



DEPARTMENT OF
ECOLOGY
State of Washington

Rule Implementation Plan

Chapter 173-224 WAC, Water Quality Permit Fees

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Publication and Contact Information

This document is available on the Department of Ecology's website at:

<https://apps.ecology.wa.gov/publications/SummaryPages/2310021.html>

For more information contact:

Water Quality Program

P.O. Box 47600

Olympia, WA 98504-7600

Phone: 360-280-3697

Washington State Department of Ecology — [Ecology homepage](#)

- 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
Water Quality 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 29, 2023, Ecology adopted amendments to Chapter 173-224 WAC Water Quality Permit Fees (AO # 22-03). The purpose of this rule implementation plan is to inform those who must comply with WAC 173-224 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

Ecology will mail invoices for all permit holders on the annual billing cycle between August and October 2023 for fiscal year 2024's annual permit billing. Ecology will invoice all permit holders on the semi-annual billing cycle for fiscal year 2024 beginning in August 2023 for the first half of the fiscal year, and then in February 2024 for the second half of the fiscal year. Permit holders have 45 days to submit payment.

For government permit holders, if Ecology does not receive payment within 45 days, Ecology will first mail a Past Due Notice. Ecology may contact the permittee's oversight committee or board, also refer the delinquent account to regional staff for follow-up and permit enforcement action.

For nongovernment permit holders, if Ecology does not receive payment within 45 days, Ecology will first mail a Past Due Notice to the permittee. Ecology may refer active permits with delinquent accounts to regional staff for enforcement consideration or send them to a collection agency for action, and may revoke the permit for nonpayment of fees. For inactive permits, Ecology will email or mail copies of any unpaid invoices at the time of permit termination. If payment is not made, Ecology will turn the account over to a collection agency for action. The collection agency adds a fee and interest to the delinquent amount owed to Ecology.

Informing and Educating Persons Affected by the Rule

Permit holders will receive a paper mailing from Ecology informing them that Ecology has adopted the proposed amendments. 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 notify the Ecology WACTrac Listserv and the Water Quality Partnership electronically of the fee rule adoption and provide the permit fee webpage and contact information. Ecology will also email letters of the rule adoption directly to the Tribes.

Promoting and Assisting Voluntary Compliance

Ecology mails out a Past Due Notice before forwarding an account for enforcement or collection action. This mailing often results in permit holders paying any outstanding monies owed to Ecology. Ecology also emails copies of any unpaid invoices to the permittee at the time of permit termination. 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. Staff assists permittees with questions about invoices and permit fee related processes. Contact information may also be updated via the annual fee calculation form process, as well as various other forms that permittees submit that include updating contact information.

Evaluating the Rule

Ecology is authorized by state law, [RCW 90.48.465 - Water Discharge Fees](#), to adopt rules to fund operating the Water Quality Wastewater and Stormwater Discharge Permit Program. This rule is being amended to ensure that Ecology can sufficiently fund the permit program for the 2024-25 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.

Ecology uses information from the statewide accounting and eTime systems to track and determine if revenues collected cover estimated expenditures for each permit category.

Training and Informing Ecology Staff

Assessing permit fees can be complicated and to ensure consistency, we encourage Ecology staff to forward all questions concerning permit fees to Ligeia Heagy, Permit Fee Administrator for the Permit Fee Unit at 1-360-280-3697 or email wqfeeunit@ecy.wa.gov.

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

Ecology will update the Water Quality Permit Fee website. The Code Reviser's Office will update the rule language on their website.

Water Quality Permit Fee Program:

[Water Quality permit fees](#)

More Information

For more information on the Water Quality Program:

[Water Quality program homepage](#)

For more information on the Water Quality Permit Fee Program:

[Water Quality permits fees](#)

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

[Rulemaking Chapter WAC 173-224](#)

Contact Information

Ligeia Heagy
Department of Ecology - Water Quality Program
P O Box 47600
Olympia, WA 98504-7600
(360) 280-3697
wqfeunit@ecy.wa.gov