



Northwest Clean Air Agency (NWCAA)

ORDER FEE SCHEDULE^{1, 2, 3, 4}

(NWCAA 324.7)

Effective January 1, 2021

Approved by the NWCAA Board of Directors on November 14, 2013 under Resolution 489

<u>ORDER FEES</u>	<u>AMOUNT</u>
Filing fee	\$1,313
<u>FEES in addition to the filing fee, as applicable</u>	<u>AMOUNT</u>
Regulatory Order (including Orders issued under WAC 173-400-091)	\$1,440
Compliance Order ⁵	\$2,369 ⁶
SEPA threshold determination (Determination of Nonsignificance [DNS])	\$789 ⁶
SEPA threshold determination (Mitigated Determination of Nonsignificance [MDNS])	\$1,567 ⁶
SEPA threshold determination (Determination of Significance [DS])	\$3,135 ⁶
Public notice required by NWCAA Regulation 305.2 (plus publication costs)	\$523
Public hearing (plus publication costs, if separate public notice)	\$523

Notes:

1. There shall be no fee for orders initiated by the NWCAA or for any order issued under RCW 70.94.435. Also, the only Compliance Orders that are subject to fees under this fee schedule are those that require public notice under NWCAA 305.2.
2. A modification to an existing order requires payment of the order filing fee, along with SEPA, public notice, and/or public hearing fees, as applicable, only.
3. In the event that an order fee is paid, but the project to which the application applies is ultimately not pursued; an applicant may request a partial refund. The amount of the refund, if any, will be calculated based on the current fully-loaded average hourly cost of staff and the estimate of time spent by such staff on the application. If this calculated amount is less than the total order fees paid, the NWCAA may refund the difference. Such a refund is solely at the discretion of the Control Officer. If the Order has been issued, no refund will be granted. In all cases a request for partial refund shall include a \$75.00 processing fee.
4. In the event that an order is appealed, the applicant shall pay to the NWCAA an amount equal to the costs and expenses incurred by the NWCAA as a result of the appeal. The amount of such a fee shall be calculated based on the current fully-loaded average hourly cost of staff and the estimate of time spent by such staff in the appeal process, plus any and all costs and expenses incurred by the NWCAA during such appeal process including, but not limited to, reasonable costs related to environmental consultants or attorney fees. If requested, the NWCAA will provide the applicant with the estimated staff-hours required for the appeal process prior to those charges being assessed.
5. The fees assessed under this fee schedule are separate from any penalty or injunctive relief assessed with regard to a Notice of Violation.
6. The SEPA and Compliance Order fees identified are minimum fees. In the event that the NWCAA incurs costs or expenses in excess of the minimum applicable fee, the applicant shall pay to the NWCAA an amount equal to such excess costs or expenses. The amount of such excess shall be calculated based on the current fully-loaded average hourly cost of staff and the estimate of time spent by such staff in the review process, plus any and all costs and expenses incurred by the NWCAA during such review including, but not limited to, reasonable costs related to environmental consultants or attorney fees. Additionally, the Control Officer is authorized to enter into a written cost-reimbursement agreement with an applicant as provided in RCW 70.94.085.