



State of Oregon  
Department of  
Environmental  
Quality

Oregon Department of Environmental Quality  
May 15, 2018

## **Notice of Proposed Rulemaking**

Water Quality Permit Fees 2018

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## Introduction

DEQ invites public input on proposed permanent rule amendments to chapter 340 of the Oregon Administrative Rules.

## Background

### DEQ proposal

DEQ proposes the following changes to OAR 340, divisions 45 and 71 that will:

- Increase water quality fees for fiscal year 2019 by seven percent. These fees apply to National Pollutant Discharge Elimination System permits and Water Pollution Control Facility permits. The seven percent increase is comprised of a three percent increase provided under ORS 468B.051 and a four percent increase approved in the 2017 Legislative session, which covers approximately 30 percent of the cost of these positions. The Legislature determined DEQ needed these additional resources for an effective water quality permitting program.
- Establish in rule a fee increase for municipal separate storm sewer system permits, commonly called MS4. DEQ will apply the MS4 fee increase to the MS4 annual fees that are not subject to the seven percent increase for this rulemaking. The 2017-19 Legislatively Adopted Budget authorizes DEQ to increase MS4 permit fees to raise an additional \$300,000 per year in fee revenue (a total of \$600,000 for the biennium) to fund two positions to implement the MS4 program.

DEQ requires the fee increases to implement DEQ's Legislatively Adopted Budget and help the agency achieve its objective for a sustainable water quality permitting program that issues timely, high quality permits, as well as ensuring compliance with permit conditions through inspections, enforcement, and reporting to EPA. DEQ must establish the new fees once approved by the Environmental Quality Commission to cover costs associated with implementing the permitting program and delivering services to regulated entities.

DEQ also proposes the following changes to clarify or make corrections to OAR 340, divisions 45 and 71 that will:

- Increase general permit fees issued under ORS 468B.050 for motorized in-stream placer mining under the 700-PM permit. The 2017 Oregon Legislature passed Senate Bill 3 that establishes new restrictions and fees for suction dredge mining in Oregon. This fee change went into effect Jan. 1, 2018. Refer to OAR 340-045-0075, Table 70G. The fees are \$250 for the initial application for or renewal of permit coverage and \$250 for the annual fee;

- Correct permitting Fees for Systems Not Subject To WPCF Permits, System Type E fee correction from \$1,776 to \$1,763 (a \$13 difference). Refer to OAR 340-071-0140, Table 9B; and
- Restore the WPCF domestic individual permit fee F to OAR 340-045-0075, Table 70C. The WPCF permit type F in Table 70C was inadvertently deleted when the permit type was added to the general permits in OAR 340-045-0075, Table 70G. The WPCF individual permit domestic F permit fees in Table 70C are existing fees and the seven percent increase is applied.

## **More information**

Information about this rulemaking is on this rulemaking's web page: [Water Quality permit fee rulemaking.](#)

## **Public Hearings**

DEQ will hold a public hearing on this rulemaking as detailed below:

- Monday, June 18, 2018
- 1:00 p.m.
- 700 NE Multnomah Street, Suite 600  
Portland, OR 97232-4100

## **How to comment on this rulemaking proposal**

DEQ is asking for public comment on the proposed rules. Anyone can submit comments and questions about this rulemaking. A person can submit comments through an online web page, by regular mail or at the public hearing.

## **Comment deadline**

DEQ will only consider comments on the proposed rules that DEQ receives by 4 p.m., on Friday, June 22, 2018.

## **Submit comment online**

Use the link below to submit comments online through DEQ's web page:

[Water Quality Permit Fee Comment Page](#)

## **Note for public university students:**

ORS 192.501(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon's public records law. If you are an Oregon public university or OHSU student you may omit your email address when you complete the online form to submit a comment.

## **By mail**

Oregon DEQ

Attn: Michele Martin, 14<sup>th</sup> Floor  
700 NE Multnomah Street, Suite 600  
Portland, OR 97232-4100

## **At hearing**

You can also participate in the hearing through a teleconference:

Teleconference call-in number: 888-363-4734  
Participant ID: 1910322

How to join the teleconference or webinar: [Teleconference and Webinar instructions](#)

## **Sign up for rulemaking notices**

Get email or text updates about this rulemaking by signing up through this link: [Water Quality Permit Fees 2018 Rulemaking Email List](#); or on the rulemaking web site: [Water Quality Permit Fees 2018 rulemaking web page](#).

Get email or text updates about other, future DEQ rulemaking by signing up through this link: [DEQ Email Notice List](#).

## **What will happen next?**

DEQ will include a written response to comments in a staff report DEQ will submit to the Environmental Quality Commission. DEQ may modify the rule proposal based on the comments.

## **Present proposal to the EQC**

Proposed rules only become effective if the Environmental Quality Commission adopts them. DEQ plans to present the proposed rules to the commission for a decision at its meeting on Sept. 12-13, 2018.

## **Accessibility information**

You may review copies of all documents referenced in this announcement at:

Oregon Department of Environmental Quality  
700 NE Multnomah Street, Suite 600  
Portland, OR 97232-4100

To schedule a review of all websites and documents referenced in this announcement, call Michele Martin in Portland, at 503-229-5103 (800-452-4011, ext. 5622 toll-free in Oregon).

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ, Portland, at 503-229-5696 or call toll-free in Oregon at 1-800-452-4011, ext. 5696; fax to 503-229-6762; or email to [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us). Hearing impaired persons may call 711

## Overview

### Short summary

DEQ proposes the Oregon Environmental Quality Commission approve the rule amendments to increase water quality fees for fiscal year 2019 by seven percent. These fees apply to National Pollutant Discharge Elimination System permits and Water Pollution Control Facility permits.

As part of this rulemaking, DEQ also proposes the Oregon Environmental Quality Commission approve the rule amendments to increase permit fees for the municipal separate storm sewer system permits, commonly called MS4. The 2017-19 Legislatively Adopted Budget authorizes DEQ to increase these permit fees. DEQ will apply the MS4 fee increase to the MS4 annual fees. These fees are not subject to the seven percent increase for this rulemaking.

Finally, DEQ proposes the Oregon Environmental Quality Commission approve three additional rule amendments that will: 1) provide a fee increase for general permits issued under ORS 468B.050 for motorized in-stream placer mining under permit 700-PM established in Senate Bill 3 in the 2017 Oregon Legislature; 2) correct permitting fees for WPCF permits, system type E; and 3) restore the WPCF individual permit fee F to OAR 340-045-0075, Table 70C. The WPCF permit type F in Table 70C was inadvertently deleted when the permit type was added to the general permits in OAR 340-045-0075, Table 70G. The WPCF individual permit domestic F permit fees in Table 70C are existing fees and the seven percent increase is applied.

### Regulated parties

The proposed rules would affect individuals, business, and government agencies that hold or apply for, National Pollutant Discharge Elimination System permits and Water Pollution Control Facility permits.

### Request for other options

During the public comment period, DEQ requests public comment on whether to consider other options for achieving the rules' substantive goals while reducing the rules' negative economic impact on business.

## Statement of need

| Proposed Rule or Topic                         | Discussion   |
|--|--|
| Seven percent increase for NPDES and WPCF fees |  |
| What need would the proposed rule address?     | Without this increase, DEQ would need to reduce permitting staff and delay implementing improvements to the program as identified in the document: <a href="#">Recommendations and Implementation Plan</a> . This is an independent third-party consultant report the 2015 Oregon Legislature commissioned. The report was completed in November 2016.   |
| How would the proposed rule address the need?  | DEQ must establish the new fees by Nov. 1, 2018, to cover costs associated with implementing the permitting program and delivering services to regulated entities  |
| How will DEQ know the rule addressed the need? | If approved, DEQ would begin receiving fee revenue by Nov. 1, 2018. DEQ expects the proposed fees would sustain the needed staffing levels for the program through fiscal year 2019 that ends June 30, 2019. DEQ will likely need to propose an up to three percent fee increase for fiscal year 2020 to sustain the staffing levels for program implementation.                               |
| MS4 fee increase                               |  |
| What need would the proposed rule address?     | This proposed rule amendments will address a fee increase that will provide DEQ with the resources to minimally implement the MS4 program. Without the fee increase, DEQ will not be able to meet the existing core workload of the program, nor the expansion of the MS4 program required by the continued growth and urbanization of the communities in Oregon that require permit coverage. |
| How would the proposed rule address the need?  | The 2017-19 Legislatively Approved Budget authorizes DEQ to increase MS4 permit fees to raise an additional \$480,000 in fee revenue for a total of \$300,000 permit year. This increase funds two positions to implement the MS4 program. DEQ intends to use the annual MS4 fees only for MS4 work.   |

| Proposed Rule or Topic  | Discussion   |
|---|--|
| How will DEQ know the rule addressed the need?  | If EQC approves this package, DEQ would begin receiving fee revenue by Nov. 1, 2018, and will be able to afford the MS4 positions approved by the 2017 Legislature.  |
| <b>Fee increase for general permits issued under ORS 468B.050 for motorized in-stream placer mining under permit 700-PM</b> |  |
| What need would the proposed rule address?  | The 2017 Oregon Legislature passed Senate Bill 3. The bill establishes new restrictions and fees for suction dredge mining in Oregon. This fee change went into effect Jan. 1, 2018. This change will implement the fee increase for general permits issued under ORS 468B.050 for motorized in-stream placer mining under Permit 700-PM |
| How would the proposed rule address the need?   | The proposed rule will address the need by providing DEQ with the regulations and resources to implement the 700-PM NPDES General Permit.  |
| How will DEQ know the rule addressed the need?  | If this proposed rule is approved, DEQ will receive fees to implement the scope of modified conditions for acceptable permitted activities that ensure motorized in-stream placer mining activities does not harm essential salmon habitat.  |
| <b>Fee correction to WPCF permit System Type E</b>  |  |
| What need would the proposed rule address?  | The proposed rule will address an error in the fees for WPCF Permits, System Type E, in OAR 340-071-0140, Table 9B.  |
| How would the proposed rule address the need?   | DEQ will address the need by correcting the fee from \$1,776 to \$1,763.   |
| How will DEQ know the rule addressed the need?  | The rule related to the fees will be corrected.  |
| <b>Restoration of WPCF permit Type F in OAR 340-045-0075, Table 70C</b>   |  |
| What need would the proposed rule address?  | The proposed amendment will restore the WPCF permit type F in Table 70C that was inadvertently deleted when the same permit type was added to the general permits in OAR 340-045-0075, Table 70G.  |
| How would the proposed rule address the need?   | The WPCF individual permit domestic F permit fees in Table 70C are existing fees. DEQ will address the need by adding the permit fee to rule.  |

| Proposed Rule or Topic                         | Discussion   |
|--|--|
|  |  |
| How will DEQ know the rule addressed the need? | The fee will be restored to OAR 340-045-0075, Table 70C. |

## Rules affected, authorities, supporting documents

### Lead division

Water Quality Division

### Program or activity

Water Quality Permitting and Program Development

### Chapter 340 action

#### Amend – OAR

340-045-0075, 340-071-0800

#### Statutory authority – ORS

468.020, 468B.020 & 468B.035, 454.625, 468.020 & 468.065(2)

#### Statute implemented – ORS

468.065, 468B.015, 468B.035 & 468B.050, 454.745, 468.065 & 468B.050

### Legislation

Senate Bill 3, 2017

### Documents relied on for rulemaking

| Document title   | Document location   |
|--|---|
| Fee increase calculations                                | DEQ Headquarters  |
| <a href="#">Recommendations and Implementation Plan.</a> | DEQ Web page<br><a href="http://www.oregon.gov/deq/wq">http://www.oregon.gov/deq/wq</a>   |
| DEQ 2017-2019 Legislatively Approved Budget              | DEQ Headquarters  |
| DEQ's water quality permit database                      | DEQ Headquarters  |
| DEQ Policy Option Package 125                            | DEQ Headquarters  |
| Businesses by size or firm of 50 or fewer employees      | Oregon Employment Department website reports<br>875 Union Street NE Salem OR 97311<br><a href="https://www.qualityinfo.org/bi">https://www.qualityinfo.org/bi</a> |

## Fee Analysis

The Oregon Environmental Quality Commission approval of this rule proposal would increase existing fees. EQC authority to act on the proposed fees is ORS 468B.051 and ORS 468B.050.

### Brief description of proposed fees

DEQ proposes rule amendments to increase water quality fees for fiscal year 2019 by seven percent above the fiscal year 2018 fees. These fees apply to National Pollutant Discharge Elimination System permits and Water Pollution Control Facility permits. DEQ also proposes to establish in rule a fee increase for municipal separate storm sewer system permits, commonly called MS4. DEQ will apply the MS4 fee increase to the MS4 annual fees.

To meet the MS4 revenue target the Legislature approved, DEQ developed a new MS4 permit fee structure. The new structure uses a cost-per-person multiplied by the approximate population covered by the permit, except counties where a flat rate is applied depending on the permit category e.g., medium and large, or small. The cost-per-person for fiscal year 2019 is \$0.121. Population data is from Portland State University [Population Research Center](#), certified populations estimates as of July 1, 2017. This increase is not subject to the seven percent increase in this rulemaking.

As part of this rulemaking DEQ proposes the following changes to clarify or make corrections to OAR 340, division numbers 45 and 71 that will:

- Increase general permits fees issued under ORS 468B.050 for motorized in-stream placer mining under permit 700-PM. The 2017 Oregon Legislature passed Senate Bill 3 that establishes new restrictions and fees for suction dredge mining in Oregon. This fee change went into effect Jan. 1, 2018. Refer to OAR 340-045-0075, Table 70G. The fees are \$250 for the initial application for or renewal of permit coverage and \$250 for the annual fee;
- Correct permitting Fees for Systems Not Subject To WPCF Permits, System Type E fee correction from \$1,776 to \$1,763 (a \$13 difference). Refer to OAR 340-071-0140, Table 9B; and
- Restore the WPCF individual permit fee F (domestic) to Table 70C. The WPCF permit type F in Table 70C was inadvertently deleted when the permit type was added to the general permits in OAR 340-045-0075, Table 70G. The WPCF individual permit domestic F permit fees in Table 70C are existing fees and the seven percent increase is applied. Currently, Oregon has 19 active WPCF domestic F permits.

## Reasons

DEQ must establish the new fees to implement the 2017 Legislatively Adopted Budget, cover costs associated with implementing the permitting program and delivering services to regulated entities. Without this increase, DEQ would need to reduce permitting staff and delay implementing improvements to the program as identified in the document:

[Recommendations and Implementation Plan](#). This is an independent third-party consultant report the 2015 Oregon Legislature commissioned. The report was completed in November 2016. In addition, without the MS4 annual fee increase, DEQ would not be able to: issue any new MS4 permits, all but one of which are currently expired; provide any assistance to regulated entities; or meet our federal requirements to expand the MS4 program to account for the continued growth and urbanization of communities in Oregon. Without this funding, water quality in urban streams and downstream waters is likely to be further degraded and would there would be short and long-term impacts on other regulated entities and communities that need federal approvals for financial assistance and federal permits.

### **The proposed fees would address:**

- New fee created by statute – Senate Bill 3 that establishes new restrictions and fees for suction dredge mining for motorized in-stream placer mining under permit 700-PM.
- Fee allowed by statute - three percent increase provided under ORS 468B.051
- Fees approved in the Legislative session – four percent increase provided by Policy Option Package 125 and the MS4 revenue included in Policy Option Package 120 in the 2017 Legislative session.

### **Fee proposal alternatives considered:**

**Not increasing fees.** Without the fee increase, DEQ would be unable to provide ongoing permit program functions at the current service level. The services may include the loss of or holding vacant permit writer positions. DEQ would also be unable to implement recommended program improvements identified in a 2017 audit and report. Without the MS4 annual fee increase, DEQ will not be able to renew any MS4 permits.

**Other ways to reduce program costs.** DEQ implemented indirect cost saving measures over the past few biennia, such as digitizing permit files that over time might help contain program costs. For example, when DEQ's Water Quality files are fully digitized, the program may save an estimated \$9,000 per year from off-site file storage. Additional costs savings come from extending position vacancies where those vacancies could be absorbed in the short term. However, implementing this alternative on a longer-term basis compromises Oregon's obligation to fund and implement its water quality permitting program.

### **Fee payers**

The proposed fees would affect individuals, businesses and government agencies that hold or apply for the following permits:

- National Pollutant Discharge Elimination System permits
- Water Pollution Control Facility permits

### **Affected party involvement in fee-setting process**

DEQ established a workgroup to review options to increase MS4 fees to support the 2017-19 legislatively adopted budget. Membership in the MS4 fee workgroup included representatives from MS4 permittees, Oregon Association of Clean Water Agencies, League of Cities, Special Districts, Association of Oregon Counties, and others interested in the MS4 program. The workgroup provided input rather than endorsement of fee concepts. DEQ structured the revised MS4 fee table to achieve the new revenue target of \$300,000 per year. The MS4 fee workgroup members convened for two meetings in late 2017 and early 2018.

DEQ solicited the Fiscal Advisory Committee specifically to address the proposed WQ Permit Fees in OAR 340 divisions 45 and 71. Membership in the Fiscal Advisory Committee includes representatives from diverse stakeholders including local governments, domestic and industrial permit holders, environmental and citizen involvement organizations. The Fiscal Advisory Committee met on April 12, 2018 to review the proposed rule updates including the MS4 fees, and to assess and comment on the fiscal impacts of DEQ's proposed permit fee increase.

### **Summary of impacts**

With existing data, DEQ cannot determine the extent to which the proposed fees would affect each consumer. DEQ anticipates some indirect impact on the public if the permit holder were to increase the costs of goods and services or fees charged to ratepayers to offset the fee increase.

### **How long will the current fee sustain the program?**

The current fees are not sufficient to sustain the program. Foregoing any fee increases would require DEQ to hold positions vacant during the biennium. For example, when developing its 2017-2019 Agency Request Budget, DEQ estimated that even with implementing the three percent annual fee increase in fiscal years 2018 and 2019, it would experience a 4.5 percent revenue shortfall for the biennium. The 4.5 percent revenue shortfall necessitated reducing 2.5 full-time employee positions in order to balance the permit program budget. The Legislature in 2017 restored one position (1.0 FTE), but did not restore the remaining 1.5 FTE and authorized a four percent increase to generate the revenue necessary to fund four new positions through a mix of fees and Lottery Fund.

### **How long will the proposed fee sustain the program?**

DEQ expects the proposed fees would sustain current program staffing levels through fiscal year 2019, which ends June 30, 2019. To sustain current staffing levels for fiscal year 2020,

DEQ will likely need to propose, at minimum, the three percent fee increase allowed in ORS 468B.051.

| <b>Budget Comparison</b><br><b>Table 1. March 1, 2018</b><br>(Permit fees last changed: November 1, 2017) |  |       |  |       |
|---|--|-------|--|-------|
|   | <b>2015-2017 Legislatively<br/>                     Adopted Budget</b> |       | <b>2017-2019 Legislatively<br/>                     Adopted Budget</b> |       |
| Program costs covered by fees   | \$12,023,701   | 59.5% | \$12,782,995   | 57.9% |
| Program costs covered by General Fund and Lottery Fund  | \$6,748,498  | 33.4% | \$7,671,236  | 34.8% |
| Program costs covered by Federal Funding  | \$1,432,623  | 7.1%  | \$1,609,781  | 7.3%  |

## Statement of fiscal and economic impact

### Fiscal and Economic Impact

Increasing NPDES and WPCF fees would benefit DEQ through increased financial support. The fee change will increase costs for entities that hold the affected permits or require fee-based services.

### Statement of Cost of Compliance

#### State agencies

The effect on state agencies of the seven percent increase for NPDES and WPCF fees depends on the permit type. Oregon state agencies hold approximately 116 active water quality permits.

Examples of the seven percent fee increase on selected permit types are below:

- Industrial NPDES fee permits for Tier 2 sources, dairies and fish hatcheries, and facilities that dispose of wastewater only by evaporation from watertight ponds or basins, will increase between \$171 and \$292. This affects approximately five state agencies (OAR 340-045-0075, Table 70B).
- Annual fees for WPCF individual permits will increase between \$90 and \$992. This affects approximately five state agencies (OAR 340-045-0075, Table 70C).
- Annual fees for general NPDES and WPCF permits will increase between \$23 and \$40. This affects approximately 10 state agencies (OAR 340-045-0075, Table 70G).
- Annual compliance determination fees for WPCF permits, depending on the type of permit will increase between \$3 and \$71. This affects approximately eight state agencies (OAR 340-071-0140, Table 9D).

DEQ has a revenue agreement with the Oregon Department of Transportation to fund DEQ's work associated with ODOT's MS4 permit through June 20, 2019. If the agreement is not renewed, ODOT's MS4 annual permit fee will be \$40,000.

#### Local governments

The effect of the seven percent increase for NPDES and WPCF fees on local governments depends on the permit type. Oregon local governments hold approximately 620 total active water quality permits. This count excludes MS4 permit annual fees that are exempt from the seven percent fee increase for this rulemaking.

A local government includes water districts, irrigation districts, cities, towns, ports, sanitary districts, library districts, counties and school districts. For the purpose of this fiscal analysis, DEQ considered Ports and School Districts as separate local governments even if contained within a city or county government. Examples of the seven percent fee increase on selected permit types are as follows:

- Industrial NPDES fee permits for Tier 1 and 2 sources, dairies and fish hatcheries, and facilities that dispose of wastewater only by evaporation from watertight ponds or basins, will increase between \$171 and \$292. Approximately eight local governments and their permit co-permittees affected (OAR 340-045-0075, Table 70B).
- Domestic NPDES and WPCF individual permit annual fee increases will range from \$108 to \$5,977. The \$5,977 increase will affect approximately one local government (OAR 340-045-0075, Table 70C).
- Annual fees for general NPDES and WPCF permits will increase between \$17 and \$70. There are approximately 293 local government permits in total. WPCF general permits in this category related to water reuse (e.g., WPCF 2401 and 2402) will not have a fee increase for this rulemaking (OAR 340-045-0075, Table 70G).
- Annual permit processing fees for onsite systems and compliance determination fees for WPCF permits, depending on the type of permit, will increase between \$3 for holding tanks to \$71 for onsite sewage lagoon with no discharge. Approximately 67 local government permits affected (OAR 340-071-0140, Table 9D).

### **MS4 fee increase**

The impact to local governments of the MS4 fee increase for fiscal year 2019 depends on the amount each local government will pay compared to the previous year. To meet the \$300,000 per year revenue target the legislature approved, DEQ developed a new MS4 permit fee structure. The new structure uses a cost-per-person multiplied by the approximate population covered by the permit, except counties where a flat rate is applied depending on the permit category e.g., medium and large, or small. The cost-per-person for fiscal year 2019 is \$0.121.

Permittees under the cost-per-person structure will pay in the range of an additional \$3.77 to \$72,517 over what they paid in fiscal year 2018. Four MS4 permittees will pay less than what they paid in fiscal year 2018, saving between \$340 and \$90 in fees for fiscal year 2019. The Portland Group MS4 permit comprised of the City of Portland and Port of Portland will have the largest increase followed by the Clean Water Services permit, and the Clackamas County Group permit.

Counties in the medium to large category will pay a flat rate of \$15,000. Counties in the small category will pay a flat rate \$2,500. Multnomah County will pay an additional \$10,000 over what they paid in 2018. Fee increases for counties in the small category will pay an additional \$1,573 to \$1,367 over what they paid in 2018.

## **Public**

With existing data, DEQ cannot determine the extent to which the proposed fees would affect each consumer. DEQ anticipates some impact on the public if the permit holder were to increase the costs of goods and services or fees charged to ratepayers to offset the fee increase.

## **Large businesses - businesses with more than 50 employees**

The seven percent fee increase would affect approximately 150 wastewater permit holders that are large businesses. No information is available to determine how the fee increases would affect each individual permit holder or how each permit holder may elect to pass on or incorporate fees into their current business model.

## **Small businesses – businesses with 50 or fewer employees**

According to 2017 data from the Oregon Employment Department, the fee increase may affect approximately 3,300 small businesses that hold water quality permits. However, no information is available to determine how the fee increases would affect each permit holder. Fiscal impact to a small business depends on the type of permit issued, for example, new application fee increases would range from \$91 to \$2,760.

### **a. Estimated number of small businesses and types of businesses and industries with small businesses subject to proposed rule.**

DEQ estimates the fee increases for wastewater permits would affect approximately 3,300 small businesses.

Examples of small businesses that have wastewater permits are food processors, mining operations, dairies, fish hatcheries, smelting and refining operations, timber processing, wood products manufacturing, retail operations, seafood processors, gravel mining, wineries, construction companies, petroleum hydrocarbon cleanup operations, and vehicle and equipment wash water operations.

### **b. Projected reporting, recordkeeping and other administrative activities, including costs of professional services, required for small businesses to comply with the proposed rule.**

No additional activities are required to comply with the proposed rules.

### **c. Projected equipment, supplies, labor and increased administration required for small businesses to comply with the proposed rule.**

No additional resources are required to comply with the proposed rules.

**d. Describe how DEQ involved small businesses in developing this proposed rule.**

DEQ met with a Fiscal Advisory Committee composed of a diverse group of stakeholders representing a wide-cross section of DEQ’s permit holders on April 12, 2018. DEQ requested any input that those stakeholder have regarding potential impacts to small businesses during and after the meeting.

During the public comment period, DEQ will request public comment on whether to consider other options for achieving the rules’ substantive goals while reducing the rules’ negative economic impact on small business.

**Documents relied on for fiscal and economic impact**

| Document title                                      | Document location   |
|---|---|
| Fee increase calculations                           | DEQ Headquarters  |
| DEQ 2017-2019 Legislatively Approved Budget         | DEQ Headquarters  |
| DEQ’s water quality permit database                 | DEQ Headquarters  |
| DEQ Policy Option Package 125                       | DEQ Headquarters  |
| Businesses by size or firm of 50 or fewer employees | Oregon Employment Department website reports<br>875 Union Street NE Salem OR 97311<br><a href="https://www.qualityinfo.org/bi">https://www.qualityinfo.org/bi</a> |

**Housing cost**

As ORS 183.534 requires, DEQ evaluated whether the proposed rules would have an effect on the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel. DEQ anticipates a builder would pass the increased permit cost onto the homebuyer. DEQ determined the proposed rules would do the following:

- Affect the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached single-family dwelling on that parcel.
- Require a builder of a 6,000-square-foot parcel to pay an additional \$20 for a construction stormwater permit if the parcel is part of a common plan of development disturbing one or more acres. This would increase the fee from \$288 to \$308.

The proposed rule may not affect a builder of a 6,000-square-foot parcel that is not part of a common plan of development disturbing one or more acres because there is no requirement for these parcels to have a construction stormwater permit from DEQ.

However, DEQ understands that some entities may charge a Systems Development Charge for implementing local stormwater or wastewater programs. Increased permit fees may affect housing costs through increased Systems Development Charges.

## **Federal relationship**

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### **Relationship to federal requirements**

ORS 183.332, 468A.327 and OAR 340-011-0029 require DEQ to attempt to adopt rules that correspond with existing equivalent federal laws and rules unless there are reasons not to do so.

The proposed rules are “in addition to federal requirements” because there are no applicable federal requirements.

## Land use

### Land-use considerations

In adopting new or amended rules, ORS 197.180 and OAR 340-018-0070 require DEQ to determine whether the proposed rules significantly affect land use. If so, DEQ must explain how the proposed rules comply with statewide land-use planning goals and local acknowledged comprehensive plans.

Under OAR 660-030-0005 and OAR 340 Division 18, DEQ considers that rules affect land use if:

- The statewide land use planning goals specifically refer to the rule or program, or
- The rule or program is reasonably expected to have significant effects on:
  - Resources, objectives or areas identified in the statewide planning goals, or
  - Present or future land uses identified in acknowledged comprehensive plans

To determine whether the proposed rules involve programs or actions that affect land use, DEQ reviewed its Statewide Agency Coordination plan, which describes the DEQ programs that have been determined to significantly affect land use. DEQ considers that its programs specifically relate to the following statewide goals:

| Goal | Title   |
|------|---|
| 5    | Open Spaces, Scenic and Historic Areas, and Natural Resources |
| 6    | Air, Water and Land Resources Quality                         |
| 9    | Ocean Resources   |
| 11   | Public Facilities and Services                                |
| 16   | Estuarial Resources   |

Statewide goals also specifically reference the following DEQ programs:

- Nonpoint source discharge water quality program – Goal 16
- Water quality and sewage disposal systems – Goal 16
- Water quality permits and oil spill regulations – Goal 19

### Determination

DEQ determined that the following proposed rules affect programs or activities that the DEQ State Agency Coordination Program considers a land-use program.

OAR 340-018-0030(5)(c) and OAR 340-018-0030(5)(d)

DEQ's statewide goal and local plan compatibility procedures adequately cover the proposed rules. Oregon Administrative Rule 340-018-0050(2)(a) ensures compatibility with acknowledged comprehensive plans through submittal of a land-use compatibility statement.

## Stakeholder and public involvement

### Advisory committee

#### Background

DEQ convened a Fiscal Advisory Committee. The committee included representatives from groups representing diverse stakeholders including: local governments, domestic and industrial permit holders, environmental and citizen involvement organizations. The committee met one time. The committee's web page is located at: [Water Quality Permit Fees 2018](#).

As ORS 183.33 requires, DEQ asked for the committee's recommendations on:

- Whether the proposed rules would have a fiscal impact,
- The extent of the impact, and
- Whether the proposed rules would have a significant adverse impact on small businesses; if so, then how DEQ can comply with ORS 183.540 reduce that impact.

The committee members were:

| <b>Water Quality Permit Fees 2018<br/>Rulemaking Fiscal Advisory Committee</b> |  |
|--|--|
| <b>Name</b>  | <b>Representing</b>  |
| Susie Smith  | Association of Clean Water Agencies  |
| Abbie Laugtug  | Oregon Business and Industry   |
| Eric Strecker  | Geosyntec Consultants  |
| Tracy Rutten   | League of Oregon Cities  |
| Peggy Lynch  | League of Women Voters   |
| Matt Knudsen   | Marion County Public Works   |
| Mark Risedahl  | Northwest Environmental Defense Center                                       |
| Kathryn Van Natta  | Northwest Pulp and Paper   |
| Jon Chandler   | Oregon Homebuilders Association  |
| Jennifer Morgan  | Rogue Valley Sewer Services  |
| Mark Landauer  | Special Districts Association of Oregon /<br>Oregon Public Ports Association |

The committee reviewed the draft fiscal and economic impact statement and documented its findings in its minutes dated April 12, 2018.

## Committee discussions

In addition to the recommendations described under the Statement of Fiscal and Economic Impact section above, the committee found the following during its fiscal impact review:

- When DEQ increases water quality permit fees for NPDES and WPCF permits, local governments consider costs related to the optional fees that local governments can collect, called system development charges or SDCs, used to fund the costs of capital improvements for new infrastructure development, including water, stormwater and sewer. For example, local governments may use system development charges for improvements to remain in compliance with their DEQ permit.
- MS4 fees paid by counties that do not have a rate base may use general or other funds to pay for DEQ permits, and in doing so may need to reduce other services they provide.

## Meeting notifications

To notify people about the advisory committee's activities, DEQ:

- On March 30, 2018, sent GovDelivery bulletins, a free e-mail subscription service, to the following lists:
  - Rulemaking
  - Water Quality Permits
- Added advisory committee announcements to DEQ's calendar of public meetings at [DEQ Calendar](#).
- On March 30, 2018, DEQ provided notice of meetings and links to committee information through postings on Facebook and Twitter.

## Public notice and hearings

### Public notice

DEQ provided notice of the proposed rulemaking and rulemaking hearing on Tuesday, May 15, 2018 by:

- Filing notice with the Oregon Secretary of State for publication in the June 1, 2018, Oregon Bulletin;
- Posting the Notice, Invitation to Comment and Draft Rules on the web page for this rulemaking, located at: [Water Quality Permit Fees Rulemaking 2018](#)
- Emailing 10,293 interested parties on the following DEQ lists through GovDelivery:
  - Rulemaking
  - Water Quality Permits
- Emailing the following key legislators required under [ORS 183.335](#):
  - Senator Lew Frederick, Co-Chair, Natural Resource Ways and Means Subcommittee
  - Representative Brad Witt, Co-Chair, Natural Resource Ways and Means Subcommittee
  - Representative Ken Helm, Chair, House Energy and Environment Committee
- Emailing advisory committee members,
- Postings on Twitter and Facebook
- Posting on the DEQ event calendar: [DEQ Calendar](#)

### Public hearings

DEQ plans to hold one public hearing(s). The details are listed in the Introduction to this document. Anyone can attend a hearing in person, or by webinar or teleconference.

DEQ will consider all written comments received at the hearings listed below before completing the draft rules. DEQ will summarize all comments and respond to comments in the Environmental Quality Commission staff report.

### How to comment on the proposed rules:

Any person can comment on the proposed rule amendments as described in the Introduction to this document.

### Close of public comment period

The comment period will close 4 p.m. on Friday, June 22, 2018.

## **Accessibility Information**

You may review copies of all documents referenced in this announcement at:  
Oregon Department of Environmental Quality  
700 NE Multnomah St., Ste. 600  
Portland, OR, 97232

To schedule a review of all websites and documents referenced in this announcement, call Michele Martin, Portland, Oregon 503-229-5103 (800-452-4011, ext. 5622 toll-free in Oregon).

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ, Portland, at 503-229-5696 or call toll-free in Oregon at 1-800-452-4011, ext. 5696; fax to 503-229-6762; or email to [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us). Hearing impaired persons may call 711

## Draft Rules - With Edits Highlighted

### Key to Identifying Changed Text:

~~Deleted Text~~

New/inserted text

~~Text deleted from one location~~ - and moved to another location

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### **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) 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.

(3) DEQ must consider the following criteria when classifying a facility for determining applicable fees. For industrial sources that discharge to surface waters, discharge flow<sub>rate</sub> 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.

(4) New-permit application fee. Unless [this rule does not require it](#) ~~waived by this rule~~, 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.

(5) 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.

(6) 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 general permits. ~~Annual fees for domestic sources may also be found in~~ 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. ~~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.

(7) 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.

(8) 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.

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

(a) The electronic reporting requirement waiver fee applies to permit holders who qualify for a temporary 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.

| OAR 340-045-0075<br>Table 70A<br>Industrial NPDES and WPCF Individual Permits:<br>Application and Modification Fees   |  |                     |                     |                    |
|---|--|---------------------|---------------------|--------------------|
| Application fees for new industrial permits   |  |                     |                     |                    |
| Tier 1 Industrial Facilities  |  | <del>\$61,859</del> | <u>66,189</u>       |                    |
| Tier 2 Industrial Facilities  |  | <del>\$12,449</del> | <u>13,320</u>       |                    |
| Special WPCF Permits (OAR 340-045-0061)   |  | <del>\$589</del>    | <u>630</u>          |                    |
| 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.  |  |                     |                     |                    |
| Modification Fees <sup>1</sup>  |  |                     |                     |                    |
|   |  | Major               |                     | Minor              |
|   |  | At Permit Renewal   | Prior to Expiration |                    |
| Tier 1 Industrial Facilities  |  | <del>\$15,541</del> | <u>16,629</u>       | <del>\$1,083</del> |
| Tier 2 Industrial Facilities  |  | <del>\$3,951</del>  | <u>4,228</u>        | <del>\$1,083</del> |
|   |  | <del>\$30,880</del> | <u>33,042</u>       | <u>1,159</u>       |
|   |  | <del>\$6,172</del>  | <u>6,604</u>        | <u>1,159</u>       |
| 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<br>Table 70B<br>Industrial NPDES and WPCF Individual Permit Annual Fees                                  |  |  |                                      |                                      |                                      |
|---|--|--|--------------------------------------|--------------------------------------|--------------------------------------|
| Type  | Description                                  | NPDES Tier 1                           | NPDES Tier 2                         | WPCF Tier 1                          | WPCF Tier 2                          |
| B01   | Pulp, paper, or other fiber pulping industry | <del>\$21,630</del><br><u>\$23,144</u> | N                                    | <del>\$20,075</del><br><u>21,480</u> | N                                    |
| Food or beverage processing - includes produce, meat, poultry, seafood or dairy for human, pet, or livestock consumption: |  |  |                                      |                                      |                                      |
| B02   | Washing or packing only                      | N                                      | <del>\$3,007</del><br><u>\$3,217</u> | N                                    | <del>\$2,767</del><br><u>\$2,961</u> |

**OAR 340-045-0075**  
**Table 70B**  
**Industrial NPDES and WPCF Individual Permit Annual Fees**

| Type  | Description  | NPDES Tier 1                           | NPDES Tier 2                           | WPCF Tier 1                          | WPCF Tier 2                          |
|---|--|--|--|--------------------------------------|--------------------------------------|
| B03   | Processing – small. Flow ≤ 0.1 mgd, or 0.1 < flow < 1 mgd for less than 180 days per year  | N                                      | <del>\$4,496</del><br><u>\$4,811</u>   | N                                    | <del>\$4,253</del><br><u>\$4,551</u> |
| B04   | Processing – medium. 0.1 mgd < Flow < 1 mgd for 180 or more days per year, or flow ≥ 1 mgd for less than 180 days per year                                       | N                                      | <del>\$6,344</del><br><u>\$6,788</u>   | N                                    | <del>\$6,102</del><br><u>\$6,529</u> |
| B05   | Processing – large. Flow ≥ 1 mgd for 180 or more days per year   | <del>\$21,630</del><br><u>\$23,144</u> | <del>\$19,006</del><br><u>\$20,336</u> | <del>\$20,075</del><br><u>21,480</u> | <del>\$18,761</del><br><u>20,074</u> |
| <b>Primary Smelting or Refining:</b>  |  |  |  |                                      |                                      |
| B06   | Aluminum   | <del>\$21,630</del><br><u>\$23,144</u> | <del>\$19,006</del><br><u>20,336</u>   | <del>\$20,075</del><br><u>1,480</u>  | <del>\$18,761</del><br><u>0,074</u>  |
| B07   | Non-ferrous metals utilizing sand chlorination separation facilities   | <del>\$21,630</del><br><u>23,144</u>   | <del>\$19,006</del><br><u>20,336</u>   | <del>\$20,075</del><br><u>1,480</u>  | <del>\$18,761</del><br><u>0,074</u>  |
| B08   | Ferrous and non-ferrous metals not elsewhere classified  | <del>\$12,370</del><br><u>13,236</u>   | <del>\$9,744</del><br><u>10,426</u>    | <del>\$10,815</del><br><u>1,572</u>  | <del>\$9,504</del><br><u>10,169</u>  |
| B09   | Chemical manufacturing with discharge of process wastewater  | <del>\$21,630</del><br><u>23,144</u>   | <del>\$19,006</del><br><u>20,336</u>   | <del>\$20,075</del><br><u>1,480</u>  | <del>\$18,761</del><br><u>0,074</u>  |
| B10   | Cooling water discharges in excess of 20,000 BTU per second  | <del>\$12,370</del><br><u>13,236</u>   | <del>\$9,744</del><br><u>10,426</u>    | <del>\$10,815</del><br><u>1,572</u>  | <del>\$9,504</del><br><u>10,169</u>  |
| <b>Mining Operations – includes aggregate or ore processing:</b>  |  |  |  |                                      |                                      |
| B11   | Large (over 500,000 cubic yards per year or involving chemical leaching)   | <del>\$21,630</del><br><u>23,144</u>   | <del>\$19,006</del><br><u>20,336</u>   | <del>\$20,075</del><br><u>1,480</u>  | <del>\$18,761</del><br><u>0,074</u>  |
| B12   | Medium (100,000 to 500,000 cubic yards per year)   | N                                      | <del>\$6,654</del><br><u>7,120</u>     | N                                    | <del>\$6,412</del><br><u>6,861</u>   |
| B13   | Small (less than 100,000 cubic yards per year)   | N                                      | <del>\$2,025</del><br><u>2,167</u>     | N                                    | <del>\$1,784</del><br><u>1,909</u>   |
| <b>All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater):</b> |  |  |  |                                      |                                      |
| B14   | Tier 1 sources   | <del>\$21,630</del><br><u>23,144</u>   | N                                      | <del>\$20,075</del><br><u>1,480</u>  | N                                    |
| B15   | Tier 2 sources   | N                                      | <del>\$4,185</del><br><u>4,478</u>     | N                                    | <del>\$3,947</del><br><u>4,223</u>   |
| B16   | All facilities not elsewhere classified which dispose of non-process wastewaters (for example: small cooling water discharges, boiler blowdown, filter backwash) | N                                      | <del>\$2,802</del><br><u>2,998</u>     | N                                    | <del>\$2,561</del><br><u>2,740</u>   |

**OAR 340-045-0075**  
**Table 70B**  
**Industrial NPDES and WPCF Individual Permit Annual Fees**

| Type                            | Description  | NPDES Tier 1                       | NPDES Tier 2                       | WPCF Tier 1                        | WPCF Tier 2                        |
|---------------------------------|--|------------------------------------|------------------------------------|------------------------------------|------------------------------------|
| B17                             | Dairies, fish hatcheries and other confined feeding operations on individual permits           | N                                  | <del>\$2,452</del><br><u>2,624</u> | N                                  | <del>\$2,212</del><br><u>2,367</u> |
| B18                             | All facilities which dispose of wastewater only by evaporation from watertight ponds or basins | N                                  | N                                  | N                                  | <del>\$1,626</del><br><u>1,740</u> |
| <b>Timber and Wood Products</b> |  |                                    |                                    |                                    |                                    |
| B19                             | Sawmills, log storage, instream log storage  | <del>\$6,067</del><br><u>6,492</u> | <del>\$3,442</del><br><u>3,683</u> | <del>\$4,512</del><br><u>4,828</u> | <del>\$3,199</del><br><u>3,423</u> |
| B20                             | Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products            | <del>\$6,415</del><br><u>6,864</u> | <del>\$3,791</del><br><u>4,056</u> | <del>\$4,863</del><br><u>5,203</u> | <del>\$3,550</del><br><u>3,799</u> |
| B21                             | Wood preserving  | <del>\$5,429</del><br><u>5,809</u> | <del>\$2,802</del><br><u>2,998</u> | <del>\$3,874</del><br><u>4,145</u> | <del>\$2,561</del><br><u>2,740</u> |

**OAR 340-045-0075**  
**Table 70C**  
**Domestic NPDES and WPCF Individual Permits:**  
**Application, Annual and Modification Fees**

| 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   | ≥ 50 mgd               | <del>\$39,435</del><br><u>42,195</u> | <del>\$85,399</del><br><u>91,377</u> |                                      | <del>\$19,766</del><br><u>21,150</u> | <del>\$1,083</del><br><u>1,159</u> |
|                              | A2   | 25 mgd ≤ Flow < 50 mgd | <del>\$39,435</del><br><u>42,195</u> | <del>\$50,191</del><br><u>53,704</u> |                                      | <del>\$19,766</del><br><u>21,150</u> | <del>\$1,083</del><br><u>1,159</u> |
|                              | A3   | 10 mgd ≤ Flow < 25 mgd | <del>\$39,435</del><br><u>42,195</u> | <del>\$23,656</del><br><u>25,312</u> |                                      | <del>\$19,766</del><br><u>21,150</u> | <del>\$1,083</del><br><u>1,159</u> |
|                              | Ba   | 5 mgd ≤ Flow < 10 mgd  | <del>\$39,435</del><br><u>42,195</u> | <del>\$15,164</del><br><u>16,225</u> | <del>\$14,172</del><br><u>15,164</u> | <del>\$19,766</del><br><u>21,150</u> | <del>\$1,083</del><br><u>1,159</u> |
|                              | C1a  | 2 mgd ≤ Flow < 5 mgd   | <del>\$39,435</del><br><u>42,195</u> | <del>\$10,197</del><br><u>10,911</u> | <del>\$9,206</del><br><u>9,850</u>   | <del>\$19,766</del><br><u>21,150</u> | <del>\$1,083</del><br><u>1,159</u> |
|                              | C2a  | 1 mgd ≤ Flow < 2 mgd   | <del>\$39,435</del><br><u>42,195</u> | <del>\$6,921</del><br><u>7,405</u>   | <del>\$5,929</del><br><u>6,344</u>   | <del>\$19,766</del><br><u>21,150</u> | <del>\$1,083</del><br><u>1,159</u> |
|                              | Da   | Flow < 1 mgd           | <del>\$7,966</del><br><u>8,524</u>   | <del>\$2,192</del><br><u>2,345</u>   | <del>\$2,034</del><br><u>2,176</u>   | <del>\$4,035</del><br><u>4,317</u>   | <del>\$1,083</del><br><u>1,159</u> |

**OAR 340-045-0075**  
**Table 70C**  
**Domestic NPDES and WPCF Individual Permits:**  
**Application, Annual and Modification Fees**

| 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  | Bb                | 5 mgd ≤ Flow < 10 mgd                    | <del>\$39,435</del><br><u>42,195</u> | <del>\$8,019</del><br><u>8,580</u>                         |                                    | <del>\$19,766</del><br><u>21,150</u> | <del>\$1,083</del><br><u>1,159</u> |
|  | C1b               | 2 mgd ≤ Flow < 5 mgd                     | <del>\$39,435</del><br><u>42,195</u> | <del>\$5,576</del><br><u>5,966</u>                         |                                    | <del>\$19,766</del><br><u>21,150</u> | <del>\$1,083</del><br><u>1,159</u> |
|  | C2b               | 1 mgd ≤ Flow < 2 mgd                     | <del>\$39,435</del><br><u>42,195</u> | <del>\$4,070</del><br><u>4,355</u>                         |                                    | <del>\$19,766</del><br><u>21,150</u> | <del>\$1,083</del><br><u>1,159</u> |
|  | Db                | Flow < 1 mgd                             | <del>\$7,966</del><br><u>8,524</u>   | <del>\$1,545</del><br><u>1,653</u>                         |                                    | <del>\$4,035</del><br><u>4,317</u>   | <del>\$1,083</del><br><u>1,159</u> |
| Nondischarging Lagoons   | E                 | No discharge flow                        | <del>\$4,035</del><br><u>4,317</u>   |  | <del>\$1,288</del><br><u>1,378</u> | <del>\$2,065</del><br><u>2,210</u>   | <del>\$1,083</del><br><u>1,159</u> |
| <a href="#">Alkaline-stabilization facilities</a>  | <a href="#">F</a> |  | <u>\$1,159</u>                       |  | <u>\$475</u>                       |                                      | <u>\$510</u>                       |
| 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. <del>C.F.R.</del> § 122.26 | <del>\$21,900</del><br><u>23,433</u> | <del>\$4,930</del><br><a href="#">Please see Table 70H</a> |                                    | <del>\$1,902</del><br><u>2,035</u>   | <del>\$1,083</del><br><u>1,159</u> |

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<br>Table 70D<br>Domestic NPDES and WPCF Annual Population Fee |                                     |
|--|-------------------------------------|
| Population range   | Annual fee                          |
| 500,000+   | <del>\$114,734</del> <u>122,765</u> |
| 400,000 to 499,999   | <del>\$87,771</del> <u>93,915</u>   |
| 300,000 to 399,999   | <del>\$60,810</del> <u>65,067</u>   |
| 200,000 to 299,999   | <del>\$33,846</del> <u>36,215</u>   |
| 150,000 to 199,999   | <del>\$27,373</del> <u>29,289</u>   |
| 100,000 to 149,999   | <del>\$18,028</del> <u>19,290</u>   |
| 50,000 to 99,999   | <del>\$11,307</del> <u>12,098</u>   |
| 25,000 to 49,999   | <del>\$5,082</del> <u>5,438</u>     |
| 15,000 to 24,999   | <del>\$2,893</del> <u>3,096</u>     |
| 10,000 to 14,999   | <del>\$1,885</del> <u>2,017</u>     |
| 5,000 to 9,999   | <del>\$1,146</del> <u>1,226</u>     |
| 1,000 to 4,999   | <del>\$343</del> <u>367</u>         |
| 100 to 999   | <del>\$65</del> <u>70</u>           |
| 0 to 99  | \$0                                 |

| OAR 340-045-0075<br>Table 70E<br>Annual Pretreatment Fees |  |
|---|--|
| Description   | Fee                                      |
| Pretreatment Fee  | <del>\$1,967</del> <u>2,105</u>          |
| Significant Industrial User                               | <del>\$656</del> <u>702</u> per industry |

| <b>OAR 340-045-0075</b><br><b>Table 70F</b><br><b>All NPDES and WPCF<sup>1</sup> Permits:</b><br><b>Technical Activity, Plan Review, and Other Fees</b>   |                                  |
|---|----------------------------------|
| Activity  | Fee                              |
| New or substantially modified sewage treatment facility   | \$ <del>9,049</del> <u>9,682</u> |
| Minor facility or pump station modifications  | \$ <del>983</del> <u>1,052</u>   |
| Major system or pressure system expansion   | \$ <del>690</del> <u>738</u>     |
| Minor system expansion or modification  | \$ <del>196</del> <u>210</u>     |
| New or substantially modified septage alkaline stabilization facility   | \$ <del>983</del> <u>1,052</u>   |
| Site inspection and evaluation <sup>2</sup>   | \$ <del>1,541</del> <u>1,649</u> |
| Disposal system plan review <sup>2</sup>  | \$ <del>616</del> <u>659</u>     |
| Environmental management plan review <sup>3</sup>   | \$ <del>616</del> <u>659</u>     |
| Other Fees  |                                  |
| Temporary electronic reporting requirement waiver   | \$ <del>750</del> <u>803</u>     |
| Permit transfer, legal name change.   | \$ <del>97</del> <u>104</u>      |
| <p>1. Does not include Onsite septic systems. Please see Tables 9A-9F in OAR 340-071 for appropriate technical activity fees.</p> <p>2. This fee only applies when these activities are required for DEQ's review of a General permit application.</p> <p>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.</p> |                                  |

| <b>OAR 340-045-0075</b><br><b>Table 70G</b><br><b>General NPDES and WPCF Permits:</b><br><b>Application and Annual Fees</b> |       |                          |                                  |                              |
|---|-------|--------------------------|----------------------------------|------------------------------|
| Number  | Type  | Description              | New Permit App. Fee <sup>1</sup> | Annual Fee                   |
| 100-J   | NPDES | Cooling water/heat pumps | \$ <del>252</del> <u>270</u>     | \$ <del>574</del> <u>614</u> |
| 200-J   | NPDES | Filter backwash          | \$ <del>252</del> <u>270</u>     | \$ <del>574</del> <u>614</u> |
| 300-J   | NPDES | Fish hatcheries          | \$ <del>402</del> <u>430</u>     | \$ <del>574</del> <u>614</u> |
| 400-J   | NPDES | Log ponds                | \$ <del>252</del> <u>270</u>     | \$ <del>574</del> <u>614</u> |

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

| Number   | Type  | Description  | New Permit App. Fee <sup>1</sup> | Annual Fee                      |
|--|-------|--|----------------------------------|---------------------------------|
| 500-J  | NPDES | Boiler blowdown  | <del>\$252</del> <u>270</u>      | <del>\$574</del> <u>614</u>     |
| 900-J  | NPDES | Seafood processing   | <del>\$252</del> <u>270</u>      | <del>\$574</del> <u>614</u>     |
| 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.                                  | <del>\$252</del> <u>270</u>      | <del>\$336</del> <u>360</u>     |
| 1400-B   | WPCF  | Wineries and small food processors not otherwise eligible for a 1400A general permit.  | <del>\$402</del> <u>430</u>      | <del>\$574</del> <u>614</u>     |
| 1500-A   | NPDES | Petroleum hydrocarbon clean-up   | <del>\$402</del> <u>430</u>      | <del>\$574</del> <u>614</u>     |
| 1500-B   | WPCF  | Petroleum hydrocarbon clean-up   | <del>\$402</del> <u>430</u>      | <del>\$574</del> <u>614</u>     |
| 1700-A   | NPDES | Vehicle and equipment wash water   | <del>\$559</del> <u>598</u>      | <del>\$574</del> <u>614</u>     |
| 1700-B   | WPCF  | Vehicle and equipment wash water   | <del>\$559</del> <u>598</u>      | <del>\$574</del> <u>614</u>     |
| 1900-J   | NPDES | Non-contact geothermal heat exchange   | <del>\$559</del> <u>598</u>      | <del>\$574</del> <u>614</u>     |
| <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                              | <del>\$559</del> <u>598</u>      | <del>\$574</del> <u>614</u>     |
| <b>Stormwater General Permits<sup>3</sup></b>                          |       |  |                                  |                                 |
| 1200-A   | NPDES | Stormwater: Sand, gravel, and other non-metallic mining  | <del>\$981</del> <u>1,050</u>    | <del>\$1,009</del> <u>1,080</u> |
| 1200-C   | NPDES | Stormwater: Construction activities – one acre or more   | <del>\$981</del> <u>1,050</u>    | <del>\$1,009</del> <u>1,080</u> |
| 1200-C   | NPDES | Stormwater: Construction activities – less than one acre and part of a common plan of development disturbing one or more acres   | <del>\$288</del> <u>308</u>      | \$0                             |
| 1200-CA  | NPDES | Stormwater: Construction activities performed by public agencies – one acre or more  | <del>\$981</del> <u>1,050</u>    | <del>\$1,009</del> <u>1,080</u> |

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

| Number                                      | Type         | Description   | New Permit App. Fee <sup>1</sup> | Annual Fee                      |
|---|--------------|---|----------------------------------|---------------------------------|
| 1200-Z                                      | NPDES        | Stormwater: Industrial  | <del>\$981</del> <u>1,050</u>    | <del>\$1,009</del> <u>1,080</u> |
| 4000-MS4                                    | NPDES        | Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc. | <del>\$981</del> <u>1,050</u>    | 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   | <del>\$252</del> <u>270</u>      | \$0                             |
| <u>700-PM</u>                               | NPDES        | Suction dredges ( <u>gravity and syphon</u> )   | \$0                              | \$25                            |
| <u>700-PM</u>                               | <u>NPDES</u> | <u>Suction dredges (motorized)</u>  | <u>\$250</u>                     | <u>\$250</u>                    |
| <u>700-PM</u>                               | <u>NPDES</u> | <u>Permit renewal fee every five years (in addition to the annual fee)</u>  | <u>\$250</u>                     |                                 |
| 1000  | WPCF         | Gravel mining   | <del>\$252</del> <u>270</u>      | <del>\$574</del> <u>614</u>     |
| <b>Other General Permits</b>                |              |   |                                  |                                 |
| DOM-F                                       | WPCF         | Septage alkaline stabilization facilities   | <del>\$1,083</del> <u>1,159</u>  | <del>\$444</del> <u>475</u>     |
| All other permits not elsewhere classified. |              |   | <del>\$559</del> <u>598</u>      | <del>\$574</del> <u>614</u>     |

1. —New permit applications must include both the new permit application fee and the first year's annual fee.
2. —Stormwater construction and industrial permits are also administered by public agencies and local districts under contract with DEQ.

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

| Population Range            | Fee              |
|-----------------------------|------------------|
| 50,000+                     | \$1,133          |
| <del>25,000 to 49,999</del> | <del>\$927</del> |
| <del>15,000 to 24,999</del> | <del>\$876</del> |
| <del>10,000 to 14,999</del> | <del>\$773</del> |
| <del>5,000 to 9,999</del>   | <del>\$670</del> |
| <del>1,000 to 4,999</del>   | <del>\$567</del> |
| <del>100 to 999</del>       | <del>\$67</del>  |
| <del>0 to 99</del>          | <del>\$0</del>   |

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

| <u>Population-based cost-per-person, except counties and other</u>                      | <u>Annual Fee</u> |
|---|-------------------|
| <u>Cost-per-person</u>  | <u>\$0.121</u>    |
| <u>Counties* medium and large</u>   | <u>\$15,000</u>   |
| <u>Counties* small and other (special districts, hospitals, school districts, etc.)</u> | <u>\$2,500</u>    |
| <u>Oregon Department of Transportation MS4**</u>  | <u>\$40,000</u>   |

\*OAR 340-045-0010(12) "Municipal Separate Storm Sewer System" means all municipal separate storm sewers that are defined as "large," "medium," or "small" municipal separate storm sewer systems in 40 C.F.R. §122.26(b).

|  |                   |
|--|-------------------|
| <b><u>OAR 340-045-0075</u></b><br><b><u>Table 70H</u></b><br><b><u>Municipal Separate Storm Sewer System</u></b><br><b><u>General Permits: Annual Fees</u></b> |                   |
| <u>Population-based cost-per-person, except counties and other</u>   | <u>Annual Fee</u> |
| <u>** Fee for ODOT MS4 assessed only in the absence of a separate revenue agreement.</u>   |                   |

| <b>Table 70I</b><br><b>OAR 340-045-0075</b><br><b>Underground Injection Control Permits</b><br><b>Application Fees, Annual Fees and Surcharges</b> |                             |                 |            |                    |             |        |
|--|-----------------------------|-----------------|------------|--------------------|-------------|--------|
| Type   | Category <u>Description</u> | Application Fee | Annual Fee | Class of Injection | Surcharge   |        |
|  |                             |                 |            |                    | Application | Annual |

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

|                                    |  |                                   |                                 |  |                                 |                             |
|------------------------------------|--|-----------------------------------|---------------------------------|--|---------------------------------|-----------------------------|
| Authorized By Rule <sup>1</sup>    | Low Risk Stormwater Only                             | None                              | None                            | Low Risk                                       | <del>\$100</del> <u>107</u>     | None                        |
|                                    | Non-Stormwater Injection <sup>2</sup>                | None                              | None                            | Medium Risk                                    | <del>\$125</del> <u>134</u>     | None                        |
|                                    | All Other UIC's Draining Stormwater from Any Surface | None                              | None                            | Low Risk                                       | <del>\$100</del> <u>107</u>     | None                        |
|                                    |  |                                   |                                 | Medium Risk                                    | <del>\$125</del> <u>134</u>     | None                        |
| 1200-U General Permit <sup>3</sup> | Stormwater Injection                                 | <del>\$559</del> <u>598</u>       | <del>\$574</del> <u>614</u>     | Low Risk                                       | <del>\$100</del> <u>107</u>     | None                        |
|                                    |  |                                   |                                 | Medium Risk                                    | <del>\$125</del> <u>134</u>     | None                        |
|                                    |  |                                   |                                 | High Risk                                      | <del>\$321</del> <u>300</u>     | <del>\$100</del> <u>107</u> |
| 1900-B General Permit              | Injection During Geothermal Exploration              | <del>\$559</del> <u>598</u>       | <del>\$574</del> <u>614</u>     |  |                                 |                             |
| Type                               | <del>Category</del> <u>Description</u>               | Application Fee                   | Annual Fee                      | Individual WPCF Modifications<br>Major   Minor |                                 |                             |
| Individual WPCF Permit             | As defined in 40 CFR parts 9, 144, 145 and 146       | <del>\$12,449</del> <u>13,320</u> | <del>\$2,635</del> <u>2,819</u> | <del>\$2,065</del> <u>2,210</u>                | <del>\$1,083</del> <u>1,159</u> |                             |

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.

**Statutory/Other Authority:** ORS 468.020, 468B.020 & 468B.035

**Statutes/Other Implemented:** ORS 468.065, 468B.015, 468B.035 & 468B.050

**History:**

DEQ 34-2017, minor correction filed 12/13/2017, effective 12/13/2017

DEQ 16-2015, f. 12-10-15, cert. ef. 1-1-16

DEQ 15-2017, amend filed 10/31/2017, effective 11/01/2017

DEQ 13-2014, f. 11-14-14, cert. ef. 12-1-14

DEQ 8-2013, f. 10-23-13, cert. ef. 11-1-13  
DEQ 6-2012, f. 10-31-12, cert. ef. 11-1-12  
DEQ 15-2011, f. & cert. ef. 9-12-11  
DEQ 9-2011, f. & cert. ef. 6-30-11  
DEQ 7-2010, f. 8-27-10, cert. ef. 9-1-10  
DEQ 8-2008, f. 6-27-08, cert. ef. 7-1-08  
DEQ 5-2007, f. & cert. ef. 7-3-07  
DEQ 11-2006, f. & cert. ef. 8-15-06  
DEQ 5-2005, f. & cert. ef. 7-1-05  
DEQ 7-2004, f. & cert. ef. 8-3-04  
DEQ 2-2002, f. & cert. ef. 2-12-02  
DEQ 15-2000, f. & cert. ef. 10-11-00  
DEQ 4-1998, f. & cert. ef. 3-30-98  
DEQ 20-1994, f. & cert. ef. 10-7-94  
DEQ 30-1992, f. & cert. ef. 12-18-92  
DEQ 10-1992, f. & cert. ef. 6-9-92  
DEQ 9-1992, f. & cert. ef. 6-5-92  
DEQ 10-1991, f. & cert. ef. 7-1-91  
DEQ 18-1990, f. & cert. ef. 6-7-90  
DEQ 9-1987, f. & ef. 6-3-87  
DEQ 12-1983, f. & ef. 6-2-83  
DEQ 18-1981, f. & ef. 7-13-81  
DEQ 31-1979, f. & ef. 10-1-79  
DEQ 129, f. & ef. 3-16-77  
DEQ 113, f. & ef. 5-10-76

Division 71

ONSITE WASTEWATER TREATMENT SYSTEMS

340-071-0800

Tables

| <del>Tables for Division 071.</del> <b>TABLE 1</b><br><b>OAR 340-071-0220</b><br><b>MINIMUM SEPARATION DISTANCES</b>  |  |   |
|---|--|---|
| Items Requiring Setback   | From Subsurface Absorption Area Including Replacement Area | From Septic Tank and Other Treatment Units, Effluent Sewer and Distribution Units |
| 1. Groundwater Supplies and Wells.  | *100'  | 50'   |
| 2. Springs: <ul style="list-style-type: none"> <li>• Upgradient.</li> <li>• Downgradient.</li> </ul>  | 50'<br>100'  | 50'<br>50'  |
| **3. Surface Public Waters: <ul style="list-style-type: none"> <li>• Year round.</li> <li>• Seasonal.</li> </ul>  | 100'<br>50'  | 50'<br>50'  |
| 4. Intermittent Streams: <ul style="list-style-type: none"> <li>• Piped (watertight not less than 20' from any part of the onsite system).</li> <li>• Unpiped.</li> </ul>   | 20'<br>50'   | 20'<br>50'  |
| 5. Groundwater Interceptors: <ul style="list-style-type: none"> <li>• On a slope of 3% or less.</li> <li>• On a slope greater than 3%:               <ul style="list-style-type: none"> <li>• Upgradient.</li> <li>• Downgradient.</li> </ul> </li> </ul> | 20'<br>10'<br>50'  | 10'<br>5'<br>10'  |

~~Tables for Division 071.~~ **TABLE 1**  
**OAR 340-071-0220**  
**MINIMUM SEPARATION DISTANCES**

| Items Requiring Setback   | From Subsurface Absorption Area Including Replacement Area | From Septic Tank and Other Treatment Units, Effluent Sewer and Distribution Units |
|---|--|---|
| 6. Irrigation Canals:   |  |   |
| • Lined (watertight canal).   | 25'  | 25'   |
| • Unlined:  |  |   |
| • Upgradient.   | 25'  | 25'   |
| • Downgradient.   | 50'  | 50'   |
| 7. Manmade Cuts Down  |  |   |
| • Gradient in Excess of 30 Inches (top of downslope cut):                             | 50'  | 25'   |
| • Which Intersect Layers that Limit Effective Soil Depth Within 48 Inches of Surface. | 25'  | 10'   |
| • Which Do Not Intersect Layers that Limit Effective Soil Depth.                      |  |   |
| 8. Downgradient Escarpments:  |  |   |
| • Which Intersect Layers that Limit Effective Soil Depth.                             | 50'  | 10'   |
| • Which Do Not Intersect Layers that Limit Effective Soil Depth.                      | 25'  | 10'   |
| 9. Property Lines   | 10'  | 5'  |
| 10. Water Lines   | 10'  | 10'   |
| 11. Foundation Lines of any Building, Including Garages and Out Buildings.            | 10'  | 5'  |
| 12. Underground Utilities.  | 10'  | —   |
| * 50-foot setback for wells constructed with special standards granted by WRD.        |  |   |
| **This does not prevent stream crossings of pressure effluent sewers.                 |  |   |

**TABLE 2**  
**OAR 340-071-0220**  
**QUANTITIES OF SEWAGE FLOWS**

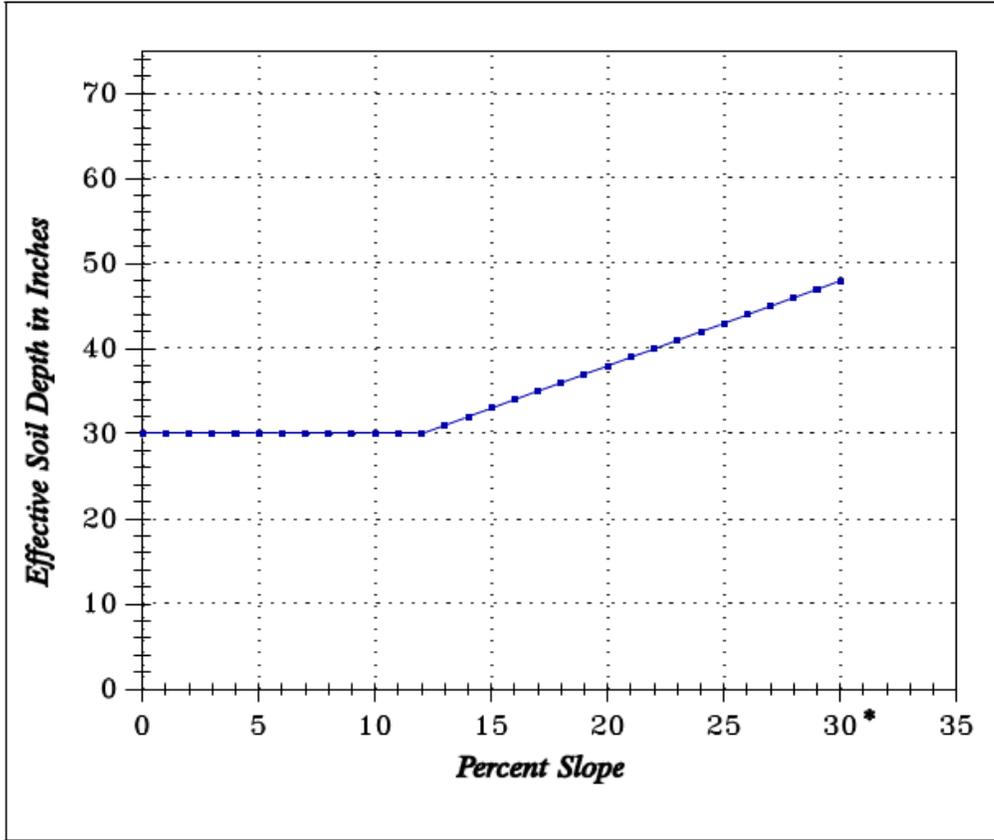
| Type of Establishment  |  | Column 1                                 | Column 2                                  |
|--|--|--|---|
|  |  | Gallons Per Day                          | Minimum Gallons Per Establishment Per Day |
| Airports   |  | 5 (per passenger)                        | 150                                       |
| Bathhouses and swimming pools  |  | 10 (per person)                          | 300                                       |
| Camps:<br>(4 Persons per<br>Campsite, where<br>Applicable)             | Campground with central comfort stations                       | 35 (per person)                          | 700                                       |
|  | With flush toilets, no showers                                 | 25 (per person)                          | 500                                       |
|  | Construction camps — semi-permanent                            | 50 (per person)                          | 1000                                      |
|  | Day camps — no meals served                                    | 15 (per person)                          | 300                                       |
|  | Resort camps (night and day) with limited plumbing             | 50 (per person)                          | 1000                                      |
|  | Luxury camps   | 100 (per person)                         | 2000                                      |
| Churches   |  | 5 (per seat)                             | 150                                       |
| Country clubs  |  | 100 (per resident member)                | 2000                                      |
| Country clubs  |  | 25 (per non-resident member present)     | —   |
| Dwellings:   | Boarding houses  | 150 (per bedroom)                        | 600                                       |
|  | Boarding houses – additional for non-residential boarders      | 10 (per person)                          | —   |
|  | Rooming houses   | 80 (per person)                          | 500                                       |
|  | Condominiums, Multiple family dwellings — including apartments | 300 (per unit)                           | 900                                       |
|  | Single family dwellings  | 300 (not exceeding 2 bedrooms)           | 450*                                      |
|  | Single family dwellings — with more than 2 bedrooms            | 75 (for third & each succeeding bedroom) | 450                                       |
| Factories (exclusive of industrial wastes — with shower facilities)    |  | 35 (per person per shift)                | 300                                       |
| Factories (exclusive of industrial wastes — without shower facilities) |  | 15 (per person per shift)                | 150                                       |
| Hospitals  |  | 250 (per bed space)                      | 2500                                      |
| Hotels with private baths  |  | 120 (per room)                           | 600                                       |
| Hotels without private baths   |  | 100 (per room)                           | 500                                       |
| Institutions other than hospitals                                      |  | 125 (per bed space)                      | 1250                                      |
| Laundries — self-service   |  | 500 (per machine)                        | 2500                                      |
| Mobile home parks  |  | 250 (per space)                          | 750                                       |
| Motels — with bath, toilet, and kitchen wastes                         |  | 100 (per bedroom)                        | 500                                       |

**TABLE 2**  
**OAR 340-071-0220**  
**QUANTITIES OF SEWAGE FLOWS**

| Type of Establishment   |   | Column 1                | Column 2                                  |
|---|---|-------------------------|---|
|   |   | Gallons Per Day         | Minimum Gallons Per Establishment Per Day |
| Motels — without kitchens   |   | 80 (per bedroom)        | 400                                       |
| Picnic Parks — toilet wastes only                                 |   | 5 (per picnicker)       | 150                                       |
| Picnic Parks — with bathhouses, showers, and flush toilets        |   | 10 (per picnicker)      | 300                                       |
| Restaurants   |   | 40 (per seat)           | 800                                       |
| Restaurants — single-service                                      |   | 2 (per customer)        | 300                                       |
| Restaurants — with bars and/or lounges                            |   | 50 (per seat)           | 1000                                      |
| Schools:  | Boarding  | 100 (per person)        | 3000                                      |
|   | Day — without gyms, cafeterias, or showers        | 15 (per person)         | 450                                       |
|   | Day — with gyms, cafeterias and showers           | 25 (per person)         | 750                                       |
|   | Day — with cafeteria, but without gyms or showers | 20 (per person)         | 600                                       |
| Service Stations  |   | 10 (per vehicle served) | 500                                       |
| Swimming pools and bathhouses                                     |   | 10 (per person)         | 300                                       |
| Theaters:   | Movie   | 5 (per seat)            | 300                                       |
|   | Drive-In  | 20 (per car space)      | 1000                                      |
| Travel trailer parks — without individual water and sewer hookups |   | 50 (per space)          | 300                                       |
| Travel trailer parks — with individual water and sewer hookups    |   | 100 (per space)         | 500                                       |
| Workers:  | Construction — as semi-permanent camps            | 50 (per person)         | 1000                                      |
|   | Day — at schools and offices                      | 15 (per shift)          | 150                                       |

\* Except as otherwise provided in these rules.

**TABLE 3**  
**OAR 340-071-0220**  
**SLOPE, EFFECTIVE SOIL DEPTH RELATIONSHIP**



**TABLE 4**  
**OAR 340-071-0220**

Minimum length of absorption trench (linear feet) required per 150 gallons projected daily sewage flow determined from soil texture versus effective soil depth.

| Effective Soil Depth | Soil Group |     |     |
|----------------------|------------|-----|-----|
|                      | A          | B   | C   |
| 18" to Less than 24" | 125        | 150 | 175 |
| 24" to Less than 36" | 100        | 125 | 150 |
| 36" to Less than 48" | 75         | 100 | 125 |
| 48" or more          | 50         | 75  | 125 |

- \* Soil Group A — Sand, Loamy Sand, Sandy Loam.
- \* Soil Group B — Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam. Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay.
- \* If sand grains are fine or very fine, site according to Group B soils.

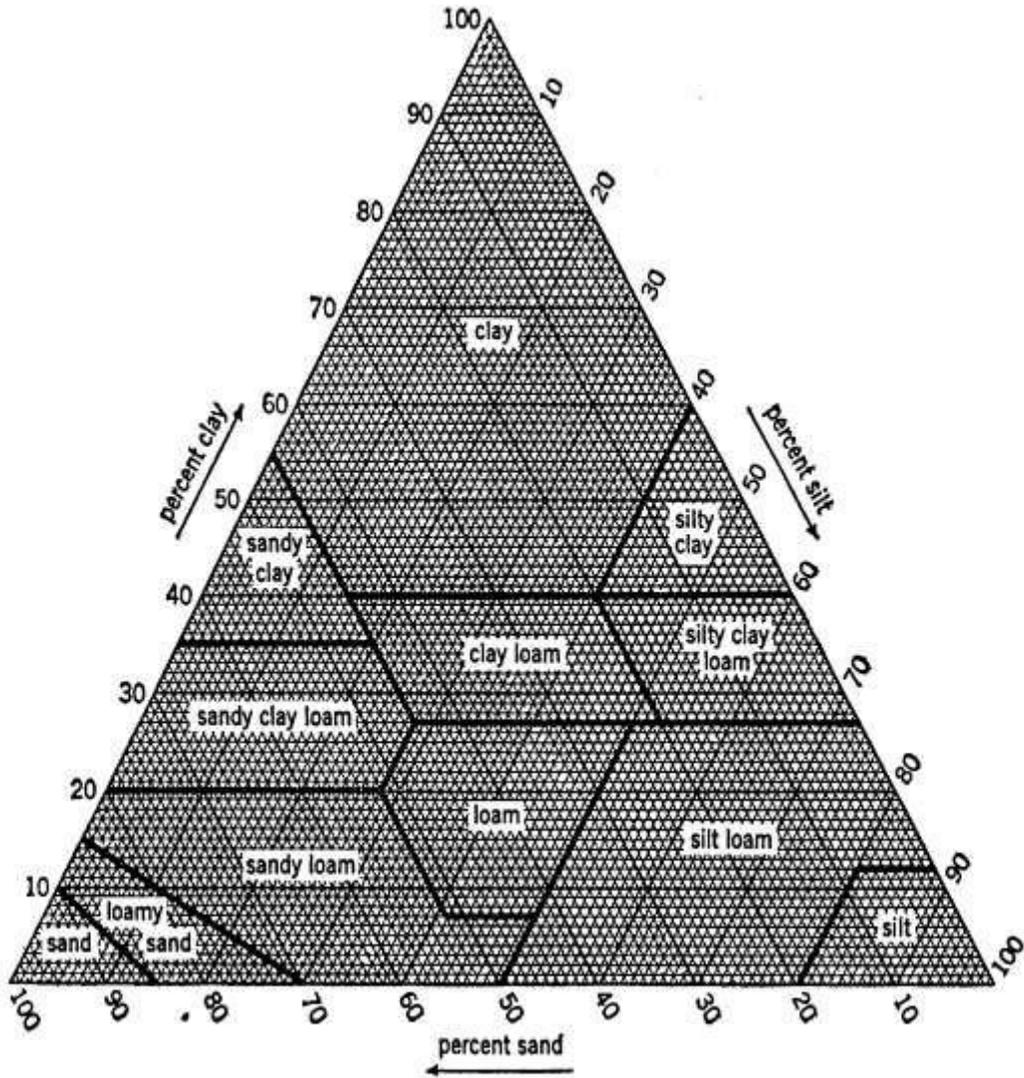
**TABLE 5**  
**OAR 340-071-0220**

Minimum length of absorption trench (linear feet) required per 150 gallons projected daily sewage flow determined from soil texture versus depth to temporary groundwater.

| Depth to Temporary Groundwater | Soil Group |     |     |
|--------------------------------|------------|-----|-----|
|                                | A          | B   | C   |
| 24" to Less than 48"           | 100        | 125 | 150 |
| 48" or More                    | 50         | 75  | 125 |

- \* Soil Group A — Sand, Loamy Sand, Sandy Loam.
- \* Soil Group B — Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam. Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay.
- \* If sand grains are fine or very fine, site according to Group B soils.

**TABLE 6**  
**OAR 340-071-0100**  
**SOIL TEXTURAL CLASSIFICATION CHART**



**TABLE 7**  
**OAR 340-071-0100**  
**USDA SOIL CLASSIFICATION SIZES OF SOIL**  
**SEPARATES**

|                  | Sieve Sizes | Millimeters |
|------------------|-------------|-------------|
| Clay             |             | .002        |
| Silt             | 270         | .050        |
| Very Fine Sand   | 200         | .075        |
|                  | 140         | .1          |
| Fine Sand        | 60          | .25         |
| Medium Sand      | 35          | .5          |
| Coarse Sand      | 18          | 1.0         |
| Very Coarse Sand | 10          | 2.0         |
| Fine Gravel      | 4           | 4.75        |
|                  | 3/8"        | 9.5         |
|                  | 1/2         | 12.5        |
| Course Gravel    | 3"          | 76.2        |
| Cobbles          |             |             |

**TABLE 8**  
**OAR 340-071-0330**  
**MINIMUM SEPARATION DISTANCES FOR**  
**NONWATER-CARRIED WASTE DISPOSAL**  
**FACILITIES**

|   | <b>Self-Contained<br/>Nonwater-Carried<br/>Waste Disposal</b> | <b>Unsealed Earth Type<br/>Privies, Graywater Waste<br/>Disposal Sump and<br/>Seepage Chambers</b> |
|---|---|--|
| Groundwater supplies<br>including springs and cisterns      | 50'   | 100'   |
| Surface public waters,<br>excluding intermittent<br>streams | 50'   | 100'   |
| Intermittent streams  | 50'   | 50'  |
| Property line   | 25'   | 25'  |

**TABLE 9A: SITE EVALUATION AND EXISTING SYSTEM EVALUATION FEES  
OAR 340-071-0140**

New Site Evaluation fees. Fees in this section apply to each system for which site suitability is evaluated.

|   |         |
|---|---------|
| Single family dwelling - First lot  | \$700   |
| Single family dwelling - Each additional lot evaluated during initial visit | \$700   |
| Commercial facility with a design capacity of 1,000 gpd or less             | \$700   |
| Commercial facility with a design capacity of 1,001-1,500 gpd               | \$882   |
| Commercial facility with a design capacity of 1,501-2,000 gpd               | \$1,063 |
| Commercial facility with a design capacity of 2,001-2,500 gpd               | \$1,244 |
| Commercial facility s with a design capacity of 2,501-3,000 gpd             | \$1,426 |
| Commercial facility with a design capacity of 3,001-3,500 gpd               | \$1,607 |
| Commercial facility with a design capacity of 3,501-4,000 gpd               | \$1,788 |
| Commercial facility with a design capacity of 4,001-4,500 gpd               | \$1,969 |
| Commercial facility with a design capacity of 4,501-5,000 gpd               | \$2,151 |
| Commercial facility with a design flow greater than 5,000 gpd               | \$2,373 |
| Site Evaluation Report Review fee   | \$659   |
| Existing System Evaluation Report fee                                       | \$659   |

**TABLE 9B: PERMITTING FEES FOR SYSTEMS NOT SUBJECT TO WPCF PERMITS OAR  
340-071-0140**

|  |                  | System Type A | System Type B | System Type C | System Type D | System Type E                      | Plan Review fees for Commercial Facility Systems |
|--|------------------|---------------|---------------|---------------|---------------|------------------------------------|--|
| Construction-Installation Permit fees.   |                  |               |               |               |               |                                    |  |
| For systems with a design capacity of less than 600 gpd  |                  | \$461         | \$890         | \$1,038       | \$1,272       | \$1,566                            | \$0  |
| For systems with a design capacity of 601-1,000 gpd  |                  | \$461         | \$890         | \$1,038       | \$1,272       | \$1,566                            | \$379  |
| For systems with a design capacity of 1,001-1,500 gpd  |                  | \$560         | \$989         | \$1,137       | \$1,352       | \$1,710                            | \$445  |
| For systems with a design capacity of 1,501-2,000 gpd  |                  | \$659         | \$1,088       | \$1,236       | \$1,433       | <del>\$1,776</del><br><u>1,763</u> | \$511  |
| For systems with a design capacity of 2,001-2,500 gpd  |                  | \$758         | \$1,187       | \$1,335       | \$1,513       | \$1,862                            | \$577  |
| Reinspection fee   | <del>\$103</del> | <u>\$103</u>  | <u>\$103</u>  | <u>\$103</u>  | <u>\$103</u>  | <u>\$103</u>                       | <u>\$103</u>                                     |
| Pump Evaluation fee. For all permits that specify the use of a pump or dosing siphon except for sand filter, Alternative treatment technologies, Recirculating gravel filter, and pressurized distribution systems | <del>\$66</del>  | <u>\$66</u>   | <u>\$66</u>   | <u>\$66</u>   | <u>\$66</u>   | <u>\$66</u>                        | <u>\$66</u>                                      |

System Type Key:

Type A = Gray Water waste disposal sumps

Type B = Holding tanks

Type C = Standard subsurface, Absorption trenches in sapolite, Redundant, Seepage trench, Steep slope

Type D = Alternative treatment technologies, Capping fill, Pressurized distribution, Tile dewatering

Type E = Recirculating gravel filter, Sand filter (commercial or residential)

**TABLE 9C: OTHER PERMITTING FEES FOR SYSTEMS NOT SUBJECT TO WPCF PERMITS  
OAR 340-071-0140**

|   |         | Field Visit required | No Field Visit required |
|---|---------|----------------------|-------------------------|
| Minor Alteration Permit   | \$272   |                      |                         |
| Major Alteration Permit   | \$569   |                      |                         |
| Minor Repair Permit - Single Family Dwelling  | \$264   |                      |                         |
| Major Repair Permit - Single Family Dwelling  | \$551   |                      |                         |
| Minor Repair Permit - Commercial Facility   | \$478   |                      |                         |
| Major Repair Permit - Commercial Facility   | \$1,038 |                      |                         |
| Permit Denial Review  | \$363   |                      |                         |
| Permit Transfer, Reinstatement, or Renewal  |         | \$536                | \$157                   |
| Authorization Notice  |         | \$643                | \$165                   |
| Authorization Notice Denial Review  | \$659   |                      |                         |
| Renewal of hardship authorization for temporary dwelling  |         | \$340                | \$103                   |
| Alternative system inspection - Holding tanks   | \$396   |                      |                         |
| Variance from onsite system rules   | \$2,142 |                      |                         |
| Land use clearance  | \$52    |                      |                         |
| Annual report evaluation - Holding tanks – hard copy submittal  | \$31    |                      |                         |
| Annual report evaluation - Holding tanks – online submittal   | \$26    |                      |                         |
| Alternative system inspection - Other alternative systems listed in Table 9B  | \$544   |                      |                         |
| Annual report evaluation - Sand filters, pressurized distribution systems, recirculating gravel filters, and alternative treatment technology – hard copy submittal | \$62    |                      |                         |
| Annual report evaluation - Sand filters, pressurized distribution systems, recirculating gravel filters, and alternative treatment technology – online submittal    | \$52    |                      |                         |

