

# ARTICLE X

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## FEES AND CHARGES

**ADOPTED: September 12, 1991**

**REVISED: February 2, 2023**

**EFFECTIVE: March 9, 2023**

### SECTION 10.01 DEFINITIONS

- (A) Unless a different meaning is clearly required by context, words and phrases used in Regulation I, Article X, shall have the following meaning:
- (1) Emission Fee means the component of a registration fee or operating permit fee, which is based on total actual annual emissions of criteria and toxic air pollutants, except as provided in Section 10.06(B)(2). In the case of a new or modified source or a source being registered initially, the emission fee is based on projected emissions as presented in an approved NOC or registration form.
  - (2) Registration Period means the calendar year for which an annual fee has been assessed per Section 10.06(B)(1).

### SECTION 10.02 FEES AND CHARGES REQUIRED

- (A) **Additional Fee for Failure to Pay.** Any fee assessed under Article X shall be paid within forty-five (45) days of assessment. Failure to pay an assessed fee in full within ninety (90) days of assessment will result in the imposition of an additional fee equal to three (3) times the amount of the original fee assessed.
- (B) **Revenues Collected per RCW 70.94.161.** Revenues collected per RCW 70.94.161 shall be deposited in the operating permit program dedicated account and shall be used exclusively for the program.
- (C) **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).
- (D) **Periodic Fee Review.** The Board shall periodically review all agency fees in the Fee Schedule and determine if the total projected fee revenue to be collected is

sufficient to fully recover direct and indirect program costs. If the Board determines that the total projected fee revenue significantly exceeds or is insufficient for the program costs, then the Board shall amend the Fee Schedule to more accurately recover program costs. Any proposed fee revisions shall include opportunity for public review and comment.

### **SECTION 10.03 FEES OTHERWISE PROVIDED**

All fees and charges provided for in Article X are in addition to fees otherwise provided for or required to be paid by Regulation I, PROVIDED, the Control Officer shall waive payment of any fee or service charge hereby required if the Control Officer determines that such fee is duplicative of a fee charged or required to be paid by another Article of this Regulation.

### **SECTION 10.04 FEE WAIVER (Repealed 10/7/10, Res. 10-15)**

### **SECTION 10.05 GENERAL ADMINISTRATIVE FEES**

- (A) Public Records Fees. The Agency charges the standard fees and costs authorized in RCW 42.56.120.
- (B) Other Services. For other administrative services requested and performed by Agency staff, which are not provided to the public generally, the Control Officer shall determine such charge as reasonably reimburses the Agency for time and materials expended in providing the service.

### **SECTION 10.06 ANNUAL REGISTRATION AND ANNUAL AIR OPERATING PERMIT (AOP) FEES**

- (A) Annual Fee. Each source required by SRCAA Regulation I, Article IV, Section 4.01 to be registered, each AOP source, and each source required by Article V, Section 5.02 to obtain an approved and NOC and Application for Approval is required to pay an annual fee for each calendar year, or portion of each calendar year, during which it operates. The owner, operator, or both, shall be responsible for payment of the fee per the requirements in Article X, Section 10.06. Fees received as part of the registration program or the operating permit program shall not exceed the actual costs of program administration.
- (B) Annual Registration Fee. The annual fee for each source required by Article IV, Section 4.01 to be registered and that is not subject to Article X, Section 10.06(C) shall be determined by adding all of the applicable fees below:

(1)

Registration Fee Categories	Fee	Fee Applicability
Facility Fee <sup>A</sup>	Per the Fee Schedule	Per Source
Emissions Fee <sup>B</sup>	Per the Fee Schedule	Per Ton
Emission Point Fee <sup>C</sup>	Per the Fee Schedule	Per Stack/Point
Synthetic Minor Fee <sup>D</sup>	Per the Fee Schedule	Per Source

<sup>A</sup> Each source is subject to the fee listed in the Fee Schedule.

<sup>B</sup> The additional fee applies to each ton (rounded to the nearest one-tenth of a ton) of each criteria pollutant, volatile organic compound (VOC), and non-VOC toxic air pollutant emitted.

