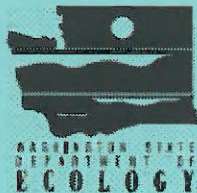




# Permit Handbook

*Commonly Required Environmental Permits  
for Washington State*



Office of  
Regulatory Assistance  
Environmental  
Permitting Services  
Division



Publication No. 90-29 Revised February 2006

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*If you have special accommodation needs, or require this document in alternative format, please contact the Office of Regulatory Assistance at 1-800-917-0043 (voice) or 360-407-6006.*

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# Introduction

## Overview

This Handbook in PDF format is based on the Environmental Permit Handbook web site which can be viewed online at <http://apps.ecy.wa.gov/permithandbook>. This report is regenerated weekly from an Ecology database and should contain the same information that is presented on the web site. The only difference is that this document contains all permit information listed in a single document available for download.

Permits, approvals, and other resource protection requirements are designed to balance growth, economic viability, and environmental preservation. This handbook explains the basics of the most commonly required agency resource protection requirements, with a focus on state agencies. Some federal and local requirements are also included.

Because many specialized permits are not included in this handbook, it should not be relied upon as the end-all, be-all for permit information. The agencies listed in relation to each permit should be contacted for more project-specific permit information. These agencies are eager to work with project proponents to help them determine exactly which permits are needed for a specific project.

It is important to keep in mind that the person conducting an activity is responsible for ensuring that all necessary permits are obtained. The type of impacts that a project may generate and the location of a project will determine which federal, state and/or local requirements apply. For example, certain permits will be required if your proposal involves discharges only to the air, discharges to water, or if it is located in or near water. There is an Online Permit Assistance System (OPAS) which asks a series of questions and will list permits based on answers you provide about your project. This is available at <http://apps.ecy.wa.gov/opas>.

## Where to Start

Because almost every project will require some type of permit at the local level, local city or county offices should be contacted first. Normally, local governments will be able to identify other permits that might be required for your project. In addition to checking with your local agency, it is wise to contact various state and federal resource agencies to ensure that you are aware of all requirements.

## **Organization**

This guide begins with a discussion of three laws that do not quite fit in the "permit" category but are very important to the permit process. Two of these laws, the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA), require evaluation of environmental impacts before permits can be issued. The third, the Growth Management Act, requires that local governments plan for growth in a way that protects the state's natural resources.

Next, specific state requirements are described, followed by a discussion of local, tribal, and federal resource protection requirements. Most of these chapters begin with an explanation of the resource or activity addressed. Because of the unique nature of the wetlands regulatory structure, permits required by federal, state, and local governments for work in or near wetlands are all located in the "Wetlands" section of the handbook.

## **Disclaimer**

Information included in this guide is subject to change. Each legislative session, new laws are developed and old laws are altered or repealed. Changes may also occur as agencies update administrative codes, revise fees, or reorganize. This guide does not identify all requirements or describe all aspects of the listed requirements. Requirements of special districts, such as sewer and water, diking, irrigation, port districts, etc. are not addressed here. Some requirements may have been inadvertently left out and permits that would apply only in rare cases are not included. The only way to be absolutely sure about permit requirements that apply to your project is to contact the appropriate resource agencies.

## **Growth Management Act**

The Growth Management Act (GMA) became law in 1990. It requires all cities and counties to plan for future growth while protecting natural resources. All jurisdictions must classify and designate natural resource lands (like agricultural and forest land) and critical areas (wetlands, fish and wildlife habitat, aquifer recharge areas, etc.). These jurisdictions must also adopt development regulations such as zoning, subdivision ordinances, and other official land use controls, to protect these critical areas. Also, cities and counties cannot approve short plats or subdivisions unless adequate services are available and applications for building permits must include evidence of adequate water supply for the intended use.

In addition to the requirements described above, Washington's fastest growing cities and counties must adopt development regulations to conserve natural resource lands. These 29 counties, and cities within these counties, must establish Urban Growth Areas that can accommodate the increase in population expected to occur over the next 20 years. Comprehensive plans and development regulations consistent with these plans must also be adopted.

## **State Environmental Policy Act (SEPA)**

The State Environmental Policy Act ensures that environmental values are considered by state and local government officials when making decisions about plans and projects. For non governmental projects, the SEPA process starts when a permit application is submitted to an agency. If the project is not exempt, the "lead" agency will ask the applicant to fill out an "environmental checklist." This checklist, divided into different elements of the environment such as air, water, etc., asks questions about how the project will affect these elements. Based on the answers to the checklist and the reviewer's knowledge about the project site, agency personnel will determine the types of impacts the project may have on the environment. If the project will have a "probable significant adverse environmental impact," an environmental impact statement (EIS) will be required. EISs are documents that look at potential environmental problems that would be caused by the project, ways the project could be changed to minimize problems, and options for mitigating probable adverse environmental impacts. Most projects will not require an EIS. Instead, the agency will issue a determination of nonsignificance (DNS), which documents the agency's decision that, in their opinion, there will not be a significant adverse environmental impact. If permits are required from more than one agency, the DNS will have a 14 day comment period. For these DNSs, permit processing can proceed after the close of the comment period. A state or local agency may adopt a NEPA document as a SEPA document if the original document is found to be adequate. When both federal (NEPA) and state (SEPA) environmental documents are required, the NEPA and SEPA processes may be combined. This means that a joint state/federal EIS may be prepared to reduce duplication of effort.

## **National Environmental Policy act (NEPA)**

Federal agencies making decisions on permits or licenses are required to comply with the National Environmental Policy Act (NEPA). NEPA requirements are very similar to those of SEPA. An environmental assessment is used by the lead agency to determine the extent of environmental impacts associated with the project. Though the lead agency is responsible for the content of the assessment, the applicant may be asked to contribute extensive information. If a project is determined to be environmentally significant, an environmental Impact statement (EIS) is required. If the NEPA lead agency determines a project will not significantly impact the environment, that agency issues a Finding of No Significant Impact (FONSI).

# 1. Air Quality Permits

Air pollution control in Washington is based on a set of federal, state and local laws and regulations. The federal government through the Environmental Protection Agency, the state government through the Department of Ecology (Ecology), and local jurisdiction through local air pollution control agencies, all play a part in air quality regulation. In counties without an air pollution control agency, Ecology implements and enforces air quality regulations. Ecology also has jurisdiction over primary aluminum plants, pulp mills, vehicles, and vehicle-related sources. For contact information about the state's seven local air pollution control agencies and Ecology's regional offices, addresses, and telephone numbers see [Local Air Authorities](http://www.ecy.wa.gov/programs/air/local.html).

If you are located in one of the following counties, you have a local air pollution control agency: Benton, Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, Skagit, Skamania, Snohomish, Spokane, Thurston, Wahkiakum, Whatcom, or Yakima. Please select the local air authorities link for information on air quality permits in your county. Local air authorities may implement and enforce most state regulations and all local agencies have their own regulations that may be more restrictive than those of Ecology. These more stringent regulations are not addressed in this guide.

Large new energy related resources, such as thermal/nuclear power plants, oil refineries, pipelines, etc., are under the jurisdiction of the [Energy Facility Site Evaluation Council \(EFSEC\)](http://www.efsec.wa.gov).

The list below contains Ecology air quality permit information and applications.

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## Air Contaminant Registration Program

### What is the Purpose of this Permit?

The purpose of the Air Contaminant Registration Program is to make sure that these sources are operated to minimize emissions. Sources in certain defined categories are required to register. These sources pay a fee and are inspected to insure proper operation either annually or once every three years, depending on the size of the source.

### What Activities Require this Permit?

The discharge of air contaminants into the ambient air.

### How much does this Permit Cost?

Most air contaminant sources pay an annual fee of \$400 per year, and they are designated periodic air contaminant sources. The fees for large air contaminant sources range from about \$1200 to about \$4200, and the average fee is approximately \$2400.

### Is the Decision on my Permit Dependent on anything Besides the Information in my Application?

No

---

**Permit Time Frame:**

N/A

**Where do I Submit my Application?**

<b-This is where to receive and submit your application:</b-

<br-

Central Region: 15 W Yakima Ave Ste. 200 Yakima WA 98902

<br-

Eastern Region: 4601 N Monroe Spokane WA 99205

**How Long is the Appeal Process for the Permit?**

Registration Duration: Lifetime of the business or industry. See notes/comments on Inspection Frequency.

**What is the Appeal Process for the Permit?**

Fee Review and Appeal Process: Air contaminant emissions are calculated, and preliminary fee estimates are sent to the minor air contaminant sources for review before billing. Each air contaminant source has an opportunity to review and appeal the amount of the estimated fee

**Notes/Comments:**

Inspection Frequency: The Air Quality Program will conduct an initial inspection at all new and existing minor

**Legal Authority**

Chapter 173-400-100 and -105 General Regulations for Air Pollution Sources WAC

Chapter 70.94.151 Washington Clean Air Act RCW

**Statewide Contact:**

Department of Ecology

Air Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6800

Fax: (360) 407-6802

\* Permit information last updated 2/14/2006



# Air Operating Permit

## What is the Purpose of this Permit?

An Air Operating Permit is a tool for applying regulatory requirements to individual, major sources of air pollution. Regulatory requirements may include emission limits; work practice standards; and monitoring, reporting, and recordkeeping conditions. The permit combines all the applicable requirements into a single document for each source. This enables the permit holder to more easily identify permit conditions and rules. The Air Operating Permit program also requires sources to submit periodic reports certifying compliance with permit terms and conditions.

## <b-Who needs an Air Operating Permit?</b-

A facility is required to obtain an Air Operating Permit if it has the potential to emit any of the following:

- More than 100 tons per year of any pollutant, or
- More than 10 tons per year of any hazardous air pollutant, or
- More than 25 tons per year of a combination of hazardous air pollutants.

Even if a facility does not have the potential to emit the above amounts, it may still need an Air Operating Permit if it is subject to certain federal air quality requirements, including:  
the Title IV Acid Rain Program,  
New Source Performance Standard (NSPS), or  
a National Emission Standard for Hazardous Air Pollutants (NESHAP).

Facilities that have the potential to emit more than the thresholds for major source status, but actually emit less, can ask for and receive a legal order from the permitting authority. The order will place limits on the operation of the facility and the emissions will be limited to below the thresholds. Examples of limitations could be: limits on the hours of operation, limits on types of solvents allowed at a facility, requirements to install and use the latest air pollution control device, or changes in fuel makeup in order to be considered synthetic minor sources.

## What Activities Require this Permit?

Releasing contaminants to the air from a new or existing major source of air contaminants.

## How much does this Permit Cost?

Fees vary according to the complexity of the source, air contaminant emissions, and the total number of AOP sources in Washington. Ecology fees range from about \$20,000 to \$120,000 per year.

## Where can I get the Application for this Permit?

The application for an individual permit, which is called Notice of Construction, is online and can be downloaded at <http://www.ecy.wa.gov/pubs/ecy070121.pdf>.

## Do I Need to Include Anything with my Application?

An AOP application for a new source must be submitted by the applicant within one year of starting operation. Applications for renewal must be submitted at least six months prior to expiration of the current AOP.

**Where do I Submit my Application?**

"<http://www.ecy.wa.gov/programs/air/local.html>"-Local Clean Air Agencies - Select your county for the correct agency

**Schematic:**

[View the Schematic](#)

**How Long is the Appeal Process for the Permit?**

An AOP permit is issued for 5 years, and must be renewed before expiration.

**What is the Appeal Process for the Permit?**

Any permit decision made by Ecology can be appealed within 30 days of receipt. Appeals can be made directly to Ecology, the "<http://www.ecy.wa.gov/programs/air/local.html>"-Local Clean Air Agency or to the Pollution Control Hearings Board.

**Notes/Comments:**

Local air authorities establish fees that may vary from Ecology fees.

**Legal Authority**

Chapter 173-401 Operating Permit Regulation WAC

Chapter 70.94.161, Operating Permits for Air Contaminant Sources RCW

Chapter 70.94.162, Annual Fees from Operating Permit Program RCW

**Statewide Contact:**

Department of Ecology

Air Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6800

Fax: (360) 407-6802

\* Permit information last updated 2/10/2006

# Air Quality Notice of Construction (NOC) Permit

## What is the Purpose of this Permit?

Ecology or the local clean air agency has responsibility for review of projects to install a new source of air contaminants or modify an existing source of air contaminants. Applicants proposing to install a new source, or modify an existing source, of air contaminants must submit a Notice of Construction (NOC) application to Ecology or the local air authority. The application must include a detailed description of the project, and include process equipment information, type and amount of air contaminants that would be emitted, air pollution control practices, and air pollution control equipment.

If you are located in Benton, Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, Skagit, Skamania, Snohomish, Spokane, Thurston, Wahkiakum, Whatcom, or Yakima county, please select the "<http://www.ecy.wa.gov/programs/air/local.html>"-Local Clean Air Agencies for information on notice of construction approvals in your county.

## What Activities Require this Permit?

Releasing contaminants to the air from a new or modified source, unless the source has been exempted.

## How much does this Permit Cost?

Application review fees are based on the amount of air contaminants emitted and the complexity of the project. Projects that emit more air contaminants and are more complex are required to pay higher application review fees. Fees range from \$200 to \$18,000.

## Where can I get the Application for this Permit?

The application for an individual permit, which is called Notice of Construction Application Declaring Intent to Construct, Install or Est, is online and can be downloaded at <http://www.ecy.wa.gov/biblio/ecy07002.html>.

## Do I Need to Include Anything with my Application?

Information and instructions for applying for a Notice of Construction Air Quality Permit can be found at "<http://www.ecy.wa.gov/biblio/ecy070121.html>"-How to apply for a NOC air quality permit

## Is the Decision on my Permit Dependent on anything Besides the Information in my Application?

Variable.

## Permit Time Frame:

The normal amount of time required to process a NOC application to completion is approximately 60 to 90 days.

## Where do I Submit my Application?

"<http://www.ecy.wa.gov/biblio/0301021.html>"-Timely Permit Decisions

## Schematic:

[View the Schematic](#)



**How Long is the Appeal Process for the Permit?**

Lifetime of the business or industrial facility.

**What is the Appeal Process for the Permit?**

Any permit decision made by Ecology can be appealed within 30 days of receipt. Appeals can be made directly to Ecology or to the Pollution Control Hearings Board.

**Legal Authority**

Chapter 173-400, General Regulations for Air Pollution Sources WAC

Chapter 173-405, Kraft Pulping Mills WAC

Chapter 173-410, Sulfite Pulping Mills WAC

Chapter 173-415, Primary Aluminum Plants WAC

Chapter 173-460, Controls for New Sources of Toxic Air Pollutants WAC

Chapter 173-490, Emission Standards and Controls for Sources Emitting Volatile Organic Compounds (VOCs) WAC

Chapter 43.21A Department of Ecology RCW

Chapter 70.94 Clean Air Act RCW

**Links:**

[How to apply for a NOC air quality permit](#)

**Statewide Contact:**

Department of Ecology

Air Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6800

Fax: (360) 407-6802

\* Permit information last updated 2/14/2006

# Asbestos Demolition / Renovation Notification Form

## What is the Purpose of this Permit?

If you are located in Benton, Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, Skagit, Skamania, Snohomish, Spokane, Thurston, Wahkiakum, Whatcom, or Yakima county, please select the "<http://www.ecy.wa.gov/programs/air/local.html>"-Local Air Authorities Link for information on asbestos demolition renovation notification in your county.

If you are not located in one of the above mentioned counties, the information below applies.

Whenever a building is going to be demolished, renovated, or burned for fire training purposes, an asbestos demolition / renovation notification form must be filled out and submitted to the appropriate air authority. If abatement is to occur, forms must be received at least 10 days prior to commencement of removal activities.

## What Activities Require this Permit?

Demolishing or renovating any structure (includes burning a structure for a fire training exercise).

## How much does this Permit Cost?

None

## Where can I get the Application for this Permit?

The application for an individual permit, which is called Asbestos Demolition / Renovation Notification Form, is online and can be downloaded at <http://www.ecy.wa.gov/biblio/ecy07087.html>.

## Do I Need to Include Anything with my Application?

The form must be filled out by a certified asbestos inspector and submitted to the appropriate air authority. Forms must be received at least 10 days prior to commencement of any asbestos removal activity or demolition.

## Legal Authority

NESHAP, 40 CFR Part 61.145, Subpart M

## Statewide Contact:

Department of Ecology  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6000

\* Permit information last updated 2/9/2006

## **Burn Permit - Agricultural (Agricultural Burning)**

### **What is the Purpose of this Permit?**

If you are located in Benton, Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, Skagit, Skamania, Snohomish, Spokane, Thurston, Wahkiakum, Whatcom, or Yakima county, please select the "<http://www.ecy.wa.gov/programs/air/local.html>"-Local Clean Air Agencies for information on agricultural burning in your county.

If you are not located in one of the above mentioned counties, the information below applies.

Agricultural burning means the burning of vegetative debris from an agricultural operation necessary for disease or pest control, necessary for crop propagation and/or crop rotation or where as identified as a "<http://www.ecy.wa.gov/programs/air/aginfo/BMPAginfo.htm>"-best management practice.

Examples: Field, Orchard Tear-Out, Field Spot Burning

### **<b-Exceptions:</b-**

No permit is required for the following agricultural burning:

Orchard prunings;

Organic debris along fence lines or irrigation or drainage ditches;

or Organic debris blown by the wind.

### **What Activities Require this Permit?**

Burning of vegetative agricultural wastes.

### **How much does this Permit Cost?**

Variable. \$25.00 minimum fee, not to exceed \$2.50 per acre.

### **Do I Need to Include Anything with my Application?**

See specific application at above link.

### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

When you receive your burn permit, you must call 1-800-406-5322 prior to burning to make sure that burning is allowed for that day in your county or zone. You must notify your local fire protection authority prior to igniting any fire. Follow all permit conditions.

### **Permit Time Frame:**

Variable.

### **Where do I Submit my Application?**

All applications are reviewed by the issuing office.

**Schematic:**

[View the Schematic](#)

**How Long is the Appeal Process for the Permit?**

Variable - one year or less.

**What is the Appeal Process for the Permit?**

Permits can be appealed directly to the issuing office.

**Legal Authority**

Chapter 173-430, Agricultural Burning WAC  
Chapter 70.94, Washington Clean Air Act RCW

**Links:**

[Air Permits FAQ](#)

[Agricultural Burning](#)

**Statewide Contact:**

Department of Ecology  
Air Quality Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6800  
Fax: (360) 407-6802

\* Permit information last updated 2/10/2006

## **Burn Permit - Fire Training**

### **What is the Purpose of this Permit?**

If you are located in Benton, Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, Skagit, Skamania, Snohomish, Spokane, Thurston, Wahkiakum, Whatcom, or Yakima county, please select the "<http://www.ecy.wa.gov/programs/air/local.html>"-Local Clean Air Agencies for information on fire training permits or asbestos demolition renovation notification in your county.

If you are not located in one of the above mentioned counties, the information below applies.

Activities which burn structures for purposes of training fire fighters, require a fire training burn permit, if the structure to be burned is located inside of any urban growth area (UGA) or within city limits of cities with a population of 10,000 or more.

If the burn is located outside of these areas, a fire training burn permit is not required.

Whenever a building is going to be demolished, renovated, or burned for fire training purposes, an asbestos demolition / renovation notification form must be filled out and submitted to the appropriate air authority. If abatement is to occur, forms must be received at least 10 days prior to commencement of removal activities.

### **What Activities Require this Permit?**

Burning a structure for a fire training exercise.

### **How much does this Permit Cost?**

No fee required.

### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Fire Training Permit Application, is online and can be downloaded at <http://www.ecy.wa.gov/biblio/ecy07079.html>.

### **Do I Need to Include Anything with my Application?**

"<http://apps.ecy.wa.gov/permithandbook/permitdetail.asp?id=105>"-Asbestos Demolition / Renovation Notification Form

### **Legal Authority**

Chapter 173.425.060(2)(f) WAC

Chapter 52.12.150 RCW

### **Statewide Contact:**

Department of Ecology

Office of Regulatory Assistance

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600



Telephone: (360) 407-7037

Toll Free: (800) 917-0043

Fax: (360) 407-6711

\* Permit information last updated 2/10/2006

## **Burn Permit - Land Clearing**

### **What is the Purpose of this Permit?**

If you are located in Benton, Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, Skagit, Skamania, Snohomish, Spokane, Thurston, Wahkiakum, Whatcom, or Yakima county, please select the Local Air Authorities Link for information on land clearing burning in your county.

In Chelan County contact Rod Lasher, Chelan County Fire Marshal at (509) 667-6515.

In Okanogan County contact Dan McCarthy, Okanogan County Pest Inspector at (509) 322-1286.

If you are not located in one of the above mentioned counties, the information below applies.

Land Clearing Burning means outdoor burning of trees, stumps, shrubbery, or other natural vegetation from land clearing projects (i.e., projects that clear the land surface so it can be developed, used for a different purpose, or left unused).

### **What Activities Require this Permit?**

Burning land clearing debris.

NOTE: Land clearing burning is not allowed inside of urban growth areas (UGA) with a population of 5,000 or more, within city limits of cities with a population of 10,000 or more, or within an area having a general population density of 1,000 or more persons per square mile.

### **How much does this Permit Cost?**

None.

### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Land Clearing Burn Permit, is online and can be downloaded at [http://www.ecy.wa.gov/programs/air/outdoor\\_woodsmoke/outdoorburnpermits.htm](http://www.ecy.wa.gov/programs/air/outdoor_woodsmoke/outdoorburnpermits.htm).

### **Do I Need to Include Anything with my Application?**

You will need to include a map of the acreage you are proposing to burn with the outline clearly marked. The map must include section lines and roads and should include Township and Range coordinates as well. Maps without section lines will not be accepted. Hand drawn maps are acceptable if they meet the above requirements (The NRCS farm plan aerial photo maps, FSA aerial photos, or USGS 7.5 minutes maps are good for this purpose.)

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

When you receive your burn permit, you must call 1-800-406-5322 prior to burning to make sure that burning is allowed for that day in your county or zone. You must notify your local fire protection authority prior to igniting any fire. Follow all permit conditions.

**Permit Time Frame:**

Variable. Ecology will act on a complete application within one week and either send you a permit or an explanation as to why the application was denied.

**Where do I Submit my Application?**

All applications are reviewed by the issuing office.

**How Long is the Appeal Process for the Permit?**

Variable. One year or less.

**What is the Appeal Process for the Permit?**

Permits can be appealed directly to the issuing office.

**Legal Authority**

Chapter 173-425 WAC

Chapter 70.94 RCW

**Links:**

[Ecology's Outdoor Burning Home Page](#)

**Statewide Contact:**

Department of Ecology

Air Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6800

Fax: (360) 407-6802

\* Permit information last updated 2/13/2006

## **Burn Permit - Silvicultural (Silvicultural Burning)**

### **What is the Purpose of this Permit?**

The Department of Natural Resources (DNR) regulates certain types of outdoor fires including burning vegetation, forest slash or other wood debris, and recreational fires. DNR also helps protect air quality through its smoke management plan. A written burning permit is required year round on land protected by DNR.

Exceptions to this requirement are:

Certain designated areas of the state;

Outdoor fires contained in an approved camp stove;

Recreational fires less than four feet in diameter or debris disposal fires less than ten feet in diameter, when certain conditions are met.

For further information, contact a "<http://www.dnr.wa.gov/base/regions.html>"-DNR Regional Office. The local fire protection agency may also require a written burning permit. Smoke Management Plans are required for larger burns. A permit may not be issued and alternative disposal should be considered.

### **What Activities Require this Permit?**

Burning forest slash; starting recreational fires.

### **How much does this Permit Cost?**

Fee ranges from \$24.75 through \$5193.00 based upon the number of tons of woody debris to be consumed.

### **Notes/Comments:**

Please call your "[http://www.ecy.wa.gov/programs/air/pdfs/local\\_map.pdf](http://www.ecy.wa.gov/programs/air/pdfs/local_map.pdf)"-Local Clean Air Agency for

### **Legal Authority**

Chapter 76.04 Forest Protection RCW

### **Links:**

[Local Air Authority Map](#)

### **Statewide Contact:**

Department of Natural Resources

1111 Washington Street SE

PO Box 47000

Olympia, WA 98504-7000

Toll Free: 1-800-527-3305

\* Permit information last updated 2/14/2006

## **Burn Permit - Special**

### **What is the Purpose of this Permit?**

If you are located in Benton, Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, Skagit, Skamania, Snohomish, Spokane, Thurston, Wahkiakum, Whatcom, or Yakima county, please select the "<http://www.ecy.wa.gov/programs/air/local.html>"-Local Clean Air Agencies for information on residential or other types of burning in your county.

If you are not located in one of the above mentioned counties, the information below applies.

In situations where burning does not fit into the categories of agricultural, residential, or land clearing, a special burn permit can be applied for.

For more information on special burn permits please contact the Department of Ecology.

If in Ecology's Central Regional Office counties of Chelan, Douglas, Kittitas, Klickitat, or Okanogan, call (509) 575-2490

If in Ecology's Eastern Regional Office counties of Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Stevens, or Whitman, call (509) 329-3400

Currently, the Department of Ecology does not administer residential burn permits for people wanting to burn yard waste from around their house. Burning yard waste is not allowed inside of urban growth areas (UGA) with a population of 5,000 or more, within city limits of cities with a population of 10,000 or more, or within an area having a general population density of 1,000 or more persons per square mile. To find out more about residential burning click on Ecology's residential burning link below or contact your local fire district.

### **What Activities Require this Permit?**

In situations where burning does not fit into the categories of agricultural, residential, or land clearing, a special burn permit can be applied for.

### **How much does this Permit Cost?**

None

### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Outdoor Burn Special Permit Application, is online and can be downloaded at <http://www.ecy.wa.gov/biblio/ecy07052.html>.

### **Legal Authority**

Chapter 173-425 WAC  
Chapter 70.94 RCW

**Links:**

[Ecology's Outdoor Burning Home Page](#)  
[Residential Burning](#)

**Statewide Contact:**

Department of Ecology  
Office of Regulatory Assistance  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
  
Telephone: (360) 407-7037  
Toll Free: (800) 917-0043  
Fax: (360) 407-6711

\* Permit information last updated 2/10/2006

## **Prevention of Significant Deterioration (PSD) Air Quality Permit**

**What is the Purpose of this Permit?**

The Department of Ecology (Ecology), the Environmental Protection Agency (EPA) and local authority regulations require facilities that emit air pollutants to register with an agency. An air quality permit is required for construction of a new facility, or for modification of an existing facility. Large facilities may require a Prevention of Significant Deterioration (PSD) permit. Small to medium sized industrial facilities seldom require a PSD permit, but are usually required to obtain a Notice of Construction permit.

The PSD application process is somewhat complex, requiring a greater degree of engineering evaluation and computer modeling. The permit process requires the applicant to conduct engineering evaluations and computer modeling to demonstrate the quality standards.

**What Activities Require this Permit?**

A new major source with the potential to emit more than 100 tons/year for 28 specific emission source types or 250 tons/year for all other emission source types or a major modification of an existing major source with pollutant emission increases exceeding PSD Significant Emission Rates (SER).

**How much does this Permit Cost?**

PSD review or increase in a PAL limitation: \$15,000; PSD permit revisions (all except administrative): \$10,000; Administrative revision: \$1500.

**Do I Need to Include Anything with my Application?**

A PSD application typically contains the following information:

- Process description
- Operational limits
- Best Available Control Technology (BACT)
- Allowable emission rates
- Results of on-site measurements
- Results of air quality modeling
- Results of air-quality-related values (AQRV) assessment.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

The State Environmental Policy Act (SEPA) and EPA consultation on impacts related to the Endangered Species Act (ESA) and Historical Preservation Acts (HPA) must be complete before the permit can be issued. These processes occur outside of the PSD process.

**Permit Time Frame:**

Ecology will inform permit applicants in writing whether their application is complete within 30 calendar days of receipt.

A draft permit decision will be available for public comment within 60 calendar days of receiving a complete application.

Final PSD permit determinations will be issued as promptly as possible after the public comment period is closed. The target is 60 calendar days.

**Where do I Submit my Application?**

Ecology reviews the application for completeness. After receiving a complete application, Ecology issues a draft PSD permit and Technical Analysis document and distributes them for a 30 day comment period. All interested parties may submit written comments on the draft PSD permit. Ecology will review the comments and determine if a public hearing is necessary. If a public hearing is not held, Ecology will issue a decision on the final PSD permit. If a hearing is held, Ecology will hear testimony from the interested parties before issuing a decision.

Please note: SEPA approval and the ESA and HPA consultations occur separately from the PSD permit review process.

**Schematic:**

[View the Schematic](#)

**How Long is the Appeal Process for the Permit?**

Once issued the permit does not expire unless cancelled by applicant.

**What is the Appeal Process for the Permit?**

The applicant or public may appeal the Final PSD permit to the EPA Environmental Appeals Board or the Washington Pollution Control Hearings Board (PCHB). See links below.

**Notes/Comments:**

A facility can avoid PSD permitting by obtaining a federally enforceable limit that restricts the plant-wide

**Legal Authority**

Chapter 173-400-141 WAC

**Links:**

[Ecology PSD Homepage](#)

[PSD Frequently Asked Questions](#)

[PSD Appeal Information](#)

**Statewide Contact:**

Department of Ecology

Air Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6800

Fax: (360) 407-6802

\* Permit information last updated 2/13/2006

## 2. Aquatic Resource Permits

Aquatic resources include both the physical elements of the aquatic environment, such as bedlands, tidelands, and shorelands; as well as life forms such as aquatic plants, fish, and shellfish that live within the aquatic environment.

The primary responsibility for managing the state's fish and shellfish resources lies with the Department of Fish and Wildlife, which manages all fish and shellfish resources of the state. In cooperation with Fish and Wildlife, the state's Indian tribes also manage aquatic resources that are included in a series of treaties.

The Department of Natural Resources' (DNR) primary role is one of proprietor and trustee rather than regulator. The DNR manages, for the benefit of all current and future citizens of the state, two million acres of state-owned tidelands, shorelands, and beds of navigable lakes and rivers. Unlike many other states in which abutting upland owners were granted a "riparian" right to build out over navigable waters, Washington chose to become a "nonriparian" state at statehood.

Ecology also has regulatory jurisdiction related to aquatic resources, as discussed in this section. Additionally, Ecology has review and approval authority over shoreline permits, which are discussed in more detail in the local government section.

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### Aquaculture Registration and Transfer Permit

#### **What is the Purpose of this Permit?**

Registration is required by the Department of Fish and Wildlife for any aquaculture operation, including those culturing food fish, shellfish, and certain aquatic animals. Quarterly reports on production are required. In addition, a permit is required to transfer live fish products within the state.

#### **What Activities Require this Permit?**

Culturing or transferring food fish, shellfish, and certain aquatic animals.

#### **How much does this Permit Cost?**

None.

#### **Notes/Comments:**

Contact the Department of Fish & Wildlife customer service at 360-902-2661.

#### **Legal Authority**

Chapter 220-76 WAC

Chapter 220-77 WAC

Chapter 77.115 RCW



**Statewide Contact:**

Department of Fish and Wildlife  
600 Capital Way North  
Olympia, WA 98501-1091

Telephone: (360) 902-2534

Fax: (360) 902-2946

\* Permit information last updated 3/14/2005

## **Aquatic Farm Registration and Permit to Transport Fin Fish**

**What is the Purpose of this Permit?**

Registration is required by the Department of Fish and Wildlife for any aquaculture operation, including those culturing food fish, shellfish, and certain aquatic animals. Quarterly reports on production are required. In addition, a permit is required to transfer live fish products within the state.

**What Activities Require this Permit?**

Culturing or transferring food fish, shellfish, and certain aquatic animals.

**How much does this Permit Cost?**

Variable.

**Notes/Comments:**

Contact the Department of Fish and Wildlife Customer Service at 360-902-2661.

**Legal Authority**

Chapter 220-76-010 WAC

Chapter 220-76-020 WAC

**Statewide Contact:**

Department of Fish and Wildlife  
600 Capital Way North  
Olympia, WA 98501-1091

Telephone: (360) 902-2534

Fax: (360) 902-2946

\* Permit information last updated 3/14/2005

## **Aquatic Use Authorization (Aquatic Lease)**

**What is the Purpose of this Permit?**

To protect and manage the use of state owned aquatic lands, consistent with RCW 79.105.

### **What Activities Require this Permit?**

Any activity that takes place on state-owned aquatic lands will require this permit. Before you apply, contact the [DNR regional office](http://www.dnr.wa.gov/base/regions.html) near you to discuss your project.

### **How much does this Permit Cost?**

If your Lease is approved a rent will apply. The amount of the rent will depend on your project. You can find the rent rates under:

- WAC 332-30-123 Aquatic land use rentals for water-dependant uses,
- WAC 332-30-125 Aquatic land use rental rates for non-water dependant uses,
- WAC 332-30-126 Sand and gravel extraction fees, and
- RCW 79.105.200 through RCW 79.105.310.

### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Application for Authorization to use State-Owned Aquatic Lands, is online and can be downloaded at <http://www.dnr.wa.gov/htdocs/aqr/forms/longformapp.doc>.

### **Do I Need to Include Anything with my Application?**

There is a \$25 non-refundable application processing fee which must be submitted along with the Application for Authorization to use State-Owned Aquatic Lands. DNR may also require surveys or legal description of the property, a plan of development/operations, bonds, insurance, etc.

The project may also require additional permits as required by other governmental agencies, such as permits contained in the Joint Aquatic Resources Permit Application (JARPA). These are to be included along with the application.

It's extremely important for you to submit all that is required to avoid hold ups in the application process.

### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

You must complete all other government regulatory permits or permit waivers before a Lease can be issued. For example, if the project requires a "<http://apps.ecy.wa.gov/permithandbok/permitdetail.asp?id=48>"-SEPA decision, and a "<http://apps.ecy.wa.gov/permitandbook/permitdetail.asp?id=25>"-Hydraulic Project Approval in addition to the Lease, those processes must be complete before DNR can issue a decision.

### **Permit Time Frame:**

The DNR regional office will send your application to the project site Land Manager for review. The Land Manager will review the proposed uses for your project and will decide if land is available to lease.

If the Land Manager approves your application you will receive a draft of the Lease. If you want to propose changes to the Lease, the Land Manager will review your proposal and may schedule a meeting to negotiate the changes. Once the Lease is final, DNR will send you an authorization packet to complete and return.

Review time generally takes between 6 months to a year after DNR receives a complete application.

**Where do I Submit my Application?**

Submit your application(s) and the \$25 processing fee to the "<http://www.dnr.wa.gov/base/regions.html>"-DNR regional office.

**How Long is the Appeal Process for the Permit?**

The duration of your lease will depend on the proposed uses and the class of land you lease. The land classes are:

- Bedlands,
- 1st class tidelands and shorelands,
- 2nd class tidelands and shorelands, and
- Harbor Areas.

Lease durations are specified under RCW 79.115 through RCW 79.135.

**What is the Appeal Process for the Permit?**

You may appeal proposed rents within 30 days of DNR's notification of rent due according to WAC 332-30-128.

**Notes/Comments:**

The Application for Authorization to use State-Owned Aquatic Lands is also available through the

**Legal Authority**

Chapter 332-30, Aquatic Land Management WAC  
Chapter 332-30-128 Rent Review WAC  
Chapter 79.020.030 Court Review of Actions RCW  
Chapter 79.105 Aquatic Lands -- General RCW  
Chapter 79.90 thru 70.96, Public Lands RCW

**Links:**

[Washington Department of Natural Resources](#)  
[Joint Aquatic Resources Permit Application](#)  
[Office of Regulatory Assistance Environmental Permitting Services](#)  
[DNR Aquatic Resources Tutorials](#)  
[Application for Authorization to use State-Owned Aquatic Lands](#)

**Statewide Contact:**

Department of Natural Resources  
Aquatic Resources Division  
1111 Washington Street SE  
PO Box 47027  
Olympia, WA 98504-7027  
  
Telephone: (360) 902-1100  
Fax: (360) 902-1786

## Hydraulic Project Approval (HPA)

### **What is the Purpose of this Permit?**

Any form of work that uses, diverts, obstructs, or changes the natural flow or bed of any fresh water or saltwater of the state, requires a Hydraulic Project Approval (HPA) from the Washington State Department of Fish and Wildlife (WDFW). Permit processing can take up to 45 days following receipt of a complete application package.

A complete application package for an HPA must include a completed Joint Aquatic Resource Permit Application (JARPA) form, general plans for the overall project, and complete plans and specifications of the proposed work within the mean higher high water line in salt waters or within the ordinary high water line in fresh waters of the state, complete plans and specifications for the protection of fish life, and notice of compliance with any applicable requirements of the State Environmental Policy Act (SEPA).

### **What Activities Require this Permit?**

Work that uses, diverts, obstructs, or changes the natural flow or bed of any of the salt or fresh waters of state.

### **How much does this Permit Cost?**

None.

### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Joint Aquatic Resource Permit Application (JARPA), is online and can be downloaded at <http://www.ecy.wa.gov/programs/sea/pac/jarpa.html>.

### **Do I Need to Include Anything with my Application?**

As contained within JARPA; must include general plans for project, complete plans and specifications for the proposed construction or work within the mean higher high water line in salt water or within the ordinary high water line in fresh water, and complete plans and specs for the proper protection of fish life. Applications for streamlined processing of fish habitat enhancement projects must additionally include the application form for these projects that is attached to the JARPA.

### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

State Environmental Policy Act (SEPA) compliance must be completed prior to review of your application and issuance of the HPA by WDFW. SEPA compliance is not required for an expedited or an emergency HPA.

### **Permit Time Frame:**

Maximum of 45 calendar days after complete application is received and SEPA compliance is complete for a standard HPA; a maximum of 15 days (after receipt of a complete application) for an expedited HPA; immediately for an emergency HPA. Processing of standard HPA's can be placed on hold if applicant cannot be reached, if project site is inaccessible, or the applicant requests it.

**Where do I Submit my Application?**

Applications may be received and logged in at the Olympia WDFW office, then mailed to regional offices for processing; or received, logged in and processed at regional offices.

**Schematic:**

[View the Schematic](#)

**How Long is the Appeal Process for the Permit?**

Up to five years for a standard HPA; up to 60 days for an expedited HPA; the length of the emergency for emergency HPA's.

**What is the Appeal Process for the Permit?**

Informal and formal appeal processes are available to the applicant or other aggrieved parties, but must be filed within 30 days of issuance or denial of HPA.

**Notes/Comments:**

Current pamphlet HPA's include Aquatic Plants and Fish pamphlet for aquatic plant control projects, and the

**Legal Authority**

Chapter 220-110 WAC

Chapter 77.55 RCW

**Links:**

[Office of Regulatory Assistance](#)

[Hydraulic Project Approval Information](#)

[Department of Fish and Wildlife](#)

[Environmental Permit Handbook](#)

**Statewide Contact:**

Department of Fish and Wildlife

600 Capital Way North

Olympia, WA 98501-1091

Telephone: (360) 902-2534

Fax: (360) 902-2946

\* Permit information last updated 6/16/2005

# Noxious Aquatic and Emergent Weed Transport Permit

## **What is the Purpose of this Permit?**

Certain aquatic and wetland plants have been designated as noxious weeds by the Washington State Noxious Weed Control Board. Generally, a permit from the Department of Agriculture's Noxious Weed Coordinator is required for transporting various plants or plant parts found on the Quarantine List, including purple loosestrife; wand loosestrife; Eurasian watermilfoil; hydrilla; salt meadow cordgrass; common cordgrass; smooth cordgrass; Parrot's Feather, parrotfeather or waterfeather; and Brazillian elodea or egeria. You can view the list through the link found in the Links section below. It is prohibited to transport, buy, sell, offer for sale, or to distribute plants or seeds of these species into or within the state of Washington. It is further prohibited to transplant wild plants and/or plant parts of these species in the state of Washington. This prohibition shall not apply to plants or seeds collected for herbariums, research in control methods, creation of pressed specimens for educational or identification purposes and other scientific activities, provided that all activities requiring live plants and/or viable seed, except pressed specimens, are conducted under a permit from the director and are conducted so as to ensure that no infestation is created. No permit is required to transport plants or plant parts, as a part of a noxious weed control activity, to a sanitary landfill, to be burned, or otherwise for disposition so long as such activities are conducted under the supervision of an official weed control agency or other public agency with management responsibilities for the control efforts and are conducted in such a manner that seed dispersal or dispersal of propagative materials to uninfested areas is prevented.

## **What Activities Require this Permit?**

Transporting noxious plants or plant parts.

## **How much does this Permit Cost?**

None.

## **Do I Need to Include Anything with my Application?**

Application requirements vary depending on the project.

## **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

None.

## **Permit Time Frame:**

Applications are usually processed within 7 days.

## **Where do I Submit my Application?**

Applications are reviewed by the Noxious Weed Coordinator.

## **How Long is the Appeal Process for the Permit?**

Permits are generally good until the end of the season, usually the end of December of the year the permit is issued.

## **What is the Appeal Process for the Permit?**

There is not an established appeal process.

**Notes/Comments:**

A permit may be required for soil transport if the soil is known to contain seeds from a noxious aquatic and

**Legal Authority**

Chapter 16.752 WAC

Chapter 17.10 RCW

**Links:**

[Noxious Weed Quarantine List](#)

[Washington State Noxious Weed Control Board](#)

[Washington State Department of Agriculture](#)

**Statewide Contact:**

Department of Agriculture

111 Washington Street SE

PO Box 42560

Olympia, WA 98504-2560

Telephone: (360) 902-1800

\* Permit information last updated 5/12/2005

## Shellfish Operation License and Certificate of Approval

**What is the Purpose of this Permit?**

The Commercial Shellfish Licensing & Certification Program is responsible for issuing licenses to Washington state commercial shellfish operations and certifying the sites from which they harvest. A variety of species are harvested commercially in Washington's Puget Sound and coastal regions, including oysters, clams, mussels, geoduck, and scallops. Since these species are filter feeders capable of concentrating chemicals, bacteria, viruses, or marine biotoxins, an ongoing evaluation of commercial shellfish growing areas, certified harvest sites, and licensed facilities is essential to protect the shellfish-consuming public.

**What Activities Require this Permit?**

Commercially harvesting and/or processing molluscan shellfish (clams, oysters, mussels).

**How much does this Permit Cost?**

\$250 to \$1,147 depending on the type of operation.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

All operations must meet stringent state and federal sanitation standards.

**Permit Time Frame:**

Varies from one week to one year, depending on the complexity of the project.

**How Long is the Appeal Process for the Permit?**

Permits must be renewed annually.

**Notes/Comments:**

There are 3 major types of commercial shellfish operations:

**Legal Authority**

Chapter 246-282 WAC

Chapter 69.30 RCW

**Links:**

[Commercial Shellfish Licensing & Certification Program](#)

**Statewide Contact:**

Department of Health

Office of Food Safety and Shellfish Programs

7171 Cleanwater Ln, Building 4

PO Box 47824

Olympia, WA 98504-7824

Telephone: (360) 236-3330

Fax: (360) 236-2257

\* Permit information last updated 3/14/2005



## 3. Archaeology and Historic Preservation Permits

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### Archaeological Excavation Permit

#### **What is the Purpose of this Permit?**

A permit from the Department of Community Trade and Economic Development, Office of Archaeology and Historic Preservation (OAHP), must be obtained prior to any excavation that will alter, dig into, deface, or remove archaeological resources, Native Indian graves, cairns, or glyptic records. OAHP should be contacted before beginning a project. This office can help determine if historic or archaeological sites would be affected. A historic/archaeological excavation assessment may be required. In addition, the status of any sites or structures listed in or eligible for listing in the State or National Register of Historic Places or Local Landmark designation may need to be determined. Plans for protection or mitigation measures may be a condition of any permit issued.

#### **What Activities Require this Permit?**

Excavating, altering, defacing, or removing archaeological objects or resources or Native Indian graves, cairns or glyptic records.

#### **How much does this Permit Cost?**

None for technical assistance.

#### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Archaeological Excavation Permit, is online and can be downloaded at <http://www.oahp.wa.gov/pages/Documents/documents/archexcavationForm.doc>.

#### **Do I Need to Include Anything with my Application?**

Applications are not accepted online; however, application forms may be downloaded online.

#### **Permit Time Frame:**

Obtaining an Archaeological Excavation permit takes between 45-60 days.

#### **Where do I Submit my Application?**

The applications are reviewed for 30 days by the affected tribes, the archaeological community, OAHP, the landowner, the local jurisdiction, any involved state agencies, and any other affected party.

#### **How Long is the Appeal Process for the Permit?**

Varies according to how much time the applicant needs to do the work.

#### **What is the Appeal Process for the Permit?**

Appeals are sent to the Director of the Department of Community Trade and Economic Development.

## **Legal Authority**

Chapter 25-48, Archaeological Excavation Permit WAC  
Chapter 27.44, Indian Graves and Records RCW  
Chapter 27.53, Archaeological Sites and Resources RCW

## **Links:**

[Information required of an applicant](#)

## **Statewide Contact:**

Office of Archaeology & Historic Preservation  
Suite 106  
1063 South Capitol Way  
Olympia, WA 98501  
  
Telephone: (360) 586-3065  
Fax: (360) 586-3067

\* Permit information last updated 6/20/2005

## **Section 106 Review**

### **What is the Purpose of this Permit?**

The Department of Archaeology and Historic Preservation (DAHP) must be consulted when projects are subject to review under Section 106 of the National Historic Preservation Act of 1966 (NHPA). This act requires that all federal agencies take into account the affect of its actions on historic properties. Requirements of Section 106 review apply to any federal undertaking, funding, license, or permit.

The DAHP is consulted to help determine if the site has been surveyed, if there are identified historical resources on-site, and if the property is listed or eligible for listing on the National Register of Historic Places.

If projects will adversely effect property that meets National Register criteria, the OAHP will participate in finding acceptable ways to avoid or mitigate that adverse effect. Though the federal agency involved is responsible for initiating and completing Section 106 review, the project applicant may make direct contact with the OAHP.

### **What Activities Require this Permit?**

Excavating, altering, defacing, or removing archaeological objects or resources or Native Indian graves, cairns, or glyptic records.

### **How much does this Permit Cost?**

None.

**Legal Authority**

National Historic Preservation Act of 1966

**Links:**

[DAHP Environmental Review Overview](#)

**Statewide Contact:**

Office of Archaeology & Historic Preservation

Suite 106

1063 South Capitol Way

Olympia, WA 98501

Telephone: (360) 586-3065

Fax: (360) 586-3067

\* Permit information last updated 1/13/2006

## 4. Federal Requirements

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### 401 Water Quality Certification

#### **What is the Purpose of this Permit?**

Applicants receiving a section 404 permit from the U.S. Army Corp of Engineers, a Coast Guard permit or license from the Federal Energy Regulatory Commission (FERC), are required to obtain a section 401 water quality certification from the Department of Ecology (Ecology). Issuance of a certification means that Ecology anticipates that the applicant's project will comply with state water quality standards and other aquatic resource protection requirements under Ecology's authority. The 401 Certification can cover both the construction and operation of the proposed project. Conditions of the 401 Certification become conditions of the Federal permit or license.

For 404 permits the Corps has developed Nationwide permits to streamline the process for specific activities. The Corps reviews a proposed project to determine if an individual 404 permit is required, or if the project can be authorized under a Nationwide permit. The Nationwide permits also need 401 Certification from Ecology. Ecology has already approved, denied or partially denied specific Nationwide permits. If approved, no further 401 Certification review by Ecology is required. If partially denied without prejudice, an individual certification or Letter of Verification from Ecology is required. If denied without prejudice, an individual certification is required for all activities under that nationwide permit.

"[http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=NWP\\_2002](http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=NWP_2002)"-Nationwide Permits

#### **What Activities Require this Permit?**

Applying for a federal permit or license to conduct any activity that might result in a discharge of dredge or fill material into water or non-isolated wetlands or excavation in water or non-isolated wetlands.

#### **How much does this Permit Cost?**

No fee for certification.

#### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Joint Aquatic Resources Permit Application (JARPA) form, is online and can be downloaded at <http://www.ecy.wa.gov/programs/sea/pac/jarpa.html>.

#### **Do I Need to Include Anything with my Application?**

If applicable to the project:

Mitigation plans, Operation and maintenance plans, Stormwater site plans and Restoration plans.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

If your project is within any of Washington's 15 coastal counties, then you need a "http://apps.ecy.wa.gov/permithandbook/permitdetail.asp?id=46"-Coastal Zone Consistency Determination (CZM). See links below for a map of the 15 coastal counties.

**Permit Time Frame:**

Individual 401's: Minimum twenty day public notice; up to one year to approve, condition, or deny. Usually less than three months, see notes/comments. Nationwide permits that have been partially denied may take a few days or weeks, after receipt of the JARPA and a letter from the Corps issuing a LOV. Letter of Verification (LOV): Usually takes 30 days but can take up to 180 days.

**Where do I Submit my Application?**

Review is conducted in Shoreline and Environmental Assistance within each regional office (except dredging and WSDOT projects which are done at Ecology's Headquarters). Regional staff review the applications for completeness and send out a letter or call if additional information is needed. Once the application is considered complete the regional staff starts reviewing the project to recommend approval or denial. Modifications to plans submitted maybe required. Also a site visit maybe required as part of the process.

**Schematic:**

[View the Schematic](#)



**How Long is the Appeal Process for the Permit?**

401 Certification becomes part of the Federal permit or license. The duration of the 401 Certification would be in effect for same time period as the permit or license, however Ecology issues 401 Certifications as 90.48 administrative orders, so they may have conditions that apply to the project longer than the Federal permit or license.

**What is the Appeal Process for the Permit?**

Appealable to Pollution Control Hearings Board (PCHB) within thirty days of Ecology's decision. PCHB may not hear case for six or more months.

**Notes/Comments:**

If an applicant receives a nationwide permit and Ecology issues a LOV, there are no public notice

**Legal Authority**

- Chapter 173-201A State Water Quality Rule WAC
- Chapter 173-225 Federal Clean Water Act, Section 401 WAC
- Chapter 90.48 State Water Quality Law RCW

**Links:**

[Working in the Water](#)

[401 Certification for Hydropower](#)

[US Army Corps of Engineers](#)

[Map of 15 coastal counties within Washington](#)

**Statewide Contact:**

Department of Ecology

Office of Regulatory Assistance

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-7037

Toll Free: (800) 917-0043

Fax: (360) 407-6711

\* Permit information last updated 1/13/2006

## Bridge Permit (Section 9 Permit)

**What is the Purpose of this Permit?**

Federal law prohibits the construction of any bridge across navigable waters of the United States unless first authorized by the Coast Guard. The Coast Guard approves the location and clearances of bridges through the issuance of bridge permits or permit amendments, under the authority of Section 9 of the Rivers and Harbors Act of 1899, the General Bridge Act of 1946, and other statutes. This permit is required for new construction, reconstruction or modification of a bridge or causeway over waters of the United States.

**What Activities Require this Permit?**

Construction or modification of bridges over certain navigable waters.

**How much does this Permit Cost?**

None

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called Joint Aquatic Resource Permit Application (JARPA), is online and can be downloaded at <http://www.ecy.wa.gov/programs/sea/pac/jarpa.html>.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

Issuance of a permit is dependant on the applicant receiving a 401 Water quality Certification, Coastal Zone Management Certification, Biological Assessment/Opinion, and NEPA documentation.

**Permit Time Frame:**

Permit time frame is generally dictated by the above permit dependencies.

**Where do I Submit my Application?**

There is a mandatory 30-day public comment period.

**How Long is the Appeal Process for the Permit?**

The permit is good for three years from the issuance date to start the project and five years from the issuance date to finish the project, but a longer duration may be requested.

**What is the Appeal Process for the Permit?**

Denial of permit may be appealed to Commandant of U.S. Coast Guard within 60 days of District Commanders decision, and Commandant will take action within 90 days of receipt.

**Legal Authority**

General Bridge Act of 1946

**Links:**

[13th Coast Guard District](#)

[U.S. Coast Guard Bridge Administration](#)

[Bridge Permit Application Guide](#)

**Statewide Contact:**

United States Coast Guard  
Attn: Bridge Administrator  
915 Second Ave, Room 3510  
Seattle, WA 98174-1067

Telephone: (206) 220-7282

Fax: (206) 220-7265

\* Permit information last updated 6/27/2005

**Coastal Zone Management (CZM) Certification****What is the Purpose of this Permit?**

Activities and development affecting coastal resources which involve federal activities, federal licenses or permits, and federal assistance programs (funding) require written Coastal Zone Management (CZM) decision by the Department of Ecology (Ecology). Activities & developments performed by or for federal agencies require a CZM determination be submitted stating that the project is consistent with Washington's Coastal Zone Management Program (WCZMP) to the "maximum extent practicable." Federal permitted/licensed or federal funded projects require a certification that they are consistent with WCZMP. CZM Determinations/Certifications are submitted to The Department of Ecology for concurrence or objection. For more information on the WCZMP, go to the home page link noted in the "Links" section below.

**What Activities Require this Permit?**

Federal activity, projects requiring a federal license or permit and Federal Assistance Programs proposed

within any of Washington's 15 coastal counties. (see notes)

**How much does this Permit Cost?**

None.

**Do I Need to Include Anything with my Application?**

Provide Ecology with all necessary data and information required in Title 15, Ch IX, Part 930.39 Code of Federal Regulations.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

Federal agency activities; projects requiring federal permits or licenses and federal assistance programs (funded).

**Permit Time Frame:**

Ecology has 60 days for Federal projects and 180 days for licenses, permits or funding project to render a decision.

**Where do I Submit my Application?**

Submit to Ecology for its review and decision to concur, object or condition.

**Schematic:**

[View the Schematic](#)



**How Long is the Appeal Process for the Permit?**

For the length of the project.

**What is the Appeal Process for the Permit?**

Applicants may appeal to the Secretary of Commerce in accordance with Title 15, Ch IX, Part 930.125 Code of Federal Regulations. (see link below)

**Notes/Comments:**

Washington's 15 coastal counties include: Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Mason,

**Legal Authority**

Title 16, Ch 33, S 1456 USC

Title 15, Ch IX, Part 930

Title 15, Ch IX, Part 923

**Links:**

[Title 15, Ch IX, Part 930.125 CFR](#)

[Title 15, Ch IX, Part 930.39 CFR](#)

[Washington's Coastal Zone Management home page](#)



**Statewide Contact:**

Department of Ecology  
Office of Regulatory Assistance  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600

Telephone: (360) 407-7037  
Toll Free: (800) 917-0043  
Fax: (360) 407-6711

\* Permit information last updated 1/26/2006

## **Federal Energy Regulatory Commission (FERC) License**

**What is the Purpose of this Permit?**

The Federal Energy Regulatory Commission (FERC) is the primary federal agency responsible for issuing licenses for all non-federal hydroelectric projects within its jurisdiction. The Federal Power Act requires evidence of compliance with state and local requirements before issuance of a FERC license. There are very few hydropower projects that are not subject to FERC licensing requirements. A FERC license (or an exemption from licensing) must be obtained for any hydropower project within FERC's jurisdiction, including: projects on a navigable waterway; projects that would use federal land; Projects that would use surplus water or water power from a federal dam; and projects that will affect interstate commerce (those that would be connected to a regional transmission grid).

There are two ways to find out if hydropower project would require a FERC license. You can either request an unofficial opinion from FERC staff, or you can receive a formal determination by filing a Declaration of Intention per Part 24 of FERC regulations (Title 18 CFR). For more information on the FERC licensing and exemption processes, call or write the Washington State Energy office or the Federal Energy Regulatory Commission as identified in the Notes and Comments section below.

**What Activities Require this Permit?**

See Permit Description for details.

**How much does this Permit Cost?**

Variable.

**Notes/Comments:**

For more information on the FERC licensing and exemption processes:

**Legal Authority**

Code of Federal Regulations Title 18

**Statewide Contact:**

Department of Ecology  
Water Resources Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600

Telephone: (360) 407-6600

Fax: (360) 407-7162

\* Permit information last updated 3/24/2005

## **Hazardous Chemical Inventory Reporting Requirements (Emergency Planning and Community Right-to-Know Act (EPCRA))**

**What is the Purpose of this Permit?**

Facilities that have hazardous substances on-site are required to provide information on the type, quantities, and storage locations for those substances. These reports provide information for emergency planning agencies and the public and are filed with the Department of Ecology (Ecology), on behalf of the Washington State Emergency Response Commission (SERC).

**What Activities Require this Permit?**

Businesses storing or using hazardous substances.

**How much does this Permit Cost?**

None.

**Do I Need to Include Anything with my Application?**

See Notes/Comments Section below. For complete requirements, see  
"<http://www.ecy.wa.gov/epcra>"-<http://www.ecy.wa.gov/epcra>.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

Section 302/303: Have an Extremely Hazardous Substance on-site.

Section 311/312: Have on-site a hazardous substance in quantities above its reportable threshold.

**Schematic:**

[View the Schematic](#)

**Notes/Comments:**

Section 302: Extremely Hazardous Substance (EHS) listed chemicals above the Threshold Planning Quantity

**Legal Authority**

Chapter 118-40 WAC  
40 CFR 355-372  
42 U.S.C. Part 116

**Links:**

[Emergency Planning and Community Right to Know](#)

**Statewide Contact:**

Department of Ecology  
Community Right-to-Know Unit  
PO Box 47659  
Olympia, WA 98504-7659

Toll Free: 1-800-633-7585

Fax: (360) 407-6715

\* Permit information last updated 1/6/2006

## **National Environmental Policy Act (NEPA)**

**What is the Purpose of this Permit?**

The National Environmental Policy Act (NEPA) was adopted by Congress in 1969 to ensure evaluation of the probable environmental consequences of a proposal before decisions are made by federal agencies. Section 2 of NEPA declares that the purpose of the Act is to promote efforts which will prevent or eliminate damage to the environment and biosphere and, stimulate the health and welfare of man, and enrich the understanding of the ecological systems and natural resources important to the Nation.

NEPA requires federal agencies to consider the environmental consequences of an action prior to making a decision on the action. The agency is expected to identify alternatives and mitigation that avoids or otherwise minimizes the environmental impact while still accomplishing the purpose and need of the proposal. The federal agency documents this thought process by determining whether the project is categorically excluded from detailed environmental review, or by preparing either an environmental assessment (EA) or an environmental impact statement (EIS). When an EA or EIS is prepared other agencies and the public will usually have an opportunity to review and comment on the proposal and the environmental analysis.

**What Activities Require this Permit?**

NEPA applies to all major federal actions; federal projects, any project requiring a federal permit, receiving federal funding, or located on federal land. Application of categorical exclusions is determined by the federal agency.

**How much does this Permit Cost?**

Contact the appropriate federal agency

### **Do I Need to Include Anything with my Application?**

The federal agency will likely request a complete project description from the applicant.

### **Permit Time Frame:**

The Council on Environmental Quality's (CEQ) regulations for implementing NEPA do not set a strict time frame for the entire NEPA process. Instead, they encourage federal agencies to set time limits appropriate for individual actions consistent with the time intervals described in 40 CFR 1506.10.

### **Where do I Submit my Application?**

Each federal agency must adopt its own procedures to meet the requirements and intent of NEPA. The review process of each agency will therefore vary. Generally, the NEPA process begins with a determination of whether a categorical exclusion applies. If an exclusion does not apply, the lead agency will prepare of an environmental assessment (EA) followed by a finding of no significant impact (FONSI), or prepare of an environmental impact statement (EIS). The EA contains information about the proposal, alternatives considered and the likely environmental consequences. The lead agency can then use this information to decide whether to prepare a FONSI or determine that an EIS is necessary.

### **Schematic:**

[View the Schematic](#)



### **How Long is the Appeal Process for the Permit?**

Project changes, environmental changes, or regulatory changes can trigger additional or new NEPA review for the project.

### **What is the Appeal Process for the Permit?**

Appeal process is determined by the lead agency.

### **Legal Authority**

U.S. Code: Title 42, Chapter 55  
40 CFR Parts 1500-1508

### **Links:**

[Council on Environmental Quality NEPA.net](#)  
[Federal NEPA contacts](#)

### **Statewide Contact:**

Federal Council on Environmental Quality  
722 Jackson Place, N.W.  
Washington, DC 20503

Telephone: (202) 395-5750  
Fax: (202) 456-6546

## **Private Aids to Navigation (PATON) (Non-Bridge Projects)**

### **What is the Purpose of this Permit?**

Private Aids to Navigation (PATON) refers to all marine aids to navigation operated in the navigable waters of the United States other than those operated by the Federal Government or those operated in State waters for private aids to navigation. This includes lighted structures and daybeacons, lighted and unlighted buoys, RACONs and fog signals.

To ensure the safety of the boating public the Coast Guard is required to review all work performed within the navigable waters of the United States and determine whether or not such work (i.e. installation of a fixed structure or floating object) will require to be marked with PATON.

Non-commercial, single-boat, mooring buoys do not require a Coast Guard permit, provided they do not cause more than a minimal adverse effect on navigation and display the standard markings. The same is true of most information and regulatory marks, such as swim buoys, no-wake buoys, and race course buoys. For these the Coast Guard issues a letter of no objection. Owners contemplating establishing such buoys need to contact "<http://www.ecy.wa.gov/programs/sea/pac/>"-the Office of Regulatory Assistance for additional permit requirements.

### **What Activities Require this Permit?**

Installation of a fixed structure or floating object within the waters of the United States.

### **How much does this Permit Cost?**

None.

### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Joint Aquatic Resource Permits Application (JARPA) form, is online and can be downloaded at <http://www.ecy.wa.gov/programs/sea/pac/jarpa.html>.

### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

PATON Permit requires prior Army Corps of Engineers permit approval for the work being done.

### **Permit Time Frame:**

Permitting time frame can vary depending on workload, though average wait for a permit is three months.

### **Where do I Submit my Application?**

Upon review of Army Corps of Engineers, state, county, city/town permits or direct contact from an individual the Coast Guard will give a ruling and determine whether or not the work in questions will require a PATON to be installed and an application approved.

### **How Long is the Appeal Process for the Permit?**

A permit only needs to be renewed if there are changes made to the structure that affect the condition of the permit. For example changes in ownership, dock relocation, removal of a buoy, etc.

### **What is the Appeal Process for the Permit?**

Appeals must be made in writing to the 13th Coast Guard District Commander via the application approving official.

### **Links:**

[United States Coast Guard PATON  
Office of Regulatory Assistance](#)

### **Statewide Contact:**

United States Coast Guard  
13th Coast Guard District  
915 Second Ave, Room 3510  
Seattle, WA 98174-1067

Telephone: (206) 220-7285

Fax: (206) 220-7265

\* Permit information last updated 1/26/2006

## **Section 10 Permit - Work in Navigable Waters**

### **What is the Purpose of this Permit?**

Section 10 of the Rivers and Harbors Act of 1899 prohibits the obstruction or alteration of navigable waters of the United States without a permit from the Corps of Engineers. An Army Corps of Engineers permit is required when undertaking any work in, over, or under navigable waters of the United States, or which affects the course, location, condition, or capacity of such waters.

Navigable waters are defined as those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use laterally over the entire surface of the waterbody, and is not extinguished by later actions or events which impede or destroy navigable capacity.

A list of designated navigable waters can be found

"[http://www.nws.usace.army.mil/publicmenu/DOCUMENTS/Navigable\\_waters.pdf](http://www.nws.usace.army.mil/publicmenu/DOCUMENTS/Navigable_waters.pdf)"-here.

Typical projects requiring these permits include the construction and maintenance of piers, wharfs, dolphins, breakwaters, bulkheads, groins, jetties, mooring buoys, and boat ramps. However, not every activity requires a separate, individual permit application. Certain activities and work can be authorized by letters-of-permission, nationwide permits, or regional permits. Some activities authorized by these permits are permitted in advance. Typically, little or no paperwork is required, and consequently permitting time is reduced. So, before submitting an application, contact the

"[http://www.nws.usace.army.mil/PublicMenu/menu.cfm?sitename=REG&pagename=staff\\_2](http://www.nws.usace.army.mil/PublicMenu/menu.cfm?sitename=REG&pagename=staff_2)"-Project Manager for your county for current information about the type of permit required.

**What Activities Require this Permit?**

Undertaking any work in, over, or under navigable waters of the United States, or which affects the course, location, condition, or capacity of such waters.

**How much does this Permit Cost?**

Variable.

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called Joint Aquatic Resources Permit Application (JARPA) form, is online and can be downloaded at <http://www.ecy.wa.gov/programs/sea/pac/jarpa.html>.

**Do I Need to Include Anything with my Application?**

Information required includes location, existing conditions, the proposed use/action, project purpose, assessment of impacts, and project drawings.

When submitting a JARPA application to the Corps, please use the drawing specifications found

"[http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?](http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_Permit_Applicant_Info)

[sitename=REG&pagename=mainpage\\_Permit\\_Applicant\\_Info](http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_Permit_Applicant_Info)"-here. Do not use the drawing guidance attached to the JARPA.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

All applications are evaluated on the basis of:

1. the relevant extent of public and private needs,
2. when a conflict exists, the practicability of using reasonable alternative locations and methods to accomplish project purposes, and
3. the extent and permanence of the beneficial and/or detrimental effects the proposed project may have on public and private uses to which the area is suited.

Project must be in accordance with the public interest for the permit to be granted.

**Permit Time Frame:**

Processing time for individual permits can range from 6 to 24 months. Nationwide permits are usually processed within 3 to 6 months, though it can take up to 12 months. The time frame is dependant on the complexity of the impacts on aquatic resources, endangered species, archeological or tribal concerns, and workload. Applicants requiring an environmental impact statement, far less than one percent of applicants, average about 3 years to process.

### **Where do I Submit my Application?**

Permit processing involves three steps:

1. Pre-application consultation for major projects consisting of one or several meetings between all interested Federal, State, and local agencies and sometimes the public.
2. Formal project review has the Corps project manager who prepares public notices, evaluates the impacts of the project and all comments received, negotiates necessary modifications of the project if required, and drafts or oversees drafting of appropriate documentation.
3. Decision making involves the Corps determining all relevant factors, such as, but not limited to, alternatives, public benefits, endangered species, wetlands, cultural values, and water quality.

### **How Long is the Appeal Process for the Permit?**

Nationwide permit duration is 2 years. Letter of Permission duration is 3 years. Individual permit duration is generally 3 years, but can be issued for a period up to 10 years for maintenance dredging projects. All permits can be renewed if the Army Corps of Engineers is notified at least 1 month prior to expiration.

### **What is the Appeal Process for the Permit?**

Denied permits may be appealed by the applicant. The appeal must be received by the division engineer within 60 days of the date of the permit denial. Applicant will receive notice within 30 days of the receipt of the appeal

### **Notes/Comments:**

A pre-application consultation is necessary for major projects. The consultation usually involves meetings

### **Legal Authority**

Section 10 of the Rivers and Harbors Act of 1899

### **Links:**

[Navigable Waters of the United States](#)

[US Army Corps of Engineers Permit and Applicant Information](#)

### **Statewide Contact:**

US Army Corps of Engineers  
Seattle District Regulatory Branch  
PO Box 3755  
Seattle, WA 98124-2255

Telephone: (206) 764-3495

Fax: (206) 764-6602

\* Permit information last updated 8/11/2005



## Section 404 Permit - Discharge of Dredge and Fill Material

### What is the Purpose of this Permit?

Section 404 of the Clean Water Act, prohibits the discharge of dredge or fill material into waters of the United States, including special aquatic sites such as wetlands, without a permit from the Corps of Engineers.

Waters of the United States are defined as all waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; all interstate waters including interstate wetlands; all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds; tributaries, including ditches, of waters identified above; the territorial seas; and wetlands adjacent to waters (other than wetlands) identified above.

Typical projects requiring Section 404 permits include depositing fill, dredged, or excavated material in waters of the U.S. and/or adjacent wetlands, grading or mechanized land clearing of wetlands, placement of spoils from ditch excavation activities in wetlands, soil movement during vegetation clearing in wetlands, site development fill for residential, commercial, or recreational developments, construction of revetments, groins, breakwaters, beach enhancement, jetties, levees, dams, dikes, and weirs, placement of riprap and road fills, return water from dredge material disposal on the upland and generally any fill material used to construct fast land for site development, roadways, erosion protection, etc.

However, not every activity requires a separate, individual permit application. Certain activities and work can be authorized by letters-of-permission, nationwide permits, or regional permits. Some activities authorized by these permits are permitted in advance. Typically, little or no paperwork is required, and consequently permitting time is reduced. So, before submitting an application, contact the "[http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=staff\\_2](http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=staff_2)"-Project manager for the project site's County for current information about the type of permit required.

### What Activities Require this Permit?

Discharging dredged or fill material into the waters of the United States, including special aquatic sites such as wetlands.

### How much does this Permit Cost?

Variable.

### Where can I get the Application for this Permit?

The application for an individual permit, which is called Joint Aquatic Resources Permit Application (JARPA) form, is online and can be downloaded at <http://www.ecy.wa.gov/programs/sea/pac/jarpa.html>.

### **Do I Need to Include Anything with my Application?**

Information required on the application includes location, existing conditions, the proposed use/action, project purpose, assessment of impacts, and project drawings. When submitting a JARPA application to the Corps, please use the drawing specifications found "[http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage\\_Permit\\_Applicant\\_Info](http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_Permit_Applicant_Info)"-here. Do not use the drawing guidance attached to the JARPA.

### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

All applications are evaluated on the basis of: 1. the relevant extent of public and private needs, 2. where conflicts exist, the practicability of using reasonable alternative locations and methods to accomplish project purposes, and 3. the extent and permanence of the beneficial and/or detrimental effects the proposed project may have on public and private uses to which the land is suited.

The project must be in accordance with the public interest for the permit to be granted.

### **Permit Time Frame:**

Processing time for individual permits can range from 6 to 24 months. Nationwide permits are usually processed within 3 to 6 months, though it can take up to 12 months. The time frame is dependant on the complexity of the impacts on aquatic resources, endangered species, archaeological or tribal concerns, and on workload.

A nationwide permit applicant will get a response within 45 days from the Corps, though processing time may be extended due to endangered species. Applicants requiring an environmental impact statement (far less than one percent) average about 3 years to process.

### **Where do I Submit my Application?**

Permit processing involves three steps: 1. Pre-application consultation, for major projects, consisting of one or several meetings between all interested Federal, State, and local agencies and sometimes the public.

2. Formal project review has the Corps project manager who prepares public notices, evaluates the impacts of the project and all comments received, negotiates necessary modifications of the project if required, and drafts or oversees drafting of appropriate documentation.

3. Decision making involves the Corps determining all relevant factors, such as, but not limited to, alternatives, public benefits, endangered species, wetlands, cultural values, and water quality.

### **How Long is the Appeal Process for the Permit?**

Nationwide Permit duration is 2 years. Letter of Permission duration is 3 years. Individual permit duration is generally 3 years, but can be issued for a period up to 10 years for maintenance dredging projects. All permits can be renewed if the Army Corps of Engineers is notified at least 1 month prior to expiration.

### **What is the Appeal Process for the Permit?**

Denied permits may be appealed by the applicant. The appeal must be received by the division engineer within 60 days of the date of the permit denial. Applicant will receive notice within 30 days of receipt of the appeal.

**Notes/Comments:**

A pre-application consultation is necessary for major projects. The consultation usually involves meetings

**Legal Authority**

Section 404 of the Clean Water Act

**Links:**

[US Army Corps of Engineers Permit and Applicant Information](#)

**Statewide Contact:**

US Army Corps of Engineers  
Seattle District Regulatory Branch  
PO Box 3755  
Seattle, WA 98124-2255

Telephone: (206) 764-3495

Fax: (206) 764-6602

\* Permit information last updated 8/11/2005

## **Toxic Chemical Release Inventory Reporting (Emergency Planning and Community Right-to-Know Act (EPCRA))**

**What is the Purpose of this Permit?**

Facilities that use more than threshold amounts of certain toxic chemicals must complete an annual Toxic Chemical Release Inventory Report on the releases and off-site transfers of those chemicals. These reports are filed with the Department of Ecology, on behalf of the Washington State Emergency Response Commission (SERC).

**What Activities Require this Permit?**

Specific Industries, having 10 or more full-time employees using more than threshold amounts of listed chemicals.

**How much does this Permit Cost?**

None.

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called Toxic Release Inventory-Made Easy (TRI-ME), is online and can be downloaded at <http://www.epa.gov/tri/report/trime/index.htm>.

**Permit Time Frame:**

Due July 1 for prior calendar year.

**Notes/Comments:**

Your business must meet ALL of the following criteria to be covered by the requirements of this section:

**Legal Authority**

Chapter 118-40 WAC  
40 CFR Part 372

**Links:**

[Toxic Release Inventory \(TRI\) Chemicals](#)  
[Toxic Release Inventory Home Page](#)

**Statewide Contact:**

Department of Ecology  
Community Right-to-Know Unit  
PO Box 47659  
Olympia, WA 98504-7659

Toll Free: 1-800-633-7585  
Fax: (360) 407-6715

\* Permit information last updated 6/6/2005

## 5. General Requirements

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### State Environmental Policy Act (SEPA)

#### **What is the Purpose of this Permit?**

The Washington State Environmental Policy Act (SEPA) provides a way to identify possible environmental impacts that may result from governmental decisions. These decisions may be related to issuing permits for private projects, constructing public facilities, or adopting regulations, policies or plans. Information provided during the SEPA review process helps agency decision-makers, applicants, and the public understand how a proposal will affect the environment. This information can be used to change a proposal to reduce likely impacts, or to condition or deny a proposal when adverse environmental impacts are identified.

#### **What Activities Require this Permit?**

Any proposal that requires a state or local agency decision to license, fund, or undertake a project, or the proposed adoption of a policy, plan, or program can trigger environmental review under SEPA. (See WAC 197-11-704 for a complete definition of agency action.)

#### **How much does this Permit Cost?**

Variable. Depends on the SEPA lead agency.

#### **Do I Need to Include Anything with my Application?**

Depends on SEPA lead agency. SEPA environmental review usually starts with the applicant completing an environmental checklist that is submitted to the SEPA lead agency. The standard checklist form is in WAC 197-11-960.

#### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

SEPA is a process, not a permit. The SEPA review process is a tool to help agencies identify and evaluate the likely environmental consequences of a proposal. This environmental information is used by agency decision makers to decide whether or not to approve the proposal.

#### **Permit Time Frame:**

Depends on the SEPA lead agency.

#### **Where do I Submit my Application?**

Depends on the SEPA lead agency.

#### **Schematic:**

[View the Schematic](#)



**What is the Appeal Process for the Permit?**

Depends on the SEPA lead agency.

**Notes/Comments:**

For additional information on SEPA go to links and click on the SEPA home page.

**Legal Authority**

SEPA Model Ordinance

SEPA Rule, WAC 197-11

SEPA Statute, RCW 43.21C

**Links:**

[The State Environmental Policy Act Home Page](#)

**Statewide Contact:**

Department of Ecology

SEPA Unit

PO Box 47703

Olympia, WA 98504-7703

\* Permit information last updated 3/14/2005

## 6. Land Resource Permits

The Department of Natural Resources, under the direction of the Commissioner of Public Lands, administers many permits regulating the use of over 12.5 million acres of state and private land. Forest practices enforcement, surface mine regulation, and administration of other land resource permits, are among the Department's responsibilities.

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### Forest Practices Permit

#### **What is the Purpose of this Permit?**

The Department of Natural Resources (DNR) regulates forest practices on private and state forest land. A permit is not required for every forest practice, but the forest practices rules must still be followed. The county issues permits for forest practices that convert forest land to other uses in unincorporated Clark, King, Thurston, and Spokane Counties. The city of Port Townsend issues permits for forest practices conversions within their city limits.

#### **What Activities Require this Permit?**

Forest Practices that may require a permit include: harvesting timber, salvaging standing and down wood, constructing forest roads, installing and replacing water crossings on forest roads, and applying forest chemicals with an aircraft.

#### **How much does this Permit Cost?**

Fees vary between \$0 and \$500 depending on activity (see notes). The DNR application fee and a separate county recording fee (if applicable) are both due at the time of application. The amounts can be included on the same check made payable to "Department of Natural Resources". The legislature has raised recording fees. Starting August 1, 2005, the fee will be \$33.00 for the first page and \$1.00 for each additional page.

#### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Forest Practice Application/Notification, is online and can be downloaded at <http://www.dnr.wa.gov/forestpractices/>.

#### **Do I Need to Include Anything with my Application?**

The requirements are detailed in the DNR's forest practices application instructions available on the website "<http://www.dnr.wa.gov/forestpractices/>"-<http://www.dnr.wa.gov/forestpractices/>. The forest landowner, timber owner and operator must each sign the application/notification.

#### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

Circumstances requiring special resource protection, such as unstable soils, threatened or endangered species, archaeological or historic sites, water quality protection and special prescriptions for sensitive areas within a watershed analysis unit may affect the permit decision. The forest practices application also serves as an application to the Washington State Department of Fish and Wildlife for an HPA.

**Permit Time Frame:**

The DNR has 30 calendar days to approve, approve with conditions, or deny 2 year forest practices applications (standard) and 45 calendar days for 3-5 year applications. Applicants may apply for a 3-5 year permit (multi-year) if they have an approved alternate plan, are working on an approved road maintenance and abandonment plan, or are using approved watershed analysis prescriptions. DNR has more than 30 days to review applications that require Environmental Impact Statements.

**Where do I Submit my Application?**

Applications are received at the region office and reviewed for completeness. The region office scans complete applications on the DNR's Forest Practices Review System (FPARS) Applications are posted on the internet and available to registered reviewers. Reviewers include the departments of ecology, fish and wildlife, the county/city/town, and affected Indian tribes.

**How Long is the Appeal Process for the Permit?**

Standard is 2 years. Multi-year permits are valid for 3-5 years. Either may be renewed for an additional two years if the proposal has not changed, there are no outstanding enforcement issues, and the rules and laws affecting the proposal have not changed.

**What is the Appeal Process for the Permit?**

Appeals must be received by the Forest Practices Appeals Board within 30 days of the approval or denial of the application. See the following website for more information on appeals:

"<http://www.eho.wa.gov>"-Environmental Hearings Office.

**Notes/Comments:**

DNR'S APPLICATION/NOTIFICATION FEES (RCW 76.09.065):

**Legal Authority**

Chapter 222 WAC  
Chapter 76.09 RCW

**Links:**

[Department of Natural Resources Forest Practices](#)

**Statewide Contact:**

Department of Natural Resources  
Forest Practices Division  
1111 Washington Street SE  
PO Box 47012  
Olympia, WA 98504-7012  
  
Telephone: (360) 902-1400  
Fax: (360) 902-1784

\* Permit information last updated 6/16/2005



## Reclamation Permit

### What is the Purpose of this Permit?

To ensure high quality reclamation after mining, DNR requires a reclamation plan that specifies the operators' methods for achieving the following reclamation goals:

- Segmental reclamation where possible (reclaiming portions of the mine site as mining of those portions is completed)
- Preservation of topsoil
- Slope restoration so highwalls are stable and are rounded rather than linear so that features appear normal rather than manmade
- Final topography with rolling mounds and hills and sinuous contours, chutes and buttresses, spurs that blend with adjacent topography
- Effective re-vegetation with multi-species ground cover and trees
- Water and erosion control as it pertains to reclamation

Local governments must formally approve mine siting and/or the subsequent use of the mine site before a reclamation permit can be issued, which generally makes local jurisdictions the SEPA lead agency (see SEPA, page 8). Zoning and mine operations like fencing, excavation, blasting, operational water and erosion control, noise and dust emission control, public safety, mineral processing, and batching, are regulated by various jurisdictions other than DNR.

A bond for reclamation is required before the reclamation permit can be issued and before mining can begin. Reclamation permit processing time is variable depending of project complexity. It may take from 6 months to several years before environmental documents are complete and permit decisions are made by various jurisdictions.

### What Activities Require this Permit?

Surface mining; A reclamation permit is required by the Department of Natural Resources (DNR) for each surface mine that: (1) results in more than 3 acres of disturbed ground, or (2) has a high-wall that is both higher than 30 feet and steeper than 45 degrees.

### How much does this Permit Cost?

\$650.00 per year.

### Notes/Comments:

A regulatory guide specific to surface mining, titled Surface Mining in Washington: Regulatory Responsibilities

### Legal Authority

Chapter 332.18 WAC

Chapter 78.44 RCW

**Links:**

[DNR Mine Reclamation Program](#)

[Surface Mine Reclamation Forms](#)

[Best Management Practices for Reclaiming Surface Mines in Washington and Oregon](#)

[Mining Regulations in Washington](#)

**Statewide Contact:**

Department of Natural Resources

Geology and Earth Resources Division

1111 Washington Street SE

PO Box 47007

Olympia, WA 98504-7007

Telephone: (360) 902-1450

Fax: (360) 902-1785

\* Permit information last updated 3/17/2005

## 7. Livestock Permits

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### **Concentrated Animal Feeding Operation General Permit (CAFO) (Animal Feeding Operations NPDES and Statewide Discharge Permits)**

#### **What is the Purpose of this Permit?**

Please note: This permit is currently on hold due to a federal court case. However, new dairy farm proposals are instructed to send in applications for the new CAFO permit, if the operation meets the definition of a CAFO, though no permits are currently issued.

Under the federal Clean Water Act, Concentrated Animal Feeding Operations (CAFO's) are point sources requiring a National Pollutant Discharge Elimination System (NPDES) permit. CAFO's include slaughter/feeder cattle, dairy cattle, swine, horses, sheep, turkeys, and chickens. Facilities that stable or confine numbers of animals that exceed threshold limits, or discharge to waters of the state (includes both surface and ground waters), require an NPDES permit.

Most concentrated animal feeding operations will be covered by a general permit. This permit protects both surface waters and ground waters. Normally, the Clean Water Act and State Water Pollution Control Act requirements are administered jointly.

#### **What Activities Require this Permit?**

Conducting a concentrated animal feeding operation of a certain size, or a concentrated animal feeding operation that discharges to state or federal waters.

#### **How much does this Permit Cost?**

The fee ranges from \$100 to \$1,000 per year depending upon the size of the facility.

#### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called CAFO Permit Application, is online and can be downloaded at <http://www.ecy.wa.gov/programs/wq/permits/cafo>.

#### **Legal Authority**

Chapter 173-216 WAC

Chapter 173-220 WAC

Chapter 90.48 RCW

Clean Water Act, Title 33 United States Code, Section 1251 et seq. 40 CFR 122.23

**Links:**

[Concentrated Animal Feeding Operation General Permit](#)

**Statewide Contact:**

Department of Ecology  
Water Quality Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
  
Telephone: (360) 407-6400  
Fax: (360) 407-6426

\* Permit information last updated 5/12/2005

## **Public Livestock Market License**

**What is the Purpose of this Permit?**

A Public Livestock Market License is required before operating a livestock market. A non-refundable license fee of \$2000 must accompany the original application fee. The Department of Agriculture must hold a public hearing before granting or denying an application, and is required to send the applicant hearing notification 20 days in advance of the hearing. Before receiving this license, the applicant must have a sewage system that has been approved by the jurisdictional health department, sufficient water on-site to clean the facility on a weekly basis, and meet other facility requirements.

**What Activities Require this Permit?**

Operating a public livestock market.

**How much does this Permit Cost?**

Initial application fee is \$2000.00. Yearly license renewal fees range from \$150 to \$450, depending on volume of livestock handled.

**Do I Need to Include Anything with my Application?**

Application requirements are found in Chapter 16.65.030 RCW.

**What is the Appeal Process for the Permit?**

Upon notice by the director to deny, revoke, or suspend a license, a person may request a hearing under chapter 34.05 RCW.

**Notes/Comments:**

Contact The Department of Agriculture Consumer and Producer Protection Division 360-902-1800.

**Legal Authority**

Chapter 16-604 WAC

Chapter 16.610 WAC

Chapter 16.65 RCW

Chapter 34.05 RCW

**Links:**

[Department of Agriculture](#)

**Statewide Contact:**

Department of Agriculture

111 Washington Street SE

PO Box 42560

Olympia, WA 98504-2560

Telephone: (360) 902-1800

\* Permit information last updated 5/12/2005

## 8. Local Permits

Your local county or city government is also responsible for regulating development. The following will provide general information and directions to the appropriate local offices for obtaining local permits and approvals required for your project. These requirements pertain to local zoning and building codes, comprehensive land use and shoreline plans, and local development policies. Listed below are typical local permits and an explanation of what they require.

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### Building Permit

#### What is the Purpose of this Permit?

Permits to construct permanent buildings or additions to existing facilities are required by counties and cities, except under certain circumstances. The application requires detailed final plans for structures including electrical plan, plumbing plan, floor layout, sewage facilities, location of wells (if applicable), drainage plan, size and shape of lot and buildings, setback of buildings from property lines and drainfield (if applicable), access, size and shape of foundation walls, beams, air vents, window accesses, and heating or cooling plants, if included in the design. Permits are issued upon approval of the plans. Permit processing time varies depending on the project, but averages from six to eight weeks. Public hearings requirements also vary depending on activity proposed.

The Growth Management Act, which became law in 1990, amended the State Building Code to require that building permit applicants provide proof of an adequate supply of potable water for the purposes of the building. The three means of proof specified in the law are: 1) a permit from the Department of Ecology, 2) a letter from an approved purveyor stating the ability and willingness to provide water, and 3) another form (consult with the appropriate local government) sufficient to verify the existence of an adequate water supply. The departments of Ecology and Health developed guidelines to help local governments verify the adequacy of water supplies for individual buildings.

#### What Activities Require this Permit?

Construction of permanent buildings or additions to existing facilities.

#### How much does this Permit Cost?

Variable. Check with local government.

#### Legal Authority

Chapter 51-50 WAC

Chapter 51-51 WAC

#### Links:

[Cities and Towns](#)

[Counties](#)

[Related Building Codes](#)

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**Statewide Contact:**

Local Government - City or County

\* Permit information last updated 3/17/2005

## **Flood Plain Development Permit**

**What is the Purpose of this Permit?**

Local governments participating in the National Flood Insurance Program (NFIP) administered by the Federal Emergency Management Agency (FEMA) are required to review proposed development projects to determine if they are in identified floodplains as shown on the FEMA maps. If a project is located in a mapped 100-year floodplain (A or V zone), the local government must require that a permit be obtained prior to development.

Proposed projects are reviewed and conditions imposed on any permits issued to reduce the potential for damage from floodwater. Permits are required for any development as well as for filling or grading activities in the floodplain. Permit processing time varies by jurisdiction and project complexity. Though a public hearing is not normally required, there are exceptions. State law requires that local entities have a local floodplain ordinance that meets or exceeds NFIP requirements. Ecology has approval authority over these ordinances.

**What Activities Require this Permit?**

Any development as well as filling or grading activities within the 100 year floodplain.

**How much does this Permit Cost?**

Determined by local government.

**Do I Need to Include Anything with my Application?**

Determined by the property owner's local government.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

Determined by the property owner's local government.

**Permit Time Frame:**

Permit processing time varies by jurisdiction and project complexity.

**Where do I Submit my Application?**

Local government will review property location and determine whether or not the property is within the 100 year floodplain. Some local governments charge a fee to determine whether or not the homeowners property is located within the 100 year floodplain.

**How Long is the Appeal Process for the Permit?**

Usually lasts for the duration of the project.

### **What is the Appeal Process for the Permit?**

Property owners can challenge floodplain determinations through the local government appeal process. The property owner has the right to hire a surveyor or engineer to delineate the parcel and determine whether or not it is within a 100 year floodplain. If the property is not within a 100 year floodplain the property owner can submit the finding and request a letter of map amendment or a map revision from FEMA for a fee. For more information on map changes, please call 1-800-336-2627.

### **Notes/Comments:**

Floodplain management programs are not consistent statewide, the process varies between local governments

### **Legal Authority**

Chapter 173-158 WAC

Chapter 86.16 RCW

Title 42, Ch 50, S 4001 et seq USC

Title 44, Ch I, S 60.3 CFR

### **Links:**

[Local city governments](#)

[FEMA](#)

[Local county governments](#)

[National Flood Insurance Program](#)

[Flood plain development permit example](#)

### **Statewide Contact:**

Local Government - City or County

\* Permit information last updated 10/29/2004

## **Noise Ordinance**

### **What is the Purpose of this Permit?**

Authority for noise abatement and control is with local government. Many areas have adopted local noise ordinances. For areas without a local noise ordinance, State noise regulations, chapter 173-60 WAC, set maximum intruding sound level limits statewide for three different land uses for both day and night : industrial, commercial and residential. For more information about noise ordinances that apply in your area, contact your local city hall or county commissioners office.

### **What Activities Require this Permit?**

Local governments set maximum intruding sound level limits or adopt statewide statute.

### **How much does this Permit Cost?**

None.

### **Notes/Comments:**

A noise web page and two frequently asked questions documents, one for citizens and one for local



## **Legal Authority**

Chapter 173-60 WAC

Chapter 70.107 RCW

## **Links:**

[Office of Regulatory Assistance](#)

[Cities and towns web addresses](#)

[County web addresses](#)

[Noise Pollution Frequently Asked Questions](#)

## **Statewide Contact:**

Department of Ecology

Office of Regulatory Assistance

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-7037

Toll Free: (800) 917-0043

Fax: (360) 407-6711

\* Permit information last updated 3/23/2005

## **Shoreline Conditional Use Permit**

### **What is the Purpose of this Permit?**

Each local government has development regulations in its Shoreline Master Program. Each determines what are "conditional uses", i.e. uses that are not preferred but may be permitted when specified conditions are met. Shoreline Conditional Use Permits are sent to Ecology for approval or disapproval. Ecology may add its own conditions during its review process. For more information about the Shoreline Management Act, please go to the home page link noted below.

### **What Activities Require this Permit?**

Determined by local government and specified in their Shoreline Master Program.

### **How much does this Permit Cost?**

Determined by local government. Ecology does not charge any fee for review of Shoreline Conditional Use Permits.

### **Do I Need to Include Anything with my Application?**

Determined by each local government. The minimum required information is listed in WAC 173-27-180.

### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

Compliance with the State Environmental Policy Act (SEPA) may be required.

**Permit Time Frame:**

Permit time frame is determined by local government. Final determinations on Shoreline Conditional Use Permits and variances will be issued within 30 calendar days of receiving a complete application.

**Where do I Submit my Application?**

Determined by local government. After receiving a complete Conditional Use Permit from local government Ecology has 30 days to review it and issue its permit decision.

**Schematic:**

[View the Schematic](#)

**How Long is the Appeal Process for the Permit?**

Determined by local government in accordance with RCW 90.58.143.

**What is the Appeal Process for the Permit?**

Each local government may establish its own appeal process. Appeals may then be made to the Shorelines Hearings Board (SHB) within 21-days of the "filing date" as defined in RCW 90.58.140(6). SHB decisions may be appealed to the courts.

**Notes/Comments:**

Conditional Use Permit applications are reviewed against criteria in the local Shoreline Master Program and

**Legal Authority**

Chapter 173-27 WAC

Chapter 90.58 RCW

**Links:**

[Shorelines Hearings Board](#)

[RCW 90.58.180](#)

[RCW 35.05.510 et seq.](#)

[Local county governments](#)

[Local city & town governments](#)

[Shoreline Management Act home page](#)

**Statewide Contact:**

Local Government - City or County

\* Permit information last updated 11/18/2005

# Shoreline Substantial Development Permit

## What is the Purpose of this Permit?

A written permit issued by local government for development on shorelines. Many types of development are exempt from this permit requirement. Shorelines are listed in RCW 90.58.030 (definitions), WAC 173-18 (streams), WAC 173-20 (lakes), and WAC 173-22 (wetlands). See links below. After completion of the local process the permits are sent to Ecology for filing but Ecology does not have authority to approve or deny them. For more information about the Shoreline Management Act, please go to the home page link noted below.

## What Activities Require this Permit?

All non-exempt developments and uses exceeding \$5,000 (for private residential docks in salt water - \$2,500; in fresh water - \$10,000) fair market value as defined in RCW 90.58.030(3) and WAC 173-27-030(8).

## How much does this Permit Cost?

Established by each local government. Ecology does not charge any filing fee.

## Do I Need to Include Anything with my Application?

Established by each local government. The minimum required information is listed in WAC 173-27-180.

## Is the Decision on my Permit Dependent on anything Besides the Information in my Application?

Compliance with the State Environmental Policy Act (SEPA) may be required.

## Permit Time Frame:

Permit time frame is determined by each local government. Ecology will inform local governments and permit applicants in writing of Substantial Development Permit (SDP) filing dates within seven calendar days of Ecology receiving the local government's final SDP decision or the final SDP.

## Where do I Submit my Application?

Determined by each local government.

## Schematic:

[View the Schematic](#)



## How Long is the Appeal Process for the Permit?

Determined by local government in accordance with RCW 90.58.143.

## What is the Appeal Process for the Permit?

Each local government may establish its own appeal process. Appeal may then be made to the Shorelines Hearings Board (SHB) within 21-days of the "filing date" as defined by RCW 90.58.140(6). SHB decisions may be appealed to the courts.

## Notes/Comments:

Substantial Development Permits are reviewed against the criteria in the local Shoreline Master Program and

**Legal Authority**

Chapter 173-27 WAC

Chapter 90.58 RCW

**Links:**

[WAC 173-18](#)

[WAC 173-20](#)

[WAC 173-22](#)

[Shorelines Hearings Board](#)

[RCW 34.05](#)

[Local city & town governments](#)

[Shoreline Management Act home page](#)

[Local county governments](#)

**Statewide Contact:**

Local Government - City or County

\* Permit information last updated 2/9/2006

## Shoreline Variance Permit

**What is the Purpose of this Permit?**

Each local government has its own development standards for dimensions, heights, setbacks, densities, etc. in its Shoreline Master Program. A variance may be requested from those standards. Shoreline Variances are written permits issued by local governments and are sent to Ecology for approval or disapproval. Ecology may add its own conditions to a variance during its review process. For more information about the Shoreline Management Act, please go to the home page link noted below.

**What Activities Require this Permit?**

Determined by local government and specified in their Shoreline Master Program.

**How much does this Permit Cost?**

Determined by local government. Ecology does not charge any fee for reviewing Shoreline Variances.

**Do I Need to Include Anything with my Application?**

Determined by local government. The minimum required information is listed in WAC 173-27-180.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

Compliance with the State Environmental Policy Act (SEPA) may be required.

**Permit Time Frame:**

Permit time frame is determined by local government. Final determinations on Shoreline Conditional Use Permits and variances will be issued within 30 calendar days of receiving a complete application.

**Where do I Submit my Application?**

Determined by local government. After receiving a complete variance permit from local government, Ecology has 30 days to review it and issue its permit decision.

**Schematic:**

[View the Schematic](#)

**How Long is the Appeal Process for the Permit?**

Determined by local government in accordance with RCW 90.58.143.

**What is the Appeal Process for the Permit?**

Each local government may establish its own appeal process. Appeals may then be made to the Shorelines Hearings Board (SHB) within 21-days of the "filing date" as defined in RCW 90.58.140(6). SHB decisions may be appealed to the courts.

**Notes/Comments:**

Variance applications are reviewed against criteria in the local Shoreline Master Program and state criteria in

**Legal Authority**

Chapter 173-27-170 WAC  
Chapter 90.58.100(5) RCW

**Links:**

[RCW 90.58.180](#)  
[RCW 34.05.510 et seq.](#)  
[City & town governments](#)  
[Shoreline Management Act home page](#)  
[Shorelines Hearings Board](#)  
[County governments](#)

**Statewide Contact:**

Local Government - City or County

\* Permit information last updated 11/18/2005

**Solid Waste (Handling) Permit****What is the Purpose of this Permit?**

Operation of a solid waste facility (landfills, transfer station, some compost operations and recycling facilities, etc.) requires a Solid Waste Permit. These permits are issued by local health departments, and are conditioned to ensure that these facilities meet state and local laws governing solid waste. Because requirements will vary by jurisdiction, the local health department should be contacted for more information.

**What Activities Require this Permit?**

Operation of a solid waste facility (landfill, transfer station, recycling facility, etc.)

**How much does this Permit Cost?**

Variable. Contact local health department.

**Do I Need to Include Anything with my Application?**

Contact the local health department for their specific requirements. General Guidelines can be found in WAC 173-350-715 and WAC 173-351-720.

**Permit Time Frame:**

All applications must be approved or denied within 90 days of submittal of a complete application.

**Where do I Submit my Application?**

Contact the local health department.

**How Long is the Appeal Process for the Permit?**

Varies depending on the project, but no longer than 5 years.

**What is the Appeal Process for the Permit?**

Initial appeal is filed with the local health department. Additional appeals are sent to the Pollution Control Hearings Board (PCHB).

**Notes/Comments:**

All permitted solid waste handling facilities are inspected by the local health department.

**Legal Authority**

Chapter 173-350 WAC

Chapter 173-351 WAC

Chapter 70.95 RCW

**Links:**

[Local Health Departments](#)

[Solid Waste Permit Process](#)

**Statewide Contact:**

Local Government - City or County

\* Permit information last updated 3/17/2005

# Subdivision Approvals

## What is the Purpose of this Permit?

Local governments, through ordinances, have primary authority to regulate the dividing of land for residential or other purposes. The 1990 Growth Management Act requires that local governments, as part of the subdivision approval process, make written findings that appropriate provisions have been made for the necessary infrastructure to support the subdivision. Depending upon the size of the subdivision, these findings may be made by either the local legislative body or administrative agency. Included in the list of items to be verified is potable water supplies. This may require a permit from Ecology.

Requirements established through local ordinance include minimum lot size, lot configuration, frontage, streets, utilities, site design, and open space. Common types of subdivisions include:

1. Large lot subdivisions. Regulates the subdivision of land into large parcels, usually 5 acres or greater. Requirements are typically less stringent than plat requirements. This type of plat is approved administratively. This application may require the filing of surveys with the short plat map.

2. Short Plat. Regulates the subdivision of land into four or fewer lots (or, in some cities, nine or fewer). This application may also require the filing of surveys with the short plat map, and requirements are usually less stringent than plat requirements. This type of plat is approved administratively.

3. Regulates the subdivision of land when five or more lots are proposed (or, in some cities, 10 or more). This process requires a public hearing. Approval is generally given in two parts:

a. The preliminary plat review involves an approximate drawing of the proposed subdivision showing the number of lots planned, general layout of streets, lots, open space, and restrictive covenants. Approval of the preliminary plat is the go ahead to construct roads and lay utilities.

b. The final plat requires submittal of complete survey data and detailed plans illustrating building lots, street layout and design, location of utilities, and lands dedicated for open space and other public purposes. Lots cannot be developed until final plat approval is given. Usually roads and utilities must already be developed or a bond posted to assure their completion.

## What Activities Require this Permit?

Local governments, through ordinances, have primary authority to regulate the dividing of land for residential or other purposes.

## How much does this Permit Cost?

Variable. Contact local government.

## Legal Authority

Growth Management Act - Subdivision Rules

Growth Management Act

Subdivision Approval Statute

**Links:**

Cities and Towns

Counties

**Statewide Contact:**

Local Government - City or County

\* Permit information last updated 3/17/2005



## 9. Pesticide Permits

Anyone interested in starting a business that involves selling or using pesticides (herbicides, insecticides, miticides, etc.) should contact the Washington State Department of Agriculture (WSDA) to determine if, and what type of, a license may be required.

Many people involved in the pesticide industry are required to obtain at least one of 9 different pesticide licenses issued by the WSDA, some of which are described in this section. A licensee may only perform the technical activities (agricultural weed control, aquatic weed control, structural pest control, etc.) for which they have been certified. A person becomes certified by passing the exam(s) requirements established by WSDA.

WSDA occasionally requires permits (as opposed to licenses) for applying certain pesticides. These permits generally cover certain geographical areas and times of the year. You will need to contact WSDA to determine if your situation requires a permit.

In addition to the WSDA's licensing requirements, the Department of Licensing requires that a business selling or distributing pesticides has a Pesticide Dealer endorsement to their Master Business License. To apply for this Master Business License, contact Business License Services at (360) 753-4401. Before this license can be issued, a Pesticide Dealer must confirm employment of a WSDA licensed Pesticide Dealer Manger.

Before pesticides are used in or near water, a General NPDES Aquatic Pesticide Permit from the Department of Ecology will likely be required. Contact Ecology's Water Quality division at (800) 633-6193.

Some cities and counties also have special requirements related to pesticide use, so it is important to check with them especially when considering pesticide use in sensitive areas (wetlands, surface waters, groundwater recharge areas, etc.).

For additional information about licenses, contact WSDA's Pesticide Management Division - Toll Free (877) 301-4555.

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## Commercial Applicator License

### What is the Purpose of this Permit?

A Commercial Applicator License, usually issued to an owner or manager, is required before operating any business that applies pesticides to the land of another. The Commercial Applicator must verify financial responsibility through a \$100,000 insurance liability policy surety bond (\$50,000 for each public liability and property damage).

Someone wanting to become a Commercial Applicator must pass one or more exams. Tests are held throughout the state and can be found at "<http://agr.wa.gov/PestFert/LicensingEd/Licensing.htm#TakingExams>"-Washington State Department of Agriculture's web site. Material to prepare for the tests can be purchased from "<http://pep.wsu.edu/Education/educ.html>"-Washington State University (WSU).

### What Activities Require this Permit?

Engaging in the business of applying pesticides to another person's land.

### How much does this Permit Cost?

\$170

### How Long is the Appeal Process for the Permit?

The license must be renewed annually, and has a 5 year recertification cycle during which time the licensee must meet continuing education requirements(see Notes).

### Notes/Comments:

Within the 5 year recertification cycle, the licensee must gain 40 continuing education credits with a maximum

### Legal Authority

Chapter 16-228, General Pesticide Rules WAC

Chapter 15.58, Washington Pesticide Control Act RCW

Chapter 17.21, Washington Pesticide Application Act RCW

### Links:

[Office of Regulatory Assistance](#)

[Pesticide License Fact Sheet](#)

[Department of Agriculture Pesticide Licensing page](#)

[Department of Agriculture Pesticide Management Division](#)

[WSU Pesticide Exam Study Materials Order Form](#)

[WSU Pesticide License Classes](#)

**Statewide Contact:**

Department of Agriculture  
Pesticides and Fertilizer Program  
1111 Washington Street  
PO Box 42589  
Olympia, WA 98504-2589

Toll Free: 1-877-301-4555

Fax: (360) 902-2093

\* Permit information last updated 6/16/2005

## Commercial Operator License

**What is the Purpose of this Permit?**

The Commercial Operator license is required for the employees of a Commercial Applicator who apply pesticides and are not supervised by another Commercial Operator or the Commercial Applicator.

Someone wanting to become a Commercial Operator must pass one or more exams. Tests are held throughout the state and can be found at

"<http://agr.wa.gov/PestFert/LicensingEd/Licensing.htm#TakingExams>"-Washington State Department of Agriculture's web site. Material to prepare for the tests can be purchased from

"<http://pep.wsu.edu/Education/educ.html>"-Washington State University (WSU).

**What Activities Require this Permit?**

Applying pesticides to the land of another as an employee of a Washington State Department of Agriculture (WSDA)-licensed Commercial Applicator.

**How much does this Permit Cost?**

\$50 annually.

**How Long is the Appeal Process for the Permit?**

The license must be renewed annually and has a 5 year recertification cycle, during which time the licensee must meet continuing education requirements(see Notes).

**Notes/Comments:**

Within the 5 year recertification cycle the licensee must gain 40 continuing education credits with a maximum of

**Legal Authority**

Chapter 16-228, General Pesticide Rules WAC

Chapter 15.58, Washington Pesticide Control Act RCW

Chapter 17.21, Washington Pesticide Application Act RCW

**Links:**

[Office of Regulatory Assistance](#)  
[WSDA Pesticide Management Division](#)  
[Pesticide License Fact Sheet](#)  
[Washington State University Pesticide License Training](#)  
[WSU Pesticide Exam Study Materials Order Form](#)  
[WSDA Pesticide Licensing Page](#)

**Statewide Contact:**

Department of Agriculture  
Pesticides and Fertilizer Program  
1111 Washington Street  
PO Box 42589  
Olympia, WA 98504-2589

Toll Free: 1-877-301-4555

Fax: (360) 902-2093

\* Permit information last updated 6/16/2005

## Private Applicator License

**What is the Purpose of this Permit?**

Applying or supervising the use of any pesticide through chemigation equipment or a restricted-use pesticide on your own or your employer's property for the production of an agricultural commodity requires a Private Applicator License.

The Limited and Rancher Private Applicator licenses allow limited applications of restricted use pesticides. For additional information, please visit the "<http://www.agr.wa.gov/PestFert/LicensingEd/LimitedandRancherPAL.htm>"-Limited and Rancher Private Applicator Licensing page.

Someone wanting to become an applicator must pass an exam. Tests are held throughout the state. Locations can be found at the "<http://agr.wa.gov/PestFert/LicensingEd/Licensing.htm#TakingExams>"-Washington State Department of Agriculture's web site. Material to prepare for the tests can be purchased from "<http://pep.wsu.edu/Education/educ.html>"-Washington State University (WSU).

**What Activities Require this Permit?**

Applying or supervising the agricultural use of any pesticide through chemigation equipment or a restricted-use pesticide on land rented or owned by the applicator or applicator's boss.

**How much does this Permit Cost?**

\$25 annually. Fee is waived if applicant pays for another WSDA pesticide license.

### **How Long is the Appeal Process for the Permit?**

The license must be renewed annually and has a 5 year recertification cycle, during which time the licensee must meet continuing education requirements(see Notes).

### **Notes/Comments:**

Within the 5 year recertification cycle the licensee must gain 20 continuing education credits with a maximum of

### **Legal Authority**

Chapter 16-228, General Pesticide Rules WAC

Chapter 15.58, Washington Pesticide Control Act RCW

Chapter 17.21, WASHINGTON Pesticide Application Act RCW

### **Links:**

[Office of Regulatory Assistance](#)

[Pesticide License Fact Sheet](#)

[WSDA Pesticide Licensing Page](#)

[WSDA Pesticide Management Page](#)

[WSU Pesticide Exam Study Materials Order Form](#)

[WSU Pesticide License Classes](#)

### **Statewide Contact:**

Department of Agriculture

Pesticides and Fertilizer Program

1111 Washington Street

PO Box 42589

Olympia, WA 98504-2589

Toll Free: 1-877-301-4555

Fax: (360) 902-2093

\* Permit information last updated 6/16/2005

## **Private Commercial Applicators License**

### **What is the Purpose of this Permit?**

Applying or supervising the application of a "restricted use" pesticide, on your land or your employer's land for other than the production of an agricultural commodity, requires a Private Commercial Applicator License (unless applying pesticides for agricultural purposes, see Private Applicator License).

Someone wanting to become an applicator must pass one or more exams. Tests are held throughout the state and can be found at the "<http://agr.wa.gov/PestFert/LicensingEd/Licensing.htm#TakingExams>"-Washington State Department of Agriculture's web site. Material to prepare for the tests can be purchased from "<http://pep.wsu.edu/Education/educ.html>"-Washington State University (WSU).

**What Activities Require this Permit?**

Applying or supervising the non-agricultural use of a restricted-use pesticide on land rented or owned by the applicator or applicator's boss.

**How much does this Permit Cost?**

\$25 annually.

**How Long is the Appeal Process for the Permit?**

The license must be renewed annually and has a 5 year recertification cycle, during which time the licensee must meet continuing education requirements (see Notes).

**Notes/Comments:**

Within the 5 year recertification cycle, the licensee must gain 40 continuing education credits with a maximum

**Legal Authority**

Chapter 16-228, General Pesticide Rules WAC

Chapter 15.58, Washington Pesticide Control Act RCW

Chapter 17.21, Washington Pesticide Application Act RCW

**Links:**

[Office of Regulatory Assistance](#)

[Pesticide License Fact Sheet](#)

[WSDA Pesticide Licensing Page](#)

[WSDA Pesticide Management Division](#)

[WSU Pesticide License Exam Study Materials Order Form](#)

[WSU Pesticide License Training](#)

**Statewide Contact:**

Department of Agriculture

Pesticides and Fertilizer Program

1111 Washington Street

PO Box 42589

Olympia, WA 98504-2589

Toll Free: 1-877-301-4555

Fax: (360) 902-2093

\* Permit information last updated 6/16/2005

# Public Operator License

## What is the Purpose of this Permit?

Government employees who apply any restricted use pesticide or general use pesticides through motorized equipment in the course of their public employment are required to have a Public Operator License.

A person must pass an exam to be certified as a Public Operator. Tests are held throughout the state. Test locations can be found at "<http://agr.wa.gov/PestFert/LicensingEd/Licensing.htm#TakingExams>"-Washington State Department of Agriculture's web site. Material to prepare for the tests can be purchased from "<http://pep.wsu.edu/Education/educ.html>"-Washington State University.

## What Activities Require this Permit?

Applying a pesticide as a government employee.

## How much does this Permit Cost?

\$25 annually.

## How Long is the Appeal Process for the Permit?

The license must be renewed annually and has a 5 year recertification cycle, during which time the licensee must meet continuing education requirements(see Notes).

## Notes/Comments:

Within the 5 year recertification cycle, the licensee must gain 40 continuing education credits with a maximum

## Legal Authority

Chapter 16-228 WAC  
Chapter 15.58 RCW  
Chapter 17.21 RCW

## Links:

[WSDA Pesticide Licensing Page](#)  
[Office of Regulatory Assistance](#)  
[Pesticide License Fact Sheet](#)  
[Washington State University Pesticide License Classes](#)  
[WDA Pesticide Management Division](#)  
[Washington State University Pesticide License Publications](#)

## Statewide Contact:

Department of Agriculture  
Pesticides and Fertilizer Program  
1111 Washington Street  
PO Box 42589  
Olympia, WA 98504-2589  
  
Toll Free: 1-877-301-4555  
Fax: (360) 902-2093

\* Permit information last updated 6/16/2005



## 10. Waste and Toxic Substance Permits

Many of the state's regulations and reporting requirements associated with hazardous, dangerous, and solid waste are discussed in this section.

The Department of Ecology has several programs devoted to managing waste to protect public health and the environment, and to promote waste reduction and recycling. These programs include the Hazardous Waste and Toxics Reduction, Solid Waste Services, Toxics Cleanup, and the Nuclear Waste Program. Certain wastes are also regulated by local governments, often through their environmental health or solid waste divisions.

Ecology and local governments are working together to improve waste management programs by learning more about ground water monitoring, sludge handling, ash management, illegal disposal, and other waste related issues. Over 40 cities and counties have worked with Ecology to establish plans for addressing small quantities of hazardous wastes from businesses and households.

The following Discussion is separated into three categories: Solid Waste, Hazardous/ Dangerous/Toxic Waste, and Spill/Release Reporting.

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### Certification of Inspectors of Solid Waste Incinerators and Landfill Facilities

#### **What is the Purpose of this Permit?**

Inspector certification is required for public employees who inspect and determine compliance of solid waste landfill or incinerator operations. These public employees must successfully complete the same training and examination process as landfill and incinerator operators. Inspectors must also receive training relevant to inspection procedures.

Currently, required courses are offered through Solid Waste Association of North America (SWANA) private instructors through a Memorandum of Understanding (MOU) for a fee of approximately \$600 for landfill inspectors. A home study course is offered for incinerator inspectors at a cost of approximately \$200.

#### **What Activities Require this Permit?**

Working for a public agency as a solid waste incinerator or landfill facility inspector

#### **How much does this Permit Cost?**

No state fees are required for landfill inspector certification; however, for incinerator inspectors a \$50 application and \$200.00 certification is required for a 3 year certification.

#### **How Long is the Appeal Process for the Permit?**

Certification must be renewed every 3 years.

**Notes/Comments:**

Contact the Solid Waste & Financial Assistance Program, Statewide Resource Section, at the Department of

**Legal Authority**

Chapter 173-300 WAC

Chapter 70.95D RCW

**Links:**

[Solid Waste and Financial Assistance Program](#)

**Statewide Contact:**

Department of Ecology

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6000

\* Permit information last updated 2/9/2006

## **Certification of Operators of Solid Waste Incinerators and Landfill Facilities**

**What is the Purpose of this Permit?**

The owner or operator in charge must be certified in the operation and maintenance of solid waste incinerators (excluding hog fuel burners and crematoria facilities), municipal waste landfills, problem waste landfills, special incinerator ash landfills or monofills, inert waste and demolition waste landfills, and all limited purpose solid waste landfills such as wood waste landfills.

Certification includes operator training courses and a written examination. Currently, required courses are offered through private instructors for a fee of approximately \$600.

**What Activities Require this Permit?**

Working as an operator of a solid waste incinerator or landfill facility

**How much does this Permit Cost?**

Application Fee: \$50

Certification Fee: \$200.00 for a 3 year certification

**How Long is the Appeal Process for the Permit?**

Certification must be renewed every 3 years.

**Notes/Comments:**

Contact the Solid Waste & Financial Assistance Program, Statewide Resource Section at the Department of

**Legal Authority**

Chapter 173-300 WAC

Chapter 70.95D RCW

**Links:**

[Solid Waste and Financial Assistance Program](#)

**Statewide Contact:**

Department of Ecology

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6000

\* Permit information last updated 2/9/2006

## **Dangerous Waste Management Facility Permit (Part B Permit; RCRA Permit; Hazardous Waste Permit; Final Facility Permit)**

**What is the Purpose of this Permit?**

The final permit includes standard permit language and facility-specific operating conditions. It incorporates the majority of the permit application. The permit and permit application include specific and detailed plans and procedures for all aspects of waste management which the permittee must follow.

**What Activities Require this Permit?**

There are several trigger activities, please see Permit Dependencies.

**How much does this Permit Cost?**

There are no permit fees.

**Do I Need to Include Anything with my Application?**

At a minimum, the permit application must include the following information:

- plans and specifications for physical structures used for waste management,
- plans for analysis of wastes accepted and generated by the facility,
- plan for facility inspections,
- plans for personnel training,
- plans for emergency response, and
- plans for closing the facility after its useful life.

### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

A permit is required:

- if a person accepts dangerous waste from another person for its management,
- if a person stores dangerous waste they generate for more than 90 days,
- if a person treats dangerous waste they generate using certain treatment methods (e.g. thermal treatment) or disposes dangerous waste at their site,
- if a person owns an inactive facility that required a dangerous waste permit for past activities, and has not completed the required cleanup of the site.

### **Permit Time Frame:**

The time between submission of the application and permit issuance is typically from 2 to 5 years. Permits are issued for a maximum term of 10 years. They can be reissued multiple times if the permittee makes that requests and submits an updated application at least 180 days before the previous permit expires.

### **Where do I Submit my Application?**

Please see Notes/Comments.

### **How Long is the Appeal Process for the Permit?**

Ten (10) years is the maximum duration or term of a permit.

### **What is the Appeal Process for the Permit?**

The final permit may be appealed to the Pollution Control Hearing Board (PCHB) within 30 days of being issued. If Ecology denies a permit, that decisions can also be appealed to the PCHB within 30 days.

### **Notes/Comments:**

Owners or Operators of a proposed facility must submit a "Notice of Intent" to apply for a dangerous waste

### **Legal Authority**

Chapter 173-303 WAC

Chapter 70.105 RCW

### **Links:**

[The Office of Regulatory Assistance](#)

[Hazardous Waste and Toxics Reduction Program](#)

### **Statewide Contact:**

Department of Ecology

Hazardous Waste & Toxics Reduction Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6700

Fax: (360) 407-6715

\* Permit information last updated 5/5/2005

## **Dangerous Waste Treatment, Storage, and Disposal Facility (Hazardous Waste Treatment, Storage, and Disposal Facility)**

### **What is the Purpose of this Permit?**

Facilities that store, treat, and/or dispose of dangerous waste must obtain a Dangerous Waste Permit for any dangerous waste activities that do not meet the less-stringent generator requirements.

### **What Activities Require this Permit?**

Treating, storing, and/or disposing of dangerous waste.

### **How much does this Permit Cost?**

None.

### **Do I Need to Include Anything with my Application?**

Chapter 173-303 Washington Administrative Code,  
Publication 95-402 Dangerous Waste Permit Application Requirements for Facilities which Store and/or Treat Dangerous Wastes in Tank Systems and/or Containers,  
Part A form

### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

Contact Ecology at least seven months before submitting an application. To submit an application, you must have demonstrated that the proposed facility and site meet stringent siting criteria. You also must meet notification requirements. Siting criteria require setbacks from certain areas, such as residences, and exclude facilities from other areas, such as floodplains.

### **Permit Time Frame:**

It normally takes several years, and a great deal of technical exchange between the applicant and Ecology, to complete the permit process.

### **Where do I Submit my Application?**

If Ecology determines that the proposed facility and site meet siting criteria, then you must submit a detailed application. The application must describe procedures and methods for treating, storing, and/or disposing of dangerous waste. Also required are engineering drawings of the proposed facility and procedures to close the facility when operations cease.

### **How Long is the Appeal Process for the Permit?**

Usually 10 years.

### **Notes/Comments:**

Application is not available online.

### **Legal Authority**

Chapter 173-303 WAC  
Chapter 70.105 RCW

**Statewide Contact:**

Department of Ecology  
Hazardous Waste & Toxics Reduction Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600

Telephone: (360) 407-6700

Fax: (360) 407-6715

\* Permit information last updated 3/17/2005

## Reporting Requirement for a Spill or Release of a Hazardous Substance

**What is the Purpose of this Permit?**

Prompt notification to Ecology is required when spills or releases of hazardous substances occur that have the potential to impact human health or the environment. Responsibility for reporting spills lies with the person who spills or releases the substance, however, any person aware of such spills is encouraged to contact Ecology.

**What Activities Require this Permit?**

Spilling or releasing a hazardous substance.

**How much does this Permit Cost?**

None.

**Do I Need to Include Anything with my Application?**

When reporting a spill, please be ready with the following information: Where is the spill? What spilled? How much spilled? How concentrated is the spilled material? Who spilled the material? Is anyone cleaning up the spill? Are there resource damages? Who is reporting the spill? How can Ecology get back to you?

**Notes/Comments:**

To report a spill, contact the National Response Center at 1-800-424-8802 or Washington State at

**Legal Authority**

Chapter 173-303 WAC  
Chapter 173-340 WAC  
Chapter 70.105 RCW

**Links:**

[How to Report a Spill](#)

**Statewide Contact:**

Department of Ecology  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6000

\* Permit information last updated 5/11/2005

## **Reporting Requirements for Contaminated Sites and Releases under MTCA**

### **What is the Purpose of this Permit?**

The Model Toxics Control Act (MTCA) is a citizen-mandated hazardous waste cleanup law. Under the MTCA regulations, owners and operators must report to Ecology any release or threatened release of a hazardous substance on their site. A verbal or written report must be made within ninety days of discovery unless the release is from a regulated underground storage tank (typically gas stations), which must be reported within 24 hours. These notification requirements apply to both current and historical releases.

After a site is ranked by Ecology, it is placed on the Hazardous Sites List. Either Ecology or the person responsible for the cleanup of a site on this list can initiate action that may lead to a consent decree, agreed order, or an enforcement order. Under these options, Ecology oversees activities such as site investigations, public involvement, cleanup, and monitoring.

The MTCA regulations do allow for site owners or other responsible persons to clean up a site themselves, without Ecology's oversight or approval. These "independent" cleanups must be reported to Ecology. Owners of sites undergoing independent remedial actions may receive feedback from Ecology by requesting a "technical consultation" through Ecology's Voluntary Cleanup Program (VCP). Under this voluntary program, the property owner submits a cleanup report with a fee to cover Ecology's review costs. Based on a review, Ecology either issues a "No Further Action" letter or identifies what additional work is needed.

### **What Activities Require this Permit?**

Discovering a current release from a regulated underground storage tank, historical releases, or a situation where there is a threat that a release will occur (such as abandoned drums).

### **How much does this Permit Cost?**

No fee for reporting release. Report reviews conducted through the VCP require a refundable \$500.00 deposit. Costs are billed at an hourly rate of \$50.00 to \$100.00 depending on the type of expertise required for the site.

### **Do I Need to Include Anything with my Application?**

Report the substance released, location of release, circumstances of the release and discovery, and any remedial actions planned, completed or underway.

**Permit Time Frame:**

Must report historical releases within 90 days and release from regulated underground storage tanks within 24 hours.

**Where do I Submit my Application?**

Ecology must conduct an initial investigation of the release, including a site visit, within 90 days.

**Notes/Comments:**

Releases should be reported by phone or written report to the appropriate Ecology regional office. Guidance

**Legal Authority**

Chapter 173-340 WAC

Chapter 70.105D RCW

**Links:**

[Toxics Cleanup Program's Policy 300](#)

[Office of Regulatory Assistance](#)

[How to Report a Spill](#)

[Voluntary Cleanup Program](#)

[Department of Ecology's Spill Program](#)

**Statewide Contact:**

Department of Ecology

Toxics Cleanup Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-7170

Fax: (360) 407-7154

\* Permit information last updated 5/11/2005

## **Resource Conservation and Recovery Act (RCRA) Site Identification Number (RCRA Site ID)**

**What is the Purpose of this Permit?**

The required Resource Conservation and Recovery Act (RCRA) Site ID# is an identifying number used for tracking wastes from their point of generation to final disposal. The Uniform Hazardous Waste Manifest system (EPA Form 8700-22) is the primary mechanism to ensure that wastes reach their intended destination. The transporter and the receiving facility signatures on the manifest you have prepared and sent with the shipment provide some assurance that the waste has been properly handled.



**What Activities Require this Permit?**

Generating and/or transporting hazardous waste.

**How much does this Permit Cost?**

There are no fees for a RCRA Site ID Number.

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called Notification of Dangerous Waste Activities, is online and can be downloaded at <http://www.ecy.wa.gov/biblio/ecy070133.html>.

**Do I Need to Include Anything with my Application?**

Complete Notification of Dangerous Waste Activities

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

You will need a RCRA Site ID number if you generate over 220 pounds or accumulate more than 2200 pounds of dangerous waste at any one time (for waste with a 220 pound quantity exclusion limit) or generate over 2.2 pounds (for a dangerous waste with at 2.2 pound quantity exclusion limit). This ID number is also required for those who transport, transfer, recycle, treat, store, or dispose of regulated quantities of hazardous waste.

**Permit Time Frame:**

It can take up to three weeks to obtain the ID number.

**Where do I Submit my Application?**

Please provide Ecology with all necessary data and information required in the Online Application referred to above.

**Schematic:**

[View the Schematic](#)

**How Long is the Appeal Process for the Permit?**

Once an RCRA Site ID# is assigned to a site it stays active until it is withdrawn or cancelled by the generator.

**Notes/Comments:**

A dangerous waste is solid or liquid material with certain properties that could pose dangers to human health

**Legal Authority**

Chapter 173-303 WAC

Chapter 70.105 RCW

**Statewide Contact:**

Department of Ecology  
Hazardous Waste & Toxics Reduction Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6700  
Fax: (360) 407-6715

\* Permit information last updated 9/12/2005

## **Statewide General Permit for Biosolids Management**

**What is the Purpose of this Permit?**

This permit authorizes the beneficial use of biosolids, the transfer of biosolids within a facility or from one facility to another, and the disposal of biosolids in municipal solid waste landfills. This general permit establishes the conditions that must be met for the above activities in the State of Washington, according to the provisions of Chapter 173-308 WAC, Biosolids Management.

Facility types required to apply for coverage under this permit are the following: publicly owned treatment works, privately owned treatment works treating only domestic wastewater, industrial facilities that treat domestic wastewater separately from the industrial waste stream and generate biosolids regulated by Chapter 173-308 WAC, beneficial use facilities, composting facilities that compost non-exceptional quality biosolids and that do not have an adequate permit issued by the local health jurisdiction where the non-exceptional quality biosolids are composted, centralized septage treatment facilities that do not have an adequate permit issued by the local health jurisdiction where the facility is located, individual septage haulers who apply septage directly to the land that do not have an adequate permit issued by the local health jurisdiction where the septage is applied to the land and that have been designated by the department as a treatment works treating domestic sewage as described in Subsection 3.9 of the permit, and other facilities designated by the department as a treatment works treating domestic sewage as described in Subsection 3.9 of the permit.

**What Activities Require this Permit?**

This permit covers land application of biosolids and other related processes and aspects of operations related to biosolids.

**How much does this Permit Cost?**

Fees vary depending upon size and type of facility.

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called General Permit for Biosolids Management, is online and can be downloaded at <http://www.ecy.wa.gov/biblio/ecy070124.html>.

### **Do I Need to Include Anything with my Application?**

A completed Application for Coverage, a vicinity map of the facility and any associated treatment or storage facilities, a treatment facility schematic, confirmation that the SEPA and public notice requirements have been met, and a signature by an appropriate official. The following components may also be required: land application plans, monitoring data, a biosolids sampling plan, a contingency plan for exceptional quality biosolids, a temporary disposal plan, and a spill prevention/response plan.

### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

- Submittal of a Notice of Intent
- Submittal of a complete application package
- Completion of public notice
- Fulfillment of any SEPA obligations

### **Permit Time Frame:**

Facilities that have submitted a Notice of Intent and properly applied for coverage under the permit are provisionally approved to manage biosolids in accordance with the requirements of this permit.

The time frame for issuing final coverage under the permit varies widely. Applicants should consult the applicable regional biosolids coordinator for specifics.

### **Where do I Submit my Application?**

Application documents will be reviewed by the applicable regional biosolids coordinator and/or a local health jurisdiction delegated to perform the review in accordance with regional priorities. Applicants should consult the applicable regional biosolids coordinator for specifics.

### **How Long is the Appeal Process for the Permit?**

The General Permit for Biosolids Management is a 5 year permit. Individual facilities covered under the permit will be covered until the permit expires and Ecology issues a new permit providing that the facility submits a Notice of Intent to Continue/Obtain Coverage no less than 180 days before the permit expires.

### **What is the Appeal Process for the Permit?**

An appeal of the General Permit for Biosolids Management must be made within 30 days of its issuance. The appeal process is outlined in Subsection 9.23 of the permit.

Additionally, upon issuance of final coverage under the permit, facilities have the right to appeal any additional conditions imposed on their operation. Appeals must be filed with the Pollution Control Hearings Board and served on the department within 30 days of receipt of the final coverage letter.

### **Legal Authority**

Chapter 173-308 WAC  
Chapter 70.95J RCW

### **Links:**

[Office of Regulatory Assistance](#)  
[Biosolids Information](#)

**Statewide Contact:**

Department of Ecology  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6000

\* Permit information last updated 6/27/2005

## **Underground Storage Tank Notification Requirements (UST Notification)**

**What is the Purpose of this Permit?**

A state notification form, available from the Department of Ecology (Ecology), must be completed by those who intend to install or remove an underground storage tank (UST).

Notification is required 30 days before installing a new tank or removing an existing one. A certified/licensed professional must perform the installation or removal. Tanks existing before federal regulation came into effect were to have been reported by May 8, 1986. Any such tanks for which a notification form has not been completed should be reported immediately.

Contact your local fire marshal and planning department prior to tank closure to find out if any additional permits are required by city, county or other local jurisdictions.

**What Activities Require this Permit?**

Installing or removing an underground storage tank, and/or having an existing underground tank on site.

**How much does this Permit Cost?**

\$100 per tank, per year (Ecology), \$15 new applicant fee (Department of Licensing) or \$9 annual renewal (Department of Licensing). These are all paid to Department of Licensing.

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called Underground Storage Tank 30 Day Notice, is online and can be downloaded at <http://www.ecy.wa.gov/pubs/ecy02095.pdf>.

**Do I Need to Include Anything with my Application?**

For UST installation, list the installation company, if known. Upon receipt of the completed form, Ecology will validate it and return it to the owner. This validated form allows you to receive a one time drop of product, for UST system testing purposes only.

For permanent UST closure, list the closure company, if known. Upon receiving a completed 30 day closure form, Ecology will stamp the date received on the form and return a copy to the owner.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

To dispense product and receive additional deliveries, you must complete the Master Business License registration the Underground Storage Tank Addendum, pay your fees, and provide proof of Pollution Liability Insurance. Ecology will then issue you a Facility Compliance Tag. The registration information must be submitted to the Department of Licensing within 30 days of installation to receive a Master Business License with the appropriate tank endorsement(s).

**Permit Time Frame:**

The 30 Day Notice (permit) begins once the form is received by Ecology.

**Where do I Submit my Application?**

Once a 30 Day Notice is received, it is validated/received and a copy is sent back to the owner along with an informational packet. This packet will be for a new installation or a removal, whichever applies to the particular application.

**Schematic:**

[View the Schematic](#)

**How Long is the Appeal Process for the Permit?**

90 days.

**Notes/Comments:**

The 30 Day Notice gives the inspector the chance to get a hold of the owner/installation company and go out

**Links:**

[Underground Storage Tank Information](#)

**Statewide Contact:**

Department of Ecology  
Toxics Cleanup Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-7170  
Fax: (360) 407-7154

\* Permit information last updated 1/13/2006

# Waste Tire Carrier License or Waste Tire Storage Site Owner License

## What is the Purpose of this Permit?

Carrier License: A Waste-Tire Carrier License is required in most circumstances when hauling more than five waste tires to a recycler or storage site except under circumstances described in WAC 173-350-350(1)(b).

Site Owner License: Before a state license can be issued to operate a waste-tire storage site, a solid waste handling permit must first be obtained from the appropriate local jurisdictional health authority. Whenever a facility is permitted at the local level, a Waste-Tire Storage Site Owner License may also be required.

Both the waste tire carrier and waste tire storage licenses are processed through the Washington State Department of Licensing, Unified Business Identifier (UBI) licensing program. Decisions regarding these permits are made by Ecology based on compliance with minimum standards established to ensure the safe and proper storage, control, recovery, and recycling of tires.

## What Activities Require this Permit?

Hauling waste tires and/or owning or operating a waste tire storage site.

## How much does this Permit Cost?

Application Fee:\$15; Waste Tire Carrier License:\$200, and \$50 for each additional vehicle to be used for waste tire transport. Waste Tire Storage Site Owner License: \$250 per location. See Notes for Bond requirement.

## Notes/Comments:

Performance Bond: A \$10,000 performance bond is required before a waste tire carrier license can be issued.

## Legal Authority

Chapter 173-350-350 WAC  
Chapter 70.95 RCW

## Links:

[Office of Regulatory Assistance](#)  
[Department of Licensing, Business License Services](#)

## Statewide Contact:

Department of Ecology  
Office of Regulatory Assistance  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
  
Telephone: (360) 407-7037  
Toll Free: (800) 917-0043  
Fax: (360) 407-6711

\* Permit information last updated 2/3/2006

# 11. Water Quality Permits

The people of Washington State are supported in their goal for clean water by many state laws and regulations, including the state's Water Pollution Control Act (Chapter 90.48 RCW), which explains that Washington State's policy is to ". . . maintain the highest possible standards to insure the purity of all waters of the state consistent with public health and public enjoyment . . . the propagation and protection of wildlife, birds, game, fish and other aquatic life, and the industrial development of the state." Ecology is also delegated by Environmental Protection Agency (EPA) to implement the National Pollutant Discharge Elimination System (NPDES) permit program from the Clean Water Act.

In general, the discharge of any wastewater, except domestic wastewater going to a municipal treatment plant, requires a wastewater discharge permit. This includes stormwater from industrial and construction sites and some municipal sites. Discharges to surface waters require a NPDES individual permit or coverage under a general NPDES permit. Discharges to ground and industrial discharges to a municipal treatment plant require a State wastewater permit.

Construction of any wastewater treatment facility needs Ecology approval (Chapter 90.48 RCW and 173-240 WAC). Because these same facilities may or may not require an individual wastewater discharge permit, the project should be discussed with Ecology as project planning begins.

Other permits or authorizations are required for reuse of treated wastewater, underground injection, construction in the water, laboratory analysis of material if the data goes to Ecology, and operating a wastewater treatment plant.

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## Boatyard General Permit

### What is the Purpose of this Permit?

A boatyard is a commercial business engaged in the construction, repair and maintenance of small vessels, 85% of which are 65 feet or less in length, or revenues from which constitute more than 85% of gross receipts. Services typically provided include, but are not limited to: pressure washing hulls, painting and coating, engine and propulsion system repair and replacement, hull repair, joinery, bilge cleaning, fuel and lubrication system repair and replacement, welding and grinding of hull, buffing and waxing, marine sanitation device (MSD) repair and replacement, and other activities necessary to maintain a vessel. This includes mobile facilities.

The Boatyard General Permit (link posted below) expired in December of 2002 but has been administratively extended while it is being renewed. The current expected renewal date is June 2005. Ecology has formed an advisory group to assist on direction of this permit renewal. The advisory group meeting notes, as well as the most current boatyard permit information, are available at the "Boatyard Permit General Information" link found below.

### What Activities Require this Permit?

Operating a boatyard with a discharge of pressure wash water to a sanitary sewer and discharge of



stormwater to surface waters

**How much does this Permit Cost?**

Please see Notes/Comments below

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called Boatyard National Pollutant discharge Elimination System Waste Discharge General, is online and can be downloaded at [http://www.ecy.wa.gov/programs/wq/permits/boatyard/boatyard\\_permit.pdf](http://www.ecy.wa.gov/programs/wq/permits/boatyard/boatyard_permit.pdf).

**Do I Need to Include Anything with my Application?**

Application is made through the Ecology Regional Offices. Please provide Ecology with all necessary data and information as required in the application.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

The permit is appropriate for those facilities meeting the definition of boatyard and discharging stormwater to surface waters.

**Permit Time Frame:**

The General Permit has an effective period of 5 years. Facilities applying for coverage under the permit will be covered from the time of application approval until expiration of the permit or until coverage is revoked.

**Where do I Submit my Application?**

The General Permit is subject to public notice and comment. The coverage of a facility under this permit is also subject to public notice announcement in the newspaper.

**How Long is the Appeal Process for the Permit?**

The duration of the General Permit is 5 years. The General Permit may be administratively extended past 5 years until renewed. The duration of coverage for a facility applying for coverage is from the time of application approval until the permit is expired or the coverage is revoked.

**What is the Appeal Process for the Permit?**

The General Permit is subject to appeal for 30 days after issuance. The coverage of a facility under the general permit is appealable for 30 days after coverage.

**Notes/Comments:**

Fees for this permit vary:

**Links:**

[Boatyard General Permit Information](#)

**Statewide Contact:**

Department of Ecology  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600

Telephone: (360) 407-6000

\* Permit information last updated 7/5/2005

## **Drinking Water Operating Permit**

### **What is the Purpose of this Permit?**

Drinking Water Operating Permits are required for Group A public water systems. These are systems that either have 15 or more services or serve an average of 25 or more people a day for sixty or more days in a calendar year.

Completed applications, generated by Department of Health (DOH) computers using information provided within the Water Systems Inventory, are mailed to system owners. Owners must sign and return these applications along with the permit fee within 70 days.

After receiving the signed application and fee, DOH issues a permit that is colored to signify system adequacy. A red permit means that a county should not issue subdivision approval or building permits to property served by the system. A green permit means the system is adequate, and yellow indicates that the system is conditionally adequate. The color is assigned based on evaluation of system performance against seven State Board of Health Drinking Water Regulation requirements.

On average, permits are issued 60 days after Health receives a signed application and fee; state law requires a decision within 120 days.

### **What Activities Require this Permit?**

Operating a public water system that has 15 or more services or serves more than 25 people a day for more than sixty days a year.

### **How much does this Permit Cost?**

Variable based on the number of service connections. Please contact the Department of Health.

### **Legal Authority**

Chapter 246-294 WAC  
Chapter 70.119A RCW

### **Links:**

[Department of Health Operating Permit Fact Sheet](#)

### **Statewide Contact:**

Department of Health  
7171 Cleanwater Lane, Bldg. 3  
PO Box 47822  
Olympia, WA 98504-7822

Telephone: (360) 236-3100

Toll Free: 1-800-521-0323

Fax: (360) 236-2253

\* Permit information last updated 6/20/2005

## **Laboratory Accreditation**

### **What is the Purpose of this Permit?**

Analysis of environmental samples which results in data to be submitted to the Department of Ecology (Ecology), or of drinking water data submitted to the Department of Health or local health authorities, must be analyzed by an accredited laboratory.

To become accredited, a lab must submit to Ecology a comprehensive application, quality assurance manual, and pay a fee. Also, the lab must successfully analyze blind proficiency testing (PT) samples and undergo an on-site assessment. Continued accreditation requires successful completion of semiannual PT audits and onsite assessments every three years.

### **What Activities Require this Permit?**

Analysis of environmental samples for data to be submitted to Ecology or analysis of drinking water for data submitted to the Department of Health or to local health authorities.

### **How much does this Permit Cost?**

Ranges from \$65 to \$7,500 annually depending on number and complexity of tests for which accreditation is requested.

### **Permit Time Frame:**

Accreditation can be granted within days to several weeks, dependant on the preparedness of the lab and complexity of the accreditation process.

### **Where do I Submit my Application?**

Ecology reviews the lab's quality program as documented in their Quality Assurance Manual. Deficiencies must be addressed before an on-site assessment can be scheduled. Ecology Reviews the lab's performance as indicated by proficiency testing studies. Finally, Ecology reviews the lab's entire system during an on-site assessment that may take hours or days, depending on the lab's capabilities.

### **How Long is the Appeal Process for the Permit?**

Labs renew their accreditation annually on the anniversary date of their initial accreditation.

### **What is the Appeal Process for the Permit?**

An environmental laboratory manager may appeal final accreditation actions within 30 days of notification of final action in accordance with chapter 43.21B RCW.

**Legal Authority**

Chapter 173-216, State Waste Discharge Permit Program WAC  
Chapter 173-226, Waste Discharge General Permit Program WAC  
Chapter 173-340, Model Toxics Control Act--Cleanup WAC  
Chapter 173-50, Accreditation of Environmental Laboratories WAC  
Chapter 220, National Pollutant Discharge Elimination System Permit Program WAC  
Chapter 43.21A.230, Certification of environmental laboratories authorized RCW

**Links:**

[Laboratory Accreditation](#)

**Statewide Contact:**

Department of Ecology  
Laboratory Accreditation Program  
PO Box 488  
Manchester, WA 98353-0488

Telephone: (360) 895-6144  
Fax: (360) 895-6180

\* Permit information last updated 6/16/2005

## **NPDES Construction Stormwater General Permit & Coverage**

**What is the Purpose of this Permit?**

Permit coverage is required for all construction activities (including grading, stump removal, and demolition) on sites one acre or larger and when there is a discharge of stormwater to a surface water (e.g., wetlands, creeks, rivers, marine waters, ditches, estuaries) and/or storm drains that discharge to a surface water.

**What Activities Require this Permit?**

Federal law requires permit coverage for any construction activity which disturbs one acre or more and which results in a discharge to surface water. Ecology will not have a permit for 1 to 5 acre sites until Sept. 2005. Operators of 1 to 5 acre sites may seek coverage under the current permit.

**How much does this Permit Cost?**

Permit fees for the Fiscal Year 2005 (7/1/04 to 6/30/05) range from \$350 to \$925 depending on the number of disturbed acres. Permit fees for Fiscal Year 2006 are subject to change as well as each year thereafter.

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called Construction Stormwater General Permit Application, is online and can be downloaded at  
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/#Application>.

### **Do I Need to Include Anything with my Application?**

The application must include certification that the public notice and SEPA requirements have been met. The applicant must have completed a Stormwater Pollution Prevention Plan (SWPPP) prior to starting construction. All information required in the application form must be submitted.

### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

If the applicant will be using chemical treatment or kiln dust, they are required to contact the appropriate Ecology regional office for approval. Ecology may require additional monitoring through an Administrative Order.

Information provided in the public notice must coincide with the application. The application for permit coverage must be submitted prior to the first publication date of the public notice.

### **Permit Time Frame:**

Site coverage under this permit cannot be issued any sooner than 31 days from the 2nd public notice date. Ecology requires 7 days in between each public notice date. Final determinations on new applications for coverage under the construction stormwater general permit will be issued within 45 days of receiving an applicant's complete notice of intent. ( Target = Decision made within 45 days on 90 percent of new applications received after July 1, 2004.)

### **Schematic:**

[View the Schematic](#)



### **How Long is the Appeal Process for the Permit?**

The permit is issued for 5 years but may be administratively extended until reissued. Site coverage under this permit is effective for the life of the permit or until coverage is revoked or terminated.

### **What is the Appeal Process for the Permit?**

The General Permit may be appealed within 30 days of issuance. Site coverage under this permit may be appealed by the permittee and/or a third party within 30 days from the date the site came under permit coverage. The appeal must be filed in accordance with RCW 43.21B.310.

### **Notes/Comments:**

General permits have a duration of 5 years. The permittee is required to submit a renewal application to

### **Legal Authority**

Chapter 173-201A WAC  
Chapter 173-220 WAC  
Chapter 173-224 WAC  
Chapter 173-226 WAC  
Chapter 90.48 RCW  
Federal Clean Water Act

**Links:**

[Stormwater Management Manual for Western Washington](#)

[Stormwater Construction Permits - 5 acres or more](#)

[Stormwater Construction Permits - 1 to 5 acres](#)

[Stormwater Management Manual for Eastern Washington](#)

[Guidance Document for Applying for Ecology's General Construction Stormwater Permit](#)

**Statewide Contact:**

Department of Ecology

Water Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6400

Fax: (360) 407-6426

\* Permit information last updated 1/13/2006

## NPDES General Permit Coverage

**What is the Purpose of this Permit?**

The discharge of pollutants into the state's surface waters is regulated through National Pollutant Discharge Elimination System (NPDES) permits. Ecology issues these permits under authority delegated by the U.S. Environmental Protection Agency (EPA). General permits are written to cover a category of dischargers instead of an individual facility. Application for coverage under a general permit is by submitting a "notice of intent" and is much less rigorous than applying for an individual permit. General permits may place limits on the quantity and concentration of pollutants allowed to be discharged and typically require operational conditions called Best Management Practices. To ensure compliance with these limits and conditions, general permits may require monitoring and reporting. In most cases, general permits have a five year life span. Coverage under a general permit is typically for the life of the permit but may be year-to-year.

General permits and coverage under a general permit may be issued from an Ecology Regional Office or from the Headquarters Office.

More information on NPDES general permits is available, including applications for coverage.

**What Activities Require this Permit?**

Point source discharge of pollutants into surface waters and belonging to a category of discharger for which Ecology has developed a General NPDES permit.

**How much does this Permit Cost?**

Fees are variable and are set by regulation (Chapter 173-224 WAC).

**How Long is the Appeal Process for the Permit?**

In most cases general permits have a five year life span.

**What is the Appeal Process for the Permit?**

When general permit coverage is issued appeal information will be included.

**Notes/Comments:**

If this permit does not seem to fit your project you may need an NPDES Individual Permit, see links for

**Legal Authority**

Chapter 90.48 RCW  
Clean Water Act

**Links:**

[Wastewater discharge permits](#)  
[NPDES Individual Permit](#)

**Statewide Contact:**

Department of Ecology  
Water Quality Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
  
Telephone: (360) 407-6400  
Fax: (360) 407-6426

\* Permit information last updated 3/23/2005

**NPDES Individual Permit****What is the Purpose of this Permit?**

The discharge of pollutants into the state's surface waters is regulated through National Pollution Discharge Elimination System (NPDES) permits. Ecology issues these permits under authority delegated by the U.S. Environmental Protection Agency (EPA). This permit is typically issued to a commercial or industrial facility, or municipality for discharge of wastewater to surface waters. An application is required and new facilities are required to produce an engineering report. Permits typically place limits on the quantity and concentration of pollutants that may be discharged. Some limits are set by regulation while others may be set on a case-by-case basis. Permits may also require operational conditions called Best Management Practices. To ensure compliance with these limits and conditions, permits require monitoring and reporting. In most cases, individual permits have a five-year life span.

**What Activities Require this Permit?**

Point source discharge of pollutants into surface waters.

**How much does this Permit Cost?**

Fees are variable and set by regulation.

**Permit Time Frame:**

We will inform permit applicants in writing whether their applications is complete within 60 days of receipt. If deemed incomplete, our response will itemize what is needed to make the application complete. ( Target = Response provided to 90 percent of new applications received after November 1, 2002.)

We will work with applicants to develop a permit issuance schedule that recognizes the applicants' business needs. ( Target = Schedule established for 80 percent of new applications received after November 1, 2002.)

**Schematic:**

[View the Schematic](#)

**How Long is the Appeal Process for the Permit?**

In most cases, individual permits have a five-year life span.

**What is the Appeal Process for the Permit?**

Please view the schematic above for appeal information.

**Legal Authority**

Chapter 173-220 WAC

Chapter 90.48 RCW

Clean Water Act

**Links:**

[Wastewater Permits](#)

**Statewide Contact:**

Department of Ecology

Water Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6400

Fax: (360) 407-6426

\* Permit information last updated 3/22/2005



# NPDES Industrial Stormwater General Permit Coverage

## What is the Purpose of this Permit?

Permit coverage is required for industrial facilities that have specific Standard Industrial Classification (SIC) codes, if they have a discharge of stormwater from their industrial areas to a receiving water of the state, or to storm drains that discharge to a receiving water.

Regardless of the SIC code, some industries may be required to seek permit coverage for areas of their industrial site that have a potential to cause or are causing an impact to receiving waters. No permit is required if you treat and retain all the stormwater on site (discharge to ground). If you discharge all the stormwater to a Combined Sewer (which goes to the wastewater treatment plant), you are not required to apply for coverage.

## What Activities Require this Permit?

Industrial Facilities: Public or private operation of an industrial facility with a stormwater discharge to surface waters or a storm sewer.

## How much does this Permit Cost?

Annual fee of \$353.

## Permit Time Frame:

Final determinations on new applications for coverage under the industrial stormwater general permit will be issued within 45 days of receiving an applicant's complete notice of intent. (Target = Decision made within 45 days on 90 percent of new applications received after July 1, 2003.)

## Schematic:

[View the Schematic](#)



## Legal Authority

Cleanwater Act

## Links:

[NPDES Industrial Stormwater General Permit](#)

## Statewide Contact:

Department of Ecology  
Water Quality Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6400  
Fax: (360) 407-6426

\* Permit information last updated 1/13/2006

## **NPDES Municipal Stormwater General Permit**

### **What is the Purpose of this Permit?**

This permit is required for municipalities with separate storm sewer systems that discharge to surface waters.

### **What Activities Require this Permit?**

Generally this permit is required of all cities defined as an urban area by the U.S. Census Bureau and for designated cities with a population over 10,000 located outside of urban areas.

### **How much does this Permit Cost?**

\$22,699 per year, flat fee for Phase 1 municipalities.

### **Legal Authority**

Chapter 173-224 WAC  
Chapter 173-226 WAC  
Chapter 90.48 RCW  
Cleanwater Act

### **Links:**

[Office of Regulatory Assistance](#)  
[Phase 1 municipal stormwater](#)  
[Phase 2 municipalities](#)

### **Statewide Contact:**

Department of Ecology  
Water Quality Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6400  
Fax: (360) 407-6426

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\* Permit information last updated 3/22/2005

## **On-Site Sewage Disposal Permit (Large On-Site Sewage Systems) (Between 3,500 and 14,500 gallons per day)**

### **What is the Purpose of this Permit?**

Businesses and residences that are located outside of areas served by sewer systems often treat and dispose of sanitary sewage on the property where it originates through septic tanks and subsurface drain fields. Plans for these systems are reviewed and approved by local health departments, or the Department of Health or Department of Ecology, depending on the size and nature of the system.

Department of Health reviews and approves plans and specifications for on-site sewage systems with design flows, at any common point, between 3,500 gallons per day and 14,500 gallons per day.

Department of Health also reviews proposals for land application of municipal wastewater and reviews comprehensive sewer plans. Local health departments are responsible for reviewing and approving sludge utilization projects.

### **What Activities Require this Permit?**

Disposal of sanitary sewage through septic tanks and drainfields with a design flow, at any common point, between 3,500 and 14,500 gallons per day.

### **How much does this Permit Cost?**

\$400.00 min fee for 8 hours + \$50.00 per hour for each additional hour; \$100.00 per site visit (2 site visits required). Fees subject to change in 2006.

### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Pre-design form, is online and can be downloaded at <http://www.doh.wa.gov/ehp/ts/WW/Loss/PRE-DESIGN.pdf>.

### **Do I Need to Include Anything with my Application?**

Complete and submit pre-design document form. Application process is site specific, but typically requires an engineering report, plans, specifications, and an operation and maintenance manual. Additional documents required may include management agreement, hydrogeology reports, treatment performance information, sampling data, etc.

### **Permit Time Frame:**

Review and comment usually takes between 4 and 6 weeks, depending on satisfaction of requirements.

### **Schematic:**

[View the Schematic](#)



### **How Long is the Appeal Process for the Permit?**

Construction approval is valid for 2 years, but can be extended an additional year if a written request is received. Additional conditions may be deemed necessary for an extension.

### **What is the Appeal Process for the Permit?**

A person contesting a departmental decision regarding a permit, certificate, approval, or fine may file a written request for an adjudicative proceeding consistent with chapter "<http://www.leg.wa.gov/WAC/index.cfm?section=246-272B-27001&fuseaction=section>"-WAC 246-272B-27001.

### **Notes/Comments:**

Contact "<http://www.doh.wa.gov/LHJMap/LHJMap.htm>"-local health department

### **Legal Authority**

Chapter 246-272B WAC

Chapter 43.20 RCW

### **Links:**

[Department of Health Large On-Site Sewage Systems](#)

[Criteria for Sewage Works Design \(Orange Book\)](#)

[Local Health Departments](#)

[Department of Licensing On-Site Wastewater Treatment System Designer Licensing and Certification](#)

[Office of Regulatory Assistance](#)

[On-Site Sewage Disposal Between 3,500 and 14,500 gallons per day](#)

[On-Site Sewage Disposal More than 14,500 gallons per day](#)

### **Statewide Contact:**

Department of Health

1500 West 4th Ave

Suite 403

Spokane, WA 99204-1656

Telephone: (509) 456-4431

Fax: (509) 456-3127

\* Permit information last updated 3/22/2005

## **On-Site Sewage Disposal Permit (Less than 3,500 gallons per day)**

### **What is the Purpose of this Permit?**

Businesses and residences that are located outside of areas served by sewer systems often treat and dispose of sanitary sewage on the property where it originates through septic tanks and subsurface drain fields. Plans for these systems are reviewed and approved by local health departments, the state Department of Health or the state Department of Ecology, depending on the size and nature of the system.

Local health departments issue permits for on-site sewage with design flows, at any common point, that are less than 3,500 gallons per day.

**What Activities Require this Permit?**

Installing a septic tank or drain field with design flow of less than 3,500 gallons per day

**How much does this Permit Cost?**

Variable.

**Links:**

[Local Health Department](#)

[On-Site Sewage Disposal Between 3,500 and 14,500 gallons per day](#)

[On-Site Sewage Disposal More than 14,500 gallons per day](#)

[Office of Regulatory Assistance](#)

**Statewide Contact:**

Local Government - City or County

\* Permit information last updated 3/22/2005

## **On-Site Sewage Disposal Permit (More than 14,500 gallons per day or process wastewater)**

**What is the Purpose of this Permit?**

Businesses and residences that locate outside areas served by sewer systems often treat and dispose of sanitary sewage on property where it originates through septic tanks and subsurface drain fields. Plans for these systems are reviewed and approved by local health departments, the Department of Health or Department of Ecology, depending on the size and nature of the system.

Ecology reviews and approves plans and specifications for on-site systems exceeding 14,500 gallons per day, all systems receiving state or federal construction grants under the Clean Water Act, and systems using mechanical treatment or lagoons with ultimate design flows above 3,500 gallons per day. Ecology generally requires public ownership, operation, and maintenance of domestic wastewater (sewage) facilities.

In certain, mostly rural, areas, industrial and commercial operations may use on-site systems for treatment and disposal of process wastewater [as opposed domestic wastewater (sewage)]. Ecology is the only agency with jurisdiction over this discharge and may require state discharge permits for either domestic or industrial/commercial on-site systems.

**What Activities Require this Permit?**

On-site sewage system exceeding 14,500 gallons per day, systems receiving state or federal construction grants under the Clean Water Act, and systems using mechanical treatment or lagoons with design flows above 3,500 gallons per day require an On-Site Sewage Disposal Permit from Ecology.

**How much does this Permit Cost?**

Variable. Fee schedule can be found under WAC 173-224.

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called The State Waste Discharge Permit Application, is online and can be downloaded at <http://www.ecy.wa.gov/biblio/ecy040178.html>.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

The design of a large on-site sewage disposal system is first approved under WAC 173-240. The applicant must then apply for the Large On-Site Sewage Disposal System Permit for operation of the system under WAC 173-216.

**Permit Time Frame:**

Ecology is required to take action within 60 days of receipt of a complete application. If no action is taken within 60 days of receipt of the complete application, the applicant would receive a temporary permit.

**How Long is the Appeal Process for the Permit?**

The permit is good for 5 years.

**What is the Appeal Process for the Permit?**

Permit determinations can be appealed to the Pollution Control Hearings Board (PCHB).

**Notes/Comments:**

Contact "<http://www.doh.wa.gov/LHJMap/LHJMap.htm>"-local health department for additional requirements.

**Legal Authority**

Chapter 173-216 WAC

Chapter 173-224 WAC

Chapter 173-240 WAC

Chapter 90.48 RCW

**Links:**

[Criteria for Sewage Works Design \(Orange Book\)](#)

[Permit Writers Manual](#)

[Department of Ecology Water Quality](#)

[Local Health Departments](#)

[Office of Regulatory Assistance](#)

[On-Site Sewage Disposal More than 14,500 gallons per day](#)

[On-Site Sewage Disposal Between 3,500 and 14,500 gallons per day](#)

**Statewide Contact:**

Department of Ecology

Office of Regulatory Assistance

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-7037  
Toll Free: (800) 917-0043  
Fax: (360) 407-6711

\* Permit information last updated 4/12/2005

## State Wastewater Discharge Permit

### What is the Purpose of this Permit?

Discharges of pollutants to land require a State Wastewater Discharge Permit. Discharges from industrial facilities to municipal wastewater treatment plants require a State Waste Discharge Permit if they haven't been issued a Pretreatment discharge permit by the municipality.

State Waste Discharge Permits typically place limits on the quantity and concentration of pollutants that may be discharged. Some limits are set by regulation while others may be set on a case-by-case basis. Permits may also require operational conditions called Best Management Practices. To ensure compliance with these limits and conditions, permits require monitoring and reporting. In most cases, permits have a five-year life span.

For more information see "<http://www.ecy.wa.gov/programs/wq/permits/index.html>"-Permits.

### What Activities Require this Permit?

Planned discharge of wastewater to the ground or discharge of wastewater, other than domestic sewage, to municipal treatment plant.

### How much does this Permit Cost?

Variable and set by regulation (Chapter 173-224 WAC).

### Where can I get the Application for this Permit?

The application for an individual permit, which is called State Waste Discharge Permit Application, is online and can be downloaded at <http://www.ecy.wa.gov/programs/wq/wastewater/index.html#potw>.

### Permit Time Frame:

Applicants must submit a satisfactory permit application at least 60 days before the date of the proposed discharge. The applicant will receive a temporary permit if Ecology fails to act upon the application within 60 days. The temporary permit is conditional upon the applicant having completed SEPA process. Any action within the 60-day period from the time of filing also prevents the temporary permit from becoming effective. An action would be a notification of the applicant that the application was not satisfactory.

### Schematic:

[View the Schematic](#)



### How Long is the Appeal Process for the Permit?

In most cases, permits have a five-year life span.

**Legal Authority**

Chapter 173-216 WAC

Chapter 90.48 RCW

**Statewide Contact:**

Department of Ecology

Water Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6400

Fax: (360) 407-6426

\* Permit information last updated 4/14/2005

## Underground Injection Control Registration

**What is the Purpose of this Permit?**

The Underground Injection Control Program (UIC) protects ground water quality by regulating the disposal of fluids into the subsurface. Most UIC wells or injection wells are simple devices that allow fluids into the shallow subsurface under the force of gravity. For example, in Washington State thousands of UIC wells, mainly dry wells, are located along parking lots and roads to manage stormwater runoff. The potential for ground water contamination from UIC wells is dependent on the well construction and location, the volume and quality of the fluids injected and the hydrogeologic setting. A drywell, infiltration trench with perforated pipe, subsurface infiltration gallery and large on-site septic systems are some examples of UIC wells that need to register.

["http://www.ecy.wa.gov/programs/wq/grndwtr/uic/index.html"](http://www.ecy.wa.gov/programs/wq/grndwtr/uic/index.html)-More information on underground injection wells.

In some cases, discharge to an injection well requires a

["http://apps.ecy.wa.gov/permithandbook/permitdetail.asp?id=20"](http://apps.ecy.wa.gov/permithandbook/permitdetail.asp?id=20)-State Waste Discharge Permit.

**What Activities Require this Permit?**

Applicants who have installed or are planning to install an Underground Injection Control (UIC) well are required to register.

**How much does this Permit Cost?**

None.



