Chapter 173-224 WAC
WATER QUALITY PERMIT FEES

(Formerly chapter 173-222 WAC)

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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 Repealed by WSR 96-03-041 (Order 94-21), filed 1/10/96, effective 2/10/96.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 Repealed by WSR 08-16-109 (Order 08-05), filed 8/5/08, effective 9/5/08.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 authorizes the department to base fees on factors related to the complexity of permit issuance and compliance and to charge 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. The department shall continue to examine the feasibility of adopting, when applicable, 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: 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, 90.48.200 or 90.48.260, including persons holding permits that remain in effect under WAC 173-216-040, 173-220-180(5), 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 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. "Administrative expenses" means those costs associated with issuing and administering permits under RCW 90.48.160, 90.48.162, and 90.48.260.

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

"Animal unit" means the following:

Animal Type	Number of Animals per Animal Unit
Dairy Cows	
Jersey Breed	
Milking Cow	0.900
Dry Cow	0.900
Heifer	0.220
Calf	0.220
Other Breeds	
Milking Cow	1.400
Dry Cow	1.000
Heifer	0.800
Calf	0.500
Feedlot Beef	0.877
Horses	0.500
Sheep	0.100
Swine for breeding	0.375
Swine for slaughter	0.110
Laying hens & pullets > 3 months	0.004
Broilers & pullets < 3 months	0.002

For those concentrated animal feeding operations not listed on the above table, the department will use 1,000 pounds of live animal weight and the weight of the type of animal in determining the number of animal units.

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

"bbls/d" means barrels per day of feedstock for petroleum refineries.

"bins/yr" 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 x 47.4 inches x 29.5 inches and hold approximately 870 pounds of fruit.

"Chemical pulp mill w/chlorine bleaching" means any pulp mill that uses chlorine or chlorine compounds in their bleaching process.

"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.

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

"Combined sewer overflow (CSO)" means the event during which excess combined sewage flow caused by inflow is discharged from a combined sewer, rather than conveyed to the sewage treatment plant because either the capacity of the treatment plant or the combined sewer is exceeded.

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

"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 BTEX).

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

"cu. yds/yr" means the cubic yards per year for total production from a sand and gravel facility during the most recent completed calendar year.

"Department" means the department of ecology.

"Director" means the director of the department of ecology.

"Disturbed acres" means the total area which will be disturbed during all phases of the construction project or common plan of development or sale. This includes all clearing, grading, and excavating, and any other activity which disturbs the surface of the land.

"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.

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

"EPA" means the United States Environmental Protection Agency.

"Fin fish rearing and hatching" means the raising of fin fish for fisheries enhancement or sale, by means of hatcheries, net pens, or other confined fish facilities.

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

"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.

"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.

"gpy" means gallons per year and is used to calculate winery production levels for the most recent completed calendar year.

"Gross revenue for business" means the gross income from Washington business activities.

"Hazardous waste clean up 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.

"Industrial facility" means any facility not included in the definition of municipal/domestic facility.

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

"Industrial stormwater" means a stormwater discharge from an operation required to be covered under ecology's NPDES and state waste discharge general permit for stormwater discharges associated with industrial activities or modifications to that permit or having an individual wastewater permit for stormwater only.

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

"Median household income" means the most recent available census data, updated yearly based on inflation rates as measured by the Federal Bureau of Labor Statistics and published as the Consumer Price Index.

"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.

"MGD" means million gallons per day.

"Municipal/domestic facility" means a publicly owned facility treating domestic wastewater together with any industrial wastes that may be present, or a privately owned facility treating solely domestic wastewater.

"Municipal gross revenue" means gross receipts from monthly, bimonthly, and/or quarterly user charges for sewer services received from all classes of customers;

Included in these user charges are user charges and fees based on wastewater constituents' strengths and characteristics including high-strength surcharges and charges based on biochemical oxygen demand, suspended solids, oil and grease, toxicants, heavy metals, and flow, etc.

Municipal gross revenue includes charges for receipt and treatment of septic tank wastes, holding tank wastes, chemical toilet wastes, etc.

Municipal gross revenue includes all amounts received from other municipalities for sewage interception, treatment, collection, or disposal.

Gross revenue excludes:

Amounts derived by municipalities directly from taxes levied for the support or maintenance of sewer services.

Late charges, penalties for nontimely payment by customers, interest on late payments, and all other penalties and fines.

Permit fees and compliance monitoring fees for wastewater discharge permits issued by municipalities with local pretreatment pro-

grams. Permit fees which are charged to cover the cost of providing sewer service are not excluded from municipal gross revenue.

Receipts by a municipality of special assessments or installments thereof and interests and penalties thereon, and charges in lieu of assessments.

Connection charges.

Revenues from sales of by-products such as sludge, processed wastewater, etc.

"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 an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under 33 U.S.C. Sec. 1288. State government agencies are not included in this definition.

"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 which may contain chemicals or additives added by the permittee to control corrosion or fouling of the cooling system.

"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, and which does not contain chemicals added by the permittee. The noncontact cooling water fee without additives category applies to those facilities which discharge only noncontact cooling water and which have no other wastewater discharges required to be permitted under RCW 90.48.160, 90.48.162, and 90.48.260.

"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).

"Nonoperating sand and gravel site" means a location where previous mining or processing has occurred; that has not been fully reclaimed; that conducts mining or processing fewer than ninety 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.

"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.

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

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

"RCRA" means Resource Conservation Recovery Act clean up 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.

"Residential equivalent" 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 charg-

es, and/or the number of single-family residences that it serves, "residential equivalent" means an influent flow of two hundred fifty gallons per day.

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

"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.

"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.

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

"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)(2)(E).

"Tons/yr." means the total production from an asphalt production facility in tons during the most recent completed calendar year.

"Vegetable/bulb washing" means washing, packing, and/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 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 the annual fee, first time applicants (except those applying for coverage under a general permit) will pay a one time application fee of twenty-five percent of the annual permit fee, or $250.00, whichever is greater. An application fee is assessed for RCRA 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) INDUSTRIAL FACILITY CATEGORIES.