<sup>C</sup> The additional fee applies to each stack and other emission points, including sources of fugitive emissions (e.g., fugitive dust emissions from crushing operations; storage piles; mixing and clean-up associated with surface coating). For gasoline stations, each gasoline tank vent is an emission point.

<sup>D</sup> The additional fee applies to each Synthetic Minor.

(2) Calculating Annual Registration Fee without Required Registration Information. When registration information required in Article IV, Section 4.02 is not provided by the form due date, the annual registration fee will be based on the source's maximum potential production rate.

(C) Annual AOP Fee. The annual fee for each AOP source shall be determined as follows:

- (1) AOP Annual Fee. For sources that are subject to the AOP program during any portion of the calendar year, the annual fee shall be determined by adding all of the applicable fees described below:
  - (a) Annual base fee per the Consolidated Fee Schedule.
  - (b) Emission fee per the Consolidated Fee Schedule.
  - (c) Agency time fee, as determined per the Consolidated Fee Schedule.
  - (d) AOP Program Cost Correction, as determined per the Consolidated Fee Schedule.
  - (e) A share of the assessment by Ecology per RCW 70.94.162(3), as determined per the Consolidated Fee Schedule.
- (2) Acid Deposition Fee. For affected units under Section 404 (Acid Deposition Standards) of the Federal Clean Air Act (42 USC 7401 et seq.), the air operating permit fee shall be determined by adding all of the applicable fees described below:
  - (a) The AOP Acid Deposition Fee shall be calculated as follows:

1. Hourly Fee. The hourly fee is calculated by multiplying the total staff time spent in reviewing and processing the request (rounded-up to the nearest half-hour) by the hourly rate as listed in the Fee Schedule, for time expended in carrying out the fee eligible activities specified in Chapter 70.94 RCW; and
  2. Ecology Assessment. A share of the assessment by Ecology per RCW 70.94.162(3), as determined per the Fee Schedule.
- (b) Hourly Rate. The hourly rate is calculated by:
- $$\text{Hourly Rate} = \frac{\text{Total AOP Program Costs}}{\text{Total AOP Program Hours}}$$
- (c) Hourly Rate Revision. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal years out of the four (4) preceding fiscal years, rounded-up to the nearest one (1) dollar.

**SECTION 10.07 NOTICE OF CONSTRUCTION (NOC) AND PORTABLE SOURCE PERMIT (PSP) APPLICATION FEES**

- (A) NOC and PSP Fees.
- (1) NOC / PSP Class, Base Fee, Fee for Additional NOC / PSP Review Hours, SEPA Fee, and Fee Determination. For each project required by SRCAA Regulation I, Article V, to file a NOC or a PSP application, the owner or operator must pay the following applicable fees in (b) through (d) below:
    - (a) NOC / PSP Class. Each NOC / PSP application will be assigned a Class, as follows:
      1. Class I – PSP to install and operate portable sources include the following:

<b>Article IV Source/Source Category Description</b>
Asphalt plant
Concrete production operation / ready mix plant
Rock crusher

2. Class II – Simple NOCs include the following:

<b>Article IV Source/Source Category Description</b>
Coffee roaster
Degreaser / solvent cleaner (not subject to 40 CFR Part 63, Subpart T) subject to Article IV
Dry cleaner (non halogenated solvent)
Evaporator subject to Article IV

Gasoline dispensing facility with maximum annual gasoline throughput less than or equal to 1.5 million gallons
Graphic art system, including lithographic and screen printing operation, subject to Article IV
Material handling operation that exhausts greater than 1,000 and less than 10,000 acfm to the ambient air
Organic vapor collection system within commercial or industrial facility that is subject to Article IV
Rock, asphalt, or concrete crusher
Spray booth / surface coating operation that exhausts less than or equal to 10,000 acfm to the ambient air
Sterilizer subject to Article IV
Wood furniture stripping operation subject to Article IV