**TABLE 9D: WPCF PERMIT FEES  
OAR 340-071-0140**

|   | Application filing fee (all systems) | Permit processing fees for onsite systems with a design capacity of 1,200 gpd or less | Permit processing fees for onsite systems with a design capacity over 1,200 gpd |
|---|--------------------------------------|---|---|
| New application   | \$ <u>8591</u>                       | \$ <u>684732</u>  | \$ <u>3,4163,655</u>  |
| Permit renewal (involving request for effluent limit modifications)   | \$ <u>8591</u>                       | \$ <u>340364</u>  | \$ <u>1,7101,830</u>  |
| Permit renewal (without request for effluent limit modifications)     | \$ <u>8591</u>                       | \$ <u>172184</u>  | \$ <u>853913</u>  |
| Permit modification (involving increase in effluent limitations)      | \$ <u>8591</u>                       | \$ <u>340364</u>  | \$ <u>1,7101,830</u>  |
| Permit modification (not involving an increase in effluent limits)    | \$ <u>8591</u>                       | \$ <u>256274</u>  | \$ <u>853913</u>  |
| <b>Plan Review fee</b>  |                                      |   |   |
| For commercial facilities with a design capacity less than 600 gpd    |                                      | \$0   |   |
| For commercial facilities with a design capacity of 601 - 1,000 gpd   |                                      | \$ <u>326349</u>  |   |
| For commercial facilities with a design capacity of 1,001 - 1,500 gpd |                                      | \$ <u>384411</u>  |   |
| For commercial facilities with a design capacity of 1,501 - 2,000 gpd |                                      | \$ <u>442473</u>  |   |
| For commercial facilities with a design capacity of 2,001 - 2,500 gpd |                                      | \$ <u>498533</u>  |   |
| For commercial facilities with a design capacity of 2,501 - 3,000 gpd |                                      | \$ <u>584625</u>  |   |
| For commercial facilities with a design capacity of 3,001 - 3,500 gpd |                                      | \$ <u>641686</u>  |   |
| For commercial facilities with a design capacity of 3,501 - 4,000 gpd |                                      | \$ <u>698747</u>  |   |
| For commercial facilities with a design capacity of 4,001 - 4,500 gpd |                                      | \$ <u>753806</u>  |   |
| For commercial facilities with a design capacity of 4,501 - 5,000 gpd |                                      | \$ <u>811868</u>  |   |
| Commercial facilities with a design capacity greater than 5,000 gpd   |                                      | \$ <u>853913</u>  |   |
| Single family dwelling  |                                      | \$ <u>172184</u>  |   |

**TABLE 9D: WPCF PERMIT FEES  
OAR 340-071-0140**

**Annual Compliance Determination fee**

|   |                                  |
|---|----------------------------------|
| Onsite sewage lagoon with no discharge  | \$ <del>1,024</del> <u>1,096</u> |
| Treatment Standard 1 or better systems with design capacities less than 2,500 gpd   | \$ <del>427</del> <u>457</u>     |
| Treatment Standard 1 or better systems with design capacities of 2,501 - 20,000 gpd   | \$ <del>853</del> <u>913</u>     |
| Holding tanks, if by the date specified by DEQ, the owner does not submit written certification to DEQ that the holding tank has been operated the previous calendar year in full compliance with the permit or that the previous year's service logs for the holding tanks are not available for inspection by the DEQ | \$ <del>340</del> <u>364</u>     |
| Holding tanks, if by the date specified by DEQ, the owner submits written certification to DEQ that the holding tank has been operated the previous calendar year in full compliance with the permit and that the previous year's service   | \$ <del>37</del> <u>40</u>       |
| Other systems with design capacities less than 20,000 gpd   | \$ <del>427</del> <u>457</u>     |
| Other systems with design capacities greater than 20,000 gpd  | \$ <del>853</del> <u>913</u>     |

| <b>TABLE 9E: SEWAGE DISPOSAL SERVICE LICENSE AND TRUCK INSPECTION FEES<br/>OAR 340-071-0140</b> |                |
|---|----------------|
| New 3-year business license   | \$438 per year |
| Renewal of business license   | \$330 per year |
| Additional license fee for additional pumper vehicles   | \$16/vehicle   |
| Transfer of or amendments to license  | \$206          |
| Reinstatement of suspended license  | \$258          |
| Pumper truck inspections - First vehicle, each inspection                                       | \$103          |
| Pumper truck inspections - Each additional vehicle, each inspection                             | \$52           |

| <b>TABLE 9F: OTHER FEES<br/>OAR 340-071-0140</b>  |         |
|---|---------|
| Innovative or Alternative Technology Review   | \$1,648 |
| Alternative Technology Review (greater than 1,500 gpd)                                  | \$3,296 |
| Alternative Treatment Technology Annual Compliance Determination Fee (per listed model) | \$515   |
| Material Plan Review  | \$494   |
| Department Surcharge  | \$100   |

**Statutory/Other Authority:** 454.615, 454.625 & 468.020

**Statutes/Other Implemented:** 454.775, 454.780, 454.784, 468.020, 454.605, 454.607, 454.610, 454.615, 454.625, 454.655, 454.665, 454.675, 454.695, 454.725, 454.745, 454.755, 454.780, 468.035, 468.045, 468.065, 468B.050, 468B.055 & 468B.080

### DEPARTMENT OF ENVIRONMENTAL QUALITY

#### 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) 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.

(3) 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.
- (4) 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.
- (5) 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.
- (6) 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

general 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.

(7) 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.

(8) 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.

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

(a) The electronic reporting requirement waiver fee applies to permit holders who qualify for a temporary 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.

**OAR 340-045-0075**  
**Table 70A**  
**Industrial NPDES and WPCF Individual Permits:**  
**Application and Modification Fees**

Application fees for new industrial permits

|   |          |
|---|----------|
| Tier 1 Industrial Facilities            | \$66,189 |
| Tier 2 Industrial Facilities            | \$13,320 |
| Special WPCF Permits (OAR 340-045-0061) | \$630    |

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.

Modification Fees<sup>1</sup>

|                              | Major             |                     | Minor   |
|------------------------------|-------------------|---------------------|---------|
|                              | At Permit Renewal | Prior to Expiration |         |
| Tier 1 Industrial Facilities | \$16,629          | \$33,042            | \$1,159 |
| Tier 2 Industrial Facilities | \$4,228           | \$6,604             | \$1,159 |

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**

| Type  | Description  | NPDES Tier 1 | NPDES Tier 2 | WPCF Tier 1 | WPCF Tier 2 |
|---|--|--------------|--------------|-------------|-------------|
| B01   | Pulp, paper, or other fiber pulping industry   | \$23,144     | N            | \$21,480    | N           |
| Food or beverage processing - includes produce, meat, poultry, seafood or dairy for human, pet, or livestock consumption: |  |              |              |             |             |
| B02   | Washing or packing only  | N            | \$3,217      | N           | \$2,961     |
| B03   | Processing – small. Flow ≤ 0.1 mgd, or 0.1 < flow < 1 mgd for less than 180 days per year                                  | N            | \$4,811      | N           | \$4,551     |
| B04   | Processing – medium. 0.1 mgd < Flow < 1 mgd for 180 or more days per year, or flow ≥ 1 mgd for less than 180 days per year | N            | \$6,788      | N           | \$6,529     |
| B05   | Processing – large. Flow ≥ 1 mgd for 180 or more days per year   | \$23,144     | \$20,336     | \$21,480    | \$20,074    |

**OAR 340-045-0075**  
**Table 70B**  
**Industrial NPDES and WPCF Individual Permit Annual Fees**

| Type  | Description  | NPDES Tier 1 | NPDES Tier 2 | WPCF Tier 1 | WPCF Tier 2 |
|---|--|--------------|--------------|-------------|-------------|
| <b>Primary Smelting or Refining:</b>  |  |              |              |             |             |
| B06   | Aluminum   | \$23,144     | \$ 20,336    | \$21,480    | \$20,074    |
| B07   | Non-ferrous metals utilizing sand chlorination separation facilities   | \$ 23,144    | \$ 20,336    | \$21,480    | \$20,074    |
| B08   | Ferrous and non-ferrous metals not elsewhere classified  | \$ 13,236    | \$ 10,426    | \$11,572    | \$ 10,169   |
| B09   | Chemical manufacturing with discharge of process wastewater  | \$ 23,144    | \$ 20,336    | \$21,480    | \$20,074    |
| B10   | Cooling water discharges in excess of 20,000 BTU per second  | \$ 13,236    | \$ 10,426    | \$11,572    | \$ 10,169   |
| <b>Mining Operations – includes aggregate or ore processing:</b>  |  |              |              |             |             |
| B11   | Large (over 500,000 cubic yards per year or involving chemical leaching)   | \$ 23,144    | \$ 20,336    | \$21,480    | \$20,074    |
| B12   | Medium (100,000 to 500,000 cubic yards per year)   | N            | \$ 7,120     | N           | \$ 6,861    |
| B13   | Small (less than 100,000 cubic yards per year)   | N            | \$ 2,167     | N           | \$ 1,909    |
| <b>All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater):</b> |  |              |              |             |             |
| B14   | Tier 1 sources   | \$ 23,144    | N            | \$21,480    | N           |
| B15   | Tier 2 sources   | N            | \$ 4,478     | N           | \$ 4,223    |
| B16   | All facilities not elsewhere classified which dispose of non-process wastewaters (for example: small cooling water discharges, boiler blowdown, filter backwash) | N            | \$ 2,998     | N           | \$ 2,740    |
| B17   | Dairies, fish hatcheries and other confined feeding operations on individual permits   | N            | \$ 2,624     | N           | \$ 2,367    |
| B18   | All facilities which dispose of wastewater only by evaporation from watertight ponds or basins   | N            | N            | N           | \$ 1,740    |
| <b>Timber and Wood Products</b>   |  |              |              |             |             |
| B19   | Sawmills, log storage, instream log storage  | \$           | \$           | \$          | \$          |

**OAR 340-045-0075  
Table 70B  
Industrial NPDES and WPCF Individual Permit Annual Fees**

| Type | Description   | NPDES Tier 1 | NPDES Tier 2 | WPCF Tier 1 | WPCF Tier 2 |
|------|---|--------------|--------------|-------------|-------------|
|      |   | 6,492        | 3,683        | 4,828       | 3,423       |
| B20  | Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products | \$ 6,864     | \$ 4,056     | \$ 5,203    | \$ 3,799    |
| B21  | Wood preserving   | \$ 5,809     | \$ 2,998     | \$ 4,145    | \$ 2,740    |

**OAR 340-045-0075**  
**Table 70C**  
**Domestic NPDES and WPCF Individual Permits:**  
**Application, Annual and Modification Fees**

| 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                              | \$ 42,195                        | \$ 91,377              |                        | \$21,150                   | \$1,159 |
|                              | A2   | $25 \text{ mgd} \leq \text{Flow} < 50$ mgd | \$ 42,195                        | \$ 53,704              |                        | \$21,150                   | \$1,159 |
|                              | A3   | $10 \text{ mgd} \leq \text{Flow} < 25$ mgd | \$ 42,195                        | \$ 25,312              |                        | \$21,150                   | \$1,159 |
|                              | Ba   | $5 \text{ mgd} \leq \text{Flow} < 10$ mgd  | \$ 42,195                        | \$ 16,225              | \$15,164               | \$21,150                   | \$1,159 |
|                              | C1a  | $2 \text{ mgd} \leq \text{Flow} < 5$ mgd   | \$ 42,195                        | \$ 10,911              | \$ 9,850               | \$21,150                   | \$1,159 |
|                              | C2a  | $1 \text{ mgd} \leq \text{Flow} < 2$ mgd   | \$ 42,195                        | \$ 7,405               | \$ 6,344               | \$21,150                   | \$1,159 |
|                              | Da   | Flow < 1 mgd                               | \$ 8,524                         | \$ 2,345               | \$ 2,176               | \$4,317                    | \$1,159 |

**OAR 340-045-0075**  
**Table 70C**  
**Domestic NPDES and WPCF Individual Permits:**  
**Application, Annual and Modification Fees**

| 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  | Bb   | 5 mgd ≤ Flow < 10 mgd  | \$ 42,195                        | \$ 8,580               |                        | \$21,150                   | \$1,159 |
|  | C1b  | 2 mgd ≤ Flow < 5 mgd   | \$ 42,195                        | \$ 5,966               |                        | \$21,150                   | \$1,159 |
|  | C2b  | 1 mgd ≤ Flow < 2 mgd   | \$ 42,195                        | \$ 4,355               |                        | \$21,150                   | \$1,159 |
|  | Db   | Flow < 1 mgd           | \$ 8,524                         | \$ 1,653               |                        | \$4,317                    | \$1,159 |
| Nondischarging Lagoons   | E    | No discharge flow      | \$ 4,317                         |                        | \$ 1,378               | \$ 2,210                   | \$1,159 |
| Alkaline-stabilization facilities  | F    |                        | \$1,159                          |                        | \$475                  |                            | \$510   |
| 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 | \$ 23,433                        | Please see Table 70H   |                        | \$ 2,035                   | \$1,159 |

4. Based on Average Dry Weather Design Flow, or as defined in 40 C.F.R.
5. New permit applications must include the annual fee in addition to the new permit application fee.
6. 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.

| <b>OAR 340-045-0075</b><br><b>Table 70D</b><br><b>Domestic NPDES and WPCF Annual Population Fee</b> |            |
|---|------------|
| Population range  | Annual fee |
| 500,000+  | \$122,765  |
| 400,000 to 499,999  | \$93,915   |
| 300,000 to 399,999  | \$65,067   |
| 200,000 to 299,999  | \$36,215   |
| 150,000 to 199,999  | \$29,289   |
| 100,000 to 149,999  | \$19,290   |
| 50,000 to 99,999  | \$12,098   |
| 25,000 to 49,999  | \$5,438    |
| 15,000 to 24,999  | \$3,096    |
| 10,000 to 14,999  | \$2,017    |
| 5,000 to 9,999  | \$1,226    |
| 1,000 to 4,999  | \$367      |
| 100 to 999  | \$70       |
| 0 to 99   | \$0        |

| <b>OAR 340-045-0075</b><br><b>Table 70E</b><br><b>Annual Pretreatment Fees</b> |                    |
|--|--------------------|
| Description  | Fee                |
| Pretreatment Fee   | \$2,105            |
| Significant Industrial User  | \$702 per industry |

| <b>OAR 340-045-0075</b><br><b>Table 70F</b><br><b>All NPDES and WPCF<sup>1</sup> Permits:</b><br><b>Technical Activity, Plan Review, and Other Fees</b> |         |
|---|---------|
| Activity  | Fee     |
| New or substantially modified sewage treatment facility   | \$9,682 |

| <b>OAR 340-045-0075<br/>Table 70F<br/>All NPDES and WPCF<sup>1</sup> Permits:<br/>Technical Activity, Plan Review, and Other Fees</b>   |         |
|---|---------|
| Activity  | Fee     |
| Minor facility or pump station modifications  | \$1,052 |
| Major system or pressure system expansion   | \$738   |
| Minor system expansion or modification  | \$210   |
| New or substantially modified septage alkaline stabilization facility   | \$1,052 |
| Site inspection and evaluation <sup>2</sup>   | \$1,649 |
| Disposal system plan review <sup>2</sup>  | \$659   |
| Environmental management plan review <sup>3</sup>   | \$659   |
| Other Fees  |         |
| Temporary electronic reporting requirement waiver   | \$803   |
| Permit transfer, legal name change.   | \$104   |
| <p>1. Does not include Onsite septic systems. Please see Tables 9A-9F in OAR 340-071 for appropriate technical activity fees.</p> <p>2. This fee only applies when these activities are required for DEQ's review of a General permit application.</p> <p>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.</p> |         |

| <b>OAR 340-045-0075<br/>Table 70G<br/>General NPDES and WPCF Permits:<br/>Application and Annual Fees</b> |       |                          |                                     |               |
|---|-------|--------------------------|-------------------------------------|---------------|
| Number  | Type  | Description              | New Permit<br>App. Fee <sup>1</sup> | Annual<br>Fee |
| 100-J   | NPDES | Cooling water/heat pumps | \$270                               | \$614         |
| 200-J   | NPDES | Filter backwash          | \$270                               | \$614         |
| 300-J   | NPDES | Fish hatcheries          | \$430                               | \$614         |
| 400-J   | NPDES | Log ponds                | \$270                               | \$614         |
| 500-J   | NPDES | Boiler blowdown          | \$270                               | \$614         |

