
HOUSE BILL 3228

State of Washington

59th Legislature

2006 Regular Session

By Representative Holmquist

Read first time . Referred to .

1 AN ACT Relating to the impact on small businesses of general
2 permits developed under chapter 90.48 RCW; and adding a new section to
3 chapter 90.48 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.48 RCW
6 to read as follows:

7 (1) In developing a general permit under this chapter, the
8 department must prepare an economic impact analysis on all draft
9 general permits that are intended to directly cover small business, as
10 that term is defined in RCW 19.85.020. The economic impact analysis
11 must be published with the draft general permit.

12 (2) The economic impact analysis must be used as a basis to reduce
13 the economic impact of the general permit on small businesses by
14 implementing one or more of the following when it is legal and feasible
15 in meeting the stated objectives of the federal water pollution control
16 act (33 U.S.C. Sec. 1251 et seq.) and this chapter:

17 (a) Establishing differing compliance or reporting requirements or
18 timetables for small businesses;

1 (b) Simplifying, reducing, or eliminating the compliance,
2 monitoring, recordkeeping, and reporting requirements under the general
3 permit for small businesses;

4 (c) Establishing performance standards rather than design
5 standards; and

6 (d) Exempting small businesses from parts of the general permit.

7 (3) The contents of an economic impact analysis of a proposed
8 general permit must include, at a minimum, the following:

9 (a) A brief description of the compliance requirements of the
10 general permit, including:

11 (i) The minimum technology-based treatment requirements;
12 (ii) The monitoring requirements contained in the general permit;
13 (iii) The reporting and recordkeeping requirements; and
14 (iv) Any plan submittal requirements;

15 (b) The estimated costs of compliance for facilities intended to be
16 covered under the general permit. Costs include, consistent with
17 subsection (2) of this section, the following:

18 (i) The costs associated with (a) of this subsection;
19 (ii) The costs of equipment, supplies, labor, and any increased
20 administrative costs; and
21 (iii) The costs of professional services likely needed to comply
22 with the general permit;

23 (c) A comparison, to the greatest extent possible, of the cost of
24 compliance for small businesses with the cost of compliance for the
25 largest ten percent of the facilities intended to be covered under the
26 general permit. The economic impact analysis must use one or more of
27 the following as a basis for comparing costs:

28 (i) Cost per employee;
29 (ii) Cost per hour of labor; or
30 (iii) Cost per one hundred dollars of sales.

31 (4) To obtain information for purposes of this section, an agency
32 should survey a representative sample of affected businesses or trade
33 associations to assist in the accurate assessment of the costs of the
34 proposed general permit, and the means to reduce the costs imposed on
35 small businesses.

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