



State of Oregon Department of Environmental Quality

Draft Fiscal Impact Statement

2025 Water Quality Program Fee Rulemaking

Introduction

The Oregon Department of Environmental Quality invites public input on proposed rule amendments to Chapter 340 of the Oregon Administrative Rules. The proposed rule amendments are to increase water quality fees in 2025 for fiscal year 2026 by 3% as provided in Oregon Revised Statutes 468B.051. The water quality programs included in this rulemaking are:

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

The Water Quality Program's mission is to protect and improve Oregon's water quality. This is accomplished through the cohesive teamwork of DEQ water quality staff. Starting with the collection and evaluation of water quality data to develop water quality standards and clean water plans, providing grants and technical assistance to reduce nonpoint pollution sources, lending to communities to build treatment facilities, assuring wastewater operators are certified to ensure wastewater treatment facilities run smoothly and effectively, protecting waters during and after construction, and finishing the cycle by implementing the Clean Water Act and Oregon Revised Statutes through the issuance of water quality permits to publicly owned treatment systems and industrial dischargers. Protecting and improving Oregon's rivers, lakes, streams and groundwater quality keeps Oregon's waters safe for drinking water, fish habitat, recreation and irrigation.

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

Fee analysis

Translation or other formats

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State of Oregon
Department of Environmental Quality

This year, the Environmental Quality Commission, DEQ's governing body, delegated approval of this rule proposal to DEQ Director Leah Feldon. If approved, existing fees will increase for NPDES and WPCF permits, Wastewater Operator Certifications along with its associated annual program support fee, Dredge and Fill 401 Water Quality Certifications, UIC permits, and applications and reporting for the Onsite Wastewater Management program.

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

Fees for water quality programs and permits:

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

(a) ORS 448.410, 454.745, 454.755, 454.792, 468B.047 or 468B.195; or

(b) ORS 468.065 for permits issued under ORS 468B.050.

(2) The commission may not increase a fee described in subsection (1) of this section more than once each calendar year. The amount of the annual increase may not exceed the anticipated increase in the cost of administering the program to which the fee is applicable or 3%, whichever is lower, unless a larger increase is provided for in the Department of Environmental Quality's legislatively approved budget.

For this rulemaking, the EQC has delegated approval to DEQ Director Leah Feldon. [2005 c.523 §2; 2015 c.640 §1; 2023 c.258 §1]

Brief description of proposed fees

The fee increase rulemaking consists of the following:

Three percent increase for water quality fees

OAR 340-071-0140:

- WPCF Permit Fees; Table 9D

OAR 340-045-0075:

- Industrial NPDES and WPCF Individual Permits Application and Modification Fees; Table 70A
- Industrial NPDES and WPCF Individual Permit Annual Fees; Table 70B
- Domestic NPDES and WPCF Individual Permits, Application, Annual Modification Fees; Table 70C
- Municipal Separate Storm Sewer System Permits, Application and Modification Fees; Table 70C
- Domestic NPDES and WPCF Annual Population Fees, Table 70D
- Annual Pretreatment Fees, Table 70E
- All NPDES and WPCF Permits, Technical Activity, Plan Review and Other Fees, Table 70F

- General NPDES and WPCF Permits, Application and Annual Fees, Table 70G, **excluding** 700-PM fees under authority ORS 468B.118
- Municipal Separate Storm Sewer System Permits; Annual Fees Table 70H
- Underground Injection Control Permits Application Fees, Annual Fees, and Surcharges, Table 70I, UIC fees authorized by rule, ORS 468B.195 and ORS 468B.196

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

OAR 340-045-0075

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

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

OAR 340-048-0055

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

Three percent increase for Onsite Wastewater Management Septic Program

OAR 340-071-0800

All fees in Tables 9 A – E would be increased by 3%

Three percent increase for Wastewater Operator Certification Program

OAR 340-049-0065

Tables A and B: All fees described in these tables would be increased by 3%

Reasons

The goal of ORS 468B.051 is to gradually increase fees yearly rather than implementing large, irregular adjustments, minimizing the impact on the permitted community while maintaining current DEQ service levels. The following is the rationale from each of the programs for the fee increase:

NPDES and WPCF Permitting Programs associated with fees in OAR 340-045-0075: The proposed fees will cover costs associated with implementing the permitting programs and delivering services to regulated entities. In 2018, the Water Quality Permitting Program agreed in a settlement to update 90% of NPDES permits by 2028. Without this increase, DEQ would have to reduce permitting staff and would not reach the deadline. The point source program oversees 311 NPDES Individual permits, 197 WPCF Individual permits, and 963 General Permit registrants. The stormwater program oversees 32 MS4 permits and 1,956 General Permit registrants.

