22/19. Referred to Committee on Environment & Energy.

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

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.48  
6 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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

12 (i) The Spokane tribe of Indians; and

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

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

16 (i) The department;

17 (ii) The United States environmental protection agency;

18 (iii) The Idaho department of water quality;

19 (iv) The Spokane regional health district;

20 (v) The department of health; and

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

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

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

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

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

38 (7) Members of the task force are not entitled to be reimbursed  
39 for travel or participation expenses. Members of the task force are

1 not state employees and are not eligible for state benefits as a  
2 consequence of their participation on the task force.

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

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

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

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

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

15 (10) This section expires July 1, 2029.

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