



Item D

Rulemaking Authority Delegation: Water Quality Fee Increase Rulemaking 2022

Environmental Quality Commission meeting

April 6-7, 2022

Jennifer Wigal, Water Quality Administrator

Geoff Rabinowitz, Water Quality Permitting and Program Development Manager

Water Quality Permitting

Permit Categories:

- Individual permits (NPDES and WPCF)
- General permits (NPDES and WPCF)

Permit Types:

- Domestic wastewater (NPDES and WPCF)
- Domestic onsite (WPCF)
- Industrial wastewater (NPDES and WPCF)
- Stormwater (NPDES and WPCF)

Water Quality Permitting

Statutory Authority:

ORS 468B.051: Not more than once each calendar year, the Environmental Quality Commission may increase the fees established under [ORS 468.065 \(Issuance of permits\)](#) for permits issued under [ORS 468B.050 \(Water quality permit\)](#). The amount of the annual increase may not exceed the anticipated increase in the cost of administering the permit program or three percent, whichever is lower, unless a larger increase is provided for in the Department of Environmental Quality's legislatively approved budget. [2005 c.523 §2; 2015 c.640 §1]

Water Quality Permitting

Program Staffing Costs	
Budget Period	Cost per FTE per Year
2019-21 Legislatively Adopted Budget	\$162,938
2021-23 Legislatively Adopted Budget	\$179,153
Annual percent increase	4.98%

*As a reminder, it is the program goal to have a cost split of 60/40 (60% from permit fees and 40% from general, lottery and federal funding)

Water Quality Permitting

DEQ recommends that:

The commission delegate the 2022 Water Quality Fee Increase Rule to the DEQ Director for a decision.