



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 10, 2019

TIME: 8:22 AM

WSR 19-15-025

Agency: Department of Ecology AO # 18-02

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: In 2018, Legislation passed amending Chapter 70.95B RCW (Chapter 213, Laws of 2018). It directed Ecology, with the advice of an advisory committee, to establish an initial fee schedule in rule.

The Department of Ecology (Ecology) is adopting changes to chapter 173-230 WAC, Certification of Operators of Wastewater Treatment Plants (Rule). This Rule establishes the classifications for wastewater treatment plants and the requirements for certification of wastewater treatment plant operators.

The changes to the Rule include the following:

- Establishes a new fee schedule as directed by the Legislature in 2018.
- Provides for an Operator in Training and respective education and experience qualifications for Groups II-IV.
- Acknowledges new technologies in wastewater treatment.
- Creates standalone sections where more information and clarity were needed.
- Clarifies Rule language to codify existing program practices.

Citation of rules affected by this order:

New: 173-230-200 thru 173-230-380
 Repealed: 173-230-010 thru 173-230-140
 Amended:
 Suspended:

Statutory authority for adoption: RCW 70.95B Domestic Waste Treatment Plants - Operators

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 19-07-024 on 03/12/19 (date).

Describe any changes other than editing from proposed to adopted version: The only change made from the proposed Rule was the addition of two allowable types of relevant experience, one inadvertently removed and another as clarification based on a question asked at a public hearing.

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

Name: Jocelyn W. Jones

Address: PO Box 47600, Olympia, WA 98504

Phone: 360-407-6321

Fax: N/A

TTY: People with speech disability may call TTY at 877-833-6341. People with impaired hearing may call Washington Relay Service at 711)

Email: jocelyn.jones@ecy.wa.gov

Web site: <https://fortress.wa.gov/ecy/publications/SummaryPages/1910023.html>

Other: N/A

**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	<u>1</u>	Amended	___	Repealed	<u>1</u>

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

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	<u>18</u>	Amended	___	Repealed	<u>12</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>18</u>	Amended	___	Repealed	<u>13</u>
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: July 10, 2019

Name: Maia D. Bellon

Title: Director

Signature:

