

Chapter 173-224 WAC
WATER QUALITY PERMIT FEES
(Formerly chapter 173-222 WAC)

Last Update: 6/29/23

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

173-224-070	Credits. [Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-070, filed 5/31/89 and 3/13/90, effective 4/13/90.] Repealed by WSR 96-03-041 (Order 94-21), filed 1/10/96, effective 2/10/96. Statutory Authority: Chapter 90.48 RCW.
173-224-120	Past due payments. [Statutory Authority: Chapter 90.48 RCW. WSR 92-03-131 (Order 91-45), § 173-224-120, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-120, filed 5/31/89 and 3/13/90, effective 4/13/90.] Repealed by WSR 08-16-109 (Order 08-05), filed 8/5/08, effective 9/5/08. Statutory Authority: Chapter 90.48 RCW.

WAC 173-224-015 Purpose. The purpose of this chapter is to establish a fee system for state waste discharge and NPDES permits issued by the department pursuant to RCW 90.48.160, 90.48.162, or 90.48.260. RCW 90.48.465 directs the department to base fees on factors related to the complexity of permit issuance and compliance and to assess fees to fully recover, but not exceed the costs of the permit program based on expenses incurred in the issuance and comprehensive administration of state waste discharge and NPDES permits. Fee amounts contained in this chapter represent the department's true estimate of fee eligible permit program costs and reflect the department's commitment to fully recover all eligible expenses. Fee amounts in this chapter for fiscal year 2025 remain in effect for subsequent fiscal years until this chapter is amended. The department shall continue to examine the feasibility of adopting alternative permit fee systems. Any alternative fee system, such as variable permit fees, shall ensure continued full recovery of eligible program costs and may be based on pollutant loading and toxicity and may be designed to encourage recycling and reduction of the quantity of pollutants.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-015, filed 6/29/23, effective 7/30/23. Statutory Authority: Chapter 90.48 RCW. WSR 92-03-131 (Order 91-45), § 173-224-015, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-015, filed 5/31/89 and 3/13/90, effective 4/13/90.]

WAC 173-224-020 Applicability. This chapter applies to all persons holding or applying for a state waste discharge or NPDES permit issued by the department pursuant to RCW 90.48.160, 90.48.162, or 90.48.260, including persons holding permits that remain in effect under WAC 173-216-040, 173-220-180, or 173-226-050. This chapter does not apply when a wastewater discharge permit is written for a state conducted remedial action under the Model Toxics Control Act. That is,

ecology may not charge itself for wastewater discharge permits written for sites where the agency is conducting a cleanup.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-020, filed 6/29/23, effective 7/30/23; WSR 19-14-040 (Order 18-01), § 173-224-020, filed 6/26/19, effective 7/27/19. Statutory Authority: Chapter 90.48 RCW. WSR 94-10-027 (Order 93-08), § 173-224-020, filed 4/28/94, effective 5/29/94; WSR 92-03-131 (Order 91-45), § 173-224-020, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-020, filed 5/31/89 and 3/13/90, effective 4/13/90.]

WAC 173-224-030 Definitions. The following definitions apply to this chapter.

(1) "Administrative expenses" means those costs associated with issuing and administering permits under RCW 90.48.160, 90.48.162, and 90.48.260.

(2) "Aluminum forming" means the deformation of aluminum or aluminum alloys into specific shapes by hot or cold rolling, drawing, extruding, or forging.

(3) "Aluminum and magnesium reduction mills" means the electrolytic reduction of alumina or magnesium salts to produce aluminum or magnesium metal.

(4) "Animal unit" means the following:

DAIRY ANIMAL TYPE	ANIMAL UNIT MULTIPLIER
<i>The number of animal units equals the number of animals multiplied by the animal unit multiplier.</i> <i>Example: 10 milk cows multiplied by 1.4 = 14 animal units</i>	
Dairy Cows	
Milk cow	1.40
Dry cow	1.00
Heifer	0.80

(5) "Annual permit fee" means the fee assessed by the department for annual expenses associated with activities specified in RCW 90.48.465. This annual fee is assessed in alignment with the state's fiscal year (July 1 - June 30).

(6) "bbls" means barrels of product in storage for fuel and chemical storage facilities.

(7) "bbls per day" means barrels per day of oil for petroleum refineries.

(8) "bins per year" means total standard bins used during the last complete calendar year by a facility in the fruit packing industry. The bins measure approximately 47.5 inches × 47.4 inches × 29.5 inches and hold approximately 870 pounds of fruit.

(9) "Chemical pulp mill with chlorine bleaching" means any pulp mill that uses chlorine or chlorine compounds in their bleaching process.

(10) "Coal mining and preparation" means extracting coal from underground or surface mines using machinery or explosives. Coal prepara-

ration plants may use chemical and physical processes such as leaching, distillation, retorting, slurry mining, solution mining, borehole mining, fluid recovery mining, washing and concentrating. Coal handling may include sorting, screening, crushing, storing, or transporting.

(11) "Combined food processing waste treatment facility" means a facility that treats wastewater from more than one separately permitted food processor and receives no domestic wastewater or waste from industrial sources other than food processing.

(12) "Combined industrial waste treatment" means a facility that treats wastewater from more than one industry in any of the following categories: Inorganic chemicals, metal finishing, ore concentration, organic chemicals, or photofinishers.

(13) "Combined sewer overflow (CSO) system" means a system that conveys combined wastewater and stormwater to a domestic wastewater facility for treatment, but may also discharge wastewater prior to the treatment facility.

(14) "Concentrated animal feeding operation (CAFO)" means an animal feeding operation that meets the criteria in Appendix C of 40 C.F.R. 122 as presently enacted and any subsequent modifications thereto.

(15) "Contaminants of concern" means a chemical for which an effluent limit is established (this does not include pH, flow, temperature, or other "nonchemical parameters"). Petroleum constituents are considered as one contaminant of concern even if more than one effluent limit is established (e.g., Total Petroleum Hydrocarbons and benzene, toluene, ethylbenzene, and xylene (BTEX)).

(16) "Crane" means a machine used for hoisting and lifting ship hulls.

(17) "Cubic yards per year" means the cubic yards per year for total production from a sand and gravel facility during the most recent completed calendar year.

(18) "Department" means the department of ecology.

(19) "Director" means the director of the department of ecology.

(20) "Disturbed acres" means the total area of disturbance for a construction site over the life of a construction project. This includes all clearing, grading, and excavating, and any other activity which disturbs the surface of the land.

(21) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places, together with any groundwater infiltration or surface waters that may be present.

(22) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim or dispose of domestic wastewater together with industrial waste that may be present.

(23) "EPA" means the United States Environmental Protection Agency.

(24) "Facilities not otherwise classified" means an industrial wastewater facility that does not meet the definition of other permit fee categories and the discharge in gallons per day is the best method to assess a permit fee. This fee category may include a variety of industrial facility types.

(25) "Finfish hatching and rearing" means raising (i.e., hatching, culturing, rearing, and growing) finfish. An operation to raise finfish uses confined spaces such as hatcheries, net pens, or other

enclosed fish facilities or structures. The purpose for the activity can include sales or fisheries enhancement.

(26) "Federally recognized tribe" means any Indian tribe, band, nation, or other organized group or community of Indians in the Federal List Act, that is recognized as having a government-to-government relationship with the United States of America, with the responsibilities, powers, limitations, and obligations to that designation, and is eligible for funding and services from the Bureau of Indian Affairs or successor agency.

(27) "Flavor extraction" means the recovery of flavors or essential oils from organic products by steam distillation.

(28) "Food processing" means the preparation of food for human or animal consumption or the preparation of animal by-products, excluding fruit packing. This category includes, but is not limited to, fruit and vegetable processing, meat and poultry products processing, dairy products processing, beer production, rendering and animal feed production. Food processing wastewater treatment plants that treat wastes from only one separately permitted food processor must be treated as one facility for billing purposes.

(29) "Fruit packing" means preparing fruit for wholesale or retail sale by washing and/or other processes in which the skin of the fruit is not broken and in which the interior part of the fruit does not come in direct contact with the wastewater.

(30) "gpd" means gallons per day.

(31) "gpy" means gallons per year of wine produced as reported annually for the most recent completed calendar year.

(32) "Hazardous waste cleanup sites" means any facility where there has been confirmation of a release or threatened release of a hazardous substance that requires remedial action other than RCRA corrective action sites.

(33) "Inactive" means that a facility is not currently discharging wastewater but maintains their permit coverage.

(34) "Inactive rate" means a fee assessment that is reduced to 25 percent of the regular assessed fee, when a site is inactive for a minimum of 18 months.

(35) "Industrial gross revenue" means the annual amount of the sales of goods and services produced using the processes regulated by the stormwater discharge permit.

(36) "Industrial stormwater" means stormwater discharges associated with industrial activities that are regulated under either a general permit or an individual permit for stormwater.

(37) "Industrial wastewater" means water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated stormwater and, also, leachate from solid waste facilities.

(38) "Industrial wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of industrial wastewater. In this rule, it also means any facility not included in the definition of municipal or domestic wastewater facility.

(39) "Manufacturing" means making goods and articles by hand or machine into a manufactured product.

(40) "Median household income" means the most recent available census data, updated yearly as measured by the U.S. Census Bureau.

(41) "Metal finishing" means preparing metal surfaces by means of electroplating, electroless plating, anodizing, coating (chromating, phosphating and coloring), chemical etching and milling, and printed circuit board manufacture.

(42) "MGD" means million gallons per day.

(43) "Municipal or domestic wastewater facility" means a publicly owned facility treating domestic wastewater together with any industrial wastewaters that may be present, or a privately owned facility treating solely domestic wastewater.

(44) "Municipal sewerage system" or "publicly owned treatment works (POTW)" means a publicly owned domestic wastewater facility or a privately owned domestic wastewater facility.

(45) "Municipality" means a city, town, county, district, association, or other public body created by or in accordance with state law and that has jurisdiction over disposal of sewage, industrial wastes, or other wastes, or a designated and approved management agency under 33 U.S.C. Sec. 1288. State government agencies are not included in this definition.

(46) "Noncontact cooling water with additives" means water used for cooling that does not come into direct contact with any raw materials, intermediate product, waste product or finished product, but may contain chemicals or additives to control corrosion or fouling of the cooling system.

(47) "Noncontact cooling water without additives" means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product or finished product, that does not contain chemicals or additives. The noncontact cooling water fee without additives category applies to those facilities that discharge only noncontact cooling water and that have no other wastewater discharges required to be permitted under RCW 90.48.160, 90.48.162, and 90.48.260.

(48) "Nonferrous metals forming" means manufacturing semifinished products from pure metal or metal alloys other than iron or steel or of metals not otherwise classified in WAC 173-224-040(2).

(49) "Nonfinfish hatching and rearing" means raising (i.e., hatching, culturing, rearing, and growing) aquatic animals, such as shellfish, other aquatic invertebrates, or other aquatic species, that are not exclusively finfish. An operation to raise these species uses confined spaces to grow the animals and includes feeding and cleaning activities to maintain the animals. The purposes for the activity can include sales and harvest enhancement.

(50) "Nonoperating site" means a location where previous sand and gravel mining or processing has occurred; that has not been fully reclaimed; that conducts mining or processing fewer than 90 days per year, and that may include stockpiles of raw materials or finished products. The permittee may add or withdraw raw materials or finished products from the stockpiles for transportation off-site for processing, use, or sale and still be considered a nonoperating site.

(51) "NPDES permit" means a National Pollutant Discharge Elimination System permit issued by the department under Section 402 of the federal Clean Water Act and RCW 90.48.260.

(52) "Ore mining" refers to mine operators who extract ores (metal-bearing rock) from underground or surface mines using machinery, explosives, or chemicals. Extraction processes include dressing (picking, sorting, washing of ores), milling (crushing, grinding, etc.), and beneficiation (processing to improve purity/quality).

(53) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatever.

(54) "Portable facility" means a facility or equipment that is designed for mobility and is moved from site to site for short term operations. A portable facility or equipment applies only to an asphalt batch plant, portable concrete batch plant and portable rock crusher.

(55) "RCRA corrective action sites" means Resource Conservation Recovery Act cleanup sites required to have a wastewater discharge permit resulting from a corrective action under relevant federal authorities or under chapters 70A.300 and 70A.305 RCW including chapters 173-303 and 173-340 WAC, and are not subject to cost recovery.

(56) "Residential equivalent (RE)" means a single-family residence or a unit of sewer service that yields an amount of gross revenue equal to the annual user charge for a single-family residence. In cases where the permit holder does not maintain data on gross revenue, user charges, and/or the number of single-family residences that it serves, "residential equivalent" means an influent flow of 250 gallons per day.

(57) "Sand and gravel" means mining or quarrying sand, gravel, or rock, or producing concrete, asphalt, or a combination thereof.

(58) "Seafood processing" means:

(a) Preparing fresh, cooked, canned, smoked, preserved, or frozen seafoods, including marine and freshwater animals (fish, shellfish, crustaceans, etc.) and plants, for human or animal consumption; or

(b) Washing, shucking, and/or packaging of mollusks or crustaceans.

(59) "Sewer service" means receiving sewage deposited into and transported by a system of sewers, drains, and pipes to a common point, or points, for disposal or for transfer to treatment for disposal, and activities involving the interception, transfer, storage, treatment, and/or disposal of sewage, or any of these activities.

(60) "State waste discharge permit" means a permit required under RCW 90.48.160 or 90.48.162.

(61) "Stormwater" means precipitation that flows from an industrial operation or construction activity discharging stormwater runoff as defined in 40 C.F.R. 122.26 (b)(14) or facilities that are permitted as a significant contributor of pollutants as allowed in the federal Clean Water Act at Section 402 (p).

(62) "Tons per year" means the total annual production in tons from an asphalt production facility during the most recent completed calendar year, or the average tons per year of coal mining and preparation production.

(63) "Vegetable or bulb washing" means washing, packing, or shipping fresh vegetables and bulbs when there is no cooking or cutting of the product before packing.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-030, filed 6/29/23, effective 7/30/23; WSR 21-13-150 (Order 19-10), § 173-224-030, filed 6/22/21, effective 7/23/21; WSR 19-14-040 (Order 18-01), § 173-224-030, filed 6/26/19, effective 7/27/19; WSR 17-16-005 (Order 16-11), § 173-224-030, filed 7/20/17, effective 8/20/17; WSR 13-22-051 (Order 13-02), § 173-224-030, filed 11/1/13, effective 12/2/13. Statutory Authority: Chapter 90.48 RCW. WSR 08-16-109 (Order 08-05), § 173-224-030, filed 8/5/08, effective 9/5/08. Statutory Authority: RCW 90.48.465. WSR 04-15-046, §

173-224-030, filed 7/13/04, effective 8/13/04. Statutory Authority: Chapter 90.48 RCW. WSR 02-12-059, § 173-224-030, filed 5/30/02, effective 6/30/02; WSR 00-02-031 (Order 99-03), § 173-224-030, filed 12/28/99, effective 1/28/00; WSR 98-03-046 (Order 97-27), § 173-224-030, filed 1/15/98, effective 2/15/98; WSR 94-10-027 (Order 93-08), § 173-224-030, filed 4/28/94, effective 5/29/94; WSR 92-03-131 (Order 91-45), § 173-224-030, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-030, filed 5/31/89 and 3/13/90, effective 4/13/90.]

