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PERMANENT ADMINISTRATIVE ORDER

DEQ 12-2024

CHAPTER 340

DEPARTMENT OF ENVIRONMENTAL QUALITY

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RULES:

340-045-0075, 340-048-0055, 340-049-0065

AMEND: 340-045-0075

RULE TITLE: Permit Fee Schedule

NOTICE FILED DATE: 04/23/2024

RULE SUMMARY: Updating WQ permit fees.

RULE TEXT:

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

or

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

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

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

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

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

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

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

(a) Modification at time of permit renewal:

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

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

(b) Modification prior to permit renewal:

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

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

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

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

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

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

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

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

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

(A) Disposal system and environmental management plan review;

(B) Site inspection and evaluation.

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

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

- (a) The 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.

STATUTORY/OTHER AUTHORITY: ORS 468.020, 468B.020, 468B.035

STATUTES/OTHER IMPLEMENTED: ORS 468.065, 468B.015, 468B.035, 468B.050



340-045-0075

Permit Fee Schedule

OAR 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		
	At Permit Renewal	Prior to Expiration	Minor
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 ≤ 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 ≥ 1 mgd for less than 180 days per year	N	\$9,520	N	\$9,156
B05	Processing – large. Flow ≥ 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

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, 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

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, 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 ≤ 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: ≤ 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: ≤ 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 ≤ 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

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

OAR 340-045-0075
Table 70H
Municipal Separate Storm Sewer System 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
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	

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.

AMEND: 340-048-0055

RULE TITLE: Fee Schedule for Certifications

NOTICE FILED DATE: 04/23/2024

RULE SUMMARY: Increasing certification fees.

RULE TEXT:

(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;

(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:
- (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 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



State of Oregon Department of Environmental Quality

340-048-0055

401 Dredge and Fill Fees

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

AMEND: 340-049-0065

RULE TITLE: Fee Schedules for Wastewater System Operator Certification and Operator Certification Program Support

NOTICE FILED DATE: 04/23/2024

RULE SUMMARY: Increasing operator certification fees.

RULE TEXT:

(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



340-049-0065

Wastewater System Operator Certification Fees

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
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