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

| Number   | Type  | Description   | New Permit App. Fee <sup>1</sup> | Annual Fee |
|--|-------|---|----------------------------------|------------|
| 900-J  | NPDES | Seafood processing  | \$270                            | \$614      |
| 1400-A   | WPCF  | Wineries and seasonal fresh pack operations whose wastewater flow is $\leq 25,000$ gallons/day and is only disposed of by land irrigation.                                  | \$270                            | \$360      |
| 1400-B   | WPCF  | Wineries and small food processors not otherwise eligible for a 1400A general permit.   | \$430                            | \$614      |
| 1500-A   | NPDES | Petroleum hydrocarbon clean-up  | \$430                            | \$614      |
| 1500-B   | WPCF  | Petroleum hydrocarbon clean-up  | \$430                            | \$614      |
| 1700-A   | NPDES | Vehicle and equipment wash water  | \$598                            | \$614      |
| 1700-B   | WPCF  | Vehicle and equipment wash water  | \$598                            | \$614      |
| 1900-J   | NPDES | Non-contact geothermal heat exchange  | \$598                            | \$614      |
| <b>Residential and Commercial Graywater and Industrial Reuse Water</b> |       |   |                                  |            |
| 2401   | WPCF  | Tier 1 graywater reuse and disposal system for residential systems: $\leq 300$ 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: $\leq 1,200$ 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 $\leq 25,000$ gallons/day                              | \$598                            | \$614      |
| <b>Stormwater General Permits<sup>3</sup></b>                          |       |   |                                  |            |
| 1200-A   | NPDES | Stormwater: Sand, gravel, and other non-metallic mining   | \$1,050                          | \$1,080    |
| 1200-C   | NPDES | Stormwater: Construction activities – one acre or more  | \$1,050                          | \$1,080    |
| 1200-C   | NPDES | Stormwater: Construction activities – less than one acre and part of a common plan of development disturbing one or more acres  | \$308                            | \$0        |
| 1200-CA  | NPDES | Stormwater: Construction activities performed by public agencies – one acre or more   | \$1,050                          | \$1,080    |
| 1200-Z   | NPDES | Stormwater: Industrial  | \$1,050                          | \$         |

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

| Number                                      | Type  | Description   | New Permit App. Fee <sup>1</sup> | Annual Fee           |
|---|-------|---|----------------------------------|----------------------|
|   |       |   |                                  | 1,080                |
| 4000-MS4                                    | NPDES | Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc. | \$1,050                          | 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   | \$270                            | \$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   | \$270                            | \$614                |
| <b>Other General Permits</b>                |       |   |                                  |                      |
| DOM-F                                       | WPCF  | Septage alkaline stabilization facilities   | \$1,159                          | \$475                |
| All other permits not elsewhere classified. |       |   | \$598                            | \$614                |

1. New permit applications must include both the new permit application fee and the first year's annual fee. 2. Stormwater construction and industrial permits are also administered by public agencies and local districts under contract with DEQ.

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

| Population-based cost-per-person, except counties and other   | Annual Fee |
|---|------------|
| Cost-per-person   | \$0.121    |
| Counties* medium and large  | \$15,000   |
| Counties* small and other (special districts, hospitals, school districts, etc.)  | \$2,500    |
| Oregon Department of Transportation MS4**   | \$40,000   |
| <p>*OAR 340-045-0010(12) "Municipal Separate Storm Sewer System" means all municipal separate storm sewers that are defined as "large," "medium," or "small" municipal separate storm sewer systems in 40 C.F.R. §122.26(b).<br/> ** Fee for ODOT MS4 assessed only in the absence of a separate revenue agreement.</p> |            |

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

| 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                                 | \$598           | \$614      | Low Risk                      | \$107       | None   |
|                                    |  |                 |            | Medium Risk                   | \$134       | None   |
|                                    |  |                 |            | High Risk                     | \$321       | \$107  |
| 1900-B General Permit              | Injection During Geothermal Exploration              | \$598           | \$614      |                               |             |        |
| 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       | \$13,320        | \$2,819    | \$2,210                       | \$1,159     |        |

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.

**Statutory/Other Authority:** ORS 468.020, 468B.020 & 468B.035

**Statutes/Other Implemented:** ORS 468.065, 468B.015, 468B.035 & 468B.050

**History:**

DEQ 34-2017, minor correction filed 12/13/2017, effective 12/13/2017

DEQ 16-2015, f. 12-10-15, cert. ef. 1-1-16

DEQ 15-2017, amend filed 10/31/2017, effective 11/01/2017  
DEQ 13-2014, f. 11-14-14, cert. ef. 12-1-14  
DEQ 8-2013, f. 10-23-13, cert. ef. 11-1-13  
DEQ 6-2012, f. 10-31-12, cert. ef. 11-1-12  
DEQ 15-2011, f. & cert. ef. 9-12-11  
DEQ 9-2011, f. & cert. ef. 6-30-11  
DEQ 7-2010, f. 8-27-10, cert. ef. 9-1-10  
DEQ 8-2008, f. 6-27-08, cert. ef. 7-1-08  
DEQ 5-2007, f. & cert. ef. 7-3-07  
DEQ 11-2006, f. & cert. ef. 8-15-06  
DEQ 5-2005, f. & cert. ef. 7-1-05  
DEQ 7-2004, f. & cert. ef. 8-3-04  
DEQ 2-2002, f. & cert. ef. 2-12-02  
DEQ 15-2000, f. & cert. ef. 10-11-00  
DEQ 4-1998, f. & cert. ef. 3-30-98  
DEQ 20-1994, f. & cert. ef. 10-7-94  
DEQ 30-1992, f. & cert. ef. 12-18-92  
DEQ 10-1992, f. & cert. ef. 6-9-92  
DEQ 9-1992, f. & cert. ef. 6-5-92  
DEQ 10-1991, f. & cert. ef. 7-1-91  
DEQ 18-1990, f. & cert. ef. 6-7-90  
DEQ 9-1987, f. & ef. 6-3-87  
DEQ 12-1983, f. & ef. 6-2-83  
DEQ 18-1981, f. & ef. 7-13-81  
DEQ 31-1979, f. & ef. 10-1-79  
DEQ 129, f. & ef. 3-16-77  
DEQ 113, f. & ef. 5-10-76

ONSITE WASTEWATER TREATMENT SYSTEMS

340-071-0800

Tables

| <b>TABLE 1<br/>                     OAR 340-071-0220<br/>                     MINIMUM SEPARATION DISTANCES</b>  |   |  |
|---|---|--|
| <b>Items Requiring Setback</b>  | <b>From<br/>                     Subsurface<br/>                     Absorption<br/>                     Area<br/>                     Including<br/>                     Replacement<br/>                     Area</b> | <b>From Septic Tank<br/>                     and Other<br/>                     Treatment Units,<br/>                     Effluent Sewer<br/>                     and<br/>                     Distribution<br/>                     Units</b> |
| 1. Groundwater Supplies and Wells.  | *100'   | 50'  |
| 2. Springs: <ul style="list-style-type: none"> <li>• Upgradient.</li> <li>• Downgradient.</li> </ul>  | 50'<br>100'   | 50'<br>50'   |
| **3. Surface Public Waters: <ul style="list-style-type: none"> <li>• Year round.</li> <li>• Seasonal.</li> </ul>  | 100'<br>50'   | 50'<br>50'   |
| 4. Intermittent Streams: <ul style="list-style-type: none"> <li>• Piped (watertight not less than 20' from any part of the onsite system).</li> <li>• Unpiped.</li> </ul>   | 20'<br>50'  | 20'<br>50'   |
| 5. Groundwater Interceptors: <ul style="list-style-type: none"> <li>• On a slope of 3% or less.</li> <li>• On a slope greater than 3%:                             <ul style="list-style-type: none"> <li>• Upgradient.</li> <li>• Downgradient.</li> </ul> </li> </ul> | 20'<br>10'<br>50'   | 10'<br>5'<br>10'   |
| 6. Irrigation Canals: <ul style="list-style-type: none"> <li>• Lined (watertight canal).</li> <li>• Unlined:                             <ul style="list-style-type: none"> <li>• Upgradient.</li> <li>• Downgradient.</li> </ul> </li> </ul>                           | 25'<br>25'<br>50'   | 25'<br>25'<br>50'  |

**TABLE 1  
OAR 340-071-0220  
MINIMUM SEPARATION DISTANCES**

| Items Requiring Setback   | From Subsurface Absorption Area Including Replacement Area | From Septic Tank and Other Treatment Units, Effluent Sewer and Distribution Units |
|---|--|---|
| 7. Manmade Cuts Down <ul style="list-style-type: none"> <li>• Gradient in Excess of 30 Inches (top of downslope cut):</li> <li>• Which Intersect Layers that Limit Effective Soil Depth Within 48 Inches of Surface.</li> <li>• Which Do Not Intersect Layers that Limit Effective Soil Depth.</li> </ul> | 50'  | 25'   |
|   | 25'  | 10'   |
| 8. Downgradient Escarpments: <ul style="list-style-type: none"> <li>• Which Intersect Layers that Limit Effective Soil Depth.</li> <li>• Which Do Not Intersect Layers that Limit Effective Soil Depth.</li> </ul>  | 50'  | 10'   |
|   | 25'  | 10'   |
| 9. Property Lines   | 10'  | 5'  |
| 10. Water Lines   | 10'  | 10'   |
| 11. Foundation Lines of any Building, Including Garages and Out Buildings.  | 10'  | 5'  |
| 12. Underground Utilities.  | 10'  | —   |
| * 50-foot setback for wells constructed with special standards granted by WRD.  |  |   |
| **This does not prevent stream crossings of pressure effluent sewers.   |  |   |

**TABLE 2**  
**OAD 340-071-0220**  
**QUANTITIES OF SEWAGE FLOWS**

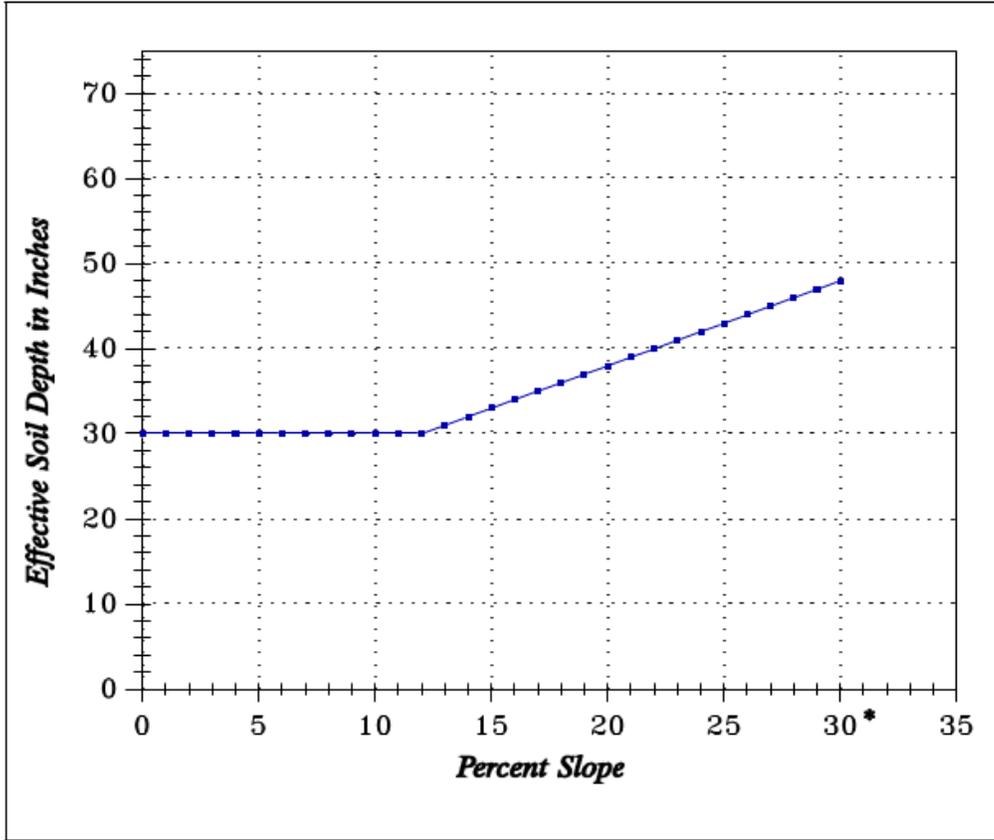
| Type of Establishment  |  | Column 1                                 | Column 2                                  |
|--|--|--|---|
|  |  | Gallons Per Day                          | Minimum Gallons Per Establishment Per Day |
| Airports   |  | 5 (per passenger)                        | 150                                       |
| Bathhouses and swimming pools  |  | 10 (per person)                          | 300                                       |
| Camps:<br>(4 Persons per<br>Campsite, where<br>Applicable)             | Campground with central comfort stations                       | 35 (per person)                          | 700                                       |
|  | With flush toilets, no showers                                 | 25 (per person)                          | 500                                       |
|  | Construction camps — semi-permanent                            | 50 (per person)                          | 1000                                      |
|  | Day camps — no meals served                                    | 15 (per person)                          | 300                                       |
|  | Resort camps (night and day) with limited plumbing             | 50 (per person)                          | 1000                                      |
|  | Luxury camps   | 100 (per person)                         | 2000                                      |
| Churches   |  | 5 (per seat)                             | 150                                       |
| Country clubs  |  | 100 (per resident member)                | 2000                                      |
| Country clubs  |  | 25 (per non-resident member present)     | —   |
| Dwellings:   | Boarding houses  | 150 (per bedroom)                        | 600                                       |
|  | Boarding houses – additional for non-residential boarders      | 10 (per person)                          | —   |
|  | Rooming houses   | 80 (per person)                          | 500                                       |
|  | Condominiums, Multiple family dwellings — including apartments | 300 (per unit)                           | 900                                       |
|  | Single family dwellings  | 300 (not exceeding 2 bedrooms)           | 450*                                      |
|  | Single family dwellings — with more than 2 bedrooms            | 75 (for third & each succeeding bedroom) | 450                                       |
| Factories (exclusive of industrial wastes — with shower facilities)    |  | 35 (per person per shift)                | 300                                       |
| Factories (exclusive of industrial wastes — without shower facilities) |  | 15 (per person per shift)                | 150                                       |
| Hospitals  |  | 250 (per bed space)                      | 2500                                      |
| Hotels with private baths  |  | 120 (per room)                           | 600                                       |
| Hotels without private baths   |  | 100 (per room)                           | 500                                       |
| Institutions other than hospitals                                      |  | 125 (per bed space)                      | 1250                                      |
| Laundries — self-service   |  | 500 (per machine)                        | 2500                                      |
| Mobile home parks  |  | 250 (per space)                          | 750                                       |
| Motels — with bath, toilet, and kitchen wastes                         |  | 100 (per bedroom)                        | 500                                       |

**TABLE 2**  
**OAR 340-071-0220**  
**QUANTITIES OF SEWAGE FLOWS**

| Type of Establishment   |   | Column 1                | Column 2                                  |
|---|---|-------------------------|---|
|   |   | Gallons Per Day         | Minimum Gallons Per Establishment Per Day |
| Motels — without kitchens   |   | 80 (per bedroom)        | 400                                       |
| Picnic Parks — toilet wastes only                                 |   | 5 (per picnicker)       | 150                                       |
| Picnic Parks — with bathhouses, showers, and flush toilets        |   | 10 (per picnicker)      | 300                                       |
| Restaurants   |   | 40 (per seat)           | 800                                       |
| Restaurants — single-service                                      |   | 2 (per customer)        | 300                                       |
| Restaurants — with bars and/or lounges                            |   | 50 (per seat)           | 1000                                      |
| Schools:  | Boarding  | 100 (per person)        | 3000                                      |
|   | Day — without gyms, cafeterias, or showers        | 15 (per person)         | 450                                       |
|   | Day — with gyms, cafeterias and showers           | 25 (per person)         | 750                                       |
|   | Day — with cafeteria, but without gyms or showers | 20 (per person)         | 600                                       |
| Service Stations  |   | 10 (per vehicle served) | 500                                       |
| Swimming pools and bathhouses                                     |   | 10 (per person)         | 300                                       |
| Theaters:   | Movie   | 5 (per seat)            | 300                                       |
|   | Drive-In  | 20 (per car space)      | 1000                                      |
| Travel trailer parks — without individual water and sewer hookups |   | 50 (per space)          | 300                                       |
| Travel trailer parks — with individual water and sewer hookups    |   | 100 (per space)         | 500                                       |
| Workers:  | Construction — as semi-permanent camps            | 50 (per person)         | 1000                                      |
|   | Day — at schools and offices                      | 15 (per shift)          | 150                                       |

\* Except as otherwise provided in these rules.