WAC 173-224-040 Permit fee schedule. (1) Application fee. In addition to an annual fee, first time individual permit applicants must pay a nonrefundable application fee of 25 percent of the annual permit fee, or \$250, whichever is greater. An application fee is assessed for RCRA corrective action sites regardless of whether a new permit is issued or an existing permit for other than the discharge resulting from the RCRA corrective action, is modified.

(2) Minimum fee. The minimum water quality annual permit fee is \$150.00, unless specified elsewhere in this section. The department may elect, at its discretion, to assess this minimum fee when no better permit fee category applies, or when a prorated annual permit fee falls below the minimum fee amount.

(3) INDUSTRIAL FACILITY ANNUAL PERMIT FEE SCHEDULE

The following industrial facilities must pay an annual permit fee as follows:

INDUSTRIAL FACILITY CATEGORIES	FY2024 ANNUAL PERMIT FEE	FY2025 ANNUAL PERMIT FEE
Aluminum Alloys	\$22,950	\$22,950
Aluminum and Magnesium Reduction Mills		
a. NPDES Permit	115,780	115,780
b. State Permit	57,900	57,900
Aluminum Forming	72,830	77,100
Aquaculture		
a. Finfish hatching and rearing - General Permit	4,126	4,126
b. Finfish hatching and rearing - Individual Permit	5,900	5,900
c. Nonfinfish hatching and rearing - Individual Permit	5,900	5,900
Aquatic Pest Control Permits		
a. Aquatic & Invasive Species Control (State agencies permits)	8,000	8,000
b. Aquatic Plant & Algae Management	500	500
c. Irrigation System Aquatic Weed Control	710	710
d. Mosquito Control	500	500
e. Noxious Weed Control (State agencies permits)	8,000	8,000
f. Oyster Growers	500	500
Boatyards - General Permit		
a. With stormwater only discharge	570	600
b. All others	1,150	1,210
Boatyards - Individual Permit		
a. With stormwater only discharge	650	700
b. All others	1,200	1,250

INDUSTRIAL FACILITY CATEGORIES		FY2024 ANNUAL PERMIT FEE	FY2025 ANNUAL PERMIT FEE
Bridge and Ferry Terminals Washing			
a.	Single site Permit	4,200	4,200
b.	Multi site Permit		
1.	1 - 5 Facilities	6,200	6,200
2.	6 - 10 Facilities	8,200	8,200
3.	11 - 20 Facilities	10,500	10,500
c.	WSDOT Annual Fee	13,500	13,500
Coal Mining and Preparation			
a.	< 200,000 tons per year	9,000	9,000
b.	200,000 - < 500,000 tons per year	20,500	20,500
c.	500,000 - < 1,000,000 tons per year	36,500	36,500
d.	1,000,000 tons per year and greater	68,500	68,500
Combined Industrial Waste Treatment			
a.	< 10,000 gpd	3,970	3,970
b.	10,000 - < 50,000 gpd	9,800	9,800
c.	50,000 - < 100,000 gpd	19,600	19,600
d.	100,000 - < 500,000 gpd	39,200	39,200
e.	500,000 gpd and greater	58,800	58,800
Combined Food Processing Waste Treatment Facilities		19,800	21,000
Combined Sewer Overflow System			
a.	< 50 acres	3,900	3,900
b.	50 - < 100 acres	9,800	9,800
c.	100 - < 500 acres	11,780	11,780
d.	500 acres and greater	15,700	15,700
Commercial Laundry		575	575
Concentrated Animal Feeding Operation (CAFO) - Dairy GP		\$0.52 per animal unit, not to exceed \$2,190	\$0.54 per animal unit, not to exceed \$2,320
Concentrated Animal Feeding Operation (CAFO) - Dairy IP		\$0.66 per animal unit, not to exceed \$2,850	\$0.70 per animal unit, not to exceed \$3,020
Concentrated Animal Feeding Operation (CAFO) - General Permit			
Size of CAFO by Animal Type and Animal Count		SMALL	MEDIUM
FY2024 and FY2025 Annual Fee		\$350	\$1,500
a.	Veal Calves	< 300	300 - 999
b.	Other Cattle	< 300	300 - 999
c.	Swine (55 lbs or more)	< 700	700 - 2,499
d.	Swine (less than 55 lbs)	< 3,000	3,000 - 9,999
e.	Horses	< 150	150 - 499
f.	Sheep and Lambs	< 3,000	3,000 - 9,999
g.	Turkeys	< 16,500	16,500 - 54,999
h.	Chickens, including laying hens or broilers, with liquid waste system	< 9,000	9,000 - 29,999
i.	Chickens, other than layers, with dry waste system	< 25,000	25,000 - 81,999
		LARGE	

INDUSTRIAL FACILITY CATEGORIES		FY2024 ANNUAL PERMIT FEE	FY2025 ANNUAL PERMIT FEE
j. Laying Hens, with dry waste system	< 25,000	25,000 - 81,999	82,000 and greater
k. Ducks, with liquid waste system	< 1,500	1,500 - 4,999	5,000 and greater
l. Ducks, with dry waste system	< 10,000	10,000 - 29,999	30,000 and greater
m. Other Species	As determined by Department	As determined by Department	As determined by Department
Concentrated Animal Feeding Operation (CAFO) - Individual Permit		\$5,000	\$5,000
Facilities Not Otherwise Classified			
a. < 1,000 gpd		1,960	1,960
b. 1,000 - < 10,000 gpd		3,930	3,930
c. 10,000 - < 50,000 gpd		9,820	9,820
d. 50,000 - < 100,000 gpd		15,700	15,700
e. 100,000 - < 500,000 gpd		31,260	31,260
f. 500,000 - < 1,000,000 gpd		39,270	39,270
g. 1,000,000 gpd and greater		58,900	58,900
Flavor Extraction			
a. Steam Distillation		215	230
Food Processing			
a. < 1,000 gpd		1,960	1,960
b. 1,000 - < 10,000 gpd		5,000	5,000
c. 10,000 - < 50,000 gpd		8,930	8,930
d. 50,000 - < 100,000 gpd		14,040	14,040
e. 100,000 - < 250,000 gpd		19,630	19,630
f. 250,000 - < 500,000 gpd		25,820	25,820
g. 500,000 - < 750,000 gpd		32,400	32,400
h. 750,000 - < 1,000,000 gpd		39,270	39,270
i. 1,000,000 - < 2,500,000 gpd		48,370	48,370
j. 2,500,000 - < 5,000,000 gpd		53,990	53,990
k. 5,000,000 gpd and greater		58,900	58,900
Fruit Packing - General Permit			
a. 0 - < 1,000 bins per year		275	275
b. 1,000 - < 5,000 bins per year		550	550
c. 5,000 - < 10,000 bins per year		1,100	1,100
d. 10,000 - < 15,000 bins per year		2,200	2,200
e. 15,000 - < 20,000 bins per year		3,640	3,640
f. 20,000 - < 25,000 bins per year		5,080	5,080
g. 25,000 - < 50,000 bins per year		6,800	6,800
h. 50,000 - < 75,000 bins per year		7,560	7,560
i. 75,000 - < 100,000 bins per year		8,790	8,790
j. 100,000 - < 125,000 bins per year		10,990	10,990
k. 125,000 - < 150,000 bins per year		13,740	13,740
l. 150,000 bins per year and greater		16,490	16,490
Fruit Packing - Individual Permit			
a. 0 - < 1,000 bins per year		390	390
b. 1,000 - < 5,000 bins per year		790	790

