

Multiple Agency Fiscal Note Summary

Bill Number: 1057 S HB	Title: Clean air act/enjoyment term
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Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2021-23				2023-25				2025-27			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Department of Ecology	.2	46,556	46,556	46,556	.0	0	0	0	.0	0	0	0
Total \$	0.2	46,556	46,556	46,556	0.0	0	0	0	0.0	0	0	0

Agency Name	2021-23			2023-25			2025-27		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2021-23			2023-25			2025-27		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2021-23			2023-25			2025-27		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Lisa Borkowski, OFM	Phone: (360) 902-0573	Date Published: Final 2/18/2021
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Individual State Agency Fiscal Note

Bill Number: 1057 S HB	Title: Clean air act/enjoyment term	Agency: 461-Department of Ecology
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.4	0.0	0.2	0.0	0.0
Account					
General Fund-State 001-1	46,556	0	46,556	0	0
Total \$	46,556	0	46,556	0	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Robert Hatfield	Phone: 360-786-7117	Date: 02/12/2021
Agency Preparation: Pete Siefer	Phone: 360-407-6646	Date: 02/18/2021
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 02/18/2021
OFM Review: Lisa Borkowski	Phone: (360) 902-0573	Date: 02/18/2021

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

SHB 1057 replaces HB 1057 in its entirety, and adds a new section to Chapter 70A.15 RCW. Compared to HB 1057, SHB 1057 makes the following substantive changes:

- Section 1 would create a work group to develop an odor control plan and best management practices for asphalt plants for the purpose of reducing noxious odors, including requirements related to the enjoyment of life and property. The work group would be required to submit recommendations to the Department of Ecology (Ecology) by January 1, 2022, which may be incorporated into permits or policies adopted by Ecology and the regional clean air agencies.

These bill changes would change the fiscal impact to Ecology.

Under current law, Chapter 70A.15 RCW, Ecology, as well as local air authorities, have the authority to respond to outdoor nuisance odors, and have authority to establish, implement, and enforce emission standards to control and prevent air pollution, including odors. To implement and enforce emission standards, Ecology or local air authorities may issue permits, conduct compliance inspections, provide compliance assistance, investigate complaints, and issue enforcement actions.

Section 1 of this bill would create a new work group that would be responsible for reviewing the available and most appropriate ways or methods to mitigate or otherwise address best management practices for controlling odors and emissions for asphalt production facilities. Membership of the work group would include representatives from the asphalt industry, regional clean air agencies, local health departments, research institutions, and a community or environmental organization representative with expertise in air pollution, toxicology, or other relevant fields. The work group would be chaired by the Director of Ecology or the Director's designee, and staff support for the work group would be provided by Ecology. The work group would be required to begin meeting by August 1, 2021, and submit findings and recommendations to the department by January 1, 2022, which may be incorporated into existing Ecology policies.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The expenditure impact to Ecology under this bill is estimated to be less than \$50,000 in Fiscal Year (FY) 2022 to implement the requirements of the work group in Section 1.

Section 1 would require Ecology to provide a chair person and support staff for the newly created asphalt plant odor reduction work group. Ecology assumes the Director would designate a WMS 2 to chair the work group, and the work group would conduct one two-hour virtual meeting two times per month from July 2021 through December 2021 (twelve meetings in FY 2022). This work would involve preparing for and attending meetings,

reviewing academic research, identifying best management practices for controlling odor for asphalt facilities, analyzing proposed strategies, coordinating internally and with regional clean air agencies, preparing recommendations, and coordinating the review of the recommendations by the work group. To accomplish this work, Ecology estimates:

- Environmental Engineer 5 (0.10 FTE in FY 2022): This position would research best management practices and odor control plans for asphalt facilities, provide the information to the work group, and attend work group meetings.
- Washington Management Service 2 (0.10 FTE in FY 2022): This position would gather information to determine members, convene the work group, and chair the work group. This position and the Environmental Engineer, with the help of the administrative assistant, would provide the written recommendations to the director by January 1, 2022.
- Administrative Assistant 3 (0.10 FTE in FY 2022): This position would provide administrative support, schedule and attend meetings, provide communications related to meetings and keep track of meeting related documents, and support the virtual meetings.

