



DEPARTMENT OF
ECOLOGY
State of Washington

As required by the Washington State Administrative Act, RCW 34.05.

IMPLEMENTATION PLAN FOR ADOPTION OF
EMERGENCY RULES TO IMPLEMENT
THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
CHAPTER 173-98 WAC
*USES OF THE WASHINGTON STATE WATER POLLUTION CONTROL
REVOLVING FUND*

March 20, 2009

Publication Number: 09-10-028

As required by the Washington State Administrative Act, RCW 34.05.

IMPLEMENTATION PLAN FOR ADOPTION OF
EMERGENCY RULES TO IMPLEMENT
THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
CHAPTER 173-98 WAC
*USES OF THE WASHINGTON STATE WATER POLLUTION CONTROL
REVOLVING FUND*

Prepared by:
Shawna Beers
Washington State Department of Ecology
Water Quality Program

March 20, 2009

Publication Number: 09-10-028

If you need this publication in an alternate format, please call the Water Quality Program at, 360-407-6502. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

TABLE OF CONTENTS

| | |
|--|---|
| 1. How the Agency intends to implement and enforce the emergency rule | 1 |
| 2. How the Agency intends to inform and educate affected persons about the rule | 1 |
| 3. How the Agency intends to promote and assist voluntary compliance for this rule..... | 2 |
| 4. How the Agency intends to evaluate whether the rule achieves the purpose for which it was adopted..... | 2 |
| 5. How the Agency intends to train and inform Ecology staff regarding new rule or rule amendment | 2 |
| 6. Supporting documents to develop or revise because of the rule amendment | 2 |

Implementation Plan for Chapter

IMPLEMENTATION PLAN FOR ADOPTION OF
EMERGENCY RULES TO IMPLEMENT
THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
CHAPTER 173-98 WAC
*USES OF THE WASHINGTON STATE WATER POLLUTION CONTROL
REVOLVING FUND*

1. Please describe how the Agency intends to implement and enforce the emergency rule. Please include a description of the resources the Agency intends to use.

The emergency rules will be adopted and implemented on or before April 15, 2009.

- Ecology staff will post the rule changes on the grant and loan funding Web page at <http://www.ecy.wa.gov/programs/wq/funding/funding.html>
- Draft program guidelines are developed and will be finalized.
- Ecology staff conducted internal training sessions for the regional offices on March 18, 2009.
- On February 24, 2009, Ecology held an application workshop in Ellensburg, and addressed the emergency rule.
- Ecology staff will hold at least two recipient training workshops in July 2009.
- Ecology staff at headquarters and in the regional offices will implement the new emergency rules through day-to-day financial and project management with the support of the Financial Management Section Manager and the Unit Supervisor.

2. Please describe how the Agency intends to inform and educate affected persons about the rule.

- Ecology staff will post the rule changes on the grant and loan funding Web page at <http://www.ecy.wa.gov/programs/wq/funding/funding.html>
- Ecology staff will present emergency rule changes at ongoing general conferences.
- October - November 2009, Ecology staff will give at least one presentation at the 2009 Annual Infrastructure Assistance Coordinating Council.
- Summer 2009, Ecology staff will hold at least two financial assistance recipient training workshops.
- Ecology staff will continue to brief the Water Quality Program Financial Assistance Council (FAC). The FAC represents statewide stakeholders from numerous counties, cities, tribes, and state and federal agencies.

3. Please describe how the Agency intends to promote and assist voluntary compliance for this rule.

The steps indicated in questions 1 and 2 will provide the platform to promote the new emergency rules. The recipient training will be key in assisting voluntary compliance, as well as one-on-one recipient training that typically takes place on a regular basis.

4. Please describe how the Agency intends to evaluate whether the rule achieves the purpose for which it was adopted, including, to the maximum extent practicable, the use of interim milestones to assess progress and the use of objectively measurable outcome.

Ecology is developing regular periodic reporting requirements in conjunction with the EPA to evaluate and assess the outcomes and effectiveness of the program implemented under this emergency rule.

In addition, Ecology Financial Management Staff will attend the Ecology Activities and Facilities Workgroups in which Ecology-funded project issues and solutions are discussed.

Information gathered at the workgroups will be shared with the Financial Management Section Manager and Unit Supervisor for further evaluation.

5. Please describe how the Agency intends to train and inform Ecology staff regarding new rule or rule amendment.

- Ecology will hold internal training sessions at headquarters and the regional offices regarding emergency rule changes.
- Ecology staff will attend external conferences in which emergency rule changes will be discussed.
- Other Ecology staff will attend funding cycle workshops.
- Ecology staff will continue to brief the Ecology Program Management Team (PMT) as needed, who will then brief their staff.

6. Please identify supporting documents that may need to be revised because of the rule amendment. Or identify new supporting documents that need to be developed because of a new rule.

- Financial Management Section staff developed draft program guidelines.
- Staff will provide updated guidance.
- Ecology staff will maintain and update the program Web site.