



State of Oregon Department of Environmental Quality

Oregon Environmental Quality Commission Meeting

Sept. 30-Oct. 1, 2021

Rulemaking, Action Item B 2021 Water Quality Fee Increase Rulemaking

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DEQ Recommendation to the EQC

DEQ recommends that the Environmental Quality Commission adopt the proposed rules and accompanying fee tables in Attachment A as part of Chapter 340 of the Oregon Administrative Rules.

Proposed EQC motion:

I move that the commission adopt the proposed rule amendments and accompanying fee tables in Attachment A as part of Chapter 340 of the Oregon Administrative Rules Divisions 45 and 71.

Introduction

DEQ is proposing rule amendments to Chapter 340 of the Oregon Administrative Rules. The proposed rule amendments are to increase water quality fees by three percent in 2021 for fiscal year 2022, as provided in ORS 468B.051. These fees apply to National Pollutant Discharge Elimination System permits and Water Pollution Control Facility permits.

The Water Quality Program's mission is to protect and improve Oregon's water quality. Protecting Oregon's rivers, lakes, streams, and groundwater quality keeps these waters safe so they can be used for drinking water, fish habitat, recreation, and irrigation. DEQ accomplishes this by developing and implementing water quality standards and clean water plans, issuing water quality permits, regulating sewage treatment systems and industrial dischargers, 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.

DEQ needs the fee increase to help account for the increase cost of administering the permit program. This increase will also help DEQ achieve its objective for a sustainable water quality permitting program that issues timely, high quality permits, and to ensure compliance with permit conditions through inspections, enforcement, and reporting to the Environmental Protection Agency.

Statement of Need

What need would the proposed rule address?

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

DEQ proposes amending rules to increase water quality fees by three percent above the July 2021 fees. This includes fees for the National Pollutant Discharge Elimination System and the Water Pollution Control Facility permits, including Water Pollution Control Facility permits specific to on-site septic systems. The percent increase is allowable under ORS 468B.051.

How would the proposed rule address the need?

DEQ would apply the proposed fees to invoices as of November 2021 to cover costs associated with implementing the permitting program and delivering services to regulated entities. This funding will address staffing needs and enable DEQ to sustain improvements to the program as identified in the [Recommendations and Implementation Plan](#) report.

How will DEQ know the rule addressed the need?

If approved, DEQ would begin receiving fee revenue in November 2021. DEQ expects the proposed fees would sustain the needed staffing levels for the program through fiscal year 2022 that ends June 30, 2022.

Rules Affected, Authorities, Supporting Documents

Lead division

Water Quality Division

Program or activity

Water Quality Permitting and Program Development

Chapter 340 action

Amend				
340-045-0070	340-045-0075	340-071-0800	--	--

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

Statutes Implemented - ORS				
468B.050	468.065	468B.035	468.065	468B.015
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	--	--	--

Legislation

Not applicable

Documents relied on for rulemaking

Document title	Document location
Fee increase calculations	DEQ Headquarters
Recommendations and Implementation Plan	DEQ web page Recommendations and Implementation Plan
DEQ 2021-2023 Agency Requested Budget	DEQ Headquarters
DEQ 2021-2023 Legislatively Approved 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 Oregon Employment Department

Fee Analysis

These proposed rules would increase existing fees, add clarifications in fee tables 70F and 70G and add a clarification to the fee language in OAR 340-045-0070.

Brief description of proposed fees

DEQ is proposing a fee increase to support water quality fees for fiscal year 2022 by three percent above the fiscal year 2021 fees. These fees apply to (federal) National Pollutant Discharge Elimination System permits and (state) Water Pollution Control Facility permits.

The fee increase rulemaking consists of the following:

1. Three percent increase for NPDES and WPCF fees:

- OAR 340-071-0800:
 - 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, *excluding* UIC fees authorized by rule, ORS 468B.195 and ORS 468B.196.

2. Fee table clarifications:

- OAR 340-045-0075:
 - Table 70F
 - Add clarification to the Environmental Management Plan review footnote that this fee includes but is not limited to biosolids management plans and recycled water use plans.
 - Table 70G
 - Add the 2000-J Pesticide Use Irrigation Districts and 2300-A Pesticide general permits.
 - Clarify the 700-PM motorized general permit contains a renewal fee.

3. Rule language change proposal

DEQ proposes to correct the following rule language to OAR 340-045-0070 (5) to be consistent with ORS 468B.118:

(5) A person assigned to the 700-PM general permit must pay fees according to the schedule provided in OAR 340-045-0075. The permittee must submit the applicable fees with the permit application. The new permit application fee, annual fee and 5-year renewal fee are non-refundable unless DEQ or DEQ's agent determines that the permittee cannot be assigned to the general permit. Fees must be made payable to the Oregon Department of Environmental Quality. An annual fee must be paid at the time of application, and for each following year that the permit is valid on a date specified by DEQ.

Reasons

DEQ must establish the new fees to implement the current service level of the 2019-21 budget to cover costs associated with implementing the permitting program and delivering services to regulated entities, and to carry out the Legislatively Adopted Budget. Without this increase, DEQ would need to reduce permitting staff and delay initiating improvements to the program as identified in the [Recommendations and Implementation Plan](#). Without this funding, DEQ's capacity to ensure the protection of water quality in Oregon will be reduced and there will be short and long-term impacts on other regulated entities and communities needing federal approvals for financial assistance and federal permits.

Fee proposal alternatives considered

Not increasing fees

Without the fee increase, DEQ will be unable to provide ongoing permit program functions at current service levels. This could result in losing permit writer positions or having to hold those positions vacant. DEQ would also be unable to carry out recommended program improvements identified in the 2015 program evaluation.

Other ways to reduce program costs

DEQ has implemented cost savings measures over the past few biennia that, over time, should reduce program costs and increase program efficiency. For example, creating a permit writer team has resulted in progress in issuing NPDES permits over the last few years. Process improvements, specifically within the permitting program, have allowed for a more efficient program and an increase in permits being renewed on an annual basis.

Fee payer

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

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

Affected party involvement in fee-setting process

DEQ appointed a fiscal advisory committee specifically to address the proposed water quality permit fees in OAR 340 Divisions 45 and 71. The advisory committee included stakeholders representing domestic and industrial permit holders, state agencies, and environmental and citizen engagement organizations. The committee met once to review the proposed rule updates and to assess and comment on the fiscal impacts of DEQ’s proposed permit fee increase.

Summary of impacts

The dollar amount of the fee increase on regulated entities depends on the type of permit they hold or for which they are applying. DEQ anticipates some indirect impact on the public if the permit holder were to increase the cost of goods and services or fees charged to ratepayers to offset the fee increase, or if the permit holder were to adjust their service level to accommodate a fee increase.

How long will the current fees sustain the program?

The current fees are not sufficient to sustain the program. Foregoing any fee increases would require DEQ to hold positions vacant during the biennium. For example, when developing its 2021-23 Agency Request Budget, DEQ estimated that even with three percent annual fee increases in 2021 and 2022, budgeted expenditures to maintain existing staff levels would exceed revenues by an estimated three percent. The shortfall would cause a reduction in the program’s fund balance and the current fees would not be enough to carry out the Legislatively Adopted Budget from the 2021 Legislative session.

Table 1 below shows the increased cost of maintaining the current service level from the 2019-21 to the 2021-23 biennium. The information provides context for the annual up-to-three percent fee increase that ORS 468B.051 authorizes.

Budget Comparison				
Table 1. June 29, 2021				
(Permit fees last adopted: July 1, 2020)				
	2019-2021 Legislatively Adopted Budget		2021-2023 Legislatively Adopted Budget*	
Program costs covered by fees	\$15,583,714	58%	\$ 17,719,779	58%
Program costs covered by General Fund and Lottery Fund	\$9,564,535	36%	\$11,065,546	37%
Program costs covered by Federal Funding	\$1,716,369	6%	\$1,532,064	5%
Total Budget	\$26,864,618	100%	\$30,317,389	100%

*These numbers include all packages in the 2021-23 Legislatively Adopted Budget, including LFO Analyst Adjustment package 801 and End of Session Bill (HB5006). There were no policy option packages (i.e. enhancement packages) approved in the 2021-23 LAB. These numbers represent DEQ's calculations of the 2021-23 LAB as of June 29, 2021. These numbers have not yet passed audit.

