



State of Oregon Department of Environmental Quality

Oregon Environmental Quality Commission Meeting

Rulemaking Action Item A Water Quality Fee Rulemaking 2024

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DEQ Recommendation to the EQC

The Oregon Department of Environmental Quality Water Quality Program recommends that the Environmental Quality Commission adopt the proposed rules in Attachment A as part of Chapter 340 of the Oregon Administrative Rules.

Language of Proposed EQC Motion:

“I move that the commission adopt the proposed rule amendments in Attachment A as part of chapter 340 of the Oregon Administrative Rules.”

Overview

The proposed rule amendments will increase water quality fees in 2024 for Fiscal Year 2025 by 3% as provided in Oregon Revised Statutes 468B.051. In addition, the proposed rules will increase fees for residential onsite septic systems by an additional 14%, under a policy option package approved by the legislature in 2023. The Water Quality Programs included in this rulemaking are:

- Stormwater Permitting Program
- Water Pollution Control Facility Permitting Program
- National Pollution Discharge Elimination Systems Permitting Program
- General Permits
- 401 Dredge and Fill Water Quality Certification Program
- Wastewater System Operator Certification Program
- Underground Injection Control - Rule Authorizations
- Residential Onsite Septic System Permitting Program

The Water Quality Program’s mission is to protect and improve Oregon’s water quality. This is accomplished by developing and implementing water quality standards and clean water plans, issuing water quality permits, regulating publicly owned treatment systems and industrial dischargers, assuring key staff at treatment plants are certified, collecting and evaluating water quality data, providing grants and technical assistance to reduce nonpoint pollution sources, and giving loans to communities to build treatment facilities. Protecting and improving Oregon’s rivers, lakes, streams and groundwater quality keeps Oregon’s waters safe for drinking, fish habitat, recreation and irrigation.

The fee increase will help account for the anticipated increase in the cost of administering permit programs. This increase will also help sustain current service levels of water quality permitting programs that issue timely, high-quality permits, and ensure compliance with permit conditions through inspections, enforcement and reporting to the U.S. Environmental Protection Agency.

The 2023 Legislature expanded the Environmental Quality Commission's fee adjustment authority to include four additional program areas not previously eligible for annual fee adjustments. As a result of enacting House Bill 3208 (Oregon Laws 2023, chapter 258) fees from the following programs are included in this annual fee increase rulemaking: 401 Dredge and Fill Water Quality Certification Program, Underground Injection Control Rule Authorizations, Wastewater System Operator Certification Program, Residential Onsite Septic System Permitting Program, and other water quality fee program categories that have been regularly adjusted by EQC.

Through the Residential Onsite Septic System Permitting Program, DEQ regulates the siting, design, installation, and ongoing maintenance of onsite septic systems. A septic system is the most common method of sewage treatment for homes and businesses that are not connected to an area wide sewage collection and treatment system. Large septic systems, with a flow of more than 2,500 gallons per day, and septic systems with a high waste strength, often in fats, oils, and grease, are permitted with a Water Pollution Control Facility permit. All other smaller systems, primarily residential, are regulated through DEQ and contract counties' direct services when the systems are sited, installed, modified, or repaired. The 14% fee increase approved by the 2023 legislature only applies to those permits for smaller, primarily residential, systems not subject to WPCF permitting thresholds.

Statement of need

What need would the proposed rule address?

The proposed fees will cover costs associated with sustaining current service levels for the subject water quality programs. Without this increase, DEQ may need to reduce staff and delay implementing improvements to the programs, including the permitting program as identified in the [Recommendations and Implementation Plan](#). The 2015 Oregon Legislature commissioned that plan which an independent third-party consultant prepared. DEQ proposes amending rules to increase water quality fees by 3% above 2023 fees. This includes fees for the following programs:

- Stormwater Permitting Program
- Water Pollution Control Facility Permitting Program
- National Pollution Discharge Elimination Systems Permitting Program
- General Permits
- 401 Dredge and Fill Water Quality Certification Program
- Wastewater System Operator Certification Program
- Underground Injection Control - Rule Authorizations
- Residential Onsite Septic System Permitting Program*

The 3% increase is authorized under ORS 468.051.

*The Onsite Septic System Permitting Program will have an additional 14% fee increase (totaling a proposed 17%) to implement the Policy Option Package adopted by the 2023 Legislature that funds two positions.

What need would the proposed rule address?

The proposed rule would authorize the fee increase currently allowed by statute: *up to 3% increase provided under ORS 468B.051*. This increase will cover the rising costs to administer DEQ's Water Quality Programs. The Onsite Septic System Permitting Program will have an additional 14% fee increase (totaling a proposed 17%) to implement the Policy Option Package adopted by the 2023 Legislature.

How would the proposed rule address the need?

By increasing the fees, DEQ can offset the increased costs of administering programs. This funding will address staffing needs and enable DEQ to sustain improvements to the programs. DEQ intends to apply the new fees to onsite invoices as of August 2024 and all other invoices in November 2024 to cover costs associated with implementing water quality programs and delivering services to regulated entities.

How will DEQ know the rule addressed the need?

If approved, DEQ will begin receiving the increased fee revenue in August 2024 for the onsite program and in November 2024 for all other programs. DEQ expects the

proposed fees will sustain the existing staffing levels for the program through FY 2025 (ending June 30, 2025).

Rules affected, authorities, supporting documents

Lead division

Water Quality Division

Program or activity

Water Quality Permitting and Program Development

Chapter 340 action

Amend				
340-045-0075	340-071-0800	340-049-0065	340-048-0055	--

Statutory Authority - ORS				
468.020	468B.020	468B.035	454.615	454.625

Statutes Implemented - ORS				
468B.050	468B.050	468B.050	468B.050	468B.050
454.775	454.780	454.784	468.020	454.605
454.607	454.610	454.615	454.625	454.655
454.665	454.675	454.695	454.725	454.745
454.755	454.780	468.035	468.045	468B.050
468B.055	468B.080	--	--	--

Documents relied on for rulemaking

Document title	Document location
Fee increase calculations	DEQ Headquarters
Recommendations and Implementation Plan	DEQ web page: https://www.oregon.gov/deq/FilterDocs/WaterQualityProgram-FinalReport.pdf
DEQ 2021-2023 Legislatively Adopted Budget	DEQ Headquarters

Document title	Document location
DEQ 2023-2025 Legislatively Adopted Budget	DEQ Headquarters
DEQ's water quality permit database	DEQ Headquarters
Businesses by size or firm of 50 or fewer employees	<p>Oregon Employment Department website reports</p> <p>875 Union Street NE</p> <p>Salem, OR 97311</p> <p>A Snapshot of Oregon Firms by Size Class, 2023 - A Snapshot of Oregon Firms by Size Class, 2023 - QualityInfo</p>

Fee Analysis

The EQC's approval of this rule proposal would increase existing fees for NPDES and WPCF permits, Wastewater Operator Certifications, Dredge and Fill Water Quality Certifications, UIC permits and Onsite Wastewater Management permits.

ORS 468B.051 authorizes the EQC to act on the proposed fees below:

Fees for water quality permits and programs.

(1) Subject to subsection (2) of this section, the EQC may increase the fees established under:

- (a) ORS 448.410, 454.745, 454.755, 454.792, 468B.047 or 468B.195; or
- (b) ORS 468.065 for permits issued under ORS 468B.050.

(2) The commission may not increase a fee described in subsection (1) of this section more than once each calendar year. The amount of the annual increase may not exceed the anticipated increase in the cost of administering the program to which the fee is applicable or three percent, whichever is lower, unless a larger increase is provided for in the Department of Environmental Quality's legislatively approved budget.

Accordingly, in addition to the three percent fee increase, the Onsite Wastewater Management Program is proposing a fee increase of approximately 14% to fund resource enhancements authorized by the 2023 Legislature in Policy Option Package 123. DEQ will present these proposed rules to the EQC for adoption in July of 2024. [2005 c.523 §2; 2015 c.640 §1; 2023 c.258 §1]

Brief description of proposed fees

DEQ is proposing a fee increase to support water quality fees for Fiscal Year 2025 by 3% above the FY 2024 fees. These fees apply to:

- Stormwater Permitting Program
- Water Pollution Control Facility Permitting Program
- National Pollution Discharge Elimination Systems Permitting Program
- General Permits
- 401 Dredge and Fill Water Quality Certification Program
- Wastewater System Operator Certification Program
- Underground Injection Control - Rule Authorizations
- Residential Onsite Septic System Permitting Program

The fee increase rulemaking consists of the following:

Three percent increase for Water Quality fees

OAR 340-071-0140:

- WPCF Permit Fees; Table 9D

OAR 340-045-0075:

- Industrial NPDES and WPCF Individual Permits Application and Modification Fees; Table 70A
- Industrial NPDES and WPCF Individual Permit Annual Fees; Table 70B
- Domestic NPDES and WPCF Individual Permits, Application, Annual Modification Fees; Table 70C
- Municipal Separate Storm Sewer System Permits, Application and Modification Fees; Table 70C
- Domestic NPDES and WPCF Annual Population Fees, Table 70D
- Annual Pretreatment Fees, Table 70E
- All NPDES and WPCF Permits, Technical Activity, Plan Review and Other Fees, Table 70F
- General NPDES and WPCF Permits, Application and Annual Fees, Table 70G, **excluding** 700PM fees under authority ORS 468B.118
- Municipal Separate Storm Sewer System Permits; Annual Fees Table 70H
- Underground Injection Control Permits Application Fees, Annual Fees, and Surcharges, Table 70I, UIC fees authorized by rule, ORS 468B.195 and ORS 468B.196

Three percent increase for Underground Injection Control Permits, Application Fees, Annual Fees, and Surcharges.

OAR 340-045-0075

- All fees shown in table 70I below would be increased by 3%.

OAR 340-045-0075 Table 70I Underground Injection Control Permits Application Fees, Annual Fees and Surcharges Effective November 1, 2023						
Type	Description	Application Fee	Annual Fee	Class of Injection	Surcharge	
					Application	Annual
Authorized By Rule ¹	Low Risk Stormwater Only	None	None	Low Risk	\$107	None
	Non-Stormwater Injection ²	None	None	Medium Risk	\$134	None
	All Other UIC's Draining Stormwater from Any Surface	None	None	Low Risk	\$107	None
				Medium Risk	\$134	None
1200-U General Permit ³	Stormwater Injection	\$ 813	\$ 834	Low Risk	\$ 144	None
				Medium Risk	\$ 182	None
				High Risk	\$ 437	\$ 144
1900-B General Permit	Injection During Geothermal Exploration	\$ 813	\$ 834			
Type	Description	Application Fee	Annual Fee	Individual WPCF Modifications		
				Major	Minor	
Individual WPCF Permit	As defined in 40 CFR parts 9, 144, 145 and 146	\$ 18,139	\$ 3,838	\$ 3,008	\$ 1,577	
1. Includes facilities with less than 50 injection systems. All systems must be located over 500 feet from a water well and outside a 2-year time of travel from a water source. 2. Includes aquifer storage and recovery, low temperature geothermal injection, remediation and other underground injection control systems that do not drain stormwater. 3. Includes facilities with less than 50 injection systems and for systems within 500 ft from a water well and within a 2-year time of travel from a water source.						

Three percent increase for 401 Dredge and Fill Water Quality Certification Program Support

OAR 340-048-0055

- All fees described in this section would be increased by 3%.

Seventeen percent increase for Onsite Wastewater Management Septic Program

OAR 340-071-0800

- Tables 9 A – E (Table 9D WPCF fees are 3% only)

Three percent increase for Wastewater Operator Certification Program

OAR 340-049-0065

Tables A and B

- All fees described in these tables would be increased by 3%

Reasons

The proposed fee increase is necessary to maintain current service levels and implement additional legislatively approved resources. DEQ's goal is to incrementally raise fees annually, when appropriate, rather than adopt larger fee adjustments less frequently. However, the regular 3% fee increase does not always keep pace with inflation and the increasing cost of services, especially for programs that are all or predominantly fee funded. Therefore, DEQ may periodically seek larger fee increases (see Onsite Wastewater Management Program fee increase below). In addition, sometimes legislatively approved resources are funded by the general fund.

NPDES and WPCF Permitting Programs associated with fees in OAR 340-045-0075 and 340-071-0140:

The proposed fees will cover costs associated with implementing the permitting programs and delivering services to regulated entities. The 2015 Oregon Legislature commissioned a report by an independent, third-party consultant, [Recommendations and Implementation Plan](#), which outlines improvements needed in the permitting program. Without this increase, DEQ would need to reduce permitting staff and delay improvements to the program as identified in the document.

UIC Program associated with fees in OAR 340-045-0075:

The proposed fee increase will assist the Underground Injection Control program to continue its work preventing contamination of Oregon's groundwater as delegated by the Safe Drinking Water Act. The proposed fee increase will assist in the retention of the 2.4 FTE in the UIC Program statewide that oversee approximately 45,000 existing registered UICs and process new UIC applications.

401 Dredge and Fill Program associated with fees in OAR 340-048-0055:

The proposed fee increase will allow the 401 program to continue the review and evaluation of water quality compliance under Section 401 of the Clean Water Act for projects that require a federal license or permit conducting activity that may result in a discharge in waters of the US. The proposed fee increase will assist in the retention of the 4.5 FTE in the 401 Dredge and Fill Certification program statewide that review approximately 350 applications for 401 water quality certifications per year.

Onsite Wastewater Management Program with fees in OAR 340-071-0800:

The proposed 3% fee increase will help maintain current program service levels. The additional 14% fee increase (totaling a proposed 17%) implements the Policy Option Package adopted by the 2023 Legislature and funds two positions. One of the positions will oversee the online permitting platform (e-Permitting established by Oregon's Building Codes Agency Department of Consumer and Business Services) to help review impacts to software updates, assist new users both internal to DEQ and onsite programs implemented by local government agencies as well as local

government programs new to using e-Permitting. This position will also assist with program reporting and training related to e-Permitting. This funding will also allow the Onsite Program to establish a seasonal paid internship program to develop a career development pathway.

Wastewater Operator Certification Program with fees in OAR 340-049-0065:

The proposed fee increase will help maintain current staffing and program service levels and a portion of costs for the maintenance of the new data systems and user interfaces and inflation of contracts for services (certification test creators and administrators).

Fee proposal alternatives considered

Not increasing fees

Without the fee increase, Water Quality Programs will be unable to provide ongoing permit and certification program functions at current service levels. This could result in the programs struggling to maintain staffing at current levels and struggling to process the volume of permits and certifications required to fulfill the Water Quality Program's mission. Ancillary expenses (electronic infrastructure, exam administration, e-Permitting) may also be significantly impacted without the fee increase. The reduction of staffing and ancillary budget may result in a restructuring of services, delays in permitting and certifications, improper maintenance of systems and facilities, permit violations, and subsequent harm to the environment and public health.

Fee payer

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

- National Pollutant Discharge Elimination System permits (NPDES) (Individual and General)
- Water Pollution Control Facility permits (WPCF) (Individual and General)
- Wastewater System Operator Certifications
- WPCF Underground Injection Control (UIC) Permit holders
- UIC rule authorization applicants
- Facilities with "high" risk rule authorized UICs
- 401 Water Quality Certifications
- Onsite Wastewater Management Program applications

Affected party involvement in fee-setting process

DEQ established a [Fiscal Advisory Committee](#) for this rulemaking with committee members representing the range of entities that are both directly and indirectly affected by the proposed fee increase.

Summary of impacts

With existing data, the Water Quality Program cannot determine the extent to which the proposed fees would affect each consumer. Some indirect impact on the public is anticipated if the permit holder increases the cost of goods and services or fees charged to ratepayers to offset the 3% fee increase.

Examples: The annual fee for stormwater construction activity performed by public agencies under a 1200-CA permit in OAR 340-045-0075, Table 70G would increase by an estimated \$44. For WPCF UIC Individual permit holders (large municipalities typically with populations exceeding 10,000 people), the fee would increase by approximately \$115. The cost of an application for a residential home builder for a medium risk UIC to drain a driveway area would increase by \$4, from \$134 to \$138. The annual fee for a UIC General Permit holder would increase by \$25, from \$834 to \$859.

How long will the current fee sustain the program?

Current fees are not sufficient to sustain the Water Quality Programs covered by the 3% fee increase. The cost to administer the programs increases every biennium while the total amount of fees paid remains relatively constant, with some fluctuation in fee revenue for activities that are influenced by economic conditions. In addition, Cost of Living Adjustments from the 2023 state collective bargaining reflect the recent high inflation and will result in increased costs. During the 2023-25 biennium, the increased salary costs from these COLAs will exceed the amount of revenue generated from existing fees plus the amount of new revenue generated from the proposed 3% fee increases. There was one COLA implemented in December 2023 and there will be a second COLA in January 2025. While some of these costs will be borne in this biennium, the full impact of the 2023-25 COLAs will be experienced in the 2025-27 biennium.

Table 1 below shows the Budget Costs justification for the 3% fee increase. The average cost per full-time employee across the programs covered by the 3% fee increase has increased 7.06% over a two-year period, which is 3.53% over a one-year period. This rate of increase is based on a calculation of the current service level in the 2023-25 Legislatively Adopted Budget compared to the 2021-23 Legislatively Adopted Budget. The 2023-25 Legislatively Adopted Budget does not reflect the larger than average COLA of 6.5% in December 2023 and 6.55% in January of 2025; therefore, the actual cost increase to these programs will be larger than 3.53% per year.

Table 1. Budgeted Cost Increases	
January 28, 2024	
Budget Period	Cost per FTE
2021-23 Legislatively Adopted Budget	\$354,862
2023-25 Legislatively Adopted Budget	\$378,921
Percent increase over two-year period	7.06%

Cost per FTE calculations exclude one-time enhancements from both biennia and 2023-25 enhancements because they are funded by new revenue and not by the 3% fee increase.

**Water Quality Permitting
(NPDES and WPCF, including WPCF-Onsite and WPCF-UIC)**

Forecasted revenue from current fees in the 2023-25 Legislatively Adopted Budget was sufficient to fund the budgeted program expenses in the 2023-25 biennium; however, the 3% fee increase is needed to partially offset the increased salary costs and other associated costs impacted by COLAs. If the program were to forego annual 3% fee increases, the program forecasts the water quality permitting program would need to reset fees by greater than 3% in FY 2027 to maintain an adequate fund balance and to maintain existing staff levels.

Wastewater Operator Certification

The two FTE Wastewater Operator Certification Program is 100% fee funded. Budgeted expenditures in the 2023-25 Legislatively Adopted Budget exceed forecasted revenue from the current fee by over 24% and will exceed revenue by a greater margin due to the COLAs. Current projections without the 3% increase show the program would have an insufficient ending fund balance for FY 2025 to begin the 2025-27 biennium and would need to reduce expenditures below the current service level in the 2025-27 budget.

Small Onsite Septic System Permitting and Licensing

DEQ is proposing a 3% fee increase, as authorized by ORS 468B.051 to fund the anticipated increase in the cost of administering the program. Budgeted expenditures in the 2023-25 Legislatively Adopted Budget exceed forecasted revenue based on the current fees and will exceed revenue by a greater margin because of the COLAs. Current projections without the 3% increase show the program would have an insufficient ending fund balance for FY 2025 to begin the 2025-27 biennium. The program would need to reduce expenditures below the current service level in the 2025-27 budget. If the 3% increase is approved and applies in August 2024 and considered for 2025, the program forecasts that a larger

than 3% fee increase will be needed at the beginning of FY 2026 to maintain the current service level.

DEQ is also proposing an additional 14% fee increase to support new positions authorized by the legislature. When DEQ prepared its 2023-25 Agency Request Budget for the Onsite Wastewater Management Program, DEQ anticipated the program would collect approximately \$2 million per year in revenue, and that an approximate 14% fee revenue increase would generate the estimated \$280,000 in revenue needed to support program enhancements in POP 123 - Ensure Protective Onsite Septic Systems. Absent a revenue shortfall in the current service level budget, the program would expect the 14% fee increase to sustain the new positions through the 2027-29 biennium. Without the 14% fee increase, DEQ will not be able to fill the new positions authorized by the legislature.

Underground Injection Control Rule Authorization

Budgeted expenditures in the 2023-25 Legislatively Adopted Budget exceed forecasted revenue based on the current fees by over 3% and will exceed revenue by a greater margin because of the COLAs. The UIC rule authorization program will need to reset fees by greater than 3% in FY 2027 or FY 2028 to maintain an adequate fund balance and to maintain existing staff levels. Annual 3% fee increases in 2024, 2025 and 2026 will reduce the size of the fee reset needed in 2027 or 2028.

