

WAC 173-03-070 Costs of providing public records. (1) Ecology does not charge a fee for the inspection of public records.

(2) Pursuant to RCW 42.56.120(2), ecology declares for the following reasons that it would be unduly burdensome to calculate the actual costs it charges for providing copies of public records: Funds were not allocated for performing a study to calculate such actual costs and the agency lacks the necessary funds to perform a study and calculations; staff resources are insufficient to perform a study and to calculate such actual costs; and a study would interfere with and disrupt other essential agency functions. Ecology may charge fees for production of copies of public records consistent with the fee schedule established in RCW 42.56.120 and as published in ecology's fee schedule available on the ecology web site at www.ecology.wa.gov.

(3) Ecology will charge the actual amount charged by an external vendor for records copied by an external vendor including records in nonstandard sizes or formats as published in ecology's fee schedule available on the ecology web site at www.ecology.wa.gov.

(4) Before copying public records, the public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying all of the records. The public records officer or designee may also require payment of the remainder of the copying costs before providing all of the records, or the payment of costs of copying an installment before providing the installment.

(5) At ecology's sole discretion, ecology may provide customized electronic access to public records if the agency estimates that the request would require the use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access services are not used by ecology for other agency purposes. Ecology will charge the actual costs, including staff time, necessary to reimburse the agency for providing customized electronic access services.

(6) Ecology will not release any requested copies of public records unless and until the requestor has paid all copying and other charges as set forth in this section.

(7) Ecology may waive any charges for providing public records at the discretion of the public records officer. This determination will be made on a case-by-case basis.

[Statutory Authority: RCW 42.56.100. WSR 17-23-098 (Order 16-14), § 173-03-070, filed 11/15/17, effective 12/16/17. Statutory Authority: RCW 42.17.250. WSR 98-16-052 (Order 98-12), § 173-03-070, filed 7/31/98, effective 8/31/98. Statutory Authority: RCW 42.17.250 - 42.17.340 and 1992 c 139. WSR 92-20-116 (Order 92-37), § 173-03-070, filed 10/7/92, effective 11/7/92. Statutory Authority: RCW 43.17.060 and 42.17.260. WSR 90-21-119 (Order 90-37), § 173-03-070, filed 10/23/90, effective 11/23/90. Statutory Authority: RCW 42.17.250 - 42.17.340. WSR 78-02-041 (Order DE 77-35), § 173-03-070, filed 1/17/78.]