

Focus on: Wastewater Permit Fees



WHY IT MATTERS

Every community in Washington must manage its wastewater to protect the health of surface and groundwater. For many places, this means having a wastewater treatment facility with a water quality permit from Ecology.

Water quality permits are how we ensure facilities are meeting State water quality standards.

By meeting permit requirements, facilities are keeping harmful bacteria out of the water, protecting shellfish harvests and salmon runs, and ensuring local waters are safe for recreation.

Facilities and communities rely on us to have adequate resources to keep their permits up-to-date and help them plan for emerging pollution concerns or other challenges.

Proposed Legislation

Ecology seeks authority to remove an outdated cap on fees that can be charged to municipalities for water quality permits, so that we can adequately support these communities with their permitting needs.

The problem

The Water Quality Permit Fee cap results in a \$2 million gap each year between what municipalities pay in fees and what is needed for Ecology to develop and administer permits. RCW 90.48.465 requires the permit fee program to recover the costs of administration. The current cap is inconsistent with that requirement.

Stagnant fees have led to an underfunding of the permit program, meaning Ecology cannot provide the support communities need to ensure their wastewater treatment facilities are functioning properly and protecting streams, rivers, and Puget Sound.

Seventy percent of our roughly 300 municipal permits are expired. This is problematic for permittees and they have voiced their frustrations. Permittees want more consistency and responsiveness from Ecology. Municipalities have struggled to get bonds for projects without a recent permit and approved engineering report from Ecology. They are also vulnerable to third-party lawsuits associated with outdated permit conditions.

The new Puget Sound Nutrient General Permit is scheduled to be effective in early 2022. Ecology cannot charge fees to these Puget Sound municipalities with the current cap in place. Ecology needs resources to administer this new permit, which is critical to improving the health of Puget Sound.



Wastewater treatment plants, like the Asotin facility seen here and the Cowiche facility below, meet the unique needs of their communities. Ecology needs to support each facility, to ensure they are meeting the state's water quality standards and appropriately planning for future community needs.



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ADA Accessibility

To request an ADA accommodation, contact Ecology by phone at 360 701-3958 or email at david.giglio@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341.

The solution

Remove the statutory cap on how much municipal jurisdictions may pay in wastewater discharge permit fees in RCW 90.48.465, and work with communities to align Ecology's permit staffing and resources with the workload in 2022, and then update the permit fees in rule in 2023.

Ecology's proposal

If the cap were removed, Ecology would start a collaborative process to right-size our wastewater permit staffing and resources to meet municipalities' needs through assessment of appropriate fees.

Ecology will set the municipal wastewater fees in rule, consistent with how all water quality fees are set. This rule is updated every two years, including an opportunity for public feedback. This will provide an open, transparent, and public opportunity to revise the fees.

How it will work

Once Ecology works with stakeholders and permittees to determine adequate funding levels for the permit program, we will be able to bring the right staff on board to meet the needs of our customers.

Ecology will prioritize permits and work to eliminate the backlog, reissuing permits to reflect current technologies in use. Also, Ecology will have the resources to provide technical assistance to help municipalities overcome unexpected challenges and acquire funding for infrastructure improvements.

Ecology will implement the Puget Sound Nutrient General Permit and provide support to communities as they plan investments that will reduce excess nutrient pollution flowing into Puget Sound.

How it will benefit Washington

Communities deserve to have wastewater treatment infrastructure that meets their needs, and assurance from Ecology that these facilities are functioning properly and protecting local waters. Washington communities need a permitting program that is responsive to their needs and allows them to thrive while protecting the environment.

An adequately funded water quality permitting program will allow Ecology to provide these benefits to Washington.

More information

For more information on Ecology's water quality permit program, visit: <https://ecology.wa.gov/WQPermits>.

For more information on the Puget Sound Nutrient General Permit, visit: <https://ecology.wa.gov/NutrientPermit>.