

**WAC 173-312-080 Allocation of state financial assistance. (1)**

The department will consider the following factors when calculating amounts available for initial applications for local solid waste financial assistance:

(a) Projected and actual state funds from the local toxics control accounts.

(b) Other funds as identified by the department.

(2) A portion of the total allocation available each biennium for local solid waste financial assistance is reserved for eligible projects or programs defined in WAC 173-312-050(2). The remaining portion is reserved for eligible projects or programs defined in WAC 173-312-050 (1) and (3). The department will calculate allocations as follows:

(a) The amount set aside for solid waste enforcement will be not less than twenty percent of the total allocation available each biennium for local solid waste financial assistance or an amount equal to the total sum of seventy-five thousand dollars per county, whichever is greater. Financial assistance reserved for local solid waste enforcement will be calculated as follows:

(i) A fixed amount for each jurisdictional health department.

(ii) A per capita amount based on population.

(b) Financial assistance reserved for local solid and hazardous waste planning and implementation will be calculated as follows:

(i) A fixed amount for each county, regardless of size, and as determined by the department. An independent city that qualifies as an eligible applicant under WAC 173-312-040(1) is excluded.

(ii) A per capita amount based on the county percentage of state population or the independent city percentage of the county population.

(A) An independent city that qualifies as an eligible applicant under WAC 173-312-040(1) is included in this element of the calculation to the extent the population of its home county is reduced by the same amount.

(B) Financial assistance awarded to independent cities may exceed a city's proportionate share under (b)(ii)(A) of this subsection if the department, the county, and all other signatories to the local solid waste management plan agree.

(3) If a recipient fails to comply with the terms of its award or administrative requirements, the department may reduce their award in the next biennium by up to ten percent for failure to meet performance expectations. The department will make this determination after receiving applications in the next biennium. A recipient may request the department's reconsideration within seven calendar days of the award reduction notification and must submit the request in writing detailing the reasons for the request.

(4) Any funds remaining after all initial applications are considered will be distributed based on need, using the following criteria as a primary determinant:

(a) Funds remaining from the local solid and hazardous waste planning and implementation portion are first offered to other solid and hazardous waste planning and implementation applicants.

(b) Funds remaining from the solid waste enforcement portion are first offered to other solid waste enforcement applicants.

(5) The department will monitor spending throughout the biennium and will work with recipients to adjust budgets as necessary. Deobligated funds will be redistributed in the same biennium according to

need, and based on projects in current agreements, and performance in the current biennium.

(6) Subsequent opportunities to apply for local solid waste financial assistance will be announced by the department.

[Statutory Authority: RCW 70.95.130, 70.95.220, 70.105.235, 70.105D.030, 70.105D.070. WSR 17-19-021 (Order 15-15), § 173-312-080, filed 9/8/17, effective 10/9/17. Statutory Authority: Chapters 70.105D and 43.21 RCW. WSR 02-05-070 (Order 01-11), § 173-312-080, filed 2/19/02, effective 3/22/02. Statutory Authority: RCW 70.105D.070(3). WSR 00-19-016 (Order 00-19), § 173-312-080, filed 9/8/00, effective 10/9/00. Statutory Authority: RCW 43.21A.080. WSR 91-11-090 (Order 90-65), § 173-312-080, filed 5/21/91, effective 6/21/91.]