

**Date:** September 26, 2001  
**To:** Interested and Affected Public  
**Subject:** Rulemaking Proposal and Rulemaking Statements - Amendment of Rules to Increase Water Quality Permit Fees as Approved by the 2001 Legislature

## **BACKGROUND**

### ***What is being proposed?***

This memorandum contains information on a proposal by the Department of Environmental Quality (Department) to request that the Environmental Quality Commission (EQC) adopt amended rules to:

- Increase National Pollutant Discharge Elimination System (NPDES) and Water Pollution Control Facilities (WPCF) permit fees by 20% as approved by the 2001 Legislature, and
- Clarify other water quality permit program requirements through formatting and text revisions.

Pursuant to Oregon Revised Statute (ORS) 183.335, this memorandum also provides information on EQC's intended action to adopt rules.

### ***What water quality permits will be affected?***

The proposed fee increase will affect all NPDES and WPCF permits, including:

- NPDES and WPCF wastewater discharge individual and general permits
- NPDES storm water runoff general permits
- NPDES construction storm water runoff general permits
- WPCF sewage holding tank permits
- WPCF on-site sewage disposal system permits required for larger and more complex systems

*[Note: Fees for on-site sewage systems that do not require WPCF permit (OAR 340-071-0140(1)) were recently reduced as directed by Senate Bill 5516 and are not being increased in this rulemaking.]*

These permits are all administered through the Department's Wastewater Permitting Program.

### ***How much will permit fees increase?***

The proposed rule revisions would increase all fees in the Department's Wastewater Permitting Program by 20% across the board as approved by the 2001 Legislature in Senate Bill (SB) 5517. For more detail on these increases, please see Attachment D for the specific rule language or Attachment E for fee comparison tables. Fees were last increased for industrial permittees in 1997 and for domestic (sewage treatment plant) permittees in 1992.

***Why is the permit fee increase needed?***

The revenue from the fee increase is needed to maintain current staffing levels in the Department's Wastewater Permitting Program. For the 2001-2003 biennium, this program was facing a loss of nine positions due to increased costs and the loss of one-time state General Funds. In response to this revenue reduction and to keep the fee increase at a minimum, the Department reprioritized and shifted funds from other programs to restore four of these nine positions. However, a 20% increase in fees is still needed to restore the remaining five positions.

***Has the Department received approval from the 2001 Legislature to increase permit fees?***

The Department's 2001-2003 budget, which included a 20% fee increase for water quality permits, was approved by the Legislature in July 2001 through SB5517.

***Didn't the 2001 Legislature require a rollback of on-site sewage system fees?***

The Department is proceeding with a rollback of on-site sewage system fees for smaller residential and commercial systems as directed by SB5516. For more information on this effort, please contact Chuck Harman at (503) 229-5013 or 1-800-452-4011, x5013. SB 5516 did not roll back WPCF on site sewage system permit fees for larger more complex systems. The revenue generated from WPCF permitting activities is considered part of the Wastewater Permitting Program's operating budget and SB5517 approved the 20% fee increase based on this budget. As a result, the Department is proposing to increase WPCF permit fees.

***What types of permit fees will be increased?***

The proposal is to increase all NPDES and WPCF permit fees found in OAR 340-045-0075 and OAR 340-071-0140(5), except for permits administered by the Oregon Department of Agriculture. The fees proposed to be increased include, but are not limited to the following:

- Application filing fees
- Application processing fees (new, renewal and modification fees)
- Annual compliance determination fees
- Technical services fees for plan review
- Pretreatment fees
- Population based fees for sewage treatment plants
- WPCF on-site sewage system permit fees

***When would the fee increases be collected?***

The Department plans to send a supplemental invoice to existing permittees in February 2002 to collect the 20% increase in annual compliance determination fees for Fiscal Year 2002 (July 1, 2001 to June 30, 2002). This supplemental invoicing is necessary because the Department invoiced for Fiscal Year 2002 earlier this year, but did not include the 20% increase since it was not yet approved by the 2001 Legislature. Invoicing for Fiscal Year 2003 (July 1, 2002 to June

30, 2003) will occur as regularly scheduled in May 2002 and will be based on the increased fee schedule.

All other fees, such as application processing fees for new or renewal permits or fees for technical services or plan review, will become effective on the date the amended rules are filed with the Secretary of State's office.

***Will the Department be proposing other fee increases this year?***

The Department's Air Quality program will be proposing permit fee increases later this year. If you have an air quality permit, you will receive notification of this proposed action.

***What are the other proposed rule revisions?***

Additional formatting and text revisions are being proposed to the rules for the Department's Wastewater Permitting Program. These revisions are designed to make OAR 340-045-0075 and OAR 340-071-0140 easier to read and to correct OAR 340-071-0162(9).

- **Fee clarification for permits administered by ODA** (Attachment D, p. D-4)  
A new section, OAR 340-045-0075(2), has been created to clarify the fee structure for DEQ permits administered by the Oregon Department of Agriculture (ODA). OAR 340-045-0075(2) compiles existing fees into one section for easier reading. These fees exist in the current fee schedule and are not new or increased fees. They were *not* increased because the 20% increase allowed by the Legislature was based on revenue generated from the Department's Wastewater Permitting Program and the ODA administered permits are not part of this program.
- **OAR 340-045-0075(3) for footnotes 1, 2 and 3** (Attachment D, p. D-4)  
Footnotes 1, 2 and 3 in the previous version of this rule that describe qualifying factors for major industries, major domestic and minor domestic fees have been moved to OAR 340-045-0075(3) to make the rule easier to read.
- **Clarification for qualifying factors in OAR 340-045-0075(3)** (Attachment D, p. D-4)  
A note has been added to OAR 340-045-0075(3) to clarify that the factors for determining the facility classification (e.g., "major" or "minor") are only for fee purposes and not for determining a facility's classification under the NPDES program when reporting to the federal Environmental Protection Agency.
- **Additional footnotes in OAR 340-045-0075 incorporated into text**  
Additional changes have been made to make the rule easier to read:
  - ✓ Footnote 4 for technical activities fee qualifying factors was inserted into the technical activities fee schedule, OAR 340-045-0075(6). (Attachment D, p. D-6)
  - ✓ Footnote 5 clarifying fees for WPCF General Permit #800 administered by ODA was rewritten as OAR 340-045-0075(2)(a). (Attachment D, p. D-4)

✓ Footnote 6 indicating that on-site sewage systems fees are found in OAR Chapter 340, Division 71 was moved to OAR 340-045-0075(1). (Attachment D, p. D-4)

- **Domestic waste annual compliance determination fee reinserted into rule** (Attachment D, p. D-5)

The annual compliance determination fee schedule for domestic waste sources (sewage treatment plants) has been reinserted into what has been renumbered as OAR 340-045-0075(7)(a). This portion of the fee schedule was previously referenced and not printed with the official rule because its format was inconsistent with Oregon Administrative Rule numbering requirements. The numbering on this schedule has been reformatted to allow reinsertion into the official Secretary of State publication of the rule.

- **Duration of WPCF on-site sewage system permits** (Attachment D, p. D-14)

OAR 340-071-0162(9) has been revised to allow WPCF on-site permits to be issued for a period of 10 years. This update is to maintain consistency with revisions made to OAR Chapter 340, Division 45 in October 2000. The revision to OAR 340-071-0162(9) was mistakenly omitted from this previous rulemaking effort.

***What is the statutory authority for these proposed revisions?***

The Department has the statutory authority to address these rule revisions under ORS 468.020 and 468.065(2). These rules implement ORS 468.065 and ORS 468B.050.

## HEARING PROCESS DETAILS AND PROCESS FOR SUBMITTING COMMENTS

### *When and Where are the Public Hearings?*

The Department is conducting public hearings during which comments will be accepted either orally or in writing. Please notify the Department about any special physical or language accommodations you may need as far in advance of the hearing as possible. To make these arrangements, please contact the Department's Communications and Outreach office at 1-800-452-4011 in Oregon or (503) 229-5317. People with hearing impairments may call the Department's TTY number at (503) 229-6993. The hearings will be held as follows:

<b>Date</b>	November 1, 2001	November 2, 2001	November 6, 2001
<b>Time</b>	11 a.m.	11 a.m.	10 a.m.
<b>Place</b>	Jackson County Courthouse Auditorium 10 S. Oakdale Medford, OR 97501	Lane County Harris Hall 125 E. 8 <sup>th</sup> Ave. Eugene, OR 97401	City of Bend City Council Chambers (1 <sup>st</sup> floor) 710 NW Wall Bend, OR 97701
<b>Presiding Officer</b>	Ranei Nomura	Ranei Nomura	Ranei Nomura

<b>Date</b>	November 7, 2001	November 13, 2001
<b>Time</b>	7:00 p.m.	4:00 p.m.
<b>Place</b>	Pendleton Convention Center, Room 1 1601 Westgate Pendleton, OR 97801	DEQ Headquarters Room 3A 811 SW 6 <sup>th</sup> Ave. Portland, OR 97204
<b>Presiding Officer</b>	Ranei Nomura	Ranei Nomura

### *What is the deadline for submittal of Written Comments?*

5 p.m., November 16, 2001

Written comments can be presented at the hearing or to the Department any time prior to the date above. Comments should be sent to Department of Environmental Quality, Attn: Ranei Nomura, 811 SW 6<sup>th</sup> Avenue, Portland, Oregon 97204.

### *Will comments be accepted after the deadline?*

In accordance with ORS 183.335(13), no comments can be accepted after the deadline for submission of comments has passed. Thus if you wish for your comments to be considered by

the Department in the development of these rules, your comments must be received prior to the close of the comment period. **The Department recommends that comments be submitted as early as possible to allow adequate review and evaluation of the comments submitted.**

## **WHAT'S IN THIS PACKAGE?**

Attachments to this memorandum provide details on the proposal as follows:

- Attachment A The official statement describing the fiscal and economic impact of the proposed rules (required by ORS 183.335)
- Attachment B A statement providing assurance that the proposed rules are consistent with statewide land use goals and compatible with local land use plans
- Attachment C Questions to be answered to reveal potential justification for differing from federal requirements
- Attachment D The actual language of the proposed rule amendments
- Attachment E Proposed 20% fee increase tables

## **WHAT HAPPENS AFTER THE PUBLIC COMMENT PERIOD CLOSSES?**

Following the close of the public comment period, the Presiding Officer will prepare a report that summarizes the oral and written comments submitted. The EQC will receive a copy of the Presiding Officer's report. The public hearing will be tape recorded, but the tape will not be transcribed.

The Department will review and evaluate the rulemaking proposal in light of all information received during the comment period. Following the review, the rules may be presented to the EQC as originally proposed or with modifications made in response to public comments received.

The EQC will consider the Department's recommendation for rule adoption during one of their regularly scheduled public meetings. The targeted meeting date for consideration of this rulemaking proposal is January 24 or 25, 2002. This date may be delayed if needed to provide additional time for evaluation and response to comments received during the hearing process.

You will be notified of the time and place for final EQC action if you present oral comments at the hearing or submit written comment during the comment period. Otherwise, if you wish to be kept advised of this proceeding, you should request that your name be placed on the mailing list.

## **BACKGROUND ON DEVELOPMENT OF THE RULEMAKING PROPOSAL**

### ***Why is there a need for the rules?***

This rule proposal is necessary to implement the 20% permit fee increase approved by the 2001 Legislature. Without the fee increase, five positions in the Wastewater Permitting Program would

need to be eliminated. A reduction in staff would decrease permit issuance activities and reduce technical assistance and compliance activities, and further stress a program that is already experiencing an increase in backlogged permit renewals and longer application processing times. In addition to the fee increase, the Department is actively identifying and implementing process improvements to increase permitting efficiency and help relieve the expired permit backlog.

### ***How were the rules developed?***

Department water quality staff developed the proposed rule revisions. An advisory committee was not utilized because SB 5517, the legislatively adopted budget approving the 20% increase in permit fees, specified the allowable increase in revenue and the Department did not reevaluate the structure of the current fee schedule. You may view SB 5517 at the following web page: [http://pub.das.state.or.us/LEG\\_BILLS/PDFs/ESB5517.pdf](http://pub.das.state.or.us/LEG_BILLS/PDFs/ESB5517.pdf). However, please note that SB 5517 provides an overall agency budget in major program areas, not specific elements of that budget. Copies of specific budget information and the documents relied upon in the development of this rulemaking proposal can be reviewed at the Department of Environmental Quality's office at 811 SW 6<sup>th</sup> Avenue, Portland, Oregon. Please contact Ranei Nomura at (503) 229-5657 or 1-800-452-4011, x5657, for times when these rule development documents are available for review.

### ***Who is affected by these rules (including the public, regulated community or other agencies), and how are these groups affected?***

The proposed rules will affect water quality permittees with NPDES and WPCF permits by increasing permits fees 20%.

### ***How will these rules be implemented?***

The 20% increase in permit fees was approved by the 2001 Legislature for the Department's 2001-2003 biennium (July 1, 2001 to June 30, 2003). The increase in annual compliance determination fees for Fiscal Year 2002 (July 1, 2001, to June 30, 2002) will be collected through a supplemental invoicing in February 2002. This supplemental invoicing is necessary because the Department invoiced for Fiscal Year 2002 in June 2001, but did not include the 20% increase since it was not yet approved. Also, annual compliance determination fees are calculated for the entire fiscal year starting July 1 to June 30 and are not prorated. Invoicing for Fiscal Year 2003 (July 1, 2002 to June 30, 2003) will occur as regularly scheduled in May 2002. All other fees, such as application processing fees for new or renewal permits or fees for technical services or plan review, will become effective on the date the amended rules are filed with the Secretary of State's office.

### ***Are there time constraints?***

The 2001 Legislature approved the 20% fee increase as part of the Department's 2001-2003 biennium, which began on July 1, 2001. Therefore, the Department must proceed in a timely manner to adopt these proposed revisions.

## **CONTACT FOR MORE INFORMATION**

If you would like more information on this rulemaking proposal, or would like to be added to the mailing list, please contact:

Ranei Nomura  
Water Quality Division  
811 SW 6<sup>th</sup> Ave.  
Portland, OR 97204  
(503) 229-5657 or 1-800-452-4011, x5657, toll-free inside Oregon  
(503) 229-5408 fax  
[nomura.ranei@deq.state.or.us](mailto:nomura.ranei@deq.state.or.us)



**Attachment A**  
**State of Oregon**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**Rulemaking Proposal**  
**for**  
**Water Quality Permit Fee Increase Rule Amendments**

**Fiscal and Economic Impact Statement**

**Introduction**

The Department of Environmental Quality (DEQ) is proposing to adopt amended rules to increase water quality permit fees by 20% as approved by the 2001 Legislature in Senate Bill (SB) 5517 for all types of National Pollutant Discharge Elimination System (NPDES) permits and Water Pollution Control Facilities (WPCF) permits. This includes wastewater and storm water NPDES permits and WPCF permits required for sewage holding tanks and certain sizes and types of on-site sewage systems. These fees are found in Oregon Administrative Rule (OAR) 340-045-0075 and OAR 340-071-0140(5). They include, but are not limited to the following: application filing fees, application processing fees, annual compliance determination fees, technical services fees for plan review, pretreatment fees, population based fees for sewage treatment plants, site evaluation fees, etc.

This fee increase is expected to generate approximately \$1,136,235 in additional revenue over DEQ's 1999-2001 operating budget. The revenue will be used to restore five full time equivalents (fte) to DEQ's Wastewater Permitting Program to maintain the program's current service level. The largest impact of the fee increase will fall on new businesses needing a wastewater permit for the first time. However, a majority of the revenue will be collected from existing permittees that pay annual compliance determination fees.

The following tables provide a summary of fee increases for NPDES and WPCF permittees (filing fee and special fees are not included) and the current number of permittees. The number of applications received is provided to illustrate the distribution of revenue during the 1999-2001 biennium, but should not be used to forecast the applications expected for the 2001-2003 biennium. New applications are unpredictable from year to year and renewals may not occur if a permit is no longer needed.

**New Permit Fee  
(one-time fee)**

<b>Type of Permit</b>	<b>Current Fee</b>	<b>Proposed Fee</b>	<b>Amount of Increase</b>	<b>Estimate of New Applications (7/1/99-6/30/01)</b>
General	\$0 to \$235	\$0 to \$280	+ \$0 to \$45	707 (~18 paid little or no fees for placer mining activities)
Individual Industrial	\$6,280 to \$31,400	\$7,535 to \$37,680	+ \$1,255 to \$6,280	20
Individual Domestic	\$500 to \$20,000	\$600 to \$24,000	+ \$100 to \$4000	34
Individual WPCF for on-site sewage systems & holding tanks	\$400 to \$2,000	\$480 to \$2,400	+ \$80 to \$400	117
<b>Total</b>				<b>878</b>

**Permit Renewal Fee**  
(typically due once every five years; may only be due  
once every 10 years for WPCF permittees)

Type of Permit	Current Fee	Proposed Fee	Amount of Increase	Estimate of Renewal Applications (7/1/99-6/30/01)
General	\$0 to \$35	\$0 to \$40	+ \$0 to \$5	686
Individual Industrial	\$1,180 to \$15,700	\$1,415 to \$18,840	+ \$235 to \$3,140	53
Individual Domestic	\$200 to \$10,000	\$240 to \$12,000	+ \$40 to \$2,000	160
Individual WPCF for on-site sewage systems & holding tanks	\$100 to \$1,000	\$120 to \$1200	+ \$20 to \$200	319
<b>Total</b>				<b>1218</b>

**Annual Compliance Determination Fee**

Type of Permit	Current Fee	Proposed Fee	Amount of Increase	# of Permittees as of 9/2001
General	\$0 to \$275	\$0 to \$330	+ \$0 to \$55	2778 (~142 pay no fees for placer mining activities)
Individual Industrial	\$1,060 to \$9,420	\$1,270 to \$11,300	+ \$210 to \$1,880	231
Individual Major Domestic	\$1,060 to \$42,410	\$1,270 to \$50,890	+ \$210 to \$8,480	48
Individual Minor Domestic (that are not WPCF on-site sewage systems)	\$200 to \$955	\$240 to \$1,145	+ \$40 to \$190	26
Individual WPCF for on-site sewage systems	\$250 to \$600	\$300 to \$720	+ \$50 to \$120	543
Individual WPCF for holding tanks	\$25 to \$200	\$30 to \$240	+ \$5 to \$40	329
<b>Total</b>				<b>3955</b>

**General Public:**

The general public may be indirectly impacted by the proposal. Businesses and municipalities could pass the additional permit costs to consumers in the form of marginally higher prices for goods and services. The potential price impact for consumers is expected to be minimal.

**Small Business:**

DEQ water quality permits are based on the type and volume of wastewater discharged and the discharge location. Business size, as measured by number of employees, is often unrelated to these factors. Small businesses do not typically generate large quantities of wastewater, however, they may have general permits for wash water discharges, storm water runoff or WPCF permits for on-site sewage systems or holding

tanks. Annual fees for these types of permits will increase anywhere from \$30 to \$120. New and renewal application fees will increase by 20%.

**Large Business:**

Large businesses with discharges of industrial wastewater or WPCF permits for on-site systems will experience the same 20% increase in fees as small businesses, but typically have individual permits that cost more to maintain or several general permits to cover a variety of discharges. These facilities could see increases in annual fees of up to \$1,880 for major individual industrial permits. Large businesses needing permits for the first time will experience the largest increase in application processing fees, which could be as much as \$6,280 for major permits. New and renewal application fees will increase by 20%.

**Local Governments:**

Local governments may have a variety of permits with DEQ, ranging from the least expensive general permits to the most expensive permits for domestic wastewater (sewage) treatment plants. Annual fees for wastewater treatment plants are not estimated here in detail because there are additional special fees that may be applicable, such as pretreatment and population based fees that are included in the calculation. A facility designed to treat 50 million gallons of sewage per day could expect their base annual compliance determination fee to increase by \$8,480. Additional increases to this base fee will occur once pretreatment and population based fees are factored in. New and renewal application fees will increase by 20%.

**State Agencies**

DEQ: DEQ is expecting to generate approximately \$1,136,235 in additional revenue from this 20% fee increase. This additional revenue will be used to restore five fte in the Wastewater Permitting Program. Without the additional revenue, the program will face a funding shortfall due to a combination of inflation, salary increases, and the loss of one-time state General Funds received for the 1999-2001 biennium.

Other Agencies: Other state agencies hold a variety of DEQ permits. For example, the Oregon Department of Fish and Wildlife has fish hatchery general permits and the Oregon Department of Transportation has construction general permits, as well as an individual permit for its storm sewer systems, and WPCF permits for on-site systems at highway rest areas. These agencies can expect to see annual fees increase anywhere from \$55 for general permits to \$1,880 for individual storm water permits and up to \$120 for WPCF on-site sewage systems. New and renewal application fees will increase by 20%.

**Assumptions**

For the 2001-2003 biennium, DEQ faces a reduction in staff due to a loss of revenue caused by a combination of inflation, salary increases, and the loss of one-time state General Funds. DEQ estimates that it will need to eliminate nine fte from this program (56 fte to 47 fte) if this revenue is not replaced. By reprioritizing and shifting funds, the Department has already restored four of the nine fte. This allowed the Department to keep the fee increase proposal at a lower level. However, restoring the remaining five fte through a 20% permit fee increase is still necessary to maintain the current level of service in the Wastewater Permitting Program. DEQ is assuming that the 20% increase in fees will generate approximately \$1,136,235 in additional revenue over DEQ's 1999-2001 operating budget and that the current level of activity in the Wastewater Permitting Program will not decrease.