3. Class III – Standard NOCs include the following:

<b>Article IV Source/Source Category Description</b>
Soil and groundwater remediation operation subject to Article IV
Bakery subject to Article IV
Bed lining or undercoating operation subject to Article IV
Boiler and other fuel-burning equipment with maximum per unit heat input less than 100 MMBtu/hr
Brick and clay products manufacturing operations
Burn out, kiln, and curing oven
Chrome plating operation
Concrete production operation
Dry cleaner (halogenated solvent)
Gasoline dispensing facility with maximum annual gasoline throughput greater than 1.5 million gallons
Grain handling; seed, pea and lentil processing facility
Incinerator / crematory
Internal combustion engine used for standby, back-up operations rated greater than or equal to 500 bhp
Internal combustion engine, other than engines used for standby or backup operation rated greater than or equal to 100 bhp
Material handling operation that exhausts greater than or equal to 10,000 acfm to the ambient air
Metal casting facility / foundry
Metal plating or anodizing operation
Metallurgical processing operation
Mill; lumber, plywood, shake, shingle, woodchip, veneer operation, dry kiln, wood products, grain, seed, feed, or flour

Plastic and fiberglass operations using greater than 55 gallons per year of all VOC and toxic air pollutant containing materials
Spray booth / surface coating operation that exhausts greater than 10,000 acfm to the ambient air
Storage tank for organic liquid with capacity greater than 20,000 gallons
Stump / woodwaste grinder
Tire recapping operation

4. Class IV – Complex NOCs include the following:

<b>Article IV Source/Source Category Description</b>
Asphalt plant
Boiler and other fuel-burning equipment with maximum per unit heat input greater than or equal to 100 MMBtu/hr
Bulk gasoline and aviation gas terminal, plant, or terminal
Cattle feedlot subject to Article IV
Chemical manufacturing operation
Composting operation
Natural gas transmission and distribution facility
Paper manufacturing operation, except Kraft and sulfite paper mills
Petroleum refinery
Pharmaceutical production operation
Refuse systems
Rendering operation
Semiconductor manufacturing operation
Sewerage systems
Wholesale meat/fish/poultry slaughter and packing plant

5. For sources / source categories not listed in Section 10.07(A)(1)(a), each NOC / PSP application will be assigned to Class I, II, III or IV by the Control Officer on a case-by-case basis.

(b) Base fee. A base fee must be paid to the Agency with the submission of each completed NOC / PSP application. The base fee applicable for each NOC / PSP Class is listed in the Consolidated Fee Schedule.

1. For each NOC / PSP application, the base fee covers staff time spent in reviewing and processing the application up to the listed number of base-fee hours provided in the Fee Schedule for each class of NOC / PSP.
2. For sources with one or more emission points under one NOC application, a separate base fee applies to each emissions unit, or each group of like-kind emissions units,

being installed or modified. A group of emissions units will be considered as like-kind if the same set of emission calculations can be used to characterize emissions from each of the emissions units.

- (c) Fee for Additional NOC / PSP Review Hours. When the staff time hours spent reviewing and processing a NOC / PSP application exceeds the listed number of base-fee hours provided in the Consolidated Fee Schedule for the applicable class of NOC / PSP, an additional fee will be charged. The additional fee is calculated by multiplying the total staff time spent in reviewing and processing the NOC / PSP application that exceeds the listed number of review hours (rounded up to the nearest half-hour) by the hourly rate as listed in the Consolidated Fee Schedule.
  - (d) SEPA Review Fee. Where submittal of an Environmental Checklist, per the State Environmental Policy Act (SEPA) Chapter 197-11 WAC is required in association with a NOC or a PSP, and SRCAA is the lead agency, the applicant must pay a SEPA review fee as listed in the Consolidated Fee Schedule. The SEPA review fee must be paid with the submission of the Environmental Checklist to the Agency.
  - (e) Fee Determinations.
    - 1. The base fee is calculated by multiplying the number of base-fee hours for the NOC / PSP class by the hourly rate listed in the Fee Schedule.
    - 2. Hourly Rate. The hourly rate is calculated by:  
$$\text{Hourly Rate} = \frac{\text{Total NOC and PSP Program Costs}}{\text{Total NOC and PSP Program Hours}}$$
    - 3. Hourly Rate Revision. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal years out of the four (4) preceding fiscal years, rounded-up to the nearest one (1) dollar.
- (2) Fees for Replacement or Substantial Alteration of Control Technology and for Changes to an Order of Approval or Permission to Operate.
- (a) The following NOC applications or requested changes to an Order of Approval or Permission to Operate must pay a fee as listed in the Fee Schedule. The fee will be assessed each time a request is submitted and will be invoiced to the owner or operator with the final determination.
    - 1. NOC applications for replacement or substantial alteration of control technology under WAC 173-400-114.
    - 2. An owner or operator requesting a modification, revision, and/or change in conditions of an approved Order of Approval or Permission to Operate, under Article V, Section 5.10(C).

