

## CHAPTER 269

[Substitute Senate Bill No. 3664]

## WATER QUALITY—SOLE-SOURCE AQUIFER FUNDS

AN ACT Relating to water quality; and amending section 1, chapter 159, Laws of 1980 and RCW 43.99F.010.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 1, chapter 159, Laws of 1980 and RCW 43.99F.010 are each amended to read as follows:

The long-range development goals for the state of Washington must include the protection of the resources and environment of the state, the health and safety of its people, and the beneficial uses of water by providing facilities and systems, among others, for the general control, collection, treatment, or disposal of nonradioactive solid and nonradioactive liquid waste materials. The purpose of this chapter is to assist the state and local governments in providing that protection but it is not the purpose of this chapter to provide funding for facilities which encourage development. A high priority in the expenditure of these funds shall be the protection of sole-source aquifers designated pursuant to the federal Safe Drinking Water Act (88 Stat. 1660) which aquifers have been designated as of the effective date of this 1983 act.

Passed the Senate March 30, 1983.

Passed the House April 21, 1983.

Approved by the Governor May 17, 1983.

Filed in Office of Secretary of State May 17, 1983.

## CHAPTER 270

[Engrossed Senate Bill No. 3674]

POLLUTION CONTROL—POWERS OF STATE AGENCIES AND OFFICERS  
UNDER FEDERAL PROGRAMS

AN ACT Relating to pollution control; amending section 24, chapter 13, Laws of 1967 as last amended by section 1, chapter 267, Laws of 1979 ex. sess. and RCW 90.48.260; adding a new section to chapter 70.105 RCW; and adding new sections to chapter 43.21A RCW.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 24, chapter 13, Laws of 1967 as last amended by section 1, chapter 267, Laws of 1979 ex. sess. and RCW 90.48.260 are each amended to read as follows:

The department of ecology is hereby designated as the State Water Pollution Control Agency for all purposes of the federal (~~Water Pollution Control~~) clean water act as amended and is hereby authorized to participate fully in the programs of the act as well as to take all action necessary to secure to the state the benefits and to meet the requirements of that act.

The powers granted herein include, among others, and notwithstanding any other provisions of chapter 90.48 RCW or otherwise, the following:

(1) Complete authority to establish and administer a comprehensive state point source waste discharge or pollution discharge elimination permit program which will enable the department to qualify for full participation in any national waste discharge or pollution discharge elimination permit system and will allow the department to be the sole agency issuing permits required by such national system operating in the state of Washington subject to the provisions of RCW 90.48.262(2). Program elements authorized herein may include, but are not limited to: (a) Effluent treatment and limitation requirements together with timing requirements related thereto; (b) applicable receiving water quality standards requirements; (c) requirements of standards of performance for new sources; (d) pretreatment requirements; (e) termination and modification of permits for cause; (f) requirements for public notices and opportunities for public hearings; (g) appropriate relationships with the secretary of the army in the administration of his responsibilities which relate to anchorage and navigation, with the administrator of the environmental protection agency in the performance of his duties, and with other governmental officials under the federal (~~Water Pollution Control~~) clean water act; (h) requirements for inspection, monitoring, entry, and reporting; (i) enforcement of the program through penalties, emergency powers, and criminal sanctions; (j) a continuing planning process; and (k) user charges.

(2) The power to establish and administer state programs in a manner which will insure the procurement of moneys, whether in the form of grants, loans, or otherwise; to assist in the construction, operation, and maintenance of various water pollution control facilities and works; and the administering of various state water pollution control management, regulatory, and enforcement programs.

(3) The power to develop and implement appropriate programs pertaining to continuing planning processes, area-wide waste treatment management plans, and basin planning.

The governor shall have authority to perform those actions required of him or her by the federal (~~Water Pollution Control~~) clean water act.

NEW SECTION, Sec. 2. There is added to chapter 70.105 RCW a new section to read as follows:

The department of ecology is empowered to participate fully in and is empowered to administer all programs of the federal Resource Conservation and Recovery Act, as it exists on the effective date of this act (42 U.S.C. Sec. 6901 et. seq.), contemplated for participation and administration by a state under that act.

NEW SECTION, Sec. 3. There is added to chapter 43.21A RCW a new section to read as follows:

The department of ecology is authorized to participate fully in and is empowered to administer all programs of the federal Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601 et. seq.), as it exists on the effective date of this act, contemplated for state participation and administration under that act.

NEW SECTION. Sec. 4. There is added to chapter 43.21A RCW a new section to read as follows:

The department of ecology, the department of natural resources, the department of social and health services, and the oil and gas conservation committee are authorized to participate fully in and are empowered to administer all programs of Part C of the federal Safe Drinking Water Act (42 U.S.C. Sec. 300 (h) et. seq.), as it exists on the effective date of this act, contemplated for state participation in administration under the act. The department of ecology is also authorized to participate in any future federal program established under the federal Safe Drinking Water Act which provides matching funding for planning and implementation of a sole source aquifer protection program.

The department of ecology, in the implementation of powers provided herein shall enter into agreements of administration with the departments of social and health services and natural resources and the oil and gas conservation committee to administer those portions of the state program, approved under the federal act, over which the said departments and committee have primary subject-matter authority under existing state law. The departments of social and health services and natural resources and the oil and gas conservation committee are empowered to enter into such agreements and perform the administration contained therein.

NEW SECTION. Sec. 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the Senate April 23, 1983.

Passed the House April 21, 1983.

Approved by the Governor May 17, 1983.

Filed in Office of Secretary of State May 17, 1983.

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## CHAPTER 271

[Senate Bill No. 3763]

### GUARDIANS—ANNUAL STATEMENT REQUIREMENT MODIFIED

AN ACT Relating to guardians; and amending section 11.88.100, chapter 145, Laws of 1965 as last amended by section 7, chapter 309, Laws of 1977 ex. sess. and RCW 11.88.100.

Be it enacted by the Legislature of the State of Washington: