

**SENATE BILL REPORT**

**SB 5040**

**AS REPORTED BY COMMITTEE ON AGRICULTURE & WATER RESOURCES,  
FEBRUARY 19, 1991**

**Brief Description:** Establishing a lid on the rate of increase for air and water permits.

**SPONSORS:** Senators Hansen, Barr, Rasmussen and Vognild.

**SENATE COMMITTEE ON AGRICULTURE & WATER RESOURCES**

**Majority Report:** Do pass.

Signed by Senators Barr, Chairman; Bailey, Conner, Gaspard, and Hansen.

**Staff:** Bob Lee (786-7404)

**Hearing Dates:** February 1, 1991; February 19, 1991

**BACKGROUND:**

The Department of Ecology administers a number of programs relating to air and water. Funding for the administration of these programs has historically been a combination of state general fund monies and revenue derived from permit fees. Recently, there has been an increased emphasis on replacement of state general fund monies with revenues from permit fees to fund administration and enforcement of these programs. The waste water discharge permit statute and some proposed legislation, such as the Clean Air Act, allow the Department of Ecology to establish fees for permits. There are no limitations to the level of fees that may be charged.

**SUMMARY:**

The Department of Ecology may increase permit fees by an amount not to exceed 6 percent per year of the level in effect on January 1, 1990. Governed by this act are fees established: 1) under the 1917 surface water code; 2) under the 1945 ground water code; 3) pursuant to the water pollution control law; and 4) under the air pollution control statutes.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested January 21, 1991

**TESTIMONY FOR:**

The Department of Ecology established fees for waste water discharge permits two years ago. They are now in the process of establishing by rule increases in these fees by more than

double. Some control needs to be established on agency permit fee increases.

**TESTIMONY AGAINST:**

The Department of Ecology was directed in Initiative 97-B to assess fees sufficient to cover the costs of administering the waste water discharge permit program. The proposed fee increase is necessary to cover the cost of adding personnel to review permits, and to cover present costs now paid by the general fund for some components of the program.

**TESTIFIED:** Carol Jolly, Department of Ecology (con); Bruce Wishart, Sierra Club (con); Ed Thorpe, Coalition for Clean Water; Kathleen Collins, AWC; Jim Zimmerman, Trout Lodge and Washington Fish Growers Association (pro); Bill Fritz, Washington Food Processing Council (pro)