- (b) The fee is calculated by adding all the applicable fees described below:
  - 1. Minimum Fee. The minimum fee, as listed in the Consolidated Fee Schedule, will be assessed for all NOCs reviewed under WAC 173-400-114 and revision request reviews. The minimum fee includes the first three (3) hours of staff time spent in reviewing and processing the request; and
  - 2. Hourly Fee. The hourly fee is calculated by multiplying the total staff time spent in reviewing and processing the request beyond the first three (3) hours covered in 10.07(A)(2)(b)1. (rounded-up to the nearest half-hour), by the hourly rate as listed in the Consolidated Fee Schedule.
- (c) Fee Determinations.
  - 1. Flat Fee. The revision flat fee is calculated by multiplying three (3) hours by the hourly rate listed in the Consolidated Fee Schedule.
  - 2. Hourly Rate. The hourly rate is calculated by:
 
$$\text{Hourly Rate} = \frac{\text{Total NOC and PSP Program Costs}}{\text{Total NOC and PSP Program Hours}}$$
  - 3. Hourly Rate Revision. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal years out of the four (4) preceding fiscal years, rounded-up to the nearest one (1) dollar.

(B) Payment of Fees.

- (1) Upon Submission of Application. The base fee and SEPA fee (if applicable) must be paid at the time the NOC / PSP application is submitted to the Agency. Review of the NOC / PSP application will not commence until the applicable base fee is received.
- (2) After Application.
  - (a) Complete Applications. The Agency will invoice the owner, operator, or both, for Fees for Additional NOC / PSP Review Hours, if applicable. The fees shall be paid whether the application is approved or denied.
  - (b) Incomplete Applications.
    - 1. If an owner, operator, or both, notifies the Agency in writing that an application will not be completed or cancels the application; or the application remains incomplete for more than three (3) months; the Agency will invoice the owner, operator, or both, for payment of applicable fees.
    - 2. Applications not accompanied by the base fee will be considered incomplete. If information requested by the Agency is not provided, the application will be considered incomplete and review of the application will be suspended.



Review of the application will commence or recommence, when all required fees and information requested by the Agency is received. An application will be cancelled if it remains incomplete for more than eighteen (18) months from initial receipt. For review of the cancelled application to resume, the applicant must pay all outstanding invoice fees, if applicable, and resubmit the applicable base fee.

- (C) Compliance Investigation Fee. When a compliance investigation is conducted per Article V, Section 5.12, the compliance investigation fee shall be assessed per the Consolidated Fee Schedule. The fee shall be assessed for each emissions unit, or group of like-kind emissions units, being installed or modified. A group of emissions units shall be considered as like-kind if the same set of calculations can be used to characterize emissions from each of the emissions units.

## **SECTION 10.08 MISCELLANEOUS FEES**

(A) Miscellaneous Fees.

- (1) Emission Reduction Credit Fee.
- (a) Review of emission reduction credits per WAC 173-400-131 shall require the applicant to pay an emission reduction credit fee per the Consolidated Fee Schedule.
  - (b) The fee is calculated by multiplying the total staff time spent reviewing and processing the request, rounded-up to the nearest half-hour, by the hourly rate, per the Consolidated Fee Schedule.
  - (c) Hourly Rate. The hourly rate is calculated by:  
$$\text{Hourly Rate} = \frac{\text{Total NOC and PSP Program Costs}}{\text{Total NOC and PSP Program Hours}}$$
  - (d) Hourly Rate Revision. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal years out of the four (4) preceding fiscal years, rounded-up to the nearest one (1) dollar.
- (2) Variance Request Fee.
- (a) Processing a variance request per RCW 70.94.181 or SRCAA Regulation I, Article III, shall require the applicant to pay a variance request fee per the Consolidated Fee Schedule. The fee will be assessed each time a request is submitted and will be invoiced to the applicant with the final determination.
  - (b) The variance request fee is calculated by adding all of the applicable fees described below:
    - 1. Filing fee per the Consolidated Fee Schedule.
    - 2. Agency legal fees related to the variance request.
    - 3. Public notice fees.

