

AMENDATORY SECTION (Amending Order 08-05, filed 8/5/08, effective 9/5/08)

WAC 173-224-040 Permit fee schedule. (1) Application fee. In addition to the annual fee, first time applicants (except those applying for coverage under a general permit) will pay a one time application fee of twenty-five percent of the annual permit fee, or \$250.00, whichever is greater. An application fee will be assessed for RCRA sites regardless of whether a new permit is being issued or an existing permit for other than the discharge resulting from the RCRA corrective action, is being modified.

(2) Industrial facility categories.

INDUSTRIAL FACILITY CATEGORIES	FY ((2009)) 2010 ANNUAL PERMIT FEE	FY ((2010)) 2011 ANNUAL PERMIT FEE ((*))
Aluminum Alloys	\$16,713.00	\$ ((17,614.00)) <u>16,713.00</u>
Aluminum and Magnesium Reduction Mills		
a. NPDES Permit	98,554.00	((103,866.00)) <u>98,554.00</u>
b. State Permit	49,279.00	((51,935.00)) <u>49,279.00</u>
Aluminum Forming	50,136.00	((52,838.00)) <u>50,136.00</u>
Aggregate Production - Individual Permit Coverage		
a. Mining Activities		
1. Mining, screening, washing and/or crushing	2,876.00	((3,031.00)) <u>2,876.00</u>
2. Nonoperating aggregate site (fee per site)	118.00	((124.00)) <u>118.00</u>
b. Asphalt Production		
1. 0 - < 50,000 tons/yr.	1,198.00	((1,263.00)) <u>1,198.00</u>
2. 50,000 - < 300,000 tons/yr.	2,877.00	((3,032.00)) <u>2,877.00</u>
3. 300,000 tons/yr. and greater	3,598.00	((3,792.00)) <u>3,598.00</u>
c. Concrete Production		
1. 0 - < 25,000 cu. yds/yr.	1,198.00	((1,263.00)) <u>1,198.00</u>
2. 25,000 - < 200,000 cu. yds/yr.	2,877.00	((3,032.00)) <u>2,877.00</u>
3. 200,000 cu. yds/yr. and greater	3,598.00	((3,792.00)) <u>3,598.00</u>

INDUSTRIAL FACILITY CATEGORIES	FY ((2009)) 2010 ANNUAL PERMIT FEE	FY ((2010)) 2011 ANNUAL PERMIT FEE ((*))
The fee for a facility in the aggregate production category is the sum of the applicable fees in the mining activities and concrete and asphalt production categories.		
d. Portable Operations		
1. Rock Crushing	2,876.00	((3,031.00)) <u>2,876.00</u>
2. Asphalt	2,876.00	((3,031.00)) <u>2,876.00</u>
3. Concrete	2,876.00	((3,031.00)) <u>2,876.00</u>
Aggregate Production - General Permit Coverage		
a. Mining Activities		
1. Mining, screening, washing and/or crushing	2,012.00	((2,120.00)) <u>2,012.00</u>
2. Nonoperating aggregate site (fee per site)	83.00	((87.00)) <u>83.00</u>
b. Asphalt Production		
1. 0 - < 50,000 tons/yr.	840.00	((885.00)) <u>840.00</u>
2. 50,000 - < 300,000 tons/yr.	2,013.00	((2,122.00)) <u>2,013.00</u>
3. 300,000 tons/yr. and greater	2,517.00	((2,653.00)) <u>2,517.00</u>
c. Concrete Production		
1. 0 - < 25,000 cu. yds/yr.	840.00	((885.00)) <u>840.00</u>
2. 25,000 - < 200,000 cu. yds/yr.	2,013.00	((2,122.00)) <u>2,013.00</u>
3. 200,000 cu. yds/yr. and greater	2,517.00	((2,653.00)) <u>2,517.00</u>
The fee for a facility in the aggregate production category is the sum of the applicable fees in the mining activities and concrete and asphalt production categories.		
d. Portable Operations		
1. Rock Crushing	2,013.00	((2,122.00)) <u>2,013.00</u>
2. Asphalt	2,013.00	((2,122.00)) <u>2,013.00</u>
3. Concrete	2,013.00	((2,122.00)) <u>2,013.00</u>
Aquaculture		
a. Finfish hatching and rearing - Individual Permit	5,012.00	((5,282.00)) <u>5,012.00</u>
b. Finfish hatching and rearing - General Permit Coverage	3,511.00	((3,700.00)) <u>3,511.00</u>
c. Shellfish hatching	((173.00)) <u>182.00</u>	((182.00)) <u>190.00</u>
Aquatic Pest Control		

INDUSTRIAL FACILITY CATEGORIES	FY ((2009)) 2010	FY ((2010)) 2011
	ANNUAL PERMIT FEE	ANNUAL PERMIT FEE ((*))
a. Irrigation Districts	((377.00)) <u>397.00</u>	((397.00)) <u>415.00</u>
b. Mosquito Control Districts	((377.00)) <u>397.00</u>	((397.00)) <u>415.00</u>
c. Invasive Moth Control	((377.00)) <u>397.00</u>	((397.00)) <u>415.00</u>
d. Aquatic Species Control & Eradication	((377.00)) <u>397.00</u>	((397.00)) <u>415.00</u>
e. Oyster Growers	((377.00)) <u>397.00</u>	((397.00)) <u>415.00</u>
f. Rotenone Control	((377.00)) <u>397.00</u>	((397.00)) <u>415.00</u>
Boat Yards - Individual Permit Coverage		
a. With storm water only discharge	428.00	((451.00)) <u>428.00</u>
b. All others	856.00	((902.00)) <u>856.00</u>
Boat Yards - General Permit Coverage		
a. With storm water only discharge	((298.00)) <u>313.00</u>	((314.00)) <u>327.00</u>
b. All others	((602.00)) <u>633.00</u>	((634.00)) <u>662.00</u>
Coal Mining and Preparation		
a. < 200,000 tons per year	6,680.00	((7,040.00)) <u>6,680.00</u>
b. 200,000 - < 500,000 tons per year	15,042.00	((15,853.00)) <u>15,042.00</u>
c. 500,000 - < 1,000,000 tons per year	26,739.00	((28,180.00)) <u>26,739.00</u>
d. 1,000,000 tons per year and greater	50,136.00	((52,838.00)) <u>50,136.00</u>
Combined Industrial Waste Treatment		
a. < 10,000 gpd	3,342.00	((3,522.00)) <u>3,342.00</u>
b. 10,000 - < 50,000 gpd	8,354.00	((8,804.00)) <u>8,354.00</u>
c. 50,000 - < 100,000 gpd	16,713.00	((17,614.00)) <u>16,713.00</u>
d. 100,000 - < 500,000 gpd	33,422.00	((35,223.00)) <u>33,422.00</u>
e. 500,000 gpd and greater	50,136.00	((52,838.00)) <u>50,136.00</u>
Combined Food Processing Waste Treatment Facilities	16,000.00	((16,862.00)) <u>16,000.00</u>
Combined Sewer Overflow System		
a. < 50 acres	3,342.00	((3,522.00)) <u>3,342.00</u>

INDUSTRIAL FACILITY CATEGORIES		FY ((2009)) 2010 ANNUAL PERMIT FEE	FY ((2010)) 2011 ANNUAL PERMIT FEE ((*))
b.	50 - < 100 acres	8,354.00	((8,804.00)) <u>8,354.00</u>
c.	100 - < 500 acres	10,030.00	((10,571.00)) <u>10,030.00</u>
d.	500 acres and greater	13,368.00	((14,089.00)) <u>13,368.00</u>
Commercial Laundry		428.00	((451.00)) <u>428.00</u>
Concentrated Animal Feeding Operation			
a.	< 200 Animal Units	((171.00)) <u>180.00</u>	((180.00)) <u>188.00</u>
b.	200 - < 400 Animal Units	((428.00)) <u>450.00</u>	((451.00)) <u>471.00</u>
c.	400 - < 600 Animal Units	((856.00)) <u>901.00</u>	((902.00)) <u>943.00</u>
d.	600 - < 800 Animal Units	((1,284.00)) <u>1,351.00</u>	((1,353.00)) <u>1,413.00</u>
e.	800 Animal Units and greater	((1,714.00)) <u>1,803.00</u>	((1,806.00)) <u>1,886.00</u>
Crop Preparing - Individual Permit Coverage			
a.	0 - < 1,000 bins/yr.	333.00	((351.00)) <u>333.00</u>
b.	1,000 - < 5,000 bins/yr.	669.00	((705.00)) <u>669.00</u>
c.	5,000 - < 10,000 bins/yr.	1,337.00	((1,409.00)) <u>1,337.00</u>
d.	10,000 - < 15,000 bins/yr.	2,676.00	((2,820.00)) <u>2,676.00</u>
e.	15,000 - < 20,000 bins/yr.	4,425.00	((4,664.00)) <u>4,425.00</u>
f.	20,000 - < 25,000 bins/yr.	6,183.00	((6,516.00)) <u>6,183.00</u>
g.	25,000 - < 50,000 bins/yr.	8,271.00	((8,717.00)) <u>8,271.00</u>
h.	50,000 - < 75,000 bins/yr.	9,192.00	((9,687.00)) <u>9,192.00</u>
i.	75,000 - < 100,000 bins/yr.	10,694.00	((11,270.00)) <u>10,694.00</u>
j.	100,000 - < 125,000 bins/yr.	13,368.00	((14,089.00)) <u>13,368.00</u>
k.	125,000 - < 150,000 bins/yr.	16,712.00	((17,613.00)) <u>16,712.00</u>
l.	150,000 bins/yr. and greater	20,055.00	((21,136.00)) <u>20,055.00</u>
Crop Preparing - General Permit Coverage			
a.	0 - < 1,000 bins/yr.	232.00	((245.00)) <u>232.00</u>

INDUSTRIAL FACILITY CATEGORIES		FY ((2009)) 2010 ANNUAL PERMIT FEE	FY ((2010)) 2011 ANNUAL PERMIT FEE ((*))
b.	1,000 - < 5,000 bins/yr.	468.00	((493.00)) <u>468.00</u>
c.	5,000 - < 10,000 bins/yr.	937.00	((988.00)) <u>937.00</u>
d.	10,000 - < 15,000 bins/yr.	1,873.00	((1,974.00)) <u>1,873.00</u>
e.	15,000 - < 20,000 bins/yr.	3,100.00	((3,267.00)) <u>3,100.00</u>
f.	20,000 - < 25,000 bins/yr.	4,328.00	((4,561.00)) <u>4,328.00</u>
g.	25,000 - < 50,000 bins/yr.	5,788.00	((6,100.00)) <u>5,788.00</u>
h.	50,000 - < 75,000 bins/yr.	6,433.00	((6,780.00)) <u>6,433.00</u>
i.	75,000 - < 100,000 bins/yr.	7,481.00	((7,884.00)) <u>7,481.00</u>
j.	100,000 - < 125,000 bins/yr.	9,360.00	((9,865.00)) <u>9,360.00</u>
k.	125,000 - < 150,000 bins/yr.	11,698.00	((12,329.00)) <u>11,698.00</u>
l.	150,000 bins/yr. and greater	14,037.00	((14,794.00)) <u>14,037.00</u>
Dairies \$.50 per Animal Unit not to exceed ((1,199.00 for FY 2009 and \$1,264.00)) <u>\$1,261.00 for FY 2010 and \$1,319.00 for FY 2011</u>			
Facilities Not Otherwise Classified - Individual Permit Coverage			
a.	< 1,000 gpd	1,671.00	((1,761.00)) <u>1,671.00</u>
b.	1,000 - < 10,000 gpd	3,342.00	((3,522.00)) <u>3,342.00</u>
c.	10,000 - < 50,000 gpd	8,355.00	((8,805.00)) <u>8,355.00</u>
d.	50,000 - < 100,000 gpd	13,368.00	((14,089.00)) <u>13,368.00</u>
e.	100,000 - < 500,000 gpd	26,606.00	((28,040.00)) <u>26,606.00</u>
f.	500,000 - < 1,000,000 gpd	33,422.00	((35,223.00)) <u>33,422.00</u>
g.	1,000,000 gpd and greater	50,135.00	((52,837.00)) <u>50,135.00</u>
Facilities Not Otherwise Classified - General Permit Coverage			
a.	< 1,000 gpd	1,172.00	((1,235.00)) <u>1,172.00</u>
b.	1,000 - < 10,000 gpd	2,425.00	((2,556.00)) <u>2,425.00</u>
c.	10,000 - < 50,000 gpd	5,851.00	((6,166.00)) <u>5,581.00</u>
d.	50,000 - < 100,000 gpd	9,360.00	((9,865.00)) <u>9,360.00</u>

INDUSTRIAL FACILITY CATEGORIES		FY ((2009)) 2010 ANNUAL PERMIT FEE	FY ((2010)) 2011 ANNUAL PERMIT FEE ((*))
e.	100,000 - < 500,000 gpd	18,715.00	((19,724.00)) <u>18,715.00</u>
f.	500,000 - < 1,000,000 gpd	23,394.00	((24,655.00)) <u>23,394.00</u>
g.	1,000,000 gpd and greater	35,095.00	((36,987.00)) <u>35,095.00</u>
Flavor Extraction			
a.	Steam Distillation	171.00	((180.00)) <u>171.00</u>
Food Processing			
a.	< 1,000 gpd	1,670.00	((1,760.00)) <u>1,670.00</u>
b.	1,000 - < 10,000 gpd	4,259.00	((4,489.00)) <u>4,259.00</u>
c.	10,000 - < 50,000 gpd	7,604.00	((8,014.00)) <u>7,604.00</u>
d.	50,000 - < 100,000 gpd	11,948.00	((12,592.00)) <u>11,948.00</u>
e.	100,000 - < 250,000 gpd	16,712.00	((17,613.00)) <u>16,712.00</u>
f.	250,000 - < 500,000 gpd	21,977.00	((23,162.00)) <u>21,977.00</u>
g.	500,000 - < 750,000 gpd	27,572.00	((29,058.00)) <u>27,572.00</u>
h.	750,000 - < 1,000,000 gpd	33,422.00	((35,223.00)) <u>33,422.00</u>
i.	1,000,000 - < 2,500,000 gpd	41,175.00	((43,394.00)) <u>41,175.00</u>
j.	2,500,000 - < 5,000,000 gpd	45,957.00	((48,434.00)) <u>45,957.00</u>
k.	5,000,000 gpd and greater	50,136.00	((52,838.00)) <u>50,136.00</u>
Fuel and Chemical Storage			
a.	< 50,000 bbls	1,671.00	((1,761.00)) <u>1,671.00</u>
b.	50,000 - < 100,000 bbls	3,342.00	((3,522.00)) <u>3,342.00</u>
c.	100,000 - < 500,000 bbls	8,354.00	((8,804.00)) <u>8,354.00</u>
d.	500,000 bbls and greater	16,713.00	((17,614.00)) <u>16,713.00</u>
Hazardous Waste Clean Up Sites			
a.	Leaking Underground Storage Tanks (LUST)		
1.	State Permit	4,383.00	((4,619.00)) <u>4,383.00</u>
2.	NPDES Permit Issued pre 7/1/94	4,383.00	((4,619.00)) <u>4,383.00</u>

INDUSTRIAL FACILITY CATEGORIES		FY ((2009)) 2010 ANNUAL PERMIT FEE	FY ((2010)) 2011 ANNUAL PERMIT FEE ((*))
3.	NPDES Permit Issued post 7/1/94	8,765.00	((9,237.00)) <u>8,765.00</u>
b.	Non-LUST Sites		
1.	1 or 2 Contaminants of concern	8,570.00	((9,032.00)) <u>8,570.00</u>
2.	> 2 Contaminants of concern	17,140.00	((18,064.00)) <u>17,140.00</u>
Ink Formulation and Printing			
a.	Commercial Print Shops	2,571.00	((2,710.00)) <u>2,571.00</u>
b.	Newspapers	4,286.00	((4,517.00)) <u>4,286.00</u>
c.	Box Plants	6,856.00	((7,226.00)) <u>6,856.00</u>
d.	Ink Formulation	8,571.00	((9,033.00)) <u>8,571.00</u>
Inorganic Chemicals Manufacturing			
a.	Lime Products	8,354.00	((8,804.00)) <u>8,354.00</u>
b.	Fertilizer	10,058.00	((10,600.00)) <u>10,058.00</u>
c.	Peroxide	13,368.00	((14,089.00)) <u>13,368.00</u>
d.	Alkaline Earth Salts	16,713.00	((17,614.00)) <u>16,713.00</u>
e.	Metal Salts	23,393.00	((24,654.00)) <u>23,393.00</u>
f.	Acid Manufacturing	33,416.00	((35,217.00)) <u>33,416.00</u>
g.	Chlor-alkali	66,846.00	((70,449.00)) <u>66,846.00</u>
Iron and Steel			
a.	Foundries	16,713.00	((17,614.00)) <u>16,713.00</u>
b.	Mills	33,453.00	((35,256.00)) <u>33,453.00</u>
Metal Finishing			
a.	< 1,000 gpd	2,004.00	((2,112.00)) <u>2,004.00</u>
b.	1,000 - < 10,000 gpd	3,341.00	((3,521.00)) <u>3,341.00</u>
c.	10,000 - < 50,000 gpd	8,353.00	((8,803.00)) <u>8,353.00</u>
d.	50,000 - < 100,000 gpd	16,712.00	((17,613.00)) <u>16,712.00</u>
e.	100,000 - < 500,000 gpd	33,420.00	((35,221.00)) <u>33,420.00</u>

INDUSTRIAL FACILITY CATEGORIES		FY ((2009)) 2010 ANNUAL PERMIT FEE	FY ((2010)) 2011 ANNUAL PERMIT FEE ((*))
f.	500,000 gpd and greater	50,133.00	((52,835.00)) <u>50,133.00</u>
Noncontact Cooling Water With Additives - Individual Permit Coverage			
a.	< 1,000 gpd	1,046.00	((1,102.00)) <u>1,046.00</u>
b.	1,000 - < 10,000 gpd	1,459.00	((1,538.00)) <u>1,459.00</u>
c.	10,000 - < 50,000 gpd	3,136.00	((3,305.00)) <u>3,136.00</u>
d.	50,000 - < 100,000 gpd	7,314.00	((7,708.00)) <u>7,314.00</u>
e.	100,000 - < 500,000 gpd	12,531.00	((13,206.00)) <u>12,531.00</u>
f.	500,000 - < 1,000,000 gpd	17,758.00	((18,715.00)) <u>17,758.00</u>
g.	1,000,000 - < 2,500,000 gpd	22,982.00	((24,221.00)) <u>22,982.00</u>
h.	2,500,000 - < 5,000,000 gpd	28,082.00	((29,596.00)) <u>28,082.00</u>
i.	5,000,000 gpd and greater	33,422.00	((35,223.00)) <u>33,422.00</u>
Noncontact Cooling Water With Additives - General Permit Coverage			
a.	< 1,000 gpd	733.00	((773.00)) <u>733.00</u>
b.	1,000 - < 10,000 gpd	1,461.00	((1,540.00)) <u>1,461.00</u>
c.	10,000 - < 50,000 gpd	2,195.00	((2,313.00)) <u>2,195.00</u>
d.	50,000 - < 100,000 gpd	5,120.00	((5,396.00)) <u>5,120.00</u>
e.	100,000 - < 500,000 gpd	8,773.00	((9,246.00)) <u>8,773.00</u>
f.	500,000 - < 1,000,000 gpd	12,432.00	((13,102.00)) <u>12,432.00</u>
g.	1,000,000 - < 2,500,000 gpd	16,086.00	((16,953.00)) <u>16,086.00</u>
h.	2,500,000 - < 5,000,000 gpd	19,739.00	((20,803.00)) <u>19,739.00</u>
i.	5,000,000 gpd and greater	23,394.00	((24,655.00)) <u>23,394.00</u>
Noncontact Cooling Water Without Additives - Individual Permit Coverage			
a.	< 1,000 gpd	838.00	((883.00)) <u>838.00</u>
b.	1,000 - < 10,000 gpd	1,671.00	((1,761.00)) <u>1,671.00</u>
c.	10,000 - < 50,000 gpd	2,509.00	((2,644.00)) <u>2,509.00</u>

INDUSTRIAL FACILITY CATEGORIES		FY ((2009)) 2010 ANNUAL PERMIT FEE	FY ((2010)) 2011 ANNUAL PERMIT FEE ((*))
d.	50,000 - < 100,000 gpd	5,851.00	((6,166.00)) <u>5,851.00</u>
e.	100,000 - < 500,000 gpd	10,030.00	((10,571.00)) <u>10,030.00</u>
f.	500,000 - < 1,000,000 gpd	14,203.00	((14,969.00)) <u>14,203.00</u>
g.	1,000,000 - < 2,500,000 gpd	18,310.00	((19,297.00)) <u>18,310.00</u>
h.	2,500,000 - < 5,000,000 gpd	22,559.00	((23,775.00)) <u>22,559.00</u>
i.	5,000,000 gpd and greater	26,739.00	((28,180.00)) <u>26,739.00</u>
Noncontact Cooling Water Without Additives - General Permit Coverage			
a.	< 1,000 gpd	586.00	((618.00)) <u>586.00</u>
b.	1,000 - < 10,000 gpd	1,172.00	((1,235.00)) <u>1,172.00</u>
c.	10,000 - < 50,000 gpd	1,757.00	((1,852.00)) <u>1,757.00</u>
d.	50,000 - < 100,000 gpd	4,095.00	((4,316.00)) <u>4,095.00</u>
e.	100,000 - < 500,000 gpd	7,019.00	((7,397.00)) <u>7,019.00</u>
f.	500,000 - < 1,000,000 gpd	9,944.00	((10,480.00)) <u>9,944.00</u>
g.	1,000,000 - < 2,500,000 gpd	12,868.00	((13,562.00)) <u>12,868.00</u>
h.	2,500,000 - < 5,000,000 gpd	15,793.00	((16,644.00)) <u>15,793.00</u>
i.	5,000,000 gpd and greater	18,715.00	((19,724.00)) <u>18,715.00</u>
Nonferrous Metals Forming		16,713.00	((17,614.00)) <u>16,713.00</u>
Ore Mining			
a.	Ore Mining	3,342.00	((3,522.00)) <u>3,342.00</u>
b.	Ore mining with physical concentration processes	6,682.00	((7,042.00)) <u>6,682.00</u>
c.	Ore mining with physical and chemical concentration processes	26,739.00	((28,180.00)) <u>26,739.00</u>
Organic Chemicals Manufacturing			
a.	Fertilizer	16,713.00	((17,614.00)) <u>16,713.00</u>
b.	Aliphatic	33,422.00	((35,223.00)) <u>33,422.00</u>
c.	Aromatic	50,136.00	((52,838.00)) <u>50,136.00</u>
Petroleum Refining			

INDUSTRIAL FACILITY CATEGORIES		FY ((2009)) 2010 ANNUAL PERMIT FEE	FY ((2010)) 2011 ANNUAL PERMIT FEE ((*))
a.	< 10,000 bbls/d	33,422.00	((35,223.00)) <u>33,422.00</u>
b.	10,000 - < 50,000 bbls/d	66,266.00	((69,838.00)) <u>66,266.00</u>
c.	50,000 bbls/d and greater	133,699.00	((140,905.00)) <u>133,699.00</u>
Photofinishers			
a.	< 1,000 gpd	1,337.00	((1,409.00)) <u>1,337.00</u>
b.	1,000 gpd and greater	3,342.00	((3,522.00)) <u>3,342.00</u>
Power and/or Steam Plants			
a.	Steam Generation - Nonelectric	6,680.00	((7,040.00)) <u>6,680.00</u>
b.	Hydroelectric	6,680.00	((7,040.00)) <u>6,680.00</u>
c.	Nonfossil Fuel	10,028.00	((10,569.00)) <u>10,028.00</u>
d.	Fossil Fuel	26,739.00	((28,180.00)) <u>26,739.00</u>
Pulp, Paper and Paper Board			
a.	Fiber Recyclers	16,711.00	((17,612.00)) <u>16,711.00</u>
b.	Paper Mills	33,422.00	((35,223.00)) <u>33,422.00</u>
c.	Groundwood Pulp Mills		
1.	< 300 tons per day	50,136.00	((52,838.00)) <u>50,136.00</u>
2.	> 300 tons per day	100,270.00	((105,675.00)) <u>100,270.00</u>
d.	Chemical Pulp Mills w/o Chlorine Bleaching	133,692.00	((140,898.00)) <u>133,692.00</u>
e.	Chemical Pulp Mills w/Chlorine Bleaching	150,400.00	((158,507.00)) <u>150,400.00</u>
Radioactive Effluents and Discharges (RED)			
a.	< 3 waste streams	32,332.00	((34,075.00)) <u>32,332.00</u>
b.	3 - < 8 waste streams	56,147.00	((59,173.00)) <u>56,147.00</u>
c.	8 waste streams and greater	92,478.00	((97,463.00)) <u>92,478.00</u>
RCRA Corrective Action Sites		23,490.00	((24,756.00)) <u>23,490.00</u>
Seafood Processing			
a.	< 1,000 gpd	1,671.00	((1,761.00)) <u>1,671.00</u>

INDUSTRIAL FACILITY CATEGORIES		FY ((2009)) 2010 ANNUAL PERMIT FEE	FY ((2010)) 2011 ANNUAL PERMIT FEE ((*))
b.	1,000 - < 10,000 gpd	4,259.00	((4,489.00)) <u>4,259.00</u>
c.	10,000 - < 50,000 gpd	7,604.00	((8,014.00)) <u>7,604.00</u>
d.	50,000 - < 100,000 gpd	11,948.00	((12,592.00)) <u>11,948.00</u>
e.	100,000 gpd and greater	16,713.00	((17,614.00)) <u>16,713.00</u>
Shipyards			
a.	Per crane, travel lift, small boat lift	3,342.00	((3,552.00)) <u>3,342.00</u>
b.	Per drydock under 250 ft in length	3,342.00	((3,552.00)) <u>3,342.00</u>
c.	Per graving dock	3,342.00	((3,552.00)) <u>3,342.00</u>
d.	Per marine way	5,012.00	((5,282.00)) <u>5,012.00</u>
e.	Per sycrolift	5,012.00	((5,282.00)) <u>5,012.00</u>
f.	Per drydock over 250 ft in length	6,682.00	((7,042.00)) <u>6,682.00</u>
g.	In-water vessel maintenance	6,682.00	((7,042.00)) <u>6,682.00</u>
The fee for a facility in the shipyard category is the sum of the fees for the applicable units in the facility.			
Solid Waste Sites (nonstorm water)			
a.	Nonputrescible	6,682.00	((7,042.00)) <u>6,682.00</u>
b.	< 50 acres	13,367.00	((14,087.00)) <u>13,367.00</u>
c.	50 - < 100 acres	26,739.00	((28,180.00)) <u>26,739.00</u>
d.	100 - < 250 acres	33,422.00	((35,223.00)) <u>33,422.00</u>
e.	250 acres and greater	50,136.00	((52,838.00)) <u>50,136.00</u>
Textile Mills			
		66,846.00	((70,449.00)) <u>66,846.00</u>
Timber Products			
a.	Log Storage	3,342.00	((3,522.00)) <u>3,342.00</u>
b.	Veneer	6,682.00	((7,042.00)) <u>6,682.00</u>
c.	Sawmills	13,368.00	((14,089.00)) <u>13,368.00</u>
d.	Hardwood, Plywood	23,393.00	((24,654.00)) <u>23,393.00</u>

INDUSTRIAL FACILITY CATEGORIES	FY ((2009)) 2010	FY ((2010)) 2011
	ANNUAL PERMIT FEE	ANNUAL PERMIT FEE ((*))
e. Wood Preserving	32,094.00	((33,824.00)) <u>32,094.00</u>
Vegetable/Bulb Washing Facilities		
a. < 1,000 gpd	110.00	((116.00)) <u>110.00</u>
b. 1,000 - < 5,000 gpd	224.00	((236.00)) <u>224.00</u>
c. 5,000 - < 10,000 gpd	440.00	((464.00)) <u>440.00</u>
d. 10,000 - < 20,000 gpd	887.00	((935.00)) <u>887.00</u>
e. 20,000 and greater	1,464.00	((1,543.00)) <u>1,464.00</u>
Vehicle Maintenance and Freight Transfer		
a. < 0.5 acre	3,342.00	((3,522.00)) <u>3,342.00</u>
b. 0.5 - < 1.0 acre	6,682.00	((7,042.00)) <u>6,682.00</u>
c. 1.0 acre and greater	10,028.00	((10,569.00)) <u>10,028.00</u>
Water Plants - Individual Permit Coverage	4,180.00	((4,405.00)) <u>4,180.00</u>
Water Plants - General Permit Coverage	2,925.00	((3,083.00)) <u>2,925.00</u>
Wineries		
a. < 500 gpd	341.00	((359.00)) <u>341.00</u>
b. 500 - < 750 gpd	684.00	((721.00)) <u>684.00</u>
c. 750 - < 1,000 gpd	1,367.00	((1,441.00)) <u>1,367.00</u>
d. 1,000 - < 2,500 gpd	2,734.00	((2,881.00)) <u>2,734.00</u>
e. 2,500 - < 5,000 gpd	4,362.00	((4,597.00)) <u>4,362.00</u>
f. 5,000 gpd and greater	5,987.00	((6,310.00)) <u>5,987.00</u>

((*FY 2010 fee amounts are applicable if, and only if, the 2009 state legislature approves ecology's request to increase fees in FY 2010 by the fiscal growth factor. If the fee increase is not approved, the FY 2009 fees will remain in effect.))

(a) Facilities other than those in the aggregate production, shipyard, or RCRA categories that operate within several fee categories or subcategories, shall be charged from that category or subcategory with the highest fee.

(b) The total annual permit fee for a water treatment plant that primarily serves residential customers may not exceed three dollars per residential equivalent. The number of residential equivalents is determined by dividing the facility's annual gross revenue in the previous calendar year by the annual user charge for

a single family residence that uses nine hundred cubic feet of water per month.

(c) Crop preparation and aggregate production permit holders are required to submit information to the department certifying annual production (calendar year) or unit processes. When required, the department will send the information form to the permit holder. The permit holder shall complete and return the information form to the department by the required due date. Failure to provide this information will result in a fee determination based on the highest subcategory the facility has received permit coverage in.

(i) Information submitted shall bear a certification of correctness and be signed:

(A) In the case of a corporation, by an authorized corporate officer;

(B) In the case of a limited partnership, by an authorized general partner;

(C) In the case of a general partnership, by an authorized partner; or

(D) In the case of a sole proprietorship, by the proprietor.

(ii) The department may verify information submitted and, if it determines that false or inaccurate statements have been made, it may, in addition to taking other actions provided by law, revise both current and previously granted fee determinations.

(d) Fees for crop preparers discharging only noncontact cooling water without additives shall pay the lesser of the applicable fee in the crop preparing or noncontact cooling water without additives categories.

(e) Where no clear industrial facility category exists for placement of a permit holder, the department may elect to place the permit holder in a category with dischargers or permit holders that contain or use similar properties or processes and/or a category which contains similar permitting complexities to the department.

(f) Hazardous waste clean up sites and EPA authorized RCRA corrective action sites with whom the department has begun cost recovery through chapter 70.105D RCW shall not pay a permit fee under chapter 173-224 WAC until such time as the cost recovery under chapter 70.105D RCW ceases.

(g) Any permit holder, with the exception of nonoperating aggregate operations or a permitted portable facility, who has not been in continuous operation within a consecutive eighteen-month period or who commits to not being in operation for a consecutive eighteen-month period or longer can have their permit fee reduced to twenty-five percent of the fee that they would be otherwise assessed. This nonoperating mode must be verified by the appropriate ecology staff. Once operations resume, the permit fee will be returned to the full amount.

Facilities who commit to the minimum eighteen-month nonoperating mode but go back into operation during the same eighteen-month period will be assessed permit fees as if they were active during the entire period.

(h) Facilities with subcategories based on gallons per day

(gpd) shall have their annual permit fee determined by using the maximum daily flow or maximum monthly average permitted flow in gallons per day as specified in the waste discharge permit, whichever is greater.

(i) RCRA corrective action sites requiring a waste discharge permit will be assessed a separate permit fee regardless of whether the discharge is authorized by a separate permit or by a modification to an existing permit for a discharge other than that resulting from the corrective action.

(3) MUNICIPAL/DOMESTIC FACILITIES

(a) The annual permit fee for a permit held by a municipality for a domestic wastewater facility issued under RCW 90.48.162 or 90.48.260 is determined as follows:

	FY ((2009)) 2010	FY ((2010)) 2011
Residential Equivalents (RE)	Annual Permit Fee	Annual Permit Fee (*)
< 250,000	\$ ((1.80)) 1.89	\$ ((1.80)) 1.98
> 250,000	((1.25)) 1.32	((1.32)) 1.38

(*FY 2010 fee amounts are applicable if, and only if, the 2009 state legislature approves ecology's request to increase fees in FY 2010 by the state fiscal growth factor. If the fee increase is not approved, the FY 2009 fees will remain in effect.)

(b) The annual permit fee under RCW 90.48.162 or 90.48.260 that is held by a municipality which:

- (i) Holds more than one permit for domestic wastewater facilities; and
- (ii) Treats each domestic wastewater facility as a separate accounting entity, is determined as in (a) of this subsection.

A separate accounting entity is one that maintains separate funds or accounts for each domestic wastewater facility. Revenues are received from the users to pay for the costs of operating that facility.

(c) The sum of the annual permit fees for permits held by a municipality that:

- (i) Holds more than one permit for domestic wastewater facilities issued under RCW 90.48.162 or 90.48.260; and
- (ii) Does not treat each domestic wastewater facility as a separate accounting entity, as described in (b) of this subsection, is determined as in (a) of this subsection.

(d) The permit fee for a privately owned domestic wastewater facility that primarily serves residential customers is determined as in (a) of this subsection. Residential customers are those whose lot, parcel or real estate, or building is primarily used for domestic dwelling purposes.

(e) The annual permit fee for privately owned domestic wastewater facilities must be determined by using the maximum daily flow or maximum monthly average permitted flow in million gallons per day, whichever is greater, as specified in the waste discharge permit. Permit fees for privately owned domestic wastewater facilities that do not serve primarily residential customers and for state-owned domestic wastewater facilities are the following:

	FY (2009) 2010 Annual Permit Fee	FY (2010) 2011 Annual Permit Fee(=)
Permitted Flows		
.1 MGD and Greater	\$((8,354.00)) <u>8,788.00</u>	\$((8,804.00)) <u>9,193.00</u>
.05 MGD to < .1 MGD	((3,342.00)) <u>3,516.00</u>	((3,522.00)) <u>3,678.00</u>
.0008 MGD to < .05 MGD	((1,671.00)) <u>1,758.00</u>	((1,761.00)) <u>1,839.00</u>
< .0008 MGD	((504.00)) <u>530.00</u>	((531.00)) <u>554.00</u>

(*FY 2010 fee amounts are applicable if, and only if, the 2009 state legislature approves ecology's request to increase fees in FY 2010 by the fiscal growth factor. If the fee increase is not approved, the FY 2009 fees will remain in effect.)

(f) The number of residential equivalents is calculated in the following manner:

(i) If the facility serves only single-family residences, the number of residential equivalents is the number of single-family residences that it served on January 1 of the previous calendar year.

(ii) If the facility serves both single-family residences and other classes of customers, the number of residential equivalents is calculated in the following manner:

(A) Calculation of the number of residential equivalents that the facility serves in its own service area. Subtract from the previous calendar year's gross revenue:

(I) Any amounts received from other municipalities for sewage interception, treatment, collection, or disposal; and

(II) Any user charges received from customers for whom the permit holder pays amounts to other municipalities for sewage treatment or disposal services. Divide the resulting figure by the annual user charge for a single-family residence.

(B) Calculation of the number of residential equivalents that the facility serves in other municipalities which pay amounts to the facility for sewage interception, treatment, collection, or disposal:

(I) Divide any amounts received from other municipalities during the previous calendar year by the annual user charge for a single-family residence. In this case "annual user charge for a single-family residence" means the annual user charge that the facility charges other municipalities for sewage interception, treatment, collection, or disposal services for a single-family residence. If the facility charges different municipalities different single-family residential user fees, then the charge used in these calculations must be that which applies to the largest number of single-family residential customers. Alternatively, if the facility charges different municipalities different single-family residential user fees, the permit holder may divide the amount received from each municipality by the annual user charge that it charges that municipality for a single-family residence and sum the resulting figures.

(II) If the facility does not charge the other municipality on the basis of a fee per single-family residence, the number of

residential equivalents in the other municipality is calculated by dividing its previous calendar year's gross revenue by its annual user fee for a single-family residence. If the other municipality does not maintain data on its gross revenue, user fees, and/or the number of single-family residences that it serves, the number of residential equivalents is calculated as in (f)(iv) of this subsection.

