



## **Air Quality Fee Rule, Chapter 173-455 WAC May 18, 2022 Stakeholder Meeting Summary**

### [Overview of Ecology presentation](#)

The presentation slides are available at:

<https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-455>

### **Rulemaking process**

Ecology proposes to update Chapter 173-455 WAC, Air Quality Fee Rule that combines most of the air quality-related fees. This rulemaking will update sections -038, -050, -100, -120, -130, and -140. Ecology may add other sections, to support these revisions, if necessary.

Ecology proposes to update the permitting fee structure to:

- Achieve full cost recovery for issuing permits.
- Establish a process to revise future new source review (NSR) fees.

Ecology began this rulemaking process in 2021 and plans to complete it in 2023.

- Rulemaking announced – September 23, 2021
- Rulemaking proposal – September 7, 2022
- Public comment period – September 7, 2022 – October 18, 2022
- Public hearing – October 18, 2022
- Adoption – February 2023

### **Changes to draft rule language**

- A workload analysis calculated a fee adjustment from \$95/hr to \$119/hr (25.26% increase) to match current costs. We adjusted flat fees by 25% to match the hourly rate adjustment.
- We removed specific dollar amounts from the rule language and placed them in a fee table.
- We added a process for regularly updating the fee amount to the rule language.

### **Process to calculate new Ecology hourly rate**

- Ecology completed a workload analysis on air permitting hours billed for a five-year period.
- The workload analysis concluded that the current Ecology cost is \$119.36/hour. We rounded this number down to \$119/hour.

### [Stakeholder questions and feedback](#)

- “I am curious about using 2021 as the year to base the increase off of or even 2020 – and very curious on the comparison of the permitting actions during the pandemic – a comparison starting in 2017 or 2018 by each year for both permitting actions and cost would be more helpful and transparent.”

- “In any type of fee increase, it is also nice to know what opportunities have been taken to increase efficiencies or remove procedures that are no longer necessary or an integral part of the process.”

#### Public input and feedback

The public comment period for this rule will open when Ecology proposes the rule on September 7, 2022. Check back for a link to the online comment system.