Clean Water Act Section 401 Water Quality Certifications – Dredge & Fill

DEQ expects forecasted revenue in the 2023-25 Legislatively Adopted Budget to be sufficient to cover budgeted expenditures and the cost of phased in COLAs. However, actual costs—in particular, attorney general expenses—are forecasted to be significantly higher than budgeted in 2023-25. Therefore, current projections without the 3% increase show the program will need to reset fees by greater than 3% in FY 2026 or FY 2027 to maintain an adequate fund balance and to maintain existing staff levels. If annual 3% fee increases are approved in 2024, 2025, 2026 and 2027, the program forecasts that a fee increase larger than 3% would not be needed until FY 2028 or FY 2029.

Statement of Fiscal and Economic Impact

Fiscal and economic impact

Increasing permitting fees will benefit the Water Quality Program through increased financial support, helping the program maintain current service levels. The fee change will increase costs for entities that hold the affected permits or require fee-based services.

State and federal agencies

The effect of the proposed fee increases on state agencies depends on the permit type. Oregon state agencies hold approximately 113 active water quality permits. Examples of the increase on selected permit types include:

- Industrial NPDES fee permits for Tier 2 sources, dairies and fish hatcheries, and facilities that dispose of wastewater only by evaporation from watertight ponds or basins, will increase between \$93 and \$104. This affects approximately four state agencies (OAR 340-045-0075, Table 70B).
- Annual fees for WPCF individual permits will increase between \$19 and \$350. This affects approximately four state agencies (OAR 340-045-0075, Table 70C).
- Annual fees for general NPDES and WPCF permits will increase between \$14 and \$24. This affects approximately five state agencies (OAR 340-045-0075, Table 70G).
- Annual compliance determination fees for WPCF permits will increase between \$1 and \$44. This affects approximately eight state agencies (OAR 340-071-0140, Table 9D).
- Annual fees for WPCF UIC Individual permit holders will increase \$115.
- Annual fees for WPCF UIC General Permit holders will increase by \$25 (OAR 340-045-0075 –Table 70I). This affects one state agency: the Oregon Department of Transportation.
- Annual fees for 401 Dredge and Fill Water Quality Certification permit holders will increase between \$29 and \$533. This affects approximately four state agencies and 14 federal agencies (OAR 340-048-0055).
- Some federal facilities, for example campgrounds on U.S. Forest Service Land, have DEQ permitted wastewater systems to manage sewage and thus are required to have DEQ certified operators. If a state agency operates a facility that manages sewage, they too would need a certified operator. Depending upon the level and type of certification needed, the federal or state agency would see a 3% increase (ranging from \$1 to \$8) in the cost to apply or renew the person's certification if they cover that cost for employees. They would also see a 3% increase in their annual fee to support the program ranging from \$2 to \$10.
- The impact to state or federal agencies is the same as for individuals seeking to obtain an approval, permit or license (making an application) from the Onsite Wastewater Management Program.

Local governments

The effect of the 3% increase of permitting fees on local governments depends on the permit type. Oregon local governments hold approximately 661 total active water quality permits.

Examples of local government entities include water districts, irrigation districts, cities, towns, ports, sanitary districts, library districts, counties, and school districts. For this fiscal analysis, DEQ considered ports and school districts as separate local governments even if contained within a city or county government.

Examples of the 3% fee increase on selected permit types include:

- Industrial NPDES fee permits for Tier 2 sources, dairies and fish hatcheries, and facilities that dispose of wastewater only by evaporation from watertight ponds or basins, will increase between \$107 and \$122. This affects approximately seven local governments and their permit co-permittees (OAR 340-045-0075, Table 70B).
- Domestic NPDES and WPCF individual permit annual fee increases will range from \$19 to \$350 (OAR 340-045-0075, Table 70C).
- Annual fees for general NPDES and WPCF permits will increase between \$15 and \$44. This will affect an approximate total of 107 local government permits (OAR 340-045-0075, Table 70G).
- Annual permit processing fees for onsite systems and compliance determination fees for WPCF permits will increase between \$1 for holding tanks to \$44 for an on-site sewage lagoon with no discharge. This will affect approximately 56 local government permits (OAR 340-071-0140, Table 9D).
- Annual fees for WPCF UIC Individual permit holders will increase \$115, annual fees for WPCF UIC General Permit holders will increase by \$25 (OAR 340-045-0075 –Table 70I). This affects 25 local governments and public entities.
- Annual fees for 401 Dredge and Fill Water Quality Certification permit holders will increase between \$29 and \$533. (OAR 340-048-0055) This affects approximately 400 local governments and public entities.
- Local governments and public entities that have wastewater treatment facilities that treat sewage will see a 3% increase (ranging from \$1 to \$8) in the cost to apply or renew a person's certification if they cover that cost for employees. They would also see a 3% increase in their annual fee to support the program ranging from \$2 to \$1000, based on the size of the facility.

For the onsite applications, the local governmental entities collect the surcharge from fee payers in their jurisdiction and remit those fees to DEQ. The onsite surcharge will increase from \$100 to \$117. Local government entities do not directly pay the onsite surcharge, unless they submit an application for a septic system or sewage disposal service license. Thirty-one out of 36 counties are run by local government entities.

Large businesses - businesses with more than 50 employees

The 3% fee increase would affect approximately 150 wastewater permit holders that are large businesses. For example, large businesses that require an industrial NPDES Tier 1 permit would pay an additional \$945 in annual fees for pulp, paper, or other fiber pulping industry permits.

The 3% fee increase would affect approximately 15 WPCF UIC Individual Permit holders that are large businesses. For example, a grocery chain with an individual permit would pay an annual fee increase of \$115.

Few large businesses have wastewater treatment systems requiring a certified operator and many keep their employee restrooms and break rooms plumbed separately from their industrial wastewater discharge. If a large business combines sewage with industrial wastewater or operates a separate sewage system at its site, it would see a 3% increase (ranging from \$1 to \$8) in the cost to apply or renew a person's certification, if it covers that cost for its employees. It would also see a 3% increase in its annual fee to support the program ranging from \$2 to \$1000, based on the size of the facility.

Onsite

A few large businesses will be impacted by this fee increase. Product manufacturers of alternative treatment technologies (aerobic treatment systems used in some septic systems) applying for approval, listing or renewal will pay about \$280 to \$560 more in application fees and annually \$87 more per model to renew their listing. Applying for a one-time tank approval will cost about \$100 more in increased application and surcharge fee increases. For a large business obtaining a permit for a large onsite system, the additional fiscal impact on the development would be less than \$600. That estimate is additional fees for a site evaluation application, alternative treatment technology permit and commercial plan review fee for up to 2,500 gallons per day (\$5,032 approximate total under proposed fees from current fees of \$4,463).

There are a few licensed sewage disposal services that would be considered a large business. Below is the expected impact on large businesses.

	Current Fees	Proposed Fees
Onsite Surcharge	\$100	\$117
Site Disposal Service 3-year license - NEW	\$438/Year	\$512/Year
Site Disposal Service 3-year license - RENEWAL	\$330/Year	\$386/Year

Small businesses – businesses with 50 or fewer employees

According to 2018 data from the Oregon Employment Department, the fee increase may affect approximately 3,300 small businesses. However, no information is available to determine how the fee increases would affect each permit holder. For example, if a small business is categorized as a Tier 2 facility for food or beverage processing, including produce, meat, poultry, seafood, or dairy for human, pet, or livestock consumption, then under OAR 340-045-0075, fee Table 70B, its annual permit fee would increase by an estimated \$196 over the previous year's annual fee. For a small business with five rule-authorized high risk UICs (a truck sales and repair operation, for example), the annual fee would increase from \$535 (currently \$107 per UIC x 5 UICs) to \$550 (\$110 per UIC). Small businesses that have wastewater treatment facilities that treat sewage would see a 3% increase (ranging from \$1 to \$8) in the cost to apply or renew a person's certification, if they cover that cost for employees. They would also see 3% increase in their annual fee to support the program ranging from \$2 to \$100, based on the size of the facility.

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

DEQ estimates the fee increases would affect approximately 3,300 small businesses. Examples of small businesses are food processors, mining operations, dairies, fish hatcheries, smelting and refining operations, timber processors, wood products manufacturers, retail operations, seafood processors, gravel mining, wineries, construction companies, petroleum hydrocarbon cleanup operations, and vehicle and equipment wash water operations.

Some small businesses such as recreational vehicle camps, mobile home parks, and resorts, have wastewater systems where they manage their sewage. These businesses are required to have a certified operator and they pay the annual program support fee. There are currently 50 businesses in this category subject to Wastewater Operator Certification fees.

Onsite sewage disposal service businesses are primarily small business that would be subject to the proposed fee increase. Currently there are 834 licensed sewage disposal service licenses. Septic tank manufacturers based in Oregon are primarily small businesses and obtaining a one-time product approval will cost about \$100 more than current fees.

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

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

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

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

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

The Water Quality Program met with a rules advisory committee on Feb. 15, 2024. The committee was composed of a diverse group of interested parties representing a wide cross section of permit and certification holders. During and after the meeting, DEQ requested committee members’ input concerning potential impacts to small businesses and how impacts can be reduced. During the public comment period, the Water Quality Program requested input on whether to consider other options for achieving the rules’ substantive goals while reducing the rules’ negative economic impact on small businesses.

Documents relied on for fiscal and economic impact

Document title	Document location
Fee increase calculations	DEQ Headquarters
Recommendations and Implementation Plan	DEQ web page: https://www.oregon.gov/deg/FilterDocs/WaterQualityProgram-FinalReport.pdf
DEQ 2021- 2023 Legislatively Adopted Budget	DEQ Headquarters
DEQ 2023-25 Legislatively Adopted Budget	DEQ Headquarters
DEQ’s water quality permit database	DEQ Headquarters
Businesses by size or firm of 50 or fewer employees	Oregon Employment Department website reports 875 Union Street NE Salem, OR 97311 A Snapshot of Oregon Firms by Size Class, 2023 - A Snapshot of Oregon Firms by Size Class, 2023 - QualityInfo

Advisory Committee fiscal review

DEQ appointed an advisory committee (refer to Advisory Committee section below). As ORS 183.333 requires, DEQ asked for the committee's recommendations on:

- Whether the proposed rules would have a fiscal impact.
- The extent of the impact.
- Whether the proposed rules would have a significant adverse impact on small businesses.
- Whether, if there is a significant adverse impact on small businesses, DEQ has reduced the impact on small businesses as ORS 183.540 requires.

The committee reviewed the draft fiscal and economic impact statement.

Housing cost

As ORS 183.534 requires, DEQ evaluated whether the proposed rules would affect the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel. DEQ does not anticipate this fee rulemaking will affect building costs that could be passed on to the home buyer.

DEQ determined the proposed rules would do the following:

- Affect the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel.
- Require a builder of a 6,000-square-foot parcel to pay an additional \$41 for a construction stormwater permit if the parcel is part of a common plan of development disturbing one or more acres. Assuming the 3% increase, this would raise the fee from \$1388 to \$1429.
- The proposed rule may not affect a builder of a 6,000-square-foot parcel that is not part of a common plan of development disturbing one or more acres because there is no requirement for these parcels to have a construction stormwater permit from DEQ. DEQ understands that some entities may charge a Systems Development Charge for implementing local stormwater or wastewater programs. Increased permit fees may affect housing costs through increased Systems Development Charges.

Onsite

- It would be challenging to have adequate area for a septic system on a 6,000 square foot lot for new construction due to the area needed for a drainfield and setbacks to wells on the lot and surrounding area. It is possible if the site uses an additional treatment unit that provides a higher quality effluent and would allow a smaller drainfield and a community water system. The estimated increased costs for DEQ to evaluate and permit the lot would be approximately \$380.

	Current Fees	Proposed Fees
Onsite Surcharge	\$100	\$117
Site Evaluation*	\$700	\$819
Onsite Surcharge	\$100	\$117
Type D Permit*	\$1,272	\$1,488
Total	\$2,172	\$2,541

* 31 of Oregon's 36 counties are administered by a local government agency that sets their own permit fees. These fees would apply in Baker, Coos, Jackson, Union and Wallowa Counties.

Racial Equity

ORS 183.335(2)(a)(F) requires state agencies to provide a statement identifying how adoption of this rule will affect racial equity in this state.

Adoption of the proposed rule would affect wastewater permitting fees and Operator certification fees statewide - across various sectors, public and private. Since the fee increase will apply equally across all permit categories and tiers, and there are no expected changes to practical implementation of the permitting program activities as a result of this rule adoption, there is no expected impact on racial equity in the state. Increasing the fees as proposed will help maintain program services critical to protecting public health and the environment (such as permit compliance assurance, inspections and enforcement) which may be particularly important in Black, Indigenous, People of Color (BIPOC) or historically underserved communities.

Environmental Justice Considerations

ORS 182.545 requires natural resource agencies to consider the effects of their actions on environmental justice issues. DEQ considered these effects by acknowledging that this is a statewide fee increase that affects many different entities including federal, state, and local governments. DEQ provides this information in the Advisory Committee Meetings, the Fiscal Impact Statement, the Public Notice, and the Staff Report. The fee increase is a statutory authorization and directed at permit holders/fee payers, so there is not a broad policy change or projected change.

Adoption of the proposed rule would affect wastewater permitting and wastewater operator certification fees statewide - across various sectors, public and private. Since the fee increase will apply equally across all permit categories and tiers, and there are no expected changes to practical implementation of the permitting program activities as a result of this rule adoption, there is no expected impact on racial equity in the state. Increasing the fees, as proposed, will help maintain program services critical to protecting public health and the environment (such as permit compliance assurance, inspections and enforcement) which may be particularly important in BIPOC or historically underserved communities.

Federal relationship

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

Oregon is required to operate a water quality permitting program in order to protect water quality throughout the state. Although there are no federal stipulations that outline fee structures or fee increases, Oregon's water quality program is required to implement rules associated with federal requirements.

What alternatives did DEQ consider if any?

Not increasing fees

Without the fee increase, DEQ will be unable to provide ongoing relevant program functions at the current service level. This could result in the loss of critical program positions or having to hold those positions vacant. DEQ would also be unable to implement recommended program improvements identified in a 2016 program evaluation for its permitting program.

Other ways to reduce program costs

DEQ has implemented measures over the past few biennia that, over time, will result in increased program efficiency and a more cost-effective program. For example, in the NPDES permit program, DEQ created a permit writer team that has resulted in progress in issuing NPDES permits over the last few years and reducing the NPDES permit backlog. Process improvements, specifically within the permitting program, have allowed for a more efficient program and an increase in the timely renewal of permits.

Land-use considerations

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

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

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

DEQ determined whether the proposed rules involve programs or actions that affect land use by reviewing its Statewide Agency Coordination plan. The plan describes the programs that DEQ determined significantly affect land use. DEQ considers that its programs specifically relate to the following statewide goals:

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

Statewide goals also specifically reference the following DEQ programs:

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

Determination

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

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

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

EQC Prior Involvement

Information about this rulemaking was shared as part of the Director's Report during the May 23 2024 EQC meeting.

Advisory Committee

Background

DEQ convened the 2024 Fee Increase Rulemaking Fiscal advisory committee in February. The committee met once and included representatives from local governments, industry, water quality permit holders, environmental and community involvement organizations. Information about the committee can be found at [Water Quality Fees 2024 Rulemaking Web Page](#).

The committee members were:

Rulemaking Name Advisory Committee	
Name	Representing
Lisette Hamer-Richardson	Affordable Septic Systems
Mark Landauer	Special Districts Association of Oregon
Jerry Linder	Oregon Association of Clean Water Agencies
Peggy Lynch	League of Women Voters of Oregon
Jenny MacKrell	Klamath County
Sharla Moffett	Oregon Business and Industry
Thomas Puttman	Puttman Infrastructure, Inc.
Jeremiah Sonne	Port of Portland
Jackie White	Northwest Pulp and Paper Association

Meeting notifications

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

- Sent GovDelivery bulletins, a free e-mail subscription service, to the following lists:
 - Rulemaking
 - Water Quality Permitting
- Added advisory committee announcements to DEQ's calendar of public meetings at [DEQ Calendar](#).

Committee discussions

In addition to the recommendations described under the Statement of Fiscal and Economic Impact section above, the committee provided the following input during the Rules Advisory Committee Meeting:

- This year's 3% fee increase includes more programs including:
 - Stormwater Permitting Program
 - Water Pollution Control Facility Permitting Program
 - National Pollution Discharge Elimination Systems Permitting Program
 - General Permits
 - 401 Dredge and Fill Water Quality Certification Program
 - Wastewater System Operator Certification Program
 - Underground Injection Control - Rule Authorizations
 - Residential Onsite Septic System Permitting Program***

The onsite program fees will increase by 17% which is a combination of the annual 3% increase and a one-time policy option package increase of 14% for a total of 17%.

- The RAC discussed how the 17% increase for onsite fees would impact communities. DEQ provided information that the increase would impact people who are developing a property or who live on a septic system. Roughly 30% of Oregon's population lives on a sewer or septic system. Application fees are one of the areas where there will be an impact and that fee will go from \$100 to \$117.
- The RAC appreciates smaller incremental increases over larger less frequent increases.
- A RAC member asked the question if lowering fees was an option due to his position and desire to pass savings on to his clients. The group discussed this at length including conversation about how in some cases the fee increases amount to only a few dollars. Another consideration is that by DEQ being able to deliver timely, high-quality water quality services due to this increase, it will ultimately save the consumer money in the long run.
- RAC members also discussed how racial equity will be impacted and any impacts to environmental justice. Committee members underscored the importance of addressing racial equity to ensure clean, safe water for all of Oregon.

Public Engagement

Public notice

DEQ provided notice of the proposed rulemaking and rulemaking hearing by:

- On April 22, 2024, Filing notice with the Oregon Secretary of State for publication in the April Oregon Bulletin
- Posting the Notice, Invitation to Comment and Draft Rules on the web page for this rulemaking, located at: [Water Quality Fees 2024](#)
- Emailing approximately 24,324 interested individuals who signed up for notification on the following DEQ lists through GovDelivery:
 - 700-PM Mining Permit Information
 - DEQ Public Notices
 - Nonpoint Source Water Quality
 - Onsite (Septic) Sewage Systems
 - Rulemaking
 - Stormwater
 - Wastewater System Operator Certification Program
 - Water Quality Permits
 - Water Quality Fee Increase Rulemaking - Onsite permit holders

Emailing the following key legislators required under ORS 183.335:

- Senate Committee on Natural Resources:
 - Chair Jeff Golden
 - Vice-Chair Fred Girod
- House Committee on Agriculture, Land Use, Natural Resources and Water:
 - Chair Ken Helm
 - Vice-Chair Mark Owens
 - Vice-Chair Annessa Hartman
- Joint Ways & Means Subcommittee on Natural Resources
 - Co-Chair Sen Michael Dembrow
 - Co-Chair Rep Khanh Pham
- Emailing advisory committee members
- Posting on the DEQ event calendar: [DEQ Calendar](#)

Public Hearing

DEQ held one virtual public hearing. DEQ received no comments at the hearing. Later sections of this document include a summary of the one comment received during the open public comment period and DEQ's response. Original comments are on file with DEQ.

Presiding Officer's Record

Hearing

Date	May 15, 2024
Place	Virtual Zoom Meeting
Start Time	5 p.m.
End Time	5:35 p.m.
Presiding Officer	Jason Simpson

Presiding Officer:

The presiding officer convened the hearing, summarized procedures for the hearing and explained that DEQ was recording the hearing. The presiding officer asked people who wanted to present verbal comments to sign the registration list, or if attending by phone, to indicate their intent to present comments. The presiding officer advised all attending parties interested in receiving future information about the rulemaking to sign up for GovDelivery email notices.

As Oregon Administrative Rule 137-001-0030 requires, the presiding officer summarized the content of the rulemaking notice.

No person presented any oral testimony or written comments.

Summary of Public Comments and DEQ Responses

Public comment period

DEQ accepted public comment on the proposed rulemaking from April 23, 2024, until 4 p.m. on May 23, 2024.

The following is a summary of the two public comments received by the close of the public comment period. Original comment is on file with DEQ. DEQ did not change the proposed rules in response to comments.

Comment 1

Paras Shah, GSC Investments, Los Angeles CA

Hello - I'm writing to respond to the proposed fee increase outlined below. Specifically I'm concerned about the Onsite Septic System Permitting Program increase of 14%. We find that to be egregiously high and only further make it tough for owner/operators of septic systems to maintain the infrastructure. By way of background, we own/operate the Juniper Hilltop Mobile Home Park located off of Highway 97. When we purchased the property the septic system was failing and DEQ required the system be replaced in its entirety or risk closure of the park and displacement of over 60 families who live at the community. We did spend ~\$400,000 to replace the septic systems and we're happy to do it for our residents. About 18 months after we completed it the North Interceptor Project began which extended City Sewer Services right outside of the park. We really tried to push for our park to be connected to City Sewer as we thought it would be a tremendous value proposition for our residents but were repeatedly denied our request and were told our residents were not eligible for City Sewer. Despite the fact that we had just spent ~\$400k on replacing the entire sewer system we were still willing to abandon it so we could hook up to City Sewer. It was an extremely disappointing outcome to notify our residents that despite the fact that the North Interceptor Project extended City Sewer Services right outside of our park we were not eligible. Now we will have to notify them of a proposed 14% increase by DEQ and we sincerely request DEQ reconsider this proposed increase. Thank you

DEQ RESPONSE:

Thank you for your comment. The Juniper Hilltop Mobile Home Park operates under a WPCF-OS permit which would not be subject to the proposed 17% (3% +14%) increase. The mobile home park would be subject to the proposed 3% increase that DEQ conducts routinely each year across all water quality permitting programs.

Determining who can connect to sewerage systems is not a decision that DEQ controls. DEQ cannot issue an onsite or WPCF-OS permit if sewer is legally and

physically available. These decisions are handled by sanitary districts or city municipalities.

Thank you again for your feedback and interest in DEQ's Water Quality Fee Increase.

Comment 2

Brian Fitterer, Portland OR

Keep raising fees. Pretty soon all of Oregon will get to sleep in tents! As all the politicians cry about housing affordability, the govt keeps raising all fees and taxes so that no one can afford to build new properties or operate existing ones. Housing shortage is the direct result of govt actions. Insanity

DEQ Response:

Thank you for your comment. The proposed fee increase is necessary to maintain current service levels and implement additional legislatively approved resources.

As ORS 183.534 requires, DEQ evaluated whether the proposed rules would affect the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel. DEQ does not anticipate this fee rulemaking will affect building costs that could be passed on to the home buyer. For example, this fee increase would require a builder of a 6,000-square-foot parcel to pay an additional \$41 for a construction stormwater permit if the parcel is part of a common plan of development disturbing one or more acres. Assuming the 3% increase, this would raise the fee from \$1388 to \$1429.

Thank you again for your feedback and interest in DEQ's Water Quality Program Fee Increase.

Implementation

Notification

DEQ intends to apply the new fees to onsite invoices as of August 2024 and all other invoices in November 2024 to cover costs associated with implementing water quality programs and delivering services to regulated entities. DEQ would notify affected parties by:

- Emailing interested parties on the following DEQ lists through GovDelivery:
 - Rulemaking
 - 700-PM Mining Permit Information
 - DEQ Public Notices
 - Nonpoint Source Water Quality
 - Onsite (Septic) Sewage Systems
 - Stormwater
 - Wastewater System Operator Certification Program
 - Water Quality Permits
 - Water Quality Fee Increase Rulemaking - Onsite permit holders
- Posting notification on relevant, DEQ permit-related webpages

Five Year Review

Requirement

Oregon law requires DEQ to review new rules within five years after EQC adopts them. The law also exempts some rules from review. DEQ determined whether the rules described in this report are subject to the five-year review. DEQ based its analysis on the law in effect when EQC adopted these rules.

Exemption from five-year rule review

The Administrative Procedures Act exempts all of the proposed rules from the five-year review because the proposed rules would:

- Amend or repeal an existing rule. ORS 183.405(4).
- Implement legislatively approved fee changes. ORS 183.405(5)(c).

Accessibility Information

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

To schedule a review of all websites and documents referenced in this announcement, call Jason Simpson, Portland, OR, 503-995-4054

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.

Translation or other formats

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800-452-4011 | TTY: 711 | deqinfo@deq.oregon.gov

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age or sex in administration of its programs or activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).

Draft Rules – Edits Highlighted

Key to Identifying Changed Text:

~~Deleted Text~~

New/inserted text

Note: DEQ is not proposing to amend any rule language except for the fees found in the tables attached to the rules. The only exception to this is that DEQ is proposing to move the fees found in the rule text of OAR 340-048-0055 and 340-049-0065 into tables that will be attached to those rules.

Division 45 REGULATIONS PERTAINING TO NPDES, WPCF, and UIC PERMITS

340-045-0075

Permit Fee Schedule

- (1) OAR chapter 340, division 71 contains the fee schedule for onsite sewage disposal system permits, including WPCF permits, and graywater reuse and disposal system WPCF individual permits.
- (2) DEQ establishes fees for various industrial, domestic and general water quality permits:
 - (a) Table 70A lists the application and modification fees that apply to industrial NPDES and WPCF individual permits.
 - (b) Table 70B lists the annual fees that apply to industrial NPDES and WPCF individual permits.
 - (c) Table 70C lists application, modification and annual fees for domestic NPDES and WPCF individual permits.
 - (d) Table 70D lists annual population fees.
 - (e) Table 70E lists annual pretreatment fees applicable to domestic wastewater systems.
 - (f) Table 70I lists application, annual and surcharge fees for Underground Injection Control rule authorizations and general permits.
- (3) DEQ must consider the following criteria when classifying a facility for determining applicable fees. For industrial sources that discharge to surface waters, discharge flow rate refers to the system design capacity. For industrial sources that do not discharge to surface waters, discharge flow refers to the total annual flow divided by 365:
 - (a) Tier 1 industry. A facility is classified as a Tier 1 industry if the facility:
 - (A) Discharges at a flow rate that is greater than or equal to 1 mgd; or
 - (B) Discharges large biochemical oxygen demand loads; or

Attachment A

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

Attachment A

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

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

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

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

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

(A) Disposal system and environmental management plan review;

(B) Site inspection and evaluation.

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

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

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

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

[\[ED. NOTE: To view attachments referenced in rule text, click here for PDF copy.\]](#)

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

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

History:

DEQ 15-2023, amend filed 09/13/2023 effective 11/01/2023

DEQ 15-2022, amend filed 09/06/2022, effective 11/01/2022

DEQ 15-2021, amend filed 09/30/2021, effective 11/01/2021

DEQ 3-2021, amend filed 01/22/2021, effective 01/22/2021

DEQ 16-2020, amend filed 07/29/2020, effective 08/01/2020

DEQ 22-2019, amend filed 09/27/2019, effective 09/27/2019

DEQ 194-2018, minor correction filed 09/18/2018, effective 09/18/2018

DEQ 193-2018, amend filed 09/17/2018, effective 09/17/2018

- DEQ 48-2018, minor correction filed 04/03/2018, effective 04/03/2018
- DEQ 34-2017, minor correction filed 12/13/2017, effective 12/13/2017
- DEQ 15-2017, amend filed 10/31/2017, effective 11/01/2017
- DEQ 16-2015, f. 12-10-15, cert. ef. 1-1-16
- DEQ 13-2014, f. 11-14-14, cert. ef. 12-1-14
- DEQ 8-2013, f. 10-23-13, cert. ef. 11-1-13
- DEQ 6-2012, f. 10-31-12, cert. ef. 11-1-12
- DEQ 15-2011, f. & cert. ef. 9-12-11
- DEQ 9-2011, f. & cert. ef. 6-30-11
- DEQ 7-2010, f. 8-27-10, cert. ef. 9-1-10
- DEQ 8-2008, f. 6-27-08, cert. ef. 7-1-08
- DEQ 5-2007, f. & cert. ef. 7-3-07
- DEQ 11-2006, f. & cert. ef. 8-15-06
- DEQ 5-2005, f. & cert. ef. 7-1-05
- DEQ 7-2004, f. & cert. ef. 8-3-04
- DEQ 2-2002, f. & cert. ef. 2-12-02
- DEQ 15-2000, f. & cert. ef. 10-11-00
- DEQ 4-1998, f. & cert. ef. 3-30-98
- DEQ 20-1994, f. & cert. ef. 10-7-94
- DEQ 30-1992, f. & cert. ef. 12-18-92
- DEQ 10-1992, f. & cert. ef. 6-9-92
- DEQ 9-1992, f. & cert. ef. 6-5-92
- DEQ 10-1991, f. & cert. ef. 7-1-91
- DEQ 18-1990, f. & cert. ef. 6-7-90
- DEQ 9-1987, f. & ef. 6-3-87
- DEQ 12-1983, f. & ef. 6-2-83
- DEQ 18-1981, f. & ef. 7-13-81
- DEQ 31-1979, f. & ef. 10-1-79
- DEQ 129, f. & ef. 3-16-77
- DEQ 113, f. & ef. 5-10-76

OAR 340-045-0075	
Table 70A	
Industrial NPDES and WPCF Individual Permits:	
Application and Modification Fees	
Effective November 1, 2023 <u>November 1, 2024</u>	
Application fees for new industrial permits	
Tier 1 Industrial Facilities	\$ 90,139 <u>\$92,843</u>
Tier 2 Industrial Facilities	\$ 18,139 <u>\$18,683</u>
Special WPCF Permits (OAR 340-045-0061)	\$ 856 <u>\$881</u>
<small>Note: New permit applications must include the annual fee specified in Table 70B in addition to the new permit application fee listed above. The application fee is not required for renewal unless a modification is</small>	

OAR 340-045-0075 Table 70A Industrial NPDES and WPCF Individual Permits: Application and Modification Fees Effective November 1, 2023 <u>November 1, 2024</u>			
needed or requested.			
Modification Fees ¹			
	Major		Minor
	At Permit Renewal	Prior to Expiration	
Tier 1 Industrial Facilities	\$22,645 <u>\$23,324</u>	\$44,997 <u>\$46,346</u>	\$1,577 <u>\$1,624</u>
Tier 2 Industrial Facilities	\$5,757 <u>\$5,929</u>	\$8,991 <u>\$9,260</u>	\$1,577 <u>\$1,624</u>
1. A new application, application fee and modification fee must accompany all requests for permit modification. DEQ may charge the environmental management plan review fee amount in Table 70F when only the environmental management plan required by the permit requires review.			

OAR 340-045-0075					
Table 70B					
Industrial NPDES and WPCF Individual Permit Annual Fees					
Effective November 1, 2023 November 1, 2024					
Type	Description	NPDES Tier 1	NPDES Tier 2	WPCF Tier 1	WPCF Tier 2
B01	Pulp, paper, or other fiber pulping industry	\$31,518 \$32,463	N	\$29,252 \$30,129	N
Food or beverage processing - includes produce, meat, poultry, seafood or dairy for human, pet, or livestock consumption:					
B02	Washing or packing only	N	\$4,380 \$4,511	N	\$4,032 \$4,152
B03	Processing – small. Flow ≤ 0.1 mgd, or 0.1 < flow < 1 mgd for less than 180 days per year	N	\$6,550 \$6,746	N	\$6,197 \$6,382
B04	Processing – medium. 0.1 mgd < Flow < 1 mgd for 180 or more days per year, or flow ≥ 1 mgd for less than 180 days per year	N	\$9,243 \$9,520	N	\$8,890 \$9,156
B05	Processing – large. Flow ≥ 1 mgd for 180 or more days per year	\$31,518 \$32,463	\$27,694 \$28,524	\$29,252 \$30,129	\$27,337 \$28,157
Primary Smelting or Refining:					
B06	Aluminum	\$31,518 \$32,463	\$27,694 \$28,524	\$29,252 \$30,129	\$27,337 \$28,157
B07	Non-ferrous metals utilizing sand chlorination separation facilities	\$31,518 \$32,463	\$27,694 \$28,524	\$29,252 \$30,129	\$27,337 \$28,157
B08	Ferrous and non-ferrous metals not elsewhere classified	\$18,023 \$18,563	\$14,197 \$14,622	\$15,757 \$16,229	\$13,848 \$14,263
B09	Chemical manufacturing with discharge of process wastewater	\$31,518 \$32,463	\$27,694 \$28,524	\$29,252 \$30,129	\$27,337 \$28,157
B10	Cooling water discharges in excess of 20,000 BTU per second	\$18,023 \$18,563	\$14,197 \$14,622	\$15,757 \$16,229	\$13,848 \$14,263
Mining Operations – includes aggregate or ore processing:					
B11	Large (over 500,000 cubic yards per year or involving chemical leaching)	\$31,518 \$32,463	\$27,694 \$28,524	\$29,252 \$30,129	\$27,337 \$28,157
B12	Medium (100,000 to 500,000 cubic yards per year)	N	\$9,696 \$9,986	N	\$9,343 \$9,623
B13	Small (less than 100,000 cubic yards per year)	N	\$2,950 \$3,038	N	\$2,598 \$2,675

OAR 340-045-0075					
Table 70B					
Industrial NPDES and WPCF Individual Permit Annual Fees					
Effective November 1, 2023 November 1, 2024					
All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater):					
B14	Tier 1 sources	\$ 31,518 <u>\$32,463</u>	N	\$ 29,252 <u>\$30,129</u>	N
B15	Tier 2 sources	N	\$ 6,097 <u>\$6,279</u>	N	\$ 5,750 <u>\$5,922</u>
Type	Description	NPDES Tier 1	NPDES Tier 2	WPCF Tier 1	WPCF Tier 2
B16	All facilities not elsewhere classified which dispose of non-process wastewaters (for example: small cooling water discharges, boiler blowdown, filter backwash)	N	\$ 4,081 <u>\$4,203</u>	N	\$ 3,730 <u>\$3,841</u>
B17	Fish hatcheries and other confined feeding operations on individual permits except permits the Oregon Department of Agriculture administers.	N	\$ 3,574 <u>\$3,681</u>	N	\$ 3,222 <u>\$3,318</u>
B18	All facilities which dispose of wastewater only by evaporation from watertight ponds or basins	N	N	N	\$ 2,367 <u>\$2,438</u>
Timber and Wood Products					
B19	Sawmills, log storage, instream log storage	\$ 8,839 <u>\$9,104</u>	\$ 5,014 <u>\$5,164</u>	\$ 6,573 <u>\$6,770</u>	\$ 4,659 <u>\$4,798</u>
B20	Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products	\$ 9,347 <u>\$9,627</u>	\$ 5,522 <u>\$5,687</u>	\$ 7,084 <u>\$7,296</u>	\$ 5,173 <u>\$5,328</u>
B21	Wood preserving	\$ 7,909 <u>\$8,146</u>	\$ 4,081 <u>\$4,203</u>	\$ 5,642 <u>\$5,811</u>	\$ 3,730 <u>\$3,841</u>

OAR 340-045-0075

Table 70C

Domestic NPDES and WPCF Individual Permits:
Application, Annual and Modification FeesEffective ~~November 1, 2023~~ November 1, 2024

Description	Type	Criteria ¹	New Permit App. Fee ²	NPDES Annual Fee (5yr)	WPCF Annual Fee (10yr)	Modifications ³	
						Major	Minor
Non-Lagoon Treatment Systems	A1	Flow \geq 50 mgd	\$57,462 \$59,185	\$124,441 \$128,174		\$28,802 \$29,666	\$1,577 \$1,624
	A2	25 mgd \leq Flow < 50 mgd	\$57,462 \$59,185	\$73,136 \$75,330		\$28,802 \$29,666	\$1,577 \$1,624
	A3	10 mgd \leq Flow < 25 mgd	\$57,462 \$59,185	\$34,469 \$35,503		\$28,802 \$29,666	\$1,577 \$1,624
	Ba	5 mgd \leq Flow < 10 mgd	\$57,462 \$59,185	\$22,095 \$22,757	\$20,649 \$21,268	\$28,802 \$29,666	\$1,577 \$1,624
	C1a	2 mgd \leq Flow < 5 mgd	\$57,462 \$59,185	\$14,857 \$15,302	\$13,414 \$13,816	\$28,802 \$29,666	\$1,577 \$1,624
	C2a	1 mgd \leq Flow < 2 mgd	\$57,642 \$59,185	\$10,083 \$10,385	\$8,638 \$8,897	\$28,802 \$29,666	\$1,577 \$1,624
	Da	Flow < 1 mgd	\$11,608 \$11,956	\$3,191 \$3,286	\$2,962 \$3,050	\$5,879 \$6,055	\$1,577 \$1,624

OAR 340-045-0075							
Table 70C							
Domestic NPDES and WPCF Individual Permits:							
Application, Annual and Modification Fees							
Effective November 1, 2023 November 1, 2024							
Description	Type	Criteria ¹	New Permit App. Fee ²	NPDES Annual Fee (5yr)	WPCF Annual Fee (10yr)	Modifications ³	
						Major	Minor
Lagoons Discharging to Surface Waters	Bb	5 mgd ≤ Flow < 10 mgd	\$ 57,462 \$ <u>59,185</u>	\$ 11,683 \$ <u>12,033</u>		\$ 28,802 \$ <u>29,666</u>	\$ 1,577 \$ <u>1,624</u>
	C1b	2 mgd ≤ Flow < 5 mgd	\$ 57,462 \$ <u>59,185</u>	\$ 8,123 \$ <u>8,366</u>		\$ 28,802 \$ <u>29,666</u>	\$ 1,577 \$ <u>1,624</u>
	C2b	1 mgd ≤ Flow < 2 mgd	\$ 57,462 \$ <u>59,185</u>	\$ 5,929 \$ <u>6,106</u>		\$ 28,802 \$ <u>29,666</u>	\$ 1,577 \$ <u>1,624</u>
	Db	Flow < 1 mgd	\$ 11,608 \$ <u>11,956</u>	\$ 2,250 \$ <u>2,317</u>		\$ 5,879 \$ <u>6,055</u>	\$ 1,577 \$ <u>1,624</u>
Non-discharging Lagoons	E	No discharge flow	\$ 5,879 \$ <u>6,055</u>		\$ 1,875 \$ <u>1,931</u>	\$ 3,008 \$ <u>3,098</u>	\$ 1,577 \$ <u>1,624</u>
Alkaline-stabilization facilities	F		\$ 1,577 \$ <u>1,624</u>		\$ 645 \$ <u>664</u>		\$ 694 \$ <u>714</u>
Please see Table 70D and 70E for applicable population and pretreatment fees for the permits listed above.							
Municipal Separate Storm Sewer System	MS4	See 40 C.F.R. § 122.26	\$ 31,912 \$ <u>32,869</u>	Please see Table 70H		\$ 2,770 \$ <u>2,853</u>	\$ 1,577 \$ <u>1,624</u>

1. Based on Average Dry Weather Design Flow, or as defined in 40 C.F.R.
2. New permit applications must include the annual fee in addition to the new permit application fee.
3. DEQ may charge the environmental management plan review fee amount in Table 70F when only the environmental management plan required by the permit requires review.

OAR 340-045-0075
Table 70D
Domestic NPDES and WPCF Annual Population Fee
Effective ~~November 1, 2023~~ November 1, 2024

Population range	Annual fee
500,000+	\$ 167,188 <u>\$172,203</u>
400,000 to 499,999	\$ 127,898 <u>\$131,734</u>
300,000 to 399,999	\$ 88,610 <u>\$91,268</u>
200,000 to 299,999	\$ 49,318 <u>\$50,797</u>
150,000 to 199,999	\$ 39,886 <u>\$41,028</u>
100,000 to 149,999	\$ 26,269 <u>\$27,057</u>
50,000 to 99,999	\$ 16,474 <u>\$16,968</u>
25,000 to 49,999	\$ 7,404 <u>\$7,626</u>
15,000 to 24,999	\$ 4,215 <u>\$4,341</u>
10,000 to 14,999	\$ 2,745 <u>\$2,827</u>
5,000 to 9,999	\$ 1,668 <u>\$1,718</u>
1,000 to 4,999	\$ 498 <u>\$512</u>
100 to 999	\$ 93 <u>\$95</u>
0 to 99	\$0

OAR 340-045-0075 Table 70E Annual Pretreatment Fees Effective November 1, 2023 November 1, 2024	
Description	Fee
Pretreatment Fee	\$ 2,865 \$2,950
Significant Industrial User	\$ 955 \$983 per industry

OAR 340-045-0075 Table 70F All NPDES and WPCF¹ Permits: Technical Activity, Plan Review, and Other Fees Effective November 1, 2023 November 1, 2024	
Activity	Fee
New or substantially modified sewage treatment facility	\$ 13,182 \$13,577
Minor facility or pump station modifications	\$ 1,432 \$1,474
Major system or pressure system expansion	\$ 1,004 \$1,034
Minor system expansion or modification	\$ 284 \$292
New or substantially modified septage alkaline stabilization facility	\$ 1,432 \$1,474
Site inspection and evaluation ²	\$ 2,244 \$2,311
Disposal system plan review ²	\$ 897 \$923
Environmental management plan review ³	\$ 897 \$923
Other Fees	
Annual temporary or permanent electronic reporting requirement waiver	\$ 1,092 \$1,124
Permit transfer, legal name change.	\$ 139 \$143

1. Does not include Onsite septic systems. Please see Tables 9A-9F in OAR 340-071 for appropriate technical activity fees.
 2. This fee only applies when these activities are required for DEQ's review of a general permit application.
 3. This fee is not charged to new applicants for individual NPDES and WPCF permits. Plans updated after the permit is issued are subject to plan review as specified in the permit. This includes but is not limited to biosolids management plan and recycled water use plan.

OAR 340-045-0075 Table 70G General NPDES and WPCF Permits: Application and Annual Fees Effective November 1, 2023 November 1, 2024				
Number	Type	Description	New Permit App. Fee ¹	Annual Fee
100-J	NPDES	Cooling water/heat pumps	\$ 366 <u>\$376</u>	\$ 834 <u>\$859</u>
200-J	NPDES	Filter backwash	\$ 366 <u>\$376</u>	\$ 834 <u>\$859</u>
300-J	NPDES	Fish hatcheries	\$ 585 <u>\$602</u>	\$ 834 <u>\$859</u>
400-J	NPDES	Log ponds	\$ 366 <u>\$376</u>	\$ 834 <u>\$859</u>
500-J	NPDES	Boiler blowdown	\$ 366 <u>\$376</u>	\$ 834 <u>\$859</u>
900-J	NPDES	Seafood processing	\$ 366 <u>\$376</u>	\$ 834 <u>\$859</u>
1400-A	WPCF	Wineries and seasonal fresh pack operations whose wastewater flow is ≤ 82000 gallons/day and is only disposed of by land irrigation.	\$ 366 <u>\$376</u>	\$ 489 <u>\$503</u>
1400-B	WPCF	Wineries and small food processors not otherwise eligible for a 1400A general permit.	\$ 585 <u>\$602</u>	\$ 834 <u>\$859</u>
1500-A	NPDES	Petroleum hydrocarbon clean-up	\$ 585 <u>\$602</u>	\$ 834 <u>\$859</u>
1500-B	WPCF	Petroleum hydrocarbon clean-up	\$ 585 <u>\$602</u>	\$ 834 <u>\$859</u>
1700-A	NPDES	Vehicle and equipment wash water	\$ 813 <u>\$837</u>	\$ 834 <u>\$859</u>
1700-B	WPCF	Vehicle and equipment wash water	\$ 813 <u>\$837</u>	\$ 834 <u>\$859</u>
1900-J	NPDES	Non-contact geothermal heat exchange	\$ 813 <u>\$837</u>	\$ 834 <u>\$859</u>
2000-J	NPDES	Pesticide use irrigation districts	\$ 813 <u>\$837</u>	\$ 834 <u>\$859</u>
2300-A	NPDES	Pesticide general permit	\$ 813 <u>\$837</u>	\$ 834 <u>\$859</u>
Residential and Commercial Graywater and Industrial Reuse Water				
2401	WPCF	Tier 1 graywater reuse and disposal system for residential systems: ≤ 300 gallons/day, or equivalent specific geographic area graywater reuse and disposal area permit	\$ 55 <u>\$56</u>	\$ 44 <u>\$45</u>
2402	WPCF	Tier 2 graywater reuse and disposal system for systems: ≤ 1,200 gallons/day, or equivalent specific geographic area graywater reuse and disposal area permit	\$ 599 <u>\$616</u>	\$ 55 <u>\$56</u>
2501	WPCF	Industrial reuse water free of human and animal waste suitable for reuse without secondary or advanced treatment and ≤ 25,000 gallons/day	\$ 813 <u>\$837</u>	\$ 834 <u>\$859</u>

OAR 340-045-0075 Table 70G General NPDES and WPCF Permits: Application and Annual Fees Effective November 1, 2023 November 1, 2024				
Number	Type	Description	New Permit App. Fee ¹	Annual Fee
Stormwater General Permits²				
1200-A	NPDES	Stormwater: Sand, gravel, and other non-metallic mining	\$ 1,429 \$1,471	1,469 \$1,513
1200-C	NPDES	Stormwater: Construction activities – one acre or more	\$ 1,429 \$1,471	1,469 \$1,513
1200-C	NPDES	Stormwater: Construction activities – less than one acre and part of a common plan of development disturbing one or more acres	\$ 418 \$430	\$0
1200-CA	NPDES	Stormwater: Construction activities performed by public agencies – one acre or more	\$ 1,429 \$1,471	1,469 \$1,513
1200-Z	NPDES	Stormwater: Industrial	\$ 1,429 \$1,471	1,469 \$1,513
4000-MS4	NPDES	Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc.	\$ 1,429 \$1,471	Please see Table 70H
Mining General Permits				
600	WPCF	Offstream small scale mining – Processing < 5 cubic yds/day, or < 1,500 cubic yds/year	\$0	\$0
		Offstream small scale mining – Processing 1,500 -10,000 cubic yds/year	\$ 366 \$376	\$0
700-PM	NPDES	Suction dredges (gravity and syphon)	\$0	\$25
700-PM	NPDES	Suction dredges (motorized)	\$250	\$250
		Permit renewal fee every five years (in addition to the annual fee)	\$250	
1000	WPCF	Gravel mining	\$ 366 \$376	\$ 834 \$859
Other General Permits				
All other permits not elsewhere classified.			\$ 813 \$837	\$ 834 \$859
1. New permit applications must include both the new permit application fee and the first year's annual fee.				

OAR 340-045-0075 Table 70G General NPDES and WPCF Permits: Application and Annual Fees Effective November 1, 2023 November 1, 2024				
Number	Type	Description	New Permit App. Fee ¹	Annual Fee
2. Stormwater construction and industrial permits are also administered by public agencies and local districts under contract with DEQ.				

OAR 340-045-0075 Table 70H Municipal Separate Storm Sewer System Permits: Annual Fees Effective November 1, 2023 November 1, 2024	
Population-based cost-per-person, except counties and other	Annual Fee
Cost-per-person	\$0.128 \$0.131
Counties, Phase I	\$11,591 \$11,938
Counties, Phase II (non-traditional MS4s, hospitals, public universities, etc.)	\$2,896 \$2,982
Oregon Department of Transportation MS4*	\$46,370 \$47,761
*Fee for ODOT MS4 assessed only in the absence of a separate revenue agreement.	

OAR 340-045-0075

Table 70I

**Underground Injection Control Permits:
Application Fees, Annual Fees and Surcharges**

Effective ~~November 1, 2023~~ **November 1, 2024**

Type	Description	Application Fee	Annual Fee	Class of Injection	Surcharge	
					Application	Annual
Authorized By Rule ¹	Low Risk Stormwater Only	None	None	Low Risk	\$107 \$110	None
	Non-Stormwater Injection ²	None	None	Medium Risk	\$134 \$138	None
	All Other UIC's Draining Stormwater from Any Surface	None	None	Low Risk	\$107 \$110	None
				Medium Risk	\$134 \$138	None
				High Risk	\$321 \$330	\$107 \$110
1200-U General Permit ³	Stormwater Injection	\$813 \$837	\$834 \$859	Low Risk	\$144 \$148	None
				Medium Risk	\$182 \$187	None
				High Risk	\$437 \$450	\$144 \$148
1900-B General Permit	Injection During Geothermal Exploration	\$813 \$837	\$834 \$859			
Type	Description	Application Fee	Annual Fee	Individual WPCF Modifications		
				Major	Minor	
Individual WPCF Permit	As defined in 40 CFR parts 9, 144, 145 and 146	\$18,139 \$18,683	\$3,838 \$3,953	\$3,008 \$3,098	\$1,577 \$1,624	

1. Includes facilities with less than 50 injection systems. All systems must be located over 500 feet from a water well and outside a 2 -year time of travel from a water source.
2. Includes aquifer storage and recovery, low temperature geothermal injection, remediation and other underground injection control systems that do not drain stormwater.
3. Includes facilities with less than 50 injection systems and for systems within 500 ft from a water well and within a 2-year time of travel from a water source.

Division 48

REGULATIONS PERTAINING TO 401 DREDGE AND FILL WATER QUALITY CERTIFICATION

340-048-0055

Fee Schedule for Certifications

- (1) Applicability. The fees established in this rule apply to any person, including a federal agency, submitting an application for certification to DEQ.
- (2) Fee Determinations. To determine the appropriate fee to process and review an application for certification, DEQ will do the following:
- (a) Perform an initial review of the application and other materials submitted;
 - (b) Determine the estimated program costs incurred by DEQ in reviewing the proposed project based on the types of tasks expected, the amount of staff time and other expenses, and assign a tier using the criteria in Section (3);
 - (c) Submit an invoice or, if necessary, multiple invoices, to the applicant based on the appropriate fee schedule provided in Section (4); and
 - (d) As necessary, revise an assigned tier based on documentation of the expected types of tasks or program costs incurred, if appropriate, and notify the applicant of such revisions.
- (3) Project Tiers. The following tier schedule describes the types of tasks expected to appropriately process and review proposed projects for certification:
- (a) Tier 1 — This tier applies to those projects that incur minimal program costs and impacts to water quality. To qualify under this tier, the project must meet the following:
 - (A) Potential for minimal impacts to water quality;
 - (B) Low level of public participation;
 - (C) No more than standard coordination with federal state or local agencies required;
 - (D) Stormwater management plan review not required or will be addressed through the National Pollutant Discharge Elimination System permitting process;
 - (E) Limited technical assistance needed; or
 - (F) Within the scope of a United States Army Corps of Engineers Nationwide 404 category requiring a DEQ 401 certification and involving only a stormwater management plan or sediment evaluation review component;
 - (G) Within the scope of the proposed application, the project has been modified or altered that the DEQ 401 review and certification requires re-issuance, including DEQ public notice.
 - (b) Tier 2A — This tier applies to those projects that incur a higher than minimal amount of program costs and impacts to water quality. To qualify under this tier, the project must meet some of the following:
 - (A) Potential for greater than minimal impacts to water quality;
 - (B) Basic level of public participation required, including but not limited to response to comment;
 - (C) No more than standard coordination with federal state or local agencies required;
 - (D) Limited stormwater management plan review or technical assistance to a reviewing permitted entity or agent required;

Attachment A

(E) Limited technical assistance needed; or

(F) Sediment characterization, if required, finds sediment and new surface suitable for in-water exposure.

(c) Tier 2B — This tier applies to those projects that incur higher program costs due to greater potential impacts on water quality. To qualify for this tier, the project must meet a majority of the following:

(A) Potential for greater water quality impacts if the waterway is identified on DEQ's 303(d) list or is covered by a total maximum daily load, or multiple waters of the state are affected;

(B) High level of public participation required with potential for one or more public meetings or hearings;

(C) More than standard coordination with multiple federal, state or local agencies required, including but not limited to one or more meetings or pre-application site visit;

(D) Complex stormwater management plan review and coordination required;

(E) Moderate and on-going level of technical assistance needed;

(F) Large or complex compensatory mitigation review required;

(G) Sediment characterization, if required, finds sediment or new surface unsuitable for in-water exposure, so that coordination with the DEQ Solid Waste or Environmental Cleanup programs is necessary; or

(H) Preparation of a full evaluation and findings report needed.

(d) Tier 3 — This tier applies to those projects that incur very high program costs because a large area is affected, a high degree of complexity is involved or greater potential water quality impacts may result. To qualify for this tier, the project must meet a majority of the following:

(A) Potential for greater water quality impacts if the waterway is identified on DEQ's 303(d) list or covered by a total maximum daily load, or multiple waters of the state are affected;

(B) High level of public participation required with extensive public comments and the potential for one or more public meetings or hearings;

(C) Substantially more than standard coordination with multiple federal, state or local agencies required, including but not limited to one or more meetings;

(D) Complex stormwater management plan review and coordination required;

(E) High level or iterative technical assistance required or substantive project revisions received;

(F) Large or complex compensatory mitigation review required;

(G) Site visit(s) needed to understand impacts and advise on potential alternatives;

(H) Sediment characterization finds sediment or new surface unsuitable for in-water exposure or contaminated soil is likely to be present, so that coordination with the DEQ Solid Waste or Environmental Cleanup Programs is necessary; or

(I) Preparation of a full evaluation and findings report needed.

(e) Tier 4 — This tier applies to those projects that incur the highest program costs because a very large area is affected, an extremely high degree of complexity is involved, or a very high level of public participation is expected. To qualify for this tier, the project must meet all of the following:

Attachment A

(A) All of the applicable factors identified in Tier 3; and

(B) Coordination with the Governor's Office in conjunction with other state agencies, tribal nations and the federal government;

(C) Review of additional documents such as National Environmental Policy Act Resource Reports, Environmental Assessments and Environmental Impact Statements.

(4) Fee Schedules. ~~The following~~

~~(a) See Table 1 for fees that apply to tiers assigned under Sections (2) and (3).~~

~~(a) As of July 31, 2013, the following fees apply:~~

~~(A) Tier 1—\$985~~

~~(B) Tier 2A—\$4,390~~

~~(C) Tier 2B—\$12,105~~

~~(D) Tier 3—\$17,780~~

~~(E) Tier 4—\$14,020 per month or average monthly cost of a senior level technical staff position.~~

(b) In lieu of fees established by this section, DEQ may at its discretion enter into an intergovernmental agreement with another state or federal agency that provides for the payment of the estimated or actual costs of processing an application for certification.

(5) Review of Fee Determinations. An applicant may seek review of DEQ's determination of the appropriate fee as follows:

(a) An applicant may seek review of the fee determination by submitting a written request to the DEQ regional administrator within 30 days of receipt of an invoice. The request must state the specific reasons and provide documentation that the applicant believes supports a different fee amount. Upon receiving such a request, the DEQ regional administrator must respond within 60 days of receipt and render a decision.

(b) That decision may include:

(A) Determination that a different fee tier will apply subject to making specifically identified modifications to the proposed project;

(B) Denial of a request for a different fee amount; or;

(C) The determination that the proposed project meets the criteria for a different tier.

(c) If an applicant is not satisfied by the decision of the DEQ regional administrator, the applicant is entitled to request review by the DEQ director in the same manner as described in subsections (a) and (b) above.

(d) An applicant who is dissatisfied with the review of the director retains the right to a contested case hearing as provided in ORS chapter 183, provided the applicant has sought relief through subsections (a) through (c).

(6) Certification of Hydroelectric Projects. Fees for certification of a hydroelectric project as proposed to be licensed by the Federal Energy Regulatory Commission must be paid in accordance with ORS 468.065(3). Fees for a certification related to a hydroelectric project but for a license or approval not issued by the Federal Energy Regulatory Commission are based on the actual expenses incurred by the department, including expenses of the Environmental Quality

Attachment A

Commission, related to the certification review and decision. In consultation with the applicant, DEQ will establish a periodic basis for billing the applicant.

(7) DEQ may approve a payment schedule for fees, including the submission of multiple invoices, for multi-year projects or projects assigned as a Tier 4.

(8) DEQ must receive the payment of the full invoiced fee before issuing a certification, and a review made pursuant to subsection (5) does not suspend the requirement to pay the appropriate fee. An application for certification is considered withdrawn if the applicant fails to pay the appropriate fee within 90 days of the invoice date. An applicant may request that DEQ grant an extension of time to pay the appropriate fee to an applicant upon a showing of good cause, and DEQ will continue processing the application for certification. DEQ may refund the fee or some portion if it determines that no certification is required, that minimal program costs were not incurred, a revised tier assignment is provided or the wrong application has been filed.

Statutory/Other Authority: ORS 468.068 & 468B.047

Statutes/Other Implemented: ORS 468.068

History:

Reverted to DEQ 1-2013, f. & cert. ef. 1-16-13

DEQ 3-2013(Temp), f. & cert. ef. 3-25-13 thru 7-30-13

DEQ 1-2013, f. & cert. ef. 1-16-13

Renumbered from 340-048-0200, DEQ 2-2004, f. & cert. ef. 4-15-04

DEQ 28-1998, f. & cert. ef. 12-22-98

OAD 340-048-0055	
Table 1	
401 DREDGE AND FILL FEES	
Effective November 1, 2024	
Tier 1	\$985 <u>\$1,014</u>
Tier 2A	\$4,390 <u>\$4,521</u>
Tier 2B	\$12,105 <u>\$12,468</u>
Tier 3	\$17,780 <u>\$18,313</u>
Tier 4 - \$14, 020 <u>440</u> per month or average monthly cost of a senior level technical staff position.	\$14,020 <u>\$14,440</u>

Division 49
REGULATIONS PERTAINING TO OPERATOR CERTIFICATION AND OPERATOR
CERTIFICATION PROGRAM SUPPORT FEES

340-049-0065

Fee Schedules for Wastewater System Operator Certification and Operator Certification Program Support

Attachment A

(1) Operator Certification Fee Schedule. Fees for new applications for certification, fees related to taking the exam, fees for evaluating reciprocity, fees for renewal of certification, and fees for reinstating certificates are found in Table B.

~~(1) Operator Certification Fee Schedule~~

~~(a) Application Fee:~~

~~(A) Small Wastewater Systems: \$140~~

~~(B) Grade I or Grade I Provisional Treatment or Collection: \$140;~~

~~(C) Grade I or Grade I Provisional Treatment and Collection: \$200;~~

~~(D) Grade II Treatment or Collection: \$170;~~

~~(E) Grade III Treatment or Collection: \$200; and~~

~~(F) Grade IV Treatment or Collection: \$240.~~

~~(b) Examination Fee: \$100~~

~~(c) Re-examination or Reschedule Examination Fee: \$240~~

~~(d) Post-examination Application Fee: \$50~~

~~(e) Reciprocity Application Fee~~

~~(A) Grade I — Treatment or Collection: \$160;~~

~~(B) Grade I — Treatment and Collection: \$240;~~

~~(C) Grade II Treatment or Collection: \$190;~~

~~(D) Grade III Treatment or Collection: \$220; and~~

~~(E) Grade IV Treatment or Collection: \$260.~~

~~(f) Two-year Certificate Renewal Fee — One certificate or two: \$160~~

~~(g) Certificate Reinstatement and Renewal Fee — One certificate or two: \$280~~

~~(h) Certificate and Renewal Document Replacement: \$50~~

(2) Operator Certification Program Support Fee Schedule. The annual fee paid by wastewater systems to support the wastewater operator certification program is in Table C.

~~(2) Operator Certification Program Support Fee Schedule~~

Attachment A

~~(a) Annual Operator Certification Program Support Fee—Wastewater Systems:~~

~~(A) ADWF less than 0.075 MGD:\$80;~~

~~(B) ADWF 0.075—0.499 MGD:\$100;~~

~~(C) ADWF 0.500—0.999 MGD:\$190;~~

~~(D) ADWF 1.0—1.999 MGD:\$360;~~

~~(E) ADWF 2.0—4.999 MGD:\$840;~~

~~(F) ADWF 5.0—9.999 MGD:\$1,840;~~

~~(G) ADWF 10.0—19.999 MGD:\$3,600;~~

~~(H) ADWF 20.0—29.999 MGD:\$6,000;~~

~~(I) ADWF 30.0—39.999 MGD:\$8,400;~~

~~(J) ADWF 40.0—59.999 MGD:\$12,000;~~

~~(K) ADWF 60.0—79.999 MGD:\$16,800;~~

~~(L) ADWF 80.0—119.999 MGD:\$24,000; and~~

~~(M) ADWF 120.0 MGD or greater:\$33,600.~~

~~(b) Late Fee:\$50 or 10 percent of the appropriate annual operator certification program support fee in subsection (a) above, whichever is greater.~~

Statutory/Other Authority: ORS 448.410(1)(d) & 468.020

Statutes/Other Implemented: ORS 448.405 - 448.430 & 448.992

History:

DEQ 2-2013, f. 1-28-13, cert. ef. 3-1-13

DEQ 15-2002, f. & cert. ef. 10-16-02

Reverted to DEQ 29-1994, f. & cert. ef. 12-2-94

DEQ 29-1994, f. & cert. ef. 12-2-94

DEQ 30-1994(Temp), f. & cert. ef. 12-2-94

DEQ 23-1988, f. & cert. ef. 9-15-88

OAR 340-049-0065 TABLE B Wastewater System Operator Certification: Operator Certification Fees Effective November 1, 2024	
Application Type	Fee

Attachment A

Small Wastewater Systems	\$140\$ <u>144</u>
Grade I or Grade I Provisional Treatment or Collection	\$140\$ <u>144</u>
Grade I or Grade I Provisional Treatment and Collection	\$200\$ <u>206</u>
Grade II Treatment or Collection	\$170\$ <u>175</u>
Grade III Treatment or Collection	\$200\$ <u>206</u>
Grade IV Treatment or Collection	\$240\$ <u>247</u>
Examination Fee	\$100\$ <u>103</u>
Re-examination or Reschedule Examination Fee	\$240\$ <u>247</u>
Post-examination Application Fee	\$50\$ <u>51</u>
Two-year Certification Renewal Fee – One Certificate or Two	\$160\$ <u>164</u>
Certificate Reinstatement and Renewal Fee — One certificate or two	\$280\$ <u>288</u>
Reciprocity Application Type	Fee
Grade I Treatment or Collection	\$160\$ <u>164</u>
Grade I Treatment and Collection	\$240\$ <u>247</u>
Grade II Treatment or Collection	\$190\$ <u>195</u>
Grade III Treatment or Collection	\$220\$ <u>226</u>
Grade IV Treatment or Collection	\$260\$ <u>267</u>
OAR 340-049-0065 TABLE C Wastewater System Operator Certification: Operator Certification Program Support Fee Schedule Effective November 1, 2024	
Wastewater System Average Dry Weather Flow (ADWF)	Annual Operator Certification Program Support Fee
ADWF less than 0.075 MGD	\$80\$ <u>82</u>
ADWF 0.075 — 0.499 MGD	\$100\$ <u>103</u>
ADWF 0.500 — 0.999 MGD	\$190\$ <u>195</u>
ADWF 1.0 — 1.999 MGD	\$360\$ <u>370</u>
ADWF 2.0 — 4.999 MGD	\$840\$ <u>865</u>
ADWF 5.0 — 9.999 MGD	\$1,840\$ <u>1,895</u>
ADWF 10.0 — 19.999 MGD	\$3,600\$ <u>3,708</u>
ADWF 20.0 — 29.999 MGD	\$6,000\$ <u>6,180</u>
ADWF 30.0 — 39.999 MGD	\$8,400\$ <u>8,652</u>

Attachment A

ADWF 40.0 — 59.999 MGD	\$12,000 \$12,360
ADWF 60.0 — 79.999 MGD	\$16,800 \$17,304
ADWF 80.0 — 119.999 MGD	\$24,000 \$24,720
ADWF 120.0 MGD or greater	\$33,600 \$34,608
Late Fee: \$50-51 or 10 percent of the appropriate annual operator certification program support fee in Table C (above), whichever is greater.	\$50 \$51

**Division 71
ONSITE WASTEWATER TREATMENT SYSTEMS**

**340-071-0800
Tables**

Tables for Division 071.

[\[ED. NOTE: To view attachments referenced in rule text, click here for PDF copy.\]](#)

Statutory/Other Authority: ORS 454.615, 454.625 & 468.020

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

History:

[DEQ 12-2023, amend filed 09/13/2023, effective 11/01/2023](#)

[DEQ 15-2022, amend filed 09/06/2022, effective 11/01/2022](#)

[DEQ 15-2021, amend filed 09/30/2021, effective 11/01/2021](#)

[DEQ 16-2020, amend filed 07/29/2020, effective 08/01/2020](#)

[DEQ 22-2019, amend filed 09/27/2019, effective 09/27/2019](#)

[DEQ 193-2018, amend filed 09/17/2018, effective 09/17/2018](#)

[DEQ 31-2017, minor correction filed 11/29/2017, effective 11/29/2017](#)

[DEQ 16-2017, minor correction filed 11/01/2017, effective 11/01/2017](#)

[DEQ 15-2017, adopt filed 10/31/2017, effective 11/01/2017](#)

November 1, 2023

OAR 340-071-0220 TABLE 1 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS MINIMUM SEPARATION DISTANCES (ALL MEASUREMENTS IN FEET UNLESS OTHERWISE NOTED)			
Items Requiring Setback		From Subsurface Absorption Area Including Replacement Area	From Septic Tank and Other Treatment Units, Effluent Sewer and Distribution Units
1. Groundwater Supplies and Wells		*100	50
2. Springs	Upgradient	50	50
	Downgradient	100	50
**3. Surface Public	Year round	100	50

Attachment A

Waters	Seasonal	50	50
4. Intermittent Streams	Piped (watertight not less than 20' from any part of the onsite system)	20	20
	Unpiped	50	50
5. Groundwater Interceptors	On a slope of 3% or less	20	10
	On a slope greater than 3%: Upgradient	10	5
	On a slope greater than 3%: Downgradient	50	10
<p>OAR 340-071-0220 TABLE 1 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS MINIMUM SEPARATION DISTANCES (ALL MEASUREMENTS IN FEET UNLESS OTHERWISE NOTED)</p>			
Items Requiring Setback		From Subsurface Absorption Area Including Replacement Area	From Septic Tank and Other Treatment Units, Effluent Sewer and Distribution Units
6. Irrigation Canals	Lined (watertight canal): Downgradient	25	25
	Unlined: Upgradient	25	25
	Unlined: Downgradient	50	50

Attachment A

7. Manmade Cuts Down - Gradient in Excess of 30 Inches (top of downslope cut)	Which Intersect Layers that Limit Effective Soil Depth Within 48 Inches of Surface	50	25
	Which Do Not Intersect Layers that Limit Effective Soil Depth	25	10
8. Downgradient Escarpments	Which Intersect Layers that Limit Effective Soil Depth	50	10
	Which Do Not Intersect Layers that Limit Effective Soil Depth	25	10
9. Property Lines		10	5
10. Water Lines		10	10
11. Foundation Lines of any Building, Including Garages and Out Buildings		10	5
12. Underground Utilities		10	—
<p>* 50-foot setback for wells constructed with special standards granted by WRD. **This does not prevent stream crossings of pressure effluent sewers.</p>			

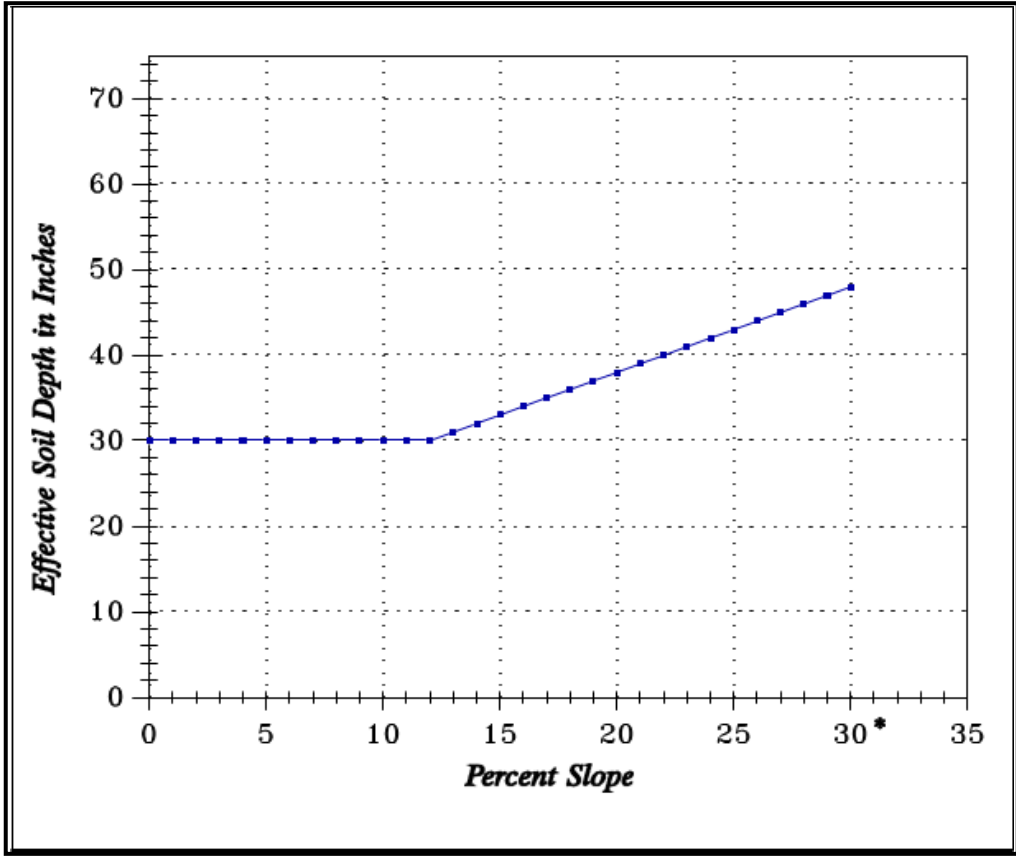
OAD 340-071-0220		
TABLE 2		
ONSITE WASTEWATER TREATMENT SYSTEMS:		
STANDARD SUBSURFACE SYSTEMS		
QUANTITIES OF SEWAGE FLOWS		
Type of Establishment	Column 1	Column 2
	Gallons Per Day	Minimum Gallons Per Establishment Per Day
Airports	5 (per passenger)	150
Bathhouses and swimming pools	10 (per person)	300
Camps: (4 Persons per Campsite, where Applicable)	Campground with central comfort stations	35 (per person)
	With flush toilets, no showers	25 (per person)
	Construction camps — semi- permanent	50 (per person)
	Day camps — no meals served	15 (per person)
	Resort camps (night and day) with limited plumbing	50 (per person)
	Luxury camps	100 (per person)
Churches	5 (per seat)	150
Country clubs	100 (per resident member)	2000

OAD 340-071-0220			
TABLE 2			
ONSITE WASTEWATER TREATMENT SYSTEMS:			
STANDARD SUBSURFACE SYSTEMS			
QUANTITIES OF SEWAGE FLOWS			
Country clubs		25 (per non- resident member present)	—
Dwellings:	Boarding houses	150 (per bedroom)	600
	Boarding houses – additional for non- residential boarders	10 (per person)	—
	Rooming houses	80 (per person)	500
	Condominiums, Multiple family dwellings — including apartments	300 (per unit)	900
Type of Establishment		Column 1	Column 2
		Gallons Per Day	Minimum Gallons Per Establishment Per Day
Dwellings:	Single family dwellings	300 (not exceeding 2 bedrooms)	450*
	Single family dwellings — with more than 2 bedrooms	75 (for third & each succeeding bedroom)	450
Factories (exclusive of industrial wastes — with shower facilities)		35(per person per shift)	300
Factories (exclusive of industrial wastes — without shower facilities)		15 (per person per shift)	150
Hospitals		250 (per bed space)	2500
Hotels with private baths		120 (per room)	600
Hotels without private baths		100 (per room)	500
Institutions other than hospitals		125 (per bed space)	1250

OAR 340-071-0220			
TABLE 2			
ONSITE WASTEWATER TREATMENT SYSTEMS:			
STANDARD SUBSURFACE SYSTEMS			
QUANTITIES OF SEWAGE FLOWS			
Laundries — self-service	500 (per machine)	2500	
Mobile home parks	250 (per space)	750	
Motels — with bath, toilet, and kitchen wastes	100 (per bedroom)	500	
Motels — without kitchens	80 (per bedroom)	400	
Picnic Parks — toilet wastes only	5 (per picnicker)	150	
Picnic Parks — with bathhouses, showers, and flush toilets	10 (per picnicker)	300	
Restaurants	40 (per seat)	800	
Restaurants — single-service	2 (per customer)	300	
Restaurants — with bars and/or lounges	50 (per seat)	1000	
Type of Establishment	Column 1	Column 2	
	Gallons Per Day	Minimum Gallons Per Establishment Per Day	
Schools:	Boarding	100 (per person)	3000
	Day — without gyms, cafeterias, or showers	15 (per person)	450
	Day — with gyms, cafeterias and showers	25 (per person)	750
	Day — with cafeteria, but without gyms or showers	20 (per person)	600
Service Stations	10 (per vehicle served)	500	
Swimming pools and bathhouses	10 (per person)	300	
Theaters:	Movie	5 (per seat)	300
	Drive-In	20 (per car space)	1000
Travel trailer parks — without individual water and sewer hookups	50 (per space)	300	

OAR 340-071-0220 TABLE 2 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS QUANTITIES OF SEWAGE FLOWS			
Travel trailer parks — with individual water and sewer hookups		100 (per space)	500
Workers:	Construction — as semi- permanent camps	50 (per person)	1000
	Day — at schools and offices	15 (per shift)	150
* Except as otherwise provided in these rules.			

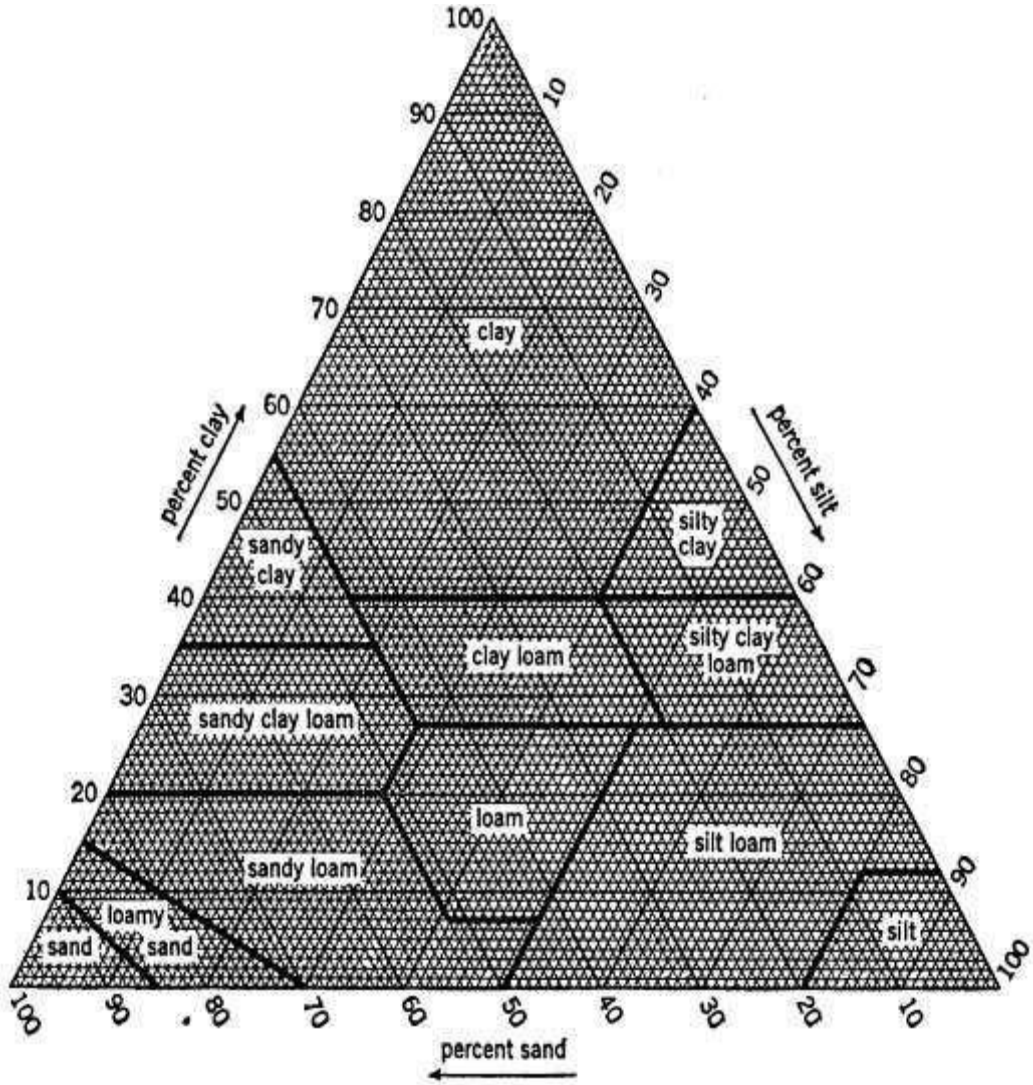
OAR 340-071-0220
TABLE 3
ONSITE WASTEWATER TREATMENT SYSTEMS:
STANDARD SUBSURFACE SYSTEMS
SLOPE, EFFECTIVE SOIL DEPTH RELATIONSHIP



OAR 340-071-0220 TABLE 4 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS			
Minimum length of absorption trench (linear feet) required per 150 gallons projected daily sewage flow determined from soil texture versus effective soil depth.			
Effective Soil Depth	Soil Group		
	A	B	C
18" to Less than 24"	125	150	175
24" to Less than 36"	100	125	150
36" to Less than 48	75	100	125
48" or more	50	75	125
Soil Group A — Sand, Loamy Sand, Sandy Loam. Soil Group B — Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam. Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay. If sand grains are fine or very fine, site according to Group B soils.			

OAR 340-071-0220 TABLE 5 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS			
Minimum length of absorption trench (linear feet) required per 150 gallons projected daily sewage flow determined from soil texture versus depth to temporary groundwater.			
Depth to Temporary Groundwater	Soil Group		
	A	B	C
24" to Less than 48"	100	125	150
48" or More	50	75	125
Soil Group A — Sand, Loamy Sand, Sandy Loam. Soil Group B — Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam. Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay. If sand grains are fine or very fine, site according to Group B soils.			

OAR 340-071-0100
TABLE 6
ONSITE WASTEWATER TREATMENT SYSTEMS:
STANDARD SUBSURFACE SYSTEMS
[OAR 340-071-0100](#)
SOIL TEXTURAL CLASSIFICATION CHART



OAR 340-071-0100 TABLE 7 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS USDA SOIL CLASSIFICATION SIZES OF SOIL SEPARATES		
Material	Sieve Sizes	Millimeters
Clay		.002
Silt	270	.050
Very Fine Sand	200	.075
	140	.1
Fine Sand	60	.25
Medium Sand	35	.5
Coarse Sand	18	1.0
Very Coarse Sand	10	2.0
Fine Gravel	4	4.75
	3/8"	9.5
	1/2	12.5
Course Gravel	3"	76.2
Cobbles		

OAR 340-071-0330 TABLE 8 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS MINIMUM SEPARATION DISTANCES FOR NONWATER-CARRIED WASTE DISPOSAL FACILITIES		
Items requiring separation	Self-Contained Nonwater-Carried Waste Disposal	Unsealed Earth-Type Privies, Graywater Waste Disposal Sump and Seepage Chambers
Groundwater supplies including springs and cisterns	50'	100'
Surface public waters, excluding intermittent streams	50'	100'
Intermittent streams	50'	50'
Property line	25'	25'

OAR 340-071-0140 TABLE 9A ONSITE WASTEWATER TREATMENT SYSTEMS: SITE EVALUATION AND EXISTING SYSTEM EVALUATION FEEES Effective August 1, 2024	
New Site Evaluation Fees Fees in this section apply to each system for which site suitability is evaluated	
Single family dwelling - First lot	\$700 <u>\$819</u>
Single family dwelling - Each additional lot evaluated during initial visit	\$700 <u>\$819</u>
Commercial facility with a design capacity of 1,000 gpd or less	\$700 <u>\$819</u>
Commercial facility with a design capacity of 1,001-1,500 gpd	\$882 <u>1,031</u>
Commercial facility with a design capacity of 1,501-2,000 gpd	\$1,063 <u>1,243</u>
Commercial facility with a design capacity of 2,001-2,500 gpd	\$1,244 <u>1,455</u>
Commercial facility s with a design capacity of 2,501-3,000 gpd	\$1,426 <u>1,668</u>
Commercial facility with a design capacity of 3,001-3,500 gpd	\$1,607 <u>1,880</u>
Commercial facility with a design capacity of 3,501-4,000 gpd	\$1,788 <u>2,091</u>
Commercial facility with a design capacity of 4,001-4,500 gpd	\$1,969 <u>2,303</u>
Commercial facility with a design capacity of 4,501-5,000 gpd	\$2,151 <u>2,516</u>
Commercial facility with a design flow greater than 5,000 gpd	\$2,373 <u>2,776</u>
Site Evaluation Report Review fee	\$659 <u>\$771</u>
Existing System Evaluation Report fee	\$659 <u>\$771</u>

OAR 340-071-0140 TABLE 9B ONSITE WASTEWATER TREATMENT SYSTEMS: PERMITTING FEES FOR SYSTEMS NOT SUBJECT TO WPCF PERMITS Effective August 1, 2024							
Type of Fee		System Type					Plan Review fees for Commercial Facility Systems
		A	B	C	D	E	
Construction-Installation Permit Fees	For systems with a design capacity of less than 600 gpd	\$461 <u>\$539</u>	\$890 <u>\$1,041</u>	\$1,038 <u>\$1,214</u>	\$1,272 <u>\$1,488</u>	\$1,566 <u>\$1,832</u>	\$0
	For systems with a design capacity of 601-1,000 gpd	\$461 <u>\$539</u>	\$890 <u>\$1,041</u>	\$1,038 <u>\$1,214</u>	\$1,272 <u>\$1,488</u>	\$1,566 <u>\$1,832</u>	\$379 <u>\$443</u>
	For systems with a design capacity of 1,001-1,500 gpd	\$560 <u>\$655</u>	\$989 <u>\$1,157</u>	\$1,137 <u>\$1,330</u>	\$1,352 <u>\$1,581</u>	\$1,710 <u>\$2,000</u>	\$445 <u>\$520</u>
	For systems with a design capacity of 1,501-2,000 gpd	\$659 <u>\$771</u>	\$1,088 <u>\$1,272</u>	\$1,236 <u>\$1,446</u>	\$1,433 <u>\$1,676</u>	\$1,763 <u>\$2,062</u>	\$511 <u>\$597</u>
	For systems with a design capacity of 2,001-2,500 gpd	\$758 <u>\$886</u>	\$1,187 <u>\$1,388</u>	\$1,335 <u>\$1,561</u>	\$1,513 <u>\$1,770</u>	\$1,862 <u>\$2,178</u>	\$577 <u>\$675</u>
Reinspection fee		\$103 <u>\$120</u>	\$103 <u>\$120</u>	\$103 <u>\$120</u>	\$103 <u>\$120</u>	\$103 <u>\$120</u>	\$103 <u>\$120</u>
Pump Evaluation fee. For all permits that specify the use of a pump or dosing siphon except for sand filter, Alternative treatment technologies, Recirculating gravel filter, and pressurized distribution systems		\$66 <u>\$77</u>	\$66 <u>\$77</u>	\$66 <u>\$77</u>	\$66 <u>\$77</u>	\$66 <u>\$77</u>	\$66 <u>\$77</u>
System Type Key: Type A = Gray Water waste disposal sumps Type B = Holding tanks Type C = Standard subsurface, Absorption trenches in saprolite, Redundant, Seepage trench, Steep slope Type D = Alternative treatment technologies, Capping fill, Pressurized distribution, Tile dewatering Type E = Recirculating gravel filter, Sand filter (commercial or residential)							

OAR 340-071-0140
TABLE 9C
ONSITE WASTEWATER TREATMENT SYSTEMS:
OTHER PERMITTING FEES FOR SYSTEMS
NOT SUBJECT TO WPCF PERMITS
Effective August 1, 2024

Fee Subject	Fee	Field Visit required	No Field Visit required
Minor Alteration Permit	\$272 <u>\$318</u>		
Major Alteration Permit	\$569 <u>\$665</u>		
Minor Repair Permit - Single Family Dwelling	\$264 <u>\$308</u>		
Major Repair Permit - Single Family Dwelling	\$551 <u>\$644</u>		
Minor Repair Permit - Commercial Facility	\$478 <u>\$559</u>		
Major Repair Permit - Commercial Facility	\$1,038 \$1,214		
Permit Denial Review	\$363 <u>\$424</u>		
Permit Transfer, Reinstatement, or Renewal		\$536 <u>\$627</u>	\$157 <u>\$183</u>
Authorization Notice		\$643 <u>\$752</u>	\$165 <u>\$193</u>
Authorization Notice Denial Review	\$659 <u>\$771</u>		
Renewal of hardship authorization for temporary dwelling		\$340 <u>\$397</u>	\$103 <u>\$120</u>
Alternative system inspection - Holding tanks	\$396 <u>\$463</u>		
Variance from onsite system rules	\$2,142 \$2,506		
Land use clearance	\$52 <u>\$60</u>		
Annual report evaluation - Holding tanks – hard copy submittal	\$31 <u>\$36</u>		
Annual report evaluation - Holding tanks – online submittal	\$26 <u>\$30</u>		
Alternative system inspection - Other alternative systems listed in Table 9B	\$544 <u>\$636</u>		

OAR 340-071-0140 TABLE 9C ONSITE WASTEWATER TREATMENT SYSTEMS: OTHER PERMITTING FEES FOR SYSTEMS NOT SUBJECT TO WPCF PERMITS			
Type	Fee	Field Visit required	No Field Visit required
Annual report evaluation - Sand filters, pressurized distribution systems, recirculating gravel filters, and alternative treatment technology – hard copy submittal	\$62 <u>\$72</u>		
Annual report evaluation - Sand filters, pressurized distribution systems, recirculating gravel filters, and alternative treatment technology – online submittal	\$52 <u>\$60</u>		

OAR 340-071-0140 TABLE 9D ONSITE WASTEWATER TREATMENT SYSTEMS WPCF PERMIT FEES Effective November 1, 2023 November 1, 2024			
	Application filing fee (all systems)	Permit processing fees for onsite systems with a design capacity of 1,200 gpd or less	Permit processing fees for onsite systems with a design capacity over 1,200 gpd
New application	\$123 \$126	\$996 \$1,025	\$4,976 \$5,125
Permit renewal (involving request for effluent limit modifications)	\$123 \$126	\$495 \$509	\$2,491 \$2,565
Permit renewal (without request for effluent limit modifications)	\$123 \$126	\$250 \$257	\$1,242 \$1,279
Permit modification (involving increase in effluent limitations)	\$123 \$126	\$495 \$509	\$2,491 \$2,565
Permit modification (not involving an increase in effluent limits)	\$123 \$126	\$371 \$382	\$1,242 \$1,279
Plan Review fee			
For commercial facilities with a design capacity less than 600 gpd		\$0	
For commercial facilities with a design capacity of 600 - 1,000 gpd		\$473 \$487	
For commercial facilities with a design capacity of 1,001 - 1,500 gpd		\$558 \$574	
For commercial facilities with a design capacity of 1,501 - 2,000 gpd		\$642 \$661	
For commercial facilities with a design capacity of 2,001 - 2,500 gpd		\$724 \$745	
For commercial facilities with a design capacity of 2,501 - 3,000 gpd		\$850 \$875	
For commercial facilities with a design capacity of 3,001 - 3,500 gpd		\$933 \$960	
For commercial facilities with a design capacity of 3,501 - 4,000 gpd		\$1,014 \$1,044	

OAR 340-071-0140 TABLE 9D ONSITE WASTEWATER TREATMENT SYSTEMS WPCF PERMIT FEES Effective November 1, 2023 November 1, 2024	
Plan Review fee	
For commercial facilities with a design capacity of 4,001 - 4,500 gpd	\$ 1,096 <u>\$1,128</u>
For commercial facilities with a design capacity of 4,501 - 5,000 gpd	\$ 1,184 <u>\$1,216</u>
Commercial facilities with a design capacity greater than 5,000 gpd	\$ 1,242 <u>\$1,279</u>
Single family dwelling	\$ 250 <u>\$257</u>
Annual Compliance Determination fee	
Onsite sewage lagoon with no discharge	\$ 1,494 <u>\$1,535</u>
Treatment Standard 1 or better systems with design capacities less than 2,500 gpd	\$ 622 <u>\$640</u>
Treatment Standard 1 or better systems with design capacities of 2,500 - 20,000 gpd	\$ 1,242 <u>\$1,279</u>
Holding tanks, if by the date specified by DEQ, the owner does not submit written certification to DEQ that the holding tank has been operated the previous calendar year in full compliance with the permit or that the previous year's service logs for the holding tanks are not available for inspection by the DEQ	\$ 495 <u>\$509</u>
Holding tanks, if by the date specified by DEQ, the owner submits written certification to DEQ that the holding tank has been operated the previous calendar year in full compliance with the permit and that the previous year's service	\$ 53 <u>\$54</u>
Other systems with design capacities less than 20,000 gpd	\$ 622 <u>\$640</u>
Other systems with design capacities 20,000 gpd or more	\$ 1,242 <u>\$1,279</u>

OAR 340-071-0140 TABLE 9E ONSITE WASTEWATER TREATMENT SYSTEMS SEWAGE DISPOSAL SERVICE LICENSE AND TRUCK INSPECTION FEES EFFECTIVE AUGUST 1, 2024	
New 3-year business license	\$438 <u>\$512</u> per year
Renewal of business license	\$330 <u>\$386</u> per year
Additional license fee for additional pumper vehicles	\$16 <u>\$18</u> per vehicle
Transfer of or amendments to license	\$206 <u>\$241</u>
Reinstatement of suspended license	\$258 <u>\$301</u>
Pumper truck inspections - First vehicle, each inspection	\$103 <u>\$120</u>
Pumper truck inspections - Each additional vehicle, each inspection	\$52 <u>\$60</u>

OAR 340-071-0140 TABLE 9F ONSITE WASTEWATER TREATMENT SYSTEMS OTHER FEES Effective August 1, 2024	
Innovative or Alternative Technology Review	\$1,648 <u>\$1,928</u>
Alternative Technology Review (greater than 1,500 gpd)	\$3,296 <u>\$3,856</u>
Alternative Treatment Technology Annual Compliance Determination Fee (per listed model)	\$515 <u>\$602</u>
Material Plan Review	\$494 <u>\$577</u>
Department Surcharge	\$100 <u>\$117</u>

Draft Rules - Edits Incorporated

Division 45 REGULATIONS PERTAINING TO NPDES, WPCF, and UIC PERMITS

340-045-0075

Permit Fee Schedule

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

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

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

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

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

(d) Table 70D lists annual population fees.

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

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

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

(a) Tier 1 industry. A facility is classified as a Tier 1 industry if the facility:

(A) Discharges at a flow rate that is greater than or equal to 1 mgd; or

(B) Discharges large biochemical oxygen demand loads; or

(C) Is a large metals facility; or

(D) Has significant toxic discharges; or

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

(F) Needs special regulatory control, as DEQ determines.

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(b) Tier 1 domestic facility. A facility is classified as a Tier 1 domestic facility if the facility:

(A) Has a dry weather design flow of 1 mgd or greater; or

(B) Serves an industry that can have a significant impact on the treatment system.

(c) Tier 2 industry or domestic facility: A facility is classified as Tier 2 if it does not meet Tier 1 qualifying factors.

(4) New permit application fee. Unless this rule does not require it, the applicant must submit the applicable new permit application fee listed in Table 70A, 70C, 70G, or 70I with each application. The facility category and type of permit (e.g., individual vs. general) determines the amount of the fee.

(5) Permit modification fee. Tables 70A and 70C list the permit modification fees. Modification fees for Individual WPCF Underground Injection Control permits are contained in Table 70I. Permit modification fees vary with the type of permit, the type of modification and the timing of modification as follows:

(a) Modification at time of permit renewal:

(A) Major modification — involves an increase in effluent limitations or any other change that involves significant analysis by DEQ;

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

(b) Modification prior to permit renewal:

(A) Major modification — involves an increase in effluent limitations or any other change that involves significant analysis by DEQ. DEQ may require a permittee requesting a significant modification to their permit to enter into an agreement to pay for these services according to ORS 468.073. ORS 468.073 allows DEQ ". . . to expedite or enhance a regulatory process by contracting for services, hiring additional staff or covering costs of activities not otherwise provided during the ordinary course of department business"

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

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

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

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

(c) Pretreatment fee. A source DEQ requires to administer a pretreatment program under federal pretreatment program regulations (40 C.F.R., Part 403; January 29, 1981, and its amendments) must pay an additional annual fee plus a fee for each

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significant industrial user specified in their annual report for the previous year. Table 70E lists the applicable fee.

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

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

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

(A) Disposal system and environmental management plan review;

(B) Site inspection and evaluation.

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

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

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

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

[\[ED. NOTE: To view attachments referenced in rule text, click here for PDF copy.\]](#)

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

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

History:

[DEQ 15-2023, amend filed 09/13/2023 effective 11/01/2023](#)

DEQ 15-2022, amend filed 09/06/2022, effective 11/01/2022

DEQ 15-2021, amend filed 09/30/2021, effective 11/01/2021

DEQ 3-2021, amend filed 01/22/2021, effective 01/22/2021

DEQ 16-2020, amend filed 07/29/2020, effective 08/01/2020

DEQ 22-2019, amend filed 09/27/2019, effective 09/27/2019

DEQ 194-2018, minor correction filed 09/18/2018, effective 09/18/2018

DEQ 193-2018, amend filed 09/17/2018, effective 09/17/2018

DEQ 48-2018, minor correction filed 04/03/2018, effective 04/03/2018

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

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

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

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

DEQ 8-2013, f. 10-23-13, cert. ef. 11-1-13

DEQ 6-2012, f. 10-31-12, cert. ef. 11-1-12

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

AR 340-045-0075			
Table 70A			
Industrial NPDES and WPCF Individual Permits: Application and Modification Fees			
Effective November 1, 2024			
Application fees for new industrial permits			
Tier 1 Industrial Facilities	\$92,843		
Tier 2 Industrial Facilities	\$18,683		
Special WPCF Permits (OAR 340-045-0061)	\$881		
<p>Note: New permit applications must include the annual fee specified in Table 70B in addition to the new permit application fee listed above. The application fee is not required for renewal unless a modification is needed or requested.</p>			
Modification Fees¹			
	Major		Minor
	At Permit Renewal	Prior to Expiration	

AR 340-045-0075 Table 70A Industrial NPDES and WPCF Individual Permits: Application and Modification Fees Effective November 1, 2024			
Tier 1 Industrial Facilities	\$23,324	\$46,346	\$1,624
Tier 2 Industrial Facilities	\$5,929	\$9,260	\$1,624
<p>1. A new application, application fee and modification fee must accompany all requests for permit modification. DEQ may charge the environmental management plan review fee amount in Table 70F when only the environmental management plan required by the permit requires review.</p>			

OAR 340-045-0075					
Table 70B					
Industrial NPDES and WPCF Individual Permit Annual Fees					
Effective November 1, 2024					
Type	Description	NPDES Tier 1	NPDES Tier 2	WPCF Tier 1	WPCF Tier 2
B01	Pulp, paper, or other fiber pulping industry	\$32,463	N	\$30,129	N
Food or beverage processing - includes produce, meat, poultry, seafood or dairy for human, pet, or livestock consumption:					
B02	Washing or packing only	N	\$4,511	N	\$4,152
B03	Processing – small. Flow \leq 0.1 mgd, or 0.1 < flow < 1 mgd for less than 180 days per year	N	\$6,746	N	\$6,382
B04	Processing – medium. 0.1 mgd < Flow < 1 mgd for 180 or more days per year, or flow \geq 1 mgd for less than 180 days per year	N	\$9,520	N	\$9,156
B05	Processing – large. Flow \geq 1 mgd for 180 or more days per year	\$32,463	\$28,524	\$30,129	\$28,157
Primary Smelting or Refining:					
B06	Aluminum	\$32,463	\$28,524	\$30,129	\$28,157
B07	Non-ferrous metals utilizing sand chlorination separation facilities	\$32,463	\$28,524	\$30,129	\$28,157
B08	Ferrous and non-ferrous metals not elsewhere classified	\$18,563	\$14,622	\$16,229	\$14,263
B09	Chemical manufacturing with discharge of process wastewater	\$32,463	\$28,524	\$30,129	\$28,157
B10	Cooling water discharges in excess of 20,000 BTU per second	\$18,563	\$14,622	\$16,229	\$14,263
Mining Operations – includes aggregate or ore processing:					
B11	Large (over 500,000 cubic yards per year or involving chemical leaching)	\$32,463	\$28,524	\$30,129	\$28,157
B12	Medium (100,000 to 500,000 cubic yards per year)	N	\$9,986	N	\$9,623
B13	Small (less than 100,000 cubic yards per year)	N	\$3,038	N	\$2,675
All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater):					
B14	Tier 1 sources	\$32,463	N	\$30,129	N
B15	Tier 2 sources	N	\$6,279	N	\$5,922

OAR 340-045-0075					
Table 70B					
Industrial NPDES and WPCF Individual Permit Annual Fees					
Effective November 1, 2024					
Type	Description	NPDES Tier 1	NPDES Tier 2	WPCF Tier 1	WPCF Tier 2
B16	All facilities not elsewhere classified which dispose of non-process wastewaters (for example: small cooling water discharges, boiler blowdown, filter backwash)	N	\$4,203	N	\$3,841
B17	Fish hatcheries and other confined feeding operations on individual permits except permits the Oregon Department of Agriculture administers.	N	\$3,681	N	\$3,318
B18	All facilities which dispose of wastewater only by evaporation from watertight ponds or basins	N	N	N	\$2,438
Timber and Wood Products					
B19	Sawmills, log storage, instream log storage	\$9,104	\$5,164	\$6,770	\$4,798
B20	Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products	\$9,627	\$5,687	\$7,296	\$5,328
B21	Wood preserving	\$8,146	\$4,203	\$5,811	\$3,841

OAR 340-045-0075 Table 70C Domestic NPDES and WPCF Individual Permits: Application, Annual and Modification Fees Effective November 1, 2024							
Description	Type	Criteria ¹	New Permit App. Fee ²	NPDES Annual Fee (5yr)	WPCF Annual Fee (10yr)	Modifications ³	
						Major	Minor
Non-Lagoon Treatment Systems	A1	Flow ≥ 50 mgd	\$59,185	\$128,174		\$29,666	\$1,624
	A2	25 mgd ≤ Flow < 50 mgd	\$59,185	\$75,330		\$29,666	\$1,624
	A3	10 mgd ≤ Flow < 25 mgd	\$59,185	\$35,503		\$29,666	\$1,624
	Ba	5 mgd ≤ Flow < 10 mgd	\$59,185	\$22,757	21,268	\$29,666	\$1,624
	C1a	2 mgd ≤ Flow < 5 mgd	\$59,185	\$15,302	13,816	\$29,666	\$1,624
	C2a	1 mgd ≤ Flow < 2 mgd	\$59,185	\$10,385	\$8,897	\$29,666	\$1,624
	Da	Flow < 1 mgd	\$11,956	\$3,286	\$3,050	\$6,055	\$1,624

OAR 340-045-0075 Table 70C Domestic NPDES and WPCF Individual Permits: Application, Annual and Modification Fees Effective November 1, 2024							
Description	Type	Criteria ¹	New Permit App. Fee ²	NPDES Annual Fee (5yr)	WPCF Annual Fee (10yr)	Modifications ³	
						Major	Minor
Lagoons Discharging to Surface Waters	Bb	5 mgd ≤ Flow < 10 mgd	\$59,185	\$12,033		\$29,666	\$1,624
	C1b	2 mgd ≤ Flow < 5 mgd	\$59,185	\$8,366		\$29,666	\$1,624
	C2b	1 mgd ≤ Flow < 2 mgd	\$59,185	\$6,106		\$29,666	\$1,624
	Db	Flow < 1 mgd	\$11,956	\$2,317		\$6,055	\$1,624
Non-discharging Lagoons	E	No discharge flow	\$6,055		\$1,931	\$3,098	\$1,624
Alkaline-stabilization facilities	F		\$1,624		\$664		\$714
Please see Table 70D and 70E for applicable population and pretreatment fees for the permits listed above.							
Municipal Separate Storm Sewer System	MS4	See 40 C.F.R. § 122.26	\$32,869	Please see Table 70H		\$2,853	\$1,624
<p>4. Based on Average Dry Weather Design Flow, or as defined in 40 C.F.R.</p> <p>5. New permit applications must include the annual fee in addition to the new permit application fee.</p> <p>6. DEQ may charge the environmental management plan review fee amount in Table 70F when only the environmental management plan required by the permit requires review.</p>							

**OAR 340-045-0075
Table 70D
Domestic NPDES and WPCF Annual Population Fee
Effective November 1, 2024**

Population range	Annual fee
500,000+	\$172,203
400,000 to 499,999	\$131,734
300,000 to 399,999	\$91,268
200,000 to 299,999	\$50,797
150,000 to 199,999	\$41,028
100,000 to 149,999	\$27,057
50,000 to 99,999	\$16,968
25,000 to 49,999	\$7,626
15,000 to 24,999	\$4,341
10,000 to 14,999	\$2,827
5,000 to 9,999	\$1,718
1,000 to 4,999	\$512
100 to 999	\$95
0 to 99	\$0

**OAR 340-045-0075
Table 70E
Annual Pretreatment Fees
Effective November 1, 2024**

Description	Fee
Pretreatment Fee	\$2,950
Significant Industrial User	\$983 per industry

**OAR 340-045-0075
Table 70F
All NPDES and WPCF¹ Permits:
Technical Activity, Plan Review, and Other Fees
Effective November 1, 2024**

Activity	Fee
New or substantially modified sewage treatment facility	\$13,577
Minor facility or pump station modifications	\$1,474
Major system or pressure system expansion	\$1,034
Minor system expansion or modification	\$292
New or substantially modified septage alkaline stabilization facility	\$1,474
Site inspection and evaluation ²	\$2,311
Disposal system plan review ²	\$923
Environmental management plan review ³	\$923
Other Fees	
Annual temporary or permanent electronic reporting requirement waiver	\$1,124
Permit transfer, legal name change.	\$143

4. Does not include Onsite septic systems. Please see Tables 9A-9F in OAR 340-071 for appropriate technical activity fees.
5. This fee only applies when these activities are required for DEQ's review of a general permit application.
6. This fee is not charged to new applicants for individual NPDES and WPCF permits. Plans updated after the permit is issued are subject to plan review as specified in the permit. This includes but is not limited to biosolids management plan and recycled water use plan.

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 2024

Number	Type	Description	New Permit App. Fee¹	Annual Fee
100-J	NPDES	Cooling water/heat pumps	\$376	\$859
200-J	NPDES	Filter backwash	\$376	\$859
300-J	NPDES	Fish hatcheries	\$602	\$859
400-J	NPDES	Log ponds	\$376	\$859
500-J	NPDES	Boiler blowdown	\$376	\$859
900-J	NPDES	Seafood processing	\$376	\$859
1400-A	WPCF	Wineries and seasonal fresh pack operations whose wastewater flow is \leq 82000 gallons/day and is only disposed of by land irrigation.	\$376	\$503
1400-B	WPCF	Wineries and small food processors not otherwise eligible for a 1400A general permit.	\$602	\$859
1500-A	NPDES	Petroleum hydrocarbon clean-up	\$602	\$859
1500-B	WPCF	Petroleum hydrocarbon clean-up	\$602	\$859
1700-A	NPDES	Vehicle and equipment wash water	\$837	\$859
1700-B	WPCF	Vehicle and equipment wash water	\$837	\$859
1900-J	NPDES	Non-contact geothermal heat exchange	\$837	\$859
2000-J	NPDES	Pesticide use irrigation districts	\$837	\$859
2300-A	NPDES	Pesticide general permit	\$837	\$859
Residential and Commercial Graywater and Industrial Reuse Water				
2401	WPCF	Tier 1 graywater reuse and disposal system for residential systems: \leq 300 gallons/day, or equivalent specific geographic area graywater reuse and disposal area permit	\$56	\$45
2402	WPCF	Tier 2 graywater reuse and disposal system for systems: \leq 1,200 gallons/day, or equivalent specific geographic area graywater reuse and disposal area permit	\$616	\$56
2501	WPCF	Industrial reuse water free of human and animal waste suitable for reuse without secondary or advanced treatment and \leq 25,000 gallons/day	\$837	\$859

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 2024

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
Stormwater General Permits²				
1200-A	NPDES	Stormwater: Sand, gravel, and other non-metallic mining	\$1,471	\$1,513
1200-C	NPDES	Stormwater: Construction activities – one acre or more	\$1,471	\$1,513
1200-C	NPDES	Stormwater: Construction activities – less than one acre and part of a common plan of development disturbing one or more acres	\$430	\$0
1200-CA	NPDES	Stormwater: Construction activities performed by public agencies – one acre or more	\$1,471	\$1,513
1200-Z	NPDES	Stormwater: Industrial	\$1,471	\$1,513
4000-MS4	NPDES	Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc.	\$1,471	Please see Table 70H
Mining General Permits				
600	WPCF	Offstream small scale mining – Processing < 5 cubic yds/day, or < 1,500 cubic yds/year	\$0	\$0
		Offstream small scale mining – Processing 1,500 -10,000 cubic yds/year	\$376	\$0
700-PM	NPDES	Suction dredges (gravity and syphon)	\$0	\$25
700-PM	NPDES	Suction dredges (motorized)	\$250	\$250
		Permit renewal fee every five years (in addition to the annual fee)	\$250	
1000	WPCF	Gravel mining	\$376	\$859
Other General Permits				
All other permits not elsewhere classified.			\$837	\$859
3. New permit applications must include both the new permit application fee and the first year's annual fee.				
4. Stormwater construction and industrial permits are also administered by public agencies and local districts under contract with DEQ.				

**OAR 340-045-0075
Table 70H
Municipal Separate Storm Sewer System Permits:
Annual Fees
Effective November 1, 2024**

Population-based cost-per-person, except counties and other	Annual Fee
Cost-per-person	\$0.131
Counties, Phase I	\$11,938
Counties, Phase II (non-traditional MS4s, hospitals, public universities, etc.)	\$2,982
Oregon Department of Transportation MS4*	\$47,761

*Fee for ODOT MS4 assessed only in the absence of a separate revenue agreement.

OAR 340-045-0075 Table 70I Underground Injection Control Permits: Application Fees, Annual Fees and Surcharges Effective November 1, 2024						
Type	Description	Application Fee	Annual Fee	Class of Injection	Surcharge	
					Application	Annual
Authorized By Rule ¹	Low Risk Stormwater Only	None	None	Low Risk	\$110	None
	Non-Stormwater Injection ²	None	None	Medium Risk	\$138	None
	All Other UIC's Draining Stormwater from Any Surface	None	None	Low Risk	\$110	None
				Medium Risk	\$138	None
				High Risk	\$330	\$110
1200-U General Permit ³	Stormwater Injection	\$837	\$859	Low Risk	\$148	None
				Medium Risk	\$187	None
				High Risk	\$450	\$148
1900-B General Permit	Injection During Geothermal Exploration	\$837	\$859			
Type	Description	Application Fee	Annual Fee	Individual WPCF Modifications		
				Major	Minor	
Individual WPCF Permit	As defined in 40 CFR parts 9, 144, 145 and 146	\$18,683	\$3,953	\$3,098	\$1,624	

4. Includes facilities with less than 50 injection systems. All systems must be located over 500 feet from a water well and outside a 2 -year time of travel from a water source.
5. Includes aquifer storage and recovery, low temperature geothermal injection, remediation and other underground injection control systems that do not drain stormwater.
6. Includes facilities with less than 50 injection systems and for systems within 500 ft from a water well and within a 2-year time of travel from a water source.

Division 48

REGULATIONS PERTAINING TO 401 DREDGE AND FILL WATER QUALITY CERTIFICATION

340-048-0055

Fee Schedule for Certifications

- (1) Applicability. The fees established in this rule apply to any person, including a federal agency, submitting an application for certification to DEQ.
- (2) Fee Determinations. To determine the appropriate fee to process and review an application for certification, DEQ will do the following:
- (a) Perform an initial review of the application and other materials submitted;
 - (b) Determine the estimated program costs incurred by DEQ in reviewing the proposed project based on the types of tasks expected, the amount of staff time and other expenses, and assign a tier using the criteria in Section (3);
 - (c) Submit an invoice or, if necessary, multiple invoices, to the applicant based on the appropriate fee schedule provided in Section (4); and
 - (d) As necessary, revise an assigned tier based on documentation of the expected types of tasks or program costs incurred, if appropriate, and notify the applicant of such revisions.
- (3) Project Tiers. The following tier schedule describes the types of tasks expected to appropriately process and review proposed projects for certification:
- (a) Tier 1 — This tier applies to those projects that incur minimal program costs and impacts to water quality. To qualify under this tier, the project must meet the following:
 - (A) Potential for minimal impacts to water quality;
 - (B) Low level of public participation;
 - (C) No more than standard coordination with federal state or local agencies required;
 - (D) Stormwater management plan review not required or will be addressed through the National Pollutant Discharge Elimination System permitting process;
 - (E) Limited technical assistance needed; or
 - (F) Within the scope of a United States Army Corps of Engineers Nationwide 404 category requiring a DEQ 401 certification and involving only a stormwater management plan or sediment evaluation review component;
 - (G) Within the scope of the proposed application, the project has been modified or altered that the DEQ 401 review and certification requires re-issuance, including DEQ public notice.
 - (b) Tier 2A — This tier applies to those projects that incur a higher than minimal amount of program costs and impacts to water quality. To qualify under this tier, the project must meet some of the following:
 - (A) Potential for greater than minimal impacts to water quality;
 - (B) Basic level of public participation required, including but not limited to response to comment;
 - (C) No more than standard coordination with federal state or local agencies required;
 - (D) Limited stormwater management plan review or technical assistance to a reviewing permitted entity or agent required;

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(E) Limited technical assistance needed; or

(F) Sediment characterization, if required, finds sediment and new surface suitable for in-water exposure.

(c) Tier 2B — This tier applies to those projects that incur higher program costs due to greater potential impacts on water quality. To qualify for this tier, the project must meet a majority of the following:

(A) Potential for greater water quality impacts if the waterway is identified on DEQ's 303(d) list or is covered by a total maximum daily load, or multiple waters of the state are affected;

(B) High level of public participation required with potential for one or more public meetings or hearings;

(C) More than standard coordination with multiple federal, state or local agencies required, including but not limited to one or more meetings or pre-application site visit;

(D) Complex stormwater management plan review and coordination required;

(E) Moderate and on-going level of technical assistance needed;

(F) Large or complex compensatory mitigation review required;

(G) Sediment characterization, if required, finds sediment or new surface unsuitable for in-water exposure, so that coordination with the DEQ Solid Waste or Environmental Cleanup programs is necessary; or

(H) Preparation of a full evaluation and findings report needed.

(d) Tier 3 — This tier applies to those projects that incur very high program costs because a large area is affected, a high degree of complexity is involved or greater potential water quality impacts may result. To qualify for this tier, the project must meet a majority of the following:

(A) Potential for greater water quality impacts if the waterway is identified on DEQ's 303(d) list or covered by a total maximum daily load, or multiple waters of the state are affected;

(B) High level of public participation required with extensive public comments and the potential for one or more public meetings or hearings;

(C) Substantially more than standard coordination with multiple federal, state or local agencies required, including but not limited to one or more meetings;

(D) Complex stormwater management plan review and coordination required;

(E) High level or iterative technical assistance required or substantive project revisions received;

(F) Large or complex compensatory mitigation review required;

(G) Site visit(s) needed to understand impacts and advise on potential alternatives;

(H) Sediment characterization finds sediment or new surface unsuitable for in-water exposure or contaminated soil is likely to be present, so that coordination with the DEQ Solid Waste or Environmental Cleanup Programs is necessary; or

(I) Preparation of a full evaluation and findings report needed.

(e) Tier 4 — This tier applies to those projects that incur the highest program costs because a very large area is affected, an extremely high degree of complexity is involved, or a very high level of public participation is expected. To qualify for this tier, the project must meet all of the following:

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(A) All of the applicable factors identified in Tier 3; and

(B) Coordination with the Governor's Office in conjunction with other state agencies, tribal nations and the federal government;

(C) Review of additional documents such as National Environmental Policy Act Resource Reports, Environmental Assessments and Environmental Impact Statements.

(4) Fee Schedules.

(a) See Table 1 for fees that apply to tiers assigned under Sections (2) and (3).

(b) In lieu of fees established by this section, DEQ may at its discretion enter into an intergovernmental agreement with another state or federal agency that provides for the payment of the estimated or actual costs of processing an application for certification.

(5) Review of Fee Determinations. An applicant may seek review of DEQ's determination of the appropriate fee as follows:

(a) An applicant may seek review of the fee determination by submitting a written request to the DEQ regional administrator within 30 days of receipt of an invoice. The request must state the specific reasons and provide documentation that the applicant believes supports a different fee amount. Upon receiving such a request, the DEQ regional administrator must respond within 60 days of receipt and render a decision.

(b) That decision may include:

(A) Determination that a different fee tier will apply subject to making specifically identified modifications to the proposed project;

(B) Denial of a request for a different fee amount; or;

(C) The determination that the proposed project meets the criteria for a different tier.

(c) If an applicant is not satisfied by the decision of the DEQ regional administrator, the applicant is entitled to request review by the DEQ director in the same manner as described in subsections (a) and (b) above.

(d) An applicant who is dissatisfied with the review of the director retains the right to a contested case hearing as provided in ORS chapter 183, provided the applicant has sought relief through subsections (a) through (c).

(6) Certification of Hydroelectric Projects. Fees for certification of a hydroelectric project as proposed to be licensed by the Federal Energy Regulatory Commission must be paid in accordance with ORS 468.065(3). Fees for a certification related to a hydroelectric project but for a license or approval not issued by the Federal Energy Regulatory Commission are based on the actual expenses incurred by the department, including expenses of the Environmental Quality Commission, related to the certification review and decision. In consultation with the applicant, DEQ will establish a periodic basis for billing the applicant.

(7) DEQ may approve a payment schedule for fees, including the submission of multiple invoices, for multi-year projects or projects assigned as a Tier 4.

(8) DEQ must receive the payment of the full invoiced fee before issuing a certification, and a review made pursuant to subsection (5) does not suspend the requirement to pay the appropriate fee. An application for certification is considered withdrawn if the applicant fails to pay the appropriate fee within 90 days of the invoice date. An applicant may request that DEQ grant an extension of time to pay the appropriate fee to an applicant upon a showing of good cause, and

Attachment A

DEQ will continue processing the application for certification. DEQ may refund the fee or some portion if it determines that no certification is required, that minimal program costs were not incurred, a revised tier assignment is provided or the wrong application has been filed.

Statutory/Other Authority: ORS 468.068 & 468B.047

Statutes/Other Implemented: ORS 468.068

History:

Reverted to DEQ 1-2013, f. & cert. ef. 1-16-13

DEQ 3-2013(Temp), f. & cert. ef. 3-25-13 thru 7-30-13

DEQ 1-2013, f. & cert. ef. 1-16-13

Renumbered from 340-048-0200, DEQ 2-2004, f. & cert. ef. 4-15-04

DEQ 28-1998, f. & cert. ef. 12-22-98

OAR 340-048-0055	
Table 1	
401 DREDGE AND FILL FEES	
Effective November 1, 2024	
Tier 1	\$1,014
Tier 2A	\$4,521
Tier 2B	\$12,468
Tier 3	\$18,313
Tier 4 -\$14,440 per month or average monthly cost of a senior level technical staff position.	\$14,440

Division 49

REGULATIONS PERTAINING TO OPERATOR CERTIFICATION AND OPERATOR CERTIFICATION PROGRAM SUPPORT FEES

340-049-0065

Fee Schedules for Wastewater System Operator Certification and Operator Certification Program Support

(1) Operator Certification Fee Schedule. Fees for new applications for certification, fees related to taking the exam, fees for evaluating reciprocity, fees for renewal of certification, and fees for reinstating certificates are found in Table B.

(2) Operator Certification Program Support Fee Schedule. The annual fee paid by wastewater systems to support the wastewater operator certification program is in Table C.

Statutory/Other Authority: ORS 448.410(1)(d) & 468.020

Statutes/Other Implemented: ORS 448.405 - 448.430 & 448.992

History:

DEQ 2-2013, f. 1-28-13, cert. ef. 3-1-13

DEQ 15-2002, f. & cert. ef. 10-16-02

Reverted to DEQ 29-1994, f. & cert. ef. 12-2-94

Attachment A

DEQ 29-1994, f. & cert. ef. 12-2-94

DEQ 30-1994(Temp), f. & cert. ef. 12-2-94

DEQ 23-1988, f. & cert. ef. 9-15-88

OAR 340-049-0065 TABLE B Wastewater System Operator Certification: Operator Certification Fees Effective November 1, 2024	
Application Type	Fee
Small Wastewater Systems	\$144
Grade I or Grade I Provisional Treatment or Collection	\$144
Grade I or Grade I Provisional Treatment and Collection	\$206
Grade II Treatment or Collection	\$175
Grade III Treatment or Collection	\$206
Grade IV Treatment or Collection	\$247
Examination Fee	\$103
Re-examination or Reschedule Examination Fee	\$247
Post-examination Application Fee	\$51
Two-year Certification Renewal Fee – One Certificate or Two	\$164
Certificate Reinstatement and Renewal Fee — One certificate or two	\$288
Reciprocity Application Type	Fee
Grade I Treatment or Collection	\$164
Grade I Treatment and Collection	\$247
Grade II Treatment or Collection	\$195
Grade III Treatment or Collection	\$226
Grade IV Treatment or Collection	\$267
OAR 340-049-0065 TABLE C Wastewater System Operator Certification: Operator Certification Program Support Fee Schedule Effective November 1, 2024	
Wastewater System Average Dry Weather Flow (ADWF)	Annual Operator Certification Program Support Fee
ADWF less than 0.075 MGD	\$82

Attachment A

ADWF 0.075 — 0.499 MGD	\$103
ADWF 0.500 — 0.999 MGD	\$195
ADWF 1.0 — 1.999 MGD	\$370
ADWF 2.0 — 4.999 MGD	\$865
ADWF 5.0 — 9.999 MGD	\$1,895
ADWF 10.0 — 19.999 MGD	\$3,708
ADWF 20.0 — 29.999 MGD	\$6,180
ADWF 30.0 — 39.999 MGD	\$8,652
ADWF 40.0 — 59.999 MGD	\$12,360
ADWF 60.0 — 79.999 MGD	\$17,304
ADWF 80.0 — 119.999 MGD	\$24,720
ADWF 120.0 MGD or greater	\$34,608
Late Fee:\$51 or 10 percent of the appropriate annual operator certification program support fee in Table C (above), whichever is greater.	\$51

**Division 71
ONSITE WASTEWATER TREATMENT SYSTEMS**

**340-071-0800
Tables**

Tables for Division 071.

[\[ED. NOTE: To view attachments referenced in rule text, click here for PDF copy.\]](#)

Statutory/Other Authority: ORS 454.615, 454.625 & 468.020

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

History:

[DEQ 12-2023, amend filed 09/13/2023, effective 11/01/2023](#)

[DEQ 15-2022, amend filed 09/06/2022, effective 11/01/2022](#)

[DEQ 15-2021, amend filed 09/30/2021, effective 11/01/2021](#)

[DEQ 16-2020, amend filed 07/29/2020, effective 08/01/2020](#)

[DEQ 22-2019, amend filed 09/27/2019, effective 09/27/2019](#)

[DEQ 193-2018, amend filed 09/17/2018, effective 09/17/2018](#)

[DEQ 31-2017, minor correction filed 11/29/2017, effective 11/29/2017](#)

[DEQ 16-2017, minor correction filed 11/01/2017, effective 11/01/2017](#)

[DEQ 15-2017, adopt filed 10/31/2017, effective 11/01/2017](#)

ORAR 340-071-0220 TABLE 1 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS MINIMUM SEPARATION DISTANCES (ALL MEASUREMENTS IN FEET UNLESS OTHERWISE NOTED)		
Items Requiring Setback	From Subsurface Absorption Area Including Replacement Area	From Septic Tank and Other Treatment Units, Effluent Sewer and Distribution Units
1. Groundwater Supplies and Wells	*100	50
2. Springs	Upgradient	50
	Downgradient	50
**3. Surface Public Waters	Year round	50
	Seasonal	50

Attachment A

4. Intermittent Streams	Piped (watertight not less than 20' from any part of the onsite system)	20	20
	Unpiped	50	50
5. Groundwater Interceptors	On a slope of 3% or less	20	10
	On a slope greater than 3%: Upgradient	10	5
	On a slope greater than 3%: Downgradient	50	10
6. Irrigation Canals	Lined (watertight canal): Downgradient	25	25
	Unlined: Upgradient	25	25
	Unlined: Downgradient	50	50
7. Manmade Cuts Down - Gradient in Excess of 30 Inches (top of downslope cut)	Which Intersect Layers that Limit Effective Soil Depth Within 48 Inches of Surface	50	25
	Which Do Not Intersect Layers that Limit Effective Soil Depth	25	10
8. Downgradient Escarpments	Which Intersect Layers that Limit Effective Soil Depth	50	10
	Which Do Not Intersect Layers that Limit Effective Soil Depth	25	10
9. Property Lines		10	5
10. Water Lines		10	10
11. Foundation Lines of any Building, Including Garages and Out Buildings		10	5
12. Underground Utilities		10	—
<p>* 50-foot setback for wells constructed with special standards granted by WRD. **This does not prevent stream crossings of pressure effluent sewers.</p>			

