

CERTIFICATION OF ENROLLMENT  
**SUBSTITUTE HOUSE BILL 1649**

52nd Legislature  
1991 Regular Session

Passed by the House March 19, 1991  
Yeas 64 Nays 34

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**Speaker of the  
House of Representatives**

Passed by the Senate April 19, 1991  
Yeas 27 Nays 20

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1649** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

Secretary of State  
State of Washington



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**SUBSTITUTE HOUSE BILL 1649**

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Passed Legislature - 1991 Regular Session

**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** House Committee on Environmental Affairs (originally sponsored by Representative Rust; by request of Department of Ecology and Office of Financial Management).

Read first time March 6, 1991.

1       AN ACT Relating to municipal water discharge permit fees; and  
2 amending RCW 90.48.465.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4       **Sec. 1.** RCW 90.48.465 and 1989 c 2 s 13 (Initiative Measure No.  
5 97) are each amended to read as follows:

6       (1) The department shall establish annual fees to collect expenses  
7 for issuing and administering each class of permits under RCW  
8 90.48.160, 90.48.162, and 90.48.260. An initial fee schedule shall be  
9 established by rule within one year of March 1, 1989, and thereafter  
10 the fee schedule shall be adjusted no more often than once every two  
11 years. This fee schedule shall apply to all permits, regardless of  
12 date of issuance, and fees shall be assessed prospectively. All fees  
13 charged shall be based on factors relating to the complexity of permit  
14 issuance and compliance and may be based on pollutant loading and  
15 toxicity and be designed to encourage recycling and the reduction of

1 the quantity of pollutants. Fees shall be established in amounts to  
2 fully recover and not to exceed expenses incurred by the department in  
3 processing permit applications and modifications, monitoring and  
4 evaluating compliance with permits, conducting inspections, securing  
5 laboratory analysis of samples taken during inspections, reviewing  
6 plans and documents directly related to operations of permittees,  
7 overseeing performance of delegated pretreatment programs, and  
8 supporting the overhead expenses that are directly related to these  
9 activities.

10 (2) The annual fee paid by a municipality, as defined in 33 U.S.C.  
11 Sec. 1362, for all domestic wastewater facility permits issued under  
12 RCW 90.48.162 and 90.48.260 shall not exceed the total of a maximum of  
13 ((five)) fifteen cents per month per residence or residential  
14 equivalent contributing to the municipality's wastewater system. The  
15 department shall adopt by rule a schedule of credits for any  
16 municipality engaging in a comprehensive monitoring program beyond the  
17 requirements imposed by the department, with the credits available for  
18 five years from March 1, 1989, and with the total amount of all credits  
19 not to exceed fifty thousand dollars in the five-year period.

20 (3) The department shall ensure that indirect dischargers do not  
21 pay twice for the administrative expense of a permit. Accordingly,  
22 administrative expenses for permits issued by a municipality under RCW  
23 90.48.165 are not recoverable by the department.

24 (4) In establishing fees, the department shall consider the  
25 economic impact of fees on small dischargers and the economic impact of  
26 fees on public entities required to obtain permits for storm water  
27 runoff and shall provide appropriate adjustments.

28 (5) All fees collected under this section shall be deposited in the  
29 water quality permit account hereby created in the state treasury.

1 Moneys in the account may be appropriated only for purposes of  
2 administering permits under RCW 90.48.160, 90.48.162, and 90.48.260.

3 (6) The department shall submit an annual report to the legislature  
4 showing detailed information on fees collected, actual expenses  
5 incurred, and anticipated expenses for the current and following fiscal  
6 years.

7 (7) The legislative budget committee in 1993 shall review the fees  
8 established under this section and report its findings to the  
9 legislature in January 1994.