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HOUSE BILL 2243

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Hunt, Ormsby, and Wood

Read first time 02/17/09. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to water cleanup planning and implementation; and  
2 adding a new section to chapter 90.48 RCW.

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

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

6 (1) The department shall amend the state's water quality standards  
7 to authorize compliance schedules for discharge permits issued under  
8 this chapter that implement a total maximum daily load, to provide that  
9 a compliance schedule may exceed ten years only if, during the first  
10 ten years, the entity seeking an extended compliance schedule has made  
11 significant investments in advanced treatment technology and has  
12 substantially reduced pollutant loading. In making this determination,  
13 the department shall consider the nature, magnitude, and cost of point  
14 and nonpoint pollution controls implemented by the entity seeking an  
15 extended compliance schedule. In general, compliance schedules longer  
16 than ten years must be unavailable to implement a total maximum daily  
17 load that involves only point sources. Compliance schedules longer  
18 than ten years may only be authorized for an additional five years at  
19 a time, and the total length of any compliance schedule may not exceed

1 twenty years. However, compliance schedules for nonpoint sources may  
2 exceed twenty years if corrective actions have been fully implemented  
3 during the first ten years and significant riparian restoration, such  
4 as planting of vegetation, is required to implement a load allocation  
5 needed to achieve compliance and the riparian restoration cannot be  
6 completed within twenty years.

7 (2) If the United States environmental protection agency  
8 disapproves the amendment to the water quality standards necessary to  
9 implement this section, the department shall work with the United  
10 States environmental protection agency to develop an approved amendment  
11 to the state water quality standards that is as consistent as possible  
12 with the provisions of this section.

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