
HOUSE BILL 2140

State of Washington

65th Legislature

2017 Regular Session

By Representatives Buys, Taylor, Manweller, Wilcox, Dent, Chandler,
and Shea

1 AN ACT Relating to equitable treatment in water pollution control
2 permitting; and 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
5 RCW to read as follows:

6 (1) If the department provides affirmative defenses or
7 opportunities for leniency to penalties in pollutant discharge
8 elimination permits that govern operations of state and local
9 government agencies, then substantially similar affirmative defenses
10 and opportunities for leniency to penalties must be provided in
11 pollutant discharge elimination permits issued under this chapter
12 that govern agricultural and farm activities or must be allowed for a
13 violation of the requirements of this chapter for enforcement actions
14 against agricultural activities or activities on a farm.

15 (2) This section must be liberally construed to effectuate the
16 polices and purposes of this section so that individuals are not
17 treated more stringently than government agencies during enforcement
18 actions.

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