

SENATE BILL REPORT

SB 5751

AS OF FEBRUARY 26, 1991

Brief Description: Regulating sewage sludge.

SPONSORS: Senators Roach and Rasmussen.

SENATE COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

Staff: Atsushi Kiuchi (786-7708)

Hearing Dates: March 5, 1991

BACKGROUND:

The application of sewage sludge on land for silvicultural, agricultural and land reclamation is an accepted beneficial use authorized by the state Solid Waste Management Act.

Public concerns over sludge application impacts on health, water quality and environment have grown during the past year. One of the areas of concern is compensation for damages sustained due to sludge application projects.

SUMMARY:

Any person who discharges, deposits, sprays or otherwise places sludge on land or vegetation or contracts someone to perform the service is strictly liable for damages resulting in reduced property values, harm to wildlife and fisheries resources, sickness from noxious odors, loss of aesthetic value and beauty, toxicity to land and water and emotional distress. There is established a statute of limitations for filing of claims.

Under the state water pollution control laws, persons are subject to penalties for dispersing sludge without a permit or violating conditions of a permit or falsification of required reports and information. Unlawful sludge dispersal is a class C felony with a maximum penalty not to exceed \$10,000 and five years imprisonment.

The Department of Ecology will establish a permit system for sludge applied to land for the purpose of improving the texture or nutrient content of soils.

The department will undertake a five year epidemiological effects study of sludge application on land and vegetation with the assistance of the Department of Social and Health Services. The interim report will be submitted September 1, 1994 and the final report by September 1, 1995.

The State Environmental Policy Act is amended to require a site specific environmental impact statement be prepared by the permit applicant and filed with the local health department.

Appropriation: none

Revenue: none

Fiscal Note: requested February 22, 1991