

Passed the House May 10, 1971.

Passed the Senate May 9, 1971.

Approved by the Governor May 19, 1971.

Filed in Office of Secretary of State May 20, 1971.

CHAPTER 160

[Substitute House Bill No. 595]

POLLUTION DISCLOSURE ACT OF 1971

AN ACT Relating to air and water pollution; enacting the pollution disclosure act; and creating new sections.

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

NEW SECTION. Section 1. Every person conducting a commercial or industrial operation within this state who discharges wastes, other than sanitary sewage, into waters of the state or into any sewer system which discharges into waters of the state, and every person conducting a commercial or industrial operation within the state who discharges wastes into the air of the state, shall file, annually, during the month of January, reports, on forms provided by the department of ecology, setting forth:

- (1) The nature of the enterprise;
- (2) A list of materials used in, and incidental to, its manufacturing processes, including by-products and waste products;
- (3) The estimated annual total gallons or pounds (or other appropriate measurement) of wastes, including, but not limited to, process and cooling water to be discharged into the water or air, or into any sewer system.

The list of materials provided for in subsection (2) hereof shall relate to all materials designated by the director of the department of ecology, after consultation with a committee on environmental specialists of not less than five appointed by the director, as critical materials which have substantial potential to adversely affect the quality of waters or environment of the state, or the uses made thereof, if allowed to enter the same. Formal designation shall be adopted by the director as a rule and filed in a "critical materials" registry of the department of ecology. "Person" as used herein means an individual partnership, firm, corporation, association or other entity.

NEW SECTION. Sec. 2. The department of ecology shall provide proper and adequate procedures to safeguard the confidentiality of manufacturing processes: PROVIDED, That the confidentiality shall not extend to waste products discharged into the waters or air of the state.

NEW SECTION. Sec. 3. Operation of an industrial or

commercial operation in violation of section 1 of this 1971 amendatory act may be enjoined on petition of the attorney general to the superior court of Thurston county or of the county in which the operation is located.

Operation of an industrial or commercial operation in violation of this chapter shall provide the basis of a civil penalty under RCW 90.48.144 or 70.94.431 as now or are hereafter amended. No person may discharge wastes into the waters or air of the state who fails to satisfy the requirements of sections 1 and 4 of this 1971 act.

NEW SECTION. Sec. 4. In the administration of the provisions of chapter 90.48 RCW, the director of the department of ecology shall, regardless of the quality of the water of the state to which wastes are discharged or proposed for discharge, and regardless of the minimum water quality standards established by the director for said waters, require wastes to be provided with all known, available, and reasonable methods of treatment prior to their discharge or entry into waters of the state.

NEW SECTION. Sec. 5. This act shall be known and may be cited as the Pollution Disclosure Act of 1971.

Passed the House March 26, 1971.

Passed the Senate May 10, 1971.

Approved by the Governor May 19, 1971.

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CHAPTER 161

[Engrossed House Bill No. 863]

EDUCATION--

MEANING OF SCHOOL DAY

AN ACT Relating to education; and amending section 28A.01.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.01.010; and amending section 13, chapter 293, Laws of 1969 ex. sess. and RCW 28A.02.061.

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

Section 1. Section 28A.01.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.01.010 are each amended to read as follows:

A school day shall ~~consist of six hours for all pupils above the third grade, exclusive of an intermission at noon; any board of directors however may fix as a school day for their district a less number of hours than six: PROVIDED, That for pupils in kindergarten the school day shall not be less than three hours, exclusive of an intermission at noon; for pupils in grades one through three the~~