The fee increase does not apply to DEQ permits administered by the Oregon Department of Agriculture (ODA). ODA currently administers the WPCF #800 Confined Animal Feeding Operation (CAFO) general permit for DEQ. SB 5517 approved a 20% increase in permit fees based on DEQ's Wastewater Permitting Program operating budget, which does not include revenue generated by ODA's CAFO program and the WPCF #800. ODA will continue to utilize DEQ's fee schedules for the WPCF #800 and other DEQ permits it may administer until it adopts its own permits and fee schedule.

**Housing Cost Impact Statement**

DEQ has determined that this proposed rulemaking may have a minor impact on the cost of development of a 6,000 square foot parcel and the construction of a 1,200 square foot detached single family dwelling on that parcel. WPCF on-site sewage systems are usually designed to serve more than one single family dwelling so the proposed 20% fee increase would likely be shared over several residents reducing its impact. Fees for these systems vary depending on the type of system installed and design flow. New application fees would increase \$80 - \$400; renewal fees would increase \$20 - \$200; and annual compliance determination fees would increase \$50 - \$120. Site evaluation and plan review fees would also increase anywhere from \$80 - \$100 depending on the specific situation.

If a WPCF permit for an on-site sewage system serving one single-family dwelling is required, the system would typically be designed for around 450 gallons/day. Site evaluation fees for such a system would increase \$85 from \$425 to \$510; new application fees would increase \$80 from \$400 to \$480; renewal fees would increase \$40 from \$200 to \$240; and annual compliance determination fees would increase \$50 from \$250 to \$300.

**Attachment B**  
State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

Rulemaking Proposal  
for  
Water Quality Permit Fee Increase Rule Amendments  
  
Land Use Evaluation Statement

**1. Explain the purpose of the proposed rules.**

The Department is proposing to adopt amended rules to increase water quality permit fees by 20% as approved by the 2001 Legislature in Senate Bill (SB) 5517 for all types of National Pollutant Discharge Elimination System (NPDES) permits and Water Pollution Control Facilities (WPCF) permits. This includes wastewater and storm water NPDES permits and WPCF permits required for holding tanks and certain sizes and types of on-site sewage systems. These fees are found in Oregon Administrative Rule (OAR) 340-045-0075 and OAR 340-071-0140(5). They include, but are not limited to the following: application filing fees, application processing fees, annual compliance determination fees, technical services fees for plan review, pretreatment fees, population based fees for sewage treatment plants, site evaluation fees, etc.

**2. Do the proposed rules affect existing rules, programs or activities that are considered land use programs in the DEQ State Agency Coordination (SAC) Program?**

Yes  No

**a. If yes, identify existing program/rule/activity:**

NPDES and WPCF permitting activities

**b. If yes, do the existing statewide goal compliance and local plan compatibility procedures adequately cover the proposed rules?**

Yes  No  (if no, explain):

A land use compatibility statement signed by the local land use authority is required from the applicant prior to authorizing discharges under NPDES and WPCF permits.

**c. If no, apply the following criteria to the proposed rules.**

Staff should refer to Section III, subsection 2 of the SAC document in completing the evaluation form. Statewide Goal 6 - Air, Water and Land Resources is the primary goal that relates to DEQ authorities. However, other goals may apply such as Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources; Goal 11 - Public Facilities and Services; Goal 16 - Estuarine Resources; and Goal 19 - Ocean Resources. DEQ programs and rules that relate to statewide land use goals are considered land use programs if they are:

1. Specifically referenced in the statewide planning goals; or
2. Reasonably expected to have significant effects on
  - a. resources, objectives or areas identified in the statewide planning goals, or

- b. present or future land uses identified in acknowledged comprehensive plans.

In applying criterion 2 above, two guidelines should be applied to assess land use significance:

- The land use responsibilities of a program/rule/action that involved more than one agency, are considered the responsibilities of the agency with primary authority.
- A determination of land use significance must consider the Department's mandate to protect public health and safety and the environment.

**In the space below, state if the proposed rules are considered programs affecting land use. State the criteria and reasons for the determination.**

not applicable

- 3. **If the proposed rules have been determined a land use program under 2. above, but are not subject to existing land use compliance and compatibility procedures, explain the new procedures the Department will use to ensure compliance and compatibility.**

Water Quality Division  
Division

Intergovernmental Coordinator

Date

**Attachment C**  
State of Oregon  
DEPARTMENT OF ENVIRONMENTAL QUALITY

Rulemaking Proposal  
for  
Water Quality Permit Fee Increase Rule Amendments

Questions to be Answered to Reveal  
Potential Justification for Differing from Federal Requirements.

1. **Are there federal requirements that are applicable to this situation? If so, exactly what are they?**  
There are no applicable federal requirements.
2. **Are the applicable federal requirements performance based, technology based, or both with the most stringent controlling?**  
Not applicable.
3. **Do the applicable federal requirements specifically address the issues that are of concern in Oregon? Was data or information that would reasonably reflect Oregon's concern and situation considered in the federal process that established the federal requirements?**  
Not applicable.
4. **Will the proposed requirement improve the ability of the regulated community to comply in a more cost effective way by clarifying confusing or potentially conflicting requirements (within or cross-media), increasing certainty, or preventing or reducing the need for costly retrofit to meet more stringent requirements later?**  
The proposed fee increase for water quality permits will not improve the ability of the regulated community to comply with requirements; however, it will allow the Department of Environmental Quality to maintain its current service level in the Wastewater Permitting Program. This program provides technical assistance to permittees, which involves the clarification of confusing or conflicting requirements. Without the fee increase, staff positions will be loss and technical assistance activities will likely be reduced.
5. **Is there a timing issue which might justify changing the time frame for implementation of federal requirements?**  
Not applicable
6. **Will the proposed requirement assist in establishing and maintaining a reasonable margin for accommodation of uncertainty and future growth?**  
The proposals do not affect the issue of accommodation of uncertainty and future growth.
7. **Does the proposed requirement establish or maintain reasonable equity in the requirements for various sources? (level the playing field)**  
The proposal maintains the current structure of fees. For the Wastewater Permitting Program, all fees would be raised by 20% across the board. Since the current fee schedule was developed to maintain a

Attachment C: Questions to be Answered to Reveal Potential Justification for Differing from Federal Requirements

p. C-2

reasonable equity between various sources, an across the board increase would continue to maintain such equity.

8. **Would others face increased costs if a more stringent rule is not enacted?**  
No.
9. **Does the proposed requirement include procedural requirements, reporting or monitoring requirements that are different from applicable federal requirements? If so, Why? What is the "compelling reason" for different procedural, reporting or monitoring requirements?**  
No.
10. **Is demonstrated technology available to comply with the proposed requirement?**  
Not applicable.
11. **Will the proposed requirement contribute to the prevention of pollution or address a potential problem and represent a more cost effective environmental gain?**  
Not applicable.



## Attachment D

### DEPARTMENT OF ENVIRONMENTAL QUALITY

#### PROPOSED AMENDMENTS TO OAR CHAPTER 340, DIVISIONS 045 AND 071

(strikeout indicates deleted text; underline indicates proposed revisions)

#### SUMMARY OF PROPOSED REVISIONS

1. **20% increase in NPDES and WPCF permit fees**

NPDES and WPCF permit fees in OAR 340-045-0075 and 0140(5) are being increased by 20%. Note that dollar amounts are being rounded down to the nearest 0 or 5 to simplify the fee amounts. For example, \$378 is rounded to \$375 and \$1,272 is rounded to \$1,270.

2. **Fee clarification for permits administered by ODA (p. D-4)**

A new section, OAR 340-045-0075(2), was created to clarify the fee structure for DEQ permits administered by the Oregon Department of Agriculture (ODA). OAR 340-045-0075(2) compiles existing fees into one section for easier reading. *These fees exist in the current fee schedule and are not new fees and they have not been increased.* They were not increased because the 20% increase allowed by the Legislature was based on revenue generated from the Department's Wastewater Permitting Program and the ODA administered permits are not part of this program. OAR 340-045-0070(8) was also added to clarify that the fees are applicable until superceded by a fee schedule established by ODA.

3. **OAR 340-045-0075(3) for footnotes 1, 2 and 3 (p. D-4)**

Footnotes 1, 2 and 3 in the previous version of this rule that describe qualifying factors for major industries, major domestic and minor domestic fees have been moved to OAR 340-045-0075(3) to make the rule easier to read.

4. **Clarification for qualifying factors in OAR 340-045-0075(3) (p. D-4)**

A note has been added to OAR 340-045-0075(3) to clarify that the factors for determining the facility classification (e.g., "major" or "minor") are only for fee purposes and not for determining a facility's classification under the NPDES program when reporting to the federal Environmental Protection Agency.

5. **Additional footnotes in OAR 340-045-0075 incorporated into text**

Additional changes have been made to make the rule easier to read:

- ✓ Footnote 4 for technical activities fee qualifying factors was inserted into the technical activities fee schedule, OAR 340-045-0075(6). (p. D-6)
- ✓ Footnote 5 clarifying fees for WPCF General Permit #800 administered by ODA was rewritten as OAR 340-045-0075(2)(a). (p. D-4)
- ✓ Footnote 6 indicating that on-site sewage systems fees are found in OAR Chapter 340, Division 71 was moved to OAR 340-045-0075(1). (p. D-4)

6. **Domestic waste annual compliance determination fee reinserted into rule (p. D-6)**  
The annual compliance determination fee schedule for domestic waste sources (sewage treatment plants) has been reinserted into what has been renumbered as OAR 340-045-0075(7)(a). This portion of the fee schedule was previously referenced and not printed with the official rule because its format was inconsistent with Oregon Administrative Rule numbering requirements. The numbering on this schedule has been reformatted to allow reinsertion into the official Secretary of State publication of the rule.
  
7. **Duration of WPCF on-site sewage system permits (p. D-14)**  
OAR 340-071-0162(9) has been revised to allow WPCF on-site permits to be issued for a period of 10 years. This update is to maintain consistency with revisions made to OAR Chapter 340, Division 45 in October 2000. The revision to OAR 340-071-0162(9) was mistakenly omitted from this previous rulemaking effort.

(strikeout indicates deleted text; underline indicates proposed revisions)

**AMENDMENTS TO DIVISION 45  
REGULATIONS PERTAINING TO  
NPDES AND WPCF PERMITS**

**340-045-0070**

**Permit Fees**

(1) All persons required to have a Water Pollution Control Facilities Permit or NPDES Waste Discharge Permit shall be subject to a three-part fee consisting of a uniform non-refundable filing fee, an application processing fee, and an annual compliance determination fee which are obtained from OAR 340-045-0075. The amount equal to the filing fee, application processing fee, and the first year's annual compliance determination fee shall be submitted as a required part of any application for a new NPDES or WPCF permit. The amount equal to the filing fee and application processing fee, if applicable, shall be submitted as a required part of any application for renewal or modification of a NPDES or WPCF permit.

(2) The annual compliance determination fee, as listed in OAR 340-045-0075(47), must be paid for each year a disposal system is in operation or during which a discharge to public waters occurs. The fee period shall correspond with the state's fiscal year (July 1 through June 30) and shall be paid annually during the month of July. Any annual compliance determination fee submitted as part of an application for a new NPDES or WPCF permit shall apply to the fiscal year the permitted facility is put into operation. For the first year's operation, the full fee shall apply if the facility is placed into operation on or before May 1. Any new facility placed into operation after May 1 shall not owe a compliance determination fee until the following July. The Director may alter the due date for the annual compliance determination fee upon receipt of a justifiable request from a permittee. The Commission may reduce or suspend the annual compliance determination fee in the event of a proven hardship.

(3) Modifications of existing, unexpired permits which are instituted by the Department due to changing conditions or standards, receipts of additional information or any other reason pursuant to applicable statutes and do not require refileing or review of an application or plans and specifications shall not require submission of the filing fee or the application processing fee.

(4) Upon the Department accepting an application for filing, the filing fee shall be non-refundable.

(5) The application processing fee may be refunded in whole or in part when submitted with an application if either of the following conditions exist:

- (a) The Department determines that no permit will be required;
- (b) The Department determines that the wrong application has been filed.

(6) All fees shall be made payable to the Department of Environmental Quality.

(7) The fee schedule for on-site sewage disposal systems, including those that require WPCF permit, is found in OAR Chapter 340, Division 71.

(8) The fee schedule in OAR 340-045-0075 for permits administered the Oregon Department of Agriculture is applicable until superseded by a fee schedule established by the Oregon Department of Agriculture

Stat. Auth.: ORS 454.626, ORS 454.780 & ORS 468.020

Stats. Implemented: ORS 468.065(2)

Hist.: DEQ 113, f. & ef. 5-10-76; DEQ 129, f. & ef. 3-16-77; DEQ 31-1979, f. & ef. 10-1-79; DEQ 18-1981, f. & ef. 7-13-81; DEQ 12-1983, f. & ef. 6-2-83; DEQ 27-1994, f. & cert. ef. 11-15-94

**340-045-0075**  
**Permit Fee Schedule<sup>6</sup>**

(1) The fee schedule for on-site sewage disposal systems, including those requiring WPCF permit, is found in OAR Chapter 340, Division 71.

(2) For permits administered by the Oregon Department of Agriculture, the following fees are applicable until superseded by a fee schedule established by the Oregon Department of Agriculture:

(a) WPCF General Permits #800 for Confined Animal Feeding Operations Filing Fee – \$50

(b) Other General Permits:

(A) Filing Fee – \$50

(B) New Applications – \$235

(C) Permit Renewals – \$35

(D) Annual Compliance Determination Fee – \$275

(c) Individual Permits:

(A) Filing Fee – \$50

(B) New Applications – \$6,280

(C) Permit Renewals (including request for effluent limit modifications) – \$3,140

(D) Permit Renewals (without request for effluent limit modifications) – \$1,416

(E) Permit Modifications (involving increase in effluent limit modifications) – \$3,140

(F) Permit Modifications (not involving an increase in effluent limitations) – \$500

(G) Annual Compliance Determination Fee for dairies and other confined feeding operations – \$705

(H) Annual Compliance Determination Fee for facilities not elsewhere classified with disposal of process wastewater - \$1,885

(I) Annual Compliance Determination Fee for facilities not elsewhere classified that dispose of non-process wastewater (i.e., small cooling water discharges, boiler blowdown, filter backwash, log ponds, etc.) - \$1,180

(J) Annual Compliance Determination Fee for facilities that dispose of wastewater only by evaporation from watertight ponds or basins - \$705

(3) The Department shall take the following qualifying factors into consideration when determining the facility classification for fee purposes (Note: These factors are only for determining the appropriate fee. A different process is used to determine a facility's classification under the NPDES program when reporting to the federal Environmental Protection Agency.):

(a) Major industries

(A) Discharges large biochemical oxygen demand loads, or

(B) Is a large metals facility, or

(C) Has significant toxic discharges, or

(D) Has a treatment system that will have a significant adverse impact on the receiving stream if not operated properly, or

(E) Any other industry which the Department needs special regulatory control.

(b) Major domestic

(A) Serving more than 10,000 people, or

(B) Serving industries that can have a significant impact on the treatment system.

(c) Minor domestic

- (A) Do not meet major domestic qualifying factors, or
- (B) Are facilities in categories Da and Db and discharge to surface waters, or
- (C) Are facilities in categories E and F that do not discharge to surface waters and are under a Water Pollution Control Facilities permit.

(14) **Filing Fee.** Unless waived by this rule, a filing fee of ~~\$50~~ 60 shall accompany any application for issuance, renewal, modification, or transfer of an NPDES permit or WPCF permit, including registration for a General Permit pursuant to OAR 340-045-0033 and request for a Special Permit pursuant to OAR 340-014-0050. This fee is non-refundable and is in addition to any application processing fee or annual compliance determination fee which might be imposed. The following filing fees are waived:

- (a) Small gold mining suction dredges ~~which~~that qualify for General Permit 700, and with an intake hose diameter of four inches or less;
- (b) Small gold mining operations ~~which~~that qualify for General Permit 600, and ~~which~~ can process no more than five cubic yards of material per day.

(25) **Application Processing Fee.**<sup>5</sup> Unless waived by this rule, an application processing fee shall be submitted with each application. The amount of the fee shall depend on the type of facility and the required action as follows:

(a) New Applications:

- (A) Major industries<sup>1</sup> – ~~\$31,400;~~\$37,680
- (B) Minor industries – ~~\$6,280;~~\$7,535
- (C) Major domestic<sup>2</sup> – ~~\$20,000;~~\$24,000
- (D) Minor domestic<sup>3</sup>:
  - (i) Categories Da, Db – ~~\$4,000;~~\$4,800
  - (ii) Category E – ~~\$2,000;~~\$2,400
  - (iii) Category F – ~~\$500;~~\$600
- (E) Agricultural – ~~\$6,280;~~\$7,535

(b) Permit Renewals (including request for effluent limit modification):

- (A) Major industries<sup>1</sup> – ~~\$15,700;~~\$18,840
- (B) Minor industries – ~~\$3,140;~~\$3,765
- (C) Major domestic<sup>2</sup> – ~~\$10,000;~~\$12,000
- (D) Minor domestic<sup>3</sup>:
  - (i) Categories Da, Db – ~~\$2,000;~~\$2,400
  - (ii) Category E – ~~\$1,000;~~\$1,200
- (E) Agricultural – ~~\$3,140;~~\$3,765

(c) Permit Renewals (without request for effluent limit modification):

- (A) Major industries<sup>1</sup> – ~~\$7,850;~~\$9,420
- (B) Minor industries – ~~\$1,180;~~\$1,415
- (C) Major domestic<sup>2</sup> – ~~\$5,000;~~\$6,000
- (D) Minor domestic<sup>3</sup>:
  - (i) Categories Da, Db – ~~\$750;~~\$900
  - (ii) Category E – ~~\$500;~~\$600
  - (iii) Category F – ~~\$200;~~\$240
- (E) Agricultural – ~~\$1,180;~~\$1,415

(d) Permit Modifications (involving increase in effluent limitations):

- (A) Major industries<sup>1</sup> – ~~\$15,700;~~\$18,840
- (B) Minor industries – ~~\$3,140;~~\$3,765
- (C) Major domestic<sup>2</sup> – ~~\$10,000;~~\$12,000
- (D) Minor domestic<sup>3</sup>:
  - (i) Categories Da, Db – ~~\$2,000;~~\$2,400

- (ii) Category E – ~~\$1,000;~~\$1,200
- (E) Agricultural – ~~\$3,140;~~\$3,765
- (e) Permit Modifications (not involving an increase in effluent limits): All categories – ~~\$500;~~\$600;
- (f) Special WPCF Permits issued pursuant to OAR 340-045-0061 – ~~\$250;~~\$300
- (g) Modifications of septage alkaline stabilization facilities permits – ~~\$200;~~\$240
- (h) New General Permits, by permit number:
  - (A) 100, 200, 400, 500, 600 (over 1,500 cubic yards per year), 900, 1000, ~~1200D, 1200S, 1400A~~ – ~~\$80;~~\$95
  - (B) 300, ~~1200E, 1300, 1400B, 1500, 1600~~ – ~~\$155;~~\$185
  - (C) All other 1200, 1700 – ~~\$235;~~\$280
  - (D) Others not elsewhere specified – ~~\$235;~~\$280
  - (E) In addition, the following fees shall be added to categories paragraphs (5)(h)(A) through (D) of this rule when the listed activities are a required part of the application review process:
    - (i) Disposal system plan review – ~~\$315;~~\$375
    - (ii) Site inspection and evaluation – ~~\$785;~~\$940
- (i) Renewal of General Permits, as listed in subsection (2)(h) of this rule – ~~\$35;~~\$40
- (j) Application processing fees described in subsections (2)(h) and (i) of this rule are waived for specific categories as follows:
  - (A) Small gold mining operations ~~which~~that qualify for General Permit 600, and ~~which~~ can process no more than five cubic yards of material per day, or more than five cubic yards of material per day but less than 1,500 cubic yards of material per year.;
  - (B) Small gold mining suction dredges ~~which~~that qualify for General Permit 700.

**(36) Technical Activities Fee.**<sup>4,5</sup> All permittees shall pay a fee for NPDES and WPCF permit-related technical activities. A fee will be charged for initial submittal of engineering plans and specifications. Fees will not be charged for revisions and resubmittals of engineering plans and specifications and for facilities plans, design studies, reports, change orders or inspections. The fee is as follows:

- (a) New or substantially modified sewage treatment facility – ~~\$4,600;~~\$5,520
- (b) Minor sewage treatment facility modifications and pump stations – ~~\$500;~~600
- (c) Pressure sewer system, or major sewer collection system expansion – ~~\$350;~~420
- (d) Minor sewer collection system expansion or modification – ~~\$100;~~\$120
- (e) New or substantially modified water pollution control facilities utilizing alkaline agents to stabilize septage – ~~\$500;~~\$600

**(47) Annual Compliance Determination Fee Schedule.** Unless waived by this rule, annual compliance determination fees are as follows.<sup>5</sup> ~~[Schedule not included. See ED-NOTE.]~~

(a) Domestic Waste Sources – Initial and Annual Compliance Determination Fee is based on Dry Weather Design Flow, Population Served by Facility, Type of Facility and Applicable Special Fees as follows: ~~Category~~ Fees:

- (A) Category A1: Sewage Disposal – 50 MGD or more – ~~\$42,410;~~\$50,890
- (B) Category A2: Sewage Disposal – At least 25 MGD but less than 50 MGD – ~~\$24,510;~~\$29,410
- (C) Category A3: Sewage Disposal – At least 10 MGD but less than 50 MGD – ~~\$11,020;~~\$13,220
- (D) Category Ba: Sewage Disposal – At least 5 MGD but less than 10 MGD – ~~\$6,700;~~\$8,040
- (E) Category Bb: Sewage Disposal – At least 5 MGD but less than 10 MGD – Systems where treatment occurs in lagoons that discharge to surface waters – ~~\$3,070;~~\$3,680
- (F) Category C1a: Sewage Disposal – At least 2 MGD but less than 5 MGD – ~~\$4,175;~~\$5,010
- (G) Category C1b: Sewage Disposal – At least 2 MGD but less than 5 MGD – Systems where treatment occurs in lagoons that discharge to surface waters – ~~\$1,825;~~\$2,190
- (H) Category C2a: Sewage Disposal – At least 1 MGD but less than 2 MGD – ~~\$2,510;~~\$3,010

(I) Category C2b: Sewage Disposal – At least 1 MGD but less than 2 MGD – Systems where treatment occurs in lagoons that discharge to surface waters – ~~\$1,060;~~\$1,270

(J) Category Da: Sewage Disposal – Less than 1 MGD, and not otherwise categorized under category E – ~~\$955;~~\$1,145

(K) Category Db: Sewage Disposal – Less than 1 MGD – Systems where treatment occurs in lagoons that discharge to surface waters ~~which~~that are not otherwise categorized under Category E – ~~\$625;~~\$750

(L) Category E: Sewage Disposal systems where treatment is limited to lagoons ~~which~~that do not discharge to surface waters – ~~\$600;~~\$720

(M) Category F: Septage alkaline stabilization facilities – ~~\$200;~~\$240

(N) Category G: Sources determined by the Department to administer a pretreatment program pursuant to federal pre-treatment program regulations (40 CFR, Part 403; January 28, 1981) shall pay an additional \$1,000\$1,200 per year plus ~~\$335~~\$400 for each significant industrial user specified in their annual report for the previous year.;

(O) Category H: Population Based Fee – All permittees shall pay an annual fee computed as follows: population served by the facility multiplied by a rate of ~~0.08038~~ 0.09645.

~~(P) In addition to applicable fees specified above, special Annual Compliance Fees for Tualatin Basin Pollution Abatement Activities will be applied to the following permittees until Fiscal Year 1998:~~

~~(i) Unified Sewerage Agency – Durham – \$26,720~~

~~(ii) Unified Sewerage Agency – Rock Creek – \$22,995~~

~~(iii) Unified Sewerage Agency – Forest Grove – \$5,450~~

~~(iv) Unified Sewerage Agency – Hillsboro – \$4,240~~

~~(v) Unified Sewerage Agency – Banks – \$185~~

~~(vi) City of Portland – Tryon Creek – \$910~~

(b) Industrial, Commercial and Agricultural Sources (Source and Initial and Annual Fee):-(For multiple sources on one application select only the one with highest fee.) as follows:

(A) Major pulp, paper, paperboard, hardboard, and other fiber pulping industry – ~~\$9,420;~~\$11,300

(B) Major sugar beet processing, potato and other vegetable processing, and fruit processing industry – ~~\$9,420;~~\$11,300

(C) Seafood Processing Industry:

(i) Bottom fish, crab, and/or oyster processing – ~~\$1,060;~~\$1,270

(ii) Shrimp processing – ~~\$1,060;~~\$1,270

(iii) Salmon and/or tuna processing – ~~\$1,885;~~\$2,260

(iv) Surimi processing – ~~\$1,885;~~\$2,260

(D) Electroplating industry (excludes facilities ~~which~~that do anodizing only):

(i) Rectifier output capacity of 15,000 amps, or more – ~~\$9,420;~~\$11,300

(ii) Rectifier output capacity of less than 15,000 amps but more than 5000 amps – ~~\$4,710;~~\$5,650

(E) Primary Aluminum Smelting – ~~\$9,420;~~\$11,300

(F) Primary smelting and/or refining of non-ferrous metals utilizing sand chlorination separation facilities – ~~\$9,420;~~\$11,300

(G) Primary smelting and/or refining of ferrous and non-ferrous metals not elsewhere classified above – ~~\$4,710;~~\$5,650

(H) Alkalies, chlorine, pesticide, or fertilizer manufacturing with discharge of process waste waters – ~~\$9,420;~~\$11,300

(I) Petroleum refineries with a capacity in excess of 15,000 barrels per day discharging process wastewater – ~~\$9,420;~~\$11,300

(J) Cooling water discharges in excess of 20,000 BTU/sec – ~~\$4,710;~~\$5,650

- (K) Milk products processing industry ~~which~~that processes in excess of 250,000 pounds of milk per day – ~~\$9,420;~~\$11,300
- (L) Major mining operations (over 500,000 cubic yards per year) – ~~\$9,420;~~\$11,300
- (M) Minor mining and/or processing operations:
- (i) Medium (100,000 to 500,000 cubic yards per year) mechanical processing – ~~\$3,140;~~\$3,765
  - (ii) Medium using froth flotation – ~~\$4,710;~~\$5,650
  - (iii) Medium using chemical leaching – ~~\$6,280;~~\$7,535
  - (iv) Small (less than 100,000 cubic yards per year) mechanical processing – ~~\$785;~~\$940
  - (v) Small using froth flotation – ~~\$1,570;~~\$1,880
  - (vi) Small using chemical leaching – ~~\$3,140;~~\$3,765
- (N) All facilities not elsewhere classified with disposal of process wastewater – ~~\$1,885;~~\$2,260
- (O) All facilities not elsewhere classified ~~which~~that dispose of non-process wastewater (i.e., small cooling water discharges, boiler blowdown, filter backwash, log ponds, etc.) – ~~\$1,180;~~\$1,415
- (P) Dairies and other confined feeding operations on individual permits – ~~\$705;~~\$845
- (Q) All facilities ~~which~~that dispose of wastewater only by evaporation from watertight ponds or basins – ~~\$705;~~\$845
- (R) General permits, as listed under paragraphs ~~(2)~~(25)(h)(A) through ~~(2)~~(25)(h)(D) of this rule, ~~except as follows:~~ – ~~\$275;~~\$330, ~~except as follows:~~
- (i) 1400A – ~~\$155;~~\$185
  - (ii) Annual compliance determination fees are waived for gold mining activities ~~which~~that qualify for General Permit Categories 600 and 700.

**FOOTNOTES:**

<sup>1</sup>~~Major Industries Qualifying Factors:~~

- ~~1 Discharges large BOD loads; or~~
- ~~2 Is a large metals facility; or~~
- ~~3 Has significant toxic discharges; or~~
- ~~4 Has a treatment system which, if not operated properly, will have a significant adverse impact on the receiving stream; or~~
- ~~5 Any other industry which the Department determines needs special regulatory control.~~

<sup>2</sup>~~Major Domestic Qualifying Factors:~~

- ~~1 Serving more than 10,000 people; or~~
- ~~2 Serving industries which can have a significant impact on the treatment system.~~

<sup>3</sup>~~Minor Domestic Qualifying Factors:~~

- ~~1 Do not meet major domestic qualifying factors;~~
- ~~2 Categories Da, Db discharge to surface waters;~~
- ~~3 Categories E and F do not discharge to surface waters, and are under Water Pollution Control Facilities (WPCF) Permit.~~

<sup>4</sup>~~Technical Activities Fee Qualifying Factors:~~

- ~~1 Fee charged for initial submittal of engineering plans and specifications;~~
- ~~2 Fee not charged for revisions and resubmittals of engineering plans and specifications;~~
- ~~3 Fee not charged for facilities plans, design studies, reports change orders or inspections.~~

<sup>5</sup>~~Confined Animal Feeding Operations:~~ Sections (2), (3), and (4) of this rule do not apply to General Permit 800, confined animal feeding operations, administered by the Oregon Department of Agricultural.

<sup>6</sup>~~On-site Sewage Disposal Systems:~~ Fees for on-site sewage disposal systems, including those requiring WPCF permits, are found in OAR Chapter 340, Division 71.

[~~ED. NOTE: The schedule referenced in this rule is not printed in the OAR Compilation. Copies are available from the agency.~~]

[~~Publications: The publication(s) referenced in this rule are available from the agency.~~]

Stat. Auth.: ORS 468.020 & ORS 468.065(2)

Stats. Implemented: ORS 468B.050 & ORS 468.065



Hist.: DEQ 113, f. & ef. 5-10-76; DEQ 129, f. & ef. 3-16-77; DEQ 31-1979, f. & ef. 10-1-79; DEQ 18-1981, f. & ef. 7-13-81; DEQ 12-1983, f. & ef. 6-2-83; DEQ 9-1987, f. & ef. 6-3-87; DEQ 18-1990, f. & cert. ef. 6-7-90; DEQ 10-1991, f. & cert. ef. 7-1-91; DEQ 9-1992, f. & cert. ef. 6-5-92; DEQ 10-1992, f. & cert. ef. 6-9-92; DEQ 30-1992, f. & cert. ef. 12-18-92; DEQ 20-1994, f. & cert. ef. 10-7-94; DEQ 4-1998, f. & cert. ef. 3-30-98; Administrative correction 10-22-98; DEQ 15-2000, f. & cert. ef. 10-11-00

**AMENDMENTS TO DIVISION 071  
ON-SITE SEWAGE DISPOSAL**

**340-071-0140 FEES — GENERAL**

**(1) ON-SITE SEWAGE DISPOSAL SYSTEMS — MAXIMUM FEE**

Except as provided in section (4) of this rule, the following non-refundable fees are required to accompany applications for site evaluations, permits, licenses and services provided by the Department.

(a) New Site Evaluation:

(A) Single Family Dwelling:

- (i) First Lot.....\$ 425  
(ii) Each Additional Lot Evaluated During Initial Visit .....\$ 425

(B) Commercial Facility System:

- (i) For First One Thousand (1,000) Gallons Projected Daily Sewage Flow.....\$ 425  
(ii) For systems with projected sewage flows greater than one thousand (1,000) gallons but not more than 2,500 gallons, the site evaluation application fee shall be \$425 plus an additional \$110 for each 500 gallons or part thereof above 1,000 gallons.

(C) Site Evaluation Report Review.....\$ 400

(D) Fees for site evaluation applications made to an agreement county shall be in accordance with that county's fee schedule;

(E) Each fee paid for a site evaluation report entitles the applicant to as many site inspections on a single parcel or lot as are necessary to determine site suitability for a single system. The applicant may request additional site inspections within ninety (90) days of the initial site evaluation, at no extra cost;

(F) Separate fees shall be required if site inspections are to determine site suitability for more than one (1) system on a single parcel of land.

(b) Construction-Installation Permit:

(A) For First One Thousand (1,000) Gallons Projected Daily Sewage Flow:

- (i) Standard On-Site System .....\$ 630  
(ii) Alternative System:  
(I) Aerobic System .....\$ 630  
(II) Capping Fill.....\$ 950  
(III) Cesspool.....\$ 630  
(IV) Disposal Trenches in Saproliite .....\$ 630  
(V) Evapotranspiration-Absorption.....\$ 630  
(VI) Gray Water Waste Disposal Sump.....\$ 280  
(VII) Pressure Distribution.....\$ 950  
(VIII) Redundant .....\$ 630  
(IX) Sand Filter.....\$ 950  
(X) Seepage Pit.....\$ 630

	(XI)	Seepage Trench .....	\$ 630
	(XII)	Steep Slope.....	\$ 630
	(XIII)	Tile Dewatering.....	\$ 950
(iii)		At the discretion of the Agent, the permittee may be assessed a re-inspection fee, not to exceed \$235, when a pre-cover inspection correction notice requires correction of improper construction and, at a subsequent inspection, the Agent finds system construction deficiencies have not been corrected. The Agent may elect not to make further pre-cover inspections until the re-inspection fee is paid;	
(iv)		With the exceptions of sand filter and pressure distribution systems, a \$40 fee may be added to all permits that specify the use of a pump or dosing siphon.	
(B)		For systems with projected daily sewage flows greater than one thousand (1,000) gallons, the Construction-Installation permit fee shall be equal to the fee required in paragraph (1)(b)(A) of this rule plus \$60 for each five hundred (500) gallons or part thereof above one thousand (1,000) gallons; <b>NOTE:</b> Fees for construction permits for systems with projected daily sewage flows greater than two thousand five hundred (2,500) gallons shall be in accordance with the fee schedule for WPCF permits.	
(C)		Commercial Facility System, Plan Review:	
	(i)	For a system with a projected daily sewage flow of less than six hundred (600) gallons, the cost of plan review is included in the permit application fee;	
	(ii)	For a system with a projected daily sewage flow of six hundred (600) gallons, but not more than one thousand (1,000) gallons projected daily sewage flow.....	\$ 230;
	(iii)	For a system with a projected sewage flow greater than 1,000 gallons, the plan review fee shall be \$250, plus an additional \$40 for each five hundred (500) gallons or part thereof above one thousand (1,000) gallons, to a maximum sewage flow limit of two thousand five hundred (2,500) gallons per day.	
(D)		Permit Transfer, Reinstatement or Renewal:	
	(i)	If Field Visit Required .....	\$ 325
	(ii)	No Field Visit Required .....	\$ 95
(E)		Alteration Permit:	
	(i)	Major.....	\$ 345
	(ii)	Minor.....	\$ 165
(F)		Repair Permit:	
	(i)	Single Family Dwelling:	
		(I) Major.....	\$ 345
		(II) Minor.....	\$ 165
	(ii)	Commercial Facility:	
		(I) Major — The appropriate fees identified in paragraphs (1)(b)(A), (B), and (C) of this rule apply;	
		(II) Minor.....	\$ 290
(G)		Permit Denial Review .....	\$ 220
(c)		Authorization Notice:	
	(A)	If Field Visit Required .....	\$ 390
	(B)	No Field Visit Required .....	\$ 100
	(C)	Authorization Notice Denial Review .....	\$ 400

- |     |   |          |
|-----|---|----------|
| (d) | Annual Evaluation of Alternative System (Where Required)..... | \$ 330   |
| (e) | Evaluation of Temporary or Hardship Mobile Home .....         | \$ 330   |
| (f) | Variance to On-Site System Rules .....                        | \$ 1,300 |
- NOTE:** The variance application fee may be waived if the applicant meets the requirements of OAR 340-071-0415(5).
- |      |  |          |
|------|--|----------|
| (g)  | Rural Area Consideration pursuant to OAR 340-071-0410:   |          |
| (A)  | Site Evaluation .....  | \$ 425   |
|      | <b>NOTE:</b> In the event there is on file a site evaluation report for that parcel that is less than ninety (90) days old, the site evaluation fee shall be waived. |          |
| (B)  | Construction-Installation Permit — The appropriate fee identified in subsection (1)(b) of this rule applies.   |          |
| (h)  | Sewage Disposal Service:   |          |
| (A)  | New Business License.....  | \$ 425   |
| (B)  | Renewal of Existing and Valid Business License.....  | \$ 320   |
| (C)  | Transfer of or Amendments to License.....  | \$ 200   |
| (D)  | Reinstatement of Suspended License.....  | \$ 250   |
| (E)  | Pumper Truck Inspection, First Vehicle:  |          |
| (i)  | Each Inspection .....  | \$ 100   |
| (ii) | Each Additional Vehicle, Each Inspection .....   | \$ 50    |
| (i)  | Experimental Systems Permit .....  | \$ 5,850 |
| (j)  | Existing System Evaluation Report.....   | \$ 400   |
| (k)  | Innovative or Alternative Technology or Material Review .....  | \$ 1,000 |
| (l)  | Material Plan Review .....   | \$ 300   |
- (2) Contract County Fee Schedules, General:
- Each county having an agreement with the Department under ORS 454.725 shall adopt a fee schedule for services rendered and permits to be issued. The county fee schedule shall not include the Department's surcharge fee identified in section 3 of this rule;
  - A copy of the fee schedule and any subsequent amendments to the schedule shall be forwarded to the Department;
  - Fees shall not exceed actual costs for efficiently conducted services.
- (3) Surcharge. In order to offset a portion of the administrative and program oversight costs of the statewide on-site sewage disposal program, a surcharge of \$40 for each site evaluated, for each construction installation permit and all other activities for which an application is submitted, shall be levied by the Department and by each Agreement County. Proceeds from surcharges collected by the Department and Agreement Counties shall be accounted for separately. Each Agreement County shall forward the proceeds to the Department as negotiated in the memorandum of agreement (contract) between the county and the Department.
- EXCEPTION:** The surcharge shall not apply to:
- Sewage Disposal Service License applications;
  - Pumper Truck Inspections.
- (4) Refunds. A refund may be made of all or a portion of a fee accompanying an application if the applicant withdraws the application before any field work or other substantial review of the application has been done.
- (5) Fees for WPCF Permits. The following fee schedule shall apply to WPCF Permits for on-site sewage disposal systems issued pursuant to OAR 340-071-0162:
- |     |   |          |
|-----|---|----------|
| (a) | Application filing fee (all categories) ..... | \$ 50 60 |
|-----|---|----------|

- (b) Permit processing fees for sewage lagoons and other on-site disposal systems over 1,200 gpd:
  - (A) New Applications..... \$2,000 2,400
  - (B) Permit Renewals (including request for effluent limit modifications) \$1,000 1,200
  - (C) Permit Renewal (without request for effluent limit modifications).... \$ 500 600
  - (D) Permit modification (involving increase in effluent limits)..... \$1,000 1,200
  - (E) Permit modification (not involving an increase in effluent limits)..... \$ 500 600
- (c) Permit processing fees for on-site systems of 1,200 gpd or less:
  - (A) New Applications..... \$ 400 480
  - (B) Permit Renewals (involving request for effluent limit modifications) \$ 200 240
  - (C) Permit Renewals (without request for effluent limit modifications) ... \$ 100 120
  - (D) Permit Modifications (involving increase in effluent limitations)..... \$ 150 180
  - (E) Permit Modifications (not involving an increase in effluent limits)... \$ 100 120
- (d) Registration fee for General Permits..... \$ 150 180
- (e) Site Evaluation Fee:
  - (A) Facilities with design flow of 5,000 gpd or less, same as section (1)(a) of this rule;
  - (B) Facilities with design flow greater than 5,000 gpd..... \$1,200 \$1,440
- (f) Site Evaluation Confirmation Fee..... \$ 350 \$420

**NOTE:** A Site Evaluation Confirmation Fee is required if the site evaluation is performed by a qualified consultant but, through the site evaluation review process, a site visit is still required by the Department or Agent.
- (g) Plan Review Fee:
  - (A) Commercial Facilities with design flows less than 5,000 gpd same as paragraph (1)(b)(C) of this rule;
  - (B) Commercial Facilities with design flows of 5,000 gpd or More..... \$ 500 600
  - (C) Non-commercial Facilities..... \$ 100 120

**NOTE:** A plan review fee is required when engineered plans must be reviewed for a facility which that requires a WPCF permit.
- (h) Annual Compliance Determination Fee:
  - (A) On-site sewage lagoon with no discharge..... \$ 600 720
  - (B) On-site subsurface systems with individual WPCF Permit or general permit:
    - (i) Standard or alternative subsurface system not listed below, with design flow of 20,000 gpd or more..... \$ 500 600
    - (ii) Standard or alternative subsurface system not listed below with design flow less than 20,000 gpd..... \$ 250 300
    - (iii) Aerobic systems, 1,500 gpd or more..... \$ 500 600
    - (iv) Aerobic systems, less than 1,500..... \$ 250 300
    - (v) Recirculating Gravel Filter, 1,500 gpd or more..... \$ 500 600
    - (vi) Recirculating Gravel Filter, less than 1,500 gpd..... \$ 250 300
    - (vii) Sand Filter, 1,500 gpd or more..... \$ 500 600
    - (viii) Sand Filter, less than 1,500 gpd..... \$ 250 300
    - (ix) Holding tanks..... \$ 200 240
      - (I) The owner of a holding tank regulated under a WPCF permit submitting an annual written certification, on a Department approved form, that the holding tank has been operated the previous year in full compliance with the permit and that the previous year service log for the holding tank is available for inspection by the Department..... \$ 25

Stat. Auth.: ORS 454.625, & 468.020, & ORS 468.065(2)

Stats. Implemented: ORS 454.745, & 468.065, & 468B.050

Hist.: DEQ 10-1981, f. & ef. 3-20-81; DEQ 19-1981, f. 7-23-81, ef. 7-27-81; DEQ 5-1982, f. & ef. 3-9-82; DEQ 8-1983, f. & ef. 5-25-83; DEQ 9-1984, f. & ef. 5-29-84; DEQ 13-1986, f. & ef. 6-18-86; DEQ 15-1986, f. & ef. 8-6-86; DEQ 6-1988, f. & cert. ef. 3-17-88; DEQ 11-1991, f. & cert. ef. 7-3-91; DEQ 18-1994, f. 7-28-94, cert. ef. 8-1-94; DEQ 27-1994, f. & cert. ef. 11-15-94; DEQ 12-1997, f. & cert. ef. 6-19-97; Administrative correction 1-28-98; DEQ 8-1998, f. & cert. ef. 6-5-98; DEQ 16-1999, f. & cert. ef. 12-29-99

### **340-071-0162**

#### **Permit Application Procedures -- WPCF Permits**

(1) Any person wishing to obtain a new, modified, or renewal WPCF permit shall submit a written application on forms provided by the Department. Applications must be submitted at least 60 days before a permit is needed. All application forms must be signed by the applicant or the applicant's legally authorized representative, and accompanied by the specified number of copies of all required exhibits. The name of the applicant must be the legal name of the owner of the facilities, the owner's agent, or the lessee responsible for the operation and maintenance. Some of the required exhibits, but not necessarily all of them, which must accompany the application are:

- (a) A land use compatibility statement from the local land use planning agency indicating that the site is approved for the activity for which the applicant is applying (if the activity is approved only upon condition of a conditional use permit, a copy of the issued conditional use permit shall be one of exhibits);
- (b) A copy of a favorable site evaluation report indicating that the site is approved for the type and quantity of wastes to be disposed;
- (c) Evidence that the permit processing fees and the first year's annual compliance determination fee have been paid to the Department or Agent, as directed;
- (d) A site diagram meeting the requirements of OAR 340-071-0160(3)(c).

(2) Applications that are obviously incomplete, unsigned, improperly signed or that do not contain the required exhibits clearly identified will not be accepted by the Department for filing and will be returned for completion. Applications that are correctly signed and appear administratively complete will be considered timely upon receipt. A request for further information under section (3) of this rule will not effect the timeliness of an application.

(3) Within 45 days after receipt of the application, the Department will preliminarily review the application to determine the adequacy of the information submitted. Failure to complete this review within 45 days does not preclude the Department from later requesting further information from the applicant as provided in this section.

- (a) If the Department determines that additional information is needed, it will promptly request in writing the needed information from the applicant. The application will be considered withdrawn if the applicant fails to submit the requested information within 90 days of the request.
- (b) If the Department determines that additional measures are necessary to gather facts regarding the application, the Department will notify the applicant what measures will be instituted, and the timetable and procedures to be followed. The application will be considered withdrawn if the applicant fails to comply with the additional measures.

(4) Following determination that the application is complete for processing, each application will be reviewed on its own merits. Recommendations will be developed in accordance with the provisions of all applicable statutes and rules of the Commission.

(5) Draft Permit Review. If the Department makes a preliminary determination to issue a permit, a permit will be drafted and sent to the applicant for review. The applicant will have up to 14 calendar days to comment on the draft permit.

(6) Public Participation. For on-site sewage disposal systems public participation will be in accordance with OAR Chapter 340, Division 45 as it applies to WPCF permits.

(7) Final Department Action. The Department must take final action on the permit application within 45 days of the close of the public comment period if a comment period is required. The Department will consider all timely comments and any other information obtained that may be pertinent to the permit action.

(8) Applicant's Appeal Rights. The Department's decision is effective 20 days from the date of service of the notice of the Department's final action unless within that time the Department receives a request for a hearing from the applicant. The request for a hearing must be in writing and state the grounds for the request. Any hearing will be conducted as a contested case hearing pursuant to ORS 183.413 through 183.470 an OAR Chapter 340, Division 011.

(9) Permit Term. A permit issued pursuant to this rule shall be for a period not to exceed 5-10 years. The expiration date shall be recorded on each permit issued. At least 60 days prior to the expiration of the permit, a permit renewal application, on forms provided by the Department, shall be filed with the Department to obtain renewal of the permit.

(10) For systems which are proposed to be or which are operating under a WPCF permit, no person shall construct, alter or repair the absorption facility, or any part thereof, unless that person is licensed under ORS 454.695, or is the permittee.

(11) No person shall connect to or use any system authorized by a WPCF permit, unless the system has been inspected and certified as per OAR Chapter 340, Division 052, and that certification has been received and accepted by the Department.

(12) Renewal of a Permit. The procedures for issuance of a permit shall apply to renewal of a permit. If a completed application for renewal of a permit is filed with the Department 60 days before the expiration date of the permit, the permit will not expire until final action has been taken on the renewal application.

(13) In the event it becomes necessary for the Department to institute modification of a permit due to changing conditions or standards, receipt of additional information or any other reason pursuant to applicable statutes, the modification will be in accordance with OAR Chapter 340, Division 45 as it applies to WPCF permits.

(14) A permit termination or revocation will be in accordance with OAR Chapter 340, Division 45 as it applies to WPCF permits.

(15) A transfer of a WPCF Permit will be in accordance with OAR Chapter 340, Division 45 as it applies to WPCF permits.

(16) General Permits.

(a) The Department may issue general permits for certain categories of on-site sewage disposal systems where an individual WPCF permit is not necessary in order to adequately protect public

health and the environment. Prior to issuing the general permit, the Department shall follow the public participation procedures in accordance with OAR Chapter 340, Division 45 as applicable to WPCF permits. In order to be covered by a general permit issued by the Department, a person shall:

- (A) Submit a registration application on a form provided by the Department or Agent, along with the necessary attachments, including but not limited to favorable site evaluation and land use compatibility statement;
  - (B) Demonstrate that the on-site disposal facility fits into the category of sources covered by the general permit;
  - (C) Submit applicable fees.
- (b) Any person covered by a general permit may request to be covered by an individual WPCF, in lieu of the general permit, upon submission of the required application and fees;
- (c) The Department may revoke a general permit as it applies to any person's on-site sewage disposal system and require such person to apply for and obtain an individual WPCF permit, if:
- (A) The covered source or activity is a significant contributor of pollution or creates other environmental problems;
  - (B) The permittee is not in compliance with the terms and conditions of the general permit; or
  - (C) Conditions or standards have changed so that the source or activity no longer qualifies for a general permit.
- (d) The Department's Agent may distribute and receive registration applications for general permits for on-site sewage disposal systems and may distribute general permits, if the procedure is established in an agreement between the Department and the Agent.

(17) Rules Which Do Not Apply to WPCF Applicants or Permittees.

- (a) Because the permit review, issuance, and appeal procedures for WPCF permits are different from those of other on-site permits regulated by these rules, the following portions within this Division do not apply to WPCF applicants or permittees: OAR 340-071-0116; 340-071-0155; 340-071-0160(6), (8), (9), and (10); 340-071-0165(1); 340-071-0170; 340-071-0175; 340-071-0185; 340-071-0195; 340-071-0200; 340-071-0205; 340-071-0210; 340-071-0215(1), (2), (3); 340-071-0270; 340-071-0275(4)(c)(A); 340-071-0295(1); 340-071-0305; 340-071-0320; 340-071-0325; 340-071-0330; 340-071-0345; 340-071-0360(2)(b)(B); 340-071-0410; 340-071-0415; 340-071-0420; 340-071-0425; 340-071-0430; 340-071-0435; 340-071-0440; 340-071-0445; and 340-071-0500;
- (b) Permit applicants and permittees are not subject to any WPCF permit-related fees other than those specifically contained within OAR 340-071-0140;
- (c) The following portions of OAR Chapter 340, Division 073, do not apply to WPCF applicants or permittees: OAR 340-073-0030(1); 340-073-0065; 340-073-0070; and 340-073-0075.

Stat. Auth.: ORS 454.625, & ORS 468.020 & ORS 468.065(2)

Stats. Implemented: ORS 468.065, ORS 468.070, ORS 468B.050 & ORS 468B.055

Hist.: DEQ 27-1994, f. 11-15-94, cert. ef. 4-1-95; DEQ 12-1997, f. & cert. ef. 6-19-97; DEQ 16-1999, f. & cert. ef. 12-29-99; DEQ 15-2000, f. & cert. ef. 10-11-00

**Attachment E**  
**Proposed 20% Fee Increase Tables**

Note that dollar amounts are being rounded down to the nearest 0 or 5 to simplify the fee amounts. For example, \$378 is rounded to \$375 and \$1,272 is rounded to \$1,270.

**Proposed 20% Increase to New Application Fees**

Type	Current Fee	Proposed Fee	Amount of Increase
Major industries <sup>1</sup>	\$31,400	\$37,680	\$6,280
Minor industries & Agricultural	\$6,280	\$7,535	\$1,255
Major domestic <sup>2</sup>	\$20,000	\$24,000	\$4,000
Minor domestic Da, Db <sup>3</sup>	\$4,000	\$4,800	\$800
Minor domestic E <sup>4</sup>	\$2,000	\$2,400	\$400
Minor domestic F <sup>5</sup>	\$500	\$600	\$100
WPCF permits for on-site systems >1,200 gpd	\$2,000	\$2,400	\$400
WPCF permits for on-site systems ≤1,200 gpd	\$400	\$480	\$80
WPCF on-site general permits	\$150	\$180	\$30
General Permits 100, 200, 400, 500, 600 (over 1500 cubic yards), 900, 1000, 1400A	\$80	\$95	\$15
General Permits 300, 1300, 1400B, 1500, 1600	\$155	\$185	\$30
General Permits all other 1200, 1700	\$235	\$280	\$45
General Permits not elsewhere specified	\$235	\$280	\$45

<sup>1</sup> Major industries = Discharges large biochemical oxygen demand loads, or is a large metals facility, or has significant toxic discharges, or has a treatment system that will have a significant adverse impact on the receiving stream if not operated properly, or any other industry which the Department needs special regulatory control.

<sup>2</sup> Major domestic = Serving more than 10,000 people, or serving industries that can have a significant impact on the treatment system.

<sup>3</sup> Minor domestic Da, Db = do not meet major domestic qualifying factors and less than 1 MGD

<sup>4</sup> Minor domestic E = do not meet major domestic qualifying factors and where treatment is limited to lagoons that do not discharge to surface waters.

<sup>5</sup> Minor domestic F = do not meet major domestic qualifying factors and is a septage alkaline stabilization facility.



**Proposed 20% Increase to Permit Renewal or Permit Modification Fees  
w/Request for Effluent Limit Modification**

Type	Current Fee	Proposed Fee	Amount of Increase
Major industries	\$15,700	\$18,840	\$3,140
Minor industries & Agricultural	\$3,140	\$3,765	\$625
Major domestic	\$10,000	\$12,000	\$2,000
Minor domestic Da, Db	\$2,000	\$2,400	\$400
Minor domestic E	\$1,000	\$1,200	\$200
WPCF permits for on-site systems >1,200 gpd	\$1,000	\$1,200	\$200
WPCF permits for on-site systems <=1,200 gpd	\$200 (\$150 for modification)	\$240 (\$180 for modification)	\$40 (\$30 for modification)

**Proposed 20% Increase to Renewal Fees  
No Request for Effluent Limit Modification**

Type	Current Fee	Proposed Fee	Amount of Increase
Major industries	\$7,850	\$9,420	\$1,570
Minor industries & Agricultural	\$1,180	\$1,415	\$235
Major domestic	\$5,000	\$6,000	\$1,000
Minor domestic Da, Db	\$750	\$900	\$150
Minor domestic E	\$500	\$600	\$100
Minor domestic F	\$200	\$240	\$40
WPCF permits for on-site systems >1,200 gpd	\$500	\$600	\$100
WPCF permits for on-site systems <=1,200 gpd	\$100	\$120	\$20

**Miscellaneous Permit Fees with Proposed 20% Increase**

Type	Current Fee	Proposed Fee	Amount of Increase
Filing Fee	\$50	\$60	\$10
Permit Modification not involving an increase in effluent limits, excluding WPCF on-site	\$500	\$600	\$100
WPCF permits for on-site systems >1,200 gpd - modification w/o request for increase in effluent limits	\$500	\$600	\$100
WPCF permits for on-site systems <=1,200 gpd - modification w/o request for increase in effluent limits	\$100	\$120	\$20
Special WPCF Permits	\$250	\$300	\$50

**Miscellaneous Permit Fees with Proposed 20% Increase**

Type	Current Fee	Proposed Fee	Amount of Increase
Renewal Fee for General Permits (no renewal fee for 600 if < 1,500 cubic yards or > 5 cubic yards, but less than 1,500 cubic yards per year)	\$35	\$40	\$5
Modification of septage alkaline stabilization facilities permit	\$200	\$240	\$40
Disposal system plan review for general permits, excluding WPCF on-site	\$315	\$375	\$60
Site inspection and evaluation for general permits, excluding WPCF on-site	\$785	\$940	\$155
Technical Activities Fee <sup>1</sup> : New or substantially modified sewage treatment facility	\$4,600	\$5,520	\$920
Technical Activities Fee: Minor sewage treatment facility modifications and pump stations	\$500	\$600	\$100
Technical Activities Fee: Pressure sewer system, or major sewer collection system expansion	\$350	\$420	\$70
Technical Activities Fee: Minor sewer collection system expansion or modification	\$100	\$120	\$20
Technical Activities Fee: New or substantially modified water pollution control facilities utilizing alkaline agents to stabilize septage –	\$500	\$600	\$100

<sup>1</sup> Technical activities fees are charged for initial submittal of engineering plans and specifications. Technical activities fees are not be charged for revisions and resubmittals of engineering plans and specifications and for facilities plans, design studies, reports, change orders or inspections.

