

WAC 173-455-039 Source registration tiers. (1) A source loses its registration status when a registration fee has not been paid.

(2) Source registration tiers. For the purpose of assessing registration fees, ecology must assign sources required to register with ecology to one of six tiers based on emissions in Table 1 in (b) of this subsection.

(a) Ecology must use the following emissions inventory for each source:

(i) Emissions in an inventory include particulate matter 10 (PM₁₀), volatile organic compound (VOC), carbon monoxide (CO), nitrogen oxide (NOx) and sulfur dioxide (SO₂).

(ii) If emissions information is unavailable, ecology will use the enforceable emissions limitations for the source and/or will estimate emissions using the source's maximum capacities and production rates.

(b) Ecology must assign a source to a tier based on Table 1.

**Table 1
Tiers for Registration Sources**

Tier	Annual Emissions
1	Source with annual emissions less than the tons per year in Tier 2.
2	Source with annual emissions between 0.01 and less than or equal to 10 tons per year.
3	Source with annual emissions greater than 10 and less than or equal to 20 tons per year.
4	Source with annual emissions greater than 20 and less than or equal to 70 tons per year.
5	Source with annual emissions greater than 70 tons per year.
6	Synthetic minor source (as defined in WAC 173-400-030) that emits or has the potential to emit at or above 80 percent of the threshold for a major source (as defined in WAC 173-401-200).

(3) Notice of tier placement.

(a) Draft tier placement. Ecology must notify a source of its draft tier placement by August 1st of the year before a new fee goes into effect, or every other year if ecology proposes a biennial budget.

(b) Ecology must provide electronic notice or notice by the United States postal service if ecology does not have an electronic address for a source or the source requests postal notice.

(c) Ecology must provide a sixty day comment period.

(d) Final tier assignment. Ecology must notify the source of the final tier placement by January 1st of the year when the new fee schedule goes into effect.

(4) Requesting reassignment to a different tier.

(a) A source may submit a request to ecology by September 30th for tier reassignment for the upcoming year if they believe they were assigned to the wrong tier. To request reassignment, the source must provide information sufficient to support a reassignment.

(b) By December 1st of each year or biennially if ecology proposes a two-year budget as provided by WAC 173-455-040 (4)(a)(iii), ecology must notify the source of the final tier determination.

[Statutory Authority: Chapter 70.94 RCW, RCW 70.94.151, 70.94.153, and 70.94.892. WSR 18-22-006 (Order 16-09), § 173-455-039, filed 10/25/18, effective 11/25/18.]