



DEPARTMENT OF
ECOLOGY
State of Washington

Rule Implementation Plan

Grants or Loans

Chapter 173-323 WAC

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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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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 December 18, 2017, Ecology adopted a new rule: Chapter 173-323 WAC Grants or Loans (AO # 16-10). The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-323 WAC about how Ecology intends to:

- Implement and enforce the rule.
- Inform and educate people 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.
- 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

This rule regulates grant and loan programs funded by the Model Toxics Control Act (MTCA) that are not regulated by another specific rule. This rule is consistent with existing guidance that Ecology provides, including the Administrative Requirements for Recipients of Ecology Grants and Loans (Yellow Book). Ecology staff work with applicants and recipients on meeting requirements specific to each grant or loan program. When enforcing the rule, our first step is to work with the recipient to support voluntary compliance with the grant or loan agreement requirements. If necessary, Ecology may renegotiate or terminate a grant or loan agreement if the terms of the agreement are not met. In such situations, we will work with the recipient.

Informing and Educating Persons Affected by the Rule

Ecology will inform and educate people affected by the rule by using the interested parties list(s) developed for this rulemaking. These lists includes:

- Past applicants and recipients of grant or loan agreements.
- Attendees at our informal draft rule language meeting that provided contact information.
- Anyone who commented on the rule.
- Individuals that submitted informational questions during the process.

- The listservs managed by Ecology staff who work on the grant and loan programs covered by this rule.

We will send an email to all these contacts letting them know we adopted the rule.

Promoting and Assisting Voluntary Compliance

Ecology provides guidance and tools to promote and assist voluntary compliance. These include:

- Administrative Requirements for Recipients of Ecology Grants and Loans (Yellow Book). This document provides details about what recipients need to do to meet agreement requirements.
- Ecology Administration of Grants and Loans (EAGL) External User Manual.
- Grant or loan agreements.
- Program guidelines specific to a grant or loan program.

The public and recipients can also contact Ecology staff to get help and to work to resolve problems.

Evaluating the Rule

Because this rule was written to be consistent with current grant and loan practices, Ecology does not expect problems with implementation. Ecology will meet with staff to ensure the rule remains consistent with current practice. When guidelines are updated, we will confirm that they meet the requirements of the rule.

Training and Informing Ecology Staff

Ecology staff have been involved with the development of this rule throughout the process. We will inform them when we adopt the rule and provide the final rule language. Training, guidance, instructions, etc. for Ecology staff related to grants and loans will be updated to include information about this rule.

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

Some enhancements will be needed in EAGL to document some of the requirements related to one-time grant or loans. This is information that Ecology staff will need to enter into EAGL and should have no impact on external stakeholders. We will also need to update our internal EAGL user manual.

More Information

- Rulemaking information: <http://www.ecology.wa.gov/Regulations-Permits/Laws-rules/Open-rulemaking/WAC-173-323-Jul17>
- Grant and Loan information: <http://www.ecology.wa.gov/About-us/How-we-operate/Grants-loans>

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