The work group would submit recommendations to Ecology on the development of an odor control plan and best management practices for asphalt plants, by January 1, 2022, which may be incorporated into policies adopted by Ecology or the regional clean air agencies. Until the work group provides the recommendations, it is unknown what changes Ecology would make as a result of the findings. Therefore, costs for incorporating the findings into agency policies are not estimated in this fiscal note.

SUMMARY: The total expenditure impact to Ecology under this bill is estimated to be as follows:

FY 2022: \$46,556 and 0.35 FTE

Notes on costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 36.7% of salaries.

Goods and Services are the agency average of \$4,144 per direct program FTE.

Travel is the agency average of \$2,182 per direct program FTE.

Equipment is the agency average of \$1,201 per direct program FTE.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 27.4% of direct program salaries and benefits, and is shown as object 9. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE, and are identified as Fiscal Analyst 2 and IT App Development - Journey.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2022	FY 2023	2021-23	2023-25	2025-27
001-1	General Fund	State	46,556	0	46,556	0	0
Total \$			46,556	0	46,556	0	0

III. B - Expenditures by Object Or Purpose

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.4		0.2		
A-Salaries and Wages	25,438		25,438		
B-Employee Benefits	9,335		9,335		
E-Goods and Other Services	1,242		1,242		
G-Travel	654		654		
J-Capital Outlays	360		360		
9-Agency Administrative Overhead	9,527		9,527		
Total \$	46,556	0	46,556	0	0

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2022	FY 2023	2021-23	2023-25	2025-27
ADMINISTRATIVE ASSISTANT 3	48,996	0.1		0.1		
ENVIRONMENTAL ENGINEER 5	105,384	0.1		0.1		
FISCAL ANALYST 2		0.0		0.0		
IT APP DEVELOP-JOURNEY		0.0		0.0		
WMS BAND 2	100,000	0.1		0.1		
Total FTEs		0.4		0.2		0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1057 S HB	Title: Clean air act/enjoyment term
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Part I: Jurisdiction

Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities: Indeterminate increase in expenditures due to local government representative participation in work group.
- Counties: Same as above
- Special Districts: Same as above
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: The jurisdictions of work group members; the location and frequency of task force meetings.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Part III: Preparation and Approval

Fiscal Note Analyst: Rebecca Duncan	Phone: 360-725-5040	Date: 02/17/2021
Leg. Committee Contact: Robert Hatfield	Phone: 360-786-7117	Date: 02/12/2021
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/17/2021
OFM Review: Lisa Borkowski	Phone: (360) 902-0573	Date: 02/17/2021

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

This bill would create a work group to develop an odor control plan and best management practices for asphalt plants for the purpose of reducing noxious odors, including requirements related to the enjoyment of life and property.

The membership of the work group would include representatives from the asphalt industry, regional clean air agencies, local health departments, local governments, and research institutions, among others. The work group would be required to submit recommendations by January 1, 2022, on the development of an odor control plan and best management practices for asphalt plants, which could be incorporated into permits or policies adopted by the Department of Ecology and the regional clean air agencies.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

This bill would have indeterminate impacts on local government expenditures.

This bill would call for local government representatives to participate in a work group until January 1, 2022. There would be costs for local government representatives due to travel and time spent participating that local governments may incur. At this time, the costs from these work group meetings would be indeterminate, as the home jurisdictions of these task force members and the location and frequency of task force meetings are unknown. However, as an example, if two local government representatives attend from Seattle, two from Spokane, and one from Olympia, each meeting would cost \$8,442 total for the local government representatives. Therefore, if the task force met once a month from July to December, the group would meet six times for a total of \$50,652. These costs were estimated using the Local Government Fiscal Note Program Travel Calculator. However, these cost totals are just an example, therefore the fiscal impact on local government is considered indeterminate.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

This bill would have no impact on local government revenues.

SOURCES

Local Government Fiscal Note Program Travel Calculator
Department of Ecology