INDUSTRIAL FACILITY CATEGORIES	FY 2022 ANNUAL PERMIT FEE	FY 2023 ANNUAL PERMIT FEE & BEYOND
Aluminum Alloys	$22,950.00	$22,950.00
Aluminum and Magnesium Reduction Mills		
a. NPDES Permit	115,785.00	115,785.00
b. State Permit	57,895.00	57,895.00
Aluminum Forming	68,850.00	68,850.00
Aquaculture		
a. Finfish hatching and rearing - Individual Permit	5,889.00	5,889.00
b. Finfish hatching and rearing - General Permit Coverage	4,125.00	4,125.00
c. Shellfish hatching	223.00	223.00
Aquatic Pest Control		
a. Irrigation Districts	682.00	682.00
b. Mosquito Control Districts	682.00	682.00
c. Invasive Moth Control	682.00	682.00
d. Aquatic Species Control & Eradication	682.00	682.00
e. Oyster Growers	682.00	682.00
f. Rotenone Control	682.00	682.00
Boat Yards - Individual Permit Coverage		
a. With stormwater only discharge	588.00	588.00
b. All others	1,173.00	1,173.00
Boat Yards - General Permit Coverage		
a. With stormwater only discharge	537.00	537.00
b. All others	1,087.00	1,087.00
Bridge Washing		
a. Single-site Permit	4,047.00	4,047.00
b. WSDOT Annual Fee	13,450.00	13,450.00
Coal Mining and Preparation		
a. < 200,000 tons per year	9,175.00	9,175.00
b. 200,000 - < 500,000 tons per year	20,657.00	20,657.00
c. 500,000 - < 1,000,000 tons per year	36,718.00	36,718.00
d. 1,000,000 tons per year and greater	68,850.00	68,850.00
Combined Industrial Waste Treatment		
a. < 10,000 gpd	3,972.00	3,972.00
b. 10,000 - < 50,000 gpd	9,816.00	9,816.00
c. 50,000 - < 100,000 gpd	19,636.00	19,636.00
d. 100,000 - < 500,000 gpd	39,266.00	39,266.00
e. 500,000 gpd and greater	58,901.00	58,901.00
Combined Food Processing Waste Treatment Facilities	18,797.00	18,797.00
Combined Sewer Overflow System		
a. < 50 acres	3,927.00	3,927.00
b. 50 - < 100 acres	9,816.00	9,816.00
c. 100 - < 500 acres	11,783.00	11,783.00
d. 500 acres and greater	15,704.00	15,704.00
Commercial Laundry	555.00	555.00
Concentrated Animal Feeding Operation		
a. Nondairy CAFOs		

INDUSTRIAL FACILITY CATEGORIES	FY 2022 ANNUAL PERMIT FEE	FY 2023 ANNUAL PERMIT FEE & BEYOND
1. < 200 Animal Units	308.00	308.00
2. 200 - < 400 Animal Units	772.00	772.00
3. 400 - < 600 Animal Units	1,546.00	1,546.00
4. 600 - < 800 Animal Units	2,317.00	2,317.00
5. 800 Animal Units and greater	3,094.00	3,094.00
b. Dairy CAFOs $.50 per Animal Unit for FY 2022, FY 2023 and beyond, not to exceed $2,076.00		
Facilities Not Otherwise Classified - Individual Permit Coverage		
a. < 1,000 gpd	1,963.00	1,963.00
b. 1,000 - < 10,000 gpd	3,927.00	3,927.00
c. 10,000 - < 50,000 gpd	9,817.00	9,817.00
d. 50,000 - < 100,000 gpd	15,704.00	15,704.00
e. 100,000 - < 500,000 gpd	31,258.00	31,258.00
f. 500,000 - < 1,000,000 gpd	39,266.00	39,266.00
g. 1,000,000 gpd and greater	58,900.00	58,900.00
Flavor Extraction		
a. Steam Distillation	202.00	202.00
Food Processing		
a. < 1,000 gpd	1,961.00	1,961.00
b. 1,000 - < 10,000 gpd	5,003.00	5,003.00
c. 10,000 - < 50,000 gpd	8,934.00	8,934.00
d. 50,000 - < 100,000 gpd	14,036.00	14,036.00
e. 100,000 - < 250,000 gpd	19,633.00	19,633.00
f. 250,000 - < 500,000 gpd	25,819.00	25,819.00
g. 500,000 - < 750,000 gpd	32,393.00	32,393.00
h. 750,000 - < 1,000,000 gpd	39,266.00	39,266.00
i. 1,000,000 - < 2,500,000 gpd	48,374.00	48,374.00
j. 2,500,000 - < 5,000,000 gpd	53,993.00	53,993.00
k. 5,000,000 gpd and greater	58,901.00	58,901.00
Fruit Packing - Individual Permit Coverage		
a. 0 - < 1,000 bins/yr.	392.00	392.00
b. 1,000 - < 5,000 bins/yr.	786.00	786.00
c. 5,000 - < 10,000 bins/yr.	1,570.00	1,570.00
d. 10,000 - < 15,000 bins/yr.	3,144.00	3,144.00
e. 15,000 - < 20,000 bins/yr.	5,199.00	5,199.00
f. 20,000 - < 25,000 bins/yr.	7,264.00	7,264.00
g. 25,000 - < 50,000 bins/yr.	9,717.00	9,717.00
h. 50,000 - < 75,000 bins/yr.	10,800.00	10,800.00
i. 75,000 - < 100,000 bins/yr.	12,564.00	12,564.00
j. 100,000 - < 125,000 bins/yr.	15,704.00	15,704.00
k. 125,000 - < 150,000 bins/yr.	19,633.00	19,633.00
l. 150,000 bins/yr. and greater	23,524.00	23,524.00
Fruit Packing - General Permit Coverage		
a. 0 - < 1,000 bins/yr.	274.00	274.00
b. 1,000 - < 5,000 bins/yr.	550.00	550.00

