

# Rule Adoption Notice

## Hazardous Waste Fee Regulation Chapter 173-305 Washington Administrative Code

The Department of Ecology (Ecology) adopted amendments to the Hazardous Waste Fee Regulation on April 5, 2017. The rules become effective May 7, 2017.

### What is Chapter 173-305 WAC?

Chapter 173-305 of the Washington Administrative Code (WAC), also known as the Hazardous Waste Fee Regulation, establishes regulations for fees associated with the use of hazardous substances and the generation of hazardous waste.

### Summary of the rule changes

With this rulemaking, the following changes were made to the Hazardous Waste Fee Regulation:

- The definition of “price deflator” was updated to clarify how the fee is adjusted annually for inflation. The price deflator uses figures set by the United States Department of Commerce and Bureau of Economic Analysis relative to state and local government gross domestic products.
- Two types of dangerous waste were excluded from hazardous waste fee calculations:
  - Dangerous waste treated on site by the generator, as regulated by the Dangerous Waste Regulations WAC 173-303-170(3)(b) and (c), and
  - Non-recurrent dangerous waste as reported on the dangerous waste generator report required under WAC 173-303-060(5).

Please see the rule filing order (CR-103 form) and the adopted rule language for the complete set of changes made to this rule.

### Response to Comments

Ecology’s response to comments received during the public comment period is now available. Download a copy online: [www.ecy.wa.gov/programs/hwtr/laws\\_rules/HWFee/1606docs.html](http://www.ecy.wa.gov/programs/hwtr/laws_rules/HWFee/1606docs.html).

### Why it Matters

Ecology is doing this rulemaking to align the rule with existing fee calculation practices, which are consistent with the hazardous waste and toxics reduction goals and purposes of the Waste Reduction Act, Chapter 70.95C RCW.

**Effective Date:**  
**May 7, 2017**

### Contact:

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### ADA Accommodations:

If you need this document in format for the visually impaired, call the Hazardous Waste and Toxics Reduction Program at 360-407-6700

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

## Whom does this rule affect?

Chapter 173-305 WAC affects:

- Hazardous waste planning fee payers
- Hazardous waste generators with active RCRA site ID numbers
- Manufactures and others required to file under the federal Toxics Release Inventory (section 313 of the Emergency Planning and Community Right-to-Know Act)

Others interested in this rulemaking may include:

- Local, state, and tribal governments
- Environmental organizations in Washington
- Business associations

## Appeal procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (Revised Code of Washington (RCW) 34.05, including those found in RCW 34.05.330). For more information about appealing this rule adoption, please contact Bari Schreiner, Agency Rules Coordinator, at 360-407-6998 or [bari.schreiner@ecy.wa.gov](mailto:bari.schreiner@ecy.wa.gov).

## More information

Chapter 173-305 WAC Hazardous Waste Fee Regulation Rulemaking:  
[www.ecy.wa.gov/programs/hwtr/laws\\_rules/HWFee/1606ov.html](http://www.ecy.wa.gov/programs/hwtr/laws_rules/HWFee/1606ov.html).

Chapter 173-305 WAC, Hazardous Waste Fee Regulation:  
<http://apps.leg.wa.gov/WAC/default.aspx?cite=173.305>.

Department of Ecology Hazardous Waste Planning Fee:  
[www.ecy.wa.gov/programs/hwtr/P2/P2fees/p3fees.html](http://www.ecy.wa.gov/programs/hwtr/P2/P2fees/p3fees.html).

To get updates on Ecology's rulemaking activities, sign-up for the WACTrack e-mail list at [www.ecy.wa.gov/maillist.html](http://www.ecy.wa.gov/maillist.html).

