**1365-S2 AMH DYEM H3199.1 - NOT FOR FLOOR USE**

**2SHB 1365** - H AMD **875**

By Representative Dye

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  (1) The legislature finds that the 2007 legislature formally established a goal for the state that the health of Puget Sound be restored by 2020. The state has not yet achieved this goal, as evidenced by the numerous locations within Puget Sound that are listed as impaired waters that fail to meet federal water quality standards. A variety of expensive hurdles remain in place that have challenged the political will to succeed in cleaning up Puget Sound. Primary among these hurdles are the significant volumes of untreated and partially treated sewage that wastewater treatment systems continue to discharge into Puget Sound as a result of system failure events, and the lack of infrastructure and processes to remove nutrients, such as inorganic nitrogen, from wastewater at treatment facilities, even where facilities are functioning as intended.

(2) Therefore, it is the intent of the legislature to expedite nutrient discharge reduction activities towards the achievement of nutrient-related water quality standards across Puget Sound. Furthermore, in order to ensure that the costs of these water quality improvements do not fall solely on local governments and utility ratepayers, it is the intent of the legislature to allocate funding towards nutrient discharge reductions.

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

(1) Each operator of a municipal sewerage system as defined by the department that discharges untreated sewage, partially treated sewage, or mixtures of untreated stormwater and sewage into state waters within the Puget Sound watershed must submit a report to the department by March 31st of each year. The report must include a summary of the discharges from the system during the previous calendar year, in addition to the reporting that is required in individual national pollutant discharge elimination system permits. Specifically, for each treated and untreated discharge into Puget Sound, the operator must report the location of the discharge, the estimated volume of the discharge, and the known or potential water quality impacts including, but not limited to, any beach closures or other impacts to recreational uses of state waters resulting from the discharge.

(2) By September 1st of each year, relying on the reports submitted to the department under subsection (1) of this section, the department must complete a summary report and provide the summary report to a diverse group of news media outlets in Washington, post the summary report on its website, and submit the summary report to the appropriate committees of the legislature consistent with RCW 43.01.036. The summary report must:

(a) Summarize the quantity and known water quality impacts of the preceding year's discharges of treated and untreated sewage into Puget Sound;

(b) Include the number of assessed water body units on the current federally approved section 303(d) list in Puget Sound relative to the total number of assessed water body units in Puget Sound;

(c) Identify municipal sewerage systems that are located in areas where there are nutrient, dissolved oxygen, and bacteria related impairments in Puget Sound; and

(d) Analyze options for improving water quality in Puget Sound through different wastewater treatment methods that could be deployed by operators of municipal sewerage systems.

NEW SECTION. **Sec.**  A new section is added to chapter 43.21A RCW to read as follows:

(1) The department must continue, under its existing authorities and subject to the availability of amounts appropriated for this specific purpose, to:

(a) Provide technical assistance to municipal wastewater sewerage system operators discharging nutrients into Puget Sound in support of their efforts to reduce nutrient discharges into Puget Sound;

(b) Identify funding opportunities, including federal, state, and local public funds available for use for the purposes of this section;

(c) Assist municipal sewerage system operators with water quality grant and loan opportunities;

(d) Take all appropriate steps to seek and apply for federal funds for which the department is eligible, and other grants, and receive gifts or bequests; and

(e) Collaborate with the Puget Sound partnership and other applicable state agencies.

(2) Each year, the department is responsible for providing financial assistance through its established water quality combined funding program for municipal wastewater nutrient discharge reduction projects subject to the availability of amounts appropriated for this specific purpose. The department must evaluate the effectiveness of past financial assistance at reducing nutrients in wastewater and improving water quality. Using this evaluation, the department must update its criteria for prioritizing financial assistance under the water quality combined funding program to facilitate higher levels of nutrient removal from wastewater."

Correct the title.

EFFECT: Changes the annual reporting dates for operators of municipal sewerage systems and the department of ecology (ecology) from February 1st to March 31st and from July 1st to September 1st, respectively. Modifies the requirements for these reports, to include that ecology must analyze options for improving Puget Sound water quality through different methods that could be deployed by municipal sewerage system operators. Removes grant prioritization criteria and specifies that ecology is responsible for providing financial assistance through its existing water quality combined funding program. Requires ecology to evaluate the effectiveness of previous financial assistance to reduce nutrients in wastewater and improve water quality. Directs ecology to use this evaluation to update how it prioritizes financial assistance under the water quality combined funding program to facilitate higher levels of nutrient removal from wastewater.