



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

# **Rule Implementation Plan**

## **Wastewater Discharge Permit Fees**

### **Chapter 173-224 WAC**

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## Publication and Contact Information

This report is available on the Department of Ecology's website at <https://fortress.wa.gov/ecy/publications/SummaryPages/1510044.html>

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Ecology publishes this document to meet the requirements of the Washington State Administrative Procedure Act (RCW 34.05.325)

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# **Rule Implementation Plan Wastewater Discharge Permit Fees**

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## **Chapter 173-224 WAC**

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# Table of Contents

Purpose.....	1
Introduction.....	1
Implementation and enforcement .....	1
Informing and educating persons affected by the rule.....	2
Promoting and assisting voluntary compliance .....	2
Evaluating the rule .....	2
Training and informing ecology staff .....	3
List of supporting documents that may need to be written or revised .....	3
More information .....	3
Contact information .....	3

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# Purpose

The Washington State Department of Ecology (Ecology) provides the information in this implementation plan to meet agency and Administrative Procedure Act (RCW 34.05.328) requirements related to rule adoptions.

# Introduction

On November 18, 2015 Ecology adopted amendments to Chapter 173-224 WAC Wastewater Discharge Permit Fees (AO # 15-02). The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-224 WAC about how Ecology intends to:

- Implement and enforce the rule.
- Inform and educate persons affected by the rule.
- Promote and assist voluntary compliance for the rule.
- Evaluate the rule.
- Train and inform Ecology staff about the new or amended rule.

Also included in this plan is information about:

- Supporting documents that may need to be written or revised because of the new rule or amended rule.
- Other resources where more information about the rule is available.
- Contact information for Ecology employees who can answer questions about the rule implementation.

# Implementation and Enforcement

Ecology will mail out invoices for all permit holders between December 2015 and January 2016 for fiscal year 2016's billing. Ecology will invoice all permit holders for fiscal year 2017 billing beginning in July 2016 for the first half of the fiscal year, and then in January 2017 for the second half of the fiscal year. These billings will include any permit holders covered under the new permit fee categories of Bridge Washing, In-Water Vessel Deconstruction, or Wineries at the time of each billing.

Permit holders have 45 days to submit payment. If payment is not received by the due date, Ecology mails a delinquent letter allowing an additional 30 days to submit payment. If Ecology does not receive payment by the second due date, Ecology turns the account over for collection action and adds a 20 percent surcharge to what is owed. This surcharge is what Ecology must pay for the collection action. A delinquent account will remain at collection three years before Ecology will write it off.

Once an account has been at collection for one fiscal year with no payment being received, Ecology has the option of mailing a letter giving the permit holder 30 days to submit payment in full. After the 30 days has elapsed, Ecology will revoke the permit for nonpayment of fees.

## **Informing and Educating Persons Affected by the Rule**

Permit holders will receive a direct mailing from Ecology informing them that Ecology has adopted the proposed fee increases. Ecology encourages existing permit holders to visit the permit fee webpage to review the amended permit fee rule. In addition to the rulemaking webpage, Ecology also has a webpage dedicated to the permit fee program which explains the details of how the program is operated. First time permit holders, including any covered under the new Bridge Washing, In-Water Vessel Deconstruction, or Wineries permits, will receive a copy of the adopted rule and other information explaining the billing and collection processes.

Ecology will mail a statewide press release announcing the rule adoption. The press release will provide the address for the permit fee web page and contact information if there are any questions. Ecology will also continue to partner with our Permit Fee Task Force and enlist their help in informing and educating impacted permit holders of the amended rule.

Ecology will notify the Ecology WACTrac Listserv and the Water Quality Partnership electronically of the fee rule adoption and provide the permit fee webpage and contact information if they have questions. Letters of the rule adoption will be mailed directly to the Tribes.

## **Promoting and Assisting Voluntary Compliance**

Ecology mails out a delinquent letter before it forwards an account for collection action. This mailing usually results in most permit holders paying any outstanding monies owed to Ecology. Furthermore, Ecology staff take all reasonable actions to ensure that outstanding moneys owed by permit holders are paid in a timely manner. Staff regularly check to verify that contact information for our permit holders is updated and current.

## **Evaluating the Rule**

Ecology is authorized by state law, [RCW 90.48.465 - Water Pollution Control](#), to adopt rules to fund the operation of the Water Quality Wastewater and Stormwater Discharge Permit Program. This rule is being amended to ensure that the Ecology can sufficiently fund the permit program for the 15-17 biennium. Ecology and the Office of Financial Management (OFM) will regularly track the accounts cash and fund balances to ensure that sufficient revenue is being collected.



Furthermore, this amendment is intended to continue to move fee categories toward payment equity. Information from Ecology's Time Management System (TMS) will be used to track and determine, by category, whether revenues collected are covering Ecology's expenditures in each category.

## **Training and Informing Ecology Staff**

Assessment of permit fees is complicated. To ensure consistency, Ecology staff are encouraged to forward all questions concerning permit fees to Charles Gilman, Permit Fee Administrator for the Permit Fee Unit at 360-407-6425.

## **List of Supporting Documents that May Need to be Written or Revised**

The Wastewater/Stormwater Discharge Permit Fee Program webpage is kept updated and copies of the adopted fee rule will be made and distributed with new coverages, or upon request.

## **More Information**

For more information on the Water Quality Program:

<http://www.ecy.wa.gov/programs/wq/wqhome.html>

For more information on the Wastewater/Stormwater Discharge Permit Fee Program:

[http://www.ecy.wa.gov/programs/wq/permits/permit\\_fees/index.html](http://www.ecy.wa.gov/programs/wq/permits/permit_fees/index.html)

For more information on forms relating to our Wastewater/Stormwater Discharge Permit Fees:

[http://www.ecy.wa.gov/programs/wq/permits/permit\\_fees/PermitFeeForms.html](http://www.ecy.wa.gov/programs/wq/permits/permit_fees/PermitFeeForms.html)

For more information on the Chapter 173-224 WAC Rulemaking Process:

<http://www.ecy.wa.gov/programs/wq/ruledev/wac173224/1502ov.html>

## **Contact Information**

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