INDUSTRIAL FACILITY CATEGORIES	FY2024 ANNUAL PERMIT FEE	FY2025 ANNUAL PERMIT FEE
c. 5,000 - < 10,000 bins per year	1,570	1,570
d. 10,000 - < 15,000 bins per year	3,140	3,140
e. 15,000 - < 20,000 bins per year	5,200	5,200
f. 20,000 - < 25,000 bins per year	7,260	7,260
g. 25,000 - < 50,000 bins per year	9,720	9,720
h. 50,000 - < 75,000 bins per year	10,800	10,800
i. 75,000 - < 100,000 bins per year	12,560	12,560
j. 100,000 - < 125,000 bins per year	15,700	15,700
k. 125,000 - < 150,000 bins per year	19,630	19,630
l. 150,000 bins per year and greater	23,520	23,520
Fuel and Chemical Storage		
a. < 50,000 bbls	2,080	2,180
b. 50,000 - < 100,000 bbls	4,150	4,300
c. 100,000 - < 500,000 bbls	10,400	11,000
d. 500,000 bbls and greater	20,700	21,800
Hazardous Waste Cleanup Sites		
a. Leaking Underground Storage Tanks (LUST)		
1. State Permit	5,150	5,150
2. NPDES Permit issued pre 7/1/1994	5,150	5,150
3. NPDES Permit issued post 7/1/1994	10,300	10,300
b. Non-LUST Sites		
1. 1 or 2 contaminants of concern	10,070	10,070
2. > 2 contaminants of concern	20,140	20,140
Ink Formulation and Printing		
a. Commercial Print Shops	3,020	3,020
b. Newspapers	5,040	5,040
c. Package Printing	8,060	8,060
d. Ink Formulation	10,070	10,070
Inorganic Chemicals Manufacturing		
a. Lime Products	9,820	9,820
b. Fertilizer	11,820	11,820
c. Peroxide	15,700	15,700
d. Alkaline Earth Salts	19,640	19,640
e. Metal Salts	27,480	27,480
f. Acid Manufacturing	38,940	38,940
g. Chlor-alkali	78,530	78,530
Iron and Steel		
a. Foundries	22,900	22,900
b. Mills	45,940	45,940
Metal Finishing		
a. < 1,000 gpd	2,750	2,750
b. 1,000 - < 10,000 gpd	4,590	4,590
c. 10,000 - < 50,000 gpd	11,470	11,470
d. 50,000 - < 100,000 gpd	22,950	22,950

INDUSTRIAL FACILITY CATEGORIES	FY2024 ANNUAL PERMIT FEE	FY2025 ANNUAL PERMIT FEE
e. 100,000 - < 500,000 gpd	45,900	45,900
f. 500,000 gpd and greater	68,840	68,840
Noncontact Cooling Water with Additives - General Permit		
a. < 1,000 gpd	860	860
b. 1,000 - < 10,000 gpd	1,720	1,720
c. 10,000 - < 50,000 gpd	2,580	2,580
d. 50,000 - < 100,000 gpd	6,010	6,010
e. 100,000 - < 500,000 gpd	10,300	10,300
f. 500,000 - < 1,000,000 gpd	14,600	14,600
g. 1,000,000 - < 2,500,000 gpd	18,900	18,900
h. 2,500,000 - < 5,000,000 gpd	23,190	23,190
i. 5,000,000 gpd and greater	27,480	27,480
Noncontact Cooling Water without Additives - General Permit		
a. < 1,000 gpd	690	690
b. 1,000 - < 10,000 gpd	1,380	1,380
c. 10,000 - < 50,000 gpd	2,060	2,060
d. 50,000 - < 100,000 gpd	4,810	4,810
e. 100,000 - < 500,000 gpd	8,250	8,250
f. 500,000 - < 1,000,000 gpd	11,680	11,680
g. 1,000,000 - < 2,500,000 gpd	15,120	15,120
h. 2,500,000 - < 5,000,000 gpd	18,550	18,550
i. 5,000,000 gpd and greater	21,990	21,990
Noncontact Cooling Water with Additives - Individual Permit		
a. < 1,000 gpd	1,230	1,230
b. 1,000 - < 10,000 gpd	2,000	2,000
c. 10,000 - < 50,000 gpd	3,680	3,680
d. 50,000 - < 100,000 gpd	8,590	8,590
e. 100,000 - < 500,000 gpd	14,720	14,720
f. 500,000 - < 1,000,000 gpd	20,860	20,860
g. 1,000,000 - < 2,500,000 gpd	27,000	27,000
h. 2,500,000 - < 5,000,000 gpd	32,990	32,990
i. 5,000,000 gpd and greater	39,270	39,270
Noncontact Cooling Water without Additives - Individual Permit		
a. < 1,000 gpd	980	980
b. 1,000 - < 10,000 gpd	1,960	1,960
c. 10,000 - < 50,000 gpd	2,950	2,950
d. 50,000 - < 100,000 gpd	6,870	6,870
e. 100,000 - < 500,000 gpd	11,780	11,780
f. 500,000 - < 1,000,000 gpd	16,690	16,690
g. 1,000,000 - < 2,500,000 gpd	21,510	21,510
h. 2,500,000 - < 5,000,000 gpd	26,500	26,500
i. 5,000,000 gpd and greater	31,410	31,410
Nonferrous Metals Forming	22,950	22,950
Ore Mining		

INDUSTRIAL FACILITY CATEGORIES	FY2024 ANNUAL PERMIT FEE	FY2025 ANNUAL PERMIT FEE
a. Ore mining	4,800	4,800
b. Ore mining with physical concentration processes	9,600	9,600
c. Ore mining with physical and chemical concentration processes	38,300	38,300
Organic Chemicals Manufacturing		
a. Fertilizer	19,640	19,640
b. Aliphatic	39,260	39,260
c. Aromatic	58,900	58,900
Petroleum Refining		
a. < 10,000 bbls per day	39,260	39,260
b. 10,000 - < 50,000 bbls per day	77,850	77,850
c. 50,000 bbls per day and greater	157,000	157,000
Photofinishers		
a. < 1,000 gpd	1,570	1,570
b. 1,000 and greater	3,930	3,900
Power and/or Steam Plants		
a. Steam generation - nonelectric	8,300	8,300
b. Hydroelectric	8,300	8,300
c. Nonfossil fuel	12,400	12,400
d. Fossil fuel	33,000	33,000
Pulp, Paper, and Paper Board		
a. Fiber Recyclers/Nonwood Pulp Mills	19,600	19,600
b. Paper Mills	39,250	39,250
c. Groundwood Pulp Mills		
1. < 300 tons per day	58,900	58,900
2. > 300 tons per day	117,800	117,800
d. Chemical Pulps Mills w/o chlorine bleaching	157,070	157,070
e. Chemical Pulp Mills with chlorine bleaching	176,700	176,700
Radioactive Effluents and Discharges (RED)		
a. < 3 waste streams	38,000	38,000
b. 3 - < 8 waste streams	66,000	66,000
c. 8 waste streams and more	108,500	108,500
RCRA Corrective Action Sites	27,600	27,600
Sand and Gravel - General Permit		
a. Mining Activities		
1. Mining, screening, washing, and/or crushing	2,550	2,550
2. Nonoperating	150	150
b. Asphalt Production and Recycling		
1. 0 - < 50,000 tons per year	1,070	1,070
2. 50,000 - < 300,000 tons per year	2,550	2,550
3. 300,000 tons per year and greater	3,180	3,180
4. Nonoperating	150	150
c. Concrete Production and Recycling		
1. 0 - < 25,000 cubic yards per year	1,070	1,070

