



# Draft Rules

## Water Quality Permit Fee Correction 2020

### Key to Identifying Changed Text:

~~Deleted Text~~

New/inserted text

### Division 45

## REGULATIONS PERTAINING TO NPDES AND WPCF PERMITS

### 340-045-0075

#### Permit Fee Schedule

(1) OAR chapter 340, division 71 contains the fee schedule for onsite sewage disposal system permits, including WPCF permits, and graywater reuse and disposal system WPCF individual permits.

(2) Two sets of fee tables are provided. The first identifies fees effective August 1, 2020 through July 31, 2021. The second establishes the fee amounts effective starting August 1, 2021

(3) DEQ establishes fees for various industrial, domestic and general water quality permits:

(a) Table 70A lists the application and modification fees that apply to industrial NPDES and WPCF individual permits.

(b) Table 70B lists the annual fees that apply to industrial NPDES and WPCF individual permits.

(c) Table 70C lists application, modification and annual fees for domestic NPDES and WPCF individual permits.

(d) Table 70D lists annual population fees.

(e) Table 70E lists annual pretreatment fees applicable to domestic wastewater systems.

(f) Table 70I lists application, annual and surcharge fees for Underground Injection Control rule authorizations and general permits.

(4) DEQ must consider the following criteria when classifying a facility for determining applicable fees. For industrial sources that discharge to surface waters, discharge flow rate refers to the system design capacity. For industrial sources that do not discharge to surface waters, discharge flow refers to the total annual flow divided by 365:

- (a) Tier 1 industry. A facility is classified as a Tier 1 industry if the facility:
  - (A) Discharges at a flow rate that is greater than or equal to 1 mgd; or
  - (B) Discharges large biochemical oxygen demand loads; or
  - (C) Is a large metals facility; or
  - (D) Has significant toxic discharges; or
  - (E) Has a treatment system that will have a significant adverse impact on the receiving stream if not operated properly; or
  - (F) Needs special regulatory control, as DEQ determines.
- (b) Tier 1 domestic facility. A facility is classified as a Tier 1 domestic facility if the facility:
  - (A) Has a dry weather design flow of 1 mgd or greater; or
  - (B) Serves an industry that can have a significant impact on the treatment system.
- (c) Tier 2 industry or domestic facility: A facility is classified as Tier 2 if it does not meet Tier 1 qualifying factors.
- (5) New permit application fee. Unless this rule does not require it, the applicant must submit the applicable new permit application fee listed in Table 70A, 70C, 70G, or 70I with each application. The facility category and type of permit (e.g., individual vs. general) determines the amount of the fee.
- (6) Permit modification fee. Tables 70A and 70C list the permit modification fees. Modification fees for Individual WPCF Underground Injection Control permits are contained in Table 70I. Permit modification fees vary with the type of permit, the type of modification and the timing of modification as follows:
  - (a) Modification at time of permit renewal:
    - (A) Major modification — involves an increase in effluent limitations or any other change that involves significant analysis by DEQ;
    - (B) Minor modification — does not involve significant analysis by DEQ.
  - (b) Modification prior to permit renewal:
    - (A) Major modification — involves an increase in effluent limitations or any other change that involves significant analysis by DEQ. DEQ may require a permittee requesting a significant modification to their permit to enter into an agreement to pay for these services according to ORS 468.073. ORS 468.073 allows DEQ ". . . to expedite or enhance a regulatory process by contracting for services, hiring additional staff or covering costs of activities not otherwise provided during the ordinary course of department business . . . ."

(B) Minor modification — does not involve significant analysis by DEQ.

(7) Annual fees. Tables 70B and 70G list applicable annual fees for general and industrial permit holders. Table 70H lists applicable annual fees for Municipal Separate Storm Sewer permits. Tables 70C, 70D, and 70E also list annual fees for domestic sources and include the following:

(a) Annual fee. This is based on the type of treatment system, the dry weather design flow, and the duration assigned to the permit before a renewal application is required;

(b) Population-based fee. A permit holder with treatment systems other than Type F (septage alkaline stabilization facilities) must pay an annual population-based fee. Table 70D lists the applicable fee;

(c) Pretreatment fee. A source DEQ requires to administer a pretreatment program under federal pretreatment program regulations (40 C.F.R., Part 403; January 29, 1981, and its amendments) must pay an additional annual fee plus a fee for each significant industrial user specified in their annual report for the previous year. Table 70E lists the applicable fee.

(8) Technical activities fee. Table 70F lists the technical activity, plan review and administrative fees. They are categorized as follows:

(a) All permits. A permittee must pay a fee for NPDES and WPCF individual and general permit-related technical activities. DEQ will charge a fee for initial submittal of engineering plans and specifications. DEQ will not charge fees for revisions and re-submittals of engineering plans and specifications or for facilities plans, design studies, reports, change orders, or inspections.

(b) General permits. A permittee must pay the technical activity fee shown in Table 70F when the following activities are required for application review:

(A) Disposal system and environmental management plan review;

(B) Site inspection and evaluation.

(9) For permits the Oregon Department of Agriculture administers, the permit applicant or permit holder must pay the permit fees following the fee schedule the Oregon Department of Agriculture establishes.

(10) Administrative activity fees are listed in Table 70F:

(a) The annual electronic reporting requirement waiver fee applies to permit holders who qualify for a temporary or permanent waiver exempting them from submitting data and reports electronically.

(b) A permittee must pay a fee for a transfer of ownership as specified under OAR 340-045-0045 and for requests to change the legal or common name on the permit issued to the facility.



State of Oregon Department of Environmental Quality

# OAR 340-045-0075

## Fee Tables

Effective ~~August 1, 2020~~ February 1, 2021 – ~~June 30, 2021~~ July 31, 2021

OAR 340-045-0075 Table 70A Industrial NPDES and WPCF Individual Permits: Application and Modification Fees Revised <del>July 2020</del> <u>January 2021</u> Effective <del>August 1, 2020</del> <u>February 1, 2021</u> - <del>June 30</del> <u>July 31</u> , 2021			
<b>Application fees for new industrial permits</b>			
Tier 1 Industrial Facilities	\$77,038		
Tier 2 Industrial Facilities	\$15,504		
Special WPCF Permits (OAR 340-045-0061)	\$733		
Note: New permit applications must include the annual fee specified in Table 70B in addition to the new permit application fee listed above. The application fee is not required for renewal unless a modification is needed or requested.			
<b>Modification Fees<sup>1</sup></b>			
	<b>Major</b>		<b>Minor</b>
	<b>At Permit Renewal</b>	<b>Prior to Expiration</b>	
Tier 1 Industrial Facilities	\$19,355	\$38, <del>357</del> <u>457</u>	\$1,349
Tier 2 Industrial Facilities	\$4,921	\$7,686	\$1,349
1. A new application, application fee and modification fee must accompany all requests for permit modification. DEQ may charge the environmental management plan review fee amount in Table 70F when only the environmental management plan required by the permit requires review.			

## OAR 340-045-0075

### Table 70B

## Industrial NPDES and WPCF Individual Permit Annual Fees

Revised ~~July~~ January 2020 ~~2021~~

Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31, 2021

Type	Description	NPDES Tier 1	NPDES Tier 2	WPCF Tier 1	WPCF Tier 2
B01	Pulp, paper, or other fiber pulping industry	\$26,937	N	\$25,000	N
<b>Food or beverage processing - includes produce, meat, poultry, seafood or dairy for human, pet, or livestock consumption:</b>					
B02	Washing or packing only	N	\$3,745	N	\$3,447
B03	Processing – small. Flow $\leq$ 0.1 mgd, or 0.1 < flow < 1 mgd for less than 180 days per year	N	\$5,599	N	\$5,297
B04	Processing – medium. 0.1 mgd < Flow < 1 mgd for 180 or more days per year, or flow $\geq$ 1 mgd for less than 180 days per year	N	\$7,901	N	\$7,599
B05	Processing – large. Flow $\geq$ 1 mgd for 180 or more days per year	\$26,937	\$23,669	\$25,000	\$23,364
<b>Primary Smelting or Refining:</b>					
B06	Aluminum	\$26,937	\$23,669	\$25,000	\$23,364
B07	Non-ferrous metals utilizing sand chlorination separation facilities	\$26,937	\$23,669	\$25,000	\$23,364
B08	Ferrous and non-ferrous metals not elsewhere classified	<del>\$13,633</del> <u>15,405</u>	\$12,135	\$13,468	\$11,836
B09	Chemical manufacturing with discharge of process wastewater	\$26,937	\$23,669	\$25,000	\$23,364
B10	Cooling water discharges in excess of 20,000 BTU per second	<del>\$13,633</del> <u>15,405</u>	\$12,135	\$13,468	\$11,836
<b>Mining Operations – includes aggregate or ore processing:</b>					
B11	Large (over 500,000 cubic yards per year or involving chemical leaching)	\$26,937	\$23,669	\$25,000	\$23,364
B12	Medium (100,000 to 500,000 cubic yards per year)	N	\$8,287	N	\$7,986
B13	Small (less than 100,000 cubic yards per year)	N	\$2,522	N	\$2,222
<b>All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater):</b>					
B14	Tier 1 sources	\$26,937	N	\$25,000	N

