

RCW 70A.226.020 Biosolid management program—Transportation of biosolids and sludge—PFAS chemical sampling requirements. (1) The department shall adopt rules to implement a biosolid management program within 12 months of the adoption of federal rules, 40 C.F.R. Part 503, relating to technical standards for the use and disposal of sewage sludge. The biosolid management program shall, at a minimum, conform with all applicable federal rules adopted pursuant to the federal clean water act as it existed on July 27, 2025.

(2) In addition to any federal requirements, the state biosolid management program may include, but not be limited to, an education program to provide relevant legal and scientific information to local governments and citizen groups.

(3) Rules adopted by the department under this section shall provide for public input and involvement for all state and local permits.

(4) Materials that have received a permit as a biosolid shall be regulated pursuant to this chapter.

(5) The transportation of biosolids and municipal sewage sludge shall be governed by Title 81 RCW. Certificates issued by the utilities and transportation commission before June 11, 1992, that include or authorize transportation of municipal sewage sludge shall continue in force and effect and be interpreted to include biosolids.

(6) (a) By July 1, 2026, the department must publish guidance to clarify PFAS chemical sampling requirements, including frequency and methodology, for facilities generating biosolids.

(b) Facilities generating biosolids regulated under this chapter must sample for PFAS chemical in accordance with the department's guidance and have the biosolids analyzed by an accredited laboratory for PFAS chemicals using the United States environmental protection agency method 1633A as it existed in December 2024, no more than quarterly starting no later than January 1, 2027, and ending by June 30, 2028.

(c) Facilities that are required to sample their biosolids for PFAS must provide all sampling results to the department no later than September 30, 2028.

(d) By July 1, 2029, the department must submit a report to the appropriate committees of the legislature and the public with a summary of the analysis of the levels of PFAS chemicals in biosolids produced in and/or land applied in Washington state and recommendations on how to proceed based on the analysis.

(e) In developing the recommendations under (d) of this subsection, the department must consult with the advisory committee created in RCW 70A.226.025.

(f) For the purposes of this subsection, "biosolids" do not include septic tank sludge, also known as septage. [2025 c 317 s 4; 1992 c 174 s 4. Formerly RCW 70.95J.020.]