

WAC 173-224-090 Permit fee reductions. Facilities covered under the construction stormwater general and individual permits, and the industrial stormwater general permits are not eligible to apply for a fee reduction under this section.

(1) Market research and development.

(a) To qualify for the market research and development fee reduction, the permit holder must be:

(i) A research facility with the primary purpose of researching market viability for products or processes that reduce or eliminate wastewater pollutants or wastewater pollutant generating activity;

(ii) Covered under an individual permit issued within the past three fiscal years; and

(iii) Assessed a fee under an established fee category, excluding facility not otherwise classified.

(b) To receive a fee reduction, the permit holder must apply in a manner prescribed by the department demonstrating that the conditions in (a) of this subsection are met. The application must include a signature certifying the provided information is correct:

(i) For a corporation, by an authorized corporate officer;

(ii) For a limited partnership, by an authorized general partner;

(iii) For a general partnership, by an authorized partner;

(iv) For a sole proprietorship, by the proprietor; or

(v) For a municipality, state, other public entity, or Native American tribe, by either a principal executive officer or an elected official.

(c) The department may verify the information contained in the application and, if it determines that the permit holder has made false statements, will deny the fee reduction request and revoke previously granted fee reductions.

(d) If the department determines a permit holder is eligible for a fee reduction under this subsection, the annual permit fee is reduced to 25 percent of the assessed annual permit fee but not less than the minimum permit fee in WAC 173-224-040(2).

(e) A permit holder can only be eligible for a market research and development reduction for three consecutive fiscal years.

(2) Small business fee reduction.

(a) To qualify for the small business fee reduction, a business must meet all of the following conditions:

(i) Be a corporation, partnership, sole proprietorship, or other legal entity formed for the purpose of making a profit;

(ii) Be independently owned and operated from all other businesses (i.e., not a subsidiary of a parent company);

(iii) Have annual sales of \$1,000,000 or less of the goods or services produced using the processes regulated by the waste discharge or individual stormwater discharge permit; and

(iv) Have an original annual permit fee assessment totaling \$500 or greater.

(b) To receive a small business fee reduction, the permit holder must apply in a manner prescribed by the department demonstrating that the conditions in this subsection are met. The application must include a signature certifying the information provided is correct:

(i) For a corporation, by an authorized corporate officer;

(ii) For a limited partnership, by an authorized general partner;

(iii) For a general partnership, by an authorized partner; or

(iv) For a sole proprietorship, by the proprietor.

(c) The department may verify the information contained in the application and, if it determines that the permit holder has made

false statements, will deny the fee reduction request and revoke previously granted fee reductions.

(d) If the department determines a permit holder is eligible under this subsection, the annual permit fee is reduced to 50 percent of the assessed annual permit fee but not less than the minimum permit fee in WAC 173-224-040(2).

(3) Extreme hardship fee reduction.

(a) Any small business with annual gross revenue totaling \$100,000 or less from goods and services produced using the processes regulated by the discharge permit may apply in a manner prescribed by the department for an extreme hardship fee reduction.

(b) To receive an extreme hardship fee reduction, the permit holder must provide sufficient evidence to support its claim of hardship and demonstrate that the conditions in this subsection are met. The application must have a signature certifying that the information provided is correct and be signed:

(i) For a corporation, by an authorized corporate officer;

(ii) For a limited partnership, by an authorized general partner;

(iii) For a general partnership, by an authorized partner; or

(iv) For a sole proprietorship, by the proprietor.

(c) The department may verify the information contained in the application and, if it determines that the permit holder has made false statements, will deny the fee reduction request and revoke previously granted fee reductions.

(d) If the department determines a permit holder is eligible under this subsection, the annual permit fee is reduced to the minimum annual permit fee specified in WAC 173-224-040(2).

(4) Hazardous waste cleanup hardship reduction.

(a) Any former small business that is currently assessed a hazardous waste cleanup sites fee and no longer operates as a small business on the cleanup site, may apply in a manner prescribed by the department to have their assessed fee reduced. The permit holder must provide sufficient evidence to support its claim of hardship and demonstrate that the conditions in this subsection are met. The application must have a signature certifying the information provided is correct and be signed:

(i) For a corporation, by an authorized corporate officer;

(ii) For a limited partnership, by an authorized general partner;

(iii) For a general partnership, by an authorized partner; or

(iv) For a sole proprietorship, by the proprietor.

(b) The department may verify the information contained in the application and, if it determines that the permit holder has made false statements, will deny the fee reduction request and revoke previously granted fee reductions.

(c) If the department determines a permit holder is eligible under this subsection, the annual permit fee is reduced to \$500.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-090, filed 6/29/23, effective 7/30/23; WSR 21-13-150 (Order 19-10), § 173-224-090, filed 6/22/21, effective 7/23/21; WSR 19-14-040 (Order 18-01), § 173-224-090, filed 6/26/19, effective 7/27/19; WSR 13-22-051 (Order 13-02), § 173-224-090, filed 11/1/13, effective 12/2/13. Statutory Authority: RCW 90.48.465 and 2011 c 50 § 302(2). WSR 11-20-035 (Order 11-02), § 173-224-090, filed 9/27/11, effective 10/28/11. Statutory Authority: RCW 90.48.465. WSR 09-20-020 (Order 09-06), § 173-224-090, filed 9/28/09, effective 10/29/09. Statutory Authority: Chapter 90.48 RCW. WSR 08-16-109 (Order 08-05), §

173-224-090, filed 8/5/08, effective 9/5/08. Statutory Authority: RCW 90.48.465. WSR 04-15-046, § 173-224-090, filed 7/13/04, effective 8/13/04. Statutory Authority: Chapter 90.48 RCW. WSR 96-03-041 (Order 94-21), § 173-224-090, filed 1/10/96, effective 2/10/96; WSR 94-10-027 (Order 93-08), § 173-224-090, filed 4/28/94, effective 5/29/94; WSR 92-03-131 (Order 91-45), § 173-224-090, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-090, filed 5/31/89 and 3/13/90, effective 4/13/90.]