HB 3814 B STAFF MEASURE SUMMARY

Carrier: Sen. Weber, Sen. Smith DB

Senate Committee On Natural Resources and Wildfire

Action Date:	04/24/25
Action:	Do pass with amendments to the A-Eng bill. (Printed B-Eng.)
Vote:	5-0-0-0
Yeas:	5 - Girod, Golden, Nash, Prozanski, Taylor
Fiscal:	Has minimal fiscal impact
Revenue:	No revenue impact
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Meeting Dates:	4/22, 4/24

WHAT THE MEASURE DOES:

The measure authorizes the Environmental Quality Commission and the Department of Environmental Quality (DEQ) to issue a permit for a portion of a water body to be used as a mixing zone for wastewater discharge from seafood processing facilities to satisfy bacteria water quality standards, if not prohibited by federal law and DEQ determines that the mixing zone does not pose a risk to public health. It specifies that facilities using this permit must implement best management practices, based on a site-specific investigation, to prevent external fecal contamination from entering their wastewater. It takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Amendment to change terminology from "required" to "prohibited"
- Seafood processers connected to municipal systems in other states
- Bacteria limits in National Pollutant Discharge Elimination System (NPDES) permits

EFFECT OF AMENDMENT:

The amendment changes a condition for allowing the use of mixing zones under the measure by replacing "*except as required* by federal law" to "*unless prohibited* by federal law."

BACKGROUND:

According to the Department of Environmental Quality (DEQ), wastewater from industrial facilities, such as seafood processing facilities, can carry pollutants that harm aquatic life and pose risks to human health. Under federal and state law, DEQ issues permits that require facilities to treat their wastewater before discharging it into the environment. These permits ensure that pollutants are reduced to levels that protect both people and ecosystems. DEQ offers two types of permits: general permits, which apply to facilities with similar discharges and are more efficient but often more cost-effective; and individual permits, which are tailored to specific facilities and may allow more flexibility, such as the use of mixing zones.

Seafood processing wastewater contains materials like fish parts, blood, digestive waste, storage water, and cleaning product residues. This type of wastewater typically has a high biochemical oxygen demand (BOD), meaning it depletes oxygen in the water, potentially creating “dead zones” where aquatic life can't survive. It also contains total suspended solids (TSS), which can block sunlight, reduce oxygen, and cause nuisance conditions. Larger processors may discharge additional pollutants like oils, grease, chlorine, and certain metals, which are toxic to aquatic life. In some cases, the wastewater may also carry fecal bacteria at levels unsafe for recreation and shellfish harvesting.