**Where can I get the Application for this Permit?**

The application for an individual permit, which is called Underground Injection Control Program Registration Form, is online and can be downloaded at [http://www.ecy.wa.gov/programs/wq/grndwtr/uic/registration/registration\\_forms.html](http://www.ecy.wa.gov/programs/wq/grndwtr/uic/registration/registration_forms.html).

**Do I Need to Include Anything with my Application?**

Most UIC owners may only have to register without needing a permit. Please contact Ecology staff for details.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

Regulations for UIC vary depending on their classification. The US Environmental Protection Agency (USEPA) has classified UICs into "<http://www.ecy.wa.gov/programs/wq/grndwtr/uic/introduction.html>"-5 categories. These are also listed on the UIC introduction page through the link below.

**Permit Time Frame:**

Within 60 days after an application is received, a confirmation letter is sent to the applicant.

**Where do I Submit my Application?**

The registration form is reviewed to determine if the UIC wells will be rule authorized, meaning protective of ground water quality.

**How Long is the Appeal Process for the Permit?**

The UIC registration is good for the duration of the UIC, but if the UIC well is closed or if there is an ownership change at the site, then Ecology needs to be notified.

**Notes/Comments:**

If you need to register a few sites, fill out an individual registration form for each site.

**Legal Authority**

Chapter 43.20A.165 RCW  
40 CFR Part 144

**Links:**

[Underground Injection Control Program](#)

**Statewide Contact:**

Department of Ecology  
Water Quality Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6400  
Fax: (360) 407-6426

\* Permit information last updated 1/13/2006

## Waste Discharge Permit - Reclaimed Water

### What is the Purpose of this Permit?

Four water reuse categories are included under the state Reclaimed Water Use Act: reclaimed water, greywater, agricultural industrial process water and industrial reuse water. Each is treated somewhat differently under the law. The law authorizes Ecology or Department of Health (DOH) to issue a single permit to the generator of the reclaimed water. Usually Ecology issues the permit in conjunction with a state or NPDES wastewater discharge permit and includes the DOH requirements within the permit. The permit establishes conditions assuring that the wastewater is 'adequately and reliably treated' so that as a result of the treatment, the effluent is no longer considered a wastewater under state law. The statute also exempts the use of the water from state appropriate water right permit requirements and gives the owner of the reclamation facility the exclusive right to the distribution and use of the water generated at the reclamation facility. The permit includes provisions assuring the water quality and governing the rate, the location and the purpose of use. Uses can include landscape or agricultural irrigation, recreational impoundments, commerce and industry, ground water recharge, streamflow augmentation, wetlands creation or enhancement and aesthetic features such as fountains and parks.

### What Activities Require this Permit?

Using water reclaimed according to provisions of the State Reclaimed Water Use Act.

### How much does this Permit Cost?

Ecology fees: The fee varies depending on the type of project.

### Legal Authority

Chapter 173-216 WAC

Chapter 173-224 WAC

Chapter 246-271 WAC

Chapter 43.20 RCW

Chapter 90.46 RCW

Chapter 90.48 RCW

### Links:

[Water Reclamation and Reuse](#)

### Statewide Contact:

Department of Ecology

Water Quality Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6400

Fax: (360) 407-6426

\* Permit information last updated 1/26/2006

# Wastewater Plant Operator's Certificate

## What is the Purpose of this Permit?

Wastewater Certification is required for (1) wastewater treatment plant operators in charge of a domestic wastewater treatment plant and (2) operators in charge of a shift at a domestic wastewater treatment plant.

To become certified, the applicant must meet minimum education and experience requirements and pass an exam. The exam, which has an application deadline, is held three times each year on the first Monday of February, June, and October.

Maintaining a valid certificate requires paying a yearly renewal fee and meeting a professional growth requirement every three years.

## What Activities Require this Permit?

Being in charge of a domestic wastewater treatment plant or a shift at a plant.

## How much does this Permit Cost?

Certification by examination: \$50 to \$72, Certificate Renewal, per year: \$30.

## Legal Authority

Chapter 173-230 WAC  
Chapter 70.95B RCW

## Links:

[Wastewater Operator Certification Program](#)

## Statewide Contact:

Department of Ecology  
Water Quality Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6400  
Fax: (360) 407-6426

\* Permit information last updated 3/23/2005

# Water System Construction and Operation Approval

## **What is the Purpose of this Permit?**

The Department of Health has review and approval authority over water system plans, project reports, and construction documents for new public drinking water systems and alterations or additions to existing systems for both Group A and Group B public water systems. In many areas for the smaller Group B systems, the local health department may do the review and approval.

Public water systems are generally defined as systems that furnish water to two or more service connections for human consumption and domestic use. Commercial, industrial, governmental, and residential irrigation water supplied by the system are also included in this definition. Approvals for water supplies serving single family residences are not required by the state.

Public water systems are further categorized as either Group A or Group B. Group A systems serve 15 or more residential services, or 25 or more people for more than 60 days a year. Group B systems are those that do not meet the Group A definition, such as a system that serves 14 or fewer services and less than 25 people for more than 60 days or more than 25 people but for less than 60 days a year.

## **What Activities Require this Permit?**

Furnishing water through pipes or other conveyances to two or more service connections for human consumption and domestic use, excluding a system with four or fewer connections all of which serve residences on the same farm.

## **How much does this Permit Cost?**

Fees vary depending on the type of the system, the complexity of the project or system, and the size of the system of project.

## **Notes/Comments:**

The three part approval process begins with review of a comprehensive water system plan or small water

## **Legal Authority**

Chapter 246-290 WAC

Chapter 246-291 WAC

Chapter 246-293 WAC

Chapter 43.20A RCW

## **Statewide Contact:**

Department of Health

7171 Cleanwater Lane, Bldg. 3

PO Box 47822

Olympia, WA 98504-7822

Telephone: (360) 236-3100

Toll Free: 1-800-521-0323

Fax: (360) 236-2253

\* Permit information last updated 6/20/2005

## Waterworks Operator Certification

### What is the Purpose of this Permit?

Before working as a waterworks operator, a certificate must be obtained from the Department of Health, Office of Drinking Water (DOH-ODW).

### What Activities Require this Permit?

Operating a waterworks, or a portion of waterworks, including any treatment facilities or distributino systems.

### How much does this Permit Cost?

Variable. Please contact the Washington State Department of Health, Office of Drinking Water

### Links:

[Relevancy of Training for Certified Water Works Operators](#)

### Statewide Contact:

Department of Health  
7171 Cleanwater Lane, Bldg. 3  
PO Box 47822  
Olympia, WA 98504-7822

Telephone: (360) 236-3100

Toll Free: 1-800-521-0323

Fax: (360) 236-2253

\* Permit information last updated 6/20/2005

## 12. Water Resource Permits

Washington State has what appears to be a bountiful water supply. However, because of geographic and seasonal shortages, people cannot always have all the water they feel they need. Also, the total water supply is finite. There will never be more. Washington's population is increasing and along with this growth, there is an associated expanded water demand for all purposes -- domestic, industrial, agricultural, power and recreation. Water is also a critical component of fish habitat. Significant efforts are being undertaken to protect and restore stream flows for fisheries. The permits listed in this section are part of Washington's water resource management strategy, a strategy intended to ensure an adequate and clean supply of water for all purposes.

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### Dam Construction Permit

#### **What is the Purpose of this Permit?**

A Dam Safety Construction Permit is required before constructing, modifying, or repairing any dam or controlling works for storage of 10 or more acre-feet of water, liquid waste, or mine tailings. This requirement may apply to dams and storage lagoons for: flood control; domestic or irrigation water; domestic, industrial, or agricultural wastes (including animal waste); and mine tailings.

The applicant must submit plans and specifications to Ecology for review and approval. These must be prepared by a qualified professional engineer and carry the engineer's signature and seal. Permit processing time averages from 6 to 8 weeks, but varies depending on project complexity. Ecology also inspects the construction of all dams to reasonably secure safety of life and property.

#### **What Activities Require this Permit?**

Constructing, modifying, or repairing any dam or controlling works for storage of 10 or more acre-feet of water, waste, or mine tailings.

#### **How much does this Permit Cost?**

There is a \$1400 initial fee at the time of application. Permit fees range from \$1400 to \$56,000 depending on the size of the project, calculated based on height and crest length of the dam. The complete fee schedule is contained in WAC 173-175-350 (link below).

#### **Where can I get the Application for this Permit?**

The application for an individual permit, which is called Application for Dam Construction Permit, is online and can be downloaded at <http://www.ecy.wa.gov/pubs/ecy07038.pdf>.

#### **Do I Need to Include Anything with my Application?**

An application for a construction permit must be submitted when the first substantive engineering information about the proposed project becomes available, usually when the conceptual plans are completed. Include the initial fee with the application form.

**Permit Time Frame:**

In general, owners and project engineers should allow 60 days for plan review by the Dam Safety Office (DSO). During the summer and fall construction season, DSO workload for construction inspection and periodic inspection of existing dams reduces the time for plan review. Thus, where possible, owners are requested to submit plans in the winter or early spring to allow sufficient lead time.

**Where do I Submit my Application?**

The DSO will review engineering reports, plans and specifications, and the construction inspection plan to ascertain that the proposed project will be designed and constructed in a manner which will reasonably secure safety to life and property. The DSO will review documents submitted to ascertain that they conform to Chapter 173-175 WAC, and guidance contained in Part IV of the Dam Safety Guidelines. Those elements of the documents which do not conform will be identified to the owner or project engineer. Changes may be required to conform to accepted engineering practice.

**Notes/Comments:**

A number of other permits and approvals are often required at the local, state, and federal levels for the

**Legal Authority**

Chapter 173-175 WAC

**Links:**

[Operation and Maintenance Plan](#)

[Simplified Emergency Action Plan](#)

[Declaration of Construction Completion](#)

[Dam Safety Guidelines Part 1 - General Information and Owner Responsibilities](#)

[Dam Safety Guidelines Part 2 - Project Planning and Approval of Dam Construction and Modification](#)

[Dam Safety Guidelines Part 3 - An Owner's Guidance Manual](#)

[Dam Safety Guidelines Part 4 - Dam Design and Construction](#)

[Dam Safety Office](#)

**Statewide Contact:**

Department of Ecology

Water Resources Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6600

Fax: (360) 407-7162

\* Permit information last updated 1/21/2005

## Notice of Intent to Construct or Decommission a Well

### What is the Purpose of this Permit?

A property owner seeking to have a well constructed or decommissioned is required to submit a Notice of Intent (NOI) to Ecology. An NOI is required for all drilling activities, including developing water wells, monitoring/resource protection wells, or geotech soil borings. It is important to note that an NOI does not give permission to engage in construction or decommission activities or to withdraw groundwater.

The property owner must submit a notification form to Ecology at least 72 hours prior to well construction, along with a possible fee. Notification forms are available through Ecology's Regional Offices and licensed well drillers. The forms can be filled out by the property owner or the driller. It is also the responsibility of the property owner to have a well decommissioned by a licensed well driller.

### What Activities Require this Permit?

Drilling activities including developing or decommissioning water wells, monitoring wells, and geotech soil borings.

### How much does this Permit Cost?

Variable. Please contact the appropriate Ecology Regional Office for details.

### Do I Need to Include Anything with my Application?

Submit the Notice of Intent application and one check or money order payable to the Department of Ecology, P.O. Box 5128, Lacey, WA 98509-5128

### Where do I Submit my Application?

Since an NOI is not a permit, there is no official review process.

### How Long is the Appeal Process for the Permit?

There is no expiration date on an NOI. However, the remitter does have 6 months from the day Ecology receives the NOI to request a refund.

### Notes/Comments:

Prior to having your well constructed, check with your local county health department to get any additional

### Links:

[Home Owner's Guide to Well Construction](#)

[Drilling Your Own Well](#)

[Resource Protection Well Report](#)

[Water Well Report](#)

[Well Log Search](#)

[Well Construction Operator Training License](#)

[License Renewal Application](#)

[Well Drilling Fee FAQ](#)

[Notice of Intent Forms](#)



**Statewide Contact:**

Department of Ecology  
Water Resources Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6600  
Fax: (360) 407-7162

\* Permit information last updated 3/23/2005

## Reservoir Permit

**What is the Purpose of this Permit?**

A reservoir permit is required before constructing any barrier across a stream, channel, or water course, if the barrier will create a reservoir. A reservoir is defined as a dam or dike that will store water to a depth of 10 or more feet at its deepest point, or one that will retain 10 or more acre-feet of water.

Reservoir permit applications require information on the use and capacity of the reservoir, and a legal description of the location of the structure. Processing time varies depending on project complexity. The process requires publication of a legal notice for two succeeding weeks.

Normally, a reservoir permit application is accompanied by an application for a permit to use water. This application describes the intended beneficial uses of water that will be withdrawn from the reservoir. Unless otherwise specified, a reservoir permit will allow the permittee to fill the reservoir once a year. The permit specifically states the period during which the reservoir is filled.

**What Activities Require this Permit?**

Constructing a barrier across a stream, channel, or water course if the barrier will create a reservoir of a certain size.

**How much does this Permit Cost?**

Variable.

**Legal Authority**

Chapter 90.03.370 RCW

**Links:**

[General Information Relative to Reservoir Permits](#)

**Statewide Contact:**

Department of Ecology  
Water Resources Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600

Telephone: (360) 407-6600  
Fax: (360) 407-7162

\* Permit information last updated 1/13/2006

## Water Right Change

**What is the Purpose of this Permit?**

With much of our water already allocated in Washington State, new water rights are increasingly difficult to obtain. As a result, more and more people are choosing to make changes to existing water rights. In many areas of the state, water is already claimed or over appropriated and no new water rights are being granted. The Washington Department of Ecology may consider changes to the following elements of an existing water right permit, certificate, or claim:

Place of use;  
Point of diversion or withdrawal;  
Additional point(s) of diversion or withdrawal; or  
Purpose of use.

**What Activities Require this Permit?**

To change the place of use, point of diversion or withdrawal, add additional points of diversions or withdrawals, or purpose of use to an existing water right.

**How much does this Permit Cost?**

Please note: A new fee structure will go into affect on July 24, 2005 that will increase the minimum fee to \$50.

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called Application for Change/Transfer of Water Right, is online and can be downloaded at <http://www.ecy.wa.gov/biblio/ecy040197.html>.

**Schematic:**

[View the Schematic](#)

**Legal Authority**

Chapter 90.03.255 RCW

**Links:**

[Instructions for filling out application](#)  
[Optional Letter Size Application Form](#)

**Statewide Contact:**

Department of Ecology  
Water Resources Program  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600  
  
Telephone: (360) 407-6600  
Fax: (360) 407-7162

\* Permit information last updated 2/10/2006

## **Water Right, New (Permit to Withdraw or Divert Surface or Ground Water)**

**What is the Purpose of this Permit?**

The waters of Washington State collectively belong to the public and cannot be owned by any one individual or group. Instead, individuals or groups may be granted rights to use them. A water right is a legal authorization to use a predefined quantity of public water for a designated purpose. This purpose must qualify as a beneficial use. Beneficial use involves the application of a reasonable quantity of water to a non-wasteful use, such as irrigation, domestic water supply, or power generation, to name a few. An average household uses about 300 gallons of water per day.

Washington State law requires certain users of public waters to receive approval from the state prior to use of the water - in the form of a water right permit or certificate. Any use of surface of water (lakes, ponds, rivers, streams, or springs) which began after the state water code was enacted in 1917 requires a water-right permit or certificate. Likewise, ground-water withdrawals from 1945 onward, when the state ground-water code was enacted, require a water-right permit or certificate, with the following exceptions:

Use of 5000 gallons per day or less for:

Stock watering  
Single or group domestic purposes  
Industrial purposes  
Watering a lawn or non-commercial garden that is not larger than one-half acre

**What Activities Require this Permit?**

To withdraw water except as listed above.

**How much does this Permit Cost?**

Application: Varies depending on amount of water, \$50 minimum.

**Schematic:**

[View the Schematic](#)

**Legal Authority**

Chapter 90.03 RCW

Chapter 90.44 RCW

**Links:**

[Instructions for Completing Application](#)

**Statewide Contact:**

Department of Ecology

Water Resources Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6600

Fax: (360) 407-7162

\* Permit information last updated 1/13/2006

## Well Construction and Operator's License

**What is the Purpose of this Permit?**

A Water Well Construction and Operator's License is required for all drilling activities, including developing water wells, monitoring wells, and biotech soil borings, with two exceptions. The two situations that do not require this license are (1) when drilling on your own property no more than once every two years, and (2) when drilling is conducted by a licensed engineer, architect, or land surveyor registered in Washington State, provided construction and abandonment requirements are met.

To qualify for the license, the applicant must have at least two years of experience with a licensed well driller (or qualifying experience), and pass a written exam administered by Ecology.

All wells constructed and/or decommissioned must meet the minimum standards for construction and maintenance of wells as outlined in Chapter 173-160 WAC. A Notification Fee and documentation of well construction in the form of a Start Notification must be provided to Ecology before construction begins, and a well log filed upon completion.

**What Activities Require this Permit?**

Drilling activities including developing water wells, monitoring wells, and biotech soil borings.

**How much does this Permit Cost?**

Variable. Trainee license: \$25, New applicant: \$25, License Renewal: \$20 for one license, \$40 for both water & resource license renewal.

**Where can I get the Application for this Permit?**

The application for an individual permit, which is called Well Construction Operator's License Application, is online and can be downloaded at <http://www.ecy.wa.gov/programs/wr/wells/formhome.html#app>.

**Do I Need to Include Anything with my Application?**

To apply for a new well operator license, applicants must pass a written exam and possibly an on-site field exam.

**Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

License dependencies vary. Please contact Marian Bruner in Water Resources at 360-407-6650 for more information.

**How Long is the Appeal Process for the Permit?**

Licenses must be renewed every 2 years prior to the renewal date. If a well operator license is not renewed by the renewal date, the license is expired and you may not construct or decommission wells. Trainee licenses are not renewable, but may receive a one time extension of up to 24 months.

**Legal Authority**

Chapter 18.104 RCW

**Links:**

[License Renewal Application](#)

[Resource Protection Well Report](#)

[Water Well Report](#)

[Notice of Intent Forms](#)

[Well Construction Operator Training License](#)

[A Guide to Washington's Well Operator's License Program](#)

[Study Packet for Full License](#)

[FAQ: Renewing a Washington State Well Operator License](#)

[Study Packet for Trainee License](#)

[Well Construction for Drillers Main Page](#)

**Statewide Contact:**

Department of Ecology

Water Resources Program

300 Desmond Drive

PO Box 47600

Olympia, WA 98504-7600

Telephone: (360) 407-6600

Fax: (360) 407-7162

\* Permit information last updated 1/13/2006

## 13. Wetland Permits

The wetlands in Washington State differ widely in their functions and values. Some wetland types are common, while others are rare. Some are heavily disturbed while others are still relatively undisturbed. All, however, provide some functions and resources that are valued. These may be ecological, economic, recreational, or aesthetic.

If you anticipate working in or near wetlands, Federal, State, and Local governments may all have specific permit requirements. At the Federal level, the Army Corps of Engineers regulates wetlands under the Clean Water Act and Coastal Zone Management Act. Aspects of this authority have been delegated to Washington's Department of Ecology. Washington State agencies regulate wetlands under the Hydraulic Code, State Water Pollution Control Act, Shoreline Management Act, and the Forest Practices Act. Local governments such as the County or City, regulate wetlands under the Growth Management Act and the Shoreline Management Act.

You may be interested in receiving a copy of Ecology publications, Wetland Regulations Guidebook and How Ecology Regulates Wetlands. To obtain copies of these helpful documents, contact: Washington Department of Ecology, Publications Office, P. O. Box 47600, Olympia, Washington 98504, phone number (360)407-7472 or view a list of helpful publications on Ecology's [wetlands website](http://www.ecy.wa.gov/programs/sea/wetlan.html).

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### Wetlands

#### **What is the Purpose of this Permit?**

Wetlands are regulated by Federal, State, and Local government. As a result, multiple permits may be required for any project involving work in or near a wetland. Please see the Notes/Comments section for a general list of potential permits. Many of these requirements are mentioned in other sections of the Permit Handbook. Where this is the case, the section is noted in parenthesis. Please refer to those sections for detailed permit descriptions.

#### **What Activities Require this Permit?**

Working in or near wetlands, areas that are transitional between open water and uplands or that may be periodically inundated or saturated.

#### **How much does this Permit Cost?**

Variable. Please contact the permitting agency.

#### **Do I Need to Include Anything with my Application?**

Specific requirements vary according to jurisdictional authority.

#### **Is the Decision on my Permit Dependent on anything Besides the Information in my Application?**

Variable. Please contact the permitting agency.

**Permit Time Frame:**

Variable according to the permit(s) in question. Please refer to the individual permit descriptions for more detail. You can also view the "[http://www.ecy.wa.gov/programs/sea/pac/ppds\\_info/review.htm](http://www.ecy.wa.gov/programs/sea/pac/ppds_info/review.htm)"-permit schematics detailing some of the application processes.

**Where do I Submit my Application?**

Variable according to the permit(s) in question. Please refer to the individual permit descriptions for more detail.

**How Long is the Appeal Process for the Permit?**

Variable according to the permit(s) in question. Please refer to the individual permit descriptions for more detail.

**What is the Appeal Process for the Permit?**

Variable according to the permit(s) in question. Please refer to the individual permit descriptions for more detail.

**Notes/Comments:**

Permits may be required from multiple jurisdictions. The contacts for each jurisdiction are in the parentheses,

**Legal Authority**

Chapter 173-201A WAC  
Chapter 173-225 WAC  
Chapter 36.70A.060 RCW  
Chapter 77.55 RCW  
Chapter 90.48 RCW  
Chapter 90.58 RCW

**Links:**

[Office of Regulatory Assistance](#)  
[Department of Ecology Wetland Contacts by region](#)  
[Wetlands Rating Manual for Eastern Washington—Department of Ecology](#)  
[Wetlands Rating Manual for Western Washington—Department of Ecology](#)  
[Guidance on Wetland Mitigation in Washington State—Department of Ecology](#)  
[Wetlands Delineation and Identification Manual—Department of Ecology](#)  
[Joint Aquatic Resources Permit Application \(JARPA\) form](#)  
[Department of Ecology Wetland Home Page](#)  
[Prior Converted Cropland \(PCC\) Wetlands](#)  
[Wetlands Delineation Manual--USACE](#)  
[Isolated Wetlands](#)



**Statewide Contact:**

Department of Ecology  
Office of Regulatory Assistance  
300 Desmond Drive  
PO Box 47600  
Olympia, WA 98504-7600

Telephone: (360) 407-7037

Toll Free: (800) 917-0043

Fax: (360) 407-6711

\* Permit information last updated 3/23/2005

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