
HOUSE BILL 2838

State of Washington

65th Legislature

2018 Regular Session

By Representatives Dent, Wylie, Nealey, and Chandler

1 AN ACT Relating to publicly owned industrial wastewater treatment
2 facilities; and amending RCW 90.50A.030.

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

4 **Sec. 1.** RCW 90.50A.030 and 2016 c 88 s 3 are each amended to
5 read as follows:

6 The department shall use the moneys in the water pollution
7 control revolving fund to provide financial assistance as provided in
8 the clean water act and as provided in RCW 90.50A.040:

9 (1) To make loans, on the condition that:

10 (a) Such loans are made at or below market interest rates,
11 including interest free loans, at terms not to exceed the lesser of
12 thirty years or the projected useful life, as determined by the
13 state, of the project to be financed with the proceeds of the loan;

14 (b) Annual principal and interest payments will commence not
15 later than one year after completion of any project and all loans
16 will be fully amortized upon the expiration of the term of the loan;

17 (c) The recipient of a loan will establish a dedicated source of
18 revenue for repayment of loans; and

19 (d) The fund will be credited with all payments of principal and
20 interest on all loans.

21 (2) Loans may be made for the following purposes:

1 (a) To public bodies for the construction or replacement of water
2 pollution control facilities as defined in the clean water act,
3 including publicly owned industrial wastewater treatment facilities
4 that reduce the burden on a municipal wastewater facility;

5 (b) For the implementation of a management program established
6 under the clean water act relating to the management of nonpoint
7 sources of pollution, subject to the requirements of that act; and

8 (c) For development and implementation of a conservation and
9 management plan under the clean water act relating to the national
10 estuary program, subject to the requirements of that act.

11 (3) The department may also use the moneys in the fund for the
12 following purposes:

13 (a) To buy or refinance the water pollution control facilities'
14 debt obligations of public bodies at or below market rates, if such
15 debt was incurred after March 7, 1985;

16 (b) To guarantee, or purchase insurance for, public body
17 obligations for water pollution control facility construction or
18 replacement or activities if the guarantee or insurance would improve
19 credit market access or reduce interest rates, or to provide loans to
20 a public body for this purpose;

21 (c) As a source of revenue or security for the payment of
22 principal and interest on revenue or general obligation bonds issued
23 by the state if the proceeds of the sale of such bonds will be
24 deposited in the fund;

25 (d) To earn interest on fund accounts; and

26 (e) To pay the expenses of the department in administering the
27 water pollution control revolving fund according to administrative
28 reserves authorized by federal and state law.

29 (4) The department shall present a biennial progress report on
30 the use of moneys from the account to the appropriate committees of
31 the legislature. The report shall consist of a list of each
32 recipient, project description, and amount of the grant, loan, or
33 both.

34 (5) The department may not use the moneys in the water pollution
35 control revolving fund for grants.

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