



PROPOSED RULE MAKING

CR-102 (June 2004)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

Agency: Department of Ecology AO # 06-13

- | | |
|--|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 06-18-040 ; or | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____ ; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: (Describe Subject)

Chapter 173-322 WAC, Remedial Action Grants and Loans. This chapter establishes requirements for a program of grants and loans to local governments for remedial actions pursuant to RCW 70.105D 070. The proposed amendments will create a new Extraordinary Financial Hardship loan program. This rulemaking will also address general housekeeping.

Hearing location(s):

Washington Department of Ecology, Headquarters Building
300 Desmond Drive SE
Lacey, Washington

Date: January 17, 2007 Time: 1:00 pm

Submit written comments to:

Name: Diane Singer
Address: Department of Ecology
PO Box 47600 Olympia, WA 98504-7600
e-mail dire461@ecy.wa.gov
fax (360)407-6102 by (date) 5:00 pm Jan. 25, 2007

Assistance for persons with disabilities: Contact

Michelle Payne by TTY or phone/voice
TTY (360) 407-6006 or phone/voice: (360) 407-6109

Date of intended adoption: March 21, 2007
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

These rule amendments will affect local governments that have limited finances.

In addition, this rule making will propose a new type of loan: the Extraordinary financial hardship loan. This new loan includes deferred terms and conditions for repayment, where deferred terms and conditions may not be indefinite and any such loan must be approved by the director. This rule making will propose a new definition in section WAC 173-322-020 where "Director" means the director of the department of ecology.

Statutory authority for adoption: RCW 70.105D.070 (7)

Statute being implemented: Chapter 70 105D RCW

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

DATE 11/20/06

NAME (type or print)
Polly Zehm

SIGNATURE *Polly Zehm*

TITLE
Deputy Director, Department of Ecology

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Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

N/A

Name of proponent: (person or organization) Department of Ecology

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	Diane Singer	Olympia, WA	(360) 407-6062
Implementation	Diane Singer	Olympia, WA	(360) 407-6062
Enforcement	Diane Singer	Olympia, WA	(360) 407-6062

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has determined that the proposed rule does not affect small businesses because the rule provides the framework for the state to provide grants and/or loans only to local governments to clean up their own remedial action sites.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain:

The department has determined that this rule is an interpretive rule, not requiring a cost-benefit analysis under RCW 34.05.328.