
SENATE BILL 5595

State of Washington

58th Legislature

2003 Regular Session

By Senators Morton, Fraser, Regala, Hewitt and Winsley; by request of Department of Ecology

Read first time 01/31/2003. Referred to Committee on Natural Resources, Energy & Water.

1 AN ACT Relating to modifying the public notification requirements
2 for wastewater discharge permits; and amending RCW 90.48.170.

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

4 **Sec. 1.** RCW 90.48.170 and 1994 c 264 s 91 are each amended to read
5 as follows:

6 (1) Applications for permits shall be made on forms prescribed by
7 the department and shall contain the name and address of the applicant,
8 a description of the applicant's operations, the quantity and type of
9 waste material sought to be disposed of, the proposed method of
10 disposal, and any other relevant information deemed necessary by the
11 department. Application for permits shall be made at least sixty days
12 prior to commencement of any proposed discharge or permit expiration
13 date, whichever is applicable.

14 (2) Upon receipt of a proper application relating to a new
15 operation, or an operation previously under permit for which an
16 increase in volume of wastes or change in character of effluent is
17 requested over that previously authorized, the department shall
18 (~~instruct the applicant to publish notices thereof by such means and~~

1 ~~within such time as the department shall prescribe. The department~~
2 ~~shall require that the notice so prescribed shall be published twice in~~
3 ~~a newspaper of general circulation within the county in which the~~
4 ~~disposal of waste material is proposed to be made and in such other~~
5 ~~appropriate information media as the department may direct. Said))~~
6 provide public notice thereof. Upon receipt by the department of an
7 application, it shall immediately send notice thereof containing
8 pertinent information to potentially affected state agencies. The
9 department shall also provide public notice of and an opportunity for
10 public comment on proposed or draft permits or permit denials.

11 (3) The department shall provide public notice in a manner
12 reasonably calculated to give actual notice to the persons potentially
13 affected by the proposed discharge and the department's actions with
14 respect to the proposed discharge. Methods of providing notice may
15 include electronic mail, posting on the department's internet site,
16 publication in newspapers, press releases, mailings, and other
17 information media the department may determine is appropriate. The
18 department shall maintain a list of persons interested in departmental
19 actions on waste disposal permits and shall provide notice to all
20 persons on the list. Notice may be by electronic distribution or by
21 regular mail.

22 (4) Public notice shall include a statement that any person
23 desiring to present his or her views to the department with regard to
24 ((said)) the application or proposed permit action may do so in writing
25 to the department, or any person interested in the department's action
26 on an application for a permit, may submit his or her views or notify
27 the department of his or her interest ((within thirty days of the last
28 date of publication of notice)). Such notification or submission of
29 views to the department shall entitle said persons to a copy of the
30 action taken on the application. ((Upon receipt by the department of
31 an application, it shall immediately send notice thereof containing
32 pertinent information to the director of fish and wildlife and to the
33 secretary of social and health services.)) The department shall
34 provide a minimum of thirty days for interested persons to comment on
35 proposed draft permits or permit denials.

36 (5) When an application complying with the provisions of this
37 chapter and the rules and regulations of the department has been filed
38 with the department, it shall be its duty to investigate the

1 application, and determine whether the use of public waters for waste
2 disposal as proposed will pollute the same in violation of the public
3 policy of the state.

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