INDUSTRIAL FACILITY CATEGORIES		FY2024 ANNUAL PERMIT FEE	FY2025 ANNUAL PERMIT FEE
2. 25,000 - < 200,000 cubic yards per year		2,550	2,550
3. 200,000 cubic yards per year and greater		3,180	3,180
4. Nonoperating		150	150
d. Portable Facility			
1. Rock crushing		2,700	2,700
2. Asphalt		2,700	2,700
3. Concrete		2,700	2,700
4. Nonoperating		165	165
Sand and Gravel - Individual Permit			
a. Mining Activities			
1. Mining, screening, washing, and/or crushing		3,580	3,580
2. Nonoperating		175	175
b. Asphalt Production and Recycling			
1. 0 - < 50,000 tons per year		1,550	1,550
2. 50,000 - < 300,000 tons per year		3,580	3,580
3. 300,000 tons per year and greater		4,480	4,480
4. Nonoperating		175	175
c. Concrete Production and Recycling			
1. 0 - < 25,000 cubic yards per year		1,550	1,550
2. 25,000 - < 200,000 cubic yards per year		3,580	3,580
3. 200,000 cubic yards per year and greater		4,480	4,480
4. Nonoperating		175	175
d. Portable Facility			
1. Rock crushing		3,700	3,700
2. Asphalt		3,700	3,700
3. Concrete		3,700	3,700
4. Nonoperating		200	200
<i>The sand and gravel annual fee is the sum of the applicable fees for the permitted activities.</i>			
Seafood Processing			
a. < 1,000 gpd		1,960	1,960
b. 1,000 - < 10,000 gpd		5,000	5,000
c. 10,000 - < 50,000 gpd		8,930	8,930
d. 50,000 - < 100,000 gpd		14,040	14,040
e. 100,000 gpd or greater		19,640	19,640
Shipyards			
a. Per crane, travel lift, small boat lift		4,820	4,820
b. Per drydock under 250 feet in length		4,820	4,820
c. Per graving dock		4,820	4,800
d. Per marine way/ramp		7,230	7,230
e. Per syncolift		7,230	7,230
f. Per drydock 250 feet and over in length		9,640	9,640
g. In-water vessel maintenance		9,640	9,640
<i>The shipyard annual fee is the sum of the fees for applicable subcategories.</i>			

INDUSTRIAL FACILITY CATEGORIES	FY2024 ANNUAL PERMIT FEE	FY2025 ANNUAL PERMIT FEE
Solid Waste Sites (nonstormwater)		
a. Nonputrescible	7,850	7,850
b. < 50 acres	15,700	15,700
c. 50 - < 100 acres	31,410	31,410
d. 100 - < 250 acres	39,260	39,260
e. 250 acres and greater	58,900	58,900
Textile Mills	78,500	78,500
Timber Products		
a. Log Storage	3,930	3,930
b. Veneer	7,850	7,850
c. Sawmills	15,700	15,700
d. Hardwood, Plywood	27,480	27,480
e. Wood Preserving	37,700	37,700
Vegetable/Bulb Washing Facilities		
a. < 1,000 gpd	150	200
b. 1,000 - < 5,000 gpd	280	300
c. 5,000 - < 10,000 gpd	550	600
d. 10,000 - < 20,000 gpd	1,100	1,180
e. 20,000 gpd and greater	1,830	1,930
Vehicle Maintenance and Freight Transfer		
a. < 0.5 acre	3,930	3,930
b. 0.5 - < 1.0 acre	7,850	7,850
c. 1.0 acre and greater	11,780	11,780
Vessel Deconstruction		
a. Base Fee	3,160	3,160
b. On land (per project)	3,550	3,550
c. On barge or drydock (per project)	4,850	4,850
d. In-Water (per project)	18,700	18,700
	<i>The vessel deconstruction annual fee is the sum of the base fee and applicable subcategories.</i>	
Water Plants - General Permit	3,700	3,700
Water Plants - Individual Permit	5,300	5,300
Wineries - General Permit		
a. < 24,999 gpy	300	300
b. 25,000 - < 39,999 gpy	440	440
c. 40,000 - < 54,999 gpy	680	680
d. 55,000 - < 69,999 gpy	910	910
e. 70,000 - < 99,999 gpy	1,150	1,150
f. 100,000 - < 299,999 gpy	1,660	1,660
g. 300,000 - < 699,999 gpy	4,970	4,970
h. 700,000 - < 999,999 gpy	11,600	11,600
i. 1,000,000 - < 1,999,999 gpy	16,600	16,600
j. 2,000,000 gpy and greater	33,200	33,200
Wineries - Individual Permit		
a. < 24,999 gpy	430	430

INDUSTRIAL FACILITY CATEGORIES	FY2024 ANNUAL PERMIT FEE	FY2025 ANNUAL PERMIT FEE
b. 25,000 - < 39,999 gpy	630	630
c. 40,000 - < 54,999 gpy	960	960
d. 55,000 - < 69,999 gpy	1,300	1,300
e. 70,000 - < 99,999 gpy	1,650	1,650
f. 100,000 - < 299,999 gpy	2,370	2,370
g. 300,000 - < 699,999 gpy	7,110	7,110
h. 700,000 - < 999,999 gpy	16,600	16,600
i. 1,000,000 - < 1,999,999 gpy	23,760	23,760
j. 2,000,000 gpy and greater	47,000	47,000

(a) Facilities are assessed a fee or fees that best aligns with the category and subcategory relevant to their water quality discharge. Except for CAFO, RCRA, sand and gravel, shipyard, and vessel deconstruction that operate within multiple fee subcategories, if the facility fits within several categories or subcategories, then the permit holder is assessed the highest fee.

(b) CAFO, fruit packing, sand and gravel, vessel deconstruction and winery permit holders must submit information to the department certifying annual unit amounts or production during the previous calendar year. The permit holder must submit the information to the department by the required due date. Failure to provide this information will result in a fee determination based on the highest subcategory for which the facility has received permit coverage.

(c) Information submitted on the required form must include a signature certifying the information is correct:

- (i) For a corporation, by an authorized corporate officer;
- (ii) For a limited partnership, by an authorized partner;
- (iii) For a general partnership, by an authorized general partner; or
- (iv) For a sole proprietorship, by the proprietor.

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

(e) Fees for fruit packing facilities discharging only noncontact cooling water without additives shall pay the lesser of the applicable fee in the fruit packing or noncontact cooling water without additives categories. Any inactive fruit packing facility shall be assessed the lowest bin per year fee or lowest noncontact cooling water fee, as determined by the department.

(f) Where no clear industrial facility category exists for placement of a permit holder, the department will place the permit holder in a category with dischargers or permit holders that contain or use similar properties or processes or a category that contains similar permitting complexities. If no such category exists, the department will assess the minimum permit fee as specified in this section, until an appropriate permit fee category can be added to the rule.

(g) Hazardous waste cleanup sites and EPA authorized RCRA corrective action sites where the department has begun cost recovery through chapter 70A.305 RCW shall not pay an annual permit fee under this chapter until such time as the cost recovery under chapter 70A.305 RCW ceases.

(h) Any permit holder (with the exception of nonoperating portable facilities and fruit packing operations), who has not been in continuous operation within a consecutive 18-month period to include the assessed fiscal year or who commits to not being in operation for a consecutive 18-month period or longer may request their annual permit fee be reduced to the inactive rate by submitting the required request form. The inactive rate is 25 percent of the annual permit fee that would otherwise be assessed. The inactive status may be verified by the appropriate department staff. After the inactive status for the 18-month period ends, the permit fee returns to the full amount. The permit holder must submit another form to extend the inactive rate for another 18 months.

If a permit holder resumes operations during the 18-month inactive status, the full permit fee is due for that fiscal year. The inactive rate fee paid, will be applied to the full fee due.

(i) 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.

(j) RCRA corrective action sites requiring a waste discharge permit are assessed a separate annual 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.

