

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2446

Chapter 161, Laws of 2002

57th Legislature
2002 Regular Session

WATER AND SEWER PLANS

EFFECTIVE DATE: 6/13/02

Passed by the House March 11, 2002
Yeas 94 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 7, 2002
Yeas 49 Nays 0

BRAD OWEN
President of the Senate

Approved March 27, 2002

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2446** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

FILED

March 27, 2002 - 8:41 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2446

AS AMENDED BY THE SENATE

Passed Legislature - 2002 Regular Session

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Local Government & Housing (originally sponsored by Representatives Miloscia, Mulliken, DeBolt and Dunshee)

Read first time 01/31/2002. Referred to Committee on .

1 AN ACT Relating to state agency review of water and sewer general
2 comprehensive plans; amending RCW 90.48.020 and 90.48.110; adding a new
3 section to chapter 43.20 RCW; adding a new section to chapter 57.16
4 RCW; and adding a new section to chapter 70.116 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.20 RCW
7 to read as follows:

8 For any new or revised water system plan submitted for review under
9 this chapter, the department shall review and either approve,
10 conditionally approve, reject, or request amendments within ninety days
11 of the receipt of the submission of the plan. The department may
12 extend this ninety-day time limitation for new submittals by up to an
13 additional ninety days if insufficient time exists to adequately review
14 the general comprehensive plan. For rejections of plans or extensions
15 of the timeline, the department shall provide in writing, to the person
16 or entity submitting the plan, the reason for such action. In
17 addition, the person or entity submitting the plan and the department
18 may mutually agree to an extension of the deadlines contained in this
19 section.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 57.16 RCW
2 to read as follows:

3 For any new or revised sewer general comprehensive plan submitted
4 by a water-sewer district for review under this chapter, the
5 appropriate state agency shall review and either approve, conditionally
6 approve, reject, or request amendments within ninety days of the
7 receipt of the submission of the plan. The appropriate state agency
8 may extend this ninety-day time limitation for new submittals by up to
9 an additional ninety days if insufficient time exists to adequately
10 review the general comprehensive plan. For rejections of plans or
11 extensions of the timeline, the appropriate state agency shall provide
12 in writing to the water-sewer district the reason for such action. In
13 addition, the governing body of the water-sewer district and the
14 appropriate state agency may mutually agree to an extension of the
15 deadlines contained in this section.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.116 RCW
17 to read as follows:

18 For any new or revised water or sewer system plan submitted for
19 review under this chapter, the department of health shall review and
20 either approve, conditionally approve, reject, or request amendments
21 within ninety days of the receipt of the submission of the plan. The
22 department of health may extend this ninety-day time limitation for new
23 submittals by up to an additional ninety days if insufficient time
24 exists to adequately review the general comprehensive plan. For
25 rejections of plans or extensions of the timeline, the department shall
26 provide in writing, to the person or entity submitting the plan, the
27 reason for such action. In addition, the person or entity submitting
28 the plan and the department of health may mutually agree to an
29 extension of the deadlines contained in this section.

30 **Sec. 4.** RCW 90.48.020 and 1995 c 255 s 7 are each amended to read
31 as follows:

32 Whenever the word "person" is used in this chapter, it shall be
33 construed to include any political subdivision, government agency,
34 municipality, industry, public or private corporation, copartnership,
35 association, firm, individual or any other entity whatsoever.

36 Wherever the words "waters of the state" shall be used in this
37 chapter, they shall be construed to include lakes, rivers, ponds,

1 streams, inland waters, underground waters, salt waters and all other
2 surface waters and watercourses within the jurisdiction of the state of
3 Washington.

4 Whenever the word "pollution" is used in this chapter, it shall be
5 construed to mean such contamination, or other alteration of the
6 physical, chemical or biological properties, of any waters of the
7 state, including change in temperature, taste, color, turbidity, or
8 odor of the waters, or such discharge of any liquid, gaseous, solid,
9 radioactive, or other substance into any waters of the state as will or
10 is likely to create a nuisance or render such waters harmful,
11 detrimental or injurious to the public health, safety or welfare, or to
12 domestic, commercial, industrial, agricultural, recreational, or other
13 legitimate beneficial uses, or to livestock, wild animals, birds, fish
14 or other aquatic life.

15 Wherever the word "department" is used in this chapter it shall
16 mean the department of ecology.

17 Whenever the word "director" is used in this chapter it shall mean
18 the director of ecology.

19 Whenever the words "aquatic noxious weed" are used in this chapter,
20 they have the meaning prescribed under RCW 17.26.020.

21 Whenever the words "general sewer plan" are used in this chapter
22 they shall be construed to include all sewerage general plans, sewer
23 general comprehensive plans, plans for a system of sewerage, and other
24 plans for sewer systems adopted by a local government entity including
25 but not limited to cities, towns, public utility districts, and water-
26 sewer districts.

27 **Sec. 5.** RCW 90.48.110 and 1994 c 118 s 1 are each amended to read
28 as follows:

29 (1) Except under subsection (2) of this section, all engineering
30 reports, plans, and specifications for the construction of new sewerage
31 systems, sewage treatment or disposal plants or systems, or for
32 improvements or extensions to existing sewerage systems or sewage
33 treatment or disposal plants, and the proposed method of future
34 operation and maintenance of said facility or facilities, shall be
35 submitted to and be approved by the department, before construction
36 thereof may begin. No approval shall be given until the department is
37 satisfied that said plans and specifications and the methods of

1 operation and maintenance submitted are adequate to protect the quality
2 of the state's waters as provided for in this chapter.

3 (2) To promote efficiency in service delivery and intergovernmental
4 cooperation in protecting the quality of the state's waters, the
5 department may delegate the authority for review and approval of
6 engineering reports, plans, and specifications for the construction of
7 new sewerage systems, sewage treatment or disposal plants or systems,
8 or for improvements or extensions to existing sewerage system or sewage
9 treatment or disposal plants, and the proposed method of future
10 operations and maintenance of said facility or facilities and
11 industrial pretreatment systems, to local units of government
12 requesting such delegation and meeting criteria established by the
13 department.

14 (3) For any new or revised general sewer plan submitted for review
15 under this section, the department shall review and either approve,
16 conditionally approve, reject, or request amendments within ninety days
17 of the receipt of the submission of the plan. The department may
18 extend this ninety-day time limitation for new submittals by up to an
19 additional ninety days if insufficient time exists to adequately review
20 the general sewer plan. For rejections of plans or extensions of the
21 timeline, the department shall provide in writing to the local
22 government entity the reason for such action. In addition, the
23 governing body of the local government entity and the department may
24 mutually agree to an extension of the deadlines contained in this
25 section.

Passed the House March 11, 2002.

Passed the Senate March 7, 2002.

Approved by the Governor March 27, 2002.

Filed in Office of Secretary of State March 27, 2002.