(III) If the other municipality serves only single-family residences, the number of residential equivalents may be calculated as in (f)(i) of this subsection.

The sum of the resulting figures is the number of residential equivalents that the facility serves in other municipalities.

(C) The number of residential equivalents is the sum of the number of residential equivalents calculated in (f)(ii)(A) and (B) of this subsection.

(iii) The annual user fee for a single-family residence is calculated by either of the following methods, at the choice of the permit holder:

(A) The annual user fee for a single-family residence using nine hundred cubic feet of water per month. If users are billed monthly, this is calculated by multiplying by twelve the monthly user fee for a single-family residence using nine hundred cubic feet of water per month. If users are billed bimonthly, the annual user fee is calculated by multiplying by six the bimonthly user fee for a single-family residence using one thousand eight hundred cubic feet of water per two-month period. If the user fee for a single-family residence varies, depending on age, income, location, etc., then the fee used in these calculations must be that which applies to the largest number of single-family residential customers.

(B) The average annual user fee for a single-family residence. This average is calculated by dividing the previous calendar year's gross revenue from provision of sewer services to single-family residences by the number of single-family residences served on January 1 of the previous calendar year. If the user fee for a single-family residence varies, depending on age, income, location, etc., then the gross revenue and number of single-family residences used in making this calculation must be those for all the single-family residential customers.

In either case, (f)(iii)(A) or (B) of this subsection, the permit holder must provide the department with a copy of its complete sewer rate schedule for all classes of customers.

(iv) If a permit holder does not maintain data on its gross revenue, user fees, and/or the number of single-family residences that it serves, and therefore cannot use the methods described in (f)(i) or (ii) of this subsection to calculate the number of residential equivalents that it serves, then the number of residential equivalents that it serves is calculated by dividing the average daily influent flow to its facility for the previous calendar year by two hundred fifty gallons. This average is calculated by summing all the daily flow measurements taken during the previous calendar year and then dividing the resulting sum by

the number of days on which flow was measured. Data for this calculation must be taken from the permit holder's discharge monitoring reports. Permit holders using this means of calculating the number of their residential equivalents must submit with their application a complete set of copies of their discharge monitoring reports for the previous calendar year.

(g) Fee calculation procedures for holders of permits for domestic wastewater facilities.

(i) Municipalities holding permits for domestic wastewater facilities issued under RCW 90.48.162 and 90.48.260, and holders of permits for privately owned domestic wastewater facilities that primarily serve residential customers must complete a form certifying the number of residential equivalents served by their domestic wastewater system. The form must be completed and returned to the department within thirty days after it is mailed to the permit holder by the department. Failure to return the form could result in permit termination.

(ii) The form shall bear a certification of correctness and be signed:

(A) In the case of a corporation, by an authorized corporate officer;

(B) In the case of a limited partnership, by an authorized partner;

(C) In the case of a general partnership, by an authorized partner;

(D) In the case of a sole proprietorship, by the proprietor; or

(E) In the case of a municipal or other public facility, by either a ranking elected official or a principal executive officer.

(iii) The department may verify the information contained in the form and, if it determines that the permit holder has made false statements, may, in addition to taking other actions provided by law, revise both current and previously granted fee determinations.

(4) STORM WATER PERMIT COVERAGES (UNLESS SPECIFICALLY CATEGORIZED ELSEWHERE IN WAC 173-224-040(2))

	FY ((2009)) 2010 Annual Permit Fee	FY ((2010)) 2011 Annual Permit Fee ((±))
a. Individual Construction or Industrial Storm Water Permits		
1. < 50 acres	\$((3,342.00)) <u>3,516.00</u>	\$((3,522.00)) <u>3,678.00</u>
2. 50 -< 100 acres	\$((6,680.00)) <u>7,027.00</u>	\$((7,040.00)) <u>7,351.00</u>
3. 100 -< 500 acres	\$((10,028.00)) <u>10,549.00</u>	\$((10,569.00)) <u>11,035.00</u>
4. 500 acres and greater	\$((13,368.00)) <u>14,063.00</u>	\$((14,089.00)) <u>14,711.00</u>
b. Facilities Covered Under the Industrial Storm Water General Permit		
1. Municipalities and state agencies	\$((1,094.00)) <u>1,151.00</u>	\$((1,153.00)) <u>1,204.00</u>

2. New permit holders without historical gross revenue information	\$(575.00) <u>605.00</u>	\$(606.00) <u>633.00</u>
3. The permit fee for all other permit holders shall be based on the gross revenue of the business for the previous calendar year		
Gross Revenue		
Less than \$100,000	\$(106.00) <u>112.00</u>	\$(112.00) <u>117.00</u>
\$100,000 -< \$1,000,000	\$(461.00) <u>485.00</u>	\$(486.00) <u>507.00</u>
\$1,000,000 -< \$2,500,000	\$(552.00) <u>581.00</u>	\$(582.00) <u>608.00</u>
\$2,500,000 -< \$5,000,000	\$(921.00) <u>969.00</u>	\$(971.00) <u>1,014.00</u>
\$5,000,000 -< \$10,000,000	\$(1,382.00) <u>1,454.00</u>	\$(1,456.00) <u>1,521.00</u>
\$10,000,000 and greater	\$(1,669.00) <u>1,756.00</u>	\$(1,759.00) <u>1,837.00</u>

To be eligible for less than the maximum permit fee, the permit holder must provide documentation to substantiate the gross revenue claims. Documentation shall be provided annually in a manner prescribed by the department. The documentation shall bear a certification of correctness and be signed:

- (a) In the case of a corporation, by an authorized corporate officer;
- (b) In the case of a limited partnership, by an authorized general partner;
- (c) In the case of a general partnership, by an authorized partner; or
- (d) In the case of a sole proprietorship, by the proprietor.

The department may verify the information contained in the submitted documentation and, if it determines that the permit holder has made false statements, may deny the adjustment, revoke previously granted fee adjustments, and/or take such other actions deemed appropriate or required under state or federal law.

c. Construction Activities Covered Under the Construction Storm Water General Permit(s)

1. Less than 5 acres disturbed area	\$(432.00) <u>454.00</u>	\$(455.00) <u>475.00</u>
2. 5 -< 7 acres of disturbed area	\$(703.00) <u>740.00</u>	\$(741.00) <u>774.00</u>
3. 7 -< 10 acres of disturbed area	\$(950.00) <u>999.00</u>	\$(1,001.00) <u>1,045.00</u>
4. 10 -< 20 acres of disturbed area	\$(1,295.00) <u>1,362.00</u>	\$(1,365.00) <u>1,425.00</u>
5. 20 acres and greater of disturbed area	\$(1,611.00) <u>1,695.00</u>	\$(1,698.00) <u>1,773.00</u>

(*FY 2010 fee amounts are applicable if, and only if, the 2009 state legislature approves ecology's request to increase fees in FY 2010 by the fiscal growth factor. If the fee increase is not approved, the FY 2009 fees will remain in effect.)