(4) MUNICIPAL AND DOMESTIC WASTEWATER FACILITIES ANNUAL PERMIT FEE SCHEDULE

The following municipal and domestic wastewater facilities must pay an annual permit fee as follows:

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

Residential Equivalents (RE)	FY2024 Permit Fee	FY2025 Permit Fee
<i>The annual fee is calculated by multiplying the number of REs by the FY per RE rate, for permit holders with 100 or more REs</i> <i>For permit holders with less than 100 REs, a flat fee will be assessed</i>		
Less than 100 REs (Minimum Muni WW Fee)	\$250 flat fee	\$250 flat fee
100 and more REs		
< 250,000 REs	\$3.43 per RE	\$3.43 per RE
Greater than 250,000 REs	\$3.43 per RE	\$3.43 per RE

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

Tiered Flow-Based Fee	FY2024 Annual Permit Fee	FY2025 Annual Permit Fee
.1 MGD and greater	\$12,000	\$12,000
.05 MGD - < .1 MGD	\$6,000	\$6,000
.01 MGD - < .05 MGD	\$3,000	\$3,000
.005 MGD - < .01 MGD	\$1,500	\$1,500
.001 MGD - < .005 MGD	\$750	\$750
Less than .001 MGD	\$375	\$375

(c) Instructions for calculating residential equivalents and reporting flow are provided on annual forms sent by the department to permit holders each year. Permit holders are required to complete and return the forms and any required back-up documentation to the department by the specified due date. Failure to return the annual form and any required back-up documentation will result in a permit fee as determined by the department.

(i) The annual forms must include a signature certifying the provided information is correct:

- (A) For a corporation, by an authorized corporate officer;
- (B) For a limited partnership, by an authorized partner;
- (C) For a general partnership, by an authorized partner;
- (D) For a sole proprietorship, by the proprietor; or
- (E) For a municipal or other public facility, by either a ranking elected official or a principal executive officer.

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

(d) The annual permit fee for a domestic wastewater facility with a Puget Sound nutrient general permit will be calculated at the rate of \$0.31 per residential equivalent per year or the \$250 minimum wastewater fee described in this section, as determined by the department. The number of residential equivalents will be calculated based on information provided on the forms required in this section.

(5) CONSTRUCTION AND INDUSTRIAL STORMWATER ANNUAL PERMIT FEE SCHEDULE

(a) Unless specifically addressed elsewhere in this section, the following construction and industrial stormwater permit holders must pay an annual permit fee as follows:

	FY204 Annual Permit Fee	FY2025 Annual Permit Fee
a. Construction and Industrial Stormwater - Individual Permits		
1. < 50 acres	\$6,250	\$6,350
2. 50 - < 100 acres	12,500	12,750
3. 100 - < 500 acres	18,730	19,030
4. 500 acres and greater	25,500	26,000
b. Industrial Stormwater General Permit (ISGP)		
1. Municipalities and state agencies	2,100	2,100
2. New permit holders who have not previously submitted an annual gross revenue form	1,100	1,100
3. All other ISGP permit holders will have a fee based on the annual gross revenue reporting		
Gross Revenue Subcategories		
Less than \$100,000	200	200
\$100,000 - < \$500,000	500	500
\$500,000 - < \$1,000,000	750	750
\$1,000,000 - < \$2,500,000	1,020	1,020
\$2,500,000 - < \$5,000,000	1,700	1,700
\$5,000,000 - < \$10,000,000	2,540	2,540
\$10,000,000 - < \$15,000,000	3,020	3,020
\$15,000,000 - < \$20,000,000	3,250	3,250

	FY204 Annual Permit Fee	FY2025 Annual Permit Fee
\$20,000,000 and greater	3,400	3,400
c. Construction Stormwater General Permit (CSWGP)		
1. Less than 1 acre	500	500
2. 1 - < 5 acres	780	780
3. 5 - < 7 acres	1,280	1,280
4. 7 - < 10 acres	1,720	1,720
5. 10 - < 20 acres	2,350	2,350
6. 20 - < 50 acres	2,920	2,920
7. 50 - < 100 acres	3,100	3,100
8. 100 - < 500 acres	3,300	3,300
9. 500 - < 1,000 acres	3,500	3,500
10. 1,000 and more acres	3,700	3,700

(b) For industrial stormwater general permit holders assessed fees based on gross revenue, the permit holder must provide gross revenue information on the required form annually. Forms will be provided annually by the department and with a specified due date. Failure to provide this information will result in a fee determination based on the highest subcategory for which the facility has permit coverage. Submitted forms must include a signature certifying the provided information is correct:

- (i) For a corporation, by an authorized corporate officer;
- (ii) For a limited partnership, by an authorized general partner;
- (iii) For a general partnership, by an authorized partner; or
- (iv) For a sole proprietorship, by the proprietor.

(c) The department may verify the information contained in the submitted documentation and, if it determines that the permit holder has made false statements, will revise both current and previous granted fee determinations as appropriate in addition to taking other actions provided by law.

(6) MUNICIPAL STORMWATER ANNUAL PERMIT FEE SCHEDULE

(a) Municipal stormwater phase 1 general permit holders must pay an annual permit fee as follows:

Name of Entity	FY2024 Annual Permit Fee	FY2025 Annual Permit Fee
Clark County	\$72,665	\$76,916
King County	72,665	76,916
Pierce County	72,665	76,916
Seattle, City of	72,665	76,916
Snohomish County	72,665	76,916
Tacoma, City of	72,665	76,916
WSDOT	72,665	76,916

(b) Municipal stormwater phase 2 general permit holders pay a fee for fiscal year 2024 and 2025 based on the most recently available census estimations for median household income for cities and counties as follows:

(i) For cities and counties with a median household income level above the state average, the annual permit fee is \$2.04 per housing unit inside the geographic area covered by the permit, with a not-to-

exceed amount of \$72,665 in fiscal year 2024, and \$76,916 in fiscal year 2025. The minimum annual permit fee is \$3,000.

(ii) For cities and counties with a median household income level below the state average, the annual permit fee is \$1.04 per housing unit inside the geographic area covered by the permit. The minimum annual permit fee is \$150.

(c) Other entities (phase 1 and 2 secondary facilities) with a municipal stormwater general permit must pay an annual permit fee based on the entities' previous calendar year annual operating budget for the facilities covered under the stormwater permit as follows:

Other Entities' Annual Stormwater Facility Operating Budget	FY2024 Annual Permit Fee	FY2025 Annual Permit Fee
Less than \$100,000	\$200	\$200
\$100,000 - < \$1,000,000	805	805
\$1,000,000 - < \$5,000,000	2,010	2,010
\$5,000,000 - < \$10,000,000	3,020	3,020
\$10,000,000 and greater	5,024	5,024

(d) Stormwater permit holders assessed fees under (b) of this subsection must complete an annual form provided by department, certifying the number of housing units served by their system. Permit holders under (c) of this subsection must complete an annual form provided by the department supplying their annual operating budget. The forms must be completed and returned to the department annually within the time frame specified on the forms. Failure to return the form will result in an annual permit fee as determined by the department.

