

WAC 173-441-110 Fees. (1) **Fee determination.** All persons required to report or voluntarily reporting under WAC 173-441-030 must pay a reporting fee for each year they submit a report to ecology. Ecology must establish reporting fees based on workload using the process outlined below. The fees must be sufficient to cover ecology's costs to administer the GHG emissions reporting program.

(2) **Fee eligible activities.** All costs of activities associated with administering this reporting program, as described in RCW 70A.15.2200(2), are fee eligible.

(3) **Workload analysis and budget development.** Each biennium, ecology must conduct a workload analysis and develop a budget based on the process outlined below:

(a) Ecology must conduct a workload analysis projecting resource requirements for administering the reporting program, organized by categories of fee eligible activities, for the purpose of preparing the budget. Ecology must prepare the workload analysis for the two-year period corresponding to each biennium. The workload analysis must identify the fee eligible administrative activities related to the reporting program that it will perform during the biennium and must estimate the resources required to perform these activities.

(b) Ecology must prepare a budget for administering the reporting program for the two-year period corresponding to each biennium. Ecology must base the budget on the resource requirements identified in the workload analysis for the biennium and must take into account the reporting program account balance at the start of the biennium.

(4) **Allocation methodology.** Ecology must allocate the reporting program budget among the persons required to report or voluntarily reporting under WAC 173-441-030 according to the following:

(a) The reporting fee for a person that is required to report or voluntarily reporting under WAC 173-441-030 and is subject to third-party verification under WAC 173-441-085 is calculated by the equal division of 90 percent of the budget amount by the total number of persons subject to third-party verification under WAC 173-441-085 in a given calendar year. A person required to report or voluntarily reporting multiple reporters under this category must pay a fee for each reporter.

(b) The reporting fee for a person that is required to report or voluntarily reporting under WAC 173-441-030 but is not subject to third-party verification under WAC 173-441-085 is calculated by the equal division of 10 percent of the budget amount by the total number of persons reporting GHG emissions under this chapter not subject to third-party verification under WAC 173-441-085 in a given calendar year. A person required to report or voluntarily reporting multiple reporters under this category must pay a fee for each reporter.

(5) **Fee schedule.** Ecology must issue annually a fee schedule reflecting the reporting fee to be paid per reporter. Ecology must base the fee schedule on the budget and workload analysis described above and conducted each biennium. Ecology must publish the fee schedule for the following year on or before October 31st of each year.

(6) **Fee payments.** Fees specified in this section must be paid within 60 calendar days of receipt of ecology's billing statement. All fees collected under this chapter must be made payable to the Washington department of ecology. A late fee surcharge of \$50 or 10 percent of the fee, whichever is more, may be assessed for any fee received after 90 calendar days past the due date for fee payment.

(7) **Dedicated account.** Ecology must deposit all reporting fees they collect in the air pollution control account.

[Statutory Authority: RCW 70A.15.2200. WSR 22-05-050 (Order 21-07), § 173-441-110, filed 2/9/22, effective 3/12/22. Statutory Authority: Chapters 70.94, 70.235 RCW. WSR 16-19-047 (Order 15-10), § 173-441-110, filed 9/15/16, effective 10/16/16. Statutory Authority: 2010 c 146, and chapters 70.235 and 70.94 RCW. WSR 10-24-108 (Order 10-08), § 173-441-110, filed 12/1/10, effective 1/1/11.]