**Proposed 20% Increase to WPCF On-site Sewage Systems  
Site Evaluation and Plan Review Fees**

Type	Current Fee	Proposed Fee	Amount of Increase
WPCF site evaluation fee for facilities >5,000 gpd	\$1,200	\$1,440	\$220
WPCF site evaluation confirmation fee	\$350	\$420	\$70
WPCF plan review fee for commercial facilities >= 5,000 gpd	\$500	\$600	\$100
WPCF plan review for non-commercial facilities	\$100	\$120	\$20

**Proposed 20% Increase to Annual Compliance Determination (ACD) Fees**

Type		Current ACD Fee	20% Increase	
			Fee	Amount of Increase
<b>Individual Industrial</b>				
A	Pulp, paper, and other fiber pulping industry	\$9,420	\$11,300	\$1,880
B	Sugar beet, potato, or other produce processing	\$9,420	\$11,300	\$1,880
Ci	Seafood Processing: Bottom fish, crab and/or oysters	\$1,060	\$1,270	\$210
Cii	Seafood Processing: Shrimp	\$1,060	\$1,270	\$210
Ciii	Seafood Processing: Salmon or tuna	\$1,885	\$2,260	\$375
Civ	Seafood Processing: Surimi	\$1,885	\$2,260	\$375
Di	Electroplating: Rectifier output capacity of 15,000 Amps or more	\$9,420	\$11,300	\$1,880
Dii	Electroplating: Rectifier output capacity of less than 15,000 Amps but more than 5,000 Amps	\$4,710	\$5,650	\$940
E	Primary Aluminum Smelting	\$9,420	\$11,300	\$1,880
F	Primary smelting and/or refining of non-ferrous metals utilizing sand chlorination separation facilities	\$9,420	\$11,300	\$1,880
G	Primary smelting and/or refining of ferrous and non- ferrous metals not elsewhere classified above	\$4,710	\$5,650	\$940
H	Alkalies, chlorine, pesticide, or fertilizer manufacturing with discharge of process waste waters	\$9,420	\$11,300	\$1,880
I	Petroleum refineries with a capacity in excess of 15,000 barrels per day discharging process wastewater	\$9,420	\$11,300	\$1,880
J	Cooling water discharges in excess of 20,000 BTU/sec	\$4,710	\$5,650	\$940
K	Milk products processing industry which processes in excess of 250,000 pounds of milk per day	\$9,420	\$11,300	\$1,880
L	Major mining operations (over 500,000 cubic yards per year)	\$9,420	\$11,300	\$1,880
Mi	Minor mining operations: Medium (100,000 to 500,000 cubic yards per year) using mechanical processing	\$3,140	\$3,765	\$625
Mii	Minor mining operations: Medium (100,000 to 500,000 cubic yards per year) using froth flotation	\$4,710	\$5,650	\$940
Miii	Minor mining operations: Medium (100,000 to 500,000 cubic yards per year) using chemical leaching	\$6,280	\$7,535	\$1,255
Miv	Minor mining operations: Small (less than 100,000 cubic yards per year) using mechanical processing	\$785	\$940	\$155
Mv	Minor mining operations: Small (less than 100,000 cubic yards per year) using froth flotation	\$1,570	\$1,880	\$310

## Attachment E: Proposed 20% Fee Increase Tables

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Type		Current ACD Fee	20% Increase	
			Fee	Amount of Increase
Mvi	Minor mining operations: Small (less than 100,000 cubic yards per year) using chemical leaching	\$3,140	\$3,765	\$625
N	All facilities not elsewhere classified with disposal of process wastewater	\$1,885	\$2,260	\$375
O	All facilities not elsewhere classified which dispose of non-process wastewaters (i.e., small cooling water discharges, boiler blowdown, filter backwash, log ponds, etc.	\$1,180	\$1,415	\$235
P	Dairies and other confined feeding operations on individual permits	\$705	\$845	\$140
Q	All facilities which dispose of wastewaters only by evaporation from watertight ponds or basins	\$705	\$845	\$140
<b>Individual Domestic</b>				
A1	Sewage Disposal – 50 MGD or more	\$42,410	\$50,890	\$8,480
A2	Sewage Disposal – At least 25 MGD but less than 50 MGD	\$24,510	\$29,410	\$4,900
A3	Sewage Disposal – At least 10 MGD but less than 50 MGD	\$11,020	\$13,220	\$2,200
Ba	Sewage Disposal – At least 5 MGD but less than 10 MGD	\$6,700	\$8,040	\$1,340
Bb	Sewage Disposal – At least 5 MGD but less than 10 MGD, systems where treatment occurs in lagoons that discharge to surface waters	\$3,070	\$3,680	\$610
C1a	Sewage Disposal – At least 2 MGD but less than 5 MGD	\$4,175	\$5,010	\$835
C1b	Sewage Disposal – At least 2 MGD but less than 5 MGD, systems where treatment occurs in lagoons that discharge to surface waters	\$1,825	\$2,190	\$365
C2a	Sewage Disposal – At least 1 MGD but less than 2 MGD	\$2,510	\$3,010	\$500
C2b	Sewage Disposal – At least 1 MGD but less than 2 MGD, systems where treatment occurs in lagoons that discharge to surface waters	\$1,060	\$1,270	\$210
Da	Sewage Disposal – Less than 1 MGD, and not otherwise categorized under Category E	\$955	\$1,145	\$190
Db	Sewage Disposal – Less than 1 MGD, systems where treatment occurs in lagoons that discharge to surface waters which are not otherwise categorized under Category E	\$625	\$750	\$125
E	Sewage Disposal – Systems where treatment is limited to lagoons which do not discharge to surface waters	\$600	\$720	\$120

Type		Current ACD Fee	20% Increase	
			Fee	Amount of Increase
F	Septage alkaline stabilization facilities	\$200	\$240	\$40
G	Pretreatment base fee	\$1,000	\$1,200	\$200
G	Pretreatment fee per industrial user	\$335	\$400	\$65
H	Population Based Fee – domestic permittees pay additional annual fees based on the population (population served by the facility multiplied by a rate factor)	0.08038 rate factor	0.09645 rate factor	.01607
<b>WPCF Permits for Domestic On-site Sewage Systems [OAR 340-071-140(5)]</b>				
A	On-Site sewage lagoon with no discharge	\$600	\$720	\$120
Bi	Standard or alternative subsurface system not listed below with design flow of 20,000 gpd or more	\$500	\$600	\$100
Bii	Standard or alternative subsurface system not listed below, with design flow less than 20,000 gpd	\$250	\$300	\$50
Biii	Aerobic systems, 1,500 gpd or more	\$500	\$600	\$100
Biv	Aerobic systems, less than 1,500 gpd	\$250	\$300	\$50
Bv	Recirculating Gravel Filter, 1,500 gpd or more	\$500	\$600	\$100
Bvi	Recirculating Gravel Filter, less than 1,500 gpd	\$250	\$300	\$50
Bvii	Sand Filter, 1,500 gpd or more	\$500	\$600	\$100
Bviii	Sand Filter, less than 1,500 gpd	\$250	\$300	\$50
Bix	Holding tanks	\$200	\$240	\$40
	Holding tanks	\$25	\$30	\$5
<b>General NPDES &amp; WPCF Permits</b>				
100	Cooling water/heat pumps	\$275	\$330	\$55
200	Filter Backwash	\$275	\$330	\$55
300	Fish Hatcheries	\$275	\$330	\$55
400	Log Ponds	\$275	\$330	\$55
500	Boiler blowdown	\$275	\$330	\$55
600	Offstream placer mining – processing less than 5 cubic yards of material per day.	0	0	0
600	Offstream placer mining – processing at least 5 cubic yards of material per day, but not more than 1,500 cubic yards of material per year.	0	0	0
600	Offstream placer mining - processing more than 1,500 cubic yards of material per year.	0	0	0
700	Suction dredges – less than 4 inches in diameter.	0	0	0
700	Suction dredges – 4 inches or greater in diameter.	0	0	0
800	Confined animal feeding operations (CAFOs)	\$50	na	na
900	Seafood processing	\$275	\$330	\$55
1000	Gravel mining	\$275	\$330	\$55
1200A	Storm Water: Sand, gravel, and other non-metallic mining (SIC 14)	\$275	\$330	\$55

9/27/01  
 Editorial  
 Note: The  
 mailed  
 version of  
 this notice  
 contained  
 an error.  
 This fee is  
 not  
 proposed  
 to be  
 increased

Attachment E: Proposed 20% Fee Increase Tables

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Type		Current ACD Fee	20% Increase	
			Fee	Amount of Increase
1200C	Storm Water: Construction activities – 5 acres or more	\$275	\$330	\$55
1200C A	Storm Water: Municipal construction activities – 5 acres or more	\$275	\$330	\$55
1200Z	Storm Water: All other	\$275	\$330	\$55
1300	Oily storm water runoff	\$275	\$330	\$55
1400A	Seasonal wineries; crop preparation for market; fresh pack produce	\$155	\$185	\$30
1400B	Canneries; processed foods; meat processing and packing; poultry, marine, and other animal products processing; oils and extracts	\$275	\$330	\$55
1500A	Petroleum hydrocarbon clean-up	\$275	\$330	\$55
1500B	Petroleum hydrocarbon clean-up	\$275	\$330	\$55
1600	Small froth flotation mineral extraction	\$275	\$330	\$55
1700A	Vehicle & equipment wash water	\$275	\$330	\$55
1700B	Vehicle & equipment wash water	\$275	\$330	\$55
1900	Non-contact geothermal heat exchange	\$275	\$330	\$55