INDUSTRIAL FACILITY CATEGORIES	FY 2022 ANNUAL PERMIT FEE	FY 2023 ANNUAL PERMIT FEE & BEYOND
c. 5,000 - < 10,000 bins/yr.	1,100.00	1,100.00
d. 10,000 - < 15,000 bins/yr.	2,201.00	2,201.00
e. 15,000 - < 20,000 bins/yr.	3,643.00	3,643.00
f. 20,000 - < 25,000 bins/yr.	5,085.00	5,085.00
g. 25,000 - < 50,000 bins/yr.	6,800.00	6,800.00
h. 50,000 - < 75,000 bins/yr.	7,557.00	7,557.00
i. 75,000 - < 100,000 bins/yr.	8,788.00	8,788.00
j. 100,000 - < 125,000 bins/yr.	10,997.00	10,997.00
k. 125,000 - < 150,000 bins/yr.	13,744.00	13,744.00
l. 150,000 bins/yr. and greater	16,491.00	16,491.00
Fuel and Chemical Storage		
a. < 50,000 bbls	1,963.00	1,963.00
b. 50,000 - < 100,000 bbls	3,927.00	3,927.00
c. 100,000 - < 500,000 bbls	9,816.00	9,816.00
d. 500,000 bbls and greater	19,636.00	19,636.00
Hazardous Waste Clean Up Sites		
a. Leaking Underground Storage Tanks (LUST)		
1. State Permit	5,149.00	5,149.00
2. NPDES Permit Issued pre 7/1/94	5,148.00	5,148.00
3. NPDES Permit Issued post 7/1/94	10,298.00	10,298.00
b. Non-LUST Sites		
1. 1 or 2 Contaminants of concern	10,069.00	10,069.00
2. > 2 Contaminants of concern	20,137.00	20,137.00
Ink Formulation and Printing		
a. Commercial Print Shops	3,021.00	3,021.00
b. Newspapers	5,035.00	5,035.00
c. Box Plants	8,055.00	8,055.00
d. Ink Formulation	10,070.00	10,070.00
Inorganic Chemicals Manufacturing		
a. Lime Products	9,816.00	9,816.00
b. Fertilizer	11,816.00	11,816.00
c. Peroxide	15,704.00	15,704.00
d. Alkaline Earth Salts	19,636.00	19,636.00
e. Metal Salts	27,482.00	27,482.00
f. Acid Manufacturing	38,942.00	38,942.00
g. Chlor-alkali	78,533.00	78,533.00
Iron and Steel		
a. Foundries	22,950.00	22,950.00
b. Mills	45,939.00	45,939.00
Metal Finishing		
a. < 1,000 gpd	2,751.00	2,751.00
b. 1,000 - < 10,000 gpd	4,587.00	4,587.00
c. 10,000 - < 50,000 gpd	11,470.00	11,470.00
d. 50,000 - < 100,000 gpd	22,949.00	22,949.00
e. 100,000 - < 500,000 gpd	45,894.00	45,894.00

INDUSTRIAL FACILITY CATEGORIES	FY 2022 ANNUAL PERMIT FEE	FY 2023 ANNUAL PERMIT FEE & BEYOND
f. 500,000 gpd and greater	68,845.00	68,845.00
Noncontact Cooling Water With Additives - Individual Permit Coverage		
a. < 1,000 gpd	1,229.00	1,229.00
b. 1,000 - < 10,000 gpd	1,716.00	1,716.00
c. 10,000 - < 50,000 gpd	3,685.00	3,685.00
d. 50,000 - < 100,000 gpd	8,593.00	8,593.00
e. 100,000 - < 500,000 gpd	14,721.00	14,721.00
f. 500,000 - < 1,000,000 gpd	20,863.00	20,863.00
g. 1,000,000 - < 2,500,000 gpd	27,001.00	27,001.00
h. 2,500,000 - < 5,000,000 gpd	32,993.00	32,993.00
i. 5,000,000 gpd and greater	39,266.00	39,266.00
Noncontact Cooling Water With Additives - General Permit Coverage		
a. < 1,000 gpd	861.00	861.00
b. 1,000 - < 10,000 gpd	1,716.00	1,716.00
c. 10,000 - < 50,000 gpd	2,579.00	2,579.00
d. 50,000 - < 100,000 gpd	6,015.00	6,015.00
e. 100,000 - < 500,000 gpd	10,307.00	10,307.00
f. 500,000 - < 1,000,000 gpd	14,606.00	14,606.00
g. 1,000,000 - < 2,500,000 gpd	18,899.00	18,899.00
h. 2,500,000 - < 5,000,000 gpd	23,191.00	23,191.00
i. 5,000,000 gpd and greater	27,484.00	27,484.00
Noncontact Cooling Water Without Additives - Individual Permit Coverage		
a. < 1,000 gpd	984.00	984.00
b. 1,000 - < 10,000 gpd	1,963.00	1,963.00
c. 10,000 - < 50,000 gpd	2,948.00	2,948.00
d. 50,000 - < 100,000 gpd	6,874.00	6,874.00
e. 100,000 - < 500,000 gpd	11,783.00	11,783.00
f. 500,000 - < 1,000,000 gpd	16,687.00	16,687.00
g. 1,000,000 - < 2,500,000 gpd	21,511.00	21,511.00
h. 2,500,000 - < 5,000,000 gpd	26,503.00	26,503.00
i. 5,000,000 gpd and greater	31,414.00	31,414.00
Noncontact Cooling Water Without Additives - General Permit Coverage		
a. < 1,000 gpd	688.00	688.00
b. 1,000 - < 10,000 gpd	1,377.00	1,377.00
c. 10,000 - < 50,000 gpd	2,064.00	2,064.00
d. 50,000 - < 100,000 gpd	4,811.00	4,811.00
e. 100,000 - < 500,000 gpd	8,246.00	8,246.00
f. 500,000 - < 1,000,000 gpd	11,683.00	11,683.00
g. 1,000,000 - < 2,500,000 gpd	15,117.00	15,117.00
h. 2,500,000 - < 5,000,000 gpd	18,554.00	18,554.00
i. 5,000,000 gpd and greater	21,987.00	21,987.00
Nonferrous Metals Forming	22,950.00	22,950.00
Ore Mining		
a. Ore Mining	4,588.00	4,588.00
b. Ore mining with physical concentration processes	9,177.00	9,177.00

