

WAC 173-455-040 Source registration fees. (1) Registration fee. Each source required to register with ecology must pay an annual fee based on the source registration tier to which it is assigned in WAC 173-455-039.

(2) Source closure. A source that closes or shuts down temporarily must pay its registration fee to maintain active registration status.

(3) Registration fee schedule for years 2019, 2020, 2021.

(a) Table 2 lists annual registration fees for 2019, 2020, and 2021.

**Table 2
Registration Fee Schedule for 2019 Through 2021**

Tier	Fee 2019	Fee 2020	Fee 2021
1	\$200	\$200	\$200
2	\$400	\$575	\$700
3	\$700	\$1,000	\$1,300
4	\$1,100	\$1,300	\$1,500
5	\$5,000	\$5,500	\$7,000
6	\$7,000	\$7,500	\$8,000

(b) The registration fee for mint distilleries is \$200 for 2019, 2020, and 2021. For 2022 and beyond, the registration fee for mint distilleries will be assessed according to their total emissions.

(4) Registration fee schedule for year 2022 and beyond.

(a) Fee schedule:

(i) Starting in 2022, ecology must prepare an annual budget that reflects the cost of the program;

(ii) Ecology must base the budget on the program costs for the previous twelve-month period consistent with RCW 70.94.151(2);

(iii) Ecology may choose to establish fees to cover registration program costs for a two-year period;

(iv) Ecology must compare the revenue from the previous year, or the previous two-year period if appropriate, to the upcoming draft budget. If increases of registration fees are necessary, ecology must evenly distribute the increased program cost as a percentage of the increased costs across all sources subject to the program.

(b) Public notice. Ecology must:

(i) Post the draft budget and draft registration fee schedule on ecology's website by August 1st of the year before the fee schedule goes into effect.

(ii) Provide a sixty-day public comment period on the draft budget and draft fee schedule.

(iii) Post the final budget and fee schedule on ecology's website by December 1st of the year before the fee schedule goes into effect.

(5) Registration fees for gasoline dispensing facilities. Gasoline dispensing facilities subject to chapter 173-491 WAC must pay a yearly registration fee of one hundred thirty dollars for each storage tank dispensing gasoline.

(6) Fee reductions for economic hardship. If a small business owner, as defined in RCW 19.85.020(3), thinks the registration fee results in an extreme economic hardship, the small business owner may request a fee reduction. The small business owner or operator must provide sufficient evidence to support a claim of an extreme hardship. Ecology may reduce the registration fee by no more than fifty percent.

(7) Fee payments.

(a) The owner or operator of a source subject to fees in this section must pay those fees within ninety days of receipt of ecology's billing statement.

(b) Ecology may assess a late fee equal to three times the amount of the original fee owed against sources knowingly under-reporting emissions, or failing to pay registration fees by the ninety-first day after the receipt of ecology's billing statement. Failure to pay all or part of a registration fee may result in an enforcement action.

(c) The owner or operator may request to pay an ecology fee on a payment plan. Ecology will not apply a late fee for fees paid by a payment plan if a source meets two conditions:

(i) The owner or operator requests a payment plan within thirty days of the receipt of ecology's billing statement.

(ii) The owner or operator pays the fee on time as outlined in the payment plan.

(8) Fossil-fueled electric generating facilities must pay registration fees required in this section in addition to carbon dioxide mitigation program fees required in WAC 173-455-050 if the facility is not subject to chapter 173-401 WAC.

[Statutory Authority: Chapter 70.94 RCW, RCW 70.94.151, 70.94.153, and 70.94.892. WSR 18-22-006 (Order 16-09), § 173-455-040, filed 10/25/18, effective 11/25/18. Statutory Authority: RCW 70.94.151, chapter 70.94 RCW, 2011 1st sp.s. c 50 § 302(2), and section 302(9), chapter 158, 2012 2nd sp.s. c 7. WSR 12-24-051 (Order 11-07), § 173-455-040, filed 11/30/12, effective 12/31/12. Statutory Authority: RCW 70.94.181, [70.94.]152, [70.94.]331, [70.94.]650, [70.94.]745, [70.94.]892. WSR 07-11-018 (Order 06-14), § 173-455-040, filed 5/3/07, effective 6/3/07.]