(5) MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMITS

(a) Except as provided for in (d) of this subsection, the municipal storm water permit annual fee for the entities listed below will be:

Name of Entity	FY ((2009)) 2010	FY ((2010)) 2011
	Annual Permit Fee	Annual Permit Fee(±)
King County	\$((38,067.00)) <u>40,046.00</u>	\$((40,119.00)) <u>41,892.00</u>
Snohomish County	((38,067.00)) <u>40,046.00</u>	((40,119.00)) <u>41,892.00</u>
Pierce County	((38,067.00)) <u>40,046.00</u>	((40,119.00)) <u>41,892.00</u>
Tacoma, City of	((38,067.00)) <u>40,046.00</u>	((40,119.00)) <u>41,892.00</u>
Seattle, City of	((38,067.00)) <u>40,046.00</u>	((40,119.00)) <u>41,892.00</u>
Washington Department of Transportation	((38,067.00)) <u>40,046.00</u>	((40,119.00)) <u>41,892.00</u>
Clark County	((38,067.00)) <u>40,046.00</u>	((40,119.00)) <u>41,892.00</u>

(*FY 2010 fee amounts are applicable if, and only if, the 2009 state legislature approves ecology's request to increase fees in FY 2010 by the fiscal growth factor. If the fee increase is not approved, the FY 2009 fees will remain in effect.)

(b) Municipal storm water general permit fees for cities and counties, except as otherwise provided for in (a), (c), and (d) of this subsection, will be determined in the following manner: For fiscal year ((2009)) 2010, ecology will charge ((~~\$1.11~~)) \$1.17 per housing unit inside the geographic area covered by the permit for those cities and counties whose median household income exceeds the state average. Cities and counties whose median household income is less than the state average will have their fee per housing unit reduced to ((~~\$.53~~)) \$.56 per housing unit inside the geographic area covered by the permit. ((~~If, and only if, the 2009 state legislature approves ecology's request to increase fees in FY 2010 by the fiscal growth factor~~)) For fiscal year 2011, ecology will charge ((~~\$1.17~~)) \$1.22 per housing unit inside the geographic area covered by the permit for those cities and counties whose median household income exceeds the state average. Cities and counties whose median household income is less than the state average will have their fee per housing unit reduced to ((~~\$.56~~)) \$.59 per housing unit inside the geographic area covered by the permit. Fees will not exceed ((~~\$38,067.00~~)) \$40,046.00 for fiscal year ((2009)) 2010 and ((~~\$40,119.00~~)) \$41,892.00 for fiscal year ((2010)) 2011. ((~~If ecology's request for the FY 2010 fee increase is not approved, the FY 2009 fee amount will remain in effect until this section is next amended.~~)) The minimum annual fee will not be lower than ((~~\$1,584.00~~)) \$1,666.00 for fiscal year 2010 and \$1,742.00 for fiscal year 2011 unless the permitted city or county has a median household income less than the state average. In this case, the city or county will pay a fee totaling ((~~\$.53~~)) \$.56 per housing unit for fiscal year ((2009)) 2010. The fee amount for ((FY 2010)) FY 2011 will be ((~~\$.56~~)) \$.59 per housing unit ((~~if, and only if, the state legislature approves ecology's request to increase fees by the fiscal growth factor. If ecology's request for a FY 2010 fee increase is not approved, the FY 2009 fee amount will remain in effect until this section is next amended~~)).

(c) Other entities required to have permit coverage under a

municipal storm water general permit will pay an annual fee based on the entities' previous year's annual operating budget as follows:

Annual Operating Budget	FY ((2009) 2010 Annual Permit Fee	FY ((2010) 2011 Annual Permit Fee ((*)))
Less than \$100,000	\$((111.00)) <u>117.00</u>	\$((117.00)) <u>122.00</u>
\$100,000 -< \$1,000,000	\$((446.00)) <u>469.00</u>	\$((470.00)) <u>491.00</u>
\$1,000,000 -< \$5,000,000	\$((1,114.00)) <u>1,172.00</u>	\$((1,174.00)) <u>1,226.00</u>
\$5,000,000 -< \$10,000,000	\$((1,670.00)) <u>1,757.00</u>	\$((1,760.00)) <u>1,838.00</u>
\$10,000,000 and greater	\$((2,784.00)) <u>2,929.00</u>	\$((2,934.00)) <u>3,064.00</u>

(*FY 2010 fee amounts are applicable if, and only if, the 2009 state legislature approves ecology's request to increase fees in FY 2010 by the fiscal growth factor. If the fee increase is not approved, the FY 2009 fees will remain in effect.)

For the purposes of determining the annual permit fee category, the annual operating budget shall be the entities' annual operating budget for the entities' previous fiscal year and shall be determined as follows:

(i) For diking, drainage, irrigation, and flood control districts, the district's annual operating budget.

(ii) For ports, the annual operating budget for the port district.

(iii) For colleges, schools, and universities, the portion of the operating budget related to plant or facilities operation and maintenance for the site or sites subject to the permit.

(iv) For state agencies, the annual operating budget for the site or sites subject to the permit.

(v) For other entities not listed, ecology will consider annual revenue, and the noncapital operating budget for the site subject to the permit.

(d) Municipal storm water permits written specifically for a single entity, such as a single city, county, or agency, issued after the effective date of this rule will have its annual fee determined in the following manner:

(i) For cities and counties listed in (a) of this subsection, the fee shall be five times the amount identified.

(ii) For cities and counties whose median household income exceeds the state average, the fee shall be the higher of either five times the otherwise applicable general permit fee or \$30,000. For municipalities whose median household income is less than the state average, the fee shall be the higher of 2.5 times the otherwise applicable general permit fee or \$15,000.

(iii) For entities that would otherwise be covered under a municipal storm water general permit as determined in (c) of this subsection, the fiscal year ((~~2009~~) 2010) annual fee for a permit written for a specific entity shall be ((~~\$7,918.00~~) \$8,330.00). ((~~If, and only if, the state legislature approves ecology's request to increase fees in~~) For FY ((~~2010~~) 2011), the annual fee will be

~~((\$8,345.00. However, if a fee increase is not approved, the FY 2009 fee amount will remain in effect until this section is next amended)) \$8,714.00.~~

(e) Ecology will assess a single permit fee for entities which apply only as co-permittees or co-applicants. The permit fee shall be equal to the highest single permit fee which would have been assessed if the co-permittees had applied separately.

AMENDATORY SECTION (Amending Order 08-05, filed 8/5/08, effective 9/5/08)

WAC 173-224-050 Permit fee computation and payments. (1) The department shall charge permit fees based on the permit fee schedule contained in WAC 173-224-040. The department may charge fees at the beginning of the year to which they apply. The department shall notify permit holders of fee charges by mailing billing statements. Permit fees must be received by the department within forty-five days after the department mails a billing statement. The department may elect to bill permit holders a prorated portion of the annual fee on a monthly, quarterly, or other periodic basis.