UIC Program associated with fees in OAR 340-045-0075: The proposed fee increase will assist the UIC program to continue its work preventing contamination of Oregon’s groundwater as delegated by the Safe Drinking Water Act. The proposed fee increase will assist in the

retention of the 2.4 FTE in the UIC Program statewide that oversee approximately 45,000 existing registered UICs and process new UIC applications.

401 Dredge and Fill Program associated with fees in OAR 340-048-0055: The proposed fee increase will allow the 401 program to continue the review and evaluation of water quality compliance under Section 401 of the Clean Water Act for projects that require a federal license or permit conducting activity that may result in a discharge to waters of the US. The proposed fee increase will assist in the retention of the 4 FTE in the 401 Dredge and Fill Certification program statewide that review approximately 300 applications for 401 water quality certifications per year.

Onsite Wastewater Management Program with fees in OAR 340-071-0800: The proposed fee increase will help maintain current program service levels. These fees include WPCF-OS fees for larger commercial systems. The Onsite Program oversees 659 WPCF Individual permits and 70 General Permit registrants.

Wastewater Operator Certification Program with fees in OAR 340-049-0065: The proposed fee increase will fund some of the recent cost of living increases in staff compensation, a portion of costs for the maintenance of the new data systems and user interfaces, and inflation of contracts for services (certification test creators and administrators). There are 1,339 total persons with wastewater collection and/or treatment certifications in the program.

Fee proposal alternatives considered

Not increasing fees

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

Fee payer

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

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

Affected party involvement in fee-setting process

A Fiscal Advisory Committee will convene for this rulemaking with interested parties representing the impacted communities including business, industries and municipalities.

Summary of impacts

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

Examples: The annual fee for stormwater construction activity performed by public agencies under a 1200-CA permit in OAR 340-045-0075, Table 70G would increase by an estimated \$45, divided by the population served by the public agency. For WPCF UIC Individual permit holders (large municipalities typically with populations exceeding 10,000 people), the fee would increase by approximately \$84. The cost of an application for a residential home builder for a medium risk UIC to drain a driveway area would increase from \$138 to \$142. The annual fee for a UIC General Permit holder would increase from \$859 to \$884.

How long will the current fee sustain the program?

Current fees are not sufficient to sustain the water quality programs covered by the 3% fee increase. The cost to administer the programs increases every biennium while the total amount of fees paid remains relatively constant, with some fluctuation in fees paid for activities that are influenced by economic conditions. In addition, Cost of Living Adjustments from the 2023 state collective bargaining reflect the recent high inflation and will result in increased costs. During the 2025-27 biennium, the increased salary costs from COLAs will exceed the amount of revenue generated from existing fees plus the amount of new revenue generated from the 3% increases. The full impact of the 2023-25 COLAs will be experienced in the 2025-27 biennium.

Table 1 (below) outlines the Budgeted Costs justification for the 3% fee increase. Over two years, the average cost per full-time employee (FTE) covered by the fee increase has risen 13.08%, or approximately 6.54% per year. This rate of increase is based on a comparison of the current service level in the 2025-27 Governor's Recommended Budget (GRB) with the 2023-25 Legislatively Adopted Budget (LAB).

Table 1. Budget Cost Increases, Feb. 4, 2025

Budget Period	Cost per FTE
2023-25 Legislatively Adopted Budget	\$375,976
2025-27 Governor's Recommended Budget	\$425,171
Percent increase over two-year period	13.08%

Cost per FTE calculations exclude one-time enhancements from both the biennia and the 2025-2027 enhancements.