INDUSTRIAL FACILITY CATEGORIES	FY 2022 ANNUAL PERMIT FEE	FY 2023 ANNUAL PERMIT FEE & BEYOND
c. Ore mining with physical and chemical concentration processes	36,718.00	36,718.00
Organic Chemicals Manufacturing		
a. Fertilizer	19,636.00	19,636.00
b. Aliphatic	39,266.00	39,266.00
c. Aromatic	58,901.00	58,901.00
Petroleum Refining		
a. < 10,000 bbls/d	39,266.00	39,266.00
b. 10,000 - < 50,000 bbls/d	77,853.00	77,853.00
c. 50,000 bbls/d and greater	157,075.00	157,075.00
Photofinishers		
a. < 1,000 gpd	1,570.00	1,570.00
b. 1,000 gpd and greater	3,927.00	3,927.00
Power and/or Steam Plants		
a. Steam Generation - Nonelectric	7,924.00	7,924.00
b. Hydroelectric	7,924.00	7,924.00
c. Nonfossil Fuel	11,781.00	11,781.00
d. Fossil Fuel	31,414.00	31,414.00
Pulp, Paper and Paper Board		
a. Fiber Recyclers/Nonwood Pulp Mills	19,632.00	19,632.00
b. Paper Mills	39,266.00	39,266.00
c. Groundwood Pulp Mills		
1. < 300 tons per day	58,901.00	58,901.00
2. > 300 tons per day	117,813.00	117,813.00
d. Chemical Pulp Mills w/o Chlorine Bleaching	157,068.00	157,068.00
e. Chemical Pulp Mills w/Chlorine Bleaching	176,697.00	176,697.00
Radioactive Effluents and Discharges (RED)		
a. < 3 waste streams	37,986.00	37,986.00
b. 3 - < 8 waste streams	65,965.00	65,965.00
c. 8 waste streams and greater	108,648.00	108,648.00
RCRA Corrective Action Sites	27,597.00	27,597.00
Sand and Gravel - Individual Permit Coverage		
a. Mining Activities		
1. Mining, screening, washing and/or crushing	3,581.00	3,581.00
2. Nonoperating site (fee per site)	147.00	147.00
b. Asphalt Production		
1. 1 - < 50,000 tons/yr.	1,492.00	1,492.00
2. 50,000 - < 300,000 tons/yr.	3,582.00	3,582.00
3. 300,000 tons/yr. and greater	4,480.00	4,480.00
4. Nonoperating Asphalt	147.00	147.00
c. Concrete Production		
1. 1 - < 25,000 cu. yds/yr.	1,492.00	1,492.00
2. 25,000 - < 200,000 cu. yds/yr.	3,582.00	3,582.00

INDUSTRIAL FACILITY CATEGORIES	FY 2022 ANNUAL PERMIT FEE	FY 2023 ANNUAL PERMIT FEE & BEYOND
3. 200,000 cu. yds/yr. and greater	4,480.00	4,480.00
4. Nonoperating Concrete	147.00	147.00
The fee for a facility in the sand and gravel production category is the sum of the applicable fees in the mining activities and concrete and asphalt production categories.		
d. Portable Operations		
1. Rock Crushing	3,581.00	3,581.00
2. Asphalt	3,581.00	3,581.00
3. Concrete	3,581.00	3,581.00
4. Nonoperating Site	147.00	147.00
Sand and Gravel - General Permit Coverage		
a. Mining Activities		
1. Mining, screening, washing and/or crushing	2,505.00	2,505.00
2. Nonoperating site (fee per site)	103.00	103.00
b. Asphalt Production		
1. 0 - < 50,000 tons/yr.	1,046.00	1,046.00
2. 50,000 - < 300,000 tons/yr.	2,507.00	2,507.00
3. 300,000 tons/yr. and greater	3,135.00	3,135.00
4. Nonoperating Asphalt	103.00	103.00
c. Concrete Production		
1. 0 - < 25,000 cu. yds/yr.	1,046.00	1,046.00
2. 25,000 - < 200,000 cu. yds/yr.	2,507.00	2,507.00
3. 200,000 cu. yds/yr. and greater	3,135.00	3,135.00
4. Nonoperating Concrete	103.00	103.00
The fee for a facility in the sand and gravel production category is the sum of the applicable fees in the mining activities and concrete and asphalt production categories.		
d. Portable Operations		
1. Rock Crushing	2,507.00	2,507.00
2. Asphalt	2,507.00	2,507.00
3. Concrete	2,507.00	2,507.00
4. Nonoperating	103.00	103.00
Seafood Processing		
a. < 1,000 gpd	1,963.00	1,963.00
b. 1,000 - < 10,000 gpd	5,003.00	5,003.00
c. 10,000 - < 50,000 gpd	8,934.00	8,934.00
d. 50,000 - < 100,000 gpd	14,036.00	14,036.00
e. 100,000 gpd and greater	19,636.00	19,636.00
Shipyards		
a. Per crane, travel lift, small boat lift	4,588.00	4,588.00
b. Per drydock under 250 ft in length	4,588.00	4,588.00
c. Per graving dock	4,588.00	4,588.00
d. Per marine way/ramp	6,882.00	6,882.00
e. Per syncrolift	6,882.00	6,882.00
f. Per drydock 250 ft and over in length	9,177.00	9,177.00
g. In-water vessel maintenance	9,177.00	9,177.00

