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**SENATE BILL 5786**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Senators Schoesler, Dozier, Honeyford, Rolfes, and Short

Read first time 01/11/22. Referred to Committee on Environment, Energy & Technology.

1 AN ACT Relating to protecting Puget Sound from wastewater  
2 pollution by requiring the department of ecology to strengthen the  
3 Puget Sound nutrient general permit; creating new sections; and  
4 declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that Puget Sound has  
7 been degraded by recent and repeated sewage spills from publicly  
8 owned domestic wastewater treatment plants. Pollution of this  
9 magnitude and frequency conflicts with the policy of chapter 90.48  
10 RCW, including the policy of the state of Washington to maintain the  
11 highest possible standards to ensure the purity of Puget Sound  
12 consistent with public health and public enjoyment, and the  
13 propagation and protection of wildlife, birds, game, fish, and other  
14 aquatic life. The legislature further finds that the department has  
15 identified publicly owned domestic wastewater treatment plants as a  
16 significant source of excess nutrients, such as nitrogen, which  
17 contributes to low oxygen levels in Puget Sound. However, the  
18 legislature concludes that the department of ecology's Puget Sound  
19 nutrient general permit, which became effective on January 1, 2022,  
20 will not sufficiently protect Puget Sound from pollution caused by

1 publicly owned domestic wastewater treatment plants that discharge  
2 into Washington waters of the Salish Sea.

3 NEW SECTION. **Sec. 2.** (1) By January 1, 2023, the department of  
4 ecology shall revise the following elements of the Puget Sound  
5 nutrient general permit to substantially strengthen protection  
6 against pollution from publicly owned wastewater treatment plants  
7 covered by the permit:

- 8 (a) Facility specific and bubbled action levels;
- 9 (b) Nitrogen optimization plans;
- 10 (c) Reporting and recordkeeping requirements;
- 11 (d) Corrective actions;
- 12 (e) Nutrient reduction evaluations including, but not limited to,  
13 environmental justice reviews;
- 14 (f) Monitoring and sampling requirements;
- 15 (g) Noncompliance notification requirements;
- 16 (h) Penalties; and
- 17 (i) Any other similar or related elements as determined by the  
18 department of ecology.

19 (2) The department of ecology shall submit a report with the  
20 intended revisions to the elements of the Puget Sound nutrient  
21 general permit listed under subsection (1) of this section to the  
22 appropriate committees of the legislature by December 1, 2022.

23 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
24 preservation of the public peace, health, or safety, or support of  
25 the state government and its existing public institutions, and takes  
26 effect immediately.

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