



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Ecology AO#15-02

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: To increase annual permit fees for the following fee types by 5.31% for State Fiscal Year 2016 and 5.27% for State Fiscal Year 2017: Aluminum Alloys, Aluminum Forming, Aggregate Production – Individual and General Permits, Aquatic Pest Control, Boatyards – Individual and General Permits, Coal Mining and Preparation, Concentrated Animal Feeding Operations, Dairies, Iron and Steel, Metal Finishing, Nonferrous Metals Forming, Ore Mining, Private and State Owned Facilities, Shipyards, Stormwater Construction – Individual and General Permits, Stormwater Industrial – Individual and General Permits, and Stormwater Municipal Phase 1 and 2 Permits.

To increase annual permit fees for the following fee types by 3.25% for State Fiscal Year 2016 and 3.21% for State Fiscal Year 2017: Aquaculture, Aluminum and Magnesium Reduction Mills, Combined Industrial Waste Treatment, Combined Food Processing Waste Treatment, Combined Sewer Overflow System, Commercial Laundry, Crop Preparing – Individual and General Permits, Facilities Not Otherwise Classified – Individual and General Permits, Flavor Extraction, Food Processing, Fuel and Chemical Storage, Hazardous Waste Cleanup Sites, Ink Formulation and Printing, Inorganic Chemicals Manufacturing, Noncontact Cooling Water With Additives – Individual and General Permits, Noncontact Cooling Water Without Additives – Individual and General Permits, Organic Chemical Manufacturing, Petroleum Refining, Photofinishers, Power and/or Steam Plants, Pulp, Paper and Paperboard, Radioactive Effluents and Discharges, RCRA Corrective Action Sites, Seafood Processing, Solid Waste Sites, Textile Mills, Timber Products, Vegetable/Bulb Washing Facilities, Vehicle Maintenance and Freight Transfer, Water Plants – Individual and General Permits and Wineries – Individual Permits.

Ecology is also adding three new fee categories that will include Bridge Washing, In-Water Vessel Deconstruction, and Wineries -General Permit Coverage.

King County DNR Wastewater Treatment will have fees increased by 4.22% for State Fiscal Year 2016 and 4.19% for State Fiscal Year 2017.

Citation of existing rules affected by this order:

Repealed:
Amended: WAC 173-224-040
Suspended:

Statutory authority for adoption: RCW 90.48.465 – Water Pollution Control

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 15-15-174 on July 22, 2015.
Describe any changes other than editing from proposed to adopted version: See attachment A.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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Address: Dept. of Ecology, Water Quality fax (360) 407-6426
Program, 300 Desmond Drive, Lacey WA 98503 e-mail garret.ward@ecy.wa.gov

Date adopted: 11/18/2015

NAME (TYPE OR PRINT)

Maia D. Bellon

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 18, 2015

TIME: 11:15 AM

WSR 15-23-110

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Attachment A:

Describe any changes other than editing from proposed to adopted version:

Correct a typo on the FY2016 proposed fee for c. Concrete Production 3. 200,000 tons/yr. and greater; Correct typos on the proposed fees for FY2016 and 2017 for Hazardous Waste Clean Up Sites, a. Leaking Underground Storage Tanks (LUST), 3. NPDES Permit Issued post 7/1/94; Reduce the proposed fees for Aluminum and Magnesium Reduction Mills from the proposed 5.41% increase for fiscal year 2016 and 5.27% increase for fiscal year 2017 to a 3.25% increase for fiscal year 2016 and 3.21% increase for fiscal year 2017.