

WAC 173-308-320 Permit fees. (1) All facilities that are required to obtain a permit must pay an annual biosolids permit fee to the department.

(2) Biosolids permit fees are assessed on an annual basis and apply regardless of the date of issuance of a permit.

(3) Except for those facilities described in subsection (4)(h) of this section, biosolids permit fees are assessed and collected for fiscal years for wastewater treatment facilities and for calendar years for receiving-only facilities and septage management facilities. Fees are due and payable within forty-five days after the department mails a billing statement.

(a) Fees are considered delinquent if they are not received by the first invoice billing due date.

(i) If a fee is determined to be delinquent, the permittee will be notified by certified letter and have thirty days to bring their account up-to-date before further action is taken by the department.

(ii) Failure to pay a fee is a cause for termination of a permit in accordance with WAC 173-308-310(24).

(b) Upon request from the permittee, the department may at its discretion mail partial billing statements up to two times per year, in which case a facility is responsible only for the amount reflected on the current (and any past due) billing statement.

(4) The permit fee schedule is based on the number of residences or residential equivalents (residential equivalent value) contributing to a permittee's biosolids management system. All charges per residential equivalent and any maximum fees listed in this subsection will be adjusted by the annual fiscal growth factor calculated under chapter 43.135 RCW.

(a) All facilities required or requesting to obtain a permit or approval are assigned a minimum of one residential equivalent.

(b) For facilities with NPDES permits issued under chapter 173-220 WAC or state waste discharge permits issued under chapter 173-216 WAC, the department will use residential equivalent values determined under chapter 173-224 WAC. If no residential equivalent value is determined under chapter 173-224 WAC, the number of residences connected to the system or another appropriate criteria will be used to determine the residential equivalent value.

(c) The residential equivalent value for receiving-only facilities other than septage management facilities in (e) of this subsection is the sum of the residential equivalent values contributed from all sources, as determined by considering the portion of the current annual production of each originating source that is provided to the receiving facility.

(d) The residential equivalent value for facilities located outside of the state (e.g., those on tribal lands, other states, and other nations) who export solids into the state will be based on the portion of the current annual production of the facility that is exported into the state.

(e) For septage management facilities, each 1,250 gallons of septage received for treatment or applied to the land is equal to one residential equivalent.

(f) Equations (5) and (6), below, are used to calculate permit fees:

Equation (5)

$$\text{Permit Fee} = (\text{REV} \times \text{Cost per RE}_{\text{FGF}})$$

Where:

REV = residential equivalent value.

FGF = an annual fiscal growth factor expressed as a percentage, as determined under chapter 43.135 RCW.

Cost per RE_{FGF} = cost per residential equivalent in dollars including a fiscal growth factor. The cost per RE_{FGF} is obtained by multiplying the cost per residential equivalent in the preceding year by the current year's fiscal growth factor as follows in equation (6).

Equation (6)

$$\text{Cost per RE}_{\text{FGF}} = \text{Previous year's cost per RE} \times [1 + (\text{FGF})]$$

(g) For implementation of the fiscal growth factor, the base year for all biosolids permit fees will be fiscal year 2008, ending June 30, 2008. In the base year, the FGF will be zero (0).

(h) **Review fee for new facilities.** New facilities proposed after July 1, 2007, will be required to pay a nonrefundable fee of \$1,800.00 for the first residential equivalent prior to departmental review of an application package or proposal. In addition, following issuance of a permit or approval, the facility will be subject to the fees described in (i) of this subsection.

(i) A cost of \$600.00 will be assigned to the first residential equivalent for all facilities. The cost per subsequent residential equivalent in the base year will be as follows:

(i) \$0.00 per residential equivalent for permits issued to municipalities that own or operate incinerators that fire sewage sludge to dispose of sewage sludge generated by their own facility in a municipal solid waste landfill or through another facility on an emergency basis.

(ii) \$0.051 per residential equivalent up to a maximum of \$3000.00 for permits issued to receiving-only facilities.

(iii) \$0.215 per residential equivalent for permits authorizing any other type of solids management activity including, but not limited to, the following:

(A) Direct beneficial use by a treatment works treating domestic sewage.

(B) Transfer from one facility to another facility, including delivery to an incinerator from nonincinerating jurisdictions.

(C) Prolonged treatment or storage including, but not limited to, lagoon systems.

(D) Treatment or land application of septage.

(E) Disposal of sewage sludge in a municipal solid waste landfill except for facilities under (i)(i) of this subsection.

(F) Exporting biosolids or sewage sludge from facilities located outside of the state.

(iv) \$0.16 per residential equivalent above 100,000.

(5) Following is a summary table showing the equations used to calculate fees for the base year.

Facility Type	Fee Formula for Base Year
Septage management	\$600 + (gallons ÷ 1,250 x \$0.215)

Facility Type	Fee Formula for Base Year
Receiving-only (includes beneficial use facilities)	$\$600 + (\text{REV}_{\text{received}} \times \$0.051)$ Maximum of \$3,000
Out-of-state	$\$600 + (\text{REV}_{\text{exported}} \times \$0.215)$
Incineration	\$600.00
All others (includes most wastewater treatment facilities)	$\$600 + (\text{REV}_{<100,000} \times \$0.215)$ $+ (\text{REV}_{\geq 100,000} \times \$0.16)$
New facility review fee	\$1,800
Where:	
	$\text{REV}_{\text{received}}$ = residential equivalent values received (based on the portion of the residential equivalent values contributed from each source).
	$\text{REV}_{\text{exported}}$ = residential equivalent values exported (based on the portion of the annual production of the facility that is exported into the state).
	$\text{REV}_{<100,000}$ = residential equivalent values less than 100,000.
	$\text{REV}_{>100,000}$ = residential equivalent values greater than or equal to 100,000.

[Statutory Authority: Chapters 70.95J and 70.95 RCW. WSR 07-12-010 (Order 06-06), § 173-308-320, filed 5/24/07, effective 6/24/07. Statutory Authority: RCW 70.95J.020 and 70.95.255. WSR 98-05-101 (Order 97-30), § 173-308-320, filed 2/18/98, effective 3/21/98.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency.