

Business Association Newsletter Release Draft Copy

last updated on May 30, 2008

In 1990, the Legislature passed the Hazardous Waste Fees law (RCW 70.105E) to fund education for businesses that produce hazardous waste. The money helps Ecology make technical assistance visits, consult by phone, and develop technical assistance materials for these businesses.

Businesses that produce any amount of hazardous waste must pay the annual Hazardous Waste Education Fee, now set at \$46. The fee is billed to businesses that are likely to generate hazardous waste and who grossed more than \$12,000 during the previous tax year. Ecology uses the Department of Revenue's tax database to identify businesses that meet the minimum billing requirements of the fee. Only those businesses that actually generate hazardous waste must pay. For this reason, the law allows businesses to apply for a one-year waiver or complete exemption, depending on their situation.

Ecology grants the one-year waivers on a case-by-case basis. A business may apply for a waiver if they did not generate any amount of hazardous waste in the previous calendar year. Billing will resume the following year.

Businesses that never generate any amount of hazardous waste may apply for an exemption from the fee. Businesses that receive an exemption will not be billed again unless they begin producing hazardous waste at a future date.

Businesses may apply for waivers and exemptions after getting the bill. Ecology mails the bills to businesses the first few weeks of June. For more information on the Education Fee program, visit the Web site at www.ecy.wa.gov/programs/hwtr/edfees/index.html or call 1-866-211-2955.

Supplemental Hazardous Waste Education Fee Information for Chiropractors, June 2008

Why are Chiropractors being assessed the Hazardous Waste* Education Fee?

Chiropractors are being assessed the Ed Fee because many have traditional x-ray machines that generate spent x-ray fixer, which is a dangerous waste.* Chiropractors (and all other businesses) who are properly collecting and managing their dangerous wastes are still subject to this fee since it is based on the generation, not the management, of dangerous wastes.

If the chiropractor does not have or operate a film based x-ray machine, the fee may not apply. The process to be exempted from the fee is simple and explained within the bill; an enclosed half-page form can be filled out, signed and returned to Ecology. Please read on.

Who is a dangerous waste generator?

* Note the terms Hazardous and Dangerous are used interchangeably.
'Dangerous' is a State term, 'Hazardous' is a federal term.

A generator of dangerous waste is defined as any person, by site, whose act or process produces dangerous waste or whose act first causes a dangerous waste to become subject to regulation.

Who is required to pay the Ed Fee?

All businesses that generate any amount of dangerous waste are required to pay the Hazardous Waste Education Fee (Ed Fee). Even businesses exempted from reporting their waste are required to pay the fee if any dangerous waste was generated.

Why haven't I paid this fee before?

Four years ago, the Washington State Department of Revenue (DOR) replaced the Standard Industrial Classification system (SIC) with the 6-digit NAICS. The NAICS code has been applied to all businesses in Washington State. Over the last two years Ecology has been converting from the SIC code to the NAICS code. Because of this, you may be receiving the Education Fee billing for the first time. The NAICS code system better identifies the type of work that businesses do and what dangerous wastes might be generated. This helps our agency better identify businesses that are subject to the fee.

What are the laws that govern this fee?

The rule and law that provide for the Hazardous Waste Education Fee are Chapter 173.305 of the Washington Administrative Code (WAC) and Chapter 70.95E of the Revised Code of Washington (RCW). The Dangerous Waste Rules can be found in Chapter 173-303 WAC.

Where can I find more information about the fee?

More information about the fee is available on our website at <http://www.ecy.wa.gov/programs/hwtr/edfees/index.html>. Your members without computer access can call 1-866-211-2955 for more information. Because of heavy call volumes their call may be answered by an automated system. They should leave a message including their phone number and questions. The answering system is available 24 hours a day. We will answer all calls within 2 business days.

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