

**RCW 70A.305.070 Timing of review.** The department's investigative and remedial decisions under RCW 70A.305.030 and 70A.305.050, its decisions regarding filing a lien under RCW 70A.305.060, and its decisions regarding liable persons under RCW 70A.305.020, 70A.305.040, 70A.305.050, and 70A.305.060 shall be reviewable exclusively in superior court and only at the following times: (1) In a cost recovery suit under RCW 70A.305.050(3); (2) in a suit by the department to enforce an order or an agreed order, or seek a civil penalty under this chapter; (3) in a suit for reimbursement under RCW 70A.305.050(2); (4) in a suit by the department to compel investigative or remedial action; (5) in a citizen's suit under RCW 70A.305.050(5); and (6) in a suit for removal or reduction of a lien under RCW 70A.305.050(7). Except in suits for reduction or removal of a lien under RCW 70A.305.050(7), the court shall uphold the department's actions unless they were arbitrary and capricious. In suits for reduction or removal of a lien under RCW 70A.305.050(7), the court shall review such suits pursuant to the standards set forth in RCW 70A.305.050(7). [2020 c 20 s 1311; 2007 c 104 s 20; 2005 c 211 s 3; 1994 c 257 s 13; 1989 c 2 s 6 (Initiative Measure No. 97, approved November 8, 1988). Formerly RCW 70.105D.060.]

**Application—Construction—2007 c 104:** See RCW 64.70.015.

**Severability—1994 c 257:** See note following RCW 36.70A.270.