NPDES and WPCF Individual and General Permits and Stormwater General and MS4 Permits

Budgeted expenditures in the 2025-2027 GRB exceed projected revenues, including those from this proposed fee increase, by approximately five percent. Without the annual 3% fee increase and assuming inflation remains steady, the Water Quality Permitting Program would need to implement a fee adjustment exceeding 3% in fiscal year 2028 or 2029 to sustain an adequate fund balance and maintain current staffing levels.

Wastewater operator certification

The two FTEs of the Wastewater Operator Certification Program are 100% fee funded. Budgeted expenditures in the 2025-27 GRB exceed projected revenues, including those from the proposed 3% fee increase, by 30 percent. Without this increase, current projections indicate the program would lack a sufficient ending balance for Fiscal Year 2027 to start the 2027-2029 biennium and may need to reduce expenditures below the current service level in the 2025-2027 budget.

Small onsite septic system permitting and licensing

DEQ is requesting a 3% fee increase, as authorized by ORS 468B.051, to help fund increases in the cost of administering the program. Budgeted expenditures in the 2025-2027 GRB exceed projected revenue based on the current fees and will exceed revenue by a greater margin if a 3% fee increase is not authorized. The GRB modified the current service level budget by eliminating three FTE from the program. Policy option package 120 proposes to restore two FTE. A fee increase to support the restoration of the two FTE and to reset fees is not included in this rulemaking but will be included in a 2026 rulemaking if approved by the 2025 Legislature.

Without the 3% increase and factoring in the reduction of three FTEs, current projection show the program ending fiscal year 2027 with a moderately low fund balance beginning the 2027-2029 biennium. This would require further expenditure reductions below the current service level in the 2027-2029 budget. If the 3% increase is approved, expenditures in 2025-2027 will still exceed revenue, but will result in a slightly higher ending fund balance.

Underground injection control rule authorization

Budgeted expenditures in the 2025-2027 GRB exceed projected revenue based on the current fees and will exceed revenue by a greater margin if a 3% fee increase is not authorized. The UIC rule authorization program will need to reset fees by greater than 3% in Fiscal Year 2027 to maintain an adequate fund balance and existing staff levels. A 3% fee increase in 2025 will reduce the size of the fee reset needed in 2026.

Clean Water Act Section 401 Water Quality Certifications: Dredge and fill

Budgeted expenditures in the 2025-2027 GRB exceed projected revenue based on the current fees and will exceed revenue by a greater margin if a 3% fee increase is not authorized. The 401 Dredge and Fill Program will need to reset fees by greater than 3% in Fiscal Year 2027 to maintain an adequate fund balance and to maintain existing staff levels. A 3% fee increase in 2025 will reduce the size of the fee reset needed in 2026.

Statement of fiscal and economic impact

Fiscal and economic impact

Increasing permitting fees will help the Water Quality Program sustain its current level of service. This change increases costs for entities that hold the affected permits or require fee-based services.

Statement of cost of compliance

State agencies

The effect of the proposed fee increases on state agencies depends on the permit type. Oregon state agencies hold approximately 92 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 \$110 and \$126. This affects approximately four state agencies (OAR 340-045-0075, Table 70B).
- Annual fees for WPCF individual permits will increase between \$19 and \$638. This affects approximately five state agencies (OAR 340-045-0075, Table 70C).
- Annual fees for general NPDES and WPCF permits will increase between \$15 and \$25. This affects approximately nine state agencies (OAR 340-045-0075, Table 70G).
- Annual compliance determination fees for WPCF permits will increase between \$1 and \$46. This affects approximately eight state agencies (OAR 340-071-0140, Table 9D).
- Annual fees for WPCF UIC Individual permit holders will increase \$118
- Annual fees for WPCF UIC General Permit holders will increase by \$25 (OAR 340-045-0075 –Table 70I). This affects one state agency (ODOT).
- Annual fees for 401 Dredge and Fill Water Quality Certification permit holders will increase between \$30 and \$ 549. This affects approximately four state agencies and six federal agencies (OAR 340-048-0055)
- Some federal facilities, for example campgrounds on U.S. Forest Service Land, have DEQ permitted wastewater systems and DEQ certified operators. If a state agency operates a facility that manages sewage, they too would need a certified operator. Depending upon the level and type of certification needed, the federal or state agency would see a 3% increase (ranging from \$4 to \$8) in cost to apply or renew the person's certification, if they cover that cost for employees. They would also see 3% increase in their annual fee to support the program ranging from \$2 to \$10.