INDUSTRIAL FACILITY CATEGORIES	FY 2022 ANNUAL PERMIT FEE	FY 2023 ANNUAL PERMIT FEE & BEYOND
The fee for a facility in the shipyard category is the sum of the fees for the applicable units in the facility.		
Solid Waste Sites (nonstormwater)		
a. Nonputrescible	7,850.00	7,850.00
b. < 50 acres	15,703.00	15,703.00
c. 50 - < 100 acres	31,414.00	31,414.00
d. 100 - < 250 acres	39,266.00	39,266.00
e. 250 acres and greater	58,901.00	58,901.00
Textile Mills	78,533.00	78,533.00
Timber Products		
a. Log Storage	3,927.00	3,927.00
b. Veneer	7,850.00	7,850.00
c. Sawmills	15,704.00	15,704.00
d. Hardwood, Plywood	27,482.00	27,482.00
e. Wood Preserving	37,706.00	37,706.00
Vegetable/Bulb Washing Facilities		
a. < 1,000 gpd	130.00	130.00
b. 1,000 - < 5,000 gpd	262.00	262.00
c. 5,000 - < 10,000 gpd	517.00	517.00
d. 10,000 - < 20,000 gpd	1,042.00	1,042.00
e. 20,000 and greater	1,721.00	1,721.00
Vehicle Maintenance and Freight Transfer		
a. < 0.5 acre	3,927.00	3,927.00
b. 0.5 - < 1.0 acre	7,850.00	7,850.00
c. 1.0 acre and greater	11,781.00	11,781.00
Vessel Deconstruction		
a. Base fee	3,100.00	3,100.00
b. On land (per project)	3,500.00	3,500.00
c. On barge or drydock (per project)	4,800.00	4,800.00
d. In-water (per project)	18,700.00	18,700.00
The fee for a facility in the vessel deconstruction category is the sum of the base fee and number and type of projects completed in the previous calendar year.		
Water Plants - Individual Permit Coverage	5,359.00	5,359.00
Water Plants - General Permit Coverage	3,752.00	3,752.00
Wineries - Individual Permit Coverage		
a. < 24,999 gallons per year (gpy)	423.00	423.00
b. 25,000 - < 39,999 gpy	621.00	621.00
c. 40,000 - < 54,999 gpy	960.00	960.00
d. 55,000 - < 69,999 gpy	1,297.00	1,297.00
e. 70,000 - < 99,999 gpy	1,636.00	1,636.00
f. 100,000 - < 299,999 gpy	2,370.00	2,370.00
g. 300,000 - < 699,999 gpy	7,111.00	7,111.00
h. 700,000 - < 999,999 gpy	16,594.00	16,594.00
i. 1,000,000 - < 1,999,999 gpy	23,762.00	23,762.00
j. 2,000,000 gpy and greater	47,470.00	47,470.00

INDUSTRIAL FACILITY CATEGORIES	FY 2022 ANNUAL PERMIT FEE	FY 2023 ANNUAL PERMIT FEE & BEYOND
Wineries - General Permit Coverage		
a. < 24,999 gpy	296.00	296.00
b. 25,000 - < 39,999 gpy	434.00	434.00
c. 40,000 - < 54,999 gpy	671.00	671.00
d. 55,000 - < 69,999 gpy	907.00	907.00
e. 70,000 - < 99,999 gpy	1,144.00	1,144.00
f. 100,000 - < 299,999 gpy	1,657.00	1,657.00
g. 300,000 - < 699,999 gpy	4,973.00	4,973.00
h. 700,000 - < 999,999 gpy	11,604.00	11,604.00
i. 1,000,000 - < 1,999,999 gpy	16,617.00	16,617.00
j. 2,000,000 gpy and greater	33,196.00	33,196.00

(a) Facilities other than those in the sand and gravel, shipyard, or RCRA categories that operate within several fee categories or subcategories, shall be charged from that category or subcategory with the highest fee.

(b) The total annual permit fee for a water treatment plant that primarily serves residential customers may not exceed three dollars per residential equivalent. The number of residential equivalents is determined by dividing the facility's annual gross revenue in the previous calendar year by the annual user charge for a single family residence that uses nine hundred cubic feet of water per month.

(c) Fruit packer, sand and gravel, and winery permit holders are required to submit information to the department certifying annual production (calendar year) or unit processes. The permit holder shall submit the information to the department by the required due date. Failure to provide this information results in a fee determination based on the highest subcategory the facility has received permit coverage in.

(i) Information submitted shall bear a certification of correctness and be signed:

(A) In the case of a corporation, by an authorized corporate officer;

(B) In the case of a limited partnership, by an authorized partner;

(C) In the case of a general partnership, by an authorized general partner; or

(D) In the case of a sole proprietorship, by the proprietor.

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

(d) Fees for fruit packers 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.

(e) Where no clear industrial facility category exists for placement of a permit holder, the department may elect to place the permit holder in a category with dischargers or permit holders that contain or use similar properties or processes and/or a category which contains similar permitting complexities to the department.

(f) Hazardous waste cleanup sites and EPA authorized RCRA corrective action sites with whom the department has begun cost recovery through chapter 70A.305 RCW shall not pay a permit fee under chapter 173-224 WAC until such time as the cost recovery under chapter 70A.305 RCW ceases.

(g) Any permit holder, with the exception of nonoperating sand and gravel operations or a permitted portable facility, who has not been in continuous operation within a consecutive eighteen-month period or who commits to not being in operation for a consecutive eighteen-month period or longer can have their permit fee reduced to twenty-five percent of the fee that they would be otherwise assessed. This nonoperating mode may be verified by the appropriate ecology staff. Once operations resume, the permit fee returns to the full amount.

Facilities who commit to the minimum eighteen-month nonoperating mode but go back into operation during the same eighteen-month period are assessed permit fees as if they were active during the entire period.

(h) 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.

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

(3) MUNICIPAL/DOMESTIC FACILITIES

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

Residential Equivalents (RE)	FY 2022 Annual Permit Fee	FY 2023 Annual Permit Fee & Beyond
< 250,000	$2.16	$2.16
> 250,000	2.16	2.16

(b) The annual permit fee under RCW 90.48.162 or 90.48.260 that is held by a municipality which:

(i) Holds more than one permit for domestic wastewater facilities; and

(ii) Treats each domestic wastewater facility as a separate accounting entity, is determined as in (a) of this subsection.

