

SENATE BILL REPORT

E2SSB 5724

AS PASSED SENATE, JANUARY 27, 1992

Brief Description: Requiring the department of ecology to study impacts of regulating paper mill waste.

SPONSORS: Senate Committee on Ways & Means (originally sponsored by Senators Sutherland, Hayner and Owen).

SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

Majority Report: That Substitute Senate Bill No. 5724 be substituted therefor, and the substitute bill do pass.

Signed by Senators Metcalf, Chairman; Oke, Vice Chairman; Amondson, Barr, Conner, Owen, Patterson, Snyder, and Sutherland.

Staff: Gary Wilburn (786-7453)

Hearing Dates: February 27, 1991; March 5, 1991

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5724 be substituted therefor, and the second substitute bill do pass.

Signed by Senators McDonald, Chairman; Craswell, Vice Chairman; Bailey, Bauer, Bluechel, Cantu, Gaspard, Hayner, Johnson, Matson, Newhouse, L. Smith, and West.

Staff: Michael Groesch (786-7715)

Hearing Dates: March 11, 1991

HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

BACKGROUND:

Chlorinated organic compounds are potentially harmful chemical effluents from pulp and paper mills that are created when chlorinated bleaching agents are used to whiten wood fibers. When pulp and paper are bleached in industrial processes, the carbon element of chlorinated organic compounds comes from wood and oil-based products used as defoamers; the chlorine component of these elements comes from chlorinated bleaching agents.

"Dioxin" is a term used to refer to a family of 210 chlorinated organic compounds that vary in their degree of toxicity. "TCDD" is considered to be the most toxic member of the dioxin family, and has been linked to malignancies, birth defects, and physical deterioration in laboratory animals.

Aside from dioxins, less than 10 percent of the chlorinated organic effluents from pulp and paper mills have been identified, or have been tested for toxicity. Some of the known chlorinated organic compounds are carcinogenic to animals, bioaccumulate, and can be lethal to fish.

Federal law requires industrial and municipal dischargers to obtain a permit to discharge wastewater into any receiving waters. The U.S. Environmental Protection Agency (EPA) has delegated the authority to permit and regulate wastewater effluents to the Department of Ecology. The EPA oversees the state program, and if for any reason, the state is not able to issue permits as required by federal law, the EPA may step in to assure that dischargers are permitted as required in federal law.

The EPA is in the process of developing chlorinated organic effluent guidelines for the pulp and paper industry, and expects to issue draft guidelines by 1993, and final guidelines by 1995. Washington and Oregon are the first states to propose technology based limits on chlorinated organic effluents, consistent with proposed federal standards, before the EPA has promulgated national guidelines.

SUMMARY:

A finding is made that scientifically valid and technically achievable effluent limitations on the pulp and paper industry are necessary to protect the state's waters, and that the Department of Ecology should not duplicate federal efforts to develop standards for chlorinated organic effluents.

The Department of Ecology is prohibited from issuing permits that limit chlorinated organic effluents from pulp and paper mills until the EPA issues final effluent guidelines. The permit moratorium does not apply to permits that limit dioxin compounds.

Appropriation: none

Revenue: none

Fiscal Note: available

Effective Date: The bill contains an emergency clause and takes effect immediately.

TESTIMONY FOR (Environment & Natural Resources):

The process for developing effluent standards for chlorinated organic compounds must be slowed. If Washington uses a more stringent standard than other states, Washington's pulp and paper industry could be placed at a competitive disadvantage.

TESTIMONY AGAINST (Environment & Natural Resources):

The Department of Ecology does not have the technical expertise to prepare the study by December of 1991. It should be assigned to a state university. If the department is prevented from issuing permits, the EPA will probably step in to issue the permits.

TESTIFIED (Environment & Natural Resources): Don Brownell, Assoc. of Washington Business (pro); Carol Jolly, Dept. of Ecology (con); Doris Cellarues, Sierra Club (con); Chris Hedrick, Puget Sound Water Quality Authority (con); Andy Elsbree, James River Corp. (pro); Llewellyn Matthews, Northwest Pulp and Paper Assn. (pro); Brent Knott, Assn. of Western Pulp and Paper Workers (pro); Robert Dilger, WA Building and Construction Trades Council (pro)

TESTIMONY FOR (Ways & Means):

Substantial amounts of money may be wasted on compliance with state regulations which are eventually overruled by federal guidelines.

TESTIMONY AGAINST (Ways & Means):

Many of the chemicals are known to be toxic and jobs need not be lost if proper types of alternatives are applied to the problem.

TESTIFIED (Ways & Means): Llewellyn Matthews, NW Pulp and Paper Association (pro); Carol Jolly, Department of Ecology (con); Bruce Wishart, Sierra Club (con); Jim Hartley, Simpson Tacoma Kraft (pro); Brent Knott, AWPPW (pro); Jerry Harper, Weyerhaeuser (pro); Craig Voegele, Boise Cascade (pro); Curt Copenhagen, Longview Fibre (pro)

HOUSE AMENDMENT(S):

The original bill's limitations on issuance of permits by the Department of Ecology is stricken. Each pulp and paper mill is to prepare an engineering report on the cost of installing technology to reduce chlorinated organics discharges. The mills are allowed 24 months to submit the report and the Department of Ecology may not issue water discharge permits containing limits on discharges of such compounds until 90 days after receiving the report. The bill does not apply to dioxin compounds.