



State of Oregon Department of Environmental Quality

Notice of Proposed Rulemaking

June 27, 2022

2022 Water Quality Fee Rulemaking

This package contains the following documents:

- Notice of Rulemaking
- Draft Rules – Edits Highlighted
- Draft Rules – Edits Included (final clean version)

Note for Readers:

This package contains multiple documents. If you want to read more than one document at a time, you can open multiple copies of this PDF by downloading the PDF and then opening it in Adobe. You can then either:

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Introduction

DEQ invites public input on proposed permanent rule amendments to chapter 340 of the Oregon Administrative Rules.

Request for Other Options

During the public comment period, DEQ asks for public comment on whether there are other options for achieving the rules' substantive goals while reducing the rules' negative economic impact on business.

Overview

DEQ 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 2022 for fiscal year 2023 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 anticipated increase in the 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.

In October each year, DEQ publishes a permit issuance [work plan](#) to identify the individual National Pollutant Discharge Elimination System permits DEQ intends to issue in the coming year. DEQ identified 51 permits for development in the 2021 federal fiscal year (Oct. 1- Sept. 30). Permit issuance updates are provided quarterly [online](#).

Procedural Summary

More information

Information about this rulemaking is on this rulemaking's web page: [Water Quality Fees 2022 Rulemaking Web Page](#)

Public Hearing

DEQ plans to hold one virtual public hearing. Anyone can attend a hearing by webinar or teleconference.

Date: July 19, 2022

Start time: 9 a.m.

Remote meeting held via Zoom

Click on this link to join online: [Zoom meeting link](#)

Join by Phone:

Call-in number: 888-475-4499 US Toll-free

Meeting ID: 863 2101 1074

Passcode: 264150

Instructions on how to join webinar or teleconference: [Webinar/teleconference instructions](#)

DEQ will consider all comments and testimony received before the closing date. DEQ will summarize all comments and respond to comments in the staff report.

How to comment on this rulemaking proposal

DEQ is asking for public comment on the proposed rules. Anyone can submit comments and questions about this rulemaking. Anyone can submit comments and questions about this rulemaking. A person can submit comments by email, regular mail or at the public hearing.

Comment deadline

DEQ will only consider comments on the proposed rules that DEQ receives by 41 p.m., on **July 21, 2022**.

Submit comment by email to:

WQFeeRule@deq.oregon.gov

Note for public university students:

ORS 192.345(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon's public records law. If you are an Oregon public university or OHSU student, notify DEQ that you wish to keep your email address confidential.

By mail

Oregon DEQ

Attn: Angela Rowland
Re: WQ 2022 Fee Increase Rulemaking
700 NE Multnomah St., Suite 600
Portland, OR 97232-4100

At hearing

July 19, 2022

Sign up for rulemaking notices

Get email or text updates about this rulemaking by either:

- Signing up through this link: [Water Quality 2022 Fee Increase Rulemaking Email List](#);
- Signing up on the rulemaking web site: [Water Quality Fees 2022 Rulemaking Web Page](#).

What will happen next?

At the 419th Oregon Environmental Quality Commission meeting on April 6, 2022, the Environmental Quality Commission authorized delegation to Director Whitman for the 2022 Water Quality fee rulemaking.

DEQ will include a written response to comments in a staff report. DEQ will submit to DEQ Director Richard Whitman. DEQ may modify the rule proposal based on the comments.

The 2022 proposed rules only become effective if Director Whitman adopts them. DEQ's intended action is to present the proposed rule changes to the Director as soon as possible after the earliest date on which the rule changes could take effect. DEQ intends to submit the proposed rule changes to the Director on or after Sept. 1, 2022.

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 2020 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.

The proposed fees would address:

Fee increase allowed by statute: up to 3 percent increase provided under ORS 468B.051.

How would the proposed rule address the need?

DEQ must apply the new fees to invoices as of November 2022 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](#). The 2015 Oregon Legislature commissioned the report, which a third-party consultant completed in November 2016.

How will DEQ know the rule addressed the need?

If approved, DEQ would begin receiving fee revenue by November 2022. DEQ expects the proposed fees would sustain the needed staffing levels for the program through fiscal year 2023 that ends June 30, 2023.

Rules affected, authorities, supporting documents

ORS 183.335(2)(b)

Lead division

Water Quality Division

Program or activity

Water Quality Permitting and Program Development

Chapter 340 action

| Amend | | | | |
|--------------|--------------|----|----|----|
| 340-045-0075 | 340-071-0800 | -- | -- | -- |

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

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

Legislation

Not Applicable.

Documents relied on for rulemaking

| Document title | Document location |
|---|---|
| Fee increases calculations | DEQ Headquarters |
| Recommendations and Implementation Plan | DEQ web page: https://www.oregon.gov/deq/FilterDocs/wqp-FinalReport.pdf |
| 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 875 Union Street NE Salem, OR 97311 https://www.qualityinfo.org/bi |

Fee Analysis

These proposed rules would: 1) increase existing fees and 2) add clarifications in fee table 9D.

Brief description of proposed fees

DEQ is proposing a fee increase to support water quality fees for fiscal year 2023 by 3 percent above the fiscal year 2022 fees. These fees apply to (federal) National Pollutant Discharge Elimination System permits and (state) Water Pollution Control Facility permits. DEQ is also proposing to correct three Water Pollution Control Facility Onsite Permit fee table clarifications for design capacity flows.