The impact to state or federal agencies is the same as for individuals seeking to obtain an approval, permit or license (making an application) from the Onsite Wastewater Management Program.

Local governments and public entities

The effect of the 3% increase of permitting fees on local governments depends on the permit type. Oregon local governments hold approximately 600 total active water quality permits.

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

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

- Industrial NPDES fee permits for Tier 2 sources, dairies and fish hatcheries, and facilities that dispose of wastewater only by evaporation from watertight ponds or basins, will increase between \$110 and 126. This affects approximately nine local governments and their permit co-permittees (OAR 340-045-0075, Table 70B).
- Domestic NPDES and WPCF individual permit annual fee increases will range from \$19 to \$638 (OAR 340-045-0075, Table 70C).
- Annual fees for general NPDES and WPCF permits will increase between \$15 and \$45. This will affect an approximate total of 88 local government permits (OAR 340-045-0075, Table 70G).
- Annual permit processing fees for onsite systems and compliance determination fees for WPCF permits will increase between \$1 for holding tanks to \$46 for an on-site sewage lagoon with no discharge. This will affect approximately 67 local government permits (OAR 340-071-0140, Table 9D).
- Annual fees for WPCF UIC Individual permit holders will increase \$118, annual fees for WPCF UIC General Permit holders will increase by \$25 (OAR 340-045-0075 –Table 70I). This affects 23 local governments and public entities.
- Annual fees for 401 Dredge and Fill Water Quality Certification permit holders will increase between \$30 and \$549. (OAR 340-048-0055) This affects approximately 400 local governments and public entities.
- Local governments and public entities that have wastewater treatment facilities that treat sewage will see a 3% increase (ranging from \$1 to \$8) in the cost to apply or renew a person's certification, if they cover that cost for employees. They would also see 3% increase in their annual fee to support the program ranging from \$2 to \$1038, based on the size of the facility.

The onsite surcharge increase from \$117 to \$120 will not be paid directly by local government entities (unless they apply for a license or working with a proposed or new septic system then they would pay 3% more as an individual would pay). The local entities will collect the surcharge from fee payers in their jurisdiction and remit those fees to DEQ. Thirty-one out of 36 counties are run by local government entities.

Large businesses - businesses with more than 50 employees

The 3% fee increase would affect approximately 150 wastewater permit holders that are large businesses. For example, large businesses that require an Industrial NPDES Tier 1 permit (pulp, paper, or other fiber pulping industries) would pay an additional \$973 in annual fees.

The 3% fee increase would affect approximately 14 WPCF UIC Individual Permit holders that are large businesses. For example, a grocery chain with an individual permit would pay an annual fee increase of \$118.

Few large businesses have wastewater treatment systems requiring a certified operator and many keep their employee restrooms and break rooms plumbed separately from their industrial wastewater discharge. However, facilities that combine sewage with industrial wastewater or operate separate sewage systems, and cover the cost of an employee's operator certification, would experience a 3% cost increase ranging from \$1 to \$8. Additionally, their annual program support fee would rise by 3%, ranging from \$2 to \$1,038, depending on the facility's average dry weather flow.

Onsite

A few large businesses will be impacted by this fee increase. Product manufacturers of alternative treatment technologies (aerobic treatment systems used in some septic systems) applying for approval, listing, or renewal will pay about \$60 to \$118 more in application fees and annually \$18 more per model to renew their listing. Applying for a one-time tank approval will cost about \$20 more in increased application and surcharge fees. For a large business obtaining a permit for a large onsite system, the additional fiscal impact on the development would be about \$127. That estimate is in addition to fees for a site evaluation application, alternative treatment technology permit and a commercial plan review fee for up to 2,500 gallons per day (an increase from \$4,140 to approximately \$4,253).

