



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Ecology AO # 16-06

- Preproposal Statement of Inquiry was filed as WSR 16-15-048 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) Chapter 173-305 WAC, "Hazardous waste fee regulation." This chapter establishes regulations for fees associated with the use of hazardous substances and the generation of hazardous waste.

Hearing location(s): See Attachment A

Submit written comments to:

Name: John Ridgway
 Address: Department of Ecology
 PO Box 47600
 Olympia, WA. 98504-7600
 e-mail hwtrulemaking@ecy.wa.gov
 fax (360)407-6715 by (date) January 23, 2017

Date: January 4, 2017 **Time:** 10 AM

Assistance for persons with disabilities: To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-6700. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

Date of intended adoption: April 5, 2017
(Note: This is NOT the effective date)

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

This rulemaking will focus on:

- Additional exclusions related to the Hazardous waste planning fee calculation found in WAC 173-305-220
- Update the "price deflator" definition to clarify how the fee is adjusted annually for inflation.

Ecology is doing this rulemaking to align the rule with existing fee calculation practices, which are consistent with the hazardous waste and toxics reduction goals and purposes of Chapter 70.95C RCW.

Reasons supporting proposal: See "Purpose of the proposal" above for this information

Statutory authority for adoption: Chapter 70.95E.030 RCW: ...
"The department shall adopt a fee schedule by rule after consultation with typical affected businesses and other interested parties..."

Statute being implemented: Chapter 70.95E RCW

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

DATE
11/23/16

NAME
Polly Zehm

SIGNATURE

TITLE
Deputy Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 23, 2016

TIME: 9:50 AM

WSR 16-23-161

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

N/A

Name of proponent: (person or organization) Department of Ecology

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... John Ridgway	Department of Ecology, Olympia, WA	(360) 407-6713
Implementation....John Ridgway	Department of Ecology, Olympia, WA	(360) 407-6713
Enforcement.....John Ridgway	Department of Ecology, Olympia, WA	(360) 407-6713

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name: John Ridgway
Address: Department of Ecology
PO Box 47600
Olympia, WA. 98504-7600

Phone 360) 407-6713
fax (360) 407-6715
e-mail john.ridgway@ecy.wa.gov

No. Explain why no statement was prepared.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: John Ridgway
Address: Department of Ecology
PO Box 47600
Olympia, WA. 98504-7600

phone (360) 407-6713
fax (360) 407-6715
e-mail john.ridgway@ecy.wa.gov

No: Please explain:

Attachment A: Public Hearings for the rule proposal for Chapter 173-305 WAC HW Fee Rule

Hearing –Lacey building in-person combined with a webinar: January 4, 2017

Time: 10:00 AM - Presentation, question and answer session followed by the formal public hearing.

The Department of Ecology

Auditorium

300 Desmond Dr.

Olympia, WA. 98503

Ecology is holding this hearing via webinar and in-person. Webinars are an online meeting forum that you can attend from any computer using internet access.

To join the webinar click on the following link for more information and instructions:

http://www.ecy.wa.gov/programs/hwtr/laws_rules/HWFee/1606inv.html