

HB

51

Chairman's Notes

HB 51 -- Dept. of Environ. Conservation Water Penalties

LATEST VERSION: SCS CSHB 51(FIN)\EE

SUMMARY OF THE CHANGES to CS HB 51(RLS) am

OVERVIEW:

COPY

Finance REMOVED most of the material that was NOT directly applicable to maintaining state primacy for enforcement of the federal drinking water program. Also, there were some compromises on new language proposed by the sponsor that were included, and part of governor's bill was restored.

From the PRIOR version: the FINDINGS were REPLACED with Section 1 of SB 50; Section 2 dealing with "pollutant discharge" was DELETED; Section 3 dealing with "natural conditions" was DELETED; and Section 4, Water Quality Standards with "mixing zones" was DELETED. In Section 5, administrative penalties for water systems serving fewer than 10,000 people were REDUCED, the notice and appeal process was SIMPLIFIED; and the Court Rule section was MODIFIED to allow EITHER party to recover full reasonable attorney fees and costs. Section 8. calling for the review of water quality regulations was DELETED.

NEW version: Section 2 provides STATUTORY authority to enter into "compliance agreements" as defined in Section 4; both sections 2 and 4 are given an immediate effective date in Section 8; and in Section 3, dealing with Administrative Penalties, "person" was changed to "entity" and defined as "the owner or operator of a public water system."