



DEPARTMENT OF
ECOLOGY
State of Washington

Rule Implementation Plan

Wastewater Discharge Permit Fees

Chapter 173-224 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 this implementation plan to meet agency and Administrative Procedure Act (RCW 34.05.328) requirements for rule adoptions.

Introduction

On August 13, 2017 Ecology adopted amendments to Chapter 173-224 Washington Administrative Code (WAC) Wastewater Discharge Permit Fees (AO # 16-11). 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.

This plan also contains:

- Supporting documents that Ecology may need to write or revise 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 invoices for all permit holders between August 2017 and September 2017 for fiscal year 2018's billing.
- Invoice all permit holders for fiscal year 2018 billing beginning in August 2017 for the first half of the fiscal year, and then in January 2018 for the second half of the fiscal year.

If Ecology Does not Receive Payment

Permit holders have 45 days to pay. If the permit holder does not pay by the due date, Ecology mails a delinquent invoice to the permittee.

For government permit holders, if Ecology does not receive payment within 60 days, Ecology refers the delinquent account to regional staff for follow-up. Ecology may revoke the permit for nonpayment of fees.

For non-government permit holders with active permits, if Ecology does not receive payment within 60 days, Ecology refers the delinquent account to regional staff for follow-up. Ecology may revoke the permit for nonpayment of fees.

For inactive permits, Ecology sends the account to collections. The collection agency adds a 20 percent surcharge to the fee.

Informing and Educating Persons Affected by the Rule

Permit holders will receive mail from Ecology informing them that Ecology has adopted the proposed fee increases. Ecology encourages permit holders to visit the permit fee webpage to review the amended permit fee rule. Ecology also has a webpage dedicated to the permit fee program explaining the details of program operations.

Ecology will:

- Work with our Permit Fee Task Force to inform and educate impacted permit holders.
- Notify the Ecology WACTrac Listserv and the Water Quality Partnership electronically of the fee rule adoption.
- Provide the permit fee webpage and contact information.
- Mail letters of the rule adoption directly to the tribes.

Promoting and Assisting Voluntary Compliance

Ecology mails delinquent invoices before sending an account to enforcement and collection action. This mailing usually results in most permit holders paying any outstanding fees owed to Ecology.

Ecology staff take all reasonable actions to ensure permit holders pay outstanding fees in a timely manner. Staff regularly check to verify that contact information for our permit holders is current.

Evaluating the Rule

Ecology is authorized by state law [RCW 90.48.465, Water discharge fees—Report to the legislature](#) to adopt rules to fund the operation of the Water Quality Wastewater and Stormwater Discharge Permit Program. We amended this rule to ensure that Ecology can sufficiently fund

the permit program for the 2017-19 biennium. Ecology and the Office of Financial Management (OFM) will regularly track the account balances to ensure that enough revenue is collected.

This amendment also continues to move fee categories toward payment equity. Ecology will use information from the eTime system to track and determine if revenues collected are covering expenses in each category.

Training and Informing Ecology Staff

To ensure consistency, we encourage Ecology staff to send all questions concerning permit fees to Charles Gilman, Permit Fee Administrator for the Permit Fee Unit at 1-800-633-6193 ext. 2 or wqfee_unit@ecy.wa.gov.

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

- Wastewater and Stormwater Discharge Permit Fee Program webpage.
- Copies of the adopted fee rule with new coverages. Ecology will distribute and make copies upon request.

More Information

Find more information on:

- The [Water Quality Program website](#).
- The [Water Quality Permit Fee Program](#).
- Forms relating to our [Water Quality Permit Fees](#).
- The [Chapter 173-224 WAC rulemaking process](#).