

**WAC 173-98-520 Ceiling amounts.** (1) **Green project reserve:** The ceiling amount for forgivable principal provided for eligible green project reserve projects is up to twenty-five percent of the total green project reserve-eligible portion of the project costs.

(2) **Preconstruction category:**

(a) No more than twenty percent of the revolving fund in this category will be available to any one applicant per funding cycle.

(b) The ceiling amount for a forgivable principal loan provided for financial hardship for WAC 173-98-330 is up to fifty percent of the eligible project costs.

(c) The ceiling amount for this category applies to the combined total of all preconstruction elements for loans and forgivable principal loans.

(3) **Water pollution control facilities category:**

(a) No more than fifty percent of the revolving fund in this category will be available to any one applicant per funding cycle;

(b) The ceiling amount for a forgivable principal loan provided for financial hardship for WAC 173-98-330 is five million dollars. If a forgivable principal loan is provided for a hardship project in conjunction with a centennial program grant award for hardship, then the ceiling amount for the combined forgivable principal loan and centennial program grant is five million dollars; and

(c) No more than seven million dollars is available for each smaller combined design-construct project (step four). See WAC 173-98-530 for information on smaller combined design-construct projects (step four).

(4) **Water pollution control activities category:** No more than fifty percent of the revolving fund in this category will be available to any one applicant per funding cycle.

(5) **Water pollution control facilities construction bid overruns:**

(a) If the low responsive responsible construction bid(s) exceeds the engineer's estimate of construction costs, the department may approve funding increases for up to ten percent of the engineer's cost estimate as supplied with the bid documents;

(b) The ceiling amounts that were established in the fiscal year in which the project was offered funding apply; and

(c) First priority for funding bid overruns will be given to hardship communities based on the severity of financial need.

(6) **Water pollution control facilities construction change orders:**

(a) The department may approve funding for change orders for up to five percent of the eligible portion of the low responsive responsible construction bid(s);

(b) The department may approve funding for change orders for greater than five percent of the eligible portion of the low responsive responsible construction bid(s) only if the recipient can demonstrate that the additional funding is needed to remedy unforeseeable, extraordinary site-specific conditions;

(c) The ceiling amounts that were established in the fiscal year in which the project was offered funding apply; and

(d) First priority for funding change orders will be given to hardship communities based on the severity of financial need.

(7) If a project qualifies for both hardship funding and green project reserve funding, then the ceiling amount for total forgivable principal and centennial grant funding for the project is the combined ceiling amount of both hardship and green project reserve categories.

(8) If demand is limited for projects eligible for any category, the ceiling amounts may be raised in other categories to fully use available funding.

[Statutory Authority: Chapters 90.50A and 70.146 RCW. WSR 17-17-040 (Order 16-04), § 173-98-520, filed 8/9/17, effective 9/9/17. Statutory Authority: Chapter 90.50A RCW, RCW 90.48.035, and 43.21A.080. WSR 11-20-036 (Order 10-14), § 173-98-520, filed 9/27/11, effective 10/28/11. Statutory Authority: RCW 90.48.035. WSR 07-14-096 (Order 05-16), § 173-98-520, filed 6/29/07, effective 7/30/07.]