Statement of Fiscal and Economic Impact

Fiscal and economic impact

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

Statement of cost of compliance

State and federal agencies

The effect of the increase for NPDES and WPCF fees on state agencies depends on the permit type. Oregon state agencies hold approximately 116 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 \$88 and \$98. This affects approximately five state agencies (OAR 340-045-0075, Table 70B).
- Annual fees for WPCF individual permits will increase between \$17 and \$566. This affects approximately five state agencies (OAR 340-045-0075, Table 70C).
- Annual fees for general NPDES and WPCF permits will increase between \$13 and \$22. This affects approximately 10 state agencies (OAR 340-045-0075, Table 70G).
- Annual compliance determination fees for WPCF permits will increase between \$1 and \$40. This affects approximately eight state agencies (OAR 340-071-0140, Table 9D).

Local governments and public

The effect of the three percent increase for NPDES and WPCF fees on local governments depends on the permit type. Oregon local governments hold approximately 620 total active water quality permits.

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

Examples of the three percent fee increase on selected permit types include:

- Industrial NPDES fee permits for Tier 1 and 2 sources, dairies and fish hatcheries, and facilities that dispose of wastewater only by evaporation from watertight ponds or basins, will increase between \$88 and \$98. This affects approximately eight 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 \$61 to \$3,416. The \$3,416 increase will affect one local government (OAR 340-045-0075, Table 70C).
- Annual fees for general NPDES and WPCF permits will increase between \$13 and \$22. This will affect an approximate total of 293 local government permits (OAR 340-045-0075, Table 70G).
- Annual permit processing fees for on-site systems and compliance determination fees for WPCF permits will increase between \$1 for holding tanks to \$40 for an on-site sewage lagoon with no discharge. This will affect approximately 67 local government permits (OAR 340-071-0140, Table 9D).

Large businesses - businesses with more than 50 employees

The three percent 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 \$865 in annual fees for pulp, paper, or other fiber pulping industry permits.

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 that hold water quality permits. 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, their annual permit fee would increase by an estimated \$179 over the previous year's annual fee.

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

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

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

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

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

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

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

DEQ met with a fiscal advisory committee in spring 2021. The committee was composed of a diverse group of stakeholders representing a wide cross section of DEQ's permit holders. During and after the meeting, DEQ will request stakeholders' input concerning potential impacts to small businesses and how DEQ can reduce that impact.

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

Advisory committee fiscal review

DEQ appointed an advisory committee.

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

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

The committee reviewed the draft fiscal and economic impact statement.

The committee determined the proposed rules would not have a significant adverse impact on small businesses in Oregon. The committee did comment that the fee increases would affect public and local governments.

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

What alternatives did DEQ consider, if any?

Not increasing fees

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

Other ways to reduce program costs

DEQ has implemented cost savings measures over the past few biennia that, over time, should reduce program costs and increase program efficiency. For example, creating a permit writer team has resulted in some progress in issuing backlogged NPDES permits over the last few years. Process improvements, specifically within the permitting program, have allowed for a more efficient program and an increase in permits being renewed on an annual basis.

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

DEQ introduced the proposed increase at the July 2021 EQC meeting.

Advisory Committee

Background

DEQ convened the 2021 Fee Increase Rulemaking Fiscal advisory committee in May 2021. The committee met once and included representatives from local governments, NPDES permit holders, environmental and citizen involvement organizations. Information about the committee can be found at [Water Quality Fees Rulemaking Home Page](#).

The committee members were:

Rulemaking Name Advisory Committee	
Affiliation	Name
Aqua Resource Design & Consulting	Brannon Lamp
Oregon Homebuilders Association	Ellen Miller
Oregon Environmental Council	Karen Lewotsky
Northwest Pulp & Paper Association	Kathryn VanNatta
Association of Oregon Counties	Lauren Smith
Special Districts Association of Oregon	Mark Landauer
Northwest Environmental Defense Center	Mark Riskedahl
League of Women Voters	Peggy Lynch
Oregon Business and Industry	Sharla Moffett
Oregon Association of Clean Water Agencies	Susie Smith
League of Oregon Cities	Tracy Rutten

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 Permits
- 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 information during the fiscal impact statement:

- Recommendation to combine the local government and public sections of the Statement of Cost Compliance of the Fiscal Impact Statement. This change is to highlight the impacts of fee increases that could potentially include local governments having to reduce services to accommodate fee increases.

Public Engagement

Public notice

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

- On June 30, 2021, filing notice with the Oregon Secretary of State for publication in the July 2021 Oregon Bulletin;
- Posting the Notice Draft Rules on the web page for this rulemaking, located at: [Water Quality Fees Rulemaking Home Page](#)
- Emailing interested parties on the following DEQ lists through GovDelivery:
 - Rulemaking
 - DEQ Public Notices
 - Water Quality Permits
- Emailing the following key legislators required under [ORS 183.335](#)
 - Senator Lee Beyer, Chair of Senate Committee on Energy and Environment
 - Senator Lynn Findley, Vice-chair of Senate Committee on Energy and Environment
 - Representative Ken Helm, Chair of House Committee on Water
 - Representative Mark Owens, Vice-chair of House Committee on Water
 - Senator Kathleen Taylor, Co-Chair of Joint Committee on Ways and Means Subcommittee on Natural Resources
 - Representative Jeff Reardon, Co-Chair of Joint Committee on Ways and Means Subcommittee on Natural Resources
- Emailing advisory committee members
- Posting on the DEQ event calendar: [DEQ Calendar](#)

Public Hearing

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

Presiding Officer's Record

Hearing

Date	July 20, 2021
Place	Virtual Zoom Meeting
Start Time	3 p.m.
End Time	3:30 p.m.
Presiding Officer	Angela Rowland

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 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 June 30, 2021, until 4 p.m. on July 21, 2021.

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

Commenter 1

Courtney Thornton

Summary: Commenter asked if the proposed rules include anything regarding the temperature of the discharged treated water from water treatment facilities. Commenter believes that Oregon water ways are warmer than usual and it's causing the salmon and steelhead to not come into warmer river waters to go upstream.

DEQ response: DEQ appreciates the comments. The fee change rules affects NPDES wastewater permits. Assessing temperature and applying effluent limits when applicable, are part of developing and issuing an NPDES wastewater permit. The rule proposal is for fee changes only and does not include water quality parameters, such as temperature.

Commenter 2

Elizabeth Escobar, Student

Summary: Commenter is a student and will be following this rulemaking.

DEQ response: DEQ appreciates the comments.

Implementation

Notification

If approved, the proposed rules would become effective upon filing on approximately Nov. 1, 2021. DEQ would notify affected parties by:

- Emailing interested parties on the following DEQ lists through GovDelivery:
 - Rulemaking
 - Water Quality Permits
 - Onsite
- Posting notification on relevant, permit-related webpage

Compliance and enforcement

Affected parties: Water Quality permit holders

DEQ staff: Water Quality staff by email

Systems

Website: Water Quality staff to add notification to relevant webpages

Database: Water Quality staff by email

Invoicing: Water Quality staff by email

Training

Affected parties: Water Quality permit holders

DEQ staff: Water Quality staff by email

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, Oregon, 97232

To schedule a review of all websites and documents referenced in this announcement, call Angela Rowland at (503) 229-5740. You may call toll-free within Oregon at 800-452-4011, ext. 5622.

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.



State of Oregon Department of Environmental Quality

Water Quality Fees 2021

Draft Rules – Edits Highlighted

Key to Identifying Changed Text:

~~Strikethrough: Deleted Text~~

Underline: New/inserted text

~~Double strikethrough/underline: Text deleted from one location - and moved to another location~~

Division 45

REGULATIONS PERTAINING TO NPDES AND WPCF PERMITS

340-045-0070

Permit Fees

(1) Except for a person assigned to the 700-PM general permit, a person required to have a WPCF or NPDES permit is subject to a two-part fee consisting of the applicable new-permit application fee and the annual fee in OAR 340-045-0075.

(a) A person submitting an application for a new NPDES or WPCF permit must submit the amount equal to the new-permit application fee and the first year's annual fee.

(b) A person is not required to submit a fee with an application for renewal of a NPDES or WPCF permit, unless the permit is to be modified as described in OAR 340-045-0075(5). A person requesting a permit modification must submit the appropriate modification fee in OAR 340-045-0075 with the application.

(c) A person is not required to pay a fee for modification of an existing, unexpired permit if DEQ initiates the modification and determines the modification does not require re-filing or department review of an application, plans, or specifications.

(d) When a governmental entity has an agreement with DEQ to assist with implementing a general permit, DEQ may in that agreement lower the general permit fees established in OAR 340-045-0075 and allow the governmental entity to collect the fee for DEQ and retain a portion of the fee for its services.

(2) A person must pay the applicable annual fee in OAR 340-045-0075 for as long as the permit is active.

(a) The annual fee must be paid by the date DEQ specifies.

(b) DEQ will apply the annual fee submitted as part of an application for a new NPDES or WPCF permit to the first 12 months the permitted facility is put into operation.

(c) The Director may alter the due date for the annual fee on receiving a permittee's justifiable request. The Commission may reduce or suspend the annual fee if a hardship is demonstrated.

(3) DEQ may refund a new-permit application fee submitted in whole or in part if DEQ determines that:

(a) A permit is not required; or

(b) The wrong application was filed.

(4) All fees must be made payable to the Oregon Department of Environmental Quality or DEQ's agent.

(5) A person assigned to the 700-PM general permit must pay ~~either an annual fee or an optional 5-year permit registration fees~~ according to the schedule provided in OAR 340-045-0075. The permittee must submit the applicable fees with the permit application. The new permit application fee, annual fee and 5-year renewal fee ~~are~~ is non-refundable unless DEQ or DEQ's agent determines that the permittee cannot be assigned to the general permit. Fees must be made payable to the Oregon Department of Environmental Quality. An annual fee must be paid at the time of application, and for each following year that the permit is valid on a date specified by DEQ.

Statutory/Other Authority: ORS 454.625, 454.745, 468.020, 468B.020 & 468B.035

Statutes/Other Implemented: ORS 454.745, 468.065, 468B.015, 468B.035 & 468B.050

History:

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

DEQ 15-2011, f. & cert. ef. 9-12-11

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 27-1994, f. & cert. ef. 11-15-94

DEQ 12-1983, f. & ef. 6-2-83

DEQ 18-1981, f. & ef. 7-13-81

DEQ 31-1979, f. & ef. 10-1-79

DEQ 129, f. & ef. 3-16-77

DEQ 113, f. & ef. 5-10-76

Division 45
REGULATIONS PERTAINING TO NPDES AND WPCF 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) Two sets of fee tables are provided. The first identifies fees effective August 1, 2020 through June 30, 2021. The second establishes the fee amounts effective starting July 1, 2021.~~

(23) 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.

(34) 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.

(45) 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.

(56) 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.

(67) 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.

(78) 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.

(89) 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.

(94) 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 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



State of Oregon Department of Environmental Quality

~~OAR 340-045-0075~~

~~Fee Tables~~

[~~Note: This document contains two sets of tables. The first set is effective from August 1, 2020, until June 30, 2021. The second set of tables takes effect on July 1, 2021.~~]

~~Effective August 1, 2020 – June 30, 2021~~

OAR 340-045-0075 Table 70A Industrial NPDES and WPCF Individual Permits: Application and Modification Fees Revised February 2021 Effective August 1, 2020 – June 30, 2021			
Application fees for new industrial permits			
Tier 1 Industrial Facilities	\$77,038		
Tier 2 Industrial Facilities	\$15,504		
Special WPCF Permits (OAR 340-045-0061)	\$733		
Note: New permit applications must include the annual fee specified in Table 70B in addition to the new permit application fee listed above. The application fee is not required for renewal unless a modification is needed or requested.			
Modification Fees¹			
	Major		Minor
	At Permit Renewal	Prior to Expiration	
Tier 1 Industrial Facilities	\$19,355	\$38,457	\$1,349
Tier 2 Industrial Facilities	\$4,921	\$7,686	\$1,349
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					
Revised February 2021					
Effective August 1, 2020 – June 30, 2021					
Type	Description	NPDES Tier 1	NPDES Tier 2	WPCF Tier 1	WPCF Tier 2
B01	Pulp, paper, or other fiber pulping industry	\$26,937	N	\$25,000	N
Food or beverage processing – includes produce, meat, poultry, seafood or dairy for human, pet, or livestock consumption:					
B02	Washing or packing only	N	\$3,745	N	\$3,447
B03	Processing—small. Flow \leq 0.1 mgd, or 0.1 < flow < 1 mgd for less than 180 days per year	N	\$5,599	N	\$5,297
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	\$7,901	N	\$7,599
B05	Processing—large. Flow \geq 1 mgd for 180 or more days per year	\$26,937	\$23,669	\$25,000	\$23,364
Primary Smelting or Refining:					
B06	Aluminum	\$26,937	\$23,669	\$25,000	\$23,364
B07	Non-ferrous metals utilizing sand chlorination separation facilities	\$26,937	\$23,669	\$25,000	\$23,364
B08	Ferrous and non-ferrous metals not elsewhere classified	\$15,405	\$12,135	\$13,468	\$11,836
B09	Chemical manufacturing with discharge of process wastewater	\$26,937	\$23,669	\$25,000	\$23,364
B10	Cooling water discharges in excess of 20,000 BTU per second	\$15,405	\$12,135	\$13,468	\$11,836
Mining Operations – includes aggregate or ore processing:					
B11	Large (over 500,000 cubic yards per year or involving chemical leaching)	\$26,937	\$23,669	\$25,000	\$23,364
B12	Medium (100,000 to 500,000 cubic yards per year)	N	\$8,287	N	\$7,986
B13	Small (less than 100,000 cubic yards per year)	N	\$2,522	N	\$2,222
All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater):					
B14	Tier 1 sources	\$26,937	N	\$25,000	N
B15	Tier 2 sources	N	\$5,212	N	\$4,916

OAR 340-045-0075 Table 70B Industrial NPDES and WPCF Individual Permit Annual Fees Revised February 2021 Effective August 1, 2020 – June 30, 2021					
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	\$3,489	N	\$3,189
B17	Fish hatcheries and other confined feeding operations on individual permits except permits the Oregon Department of Agriculture administers.	N	\$3,054	N	\$2,755
B18	All facilities which dispose of wastewater only by evaporation from watertight ponds or basins	N	N	N	\$2,025
Timber and Wood Products					
B19	Sawmills, log storage, instream log storage	\$7,556	\$4,286	\$5,619	\$3,984
B20	Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products	\$7,989	\$4,721	\$6,056	\$4,422
B21	Wood preserving	\$6,761	\$3,489	\$4,824	\$3,189

<p style="text-align: center;">OAR 340-045-0075 Table 70C Domestic NPDES and WPCF Individual Permits: Application, Annual and Modification Fees Revised July 2020 Effective August 1, 2020 - June 30, 2021</p>							
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	≥ 50 mgd	\$49,111	\$106,353		\$24,617	\$1,349
	A2	$25 \text{ mgd} \leq \text{Flow} < 50$ mgd	\$49,111	\$62,506		\$24,617	\$1,349
	A3	$10 \text{ mgd} \leq \text{Flow} < 25$ mgd	\$49,111	\$29,460		\$24,617	\$1,349
	Ba	$5 \text{ mgd} \leq \text{Flow} < 10$ mgd	\$49,111	\$18,885	\$17,649	\$24,617	\$1,349
	C1a	$2 \text{ mgd} \leq \text{Flow} < 5$ mgd	\$49,111	\$12,699	\$11,465	\$24,617	\$1,349
	C2a	$1 \text{ mgd} \leq \text{Flow} < 2$ mgd	\$49,111	\$8,619	\$7,383	\$24,617	\$1,349
	Da	$\text{Flow} < 1$ mgd	\$9,921	\$2,729	\$2,532	\$5,025	\$1,349

<p style="text-align: center;">OAR 340-045-0075 Table 70C Domestic NPDES and WPCF Individual Permits: Application, Annual and Modification Fees Revised July 2020 Effective August 1, 2020 – June 30, 2021</p>							
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	\$49,111	\$9,986		\$24,617	\$1,349
	C1b	2 mgd ≤ Flow < 5 mgd	\$49,111	\$6,944		\$24,617	\$1,349
	C2b	1 mgd ≤ Flow < 2 mgd	\$49,111	\$5,069		\$24,617	\$1,349
	Db	Flow < 1 mgd	\$9,921	\$1,924		\$5,025	\$1,349
Nondischarging Lagoons	E	No discharge flow	\$5,025		\$1,603	\$2,572	\$1,349
Alkaline-stabilization facilities	F		\$1,349		\$553		\$594
<p style="text-align: center;">Please see Table 70D and 70E for applicable population and pretreatment fees for the permits listed above.</p>							
Municipal Separate Storm Sewer System	MS4	See 40 C.F.R. § 122.26	\$27,274	Please see Table 70H		\$2,368	\$1,349
<p>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.</p>							

OAR 340-045-0075 Table 70D Domestic NPDES and WPCF Annual Population Fee Revised July 2020 Effective August 1, 2020 - June 30, 2021	
Population range	Annual fee
500,000+	\$142,886
400,000 to 499,999	\$109,307
300,000 to 399,999	\$75,731
200,000 to 299,999	\$42,150
150,000 to 199,999	\$34,090
100,000 to 149,999	\$22,452
50,000 to 99,999	\$14,081
25,000 to 49,999	\$6,329
15,000 to 24,999	\$3,604
10,000 to 14,999	\$2,348
5,000 to 9,999	\$1,427
1,000 to 4,999	\$427
100 to 999	\$81
0 to 99	\$0

OAR 340-045-0075 Table 70E Annual Pretreatment Fees Revised July 2020 Effective August 1, 2020 - June 30, 2021	
Description	Fee
Pretreatment Fee	\$2,450
Significant Industrial User	\$817 per industry

OAR 340-045-0075 Table 70F All NPDES and WPCF¹ Permits: Technical Activity, Plan Review, and Other Fees Revised July 2020 Effective August 1, 2020 – June 30, 2021	
Activity	Fee
New or substantially modified sewage treatment facility	\$11,268
Minor facility or pump station modifications	\$1,225
Major system or pressure system expansion	\$859
Minor system expansion or modification	\$244
New or substantially modified septage alkaline stabilization facility	\$1,225
Site inspection and evaluation ²	\$1,919
Disposal system plan review ²	\$767
Environmental management plan review ³	\$767
Other Fees	
Annual temporary or permanent electronic reporting requirement waiver	\$935
Permit transfer, legal name change.	\$121
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.	

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
 Revised February 2021
 Effective August 1, 2020 – June 30, 2021

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
100-J	NPDES	Cooling water/heat pumps	\$314	\$714
200-J	NPDES	Filter backwash	\$314	\$714
300-J	NPDES	Fish hatcheries	\$501	\$714
400-J	NPDES	Log ponds	\$314	\$714
500-J	NPDES	Boiler blowdown	\$314	\$714
900-J	NPDES	Seafood processing	\$314	\$714
1400-A	WPCF	Wineries and seasonal fresh pack operations whose wastewater flow is $\leq 25,000$ gallons/day and is only disposed of by land irrigation.	\$314	\$419
1400-B	WPCF	Wineries and small food processors not otherwise eligible for a 1400A general permit.	\$501	\$714
1500-A	NPDES	Petroleum hydrocarbon clean-up	\$501	\$714
1500-B	WPCF	Petroleum hydrocarbon clean-up	\$501	\$714
1700-A	NPDES	Vehicle and equipment wash water	\$696	\$714
1700-B	WPCF	Vehicle and equipment wash water	\$696	\$714
1900-J	NPDES	Non-contact geothermal heat exchange	\$696	\$714
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	\$52	\$41
2402	WPCF	Tier 2 graywater reuse and disposal system for systems: $\leq 1,200$ gallons/day, or equivalent specific geographic area graywater reuse and disposal area permit	\$550	\$52
2501	WPCF	Industrial reuse water free of human and animal waste suitable for reuse without secondary or advanced treatment and $\leq 25,000$ gallons/day	\$696	\$714
Stormwater General Permits³				

OAR 340-045-0075 Table 70G General NPDES and WPCF Permits: Application and Annual Fees Revised February 2021 Effective August 1, 2020 – June 30, 2021				
Number	Type	Description	New Permit App. Fee ¹	Annual Fee
1200-A	NPDES	Stormwater: Sand, gravel, and other non-metallic mining	\$1,223	\$1,257
1200-C	NPDES	Stormwater: Construction activities—one acre or more	\$1,223	\$1,257
1200-C	NPDES	Stormwater: Construction activities—less than one acre and part of a common plan of development disturbing one or more acres	\$358	\$0
1200-CA	NPDES	Stormwater: Construction activities performed by public agencies—one acre or more	\$1,223	\$1,257
1200-Z	NPDES	Stormwater: Industrial	\$1,223	\$1,257
4000-MS4	NPDES	Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc.	\$1,223	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	\$314	\$0
700-PM	NPDES	Suction dredges (gravity and syphon)	\$0	\$25
700-PM	NPDES	Suction dredges (motorized)	\$250	\$250
700-PM	NPDES	Permit renewal fee every five years (in addition to the annual fee)	\$250	

OAR 340-045-0075 Table 70G General NPDES and WPCF Permits: Application and Annual Fees Revised February 2021 Effective August 1, 2020 – June 30, 2021				
1000	WPCF	Gravel mining	\$314	\$714
Other General Permits				
DOM-F	WPCF	Septage-alkaline stabilization facilities	\$1,349	\$553
All other permits not elsewhere classified.			\$696	\$714
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 Revised February 2021 Effective August 1, 2020 - June 30, 2021	
Population-based cost-per-person, except counties and other	Annual Fee
Cost-per-person	\$0.119
Counties, Phase I	\$10,609
Counties, Phase II (non-traditional MS4s, hospitals, public universities, etc.)	\$2,652
Oregon Department of Transportation MS4*	\$42,436
*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
 Revised February 2021
 Effective August 1, 2020 – June 30, 2021

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 Permit³	Stormwater Injection	\$696	\$714	Low Risk	\$124	None
				Medium Risk	\$156	None
				High Risk	\$374	\$124
1900 B General Permit	Injection During Geothermal Exploration	\$696	\$714			
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	\$15,504	\$3,282	\$2,572	\$1,349	

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.



State of Oregon Department of Environmental Quality

OAR 340-045-0075

Fee Tables

Effective ~~July 1~~ November 1, 2021

OAR 340-045-0075 Table 70A Industrial NPDES and WPCF Individual Permits: Application and Modification Fees Effective July 1 <u>November 1</u> , 2021			
Application fees for new industrial permits			
Tier 1 Industrial Facilities	\$ 82,492 <u>4,966</u>		
Tier 2 Industrial Facilities	\$ 16,601 <u>7,099</u>		
Special WPCF Permits (OAR 340-045-0061)	\$ 78580 <u>8</u>		
Note: New permit applications must include the annual fee specified in Table 70B in addition to the new permit application fee listed above. The application fee is not required for renewal unless a modification is needed or requested.			
Modification Fees¹			
	Major		Minor
	At Permit Renewal	Prior to Expiration	
Tier 1 Industrial Facilities	\$ 20,725 <u>1,346</u>	\$ 41,180 <u>2,415</u>	\$ 1,445 <u>488</u>
Tier 2 Industrial Facilities	\$ 5,2704 <u>28</u>	\$ 8,2304 <u>76</u>	\$ 1,445 <u>488</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 July 1 November 1 , 2021					
Type	Description	NPDES Tier 1	NPDES Tier 2	WPCF Tier 1	WPCF Tier 2
B01	Pulp, paper, or other fiber pulping industry	\$ 28,844 <u>9,709</u>	N	\$ 276,57 <u>3770</u>	N
Food or beverage processing - includes produce, meat, poultry, seafood or dairy for human, pet, or livestock consumption:					
B02	Washing or packing only	N	\$ 4,010 <u>30</u>	N	\$ 3,691 <u>801</u>
B03	Processing – small. Flow ≤ 0.1 mgd, or 0.1 < flow < 1 mgd for less than 180 days per year	N	\$ 56,996 <u>175</u>	N	\$ 5,672 <u>842</u>
B04	Processing – medium. 0.1 mgd < Flow < 1 mgd for 180 or more days per year, or flow ≥ 1 mgd for less than 180 days per year	N	\$ 8,460 <u>713</u>	N	\$ 8,137 <u>81</u>
B05	Processing – large. Flow ≥ 1 mgd for 180 or more days per year	\$ 2829,8 <u>44709</u>	\$ 2526,3 <u>45105</u>	\$ 2627,7 <u>70573</u>	\$ 25,018 <u>768</u>
Primary Smelting or Refining:					
B06	Aluminum	\$ 2829,8 <u>44709</u>	\$ 2526,3 <u>45105</u>	\$ 2627,7 <u>70573</u>	\$ 25,018 <u>768</u>
B07	Non-ferrous metals utilizing sand chlorination separation facilities	\$ 2829,8 <u>44709</u>	\$ 2526,3 <u>45105</u>	\$ 2627,7 <u>70573</u>	\$ 25,018 <u>768</u>
B08	Ferrous and non-ferrous metals not elsewhere classified	\$ 16,496 <u>990</u>	\$ 1213,9 <u>94383</u>	\$ 14,422 <u>854</u>	\$ 12,673 <u>,054</u>
B09	Chemical manufacturing with discharge of process wastewater	\$ 289,70 <u>9844</u>	\$ 2526,3 <u>45105</u>	\$ 2627,7 <u>70573</u>	\$ 25,018 <u>768</u>
B10	Cooling water discharges in excess of 20,000 BTU per second	\$ 16,496 <u>990</u>	\$ 1213,9 <u>94383</u>	\$ 14,422 <u>854</u>	\$ 1213,6 <u>74054</u>
Mining Operations – includes aggregate or ore processing:					
B11	Large (over 500,000 cubic yards per year or involving chemical leaching)	\$ 2829,8 <u>44709</u>	\$ 2526,3 <u>45105</u>	\$ 26,7.5 <u>73770</u>	\$ 25,768 <u>018</u>
B12	Medium (100,000 to 500,000 cubic yards per year)	N	\$ 8,874 <u>,140</u>	N	\$ 8,807 <u>551</u>
B13	Small (less than 100,000 cubic yards per year)	N	\$ 2,701 <u>7</u>	N	\$ 2,450 <u>3</u>

OAR 340-045-0075 Table 70B Industrial NPDES and WPCF Individual Permit Annual Fees Effective July 1 <u>November 1</u> , 2021					
			<u>82</u>		<u>79</u>
All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater):					
B14	Tier 1 sources	\$ 28,844 <u>9,709</u>	N	\$ 2627,7 <u>70573</u>	N
B15	Tier 2 sources	N	\$ 5,5817 <u>48</u>	N	\$ 5,2644 <u>21</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	\$ 3,8487 <u>36</u>	N	\$ 3,4155 <u>17</u>
B17	Fish hatcheries and other confined feeding operations on individual permits except permits the Oregon Department of Agriculture administers.	N	\$ 3,2713 <u>69</u>	N	\$ 2,9503 <u>.038</u>
B18	All facilities which dispose of wastewater only by evaporation from watertight ponds or basins	N	N	N	\$ 2,1682 <u>33</u>
Timber and Wood Products					
B19	Sawmills, log storage, instream log storage	\$ 8,0913 <u>33</u>	\$ 4,5907 <u>27</u>	\$ 6,0171 <u>97</u>	\$ 4,2663 <u>93</u>
B20	Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products	\$ 8,5558 <u>11</u>	\$ 5,0552 <u>06</u>	\$ 6,4846 <u>78</u>	\$ 4,7358 <u>77</u>
B21	Wood preserving	\$ 7,2394 <u>56</u>	\$ 3,7368 <u>48</u>	\$ 5,1653 <u>19</u>	\$ 3,4155 <u>17</u>

OAR 340-045-0075 Table 70C Domestic NPDES and WPCF Individual Permits: Application, Annual and Modification Fees Effective July <u>November</u> 1, 2021							
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	≥ 50 mgd	\$5254,588 <u>165</u>	\$113,8837 <u>299</u>		\$26,36 <u>07,150</u>	\$1,44 <u>5488</u>
	A2	$10 \text{ mgd} \leq \text{Flow} < 50$ mgd	\$52,5884, <u>165</u>	\$66,9318, <u>938</u>		\$26,36 <u>07,150</u>	\$1,44 <u>5488</u>
	A3	$5 \text{ mgd} \leq \text{Flow} < 25$ mgd	\$52,5884, <u>165</u>	\$31,5462, <u>492</u>		\$26,36 <u>07,</u> <u>150</u>	\$1,44 <u>5488</u>
	Ba	$1 \text{ mgd} \leq \text{Flow} < 10$ mgd	\$52,5884, <u>165</u>	\$20,22282 <u>8</u>	\$18,899 <u>9,465</u>	\$26,36 <u>07,150</u>	\$1,44 <u>5488</u>
	C1a	$2 \text{ mgd} \leq \text{Flow} < 5$ mgd	\$52,5884, <u>165</u>	\$13,5984, <u>005</u>	\$12,277 <u>645</u>	\$26,36 <u>07,150</u>	\$1,44 <u>5488</u>
	C2a	$1 \text{ mgd} \leq \text{Flow} < 2$ mgd	\$52,5884, <u>165</u>	\$9,229,50 <u>5</u>	\$7,9068, <u>143</u>	\$26,36 <u>07,150</u>	\$1,44 <u>5488</u>
	Da	$\text{Flow} < 1$ mgd	\$10,62494 <u>2</u>	\$2,9223,0 <u>09</u>	\$2,7127 <u>93</u>	\$5,381 <u>542</u>	\$1,44 <u>5488</u>

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

Effective ~~July~~ November 1, 2021

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	\$5254,5 <u>88165</u>	\$10,693 <u>1,013</u>		\$26,360 <u>7,150</u>	\$1,445 <u>488</u>
	C1b	2 mgd ≤ Flow < 5 mgd	\$5254,1 <u>65,588</u>	\$7,4356 <u>58</u>		\$26,360 <u>7,150</u>	\$1,445 <u>488</u>
	C2b	1 mgd ≤ Flow < 2 mgd	\$52,588 <u>4,165</u>	\$5,4285 <u>90</u>		\$26,360 <u>7,150</u>	\$1,445 <u>488</u>
	Db	Flow < 1 mgd	\$10,624 <u>942</u>	\$2,0611 <u>22</u>		\$5,3815 <u>42</u>	\$1,445 <u>488</u>
Nondischarging Lagoons	E	No discharge flow	\$5,3815 <u>42</u>		\$1,717 <u>768</u>	\$2,7548 <u>36</u>	\$1,445 <u>488</u>
Alkaline-stabilization facilities	F		\$1,4454 <u>88</u>		\$59260 <u>9</u>		\$6366 <u>55</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	\$2930,0 <u>81205</u>	Please see Table 70H		\$2,5366 <u>12</u>	\$1,445 <u>488</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 July <u>November</u> 1, 2021	
Population range	Annual fee
500,000+	\$15 37 , <u>592</u> 002
400,000 to 499,999	\$11 71 <u>20</u> , 046 <u>557</u>
300,000 to 399,999	\$8 1,093 <u>3,525</u>
200,000 to 299,999	\$4 5,134 <u>6,488</u>
150,000 to 199,999	\$3 6,503 <u>7,598</u>
100,000 to 149,999	\$24, 041 <u>762</u>
50,000 to 99,999	\$15, 078 <u>530</u>
25,000 to 49,999	\$6, 777 <u>980</u>
15,000 to 24,999	\$3, 859 <u>974</u>
10,000 to 14,999	\$2, 514 <u>589</u>
5,000 to 9,999	\$1, 528 <u>573</u>
1,000 to 4,999	\$ 457 <u>470</u>
100 to 999	\$ 887 <u>9</u>
0 to 99	\$0

OAR 340-045-0075 Table 70E Annual Pretreatment Fees Effective July <u>November</u> 1, 2021	
Description	Fee
Pretreatment Fee	\$2, 623 <u>701</u>
Significant Industrial User	\$ 875 <u>901</u> per industry

OAR 340-045-0075 Table 70F All NPDES and WPCF¹ Permits: Technical Activity, Plan Review, and Other Fees Effective November <u>July</u> 1, 2021	
Activity	Fee
New or substantially modified sewage treatment facility	\$12, 066 <u>427</u>
Minor facility or pump station modifications	\$1, 312 <u>351</u>
Major system or pressure system expansion	\$ 920 <u>947</u>
Minor system expansion or modification	\$ 261 <u>268</u>
New or substantially modified septage alkaline stabilization facility	\$1, 312 <u>351</u>
Site inspection and evaluation ²	\$2, 055 <u>116</u>
Disposal system plan review ²	\$ 822 <u>846</u>
Environmental management plan review ³	\$ 822 <u>846</u>
Other Fees	
Annual temporary or permanent electronic reporting requirement waiver	\$1,0 30 <u>41</u>
Permit transfer, legal name change.	\$ 129 <u>132</u>
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 ~~July~~ November 1, 2021

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
100-J	NPDES	Cooling water/heat pumps	\$ 334 <u>6</u>	\$ 765 <u>7</u> <u>87</u>
200-J	NPDES	Filter backwash	\$ 336 <u>3</u> <u>46</u>	\$ 765 <u>7</u> <u>87</u>
300-J	NPDES	Fish hatcheries	\$ 536 <u>5</u> <u>52</u>	\$ 765 <u>7</u> <u>87</u>
400-J	NPDES	Log ponds	\$ 336 <u>3</u> <u>46</u>	\$ 765 <u>7</u> <u>87</u>
500-J	NPDES	Boiler blowdown	\$ 336 <u>3</u> <u>46</u>	\$ 765 <u>7</u> <u>87</u>
900-J	NPDES	Seafood processing	\$ 336 <u>3</u> <u>46</u>	\$ 765 <u>7</u> <u>87</u>
1400-A	WPCF	Wineries and seasonal fresh pack operations whose wastewater flow is ≤ 25,000 gallons/day and is only disposed of by land irrigation.	\$ 336 <u>3</u> <u>46</u>	\$ 449 <u>4</u> <u>62</u>
1400-B	WPCF	Wineries and small food processors not otherwise eligible for a 1400A general permit.	\$ 536 <u>5</u> <u>52</u>	\$ 765 <u>7</u> <u>87</u>
1500-A	NPDES	Petroleum hydrocarbon clean-up	\$ 536 <u>5</u> <u>52</u>	\$ 765 <u>7</u> <u>87</u>
1500-B	WPCF	Petroleum hydrocarbon clean-up	\$ 536 <u>5</u> <u>52</u>	\$ 765 <u>7</u> <u>87</u>
1700-A	NPDES	Vehicle and equipment wash water	\$ 745 <u>7</u> <u>67</u>	\$ 765 <u>7</u> <u>87</u>
1700-B	WPCF	Vehicle and equipment wash water	\$ 745 <u>7</u> <u>67</u>	\$ 765 <u>7</u> <u>87</u>
1900-J	NPDES	Non-contact geothermal heat exchange	\$ 745 <u>7</u> <u>67</u>	\$ 765 <u>7</u> <u>87</u>
<u>2000-J</u>	<u>NPDES</u>	<u>Pesticide use irrigation districts</u>	<u>\$767</u>	<u>\$787</u>
<u>2300-A</u>	<u>NPDES</u>	<u>Pesticide general permit</u>	<u>\$767</u>	<u>\$787</u>

Residential and Commercial Graywater and Industrial Reuse Water

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
 Effective ~~July~~ November 1, 2021

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
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	\$ 5253	\$ 4142
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	\$ 5505 <u>66</u>	\$ 5253
2501	WPCF	Industrial reuse water free of human and animal waste suitable for reuse without secondary or advanced treatment and ≤ 25,000 gallons/day	\$ 7457 <u>67</u>	\$ 7657 <u>87</u>

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
 Effective ~~July~~ November 1, 2021

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
Stormwater General Permits³				
1200-A	NPDES	Stormwater: Sand, gravel, and other non-metallic mining	\$1, 309 <u>348</u>	\$1, 346 <u>386</u>
1200-C	NPDES	Stormwater: Construction activities – one acre or more	\$1, 309 <u>348</u>	\$1, 346 <u>386</u>
1200-C	NPDES	Stormwater: Construction activities – less than one acre and part of a common plan of development disturbing one or more acres	\$384 <u>95</u>	\$0
1200-CA	NPDES	Stormwater: Construction activities performed by public agencies – one acre or more	\$1, 309 <u>348</u>	\$1, 346 <u>386</u>
1200-Z	NPDES	Stormwater: Industrial	\$1, 309 <u>348</u>	\$1, 346 <u>386</u>
4000-MS4	NPDES	Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc.	\$1, 309 <u>348</u>	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	\$34 <u>36</u>	\$0
700-PM	NPDES	Suction dredges (gravity and syphon)	\$0	\$25
700-PM	NPDES	Suction dredges (motorized)	\$250	\$250
		<u>Permit renewal fee every five years (in addition to the annual fee)</u>	<u>\$250</u>	
1000	WPCF	Gravel mining	\$336 <u>34</u> <u>6</u>	\$76 <u>5</u> <u>787</u>
Other General Permits				
DOM-F	WPCF	Septage alkaline stabilization facilities	\$1, 445 <u>488</u>	\$592 <u>6</u> <u>09</u>

OAR 340-045-0075 Table 70G General NPDES and WPCF Permits: Application and Annual Fees Effective July <u>November</u> 1, 2021				
Number	Type	Description	New Permit App. Fee ¹	Annual Fee
All other permits not elsewhere classified.			\$7457 <u>67</u>	\$7657 <u>87</u>
1. New permit applications must include both the new permit application fee and the first year's annual fee. 2. Stormwater construction and industrial permits are also administered by public agencies and local districts under contract with DEQ.				

OAR 340-045-0075 Table 70H Municipal Separate Storm Sewer System Permits: Annual Fees Effective July <u>November</u> 1, 2021	
Population-based cost-per-person, except counties and other	Annual Fee
Cost-per-person	\$0. 119122
Counties, Phase I	\$10, 609927
Counties, Phase II (non-traditional MS4s, hospitals, public universities, etc.)	\$2, 652731
Oregon Department of Transportation MS4*	\$4 2,4363,709
*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 ~~July~~ November 1, 2021

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
			High Risk	\$321	\$107	
1200-U General Permit ³	Stormwater Injection	\$745767	\$765787	Low Risk	\$133136	None
				Medium Risk	\$167172	None
				High Risk	\$401413	\$133136
1900-B General Permit	Injection During Geothermal Exploration	\$745767	\$765787			
				Individual WPCF Modifications		
Type	Description	Application Fee	Annual Fee	Major	Minor	
Individual WPCF Permit	As defined in 40 CFR parts 9, 144, 145 and 146	\$16,6017,099	\$3,514619	\$2,754836	\$1,445488	

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 71
ONSITE WASTEWATER TREATMENT SYSTEMS

340-071-0140
Onsite System Fees

- ~~(1) This rule establishes the fees for site evaluations, permits, reports, variances, licenses, and other services DEQ provides under this division.~~
- ~~(2) Table 9A lists the site evaluation and existing system evaluation fees. [NOTE: All tables are found in OAR 340-071-0800.]~~
- ~~(3) Tables 9B and 9C list the permitting fees for systems not subject to WPCF permits. Online submittals for annual report evaluation fees may apply when DEQ implements online reporting. [NOTE: All tables are found in OAR 340-071-0800.]~~
- ~~(4) WPCF permit fees. Fees in this section apply to WPCF permits issued under OAR 340-071-0162. Table 9D lists the WPCF permit fees. [NOTE: All tables are found in OAR 340-071-0800.]~~
- ~~(5) Table 9F lists the innovative, Alternative Technology and Material Plan Review fees. [NOTE: All tables are found in OAR 340-071-0800.]~~
- ~~(6) Table 9E lists the Sewage Disposal Service License and Truck Inspection fees. [NOTE: All tables are found in OAR 340-071-0800.]~~
- ~~(7) Compliance Recovery Fee. When a violation results in an application in order to comply with the requirements in this division, the agent may require the applicant to pay a compliance recovery fee in addition to the application fee. The amount of the compliance recovery fee shall not exceed the application fee. Such violations include but are not limited to installing a system without a permit, performing sewage disposal services without a license, or failure to obtain an authorization notice when it is required.~~
- ~~(8) Land Use Review Fee. Land use review fees are listed in Table 9C and are assessed when an agent review is required in association with a land use action or building permit application and no approval is otherwise required in the division. [NOTE: All tables are found in OAR 340-071-0800.]~~
- ~~(9) Contract county fee schedules.~~
 - ~~(a) Each county having an agreement with DEQ under ORS 454.725 must adopt a fee schedule for services rendered and permits issued. The county fee schedule may not include DEQ's surcharge established in section (10) of this rule unless identified as a DEQ surcharge.~~
 - ~~(b) The county must submit a copy of the fee schedule and any subsequent amendments to the schedule to DEQ.~~

~~(c) Fees may not exceed actual costs for efficiently conducted services.~~

~~(10) DEQ surcharge.~~

~~(a) To offset a portion of the administrative and program oversight costs of the statewide onsite wastewater management program, DEQ and contract counties must levy a surcharge for each site evaluation, report permit, and other activity for which an application is required in this division. The surcharge fee is listed in Table 9F. This surcharge does not apply to pumper truck inspections, annual report evaluation fees, or certification of installers or maintenance providers. [NOTE: All tables are found in OAR 340-071-0800.]~~

~~(b) Proceeds from surcharges DEQ and contract counties collect must be accounted for separately. Each contract county must forward the proceeds to DEQ under its agreement with the DEQ.~~

~~(11) Refunds. DEQ may refund all or a portion of a fee accompanying an application if the applicant withdraws the application before any field work or other substantial review of the application has been done.~~

~~[NOTE: All tables are found in OAR 340-071-0800.]~~

Statutory/Other Authority: ~~ORS 454.625, 468.020 & 468.065(2)~~

Statutes/Other Implemented: ~~ORS 454.745, 468.065 & 468B.050~~

History:

~~DEQ 1 2016, f. & cert. ef. 1-27-16~~

~~DEQ 41 2017, minor correction filed 12/14/2017, effective 12/14/2017~~

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

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

~~DEQ 4 2015, f. & cert. ef. 2-3-15~~

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

~~DEQ 11 2014, f. & cert. ef. 10-15-14~~

~~DEQ 14 2013, f. 12-20-13, cert. ef. 1-2-14~~

~~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 9 2011, f. & cert. ef. 6-30-11~~

~~DEQ 7 2010, f. 8-27-10, cert. ef. 9-1-10~~

~~DEQ 10 2009, f. 12-28-09, cert. ef. 1-4-10~~

~~DEQ 7 2008, f. 6-27-08, cert. ef. 7-1-08~~

~~DEQ 11 2004, f. 12-22-04, cert. ef. 3-1-05~~

~~DEQ 2 2002, f. & cert. ef. 2-12-02~~

~~DEQ 14 2001, f. & cert. ef. 12-26-01~~

~~DEQ 9 2001(Temp), f. & cert. ef. 7-16-01 thru 12-28-01~~

~~DEQ 16 1999, f. & cert. ef. 12-29-99~~

~~DEQ 8 1998, f. & cert. ef. 6-5-98~~

~~DEQ 12 1997, f. & cert. ef. 6-19-97~~

~~DEQ 27 1994, f. & cert. ef. 11-15-94~~

~~DEQ 18 1994, f. 7-28-94, cert. ef. 8-1-94~~

~~DEQ 11 1991, f. & cert. ef. 7-3-91~~

~~DEQ 6 1988, f. & cert. ef. 3-17-88~~

~~DEQ 15 1986, f. & ef. 8-6-86~~

~~[DEQ 13-1986, f. & ef. 6-18-86](#)~~

~~[DEQ 9-1984, f. & ef. 5-29-84](#)~~

~~[DEQ 8-1983, f. & ef. 5-25-83](#)~~

~~[DEQ 5-1982, f. & ef. 3-9-82](#)~~

~~[DEQ 19-1981, f. 7-23-81, ef. 7-27-81](#)~~

~~[DEQ 10-1981, f. & ef. 3-20-81](#)~~

340-071-0800

Tables

Tables for Division 071.

~~[Note: The attached document contains two sets of tables. The first set of tables is in effect from August 1, 2020, through June 30, 2021. The second set of tables takes effect on July 1, 2021.](#)~~

[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 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](#)



State of Oregon Department of Environmental Quality

OAR 340-071-0800

Fee Tables

~~Effective July 1~~ November 1, 2021

OAR 340-071-0220 TABLE 1 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 Waters	Year round	100	50
	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

6. Irrigation Canals	Lined (watertight canal) : Downgradient	25	25
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OAR 340-071-0220 TABLE 1 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
	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	—
* 50-foot setback for wells constructed with special standards granted by WRD. **This does not prevent stream crossings of pressure effluent sewers.			

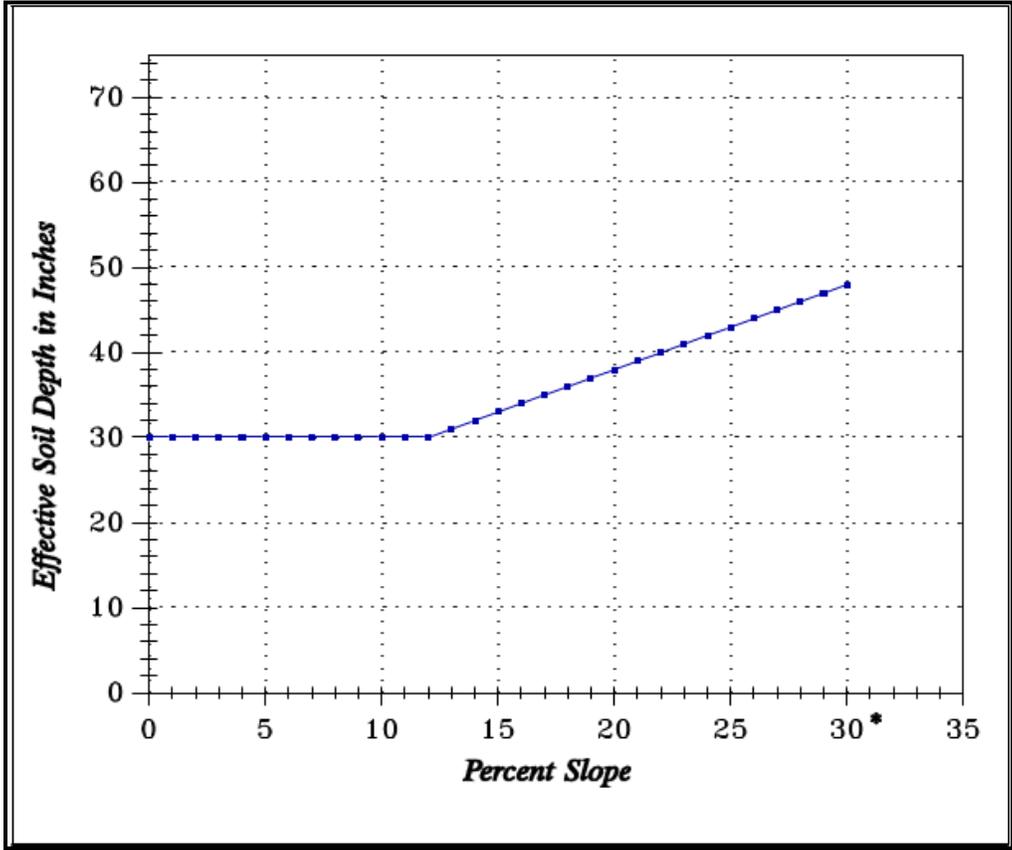
OAD 340-071-0220		
TABLE 2		
QUANTITIES OF SEWAGE FLOWS		
Type of Establishment	Column 1	Column 2
	Gallons Per Day	Minimum Gallons Per Establishment Per Day
Airports	5 (per passenger)	150
Bathhouses and swimming pools	10 (per person)	300
Camps: (4 Persons per Campsite, where Applicable)	Campground with 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

OAR 340-071-0220			
TABLE 2			
QUANTITIES OF SEWAGE FLOWS			
Country clubs		100 (per resident member)	2000
Country clubs		25 (per non-resident member present)	—
Dwellings:	Boarding houses	150 (per bedroom)	600
	Boarding houses – additional for non-residential boarders	10 (per person)	—
	Rooming houses	80 (per person)	500
	Condominiums, Multiple family dwellings — including apartments	300 (per unit)	900
Type of Establishment		Column 1	Column 2
		Gallons Per Day	Minimum Gallons Per Establishment Per Day
	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			
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	

