

# HOUSE BILL REPORT

## HB 1670

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**As Reported by House Committee On:**  
Environment & Energy

**Title:** An act relating to increasing transparency regarding sewage-containing spills.

**Brief Description:** Increasing transparency regarding sewage-containing spills.

**Sponsors:** Representatives Hunt, Griffey, Doglio, Bernbaum, Zahn, Salahuddin, Berry, Abbarno, Duerr, Hill, Obras, Lekanoff, Stearns, Parshley, Kloba, Reed, Ramel, Ormsby, Gregerson and Nance.

**Brief History:**

**Committee Activity:**

Environment & Energy: 2/4/25, 2/13/25 [DPS].

**Brief Summary of Substitute Bill**

- Requires the Department of Ecology to make certain sewage spill information publicly available via a website, a public notification system, and the publication of annual sewage spill reports.

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### HOUSE COMMITTEE ON ENVIRONMENT & ENERGY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 20 members: Representatives Doglio, Chair; Hunt, Vice Chair; Dye, Ranking Minority Member; Klicker, Assistant Ranking Member; Abbarno, Abell, Barnard, Berry, Duerr, Fey, Kloba, Ley, Mena, Mendoza, Ramel, Stearns, Street, Stuebe, Wylie and Ybarra.

**Staff:** Jacob Lipson (786-7196).

**Background:**

The federal Clean Water Act (CWA) sets a national goal to restore and maintain the

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chemical, physical, and biological integrity of the nation's waters and to eliminate pollutant discharges into navigable waters. The CWA sets effluent limitations for discharges of pollutants to navigable waters. The Department of Ecology (Ecology) has received delegated authority from the United States Environmental Protection Agency to carry out the CWA in Washington. As part of this responsibility, Ecology issues required National Pollutant Discharge Elimination System (NPDES) wastewater discharge permits, except for federally owned facilities and for permits on tribal lands, as well as state wastewater discharge permits under state law. The NPDES and state permits regulate discharges to surface water from commercial industry or publicly owned treatment works, also referred to as municipal wastewater treatment facilities, while state waste discharge permits additionally regulate discharges to groundwater. Wastewater discharge permits generally place limits on the quantity and concentrations of contaminants that may be discharged, and permits may require wastewater treatment or impose operating or other conditions, including monitoring, reporting, and spill prevention planning. The current wastewater discharge permits issued by Ecology typically require a permit holder to notify Ecology immediately, and not later than 24 hours, upon becoming aware of a spill or discharge that could constitute a threat to human health, welfare, or the environment, and to take appropriate action to correct or minimize health or environmental threats from the spill.

Combined sewer overflow systems discharge untreated or partially treated sewage mixed with stormwater to waterways. They receive overflow from treatment plants or combined sewers when the capacity of those treatment plants or combined sewers is exceeded during heavy rain events.

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### **Summary of Substitute Bill:**

Ecology must develop certain new tools to publicly communicate intentional or accidental sewage spills, including from combined sewers, that do not meet water discharge permit requirements. These new public communication requirements include:

- By July 1, 2026, Ecology must develop and publish a public-facing website that includes notices of the locations of reported sewage spills. Upon receipt of information about a sewage spill, Ecology must post a notice on this website that includes:
  - estimated volumes and rates of discharge;
  - the level of treatment of the discharge;
  - the date, time, and location of the incident;
  - geographic areas impacted by the discharge; and
  - steps taken to contain the discharge.
- By July 1, 2027, Ecology must implement a public notification system that allows members of the public to choose to be notified by Ecology of sewage spills no later than four hours, within regular business hours, of Ecology's receipt of a notice of a spill.
- By March 15, 2026, Ecology must provide a list of sewage spills that occurred during

the preceding calendar year.

- Beginning March 15, 2027, Ecology must publish and annually make available on its website an annual report of sewage spills.

### **Substitute Bill Compared to Original Bill:**

As compared to the original, the substitute bill:

- eliminates the requirement that information about sewage spills be posted by Ecology specifically in a map format with geographic information, and instead specifies that the sewage spill information communicated to the public need only include a notice of the location of the spill;
- limits the daily hours in which Ecology must post sewage spill information within four hours of receipt, to regular working business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, and not excluding holidays;
- amends the definition of the "combined sewers" and "sewage spills" to which the reporting requirements apply, including by specifying that sewage spills apply to discharges of wastewater rather than diversions of waste;
- eliminates references to "diversions" and "bypasses" of sewage, rather than sewage spills;
- eliminates the requirement that Ecology post, in sewage spill notices, information about public safety precautions that should be taken; and
- eliminates the requirement that Ecology retain post-2026 sewage spill notices on their website in perpetuity.

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**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

### **Staff Summary of Public Testimony:**

(In support) The public is currently not well informed when a sewage spill occurs in state waters. Sewage spills occur frequently, and vary in size and duration. Water discharge permit holders currently already notify Ecology in a timely manner after a spill, but that information does not get made visible to the public. People should make informed decisions about whether they want to recreate in sewage-contaminated waters. Currently, the best information available to the public about water quality and safety is compiled and posted by volunteers. Other states have implemented sewage spill public notification programs.

(Opposed) None.

(Other) Sewage spills are harmful to Puget Sound. Access to food and recreation are impacted by sewage spills. Public exposure to sewage should be limited, and providing multilingual notifications will help ensure information is disseminated appropriately. The current sewage spill reporting system is not user-friendly. Ecology is not currently staffed to provide around-the-clock sewage spill reporting, and does not have the expertise to tell the public whether a public beach is safe to be used. The Department of Health already provides public health notices related to sewage spill impacts on shellfish resources.

**Persons Testifying:** (In support) Representative Victoria Hunt, prime sponsor; Stena Troyer, Harbor Wildwatch; Pete Steelquist, Surfrider Foundation; and Mindy Roberts, Washington Conservation Action.

(Other) Leslie Connelly, Department of Ecology; and Don Gourlie, Puget Sound Partnership.

**Persons Signed In To Testify But Not Testifying:** None.