4. Hourly fee. The hourly fee is calculated by multiplying the total staff time spent in reviewing and processing the request, rounded-up to the nearest half-hour, by the hourly rate, as listed in the Consolidated Fee Schedule.
- (c) Fee Determination.
1. The hourly rate is calculated by:
 
$$\text{Hourly Rate} = \frac{\text{Total Program Costs}}{\text{Total Program Hours}}$$
  2. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal years out of the four (4) preceding fiscal years, rounded-up to the nearest one (1) dollar.
- (3) Alternate Opacity Fee.
- (a) Review of an alternate opacity limit per RCW 70.94.331(2)(c) shall require the applicant to pay an alternate opacity fee per the Consolidated Fee Schedule.
  - (b) The fee is calculated by multiplying the total staff time spent in reviewing and processing the request, rounded-up to the nearest half-hour, by the hourly rate, as listed in the Consolidated Fee Schedule.
  - (c) Hourly Rate. The hourly rate is determined by:
 
$$\text{Hourly Rate} = \frac{\text{Total NOC and PSP Program Costs}}{\text{Total NOC and PSP Program Hours}}$$
  - (d) Hourly Rate Revision. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal years out of the four (4) preceding fiscal years, rounded-up to the nearest one (1) dollar.
- (4) Other Services Fee.
- (a) Applicants of other services including:
    1. Requests under the following sections of Regulation I, Article VI, Sections 6.13(E)(3)(j); 6.13(F)(3); 6.13(F)(4); 6.13(F)(6) and 6.13(F)(9).
    2. Registration exemption requests.
    3. Other.
  - (b) Applicants shall pay a fee per the Consolidated Fee Schedule.
  - (c) The fee is calculated by multiplying the total staff time spent in reviewing and processing the request, rounded-up to the nearest half-hour, by the hourly rate, as listed in the Fee Schedule.
  - (d) Hourly Rate. The hourly rate is calculated by:
 
$$\text{Hourly Rate} = \frac{\text{Total NOC and PSP Program Costs}}{\text{Total NOC and PSP Program Hours}}$$
  - (e) Hourly Rate Revision. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal

years out of the four (4) preceding fiscal years, rounded-up to the nearest one (1) dollar.

- (B) Payment of Fees. The Agency will invoice the owner, operator, or both, for all applicable fees. The fees shall be paid without regard to whether the request(s) associated with Article X, Section 10.08(A)(1), (2), (3) and (4) are approved or denied; except Section 10.08(A)(2) as provided in Article III, Section 3.02.B.

**SECTION 10.09 ASBESTOS PROJECT AND DEMOLITION NOTIFICATION  
WAITING PERIOD AND FEES**

- (A) Written notification, as required in Article IX, Section 9.04, shall be in accordance with the waiting period in the tables that follow and shall be accompanied by the appropriate nonrefundable fee, as specified in the Fee Schedule. Refunds are allowable for overpayments which are identified within thirty days of the notification filing date.

<b>Owner-occupied, single-family residence</b>	<b>Waiting Period</b>
> 0 ln ft and/or > 0 sq ft asbestos performed by residing owner	Notification Not Required
< 10 ln ft and/or < 48 sq ft asbestos not performed by residing owner	Notification Not Required
≥ 10 ln ft and/or ≥ 48 sq ft asbestos not performed by residing owner	Prior Notice
All Demolition	3 Days

