

Biosolids Permit Fee Program Biennial Report to the Washington State Legislature

Introduction

The Washington State Department of Ecology respectfully submits this report to the Legislature as required by RCW 70.95J.025(4), which reads in part: *“The department shall present a biennial progress report on the use of moneys from the biosolids permit account to the legislature . . . The report shall consist of information on fees collected, actual expenses incurred, and anticipated expenses for the current and following fiscal years.”*

- Biosolids are a primarily organic product of the wastewater treatment process that meet federal and state regulatory standards for quality and can be beneficially recycled.
- Facilities in Washington State generate approximately 100,000 dry tons of biosolids per year.
- Some biosolids are disposed in landfills or incinerated, but the prevalent management method in Washington is beneficial use by land application. Approximately 80 percent of biosolids generated in Washington are used beneficially.
- Septage is the material pumped from domestic septic tanks and similar systems. Septage is a form of biosolids and similarly managed.

Background

Ecology implements a biosolids management program designed to meet federal standards. The program is supported by permit fees.

The 1992 Legislature unanimously passed the bill requiring the state program. The 1997 Legislature unanimously passed the bill allowing the permit fee program (Chapter 70.95J RCW). Regulated stakeholders support both the overall program and fee program. The program and service are valuable to the public and regulated community because:

- Compliance with regulatory standards is important to protect public health and the environment from pollutants that can be present in biosolids.
- Treatment plants, especially smaller facilities with fewer resources, benefit from assistance with understanding regulations and good management practices. By providing technical assistance, Ecology helps treatment plants avoid costs of hiring consultants or making costly mistakes.

- Ecology staff has developed considerable expertise in the area of biosolids management. This enables them to provide technical assistance to stakeholders for managing other organic materials as well.
- Other stakeholders, especially the public and local health departments, benefit from Ecology's technical expertise. Program staff frequently answer questions from the public and local health departments on the biosolids program and regulatory issues. They also make presentations and provide information.
- Compliance with regulations and use of good management practices improve public confidence in the safety of biosolids management. Compliance is a matter of paramount importance to the regulated community in achieving public acceptance of their programs.
- Ecology's involvement at the national level helps shape federal program policies and direction.
- New concerns about biosolids management regularly emerge. Ecology works with local and national biosolids experts to help address issues as they arise.

Currently, about 380 facilities fall under the state biosolids permit system. They range from very small, private ones to the largest municipalities, and include state and federally owned facilities.

Most facilities under the program are publicly owned sewage treatment works. The state does not exert jurisdiction over facilities or activities located on tribal lands, unless they transport biosolids or sewage sludge into the state.

From the outset, the biosolids fee program was intended to support a core-level program at Ecology. A core-level program allows Ecology staff to implement basic elements of the program such as monitoring and evaluating operations, conducting inspections, and providing technical assistance.

Key Program Outcomes

In the past two years, Ecology issued a new Biosolids General Permit, and continued to make progress toward gaining full compliance with the regulation and permits through continued inspections and working with the regulated community.

Staff and management went through a "Lean" training that resulted in a work plan to prepare boilerplate and guidance documents to streamline the portion of the permitting program considered the most time-consuming. In the next couple of years, the boilerplate and guidance documents are expected to help increase consistency and compliance, and improve timeliness of issuing final approvals.

All active facilities are either under “provisional” approval to manage their biosolids, or they have received “final” approval. “Provisional” approval means the facility has submitted all required documents, and is authorized to manage biosolids in accordance with the regulation and Biosolids General Permit. “Final” approval means Ecology has conducted a full review of the facility’s biosolids program and provided written approval of its program.

Table 1 summarizes key program outcomes during the past two years.

**Table 1
Key Program Outcomes**

<ul style="list-style-type: none"> • Issued new Biosolids General Permit.
<ul style="list-style-type: none"> • Lean training resulting in a work plan for preparation of boilerplate and guidance documents to assist the regulated community.
<ul style="list-style-type: none"> • All active biosolids land application projects are inspected at least annually.
<ul style="list-style-type: none"> • All active facilities are under either “provisional” or “final” approval to manage biosolids.

Current and Projected Revenues and Expenditures

Prior to Fiscal Year 2010, the Biosolids Permit Account was partially supplemented by funds from the Waste Reduction, Recycling and Litter Control Account. Over the past few years, with the Legislature’s approval, Ecology increased fees to fully cover the existing program. Ecology increased fees by 15.5 percent in Fiscal Year 2010, 15.5 percent in Fiscal Year 2011, and 10 percent in Fiscal Year 2012. Each fee increase was discussed in detail with the regulated community and they were largely supportive.

For the 2011-13 Biennium, fees are expected to fully cover staffing for the core-level biosolids program.

In Fiscal Year 2012, 379 facilities were invoiced under the fee program for a total of about \$932,000. For Fiscal Year 2013, we estimate revenues will be around \$925,000.

Table 2 provides further details regarding revenues, expenditures, and FTE levels supported.

**Table 2
Biosolids Permit Account
(Figures are Approximate)**

	FY 10	FY 11	FY 12	FY 13 (Anticipated)	FY 14 (Anticipated)	FY 15 (Anticipated)
Fee Collection	\$734,000 (376 facilities)	\$868,000 (371 facilities)	\$932,000 (379 facilities)	\$925,000 (380 facilities)	\$925,000 (380 facilities)	\$925,000 (380 facilities)
Expenditures	\$806,568	\$840,580	N/A	N/A	N/A	N/A
Appropriations	\$933,000	\$933,000	\$925,000	\$925,000	\$925,000	\$925,000
Ending Fund Balance	N/A	\$320,509	N/A	N/A	N/A	N/A
FTEs*	9.9	9.9	9.9	9.9	9.9	9.9
Average Permit Fee	\$1952	\$2339	\$2,459	\$2,434	\$2,434	\$2,434

* The number of FTEs listed includes both implementation and administrative staff.

Conclusions

Biosolids permit fees adequately fund the core-level program for the current biennium. We plan to submit a request for a small fiscal growth factor increase to revenues per WAC 173-308-320 for the 2013-15 Biennium.

We would be pleased to address any questions regarding the fee program. Please direct inquiries to Laurie G. Davies, Waste 2 Resources Program Manager, at (360) 407-6103 or Daniel Thompson, State Biosolids Coordinator, at (360) 407-6108.

Publication and Contact Information

This report is available on the Department of Ecology's website at www.ecy.wa.gov/biblio/1207018.html.

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