A separate accounting entity is one that maintains separate funds or accounts for each domestic wastewater facility. Revenues are received from the users to pay for the costs of operating that facility.

(c) The sum of the annual permit fees for permits held by a municipality that:

(i) Holds more than one permit for domestic wastewater facilities issued under RCW 90.48.162 or 90.48.260; and

(ii) Does not treat each domestic wastewater facility as a separate accounting entity, as described in (b) of this subsection, is determined as in (a) of this subsection.

(d) The permit fee for a privately owned and public-owned domestic wastewater facility that primarily serves residential customers is determined as in (a) of this subsection. Residential customers are

those whose lot, parcel or real estate, or building is primarily used for domestic dwelling purposes.

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

Permitted Flows	FY 2022 Annual Permit Fee	FY 2023 Annual Permit Fee & Beyond
.1 MGD and Greater	$15,075.00	$15,075.00
.05 MGD to < .1 MGD	6,032.00	6,032.00
.0008 MGD to < .05 MGD	3,016.00	3,016.00
< .0008 MGD	910.00	910.00

(f) The number of residential equivalents is calculated in the following manner:

(i) If the facility serves only single-family residences, the number of residential equivalents is the number of single-family residences that it served on January 1 of the previous calendar year.

(ii) If the facility serves both single-family residences and other classes of customers, the number of residential equivalents is calculated in the following manner:

(A) Calculation of the number of residential equivalents that the facility serves in its own service area. Subtract from the previous calendar year's gross revenue:

(I) Any amounts received from other municipalities for sewage interception, treatment, collection, or disposal; and

(II) Any user charges received from customers for whom the permit holder pays amounts to other municipalities for sewage treatment or disposal services. Divide the resulting figure by the annual user charge for a single-family residence.

(B) Calculation of the number of residential equivalents that the facility serves in other municipalities which pay amounts to the facility for sewage interception, treatment, collection, or disposal:

(I) Divide any amounts received from other municipalities during the previous calendar year by the annual user charge for a single-family residence. In this case "annual user charge for a single-family residence" means the annual user charge that the facility charges other municipalities for sewage interception, treatment, collection, or disposal services for a single-family residence. If the facility charges different municipalities different single-family residential user fees, then the charge used in these calculations must be that which applies to the largest number of single-family residential customers. Alternatively, if the facility charges different municipalities different single-family residential user fees, the permit holder may divide the amount received from each municipality by the annual user charge that it charges that municipality for a single-family residence and sum the resulting figures.

(II) If the facility does not charge the other municipality on the basis of a fee per single-family residence, the number of residen-

tial equivalents in the other municipality is calculated by dividing its previous calendar year's gross revenue by its annual user fee for a single-family residence. If the other municipality does not maintain data on its gross revenue, user fees, and/or the number of single-family residences that it serves, the number of residential equivalents is calculated as in (f)(iv) of this subsection.

(III) If the other municipality serves only single-family residences, the number of residential equivalents may be calculated as in (f)(i) of this subsection.

The sum of the resulting figures is the number of residential equivalents that the facility serves in other municipalities.

(C) The number of residential equivalents is the sum of the number of residential equivalents calculated in (f)(ii)(A) and (B) of this subsection.

(iii) The annual user fee for a single-family residence is calculated by either of the following methods, at the choice of the permit holder:

(A) The annual user fee for a single-family residence using nine hundred cubic feet of water per month. If users are billed monthly, this is calculated by multiplying by twelve the monthly user fee for a single-family residence using nine hundred cubic feet of water per month. If users are billed bimonthly, the annual user fee is calculated by multiplying by six the bimonthly user fee for a single-family residence using one thousand eight hundred cubic feet of water per two-month period. If the user fee for a single-family residence varies, depending on age, income, location, etc., then the fee used in these calculations must be that which applies to the largest number of single-family residential customers.

(B) The average annual user fee for a single-family residence. This average is calculated by dividing the previous calendar year's gross revenue from provision of sewer services to single-family residences by the number of single-family residences served on January 1 of the previous calendar year. If the user fee for a single-family residence varies, depending on age, income, location, etc., then the gross revenue and number of single-family residences used in making this calculation must be those for all the single-family residential customers.

In either case, (f)(iii)(A) or (B) of this subsection, the permit holder must provide the department with a copy of its complete sewer rate schedule for all classes of customers.

(iv) If a permit holder does not maintain data on its gross revenue, user fees, and/or the number of single-family residences that it serves, and therefore cannot use the methods described in (f)(i) or (ii) of this subsection to calculate the number of residential equivalents that it serves, then the number of residential equivalents that it serves is calculated by dividing the average daily influent flow to its facility for the previous calendar year by two hundred fifty gallons. This average is calculated by summing all the daily flow measurements taken during the previous calendar year and then dividing the resulting sum by the number of days on which flow was measured. Data for this calculation must be taken from the permit holder's discharge monitoring reports. Permit holders using this means of calculating the number of their residential equivalents must submit with their application a complete set of copies of their discharge monitoring reports for the previous calendar year.

(g) Fee calculation procedures for holders of permits for domestic wastewater facilities.

(i) Municipalities holding permits for domestic wastewater facilities issued under RCW 90.48.162 and 90.48.260, and holders of permits for privately owned domestic wastewater facilities that primarily serve residential customers must complete a form certifying the number of residential equivalents served by their domestic wastewater system. The form must be completed and returned to the department within thirty days after it is mailed to the permit holder by the department. Failure to return the form could result in permit termination.

(ii) The form shall bear a certification of correctness and be signed:

(A) In the case of a corporation, by an authorized corporate officer;

(B) In the case of a limited partnership, by an authorized partner;

(C) In the case of a general partnership, by an authorized partner;

(D) In the case of a sole proprietorship, by the proprietor; or

(E) In the case of a municipal or other public facility, by either a ranking elected official or a principal executive officer.

