

Introduced by Senator Rubio

February 14, 2011

An act to amend Section 13376 of the Water Code, relating to water quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 267, as introduced, Rubio. Waste discharges: report.

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in accordance with the federal Clean Water Act and the Porter-Cologne Water Quality Control Act (state act). The state act requires a person who proposes to discharge pollutants or dredged or fill material or to operate a publicly owned treatment works or other treatment works treating domestic sewage to file a report at least 180 days in advance of the date on which it is desired to commence the discharge of pollutants or dredged or fill material or the operation of the treatment works.

This bill would instead require that waste discharge report to be filed at least 185 days before the discharge or operation of the treatment work.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13376 of the Water Code is amended to
- 2 read:
- 3 13376. A person who discharges pollutants or proposes to
- 4 discharge pollutants to the navigable waters of the United States

1 within the jurisdiction of this state or a person who discharges
2 dredged or fill material or proposes to discharge dredged or fill
3 material into the navigable waters of the United States within the
4 jurisdiction of this state shall file a report of the discharge in
5 compliance with the procedures set forth in Section 13260. Unless
6 required by the state board or a regional board, a report need not
7 be filed under this section for discharges that are not subject to the
8 permit application requirements of the Federal Water Pollution
9 Control Act, as amended. A person who proposes to discharge
10 pollutants or dredged or fill material or to operate a publicly owned
11 treatment works or other treatment works treating domestic sewage
12 shall file a report at least ~~180~~ 185 days in advance of the date on
13 which it is desired to commence the discharge of pollutants or
14 dredged or fill material or the operation of the treatment works. A
15 person who owns or operates a publicly owned treatment works
16 or other treatment works treating domestic sewage, which treatment
17 works commenced operation before January 1, 1988, and does not
18 discharge to navigable waters of the United States, shall file a
19 report within 45 days of a written request by a regional board or
20 the state board, or within 45 days after the state has an approved
21 permit program for the use and disposal of sewage sludge,
22 whichever occurs earlier. The discharge of pollutants or dredged
23 or fill material or the operation of a publicly owned treatment
24 works or other treatment works treating domestic sewage by any
25 person, except as authorized by waste discharge requirements or
26 dredged or fill material permits, is prohibited. This prohibition
27 does not apply to discharges or operations if a state or federal
28 permit is not required under the Federal Water Pollution Control
29 Act, as amended.

O