
SENATE BILL 6178

State of Washington

53rd Legislature

1994 Regular Session

By Senator Talmadge

Read first time 01/17/94. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to wastewater discharge permits; adding new
2 sections to chapter 90.48 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that in order to
5 protect the quality of our state's waters, it is necessary to enhance
6 the efficiency and effectiveness of the department of ecology's
7 wastewater discharge permit program. Ensuring prompt review and
8 renewal of wastewater discharge permits and implementing a rigorous
9 inspection and enforcement program are a high priority. The
10 legislature also finds that both the water quality of the state and the
11 administrative efficiency of the wastewater discharge program will
12 benefit from privatization of many program functions, subject to
13 department review and oversight. Privatization is intended to improve
14 the efficiency of permit processing and to increase the frequency of
15 permit compliance assurance activities. Such privatization shall not
16 affect the authority of the department to bring enforcement actions,
17 nor shall it affect provisions in existing law for public participation
18 and rights of appeal of permit decisions.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 90.48 RCW
2 to read as follows:

3 (1) For the period beginning July 1, 1994, and ending July 1, 1996,
4 the department may allow persons applying for a permit, renewal or
5 modification required under RCW 90.48.260 to submit a draft permit in
6 lieu of an application form. The department shall: (a) Establish
7 criteria for types of applicants that are eligible to submit draft
8 permits and (b) develop a list of approved contractors with whom
9 applicants may contract for draft permit preparation. For applicants
10 who prepare a draft permit, applicable permit fees under RCW 90.48.465
11 shall be reduced in proportion to the reduction in the department's
12 work load resulting from enhanced permit preparation provided by the
13 applicant. The draft permit shall be submitted to the department for
14 review and final approval. Nothing in this section affects the
15 requirements for public participation and right of appeal under RCW
16 90.48.260 and chapter 43.21B RCW.

17 (2) By July 1, 1995, the department shall provide an interim report
18 to the legislature evaluating the effectiveness of the provisions in
19 subsection (1) of this section. A final report shall be submitted by
20 July 1, 1996.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 90.48 RCW
22 to read as follows:

23 (1) Beginning July 1, 1994, and ending July 1, 1996, the department
24 shall conduct a pilot program to test the feasibility and effectiveness
25 of using personal services contracts for conducting annual compliance
26 inspections required of major dischargers under the federal clean water
27 act. As part of the program, the department shall enter into contracts
28 for the performance of no less than twenty-five percent of annual
29 compliance inspections required of major dischargers. Such contracts
30 shall meet the requirements of chapter 39.29 RCW. Contracts made by
31 the department under this section shall also be subject to the
32 following limitations: (a) The department shall include terms in the
33 contract to protect the confidentiality of information that is obtained
34 as part of an inspection; and (b) the contract shall also specify that
35 individuals under contract with the department shall not accept
36 employment with entities they or their business have inspected for four
37 years after the final report of the inspection.

1 (2) By July 1, 1995, the department shall provide an interim report
2 to the legislature evaluating the effectiveness of the program. A
3 final report on the pilot program shall be submitted by July 1, 1996.
4 (3) Nothing in this section affects the authority of the department
5 to bring enforcement actions under this chapter.

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