<b>Not owner-occupied, single-family residence</b>	<b>Waiting Period</b>
< 10 ln ft and/or < 48 sq ft asbestos, but asbestos removal threshold of ≥ 10 ln ft and/or ≥ 48 sq ft has not been exceeded for structure in calendar year and project WILL NOT exceed threshold of ≥ 10 ln ft and/or ≥ 48 sq ft asbestos removal from structure in calendar year	Notification Not Required
Project consists of < 10 ln ft and/or < 48 sq ft of asbestos removal, but ≥ 10 ln ft and/or ≥ 48 sq ft asbestos has already been removed from structure in calendar year or project WILL exceed threshold of ≥ 10 ln ft and/or ≥ 48 sq ft asbestos removal from structure in calendar year	Prior Notice

10-259 ln ft and/or 48-159 sq ft asbestos	3 Days
260-999 ln ft and/or 160-4,999 sq ft asbestos	10 Days
≥ 1,000 ln ft and/or ≥ 5,000 sq ft asbestos	10 Days
All Demolition	10 Days

<b>Additional categories</b>	<b>Waiting Period</b>	<b>Reference</b>
Emergency	Prior Notice*	Sect. 9.04.A.7.h.
Annual Notification (≤ 259 ln ft and/or ≤ 159 sq ft)	Prior Notice	Sect. 9.04.A.7.j
Amendment	Prior Notice	Section 9.04.B.
Alternate Asbestos Project Work Practices	10 days	Section 9.08.A.
Demolition with Nonfriable Asbestos Roofing	10 days	Section 9.08.B.
Exception for Hazardous Conditions	10 days	Section 9.08.C.

\* If prior notice isn't possible because of life endangerment or other serious consequences, the Agency may accept, at its discretion, a completed emergency notification if it is filed no later than the first regular Agency work day after the asbestos project and/or demolition commenced.

### **SECTION 10.10 SOLID FUEL BURNING DEVICE EXEMPTIONS**

- (A) An initial, nonrefundable fee of \$25 shall be paid for review of any exemption request to use a solid fuel combustion device during periods of impaired air quality. An annual, nonrefundable renewal fee of \$10 will be required each year thereafter. These fees may be waived for emergency situations.
- (B) Fees shall be paid without regard to whether the request(s) associated with this Section are approved or denied.

### **SECTION 10.11 OXYGENATED GASOLINE (Repealed 9/1/05, Res. 05-19)**

**SECTION 10.12 AGRICULTURAL BURNING FEES**

- (A) For agricultural burning permits issued by the Agency per Regulation I, Article VI, Section 6.11, a fee equal to the maximum fee provided for in Chapter 173-430 WAC shall be submitted with a complete agricultural burning permit application.
- (B) Refunds of fees collected by the Agency will be provided for acres or tons permitted but not burned, provided that the total nonrefundable fee is no less than the minimum fee specified in Chapter 173-430 WAC.
- (C) Acreage equivalency, if applicable, shall be in accordance with the determination of the agricultural burning practices and research task force per Chapter 173-430 WAC.
- (D) Fees shall be paid without regard to whether the request(s) associated with Article X, Section 10.12 are approved or denied.

**SECTION 10.13 OUTDOOR BURNING WAITING PERIOD AND FEES**

- (A) Permit Application. An outdoor burning permit application must be completed and submitted to the Agency per SRCAA Regulation I, Article VI, Section 6.01. Incomplete applications and applications received without the applicable fee will be returned to the applicant.
- (B) Advance Application Period. A complete and accurate application must be received by the Agency in advance of the first proposed burn date by the number of working days specified in the table below.

Type of Outdoor Burning	Working Days*
Social Event Fires [Section 6.01(D)(9)]	10
Storm or Flood Debris Burning [Section 6.01(D)(10)]	10
Types of Other Outdoor Burning Not Listed in Sections 6.01(D)(1 through 12) [Section 6.01(D)(13)]	10

\*Unless otherwise approved by the Agency.

- (C) Permit Application Fees.
  - (1) Review Fee. A nonrefundable review fee per the Consolidated Fee Schedule shall accompany all outdoor burning permit applications. The fee shall be paid whether or not burning is conducted.
  - (2) Hourly Fee for Other Outdoor Burning Permits [Section 6.01(D)(13)]. The hourly fee is calculated by multiplying the total staff time spent in reviewing and processing the outdoor burning application beyond the first one (1) hour covered in Section 10.13(C)(1) (rounded-up to the nearest half-hour) and multiplied by the hourly rate, as listed in the Consolidated Fee

Schedule. A billing invoice for the hourly fee will be sent to the applicant. The entire fee assessed on the invoice is nonrefundable, and shall be paid whether or not burning is conducted.

