



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

**Rule Implementation Plan  
Chapter 173-224 WAC, Wastewater Discharge  
Permit Fees**

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## Publication and Contact Information

This document is available on the Department of Ecology's website at:  
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For more information contact:

Water Quality Program  
P.O. Box 47600  
Olympia, WA 98504-7600  
Phone: 360-407-6425

Washington State Department of Ecology – [www.ecology.wa.gov](http://www.ecology.wa.gov)

- Headquarters, Olympia 360-407-6000
- Northwest Regional Office, Bellevue 425-649-7000
- Southwest Regional Office, Olympia 360-407-6300
- Central Regional Office, Union Gap 509-575-2490
- Eastern Regional Office, Spokane 509-329-3400

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**Implementation Plan**  
**Chapter 173-224 WAC**  
**Wastewater Discharge Permit Fees**

Water Quality Program  
Washington State Department of Ecology  
Olympia, Washington

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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 June 26, 2019, Ecology adopted amendments to Chapter 173-224 WAC Wastewater Discharge Permit Fees (AO # 18-01). 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

To implement the rule changes, Ecology will send invoices for all permit holders between August and September 2019 for fiscal year 2020's billing. Ecology will invoice all permit holders for fiscal year 2020 billing beginning in August 2019 for the first half of the fiscal year, and then in January 2020 for the second half of the fiscal year.

Permit holders have 45 days to submit payment. If payment is not received by the due date, Ecology may initiate escalating enforcement by mailing 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 and may revoke the permit for nonpayment of fees.

For nongovernment permit holders with active permits, if Ecology does not receive payment within 60 days, Ecology refers the delinquent account to regional staff for enforcement consideration and may revoke the permit for nonpayment of fees. For inactive permits, Ecology

turns the account over to a collection agency for action. The collection agency adds a 20 percent surcharge to the delinquent amount owed to Ecology.

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

To inform and educate permit holders, Ecology will send them a direct mailing informing them Ecology has adopted the proposed fee increases. Ecology encourages existing permit holders to visit the permit fee rulemaking webpage to review the amended permit fee rule. Ecology also has a webpage dedicated to the permit fee program that explains how the program operates.

Ecology will also continue to partner with our Permit Fee Task Force and enlist their help in informing and educating impacted permit holders.

Ecology will send electronic notification to the Ecology WACTrack Listserv, Water Quality Listserv and the Water Quality Partnership regarding the fee rule adoption and provide the permit fee webpage and contact information. Ecology will also mail rule adoption notices directly to the Tribes and other interested parties.

## **Promoting and Assisting Voluntary Compliance**

Ecology mails out a delinquent invoice before forwarding an account for enforcement or collection action. This mailing usually results in most permit holders paying any outstanding monies owed to Ecology. Ecology staff take all reasonable actions to ensure that outstanding monies owed by permit holders are paid 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](#) to adopt rules to implement the rule changes to fund operating 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 2020 -21 Biennium. Ecology and the Office of Financial Management will regularly track the account cash and fund balances to ensure that sufficient revenue is being collected.

This amendment continues to move fee categories toward payment equity. Ecology uses internal tracking mechanism to record and track potential edits, changes, and concepts for each rule making. Ecology also uses information from the eTime system to track and determine if revenues collected recover the cost of administering the program for each permit category.

## **Training and Informing Ecology Staff**

Assessing permit fees is complicated and to ensure consistency, we encourage Ecology staff to forward all questions concerning permit fees to Charles Gilman, Permit Fee Administrator for the Permit Fee Unit at 1-800-633-6193 ext. 2 or email [wqfee\\_unit@ecy.wa.gov](mailto:wqfee_unit@ecy.wa.gov).



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

Ecology will update the Water Quality Permit Fee website and associated Permit Fee invoices.

## More Information

For more information on the Water Quality Program:

<https://ecology.wa.gov/Water-Shorelines/Water-quality>

For more information on the Water Quality Permit Fee Program:

<https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-quality-permits/Fees>

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

<https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-224>

## Contact Information

Charles Gilman  
Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600  
1-800-633-6193 ext. 2  
wqfee\_unit@ecy.wa.gov