**OAR 340-045-0075**

**Table 70B**

**Industrial NPDES and WPCF Individual Permit Annual Fees**

Revised ~~July~~ January 2020 ~~2021~~

Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31, 2021

<b>Type</b>	<b>Description</b>	<b>NPDES Tier 1</b>	<b>NPDES Tier 2</b>	<b>WPCF Tier 1</b>	<b>WPCF Tier 2</b>
B15	Tier 2 sources	N	\$5,212	N	\$4,916
B16	All facilities not elsewhere classified which dispose of non-process wastewaters (for example: small cooling water discharges, boiler blowdown, filter backwash)	N	\$3,489	N	\$3,189
B17	Fish hatcheries and other confined feeding operations on individual permits except permits the Oregon Department of Agriculture administers.	N	\$3,054	N	\$2,755
B18	All facilities which dispose of wastewater only by evaporation from watertight ponds or basins	N	N	N	\$2,025
<b>Timber and Wood Products</b>					
B19	Sawmills, log storage, instream log storage	\$7,556	\$4,286	\$5,619	\$3,984
B20	Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products	<del>\$7</del> ,989	\$4,721	\$6,056	<del>\$4,4</del> ,22
B21	Wood preserving	\$6,761	\$3,489	\$4,824	\$3,189

**OAR 340-045-0075**  
**Table 70C**  
**Domestic NPDES and WPCF Individual Permits:**  
**Application, Annual and Modification Fees**  
Revised ~~July~~ January 2020 ~~2021~~  
Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31,  
2021

Description	Type	Criteria <sup>1</sup>	New Permit App. Fee <sup>2</sup>	NPDES Annual Fee (5yr)	WPCF Annual Fee (10yr)	Modifications <sup>3</sup>	
						Major	Minor
Non-Lagoon Treatment Systems	A1	$\geq 50$ mgd	\$49,111	\$106,353		\$24,617	\$1,349
	A2	$25 \text{ mgd} \leq \text{Flow} < 50 \text{ mgd}$	\$49,111	\$62,506		\$24,617	\$1,349
	A3	$10 \text{ mgd} \leq \text{Flow} < 25 \text{ mgd}$	\$49,111	\$29,460		\$24,617	\$1,349
	Ba	$5 \text{ mgd} \leq \text{Flow} < 10 \text{ mgd}$	\$49,111	\$18,885	\$17,649	\$24,617	\$1,349
	C1a	$2 \text{ mgd} \leq \text{Flow} < 5 \text{ mgd}$	\$49,111	\$12,699	\$11,465	\$24,617	\$1,349
	C2a	$1 \text{ mgd} \leq \text{Flow} < 2 \text{ mgd}$	\$49,111	\$8,619	\$7,383	\$24,617	\$1,349
	Da	Flow < 1 mgd	\$9,921	\$2,729	\$2,532	\$5,025	\$1,349
	Bb	$5 \text{ mgd} \leq \text{Flow} < 10 \text{ mgd}$	\$49,111	\$9,986		\$24,617	\$1,349

**OAR 340-045-0075**

**Table 70C**

**Domestic NPDES and WPCF Individual Permits:  
Application, Annual and Modification Fees**

Revised ~~July~~ January 2020 ~~2021~~

Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31,  
2021

Description	Type	Criteria <sup>1</sup>	New Permit App. Fee <sup>2</sup>	NPDES Annual Fee (5yr)	WPCF Annual Fee (10yr)	Modifications <sup>3</sup>	
						Major	Minor
Lagoons Discharging to Surface Waters	C1b	2 mgd ≤ Flow < 5 mgd	\$49,111	\$6,944		\$24,617	\$1,349
	C2b	1 mgd ≤ Flow < 2 mgd	\$49,111	\$5,069		\$24,617	\$1,349
	Db	Flow < 1 mgd	\$9,921	\$1,924		\$5,025	\$1,349
Nondischarging Lagoons	E	No discharge flow	\$5,025		\$1,603	\$2,572	\$1,349
Alkaline-stabilization facilities	F		\$1,349		\$553		\$594
Please see Table 70D and 70E for applicable population and pretreatment fees for the permits listed above.							
Municipal Separate Storm Sewer System	MS4	See 40 C.F.R. § 122.26	\$27,274	Please see Table 70H		\$2,368	\$1,349

1. Based on Average Dry Weather Design Flow, or as defined in 40 C.F.R.

2. New permit applications must include the annual fee in addition to the new permit application fee.

3. DEQ may charge the environmental management plan review fee amount in Table 70F when only the environmental management plan required by the permit requires review.