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

(h) 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. The number of residential equivalents will be calculated as described in (g) of this subsection. The permit fee in this subsection will not be assessed for municipal domestic wastewater treatment facilities unless the legislature amends RCW 90.48.465(2) to authorize this fee.

(4) STORMWATER PERMIT COVERAGES (UNLESS SPECIFICALLY CATEGORIZED ELSEWHERE IN WAC 173-224-040(2))

		FY 2022 Annual Permit Fee	FY 2023 Annual Permit Fee & Beyond
a.	Individual Construction or Industrial Stormwater Permits		
	1. < 50 acres	$6,032.00	$6,032.00
	2. 50 -< 100 acres	12,054.00	12,054.00
	3. 100 -< 500 acres	18,095.00	18,095.00
	4. 500 acres and greater	24,122.00	24,122.00
b.	Facilities Covered Under the Industrial Stormwater General Permit		
	1. Municipalities and state agencies	1,976.00	1,976.00
	2. New permit holders without historical gross revenue information	1,035.00	1,035.00
	3. The permit fee for all other permit holders shall be based on the gross revenue of the business for the previous calendar year		
	Gross Revenue		
	Less than $100,000	192.00	192.00
	$100,000 -< $1,000,000	832.00	832.00
	$1,000,000 -< $2,500,000	995.00	995.00
	$2,500,000 -< $5,000,000	1,663.00	1,663.00
	$5,000,000 -< $10,000,000	2,493.00	2,493.00

	FY 2022 Annual Permit Fee	FY 2023 Annual Permit Fee & Beyond
$10,000,000 and greater	3,012.00	3,012.00

To be eligible for less than the maximum permit fee, the permit holder must provide documentation to substantiate the gross revenue claims. Documentation shall be provided annually in a manner prescribed by the department. The documentation shall bear a certification of correctness and be signed:

(a) In the case of a corporation, by an authorized corporate officer;

(b) In the case of a limited partnership, by an authorized general partner;

(c) In the case of a general partnership, by an authorized partner; or

(d) In the case of a sole proprietorship, by the proprietor.

The department may verify the information contained in the submitted documentation and, if it determines that the permit holder has made false statements, may deny the adjustment, revoke previously granted fee adjustments, and/or take such other actions deemed appropriate or required under state or federal law.

Permitted Amount of Disturbed Acreage	FY 2022 Annual Permit Fee	FY 2023 Annual Permit Fee & Beyond
c. Construction Activities Covered Under the Construction Stormwater General Permit(s)		
1. Less than 5 acres disturbed area	$780.00	$780.00
2. 5 -< 7 acres of disturbed area	1,268.00	1,268.00
3. 7 -< 10 acres of disturbed area	1,712.00	1,712.00
4. 10 -< 20 acres of disturbed area	2,336.00	2,336.00
5. 20 acres and greater of disturbed area	2,906.00	2,906.00

(5) MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMITS

(a) Except as provided for in (d) of this subsection, the municipal stormwater permit annual fee for the entities listed below is:

Name of Entity	FY 2022 Annual Permit Fee	FY 2023 Annual Permit Fee & Beyond
King County	$68,695.00	$68,695.00
Snohomish County	68,695.00	68,695.00
Pierce County	68,695.00	68,695.00
Tacoma, City of	68,695.00	68,695.00
Seattle, City of	68,695.00	68,695.00
Washington Department of Transportation	68,695.00	68,695.00
Clark County	68,695.00	68,695.00

(b) Municipal stormwater general permit fees for cities and counties, except as otherwise provided for in (a), (c), and (d) of this subsection, are determined in the following manner: For fiscal years 2022 and 2023 and beyond, ecology will charge $1.99 per housing unit inside the geographic area covered by the permit for those cities and counties whose median household income exceeds the state average. Cit-

ies and counties whose median household income is less than the state average will have their fee per housing unit reduced to $.98 per housing unit inside the geographic area covered by the permit. Fees will not exceed $68,695.00 for fiscal years 2022 and 2023 and beyond. The minimum annual fee will not be lower than $2,856.00 for fiscal years 2022 and 2023 and beyond unless the permitted city or county has a median household income less than the state average. In this case, the city or county will pay a fee totaling $.98 per housing unit for fiscal years 2022 and 2023 and beyond.

(c) Other entities required to have permit coverage under a municipal stormwater general permit will pay an annual fee based on the entities' previous year's annual operating budget as follows:

Annual Operating Budget	FY 2022 Annual Permit Fee	FY 2023 Annual Permit Fee & Beyond
Less than $100,000	$199.00	$199.00
$100,000 - < $1,000,000	805.00	805.00
$1,000,000 - < $5,000,000	2,009.00	2,009.00
$5,000,000 - < $10,000,000	3,015.00	3,015.00
$10,000,000 and greater	5,024.00	5,024.00

For the purposes of determining the annual permit fee category, the annual operating budget shall be the entities' annual operating budget for the entities' previous fiscal year and shall be determined as follows:

(i) For diking, drainage, irrigation, and flood control districts, the district's annual operating budget.

(ii) For ports, the annual operating budget for the port district.

(iii) For colleges, schools, and universities, the portion of the operating budget related to plant or facilities operation and maintenance for the site or sites subject to the permit.

(iv) For state agencies, the annual operating budget for the site or sites subject to the permit.

(v) For other entities not listed, ecology will consider annual revenue, and the noncapital operating budget for the site subject to the permit.

(d) Municipal stormwater permits written specifically for a single entity, such as a single city, county, or agency, issued after the effective date of this rule will have its annual fee determined in the following manner:

(i) For cities and counties listed in (a) of this subsection, the fee shall be five times the amount identified.

(ii) For cities and counties whose median household income exceeds the state average, the fee shall be the higher of either five times the otherwise applicable general permit fee or $30,000. For municipalities whose median household income is less than the state average, the fee shall be the higher of 2.5 times the otherwise applicable general permit fee or $15,000.

