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December 10, 2020

TO: Air Quality Program, Department of Ecology

FR: Kathryn VanNatta, NWPPA

RE: **Proposed complexity level for air operating permit fees**

Northwest Pulp & Paper Association (NWPPA) appreciates the opportunity to offer comments on the Washington Department of Ecology's proposed complexity level for air operating permit fees in WAC Chapter 173-401 Operating Permit Regulation.

NWPPA is a 64-year old regional trade association representing 11-member companies and 16 pulp and paper/ and or forest products mills in Washington, Oregon and Idaho. On behalf of our members, NWPPA routinely participates in air quality rule proceedings before the Department.

NWPPA's long-held policy is that there should be a provable and transparent nexus between agency fees and amount of agency work performed for a fee. This rule proposal falls short of meeting NWPPA's policy by providing a paucity of information to be able to fully comment on Ecology's proposal.

The Permit Register on November 10, 2020 states,

"Every year, we prepare fees for businesses that have an air operating permit. We determine fees using a three-tier fee structure. One of these tiers is the complexity level.

A. To figure out the complexity rate:

1. Divide cost of air operating permit program by 1/3.
2. Divide that number by staff hours to work on air operating permits in the previous year.

B. To figure out a business's complexity level:

1. Multiply the complexity rate (A) by staff hours to manage that business's permit.

Comment on the proposed complexity level:

Proposed complexity level for air operating permit fees  
Public comment period: Nov. 10, 2020 to Dec. 10, 2020  
Submit your comments online"

NWPPA believes the materials provided are not easily evaluated for issues raised by the COVID-19 pandemic like potential reduced 2020 travel in the workload model and how that reduction carries through into fiscal year 2021, and into the next biennium. NWPPA suggests that Ecology evaluate the proposal for whether it is transparent to all stakeholders and if workload estimates, work performed, agency budget and fees charged are of an appropriate magnitude and the "complexity level" based on a prior year – adequately cover the costs of the air operating permit program during this unprecedented time.

NWPPA AOP comments

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NWPPA thanks the Department for the opportunity to comment on this important matter. I can be contacted at 503-844-9540 to answer any questions.

Sincerely,

A handwritten signature in blue ink that reads "Kathryn VanNatta". The signature is written in a cursive style with a large initial 'K'.

Kathryn VanNatta  
Director of Regulatory and Government Affairs  
Northwest Pulp & Paper Association