(e) One annual permit fee will be assessed for entities that apply as copermittees or coapplicants and are assigned one permit number. The annual permit fee will be equal to the highest single permit fee that would have been assessed if the copermittees had applied separately. The copermittee responsible for paying annual permit fees will be identified in the permit.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-040, filed 6/29/23, effective 7/30/23; WSR 21-13-150 (Order 19-10), § 173-224-040, filed 6/22/21, effective 7/23/21; WSR 19-14-040 (Order 18-01), § 173-224-040, filed 6/26/19, effective 7/27/19; WSR 17-16-005 (Order 16-11), § 173-224-040, filed 7/20/17, effective 8/20/17; WSR 15-23-110 (Order 15-02), § 173-224-040, filed 11/18/15, effective 12/19/15; WSR 13-22-051 (Order 13-02), § 173-224-040, filed 11/1/13, effective 12/2/13. Statutory Authority: RCW 90.48.465 and 2011 c 50 § 302(2). WSR 11-20-035 (Order 11-02), § 173-224-040, filed 9/27/11, effective 10/28/11. Statutory Authority: RCW 90.48.465. WSR 09-20-020 (Order 09-06), § 173-224-040, filed 9/28/09, effective 10/29/09. Statutory Authority: Chapter 90.48 RCW. WSR 08-16-109 (Order 08-05), § 173-224-040, filed 8/5/08, effective 9/5/08. Statutory Authority: RCW 90.48.465. WSR 06-12-028 (Order 05-17), § 173-224-040, filed 5/30/06, effective 6/30/06; WSR 04-15-046, § 173-224-040, filed 7/13/04, effective 8/13/04. Statutory Authority: Chapter 90.48 RCW. WSR 02-12-059, § 173-224-040, filed 5/30/02, effective 6/30/02; WSR 00-13-010 (Order 00-06), § 173-224-040, filed 6/9/00, effective 7/10/00; WSR 00-02-031 (Order 99-03), § 173-224-040, filed 12/28/99, effective 1/28/00; WSR 98-03-046 (Order 97-27), § 173-224-040, filed 1/15/98, effective 2/15/98; WSR 96-03-041 (Order 94-21), § 173-224-040, filed 1/10/96, effective 2/10/96; WSR 94-10-027 (Order

93-08), § 173-224-040, filed 4/28/94, effective 5/29/94; WSR 92-03-131 (Order 91-45), § 173-224-040, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-040, filed 5/31/89 and 3/13/90, effective 4/13/90.]

WAC 173-224-050 Permit fee computation and payments. (1) The department assesses annual permit fees based on the permit fee schedule in WAC 173-224-040. The department issues invoices at the beginning of the fiscal year to which they apply. The department will notify permit holders of annual permit fee charges by either sending an invoice to the permit holder on record or making the invoice available online. Payments are due by the date on the invoice, which is typically within 45 days of the invoice issue date. The department may elect to invoice the annual permit fee to permit holders on a monthly, quarterly, or other periodic basis. It is the permit holder's responsibility to ensure that the department has the correct billing address on file.

(2) Permit fee computation begins on the first day of each fiscal year. For newly issued permits, fee computation begins on the permit issuance date and shall not fall below the minimum permit fee as specified in WAC 173-224-040(2). 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 61st day after the department accepts a completed application.

(3) For existing NPDES permit holders who submit a renewal permit application or a permit modification request containing information that may change their assigned permit fee, computation and permit fee category reassignment begins on the date the department issues the renewed permit or permit modification.

(4) Any facility that obtains permit coverage but fails to operate is still obligated to pay the annual permit fee assessment in this chapter until the department terminates permit coverage. Permits terminated during the fiscal year will pay the full annual fee assessment regardless of the permit termination date.

(5) Annual permit fees for sand and gravel general permit holders are assessed as in WAC 173-224-040(3) and:

(a) Nonoperating sites. A facility conducting mining, screening, washing or crushing activities, excluding portable rock crushing operations, is considered nonoperating for fee purposes if they are conducting these activities for less than 90 cumulative days during a calendar year. A facility producing or recycling no asphalt or concrete during the calendar year is also considered nonoperating for fee purposes.

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

(c) Fees for continuously active sites that produce or recycle concrete or asphalt, excluding asphalt portable batch plants and concrete portable batch plants, are based on the previous calendar year production totals. Existing facilities must provide the department with the production or recycled totals for concrete or asphalt produced or recycled during the previous calendar year. New facilities

with no historical asphalt or concrete production or recycling data will have their first year fee based on the production or recycling levels reported in the permit application.

(6) Fees for fruit packing general permit holders are assessed as in WAC 173-224-040(3) and are computed based 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 (3)(b). 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 is determined based on the actual production during the first year. Fee calculation for subsequent years will be based on the average production values of previous years.

(7) Facilities with construction and industrial stormwater general permit coverage will have their annual permit fees begin on the permit issuance date.

(8) Annual permit fees continue until the permit has been terminated by the department regardless of whether the activity covered under the permit has already ceased.

(9) Computation of fees shall end on June 30th, the last day of the state's fiscal year regardless of the permit termination date.

(10) The applicable permit fee shall be paid using the department's online payment system or by check or money order payable to the "Department of Ecology" and mailed to the Cashiering Office, P.O. Box 47611, Olympia, Washington 98504-7611.

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

(12) Permit holders are considered delinquent in the payment of annual permit fees if the fees are not received by the first invoice due date. Delinquent accounts are processed in the following manner:

(a) Municipal and government entities and Native American tribes will be notified by regular mail or email that they have 45 days to pay outstanding invoices. Accounts that remain delinquent after 45 days may receive a notice of penalty for nonpayment of fees.

(b) Nonmunicipal or nongovernment permit holders will be notified by the department by regular mail or email that they have 45 days to pay outstanding invoices. Accounts that remain delinquent after 45 days may receive a notice of penalty and may be referred to a collections agency. In addition to the amount owed, the collection agent may add a fee to the delinquent amount owed as authorized by RCW 19.16.500. If the collection agency fails to recover the delinquent fees, the permit holder may receive a permit revocation letter for nonpayment of fees.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-050, filed 6/29/23, effective 7/30/23; WSR 21-13-150 (Order 19-10), § 173-224-050, filed 6/22/21, effective 7/23/21; WSR 19-14-040 (Order 18-01), § 173-224-050, filed 6/26/19, effective 7/27/19; WSR 17-16-005 (Order 16-11), § 173-224-050, filed 7/20/17, effective 8/20/17; WSR 13-22-051 (Order 13-02), § 173-224-050, filed 11/1/13, effective 12/2/13; WSR 09-20-020 (Order 09-06), § 173-224-050, filed 9/28/09, effective 10/29/09. Statutory Authority: Chapter 90.48 RCW. WSR 08-16-109 (Order 08-05), § 173-224-050, filed 8/5/08, effective 9/5/08. Statutory Authority: RCW 90.48.465. WSR 04-15-046, § 173-224-050, filed 7/13/04, effective 8/13/04. Statutory Authority: Chapter 90.48 RCW. WSR 02-12-059, § 173-224-050, filed 5/30/02, effective 6/30/02; WSR 00-02-031 (Order 99-03), § 173-224-050, filed 12/28/99, effective 1/28/00; WSR 98-03-046 (Order 97-27), §

173-224-050, filed 1/15/98, effective 2/15/98; WSR 96-03-041 (Order 94-21), § 173-224-050, filed 1/10/96, effective 2/10/96; WSR 94-10-027 (Order 93-08), § 173-224-050, filed 4/28/94, effective 5/29/94; WSR 92-03-131 (Order 91-45), § 173-224-050, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-050, filed 5/31/89 and 3/13/90, effective 4/13/90.]

WAC 173-224-060 Permits issued by other governmental agencies.

The department shall not charge permit fees for:

(1) Permits issued by a city, town, or municipal corporation under RCW 90.48.165;

(2) Permits issued by the energy facilities site evaluation council under RCW 80.50.071;

(3) Permits administered by the EPA under 33 U.S.C. 1251 et seq.

(4) Nothing herein shall restrict the department from assessing fees to recover administrative expenses of permits it issues under RCW 90.48.160 for discharges into municipal sewer systems, nor for charging fees to recover administrative expenses related to monitoring compliance with delegated pretreatment programs.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-060, filed 6/29/23, effective 7/30/23. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-060, filed 5/31/89 and 3/13/90, effective 4/13/90.]