**TABLE 3**  
**OAR 340-071-0220**  
**SLOPE, EFFECTIVE SOIL DEPTH RELATIONSHIP**



**TABLE 4**  
**OAR 340-071-0220**

Minimum length of absorption trench (linear feet) required per 150 gallons projected daily sewage flow determined from soil texture versus effective soil depth.

| Effective Soil Depth | Soil Group |     |     |
|----------------------|------------|-----|-----|
|                      | A          | B   | C   |
| 18" to Less than 24" | 125        | 150 | 175 |
| 24" to Less than 36" | 100        | 125 | 150 |
| 36" to Less than 48  | 75         | 100 | 125 |
| 48" or more          | 50         | 75  | 125 |

- \* Soil Group A — Sand, Loamy Sand, Sandy Loam.
- \* Soil Group B — Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam. Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay.
- \* If sand grains are fine or very fine, site according to Group B soils.

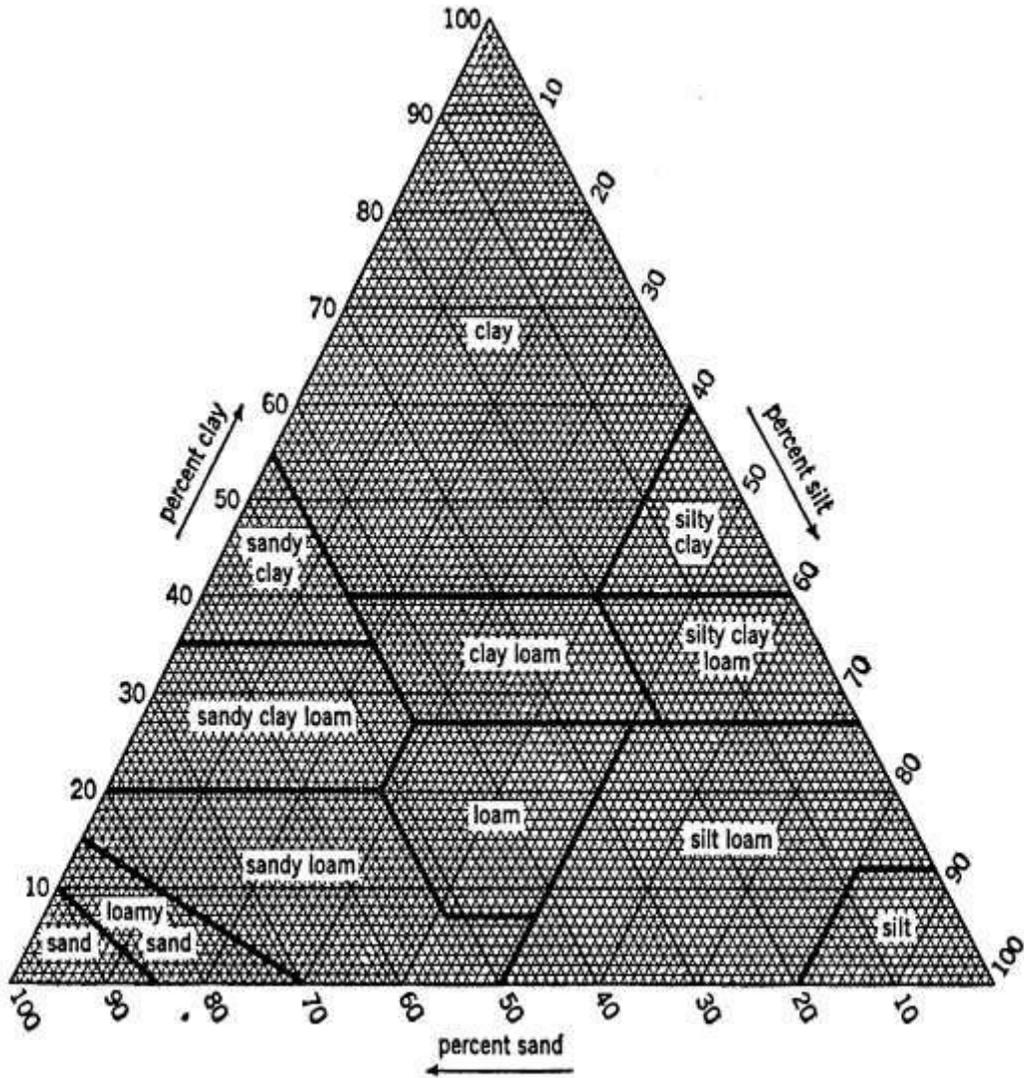
**TABLE 5  
OAR 340-071-0220**

Minimum length of absorption trench (linear feet) required per 150 gallons projected daily sewage flow determined from soil texture versus depth to temporary groundwater.

| Depth to Temporary Groundwater | Soil Group |     |     |
|--------------------------------|------------|-----|-----|
|                                | A          | B   | C   |
| 24" to Less than 48"           | 100        | 125 | 150 |
| 48" or More                    | 50         | 75  | 125 |

- \* Soil Group A — Sand, Loamy Sand, Sandy Loam.
- \* Soil Group B — Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam. Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay.
- \* If sand grains are fine or very fine, site according to Group B soils.

**TABLE 6**  
**OAR 340-071-0100**  
**SOIL TEXTURAL CLASSIFICATION CHART**



**TABLE 7**  
**OAR 340-071-0100**  
**USDA SOIL CLASSIFICATION SIZES OF SOIL**  
**SEPARATES**

|                  | Sieve Sizes | Millimeters |
|------------------|-------------|-------------|
| Clay             |             | .002        |
| Silt             | 270         | .050        |
| Very Fine Sand   | 200         | .075        |
|                  | 140         | .1          |
| Fine Sand        | 60          | .25         |
| Medium Sand      | 35          | .5          |
| Coarse Sand      | 18          | 1.0         |
| Very Coarse Sand | 10          | 2.0         |
| Fine Gravel      | 4           | 4.75        |
|                  | 3/8"        | 9.5         |
|                  | 1/2         | 12.5        |
| Course Gravel    | 3"          | 76.2        |
| Cobbles          |             |             |

**TABLE 8**  
**OAR 340-071-0330**  
**MINIMUM SEPARATION DISTANCES FOR**  
**NONWATER-CARRIED WASTE DISPOSAL**  
**FACILITIES**

|   | <b>Self-Contained<br/>Nonwater-Carried<br/>Waste Disposal</b> | <b>Unsealed Earth Type<br/>Privies, Graywater Waste<br/>Disposal Sump and<br/>Seepage Chambers</b> |
|---|---|--|
| Groundwater supplies<br>including springs and cisterns      | 50'   | 100'   |
| Surface public waters,<br>excluding intermittent<br>streams | 50'   | 100'   |
| Intermittent streams  | 50'   | 50'  |
| Property line   | 25'   | 25'  |

**TABLE 9A: SITE EVALUATION AND EXISTING SYSTEM EVALUATION FEES  
OAR 340-071-0140**

New Site Evaluation fees. Fees in this section apply to each system for which site suitability is evaluated.

|   |         |
|---|---------|
| Single family dwelling - First lot  | \$700   |
| Single family dwelling - Each additional lot evaluated during initial visit | \$700   |
| Commercial facility with a design capacity of 1,000 gpd or less             | \$700   |
| Commercial facility with a design capacity of 1,001-1,500 gpd               | \$882   |
| Commercial facility with a design capacity of 1,501-2,000 gpd               | \$1,063 |
| Commercial facility with a design capacity of 2,001-2,500 gpd               | \$1,244 |
| Commercial facility s with a design capacity of 2,501-3,000 gpd             | \$1,426 |
| Commercial facility with a design capacity of 3,001-3,500 gpd               | \$1,607 |
| Commercial facility with a design capacity of 3,501-4,000 gpd               | \$1,788 |
| Commercial facility with a design capacity of 4,001-4,500 gpd               | \$1,969 |
| Commercial facility with a design capacity of 4,501-5,000 gpd               | \$2,151 |
| Commercial facility with a design flow greater than 5,000 gpd               | \$2,373 |
| Site Evaluation Report Review fee   | \$659   |
| Existing System Evaluation Report fee                                       | \$659   |

**TABLE 9B: PERMITTING FEES FOR SYSTEMS NOT SUBJECT TO WPCF PERMITS  
OAR 340-071-0140**

|  | System Type A | System Type B | System Type C | System Type D | System Type E | Plan Review fees for Commercial Facility Systems |
|--|---------------|---------------|---------------|---------------|---------------|--|
| Construction-Installation Permit fees.   |               |               |               |               |               |  |
| For systems with a design capacity of less than 600 gpd  | \$461         | \$890         | \$1,038       | \$1,272       | \$1,566       | \$0  |
| For systems with a design capacity of 601-1,000 gpd  | \$461         | \$890         | \$1,038       | \$1,272       | \$1,566       | \$379  |
| For systems with a design capacity of 1,001-1,500 gpd  | \$560         | \$989         | \$1,137       | \$1,352       | \$1,710       | \$445  |
| For systems with a design capacity of 1,501-2,000 gpd  | \$659         | \$1,088       | \$1,236       | \$1,433       | \$1,763       | \$511  |
| For systems with a design capacity of 2,001-2,500 gpd  | \$758         | \$1,187       | \$1,335       | \$1,513       | \$1,862       | \$577  |
| Reinspection fee   | \$103         | \$103         | \$103         | \$103         | \$103         | \$103  |
| Pump Evaluation fee. For all permits that specify the use of a pump or dosing siphon except for sand filter, Alternative treatment technologies, Recirculating gravel filter, and pressurized distribution systems | \$66          | \$66          | \$66          | \$66          | \$66          | \$66   |

**System Type Key:**

Type A = Gray Water waste disposal sumps

Type B = Holding tanks

Type C = Standard subsurface, Absorption trenches in saprolite, Redundant, Seepage trench, Steep slope

Type D = Alternative treatment technologies, Capping fill, Pressurized distribution, Tile dewatering

Type E = Recirculating gravel filter, Sand filter (commercial or residential)

**TABLE 9C: OTHER PERMITTING FEES FOR SYSTEMS NOT SUBJECT TO WPCF  
PERMITS  
OAR 340-071-0140**

|   |         | Field Visit<br>required | No Field Visit<br>required |
|---|---------|-------------------------|----------------------------|
| Minor Alteration Permit   | \$272   |                         |                            |
| Major Alteration Permit   | \$569   |                         |                            |
| Minor Repair Permit - Single Family Dwelling  | \$264   |                         |                            |
| Major Repair Permit - Single Family Dwelling  | \$551   |                         |                            |
| Minor Repair Permit - Commercial Facility   | \$478   |                         |                            |
| Major Repair Permit - Commercial Facility   | \$1,038 |                         |                            |
| Permit Denial Review  | \$363   |                         |                            |
| Permit Transfer, Reinstatement, or Renewal  |         | \$536                   | \$157                      |
| Authorization Notice  |         | \$643                   | \$165                      |
| Authorization Notice Denial Review  | \$659   |                         |                            |
| Renewal of hardship authorization for temporary dwelling  |         | \$340                   | \$103                      |
| Alternative system inspection - Holding tanks   | \$396   |                         |                            |
| Variance from onsite system rules   | \$2,142 |                         |                            |
| Land use clearance  | \$52    |                         |                            |
| Annual report evaluation - Holding tanks – hard copy submittal  | \$31    |                         |                            |
| Annual report evaluation - Holding tanks – online submittal   | \$26    |                         |                            |
| Alternative system inspection - Other alternative systems listed in Table 9B  | \$544   |                         |                            |
| Annual report evaluation - Sand filters, pressurized distribution systems, recirculating gravel filters, and alternative treatment technology – hard copy submittal | \$62    |                         |                            |
| Annual report evaluation - Sand filters, pressurized distribution systems, recirculating gravel filters, and alternative treatment technology – online submittal    | \$52    |                         |                            |

**TABLE 9D: WPCF PERMIT FEES**  
**OAR 340-071-0140**

|   | Application filing fee (all systems) | Permit processing fees for onsite systems with a design capacity of 1,200 gpd or less | Permit processing fees for onsite systems with a design capacity over 1,200 gpd |
|---|--------------------------------------|---|---|
| New application   | \$91                                 | \$732   | \$3,655   |
| Permit renewal (involving request for effluent limit modifications)   | \$91                                 | \$364   | \$1,830   |
| Permit renewal (without request for effluent limit modifications)     | \$91                                 | \$184   | \$913   |
| Permit modification (involving increase in effluent limitations)      | \$91                                 | \$364   | \$1,830   |
| Permit modification (not involving an increase in effluent limits)    | \$91                                 | \$274   | \$913   |
| <b>Plan Review fee</b>  |                                      |   |   |
| For commercial facilities with a design capacity less than 600 gpd    |                                      | \$0   |   |
| For commercial facilities with a design capacity of 601 - 1,000 gpd   |                                      | \$349   |   |
| For commercial facilities with a design capacity of 1,001 - 1,500 gpd |                                      | \$411   |   |
| For commercial facilities with a design capacity of 1,501 - 2,000 gpd |                                      | \$473   |   |
| For commercial facilities with a design capacity of 2,001 - 2,500 gpd |                                      | \$533   |   |
| For commercial facilities with a design capacity of 2,501 - 3,000 gpd |                                      | \$625   |   |
| For commercial facilities with a design capacity of 3,001 - 3,500 gpd |                                      | \$686   |   |
| For commercial facilities with a design capacity of 3,501 - 4,000 gpd |                                      | \$747   |   |
| For commercial facilities with a design capacity of 4,001 - 4,500 gpd |                                      | \$806   |   |
| For commercial facilities with a design capacity of 4,501 - 5,000 gpd |                                      | \$868   |   |
| Commercial facilities with a design capacity greater than 5,000 gpd   |                                      | \$913   |   |
| Single family dwelling  |                                      | \$184   |   |

**TABLE 9D: WPCF PERMIT FEES  
OAR 340-071-0140**

**Annual Compliance Determination fee**

|   |         |
|---|---------|
| Onsite sewage lagoon with no discharge  | \$1,096 |
| Treatment Standard 1 or better systems with design capacities less than 2,500 gpd   | \$457   |
| Treatment Standard 1 or better systems with design capacities of 2,501 - 20,000 gpd   | \$913   |
| Holding tanks, if by the date specified by DEQ, the owner does not submit written certification to DEQ that the holding tank has been operated the previous calendar year in full compliance with the permit or that the previous year's service logs for the holding tanks are not available for inspection by the DEQ | \$364   |
| Holding tanks, if by the date specified by DEQ, the owner submits written certification to DEQ that the holding tank has been operated the previous calendar year in full compliance with the permit and that the previous year's service   | \$40    |
| Other systems with design capacities less than 20,000 gpd   | \$457   |
| Other systems with design capacities greater than 20,000 gpd  | \$913   |

| <b>TABLE 9E: SEWAGE DISPOSAL SERVICE LICENSE AND TRUCK INSPECTION FEES</b> |                |
|--|----------------|
| <b>OAR 340-071-0140</b>  |                |
| New 3-year business license  | \$438 per year |
| Renewal of business license  | \$330 per year |
| Additional license fee for additional pumper vehicles                      | \$16/vehicle   |
| Transfer of or amendments to license                                       | \$206          |
| Reinstatement of suspended license   | \$258          |
| Pumper truck inspections - First vehicle, each inspection                  | \$103          |
| Pumper truck inspections - Each additional vehicle, each inspection        | \$52           |

| <b>TABLE 9F: OTHER FEES</b>   |         |
|---|---------|
| <b>OAR 340-071-0140</b>   |         |
| Innovative or Alternative Technology Review   | \$1,648 |
| Alternative Technology Review (greater than 1,500 gpd)                                  | \$3,296 |
| Alternative Treatment Technology Annual Compliance Determination Fee (per listed model) | \$515   |
| Material Plan Review  | \$494   |
| Department Surcharge  | \$100   |

**Statutory/Other Authority:** 454.615, 454.625 & 468.020

**Statutes/Other Implemented:** 454.775, 454.780, 454.784, 468.020, 454.605, 454.607, 454.610, 454.615, 454.625, 454.655, 454.665, 454.675, 454.695, 454.725, 454.745, 454.755, 454.780, 468.035, 468.045, 468.065, 468B.050, 468B.055 & 468B.080