



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Ecology AO #16-11

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose:

See Attachment A

Citation of existing rules affected by this order:

Repealed:

Amended: Chapter 173-224 WAC

Suspended:

Statutory authority for adoption: RCW 90.48.465 – Water Pollution Control

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 17-06-071 on March 1, 2017.

Describe any changes other than editing from proposed to adopted version:

In the fee table we moved the Vessel Deconstruction from a subcategory under Shipyards to its own category and clarified individual categories for inactive fees for asphalt and concrete operations under the Sand & Gravel General Permit.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Charles Gilman phone (360) 407-6425
Address: Dept of Ecology, Water Quality fax (360) 407-6426
Program, 300 Desmond Dr SE, Lacey, WA e-mail charles.gilman@ecy.wa.gov
98503

Date adopted:

07/09/2017

NAME

Maia D. Bellon

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 20, 2017

TIME: 8:34 AM

WSR 17-16-005

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>1</u>	Repealed	_____
-----	-------	---------	----------	----------	-------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>1</u>	Repealed	_____
-----	-------	---------	----------	----------	-------

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	<u>2</u>	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Attachment A: Purpose of the proposal and its anticipated effects, including any changes in existing rules:

Ecology is proposing to change the title of this chapter to Water Quality Permit Fees.

Ecology is also proposing to:

- Increase annual permit fees for the following fee types by 6.37% for State Fiscal Year 2018 and 5.58% for State Fiscal Year 2019: Aluminum Alloys, Aluminum Forming, Aggregate Production – Individual and General Permits, Aquatic Pest Control, Boatyards – Individual and General Permits, Coal Mining and Preparation, Concentrated Animal Feeding Operations, Dairies, Iron and Steel, Metal Finishing, Municipal Wastewater - >250,000 Residential Equivalents, Nonferrous Metals Forming, Ore Mining, Private and State Owned Facilities, Shipyards, Stormwater Construction – Individual and General Permits, Stormwater Industrial – Individual and General Permits, and Stormwater Municipal Phase 1 and 2 Permits.
- Increase annual permit fees for the following fee types by 5.50% for State Fiscal Year 2018 and 4.50% for State Fiscal Year 2019: Aquaculture, Aluminum and Magnesium Reduction Mills, Bridge Washing, Combined Industrial Waste Treatment, Combined Food Processing Waste Treatment, Combined Sewer Overflow System, Commercial Laundry, Crop Preparing – Individual and General Permits, Facilities Not Otherwise Classified – Individual and General Permits, Flavor Extraction, Food Processing, Fuel and Chemical Storage, Hazardous Waste Cleanup Sites, Ink Formulation and Printing, Inorganic Chemicals Manufacturing, Municipal Wastewater - >250,000 Residential Equivalents, Noncontact Cooling Water With Additives – Individual and General Permits, Noncontact Cooling Water Without Additives – Individual and General Permits, Organic Chemical Manufacturing, Petroleum Refining, Photofinishers, Power and/or Steam Plants, Pulp, Paper and Paperboard, Radioactive Effluents and Discharges, RCRA Corrective Action Sites, Seafood Processing, Solid Waste Sites, Textile Mills, Timber Products, Vegetable/Bulb Washing Facilities, Vehicle Maintenance and Freight Transfer, Water Plants – Individual and General Permits and Wineries – Individual Permits.

Ecology is also updating rule language to account for changes in current business practices relating to electronic payment options, collection processes, and data collection. Ecology is also removing the winery general permit fee category for the 2017-19 biennium, as this new permit will not be effective until July 1, 2019.