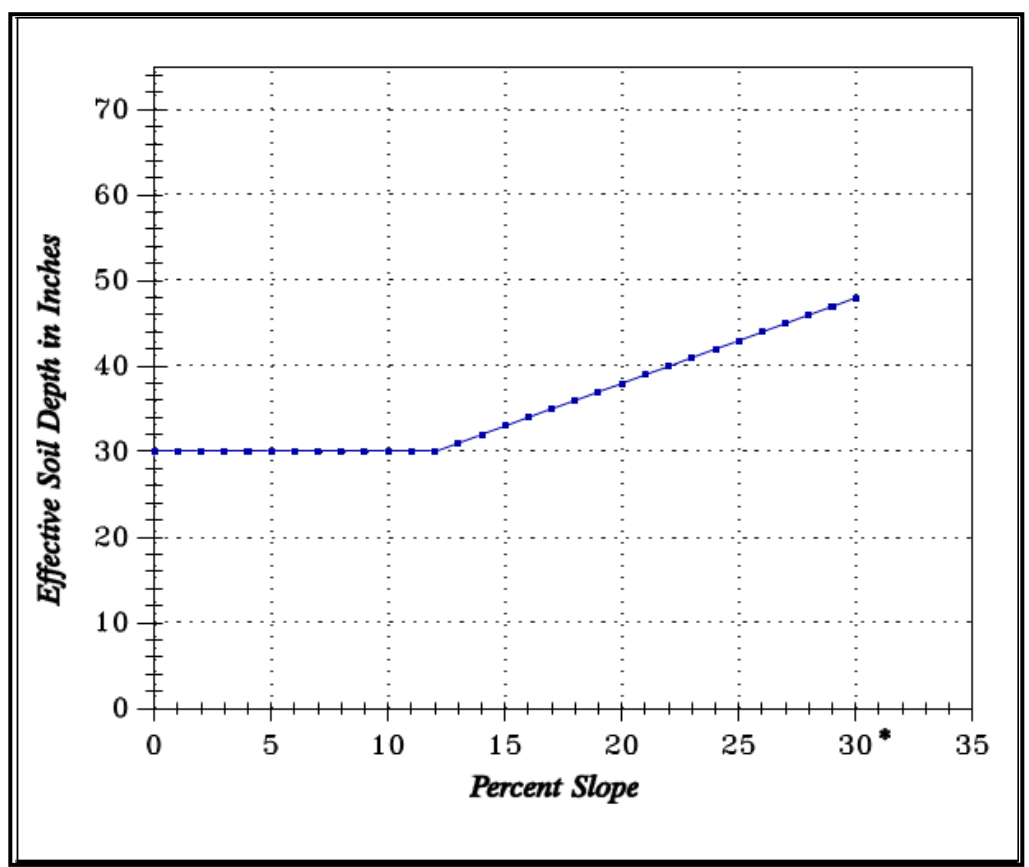
OAR 340-071-0220		
TABLE 2		
ONSITE WASTEWATER TREATMENT SYSTEMS:		
STANDARD SUBSURFACE SYSTEMS		
QUANTITIES OF SEWAGE FLOWS		
Type of Establishment	Column 1	Column 2
	Gallons Per Day	Minimum Gallons Per Establishment Per Day
Airports	5 (per passenger)	150
Bathhouses and swimming pools	10 (per person)	300
Camps: (4 Persons per Campsite, where Applicable)	Campground with central comfort stations	35 (per person)
	With flush toilets, no showers	25 (per person)
	Construction camps — semi- permanent	50 (per person)
	Day camps — no meals served	15 (per person)
	Resort camps (night and day) with limited plumbing	50 (per person)
	Luxury camps	100 (per person)
Churches	5 (per seat)	150
Country clubs	100 (per resident member)	2000

OAD 340-071-0220			
TABLE 2			
ONSITE WASTEWATER TREATMENT SYSTEMS:			
STANDARD SUBSURFACE SYSTEMS			
QUANTITIES OF SEWAGE FLOWS			
Country clubs		25 (per non- resident member present)	—
Dwellings:	Boarding houses	150 (per bedroom)	600
	Boarding houses – additional for non- residential boarders	10 (per person)	—
	Rooming houses	80 (per person)	500
	Condominiums, Multiple family dwellings — including apartments	300 (per unit)	900
Type of Establishment		Column 1	Column 2
		Gallons Per Day	Minimum Gallons Per Establishment Per Day
Dwellings:	Single family dwellings	300 (not exceeding 2 bedrooms)	450*
	Single family dwellings — with more than 2 bedrooms	75 (for third & each succeeding bedroom)	450
Factories (exclusive of industrial wastes — with shower facilities)		35(per person per shift)	300
Factories (exclusive of industrial wastes — without shower facilities)		15 (per person per shift)	150
Hospitals		250 (per bed space)	2500
Hotels with private baths		120 (per room)	600
Hotels without private baths		100 (per room)	500
Institutions other than hospitals		125 (per bed space)	1250

OAR 340-071-0220			
TABLE 2			
ONSITE WASTEWATER TREATMENT SYSTEMS:			
STANDARD SUBSURFACE SYSTEMS			
QUANTITIES OF SEWAGE FLOWS			
Laundries — self-service	500 (per machine)	2500	
Mobile home parks	250 (per space)	750	
Motels — with bath, toilet, and kitchen wastes	100 (per bedroom)	500	
Motels — without kitchens	80 (per bedroom)	400	
Picnic Parks — toilet wastes only	5 (per picnicker)	150	
Picnic Parks — with bathhouses, showers, and flush toilets	10 (per picnicker)	300	
Restaurants	40 (per seat)	800	
Restaurants — single-service	2 (per customer)	300	
Restaurants — with bars and/or lounges	50 (per seat)	1000	
Type of Establishment	Column 1	Column 2	
	Gallons Per Day	Minimum Gallons Per Establishment Per Day	
Schools:	Boarding	100 (per person)	3000
	Day — without gyms, cafeterias, or showers	15 (per person)	450
	Day — with gyms, cafeterias and showers	25 (per person)	750
	Day — with cafeteria, but without gyms or showers	20 (per person)	600
Service Stations	10 (per vehicle served)	500	
Swimming pools and bathhouses	10 (per person)	300	
Theaters:	Movie	5 (per seat)	300
	Drive-In	20 (per car space)	1000
Travel trailer parks — without individual water and sewer hookups	50 (per space)	300	

OAR 340-071-0220 TABLE 2 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS QUANTITIES OF SEWAGE FLOWS			
Travel trailer parks — with individual water and sewer hookups		100 (per space)	500
Workers:	Construction — as semi- permanent camps	50 (per person)	1000
	Day — at schools and offices	15 (per shift)	150
* Except as otherwise provided in these rules.			

OAR 340-071-0220
TABLE 3
ONSITE WASTEWATER TREATMENT SYSTEMS:
STANDARD SUBSURFACE SYSTEMS
SLOPE, EFFECTIVE SOIL DEPTH RELATIONSHIP

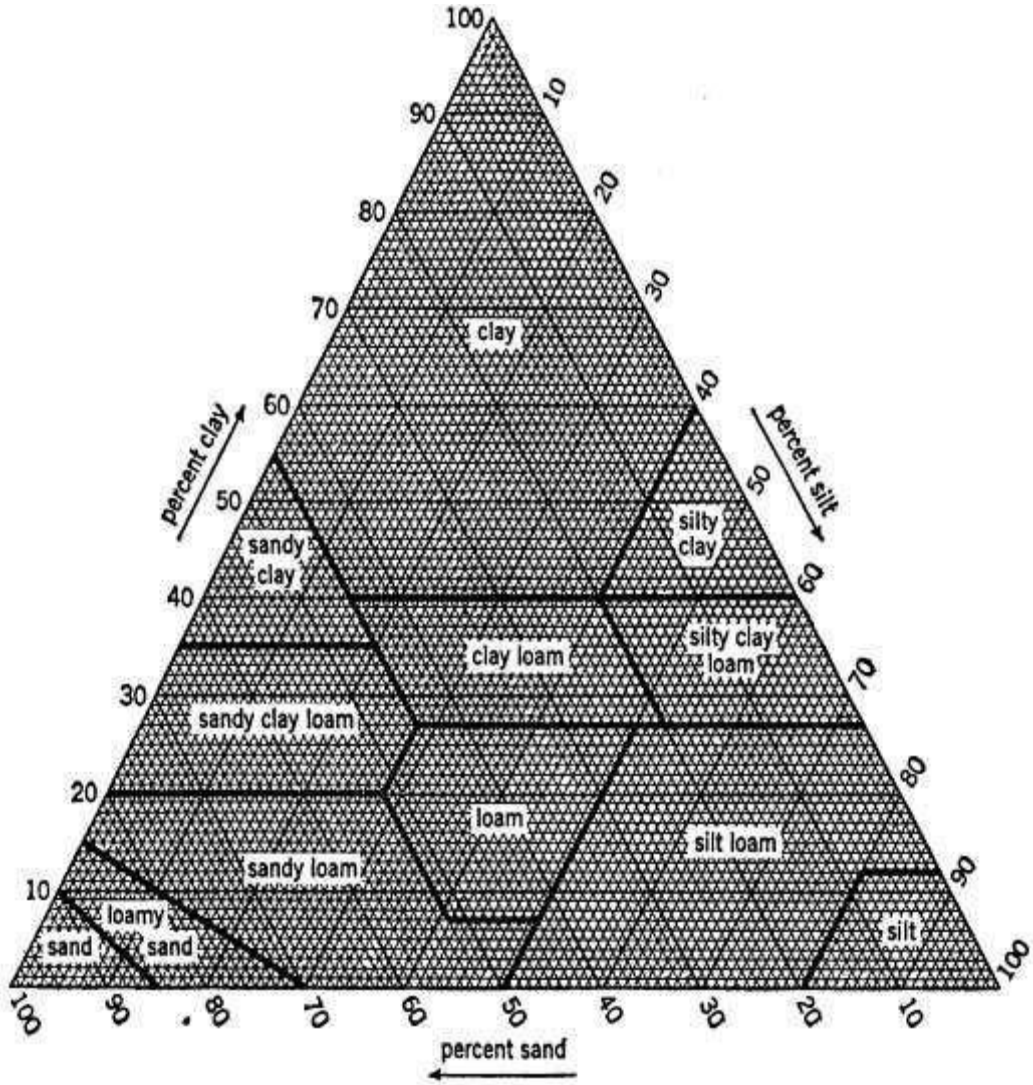


OAR 340-071-0220 TABLE 4 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS			
Minimum length of absorption trench (linear feet) required per 150 gallons projected daily sewage flow determined from soil texture versus effective soil depth.			
Effective Soil Depth	Soil Group		
	A	B	C
18" to Less than 24"	125	150	175
24" to Less than 36"	100	125	150
36" to Less than 48	75	100	125
48" or more	50	75	125

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

OAR 340-071-0220 TABLE 5 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS			
Minimum length of absorption trench (linear feet) required per 150 gallons projected daily sewage flow determined from soil texture versus depth to temporary groundwater.			
Depth to Temporary Groundwater	Soil Group		
	A	B	C
24" to Less than 48"	100	125	150
48" or More	50	75	125
Soil Group A — Sand, Loamy Sand, Sandy Loam. Soil Group B — Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam. Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay. If sand grains are fine or very fine, site according to Group B soils.			

OAR 340-071-0100
TABLE 6
ONSITE WASTEWATER TREATMENT SYSTEMS:
STANDARD SUBSURFACE SYSTEMS
OAR 340-071-0100
SOIL TEXTURAL CLASSIFICATION CHART



OAR 340-071-0100 TABLE 7 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS USDA SOIL CLASSIFICATION SIZES OF SOIL SEPARATES		
Material	Sieve Sizes	Millimeters
Clay		.002
Silt	270	.050
Very Fine Sand	200	.075
	140	.1
Fine Sand	60	.25
Medium Sand	35	.5
Coarse Sand	18	1.0
Very Coarse Sand	10	2.0
Fine Gravel	4	4.75
	3/8"	9.5
	1/2	12.5
Course Gravel	3"	76.2
Cobbles		

OAR 340-071-0330 TABLE 8 ONSITE WASTEWATER TREATMENT SYSTEMS: STANDARD SUBSURFACE SYSTEMS MINIMUM SEPARATION DISTANCES FOR NONWATER-CARRIED WASTE DISPOSAL FACILITIES		
Items requiring separation	Self-Contained Nonwater-Carried Waste Disposal	Unsealed Earth-Type Privies, Graywater Waste Disposal Sump and Seepage Chambers
Groundwater supplies including springs and cisterns	50'	100'
Surface public waters, excluding intermittent streams	50'	100'
Intermittent streams	50'	50'
Property line	25'	25'

OAR 340-071-0140 TABLE 9A ONSITE WASTEWATER TREATMENT SYSTEMS: SITE EVALUATION AND EXISTING SYSTEM EVALUATION FEEES Effective August 1, 2024	
New Site Evaluation Fees Fees in this section apply to each system for which site suitability is evaluated	
Single family dwelling - First lot	\$819
Single family dwelling - Each additional lot evaluated during initial visit	\$819
Commercial facility with a design capacity of 1,000 gpd or less	\$819
Commercial facility with a design capacity of 1,001-1,500 gpd	\$1,031
Commercial facility with a design capacity of 1,501-2,000 gpd	\$1,243
Commercial facility with a design capacity of 2,001-2,500 gpd	\$1,455
Commercial facility s with a design capacity of 2,501-3,000 gpd	\$1,668
Commercial facility with a design capacity of 3,001-3,500 gpd	\$1,880
Commercial facility with a design capacity of 3,501-4,000 gpd	\$2,091
Commercial facility with a design capacity of 4,001-4,500 gpd	\$2,303
Commercial facility with a design capacity of 4,501-5,000 gpd	\$2,516
Commercial facility with a design flow greater than 5,000 gpd	\$2,776
Site Evaluation Report Review fee	\$771
Existing System Evaluation Report fee	\$771

OAR 340-071-0140							
TABLE 9B							
ONSITE WASTEWATER TREATMENT SYSTEMS:							
PERMITTING FEES FOR SYSTEMS NOT SUBJECT TO WPCF PERMITS							
Effective August 1, 2024							
Type of Fee		System Type					Plan Review fees for Commercial Facility Systems
		A	B	C	D	E	
Construction-Installation Permit Fees	For systems with a design capacity of less than 600 gpd	\$539	\$1,041	\$1,214	\$1,488	\$1,832	\$0
	For systems with a design capacity of 601-1,000 gpd	\$539	\$1,041	\$1,214	\$1,488	\$1,832	\$443
	For systems with a design capacity of 1,001-1,500 gpd	\$655	\$1,157	\$1,330	\$1,581	\$2,000	\$520
	For systems with a design capacity of 1,501-2,000 gpd	\$771	\$1,272	\$1,446	\$1,676	\$2,062	\$597
	For systems with a design capacity of 2,001-2,500 gpd	\$886	\$1,388	\$1,561	\$1,770	\$2,178	\$675
Reinspection fee		\$120	\$120	\$120	\$120	\$120	\$120
Pump Evaluation fee. For all permits that specify the use of a pump or dosing siphon except for sand filter, Alternative treatment technologies, Recirculating gravel filter, and pressurized distribution systems		\$77	\$77	\$77	\$77	\$77	\$77
System Type Key: Type A = Gray Water waste disposal sumps Type B = Holding tanks Type C = Standard subsurface, Absorption trenches in saprolite, Redundant, Seepage trench, Steep slope Type D = Alternative treatment technologies, Capping fill, Pressurized distribution, Tile dewatering Type E = Recirculating gravel filter, Sand filter (commercial or residential)							

OAR 340-071-0140
TABLE 9C
ONSITE WASTEWATER TREATMENT SYSTEMS:
OTHER PERMITTING FEES FOR SYSTEMS
NOT SUBJECT TO WPCF PERMITS
Effective August 1, 2024

Fee Subject	Fee	Field Visit required	No Field Visit required
Minor Alteration Permit	\$318		
Major Alteration Permit	\$665		
Minor Repair Permit - Single Family Dwelling	\$308		
Major Repair Permit - Single Family Dwelling	\$644		
Minor Repair Permit - Commercial Facility	\$559		
Major Repair Permit - Commercial Facility	\$1,214		
Permit Denial Review	\$424		
Permit Transfer, Reinstatement, or Renewal		\$627	\$183
Authorization Notice		\$752	\$193
Authorization Notice Denial Review	\$771		
Renewal of hardship authorization for temporary dwelling		\$397	\$120
Alternative system inspection - Holding tanks	\$463		
Variance from onsite system rules	\$2,506		
Land use clearance	\$60		
Annual report evaluation - Holding tanks – hard copy submittal	\$36		
Annual report evaluation - Holding tanks – online submittal	\$30		
Alternative system inspection - Other alternative systems listed in Table 9B	\$636		

OAR 340-071-0140 TABLE 9C ONSITE WASTEWATER TREATMENT SYSTEMS: OTHER PERMITTING FEES FOR SYSTEMS NOT SUBJECT TO WPCF PERMITS			
Type	Fee	Field Visit required	No Field Visit required
Annual report evaluation - Sand filters, pressurized distribution systems, recirculating gravel filters, and alternative treatment technology – hard copy submittal	\$72		
Annual report evaluation - Sand filters, pressurized distribution systems, recirculating gravel filters, and alternative treatment technology – online submittal	\$60		

OAR 340-071-0140 TABLE 9D ONSITE WASTEWATER TREATMENT SYSTEMS WPCF PERMIT FEES Effective November 1, 2024			
	Application filing fee (all systems)	Permit processing fees for onsite systems with a design capacity of 1,200 gpd or less	Permit processing fees for onsite systems with a design capacity over 1,200 gpd
New application	\$126	\$1,025	\$5,125
Permit renewal (involving request for effluent limit modifications)	\$126	\$509	\$2,565
Permit renewal (without request for effluent limit modifications)	\$126	\$257	\$1,279
Permit modification (involving increase in effluent limitations)	\$126	\$509	\$2,565
Permit modification (not involving an increase in effluent limits)	\$126	\$382	\$1,279
Plan Review fee			
For commercial facilities with a design capacity less than 600 gpd		\$0	
For commercial facilities with a design capacity of 600 - 1,000 gpd		\$487	
For commercial facilities with a design capacity of 1,001 - 1,500 gpd		\$574	
For commercial facilities with a design capacity of 1,501 - 2,000 gpd		\$661	
For commercial facilities with a design capacity of 2,001 - 2,500 gpd		\$745	
For commercial facilities with a design capacity of 2,501 - 3,000 gpd		\$875	
For commercial facilities with a design capacity of 3,001 - 3,500 gpd		\$960	
For commercial facilities with a design capacity of 3,501 - 4,000 gpd		\$1,044	

OAR 340-071-0140 TABLE 9D ONSITE WASTEWATER TREATMENT SYSTEMS WPCF PERMIT FEES Effective November 1, 2024	
Plan Review fee	
For commercial facilities with a design capacity of 4,001 - 4,500 gpd	\$1,128
For commercial facilities with a design capacity of 4,501 - 5,000 gpd	\$1,216
Commercial facilities with a design capacity greater than 5,000 gpd	\$1,279
Single family dwelling	\$257
Annual Compliance Determination fee	
Onsite sewage lagoon with no discharge	\$1,535
Treatment Standard 1 or better systems with design capacities less than 2,500 gpd	\$640
Treatment Standard 1 or better systems with design capacities of 2,500 - 20,000 gpd	\$1,279
Holding tanks, if by the date specified by DEQ, the owner does not submit written certification to DEQ that the holding tank has been operated the previous calendar year in full compliance with the permit or that the previous year's service logs for the holding tanks are not available for inspection by the DEQ	\$509
Holding tanks, if by the date specified by DEQ, the owner submits written certification to DEQ that the holding tank has been operated the previous calendar year in full compliance with the permit and that the previous year's service	\$54
Other systems with design capacities less than 20,000 gpd	\$640
Other systems with design capacities 20,000 gpd or more	\$1,279

OAR 340-071-0140 TABLE 9E ONSITE WASTEWATER TREATMENT SYSTEMS SEWAGE DISPOSAL SERVICE LICENSE AND TRUCK INSPECTION FEES EFFECTIVE AUGUST 1, 2024	
New 3-year business license	\$512 per year
Renewal of business license	\$386 per year
Additional license fee for additional pumper vehicles	\$18 per vehicle
Transfer of or amendments to license	\$241
Reinstatement of suspended license	\$301
Pumper truck inspections - First vehicle, each inspection	\$120
Pumper truck inspections - Each additional vehicle, each inspection	\$60

OAR 340-071-0140 TABLE 9F ONSITE WASTEWATER TREATMENT SYSTEMS OTHER FEES Effective August 1, 2024	
Innovative or Alternative Technology Review	\$1,928
Alternative Technology Review (greater than 1,500 gpd)	\$3,856
Alternative Treatment Technology Annual Compliance Determination Fee (per listed model)	\$602
Material Plan Review	\$577
Department Surcharge	\$117