(iii) For entities that would otherwise be covered under a municipal stormwater general permit as determined in (c) of this subsection, the fiscal years 2022 and 2023 annual fee and beyond for a permit written for a specific entity is $14,290.00.

(e) Ecology will assess a single permit fee for entities which apply only as copermittees or coapplicants. The permit fee shall be

equal to the highest single permit fee which would have been assessed if the copermittees had applied separately.

[Statutory Authority: RCW 90.48.465. 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 shall charge permit fees based on the permit fee schedule contained in WAC 173-224-040. The department may charge fees at the beginning of the fiscal year to which they apply. The department shall notify permit holders of fee charges by sending an invoice to the permittee on record. The department must receive permit fee payments within forty-five days after the department sends a billing statement. The department may elect to bill permit holders a prorated portion of the annual fee on a monthly, quarterly, or other periodic basis.

(2) Permit fee computation shall begin on the first day of each fiscal year. In the case of facilities or activities not previously covered by permits, fee computation begins on the permit issuance date. 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 sixty-first day after the department accepts a completed application. In the case of NPDES permit holders who submit a new, updated permit application containing information that could change their assigned permit fee, computation and permit fee category reassignment begins upon the date the department accepts the application. Any facility that obtains permit coverage but fails to operate will still be obligated to pay the annual permit fee assessment until the department terminates permit coverage. Permits terminated during the fiscal year will pay the annual fee assessment regardless of the permit termination date.

(3) Permit fees for sand and gravel general permit holders are assessed as in subsection (2) of this section and:

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

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

(c) Fees for continuously active sites that produce concrete and/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 totals for concrete and/or asphalt produced during the previous calendar year. New facilities with no historical asphalt and/or concrete production data will have their first year fee based on the production levels reported on the application for coverage under the National Pollutant Discharge Elimination System and State Waste Discharge Permit for Process Water, Stormwater, and Mine Dewatering Water Discharges Associated with Sand and Gravel Operations, Rock Quarries and Similar Mining Facilities including Stockpiles of Mined Materials, Concrete Batch Operations and Asphalt Batch Operations general permit.

(4) Fees for fruit packer general permit holders are assessed as in subsection (2) of this section 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 (2)(c). 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.

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

(6) Permit fee accrual will continue until the permit has been terminated by the department regardless if the activity covered under the permit has already ceased.

(7) Facilities with an existing NPDES and/or state wastewater discharge permit who also have obtained industrial and/or construction stormwater general permit coverage shall only pay an annual fee based on the permit with the highest permit fee category assessment.

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

(9) The applicable permit fee shall be paid using ecology's online payment software or by check or money order payable to the "Department of Ecology" and mailed to the Water Quality Permit Fee Program, P.O. Box 47611, Olympia, Washington 98504-7611.

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

(11) Delinquent accounts. Permit holders are considered delinquent in the payment of fees if the fees are not received by the first

invoice billing due date. Delinquent accounts are processed in the following manner:

(a) Municipal and government entities shall be notified by regular mail that they have forty-five days to bring the delinquent account up-to-date. Accounts that remain delinquent after forty-five days may receive a permit revocation letter for nonpayment of fees.

(b) Nonmunicipal or nongovernment permit holders shall be notified by the department by regular mail that they have forty-five days to bring the delinquent account up-to-date. Accounts that remain delinquent after forty-five days may be turned over for collection. 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 after twelve months, the permit holder may receive a permit revocation letter for nonpayment of fees.

[Statutory Authority: RCW 90.48.465. 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.

Nothing herein shall restrict the department from charging 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: 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 that 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. Agreements between a new and previous permit holder are not binding on the department.

[Statutory Authority: RCW 90.48.465. 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. With the exception of facilities covered under the construction and industrial stormwater general permits who are not eligible to apply for a fee reduction, any business required to pay a fee may receive a reduction of its permit fee.

(1) Market research and development.

(a) To qualify for the fee reduction, the operation under permit must be:

(i) A research facility with the primary purpose of researching market viability for products and/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;

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

(b) To receive a fee reduction, the permit holder must submit an application in a manner prescribed by the department demonstrating that the conditions in (a) of this subsection are met. The application shall bear a certification of correctness and be signed:

(i) In the case of a corporation, by an authorized corporate officer;

(ii) In the case of a limited partnership, by an authorized general partner;

(iii) In the case of a general partnership, by an authorized partner;

(iv) In the case of a sole proprietorship, by the proprietor; or

(v) In the case of a municipality, state, or other public entity, by either a principal executive officer or a ranking 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, may deny the fee reduction request and revoke previously granted fee reductions.

(d) The permit fee for market research and development determined to be eligible under (a) of this subsection shall be reduced to twenty-five percent of the assessed annual permit fee.

(e) A site can only be eligible for this reduction for three consecutive fiscal years.

(2) Small business fee reduction.

(a) To qualify for the fee reduction, a business must:

(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 one million dollars 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 fee assessment totaling five hundred dollars or greater.

(b) To receive a fee reduction, the permit holder must submit an application in a manner prescribed by the department demonstrating that the conditions in (a) of this subsection are met. The application shall bear a certification of correctness and be signed:

(i) In the case of a corporation, by an authorized corporate officer;

(ii) In the case of a limited partnership, by an authorized general partner;

(iii) In the case of a general partnership, by an authorized partner; or

(iv) In the case of 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, may deny the fee reduction request and revoke previously granted fee reductions.

(d) The permit fee for small businesses determined to be eligible under (a) of this subsection shall be reduced to fifty percent of the assessed annual permit fee.

Extreme hardship fee reduction. Any small business with annual gross revenue totaling one hundred thousand dollars or less from goods and services produced using the processes regulated by the waste discharge or individual stormwater discharge permit may apply for an extreme hardship fee reduction. The small business must provide sufficient evidence to support its claim of an extreme hardship. In no case will a permit fee be reduced below $128.00.

[Statutory Authority: RCW 90.48.465. 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, P.O. Box 40903, Olympia, Washington 98504-0903, within thirty 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 thirty 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 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.]