**OAR 340-045-0075**  
**Table 70D**  
**Domestic NPDES and WPCF Annual Population**  
**Fee**

Revised ~~July 2020~~ January 2021  
 Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31,  
 2021

Population range	Annual fee
500,000+	\$142,886
400,000 to 499,999	\$109,307
300,000 to 399,999	\$75,731
200,000 to 299,999	\$42,150
150,000 to 199,999	\$34,090
100,000 to 149,999	\$22,452
50,000 to 99,999	\$14,081
25,000 to 49,999	\$6,329
15,000 to 24,999	\$3,604
10,000 to 14,999	\$2,348
5,000 to 9,999	\$1,427
1,000 to 4,999	\$427
100 to 999	\$81
0 to 99	\$0

**OAR 340-045-0075**  
**Table 70E**  
**Annual Pretreatment Fees**

Revised ~~May 2020~~ January 2021  
 Effective ~~August 1, 2020~~ February 1,  
2021 - ~~June 30~~ July 31, 2021

Description	Fee
Pretreatment Fee	\$2,450
Significant Industrial User	\$817 per industry

**OAR 340-045-0075**  
**Table 70F**  
**All NPDES and WPCF<sup>1</sup> Permits:**  
**Technical Activity, Plan Review, and Other Fees**

Revised ~~May 2020~~ January 2021  
 Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31, 2021

Activity	Fee
New or substantially modified sewage treatment facility	\$11,268
Minor facility or pump station modifications	\$1,225
Major system or pressure system expansion	\$859
Minor system expansion or modification	\$244
New or substantially modified septage alkaline stabilization facility	\$1,225
Site inspection and evaluation <sup>2</sup>	\$1,919
Disposal system plan review <sup>2</sup>	\$767
Environmental management plan review <sup>3</sup>	\$767
Other Fees	
Annual temporary or permanent electronic reporting requirement waiver	\$935
Permit transfer, legal name change.	\$121
1. Does not include Onsite septic systems. Please see Tables 9A-9F in OAR 340-071 for appropriate technical activity fees. 2. This fee only applies when these activities are required for DEQ's review of a General permit application. 3. This fee is not charged to new applicants for individual NPDES and WPCF permits. Plans updated after the permit is issued are subject to plan review as specified in the permit.	

**OAR 340-045-0075**  
**Table 70G**  
**General NPDES and WPCF Permits:**  
**Application and Annual Fees**

Revised ~~July 2020~~ January 2021  
 Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31, 2021

Number	Type	Description	New Permit App. Fee <sup>1</sup>	Annual Fee
100-J	NPDES	Cooling water/heat pumps	\$314	\$714
200-J	NPDES	Filter backwash	\$314	\$714
300-J	NPDES	Fish hatcheries	\$501	\$714
400-J	NPDES	Log ponds	\$314	\$714
500-J	NPDES	Boiler blowdown	\$314	\$714
900-J	NPDES	Seafood processing	\$314	\$714
1400-A	WPCF	Wineries and seasonal fresh pack operations whose wastewater flow is ≤ 25,000 gallons/day and is only disposed of by land irrigation.	\$314	\$419
1400-B	WPCF	Wineries and small food processors not otherwise eligible for a 1400A general permit.	\$501	\$714
1500-A	NPDES	Petroleum hydrocarbon clean-up	\$501	\$714
1500-B	WPCF	Petroleum hydrocarbon clean-up	\$501	\$714
1700-A	NPDES	Vehicle and equipment wash water	<del>\$501</del> <u>96</u>	\$714
1700-B	WPCF	Vehicle and equipment wash water	\$696	\$714
1900-J	NPDES	Non-contact geothermal heat exchange	\$696	\$714
<b>Residential and Commercial Graywater and Industrial Reuse Water</b>				
2401	WPCF	Tier 1 graywater reuse and disposal system for residential systems: ≤ 300 gallons/day, or equivalent specific geographic area graywater reuse and disposal area permit	\$52	\$41
2402	WPCF	Tier 2 graywater reuse and disposal system for systems: ≤ 1,200 gallons/day, or equivalent specific geographic area graywater reuse and disposal area permit	\$550	\$52
2501	WPCF	Industrial reuse water free of human and animal waste suitable for reuse without secondary or advanced treatment and ≤ 25,000 gallons/day	\$696	\$714

**OAR 340-045-0075**  
**Table 70G**  
**General NPDES and WPCF Permits:**  
**Application and Annual Fees**

Revised ~~July 2020~~ January 2021  
Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31, 2021