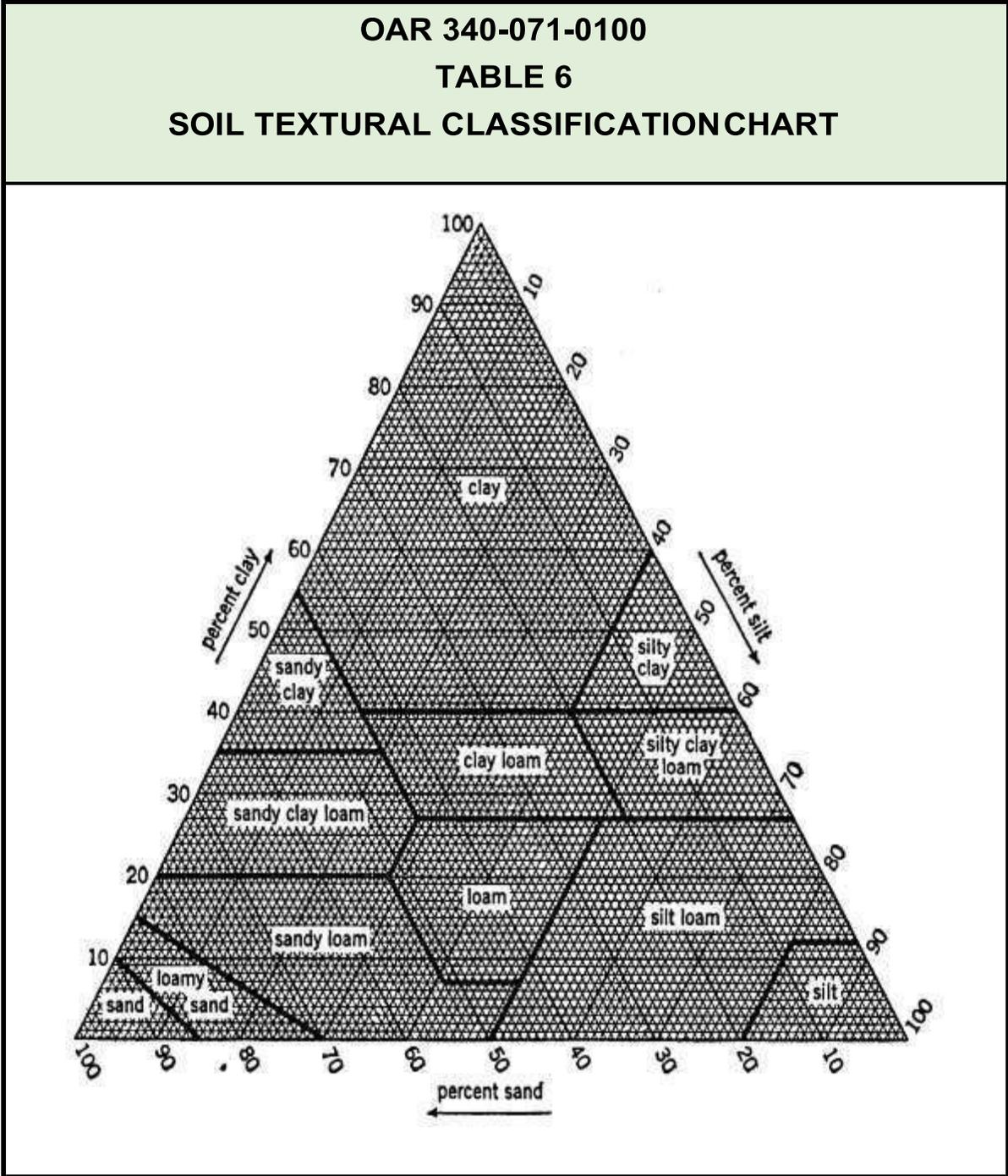
OAR 340-071-0220			
TABLE 2			
QUANTITIES OF SEWAGE FLOWS			
Travel trailer parks — with individual water and sewer hookups		100 (per space)	500
Workers:	Construction — as semi-permanent camps	50 (per person)	1000
	Day — at schools and offices	15 (per shift)	150
* Except as otherwise provided in these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

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



OAR 340-071-0220			
TABLE 4			
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
<p>* 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.</p>			

OAR 340-071-0220			
TABLE 5			
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
<ul style="list-style-type: none"> * 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 7 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 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'

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TABLE 9A	
SITE EVALUATION AND EXISTING SYSTEM EVALUATION FEES	
New Site Evaluation Fees.	
Fees in this section apply to each system for which site suitability is evaluated.	
Single family dwelling - First lot	\$700
Single family dwelling - Each additional lot evaluated during initial visit	\$700
Commercial facility with a design capacity of 1,000 gpd or less	\$700
Commercial facility with a design capacity of 1,001-1,500 gpd	\$882
Commercial facility with a design capacity of 1,501-2,000 gpd	\$1,063
Commercial facility with a design capacity of 2,001-2,500 gpd	\$1,244
Commercial facility s with a design capacity of 2,501-3,000 gpd	\$1,426
Commercial facility with a design capacity of 3,001-3,500 gpd	\$1,607
Commercial facility with a design capacity of 3,501-4,000 gpd	\$1,788
Commercial facility with a design capacity of 4,001-4,500 gpd	\$1,969
Commercial facility with a design capacity of 4,501-5,000 gpd	\$2,151
Commercial facility with a design flow greater than 5,000 gpd	\$2,373
Site Evaluation Report Review fee	\$659
Existing System Evaluation Report fee	\$659

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TABLE 9B							
PERMITTING FEES FOR SYSTEMS NOT SUBJECT TO WPCF PERMITS							
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	\$890	\$1,038	\$1,272	\$1,566	\$0
	For systems with a design capacity of 601-1,000 gpd	\$461	\$890	\$1,038	\$1,272	\$1,566	\$379
	For systems with a design capacity of 1,001-1,500 gpd	\$560	\$989	\$1,137	\$1,352	\$1,710	\$445
	For systems with a design capacity of 1,501-2,000 gpd	\$659	\$1,088	\$1,236	\$1,433	\$1,763	\$511
	For systems with a design capacity of 2,001-2,500 gpd	\$758	\$1,187	\$1,335	\$1,513	\$1,862	\$577
Reinspection fee		\$103	\$103	\$103	\$103	\$103	\$103
Pump Evaluation fee. For all permits that specify the use of a pump or dosing siphon except for sand filter, Alternative treatment technologies, Recirculating gravel filter, and pressurized distribution systems		\$66	\$66	\$66	\$66	\$66	\$66
<p>System Type Key:</p> <p>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)</p>							

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TABLE 9C			
OTHER PERMITTING FEES FOR SYSTEMS NOT SUBJECT TO WPCF PERMITS			
Fee Subject	Fee	Field Visit required	No Field Visit required
Minor Alteration Permit	\$272		
Major Alteration Permit	\$569		
Minor Repair Permit - Single Family Dwelling	\$264		
Major Repair Permit - Single Family Dwelling	\$551		
Minor Repair Permit - Commercial Facility	\$478		
Major Repair Permit - Commercial Facility	\$1,038		
Permit Denial Review	\$363		
Permit Transfer, Reinstatement, or Renewal		\$536	\$157
Authorization Notice		\$643	\$165
Authorization Notice Denial Review	\$659		
Renewal of hardship authorization for temporary dwelling		\$340	\$103
Alternative system inspection - Holding tanks	\$396		
Variance from onsite system rules	\$2,142		
Land use clearance	\$52		
Annual report evaluation - Holding tanks – hard copy submittal	\$31		
Annual report evaluation - Holding tanks – online submittal	\$26		
Alternative system inspection - Other alternative systems listed in Table 9B	\$544		

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TABLE 9C			
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		
Annual report evaluation - Sand filters, pressurized distribution systems, recirculating gravel filters, and alternative treatment technology – online submittal	\$52		

OAR 340-071-0140 TABLE 9D WPCF PERMIT FEES Effective November 1, 2021			
	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	\$114 <u>117</u>	\$912 <u>939</u>	\$4, 556 <u>692</u>
Permit renewal (involving request for effluent limit modifications)	\$114 <u>117</u>	\$454 <u>467</u>	\$2, 281 <u>349</u>
Permit renewal (without request for effluent limit modifications)	\$114 <u>117</u>	\$230 <u>236</u>	\$1, 137 <u>171</u>
Permit modification (involving increase in effluent limitations)	\$114 <u>117</u>	\$454 <u>467</u>	\$2, 281 <u>349</u>
Permit modification (not involving an increase in effluent limits)	\$114 <u>117</u>	\$341 <u>351</u>	\$1, 137 <u>171</u>
Plan Review fee			
For commercial facilities with a design capacity less than 600 gpd		\$0	
For commercial facilities with a design capacity of 601 - 1,000 gpd		\$434 <u>447</u>	
For commercial facilities with a design capacity of 1,001 - 1,500 gpd		\$512 <u>527</u>	
For commercial facilities with a design capacity of 1,501 - 2,000 gpd		\$589 <u>606</u>	
For commercial facilities with a design capacity of 2,001 - 2,500 gpd		\$668 <u>43</u>	

OAR 340-071-0140 TABLE 9D WPCF PERMIT FEES Effective November 1, 2021	
For commercial facilities with a design capacity of 2,501 - 3,000 gpd	\$779 <u>802</u>
For commercial facilities with a design capacity of 3,001 - 3,500 gpd	\$855 <u>880</u>
For commercial facilities with a design capacity of 3,501 - 4,000 gpd	\$9309 <u>57</u>
For commercial facilities with a design capacity of 4,001 - 4,500 gpd	\$1,004 <u>034</u>
For commercial facilities with a design capacity of 4,501 - 5,000 gpd	\$1,082 <u>114</u>
Commercial facilities with a design capacity greater than 5,000 gpd	\$1,137 <u>171</u>
Single family dwelling	\$2302 <u>36</u>
Annual Compliance Determination fee	
Onsite sewage lagoon with no discharge	\$1,366 <u>406</u>
Treatment Standard 1 or better systems with design capacities less than 2,500 gpd	\$5705 <u>87</u>
Treatment Standard 1 or better systems with design capacities of 2,501 - 20,000 gpd	\$1,137 <u>171</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	\$4544 <u>67</u>

OAR 340-071-0140 TABLE 9D WPCF PERMIT FEES Effective November 1, 2021	
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	\$505 <u>1</u>
Other systems with design capacities less than 20,000 gpd	\$5705 <u>87</u>
Other systems with design capacities greater than 20,000 gpd	\$1,137 <u>171</u>

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

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