

SSB 5723 - S AMD 96

By Senator Schoesler

NOT CONSIDERED 05/25/2011

1 On page 3, after line 18, insert the following:

2 "Sec. 3. RCW 90.48.120 and 1992 c 73 s 25 are each amended to read  
3 as follows:

4 (1) Whenever, in the opinion of the department, any person shall  
5 violate or creates a substantial potential to violate the provisions of  
6 this chapter or chapter 90.56 RCW, or fails to control the polluting  
7 content of waste discharged or to be discharged into any waters of the  
8 state, the department shall notify such person of its determination by  
9 registered mail. Such determination shall not constitute an order or  
10 directive under RCW 43.21B.310. Within thirty days from the receipt of  
11 notice of such determination, such person shall file with the  
12 department a full report stating what steps have been and are being  
13 taken to control such waste or pollution or to otherwise comply with  
14 the determination of the department. If the notice is provided to a  
15 livestock operation, the livestock operation has the option to request  
16 its conservation district to prepare a livestock nutrient management  
17 plan based on the applicable federal natural resource conservation  
18 service standards, and may report to the department that it intends to  
19 implement this plan. Whereupon the department shall issue such order  
20 or directive as it deems appropriate under the circumstances, and shall  
21 notify such person thereof by registered mail.

22 (2) Whenever the department deems immediate action is necessary to  
23 accomplish the purposes of this chapter or chapter 90.56 RCW, it may  
24 issue such order or directive, as appropriate under the circumstances,  
25 without first issuing a notice or determination pursuant to subsection  
26 (1) of this section. An order or directive issued pursuant to this  
27 subsection shall be served by registered mail or personally upon any  
28 person to whom it is directed."

NOT CONSIDERED 05/25/2011

1        On page 1, line 2 of the title, after "90.48.144" insert "and  
2        90.48.120"

EFFECT:     Authorizes a livestock operation to have the option to request its conservation district to prepare a livestock nutrient management plan based on the applicable federal natural resource conservation service standards.

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