



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Department of Ecology **AO#:** 16 -11

Subject of possible rule making: The Department of Ecology (Ecology) plans to amend Chapter 173-224 WAC – Wastewater Discharge Permit Fees. The purpose of this chapter is to establish a fee system for state waste discharge and National Pollutant Discharge Elimination System (NPDES) permits issued by Ecology pursuant to RCW 90.48.160, 90.48.162, or 90.48.260. Ecology may also amend the title of the chapter to “Water Quality Permit Fees” since the rule applies to fees for stormwater and wastewater permits, and update rule language to account for changes in current business practice.

Statutes authorizing the agency to adopt rules on this subject: RCW 90.48.465 – Water Pollution Control

Reasons why rules on this subject may be needed and what they might accomplish: RCW 90.48.465 – Water Pollution Control requires Ecology to establish, by rule, annual fees that will fund the wastewater and stormwater permit programs. Ecology adopted Chapter 173-224 WAC – Wastewater Discharge Permit Fees in response to this law.

This rule amendment allows for the continued recovery of Ecology’s expenses in operating and managing the permit programs. Ecology is proposing to increase fees for Fiscal Years 2018 and 2019 in order to collect the revenue needed to recover the costs of administering the wastewater and stormwater programs next biennium. Ecology may also propose changes to the structure of individual permit fee categories, beginning with the winery general permit fee category.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
None

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Ecology will follow the standard process for adoption of rules under the Administrative Procedures Act (Chapter 34.05 RCW).

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Interested parties can stay informed about the rulemaking and public involvement opportunities as described below. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

1. Visiting the agency web page at: <http://www.ecy.wa.gov/programs/wq/ruledev/wac173224/1611ov.html>.
2. Signing up to receive e-mail notices at: <https://listserv.wa.gov/cgi-bin/wa?A0=ECOLOGY-WATER-QUALITY-INFO>
3. Contacting:

Charles Gilman, Permit Fee Administrator Phone: (360) 407-6425
 Department of Ecology E-mail: charles.gilman@ecy.wa.gov
 Water Quality Program
 P.O. Box 47600
 Olympia, WA 98504-7600

DATE
12/8/2016

NAME (TYPE OR PRINT)
Heather R. Bartlett

SIGNATURE

TITLE
Water Quality Program Manager

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