

WAC 173-455-031 Process to update fees. (1) New source review and other air permitting fees for year 2024 and beyond.

(a) Fee schedule:

(i) Starting in 2023, ecology must prepare an annual budget that reflects the cost of the program;

(ii) Ecology will base the budget on the program costs per RCW 70A.15.2210(2);

(iii) Ecology may choose to establish fees to cover program costs for a two-year period;

(iv) If increases of permitting fees are necessary, ecology must evenly distribute the increased program cost as a percentage of the increased costs across all sources subject to the program.

(b) Public notice. Except as provided by subsection (3) of this section, ecology must:

(i) Post the draft budget and draft new source review and other air quality permitting fee schedule on ecology's website by August 1st of the year before the fee schedule goes into effect.

(ii) Provide a 30-day public comment period on the draft budget and draft fee schedule.

(iii) Post the final budget and fee schedule on ecology's website by December 1st of the year before the fee schedule goes into effect.

(2) Carbon dioxide mitigation fees for year 2024 and beyond.

(a) Fee schedule:

(i) Starting in 2023, ecology must prepare an annual budget that reflects the cost of the program;

(ii) Ecology will base the budget on the program costs per RCW 70A.15.6270(3);

(iii) Ecology may choose to establish fees to cover program costs for a two-year period;

(iv) If increases of carbon dioxide mitigation fees are necessary, ecology must evenly distribute the increased program cost as a percentage of the increased costs across all sources subject to the program.

(b) Public notice. Except as provided by subsection (3) of this section, ecology must:

(i) Post the draft budget and draft carbon dioxide mitigation fee schedule on ecology's website by August 1st of the year before the fee schedule goes into effect.

(ii) Provide a 30-day public comment period on the draft budget and draft fee schedule.

(iii) Post the final budget and fee schedule on ecology's website by December 1st of the year before the fee schedule goes into effect.

(3) If a change of permitting fees and/or carbon dioxide mitigation fees is not necessary, ecology may post notice of its determination that a fee change is not necessary in lieu of posting the draft fee schedule as required by subsections (1)(b) and (2)(b) of this section.

[Statutory Authority: RCW 70A.15.2210, 70A.15.2230, and 70A.15.6270. WSR 23-07-014 (Order 21-08), § 173-455-031, filed 3/3/23, effective 7/1/23.]