Number	Type	Description	New Permit App. Fee <sup>1</sup>	Annual Fee
<b>Stormwater General Permits<sup>3</sup></b>				
1200-A	NPDES	Stormwater: Sand, gravel, and other non-metallic mining	\$1,223	\$1,257
1200-C	NPDES	Stormwater: Construction activities – one acre or more	\$1,223	\$1,257
1200-C	NPDES	Stormwater: Construction activities – less than one acre and part of a common plan of development disturbing one or more acres	\$358	\$0
1200-CA	NPDES	Stormwater: Construction activities performed by public agencies – one acre or more	\$1,223	\$1,257
1200-Z	NPDES	Stormwater: Industrial	\$1,223	\$1,257
4000-MS4	NPDES	Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc.	\$1,223	Please see Table 70H
<b>Mining General Permits</b>				
600	WPCF	Offstream small scale mining – Processing < 5 cubic yds/day, or < 1,500 cubic yds/year	\$0	\$0
		Offstream small scale mining – Processing 1,500 -10,000 cubic yds/year	\$314	\$0
700-PM	NPDES	Suction dredges (gravity and syphon)	\$0	\$25
700-PM	NPDES	Suction dredges (motorized)	\$250	\$250
700-PM	NPDES	Permit renewal fee every five years (in addition to the annual fee)	\$250	
1000	WPCF	Gravel mining	\$314	\$714
<b>Other General Permits</b>				
DOM-F	WPCF	Septage alkaline stabilization facilities	\$1,349	\$553
All other permits not elsewhere classified.			\$696	\$714

**OAR 340-045-0075**  
**Table 70G**  
**General NPDES and WPCF Permits:**  
**Application and Annual Fees**

Revised ~~July 2020~~ January 2021  
 Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31, 2021

Number	Type	Description	New Permit App. Fee <sup>1</sup>	Annual Fee
<p>1. New permit applications must include both the new permit application fee and the first year's annual fee.</p> <p>2. Stormwater construction and industrial permits are also administered by public agencies and local districts under contract with DEQ.</p>				

**OAR 340-045-0075**  
**Table 70H**  
**Municipal Separate Storm Sewer System**  
**Permits: Annual Fees**

Revised ~~July 2020~~ January 2021  
 Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31, 2021

<b>Population-based cost-per-person, except counties and other</b>	<b>Annual Fee</b>
Cost-per-person	\$0.119
Counties, Phase I	\$10, <del>069</del> <u>690</u>
Counties, Phase II (non-traditional MS4s, hospitals, public universities, etc.)	\$2,652
Oregon Department of Transportation MS4*	\$42,436
*Fee for ODOT MS4 assessed only in the absence of a separate revenue agreement.	

**OAR 340-045-0075**  
**Table 70I**  
**Underground Injection Control Permits**  
**Application Fees, Annual Fees and Surcharges**

Revised ~~July 2020~~ January 2021  
 Effective ~~August 1, 2020~~ February 1, 2021 - ~~June 30~~ July 31, 2021

Type	Description	Application Fee	Annual Fee	Class of Injection	Surcharge	
					Application	Annual
Authorized By Rule <sup>1</sup>	Low Risk Stormwater Only	None	None	Low Risk	\$107	None
	Non-Stormwater Injection <sup>2</sup>	None	None	Medium Risk	\$134	None
	All Other UIC's Draining Stormwater from Any Surface	None	None	Low Risk	\$107	None
				Medium Risk	\$134	None
1200-U General Permit <sup>3</sup>	Stormwater Injection	<del>\$616</del> <u>696</u>	<del>\$633</del> <u>714</u>	Low Risk	\$124	None
				Medium Risk	\$156	None
				High Risk	\$374	\$124
1900-B General Permit	Injection During Geothermal Exploration	<del>\$616</del> <u>69</u> <u>6</u>	<del>\$633</del> <u>7</u> <u>14</u>			
Type	Description	Application Fee	Annual Fee	Individual WPCF Modifications		
				Major	Minor	
Individual WPCF Permit	As defined in 40 CFR parts 9, 144, 145 and 146	\$15,504	\$3,282	\$2,572	\$1,349	

1. Includes facilities with less than 50 injection systems. All systems must be located over 500 feet from a water well and outside a 2 -year time of travel from a water source.

2. Includes aquifer storage and recovery, low temperature geothermal injection, remediation and other underground injection control systems that do not drain stormwater.

3. Includes facilities with less than 50 injection systems and for systems within 500 ft from a water well and within a 2-year time of travel from a water source.