RCW 70A.15.1010 Air pollution control account—Air operating permit account. (1) The air pollution control account is established in the state treasury. All receipts collected by or on behalf of the department from RCW 70A.15.2200(2), and receipts from nonpermit program sources under RCW 70A.15.2210(1) and 70A.15.2230(7), and all receipts from RCW 70A.15.5090, 70A.15.5120, 70A.540.120, and 70A.540.130 shall be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only to develop and implement the provisions of this chapter, chapters 70A.25 and 70A.540 RCW, and RCW 70A.60.060. Moneys collected under RCW 70A.540.120 and 70A.540.130 may only be used to implement chapter 70A.540 RCW.

(2) The amounts collected and allocated in accordance with this section shall be expended upon appropriation except as otherwise provided in this section and in accordance with the following limitations:

Portions of moneys received by the department of ecology from the air pollution control account shall be distributed by the department to local authorities based on:

(a) The level and extent of air quality problems within such authority's jurisdiction;

(b) The costs associated with implementing air pollution regulatory programs by such authority; and

(c) The amount of funding available to such authority from other sources, whether state, federal, or local, that could be used to implement such programs.

(3) The air operating permit account is created in the custody of the state treasurer. All receipts collected by or on behalf of the department from permit program sources under RCW 70A.15.2210(1), 70A.15.2260, 70A.15.2270, and 70A.15.2230(7) shall be deposited into the account. Expenditures from the account may be used only for the activities described in RCW 70A.15.2210(1), 70A.15.2260, 70A.15.2270, and 70A.15.2230(7). Moneys in the account may be spent only after appropriation. During the 2025-2027 fiscal biennium, the legislature may direct the state treasurer to make transfers of money in the air operating permit account to the general fund. [2026 c 268 s 934; 2026 c 87 s 3; 2022 c 179 s 16; 2021 c 315 s 13; 2020 c 20 s 1080; 2019 c 284 s 6; 1998 c 321 s 33 (Referendum Bill No. 49, approved November 3, 1998); 1993 c 252 s 1; 1991 c 199 s 228. Formerly RCW 70.94.015.]

Reviser's note: This section was amended by 2026 c 87 s 3 and by 2026 c 268 s 934, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2026 c 268: See note following RCW 28B.15.210.

Finding—Intent—2019 c 284: See note following RCW 70A.60.060.

Purpose—Severability—1998 c 321: See notes following RCW 82.14.045.

Contingent effective dates—1998 c 321 ss 23-42: See note following RCW 35.58.410.

Finding—1991 c 199: See note following RCW 70A.15.1005.