

Air Quality Fee Rule, Chapter 173-455 WAC

The Washington State Department of Ecology has updated its Air Quality Fee Rule.

What is Chapter 173-455 WAC?

This rule establishes fees for a number of air quality-related activities. Businesses pay fees to cover Ecology's cost for reviewing applications, issuing permits, and ensuring compliance with air pollution control requirements. Different fees apply to different types of permits, activities and sources.

Ecology is re-establishing the air quality gasoline vapor recovery inspection program. In the early 2000's, Ecology discontinued its program due to budget constraints.

Controlling gasoline vapors:

- Reduces benzene (a carcinogen) exposure at and near gasoline-dispensing facilities;
- Saves gasoline; and
- Reduces the formation of ground level ozone (contributor to smog).

Summary of the rule changes

After a public process, Ecology increased fees to ensure adequate funding for the existing registration program and resuming the gasoline vapor recovery inspection program.

The rule changes to the fee schedule:

- Increase fees, including late fees, for periodic registration program sources to more fully cover the actual cost of operating the programs;
- Adopt and clarify the process for calculating annual registration program source fees;
- Re-establish fees for gasoline-dispensing facilities in locations under Ecology's authority;

MORE INFORMATION

In 2013, yearly fees for registration program sources increase to:

Periodic source

(fee based on yearly emissions)

Starting January 1, 2013:

- Small source: \$450
- Medium source: \$700
- Large source: \$1000

Annual source

(fee is sum of three parts)

Starting January 1, 2013:

- Flat fee: \$1057
- Complexity: \$469, \$938, or \$1407
- \$16 per ton of emissions

Gasoline-dispensing facilities

Starting July 1, 2013:

- \$130 per storage tank dispensing gasoline

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For special accommodations or documents in alternate format, call (360) 407-6800, 711 (relay service), or 877-833-6341 (TTY).

- Provide a method for increasing most fees in the future. This change will not result in any additional fee increases at this time.
- Make changes to increase the understanding of the rule and clarify the rule's intent. Change the title of this chapter to Air Quality Fee Rule.

Response to Comments

Ecology's response to comments received during the public comment period is now available at www.ecy.wa.gov/biblio/1202021.html.

Who does this rule affect?

This rule applies to businesses located in counties within Ecology's authority: Adams, Asotin, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, San Juan, Stevens, Walla Walla, or Whitman County.

The businesses affected by the fee increases include a broad range of small- and medium-sized commercial and industrial sources of air pollution, including gas stations and other gasoline-dispensing facilities.

What has Ecology changed to reduce fee impact?

Ecology provides two options to reduce the impact of the new fees on businesses.

- Payment plan option: Businesses may choose to pay the first half of their fee by the bill deadline (June 30 for most registration program sources) and pay the second half by November 1. Gasoline dispensing facilities may choose to pay their first half of this fee when renewing their business license and pay the second half four months later.
- Extreme hardship fee reduction: A business with a net profit of \$12,000 or less is eligible for a Small Business Extreme Hardship Fee Reduction. Additional tax documentation will be required. Registration fees may be reduced by up to 50 percent.

More information

Official rule making documents

www.ecy.wa.gov/laws-rules/wac173455/1107.html

More information about this rule-making process: Air Quality Program web site

www.ecy.wa.gov/programs/air/rules/fee_rule.html

To get updates about Ecology's rule-making activities, sign up for the e-mail list at

www.ecy.wa.gov/maillist.html.



Rule appeal procedures

This rule adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For more information about appealing this rule adoption, please contact Bari Schreiner, Ecology Rules Coordinator, at (360) 407-6998 or bari.schreiner@ecy.wa.gov.

Fee Changes for Annual and Periodic Sources

- Fee increases start January 1, 2013.
- *New* Periodic source fees: \$450, \$700, or \$1000. Ecology thinks your fee will be , but we will not know for sure until your emissions inventory is finalized in May 2013.
- Annual source fees are the total of 3 parts.
 - Flat fee = \$1057 per year
 - Complexity = \$469, \$1407 or \$2345
 - Emissions = \$16 per ton
- If you are required to report your emissions, you will get emission inventory forms in the mail in late December. The forms are due to Ecology by January 31, 2013.
- To be more efficient, we are changing our billing system.
 - We are discontinuing the December pre-billing notice that came with the emissions inventory information.
 - Look for your bill in late May instead of March. Payment is due within 30 days of receipt.
 - You may request a payment plan or an extreme hardship fee reduction each year by June 30.
 - Pollution prevention fee reductions were eliminated.
 - Contact regional office staff to request the application for a payment plan or an extreme hardship fee reduction. They can be found at www.ecy.wa.gov/org.html.



Fee Changes for Gasoline-Dispensing Facilities

Ecology is resuming air quality inspections of the vapor recovery systems at gasoline-dispensing facilities located in counties under Ecology's authority. Fees to support the new inspection program begin July 1, 2013. Inspections will begin after Ecology has revised the requirements in Chapter 173-491 WAC, Emission Standards and Controls for Sources Emitting Gasoline Vapors. Rule making is anticipated in 2013.

- New fee starts July 1, 2013.
- \$130 per storage tank dispensing gasoline.
- The fee is due when renewing your business license.
- You may request a payment plan or an extreme hardship fee reduction each year when renewing your business license. Work with the state [Business Licensing Service](#) when renewing your business license. Contact information:
 - BLS@dor.wa.gov
 - 1-800-451-7985
 - www://bls.dor.wa.gov/renewbusiness.aspx
- Prior to July 2013, you may also contact Elena Guilfoil at elena.guilfoil@ecy.wa.gov or 360-407-6855.

