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**PERMANENT ADMINISTRATIVE RULES**

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I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on Upon filing, by the  
Department of Environmental Quality 340

Agency and Division

Administrative Rules Chapter Number

Meyer Goldstein

(503) 229-6478

Rules Coordinator

Telephone

811 SW Sixth Ave., Portland, OR 97204

Address

To become effective 01/01/2016 Rulemaking Notice was published in the October 2015 Oregon Bulletin.

**RULE CAPTION**

Water Quality Permit Fee 2015 Update

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

**AMEND:**

340-045-0075, 340-071-0140

**REPEAL:**

**RENUMBER:**

**AMEND AND RENUMBER:**

**Statutory Authority:**

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

**Other Authority:**

**Statutes Implemented:**

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

**RULE SUMMARY**

These rule amendments increase water quality fees by 12 percent for individuals, businesses and government agencies that hold the following permits, effective Jan. 1, 2016:

- National Pollutant Discharge Elimination System permits
- Water Pollution Control Facility permits
- Water Pollution Control Facility permits specific to onsite septic systems

ORS 468B.051 allows water quality permit fee increases.

Oregon DEQ proposed two policy option packages in the 2015 Agency Request Budget. Package 120 supports replacing an outdated and inadequate wastewater permitting information management system with a commercial off-the-shelf product. Package 123 restores 6 FTE that are unaffordable due to shortfalls in federal funds and fee funds. DEQ requested a one-time 12 percent increase to support replacing the permitting information management system and to maintain the six permitting positions.

The 2015 Oregon Legislature approved the fee increase. With approval of the 12 percent increase, DEQ will forego annual permit fee increases for the 2015-17 biennium.

The proposed fee increases would affect:

- Persons that currently hold a permit
- Persons that apply for modifications to or transfer of these permits
- Any person that applies for a new permit
- Any person that needs technical assistance related to these permits

Other proposed updates to the fee tables that affect regulated parties include:

- New Municipal Separate Storm Sewer System (MS4) General Permit replaces the former individual permit. See Table G (OAR 340-045-0075). The program's annual fees collected are the same, but scaled to reflect population of community served.
- New Underground Injection Control (UIC) General Permit is now listed in Table 70G (OAR 340-045-0075). Fees for permittees covered under this and the former permit remain identical to the "Other" fee category.
- The industrial reuse wastewater permit (2501) for sources managing under 25,000 gallons per day of industrial reuse water free of human and animal waste and suitable for reuse without secondary or advanced treatment is now listed in Table 70G (OAR 340-045-0075).

The proposed fee increases would not affect fees for the following permits:

- Suction dredge discharge: 700-PM permit fees: Statute requires DEQ to set these fees through a separate rulemakings.
- Graywater Water Pollution Control Facility permits 2401 and 2402 for graywater use: DEQ proposes to maintain permit fees for graywater reuse and disposal systems at current levels to promote individual water reuse efforts, which is of public interest during Oregon's current drought conditions.
- Small off-stream mining operations: Water Pollution Control Facility permit 600. These permits do not currently have application fees or annual fees.

Meyer Goldstein

[meyer.goldstein@state.or.us](mailto:meyer.goldstein@state.or.us)

Rules Coordinator Name

Email Address