



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: November 09, 2020

TIME: 10:02 AM

WSR 20-23-022

Agency: Department of Ecology AO # 19-10

Subject of possible rule making: The Department of Ecology (Ecology) plans to amend Chapter 173-224 WAC – Water Quality Permit Fees. The purpose of this chapter is to establish a permit 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.

Statutes authorizing the agency to adopt rules on this subject: Chapter 90.48 RCW Water Pollution Control; RCW 90.48-465 Water discharge fees—Report to the legislature.

Reasons why rules on this subject may be needed and what they might accomplish: RCW 90.48.465 requires Ecology to establish, by rule, annual permit fees to recover the cost of administering the wastewater and stormwater permit programs. Ecology adopted Chapter 173-224 WAC – Water Quality Permit Fees in response to this law.

This rule amendment allows Ecology to continue recovering expenses in operating and managing the permit programs. Ecology is proposing to increase permit fees for Fiscal Years 2022 and 2023 to recover the projected program costs next biennium and move closer to payment equity between permit fee categories. Ecology may also propose new permit fee categories, changes to the structure of specific permit fee categories, and technical changes.

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 the adoption of rules under the Administrative Procedures Act (Chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

	(If necessary)
Name: Ligeia Heagy	Name:
Address: PO Box 47600, Olympia, WA 98504-7600	Address:
Phone: (360) 280-3697	Phone:
Fax: N/A	Fax:
TTY: People with speech disability may call TTY at 877-833-6341. People with impaired hearing may call Washington Relay Service at 711.	TTY:
Email: wqfee_unit@ecy.wa.gov	Email:
Web site: https://ecology.wa.gov/WQFeeRule	Web site:
Other: on our email listserv	Other:

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

Date: November 9, 2020	Signature: 
Name: Vincent McGowan	
Title: Water Quality Program Manager	