Some licensed sewage disposal services are considered large businesses. Below is the expected impact:

	Current Fees	Proposed Fees
Onsite Surcharge	\$117	\$120
Site Disposal Service 3-year license - NEW	\$512/Year	\$527/Year
Site Disposal Service 3-year license - RENEWAL	\$386/Year	\$397/Year

Small businesses – businesses with 50 or fewer employees

ORS 183.336 Cost of Compliance Effect on Small Businesses

According to 2018 data from the Oregon Employment Department, the fee increase may affect approximately 3,300 small businesses. However, no information is available to determine how the fee increases would affect each permit holder. For example, if a small business is categorized as a Tier 2 facility for food or beverage processing, including produce, meat, poultry, seafood, or dairy for human, pet, or livestock consumption, then under OAR 340-045-0075, fee Table 70B, their annual permit fee would increase by an estimated \$202 over the previous year's annual fee. For example: a small business having five, rule- authorized, high risk UICs (e.g. a truck sales and repair operation), the annual fee would increase from \$550

(currently \$110 per UIC x 5 UICs) to \$565 (\$113 per UIC x 5 UICs). Small businesses having wastewater treatment facilities requiring a certified operator, would experience a 3% increase (ranging from \$1 to \$8) in the cost of the certification, if they cover that cost. Additionally, small businesses would experience a 3% increase in their annual fee ranging from \$2 to \$1038, based on the size of the facility.

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

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

Some small businesses such as recreational vehicle camps, mobile home parks, and resorts, have wastewater systems for their sewage. These businesses are required to have a certified operator, and some pay the annual cost of certification. There are about 50 businesses in this category.

There are about 800 licensed onsite sewage disposal businesses, and most are small businesses. Annual costs for a new 3-year sewage disposal service license will increase from \$512/year to \$527/year. A renewal license annual costs will increase from \$386/year to \$397 a year. There is also a surcharge applied to all applications that will increase from \$117/application to \$120/application. Oregon based septic tank manufacturers are also primarily small businesses and obtain a one-time product approval that will cost about \$20 more than current fees; application fee would increase from \$577 to \$594.

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

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

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

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

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

The Water Quality Program will meet with a rules advisory committee on Feb. 25, 2025. The committee is composed of a diverse group of interested parties representing a wide cross section of permit and certification holders. During and after the meeting, committee members' input will be requested concerning potential impacts to small businesses and how impacts can be reduced. During the public comment period, the Water Quality Program 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.

Documents relied on for fiscal and economic impact

Document title	Document location
Fee increase calculations	DEQ Headquarters
Recommendations and Implementation Plan	DEQ web page
DEQ 2021- 2023 Legislatively Approved Budget	DEQ Headquarters
DEQ 2021-2023 Agency Request 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: A Snapshot of Oregon Firms by Size Class, 2023 - A Snapshot of Oregon Firms by Size Class, 2023 - QualityInfo

Advisory committee fiscal review

DEQ appointed an advisory committee. As ORS 183.333 requires, DEQ will ask for the committee's recommendations on:

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

The committee will review the draft fiscal and economic impact statement.

Housing cost

As ORS 183.534 requires, DEQ evaluated whether the proposed rules would affect the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel.

DEQ determined the proposed fee increase could affect the development cost through:

- Requiring the builder to pay an additional \$41 for a construction stormwater permit if the parcel is part of a common plan of development disturbing one or more acres. Assuming the 3% increase, this would raise the fee from \$1388 to \$1429.
- Increasing Systems Development Charges for implementing local stormwater or wastewater programs.

DEQ does not anticipate the proposed fee increase to affect the development cost through:

- Building costs that could be passed on to the home buyer.
- Parcels that are not part of a common plan of development disturbing one or more acres due to these types of parcels not requiring a construction stormwater permit from DEQ.

Onsite

Having adequate area for a septic system on a 6,000 square foot lot for new construction would be challenging due to the areas needed for a drainfield and well setbacks. However, an additional treatment unit that provides a higher quality effluent and thus allowing for a smaller drainfield and community water system, may be possible. The estimated increased costs for DEQ to evaluate and permit the lot would be approximately \$74.

	Current Fees	Proposed Fees
Onsite Surcharge	\$117	\$120
Site Evaluation*	\$819	\$843
Onsite Surcharge	\$117	\$120
Type D Permit*	\$1,488	\$1,532
Total	\$2,541	\$2,615

* These fees would apply in Baker, Coos, Jackson, Union and Wallowa Counties. The other 31 Oregon counties are administered by a local government agency that sets the permit fees.

Racial equity

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

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

Environmental justice considerations

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

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

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities.

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