

Interim Policy for the Hazardous Waste Planning Fee

Policy revised May 2022

Effective until December 31, 2024 or until Ecology revises Chapter 173-305-220 WAC

What is the interim policy's purpose?

This interim policy clarifies how the Washington State Department of Ecology (Ecology) may calculate fees associated with the Hazardous Waste Planning (Planning) Fee, as required in the Washington Administrative Code (WAC).¹

Who does this interim policy apply to?

This policy applies to Ecology staff who administer the Planning Fee.

How does Ecology calculate the Planning Fee?

Exercising our best professional judgement, Ecology staff may apply a risk factor of 1 to an individual waste stream that designates as both dangerous waste (DW) and extremely hazardous waste (EHW), instead of applying a risk factor of 10.

[WAC 173-305-220](#)² establishes two risk factors for waste streams and directs Ecology to apply one of these risk factors:

- 1 for a waste stream that designates as listed DW, characteristic DW, or both.
- 10 for a waste stream that designates as EHW with waste codes WT01, WP01, or WP03.

Currently, the regulation doesn't state which risk factor to apply to a waste stream that designates as **both** DW (listed, characteristic, or both) **and** EHW.

A higher risk factor can lead to higher fees. Ecology staff work closely with generators to ensure we calculate fees correctly on a case-by-case basis.

Does this affect how I designate my waste?

This policy doesn't change how generators designate their waste.

¹ See section 220 of Chapter 173-305.

² <https://app.leg.wa.gov/WAC/default.aspx?cite=173-305-220>

You must continue to designate in accordance with [WAC 173-303-070](#),³ which requires all dangerous waste generators to both:

- Designate their waste for listed and characteristic waste codes.
- Continue designating their waste as required by subsection -070(4) or (5).⁴

Small quantity generators (SQGs) must determine if their DW also designates as WT01 EHW.⁵

Will this policy affect my Planning Fee?

We divide the [Planning Fee](#)⁶ among Pollution Prevention (P2) planning facilities in Washington state according to tiers. We determine the fee tiers by how much qualified waste a facility generates, in addition to their Toxics Release Inventory (TRI) emissions.

Under this policy, Ecology staff:

- May apply a risk factor of 1 instead of 10 for a waste stream that designates as DW (listed, characteristic, or both) **and** EHW.
- Will apply a risk factor of 10 for a waste stream that designates **only** as EHW.

What are the next steps?

We plan to update the rule to clarify the Planning Fee calculation in WAC 173-305-220. We will notify the public and stakeholders when we start the rulemaking process. Join our [email list](#) to receive updates.

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³ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-303-070>

⁴ Subsections may apply if certain conditions are met.

⁵ See details in WAC 173-303-070(5)(a)

⁶ <https://ecology.wa.gov/PlanningFee>