

NEW SECTION

WAC 173-455-160 Refrigerant management program fees. (1) **Entities subject to fees.** Each owner or operator of a refrigeration system or an air conditioning system with a full charge greater than or equal to 200 pounds of a high GWP refrigerant, as defined in WAC 173-443-030, in a single refrigerant circuit is subject to fees under the refrigerant management program.

(2) **Types of fees.** Ecology will charge fees to cover the direct and indirect costs of administering and enforcing the refrigerant management program.

(a) Initial implementation fee. Ecology will charge a one-time fee of \$150 for each refrigeration or air conditioning system with a full refrigerant charge greater than or equal to 1,500 pounds.

(b) Annual implementation fee. Ecology will charge an annual implementation fee each year based on the refrigeration or air conditioning system's refrigerant charge size. For a facility with multiple refrigeration and/or air conditioning systems, the owner or operator must pay an annual implementation fee for each system pursuant to (b) (i) and (ii) of this subsection.

(i) The annual implementation fee is \$370 for a refrigeration or air conditioning system with a refrigerant charge greater than or equal to 1,500 pounds.

(ii) The annual implementation fee is \$170 for a refrigeration or air conditioning system with a refrigerant charge greater than or equal to 200 pounds, but less than 1,500 pounds.

(3) All fees collected under this section will be deposited into the refrigerant emission management account in accordance with RCW 70A.60.050.

(4) **Fee modifications.** Ecology may adjust the amount of the annual implementation fees set forth in subsection (2) (b) of this section based on the sufficiency of funds generated by the program over the previous year, as needed to cover program costs for the following year. Before changing a fee, ecology will:

(a) Prepare a draft workload analysis and budget that reflects the anticipated cost of administering and enforcing the refrigerant management program over the coming year compared to the total fees collected under this section during the previous year;

(b) Post the draft workload analysis, budget, and proposed fee change on ecology's website by August 1st of the year before the calendar year in which the change will take effect;

(c) Provide a 30-day public comment period on the draft workload analysis, budget, and proposed fee change; and

(d) Post the final workload analysis, budget, and new annual implementation fee by December 1st of the year before the new fee takes effect.

(5) **Payment of fees.** Fees identified in this section must be paid within 30 calendar days of receipt of ecology's billing statement. All fees must be made payable to the Washington state department of ecology. Ecology may assess a late fee surcharge for any fee payment received after 60 calendar days past the due date.