(2) Permit fee computation for individual permits. Computation of permit fees shall begin on the first day of each fiscal year. In the case of facilities or activities not previously covered by permits, fee computation begins on the issuance date of the permit. In the case of applicants for state waste discharge permits who are deemed to have a temporary permit under RCW 90.48.200, computation shall begin on the sixty-first day after the department accepts a completed application. In the case of NPDES permit holders who submit a new, updated permit application containing information that could change their assigned permit fee, computation and permit fee category reassignment begins upon acceptance of the application by the department. Any facility that obtains permit coverage but fails to operate will still be obligated to pay the annual permit fee assessment until the permit has been terminated by the department. Permits terminated during the fiscal year will ~~((have their fees prorated as follows unless it results in an annual fee assessment of less than one hundred dollars. Ecology will not process refunds of one hundred dollars or less:~~

~~(a) Permit coverage for up to three months will pay twenty-five percent of the annual permit fee;~~

~~(b) Permit coverage for three to six months will pay fifty percent of the annual permit fee;~~

~~(c) Permit coverage for six to nine months will pay seventy-five percent of the annual permit fee; and~~

~~(d) Permit coverage for nine months or greater will pay one hundred percent of the annual permit fee.~~

~~(3) Permit fee computation for general permits. Computation of fees for permittees covered under a general permit begins on the permit coverage date. Any facility that obtains permit coverage is obligated to pay the annual permit fee regardless of whether or not the facility has ever operated until the permit has been terminated by the department. Permits terminated during the fiscal year excluding permits issued for aquatic pest control will have their fees prorated as described in subsection (2) (a), (b), (c), (d) of this section unless it results in an annual fee assessment of less than one hundred dollars. Ecology will not process refunds of one hundred dollars or less)) pay the annual fee assessment regardless of the permit termination date.~~

~~((+4))~~ (3) Permit fees for sand and gravel (aggregate) general permit holders will be assessed as in subsection (3) of this section and:

(a) Nonoperating aggregate sites. A facility conducting mining, screening, washing and/or crushing activities excluding portable rock crushing operations is considered nonoperating for fee purposes if they are conducting these activities for less than ninety cumulative days during a calendar year. A facility producing no asphalt and/or concrete during the calendar year is also considered nonoperating for fee purposes.

(b) Nonoperating sites that become active for only concrete and/or asphalt production will be assessed a prorated fee for the actual time inactive. For the actual time a concrete and/or asphalt facility is active excluding asphalt portable batch plants and concrete portable batch plants, fees will be based on total production of concrete and/or asphalt.

(c) Fees for continuously active sites that produce concrete and/or asphalt excluding asphalt portable batch plants and concrete portable batch plants, will be based on the average of the three previous calendar years production totals. Existing facilities must provide the department with the production totals for concrete and/or asphalt produced during the previous three calendar years or for the number of full calendar years of operation if less than three. New facilities with no historical asphalt and/or concrete production data will have their first year fee based on the production levels reported on the application for coverage under the National Pollutant Discharge Elimination System and State Waste Discharge Permit for Process Water, Storm Water, and Mine Dewatering Water Discharges Associated with Sand and Gravel Operations, Rock Quarries and Similar Mining Facilities including Stockpiles of Mined Materials, Concrete Batch Operations and Asphalt Batch Operations general permit. The second year fee will be determined based on the actual production during the first year and estimated production for the second year. The third year fee will be determined based on the average of actual production for the first two years and estimated for the third year. Fee calculation for subsequent years will be based on the average production values of previous years.

(d) Asphalt portable batch plants, concrete portable batch plants and portable rock crushing operations will be assessed fees

as in subsection (3) of this section. Each permitted operation must commit to being shut down for a minimum of twelve calendar months before the status can be changed to nonoperating.

~~((+5))~~ (4) Fees for crop preparation general permit holders will be assessed as in subsection (3) of this section and will be computed on the three previous calendar years production totals. Existing facilities must provide the department with the production totals in the manner described in WAC 173-224-040 (2)(d). New facilities with no historical production data will have their first year fee based on the estimated production level for that year. The second year fee will be determined based on the actual production during the first year and estimated production for the second year. The third year fee will be determined based on the average of actual production for the first two years and estimated for the third year. Fee calculation for subsequent years will be based on the average production values of previous years.

~~((+6))~~ (5) Facilities with construction and industrial storm water general permit coverage will have their annual permit fees begin on the permit issuance date. Permit fee accrual will continue until the permit has been terminated by the department regardless if the activity covered under the permit has already ceased.

~~((+7))~~ (6) Facilities with an existing NPDES and/or state wastewater discharge permit who also have obtained industrial and/or construction storm water general permit coverage shall only pay an annual fee based on the permit with the highest permit fee category assessment.

~~((+8))~~ (7) Computation of fees shall end on June 30th, the last day of the state's fiscal year (~~(, or in the case of a terminated permit, during the quarter the termination took place)~~) regardless of the permit termination date.

~~((+9))~~ (8) The applicable permit fee shall be paid by check or money order payable to the "Department of Ecology" and mailed to the Wastewater Discharge Permit Fee Program, P.O. Box 47611, Olympia, Washington 98504-7611.

~~((+10))~~ (9) In the event a check is returned due to insufficient funds, the department shall consider the permit fee to be unpaid.

~~((+11))~~ (10) Delinquent accounts. Permit holders are considered delinquent in the payment of fees if the fees are not received by the first invoice billing due date. Delinquent accounts will be processed in the following manner:

(a) Municipal and government entities shall be notified by regular mail that they have forty-five days to bring the delinquent account up-to-date. Accounts that remain delinquent after forty-five days may receive a permit revocation letter for nonpayment of fees.

(b) Nonmunicipal or nongovernment permit holders shall be notified by the department by regular mail that they have forty-five days to bring the delinquent account up-to-date. Accounts that remain delinquent after forty-five days will be turned over for collection. In addition, a surcharge totaling twenty percent

of the delinquent amount owed will also be added. The surcharge is to recover the costs for collection. If the collection agency fails to recover the delinquent fees after twelve months, the permit holder may receive a permit revocation letter for nonpayment of fees.

AMENDATORY SECTION (Amending Order 08-05, filed 8/5/08, effective 9/5/08)

WAC 173-224-090 ((Small business)) Permit fee reductions.

~~((Except as noted in subsection (6) of this section, a small))~~ With the exception of facilities covered under the industrial storm water general permit who are not eligible to apply for a fee reduction, any business required to pay a ((permit)) fee under an industrial ((facility)) or construction fee category may receive a reduction of its permit fee.

Small business fee reduction.

(1) To qualify for the fee reduction, a business must:

(a) Be a corporation, partnership, sole proprietorship, or other legal entity formed for the purpose of making a profit;

(b) Be independently owned and operated from all other businesses (i.e., not a subsidiary of a parent company);

(c) Have annual sales of one million dollars or less of the goods or services produced using the processes regulated by the waste discharge or storm water discharge permit; and

(d) ~~((Pay an annual wastewater discharge permit fee greater than))~~ Have an original annual fee assessment totaling five hundred dollars or greater.

(2) To receive a fee reduction, the permit holder must submit an application in a manner prescribed by the department demonstrating that the conditions of subsection (1) of this section have been met. The application shall bear a certification of correctness and be signed:

(a) In the case of a corporation, by an authorized corporate officer;

(b) In the case of a limited partnership, by an authorized general partner;

(c) In the case of a general partnership, by an authorized partner; or

(d) In the case of a sole proprietorship, by the proprietor.

(3) The department may verify the information contained in the application and, if it determines that the permit holder has made false statements, may deny the fee reduction request and revoke previously granted fee reductions.

(4) The permit fee for small businesses determined to be eligible under subsection (1) of this section shall be reduced to fifty percent of the assessed annual permit fee.

~~((5) If the))~~ Extreme hardship fee reduction. Any industrial

or construction small business with annual gross revenue totaling one hundred thousand dollars or less of the goods and services produced using the processes regulated by the waste discharge or storm water discharge permit (~~(is one hundred thousand dollars or less, and the annual permit fee assessed imposes an extreme hardship to the business, the small business)~~) may (~~(request)~~) apply for an extreme hardship fee reduction. The small business must provide sufficient evidence to support its claim of an extreme hardship. In no case will a permit fee be reduced below (~~(\$106.00 for fiscal year 2009 and)~~) \$112.00 for fiscal year 2010 and \$117.00 for fiscal year 2011.

~~((6) Facilities covered under the industrial storm water general permit are not eligible for a small business fee reduction under this section.))~~