

**WSR 25-09-008
PERMANENT RULES
SPOKANE REGIONAL
CLEAN AIR AGENCY**

[Filed April 3, 2025, 12:17 p.m., effective May 4, 2025]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Spokane Regional Clean Air Agency (SRCAA) amended its periodic fee review process given in Regulation I, Article X, Section 10.02(E), to add an additional option for revising fees for SRCAA fee-based programs. These fees, which are in the consolidated fee schedule (CFS), are reviewed every year as part of SRCAA's annual budget development process. If program revenue and program costs are not aligned, the revisions allow the SRCAA board to adjust the fees contained in the CFS for any fee-based program as part of the annual budget adoption process, based on the urban west region consumer price index (CPI-U West) for the previous 12-month period ending March 31st or an alternate factor, not to exceed four percent. The annual budget adoption process includes an opportunity for public review and comment. If program costs and revenue are aligned, then no changes are made to program fees. If the SRCAA board determines that the fees for any fee-based program need to be adjusted by more than four percent, the CFS may be revised as a separate action from the annual budget adoption process and include an opportunity for public review and comment, as is the current practice outlined in Article X.

Citation of Rules Affected by this Order: Amending [Section 10.02].

Statutory Authority for Adoption: Chapter 70A.15 RCW.

Adopted under notice filed as WSR 25-05-083 on March 5, 2025 [February 18, 2025].

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: April 3, 2025.

Margee Chambers
Air Resource Specialist

[AMENDATORY SECTION]

**SRCAA REGULATION I, ARTICLE X
SECTION 10.02 FEES AND CHARGES REQUIRED**

(A) Late Fees. Failure to pay any fee assessed under Article X after forty-five (45) days of the original payment due date may result in an additional late fee of 25% of the original fee.

(B) Penalty. Persons required to pay emissions or permit fees who are more than ninety (90) days late with such payments may be subject

to a penalty equal to three (3) times the amount of the original fee assessed per RCW 70A.15.3160.

(C) Revenues Collected per RCW 70A.15.2260. Revenues collected per RCW 70A.15.2260 shall be deposited in the operating permit program dedicated account and shall be used exclusively for that program.

(D) Method of Calculating Fees in Article X. Invoice totals will be rounded-up to the nearest one (1) dollar, except for public records fees per Section 10.05(A) and Annual AOP Fees per Section 10.06(C).

(E) Periodic Fee Review.

(1) The Board shall periodically review all agency fees in the Consolidated Fee Schedule (CFS) and determine if the total projected fee revenue to be collected is sufficient to fully recover direct and indirect program costs.

(a) Upon approval by the Board as part of the annual budget development and adoption process, fee-based programs with fees contained in the CFS may be adjusted annually by the Urban West Region Consumer Price Index for the previous twelve-month period ending March 31st, or an alternate factor approved by the Board, not to exceed 4%. The adjusted fees shall be included in a revised CFS that is approved by the Board as part of the budget.

(b) If the Board determines that the total projected fee revenue significantly exceeds or is insufficient for the program costs by more than the factor in Section 10.02 (E) (1) (a), then the Board ((shall)) may amend the ((Consolidated Fee Schedule)) (CFS) to more accurately recover program costs. Any proposed fee revisions under Section 10.02 (E) (1) (b) shall include opportunity for public review and comment.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.