WAC 173-224-080 Transfer of permit coverage. In the event a permit is transferred, the department shall not refund permit fees. Fees paid by a previous permit holder shall be applied to the corresponding fee payment requirements of a new permit holder. Unpaid permit fees owed by a previous permit holder are the liability of a new permit holder. Fee agreements between a new and previous permit holder are not binding on the department.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-080, filed 6/29/23, effective 7/30/23; WSR 21-13-150 (Order 19-10), § 173-224-080, filed 6/22/21, effective 7/23/21. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-080, filed 5/31/89 and 3/13/90, effective 4/13/90.]

WAC 173-224-090 Permit fee reductions. Facilities covered under the construction stormwater general and individual permits, and the industrial stormwater general permits are not eligible to apply for a fee reduction under this section.

(1) Market research and development.

(a) To qualify for the market research and development fee reduction, the permit holder must be:

(i) A research facility with the primary purpose of researching market viability for products or processes that reduce or eliminate wastewater pollutants or wastewater pollutant generating activity;

(ii) Covered under an individual permit issued within the past three fiscal years; and

(iii) Assessed a fee under an established fee category, excluding facility not otherwise classified.

(b) To receive a fee reduction, the permit holder must apply in a manner prescribed by the department demonstrating that the conditions in (a) of this subsection are met. The application must include a signature certifying the provided information is correct:

- (i) For a corporation, by an authorized corporate officer;
- (ii) For a limited partnership, by an authorized general partner;
- (iii) For a general partnership, by an authorized partner;
- (iv) For a sole proprietorship, by the proprietor; or

(v) For a municipality, state, other public entity, or Native American tribe, by either a principal executive officer or an elected official.

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

(d) If the department determines a permit holder is eligible for a fee reduction under this subsection, the annual permit fee is reduced to 25 percent of the assessed annual permit fee but not less than the minimum permit fee in WAC 173-224-040(2).

(e) A permit holder can only be eligible for a market research and development reduction for three consecutive fiscal years.

(2) Small business fee reduction.

(a) To qualify for the small business fee reduction, a business must meet all of the following conditions:

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

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

(iii) Have annual sales of \$1,000,000 or less of the goods or services produced using the processes regulated by the waste discharge or individual stormwater discharge permit; and

(iv) Have an original annual permit fee assessment totaling \$500 or greater.

(b) To receive a small business fee reduction, the permit holder must apply in a manner prescribed by the department demonstrating that the conditions in this subsection are met. The application must include a signature certifying the information provided is correct:

- (i) For a corporation, by an authorized corporate officer;
- (ii) For a limited partnership, by an authorized general partner;
- (iii) For a general partnership, by an authorized partner; or
- (iv) For a sole proprietorship, by the proprietor.

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

(d) If the department determines a permit holder is eligible under this subsection, the annual permit fee is reduced to 50 percent of the assessed annual permit fee but not less than the minimum permit fee in WAC 173-224-040(2).

(3) Extreme hardship fee reduction.

(a) Any small business with annual gross revenue totaling \$100,000 or less from goods and services produced using the processes regulated by the discharge permit may apply in a manner prescribed by the department for an extreme hardship fee reduction.

(b) To receive an extreme hardship fee reduction, the permit holder must provide sufficient evidence to support its claim of hardship and demonstrate that the conditions in this subsection are met. The application must have a signature certifying that the information provided is correct and be signed:

- (i) For a corporation, by an authorized corporate officer;
- (ii) For a limited partnership, by an authorized general partner;
- (iii) For a general partnership, by an authorized partner; or
- (iv) For a sole proprietorship, by the proprietor.

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

(d) If the department determines a permit holder is eligible under this subsection, the annual permit fee is reduced to the minimum annual permit fee specified in WAC 173-224-040(2).

(4) Hazardous waste cleanup hardship reduction.

(a) Any former small business that is currently assessed a hazardous waste cleanup sites fee and no longer operates as a small business on the cleanup site, may apply in a manner prescribed by the department to have their assessed fee reduced. The permit holder must provide sufficient evidence to support its claim of hardship and demonstrate that the conditions in this subsection are met. The application must have a signature certifying the information provided is correct and be signed:

- (i) For a corporation, by an authorized corporate officer;
- (ii) For a limited partnership, by an authorized general partner;
- (iii) For a general partnership, by an authorized partner; or
- (iv) For a sole proprietorship, by the proprietor.

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

(c) If the department determines a permit holder is eligible under this subsection, the annual permit fee is reduced to \$500.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-090, filed 6/29/23, effective 7/30/23; WSR 21-13-150 (Order 19-10), § 173-224-090, filed 6/22/21, effective 7/23/21; WSR 19-14-040 (Order 18-01), § 173-224-090, filed 6/26/19, effective 7/27/19; WSR 13-22-051 (Order 13-02), § 173-224-090, filed 11/1/13, effective 12/2/13. Statutory Authority: RCW 90.48.465 and 2011 c 50 § 302(2). WSR 11-20-035 (Order 11-02), § 173-224-090, filed 9/27/11, effective 10/28/11. Statutory Authority: RCW 90.48.465. WSR 09-20-020 (Order 09-06), § 173-224-090, filed 9/28/09, effective 10/29/09. Statutory Authority: Chapter 90.48 RCW. WSR 08-16-109 (Order 08-05), § 173-224-090, filed 8/5/08, effective 9/5/08. Statutory Authority: RCW 90.48.465. WSR 04-15-046, § 173-224-090, filed 7/13/04, effective 8/13/04. Statutory Authority: Chapter 90.48 RCW. WSR 96-03-041 (Order 94-21), § 173-224-090, filed 1/10/96, effective 2/10/96; WSR 94-10-027 (Order 93-08), § 173-224-090, filed 4/28/94, effective 5/29/94; WSR 92-03-131 (Order 91-45), § 173-224-090, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-090, filed 5/31/89 and 3/13/90, effective 4/13/90.]

WAC 173-224-100 Administrative appeals to the department. Any person aggrieved by a determination made under this chapter by the department may file a written appeal to the department no later than each fiscal year's first billing due date for payment of fees. Such appeal shall state the reasons that the aggrieved person believes that the department's determination is contrary to the requirements of RCW 90.48.465, and specific actions they are requesting that are consistent with those requirements. The department shall either issue a revised determination or a statement upholding the original determination. A revised determination shall be consistent with the requirements of RCW 90.48.465. Any person feeling aggrieved by the administrative appeals decision made by the department regarding their permit fee may obtain review thereof by filing an appeal with the pollution control hearings board, within 30 days of receipt of the department's decision. In addition, a copy of the appeal must be served on the Department of Ecology, Attention: Water Quality Program Permit Fee Unit, P.O. Box 47600, Olympia, Washington 98504-7696, within 30 days of receipt. These procedures are consistent with the provisions of chapter 43.21B RCW and the rules and regulations adopted thereunder.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-100, filed 6/29/23, effective 7/30/23; WSR 19-14-040 (Order 18-01), § 173-224-100, filed 6/26/19, effective 7/27/19. Statutory Authority: Chapter 90.48 RCW. WSR 08-16-109 (Order 08-05), § 173-224-100, filed 8/5/08, effective 9/5/08. Statutory Authority: Chapter 90.48 RCW. WSR 94-10-027 (Order 93-08), § 173-224-100, filed 4/28/94, effective 5/29/94; WSR 92-03-131 (Order 91-45), § 173-224-100, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-100, filed 5/31/89 and 3/13/90, effective 4/13/90.]

WAC 173-224-110 Deposits. The department shall deposit permit fee payments in the water quality permit account in the state treasury. Funds collected shall not be available for use by the department until appropriated by the legislature.

[Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-110, filed 5/31/89 and 3/13/90, effective 4/13/90.]