(3) Fee Determination.

(a) Hourly Rate. The hourly rate is determined by:

$$\text{Hourly Rate} = \frac{\text{Total Outdoor Burning Program Costs}}{\text{Total Outdoor Burning Program Hours}}$$

(b) Hourly Rate Revision. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal years out of the four (4) preceding fiscal years, rounded-up to the nearest one (1) dollar.

### **SECTION 10.14 PAVING WAIVER FEES**

(A) Review Fee.

(1) A minimum nonrefundable review fee as specified in the Fee Schedule shall accompany all paving waiver requests submitted to the Agency. The fee shall be paid whether or not the paving waiver is approved or denied.

(2) Paving waiver review fee is calculated by multiplying the hourly rate by one (1) hour.

(3) Hourly Rate. The hourly rate is determined by:

$$\text{Hourly Rate} = \frac{\text{Average of compliance activities program costs}}{\text{Average of compliance activities program hours}}$$

(4) Hourly Rate Revision. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal years out of the four (4) recent fiscal years, rounded-up to the nearest one (1) dollar.

### **SECTION 10.15 MARIJUANA PRODUCTION AND MARIJUANA PROCESSING REGISTRATION AND APPLICATION FEES**

(A) Initial Registration Fee. Each source required by SRCAA Regulation I, Article IV, Section 4.01 to be registered is required to pay an initial registration fee for the first calendar year or portion of calendar year that the source is part of the Agency registration program. The owner or operator will be responsible for payment of the initial registration fee. After the first year, the owner or operator will pay an annual registration fee under Section 10.15(B).

(1) The initial registration fee is determined by each unique LCB number, license type, and tier level. A separate initial registration fee is required for each unique LCB license number regardless of location. The initial registration fee will be determined by the fee table below:

<u>Registration Fee Categories</u>	<u>LCB Producer Tier Size</u>		
	LCB Tier 1	LCB Tier 2	LCB Tier 3
Producer with processor license	Per the Fee Schedule	Per the Fee Schedule	Per the Fee Schedule
Processor only	Per the Fee Schedule		
Producer only	Per the Fee Schedule		

LCB = WA State Liquor and Cannabis Board

- (B) Annual Registration Fee. Each source required by Article IV, Section 4.01 to be registered is required to pay an annual registration fee for each calendar year or portion of each calendar year during which it operates. The owner or operator will be responsible for payment of the annual registration fee. Fees received as part of the marijuana registration program will not exceed the actual costs of program administration.
  - (1) The annual registration fee is required for each LCB licensed producer and LCB licensed processor. The fee is determined by each unique LCB number, license type, and tier level. A separate registration fee is required for each unique LCB license number regardless of location. The annual fee will be determined by the fee table below:

<u>Registration Fee Categories</u>	<u>LCB Producer Tier Size</u>		
	LCB Tier 1	LCB Tier 2	LCB Tier 3
Producer indoor only	Per the Fee Schedule	Per the Fee Schedule	Per the Fee Schedule
Producer outdoor only	Per the Fee Schedule	Per the Fee Schedule	Per the Fee Schedule
Producer indoor and outdoor	Per the Fee Schedule	Per the Fee Schedule	Per the Fee Schedule
Producer w/ Agency granted production exemption	Per the Fee Schedule	Per the Fee Schedule	Per the Fee Schedule
Processor with producer license	Per the Fee Schedule		
Processor only	Per the Fee Schedule		

LCB = WA State Liquor and Cannabis Board

- (2) Calculating Marijuana Annual Registration Fee without Required Registration Information. When registration information required in Article IV, Section 4.02 is not provided, the annual registration fee will be based on fees listed in Section 10.15(B)(1), plus an additional fee equal to two (2) times the amount of original fee assessed. This method will be used:
- (a) When registration information is not received within ninety (90) days of request, or
  - (b) Prior to the registration fee invoice date, whichever is later.