The fee increase rulemaking consists of the following:

Three percent increase for NPDES and WPCF fees

- OAR 340-071-0140:
 - WPCF Permit Fees; Table 9D
- OAR 340-045-0075:
 - Industrial NPDES and WPCF Individual Permits Application and Modification Fees; Table 70A
 - Industrial NPDES and WPCF Individual Permit Annual Fees; Table 70B
 - Domestic NPDES and WPCF Individual Permits, Application, Annual Modification Fees; Table 70C
 - Municipal Separate Storm Sewer System Permits, Application and Modification Fees; Table 70C
 - Domestic NPDES and WPCF Annual Population Fees, Table 70D
 - Annual Pretreatment Fees, Table 70E
 - All NPDES and WPCF Permits, Technical Activity, Plan Review and Other Fees, Table 70F
 - General NPDES and WPCF Permits, Application and Annual Fees, Table 70G, *excluding* 700PM fees under authority ORS 468B.118
 - Municipal Separate Storm Sewer System Permits; Annual Fees Table 70H
 - Underground Injection Control Permits Application Fees, Annual Fees, and Surcharges, Table 70I, *excluding* UIC fees authorized by rule, ORS 468B.195 and ORS 468B.196

Fee Table Clarifications

- WPCF Permit Fees; Table 9D
 - Plan Review Fee design capacity clarification to include 600 gpd
 - Annual Compliance Determination Fee design capacity to include of 2,500 gpd and 20,000 gpd

Reasons

The proposed fees will cover costs associated with implementing the permitting program and delivering services to regulated entities. Without this increase, DEQ would 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 2022 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.

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 critical permitting program 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.

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

With existing data, DEQ cannot determine the extent to which the proposed fees would affect each permittee or the customer and/or members of the public serviced by those permittees. 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 three percent fee increase. For example, 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 \$41; DEQ anticipates that the increase would be divided by the population served by the public agency.

How long will the current fee sustain the program?

The current fees are not sufficient to sustain the program. When developing its 2021-23 Agency Request Budget, DEQ estimated that even with a 3 percent annual fee increase in 2021 and another in 2022, budgeted expenditures to maintain existing staff levels would exceed revenues by an estimated 2 percent. Foregoing any fee increases would require DEQ to hold positions vacant during the biennium. Current fees are not enough to carry out the modified current service level budget in 2021-23 biennium.

Table 1 below shows the increased cost of maintaining the current service level from the 2019-21 to the 2021-23 biennium, including the phased in cost of program enhancements the 2019 legislature approved in policy option packages 122 and 127. The information illustrates that fees and public funds (General Fund, Lottery Fund and Federal Funds) represent constant proportions of program costs from 2019-21 to 2021-23.

| Budget Comparison | | | | |
|--|---|-----|---|-----|
| Table 1. February 4, 2022 | | | | |
| (Permit fees last changed: Nov. 1, 2021) | | | | |
| | 2019-2021 Legislatively Adopted Budget | | 2021-2023 Legislatively Adopted Budget | |
| Program costs covered by fees | \$15,583,714 | 58% | \$17,719,778 | 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% |

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.

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 \$101 and \$115. This affects approximately five state agencies (OAR 340-045-0075, Table 70B).
- Annual fees for WPCF individual permits will increase between \$18 and \$583. 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 \$23. This affects approximately 10 state agencies (OAR 340-045-0075, Table 70G).
- Annual compliance determination fees for WPCF permits will increase between \$1 and \$42. This affects approximately eight state agencies (OAR 340-071-0140, Table 9D).

Local governments and public

The effect of the 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 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 \$101 and \$115. 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 \$83 to \$3,518. The \$3,518 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 \$23. This will affect an approximate total of 293 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 \$42 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 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 \$891 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 increase 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 \$185 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 2022. 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 requested stakeholders’ input concerning potential impacts to small businesses and how DEQ can reduce that impact. During the public

comment period, DEQ requests 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 increases calculations | DEQ Headquarters |
| Recommendations and Implementation Plan | DEQ web page: https://www.oregon.gov/deq/FilterDocs/wqp-FinalReport.pdf |
| 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 875 Union Street NE Salem, OR 97311 https://www.qualityinfo.org/bi |

Advisory committee fiscal review

DEQ appointed an advisory committee.

As ORS 183.333 requires, DEQ asked for the committee’s recommendations on:

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

The committee reviewed the draft fiscal and economic impact statement and documented their conversation in the AC Meeting Summary on April 27, 2022 which can be found at this link: <https://www.oregon.gov/deq/rulemaking/Documents/WQFees2022m1Summary.pdf>.

The committee provided their support for the Water Quality Permitting Program’s progress towards the permit backlog. The committee determined the proposed rules would not have a significant adverse impact on small businesses in Oregon.

Housing cost

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

DEQ determined the proposed rules would do the following:

- Affect the development cost of a 6,000-square-foot parcel and construction of a 1,200-square-foot detached, single-family dwelling on that parcel.
- Require a builder of a 6,000-square-foot parcel to pay an additional \$40 for a construction stormwater permit if the parcel is part of a common plan of development disturbing one or more acres. Assuming the 3 percent increase, this would raise the fee from \$1,348 to \$1,388.
- The proposed rule may not affect a builder of a 6,000-square-foot parcel that is not part of a common plan of development disturbing one or more acres because there is no requirement for these parcels to have a construction stormwater permit from DEQ. DEQ understands that some entities may charge a Systems Development Charge for implementing local stormwater or wastewater programs. Increased permit fees may affect housing costs through increased Systems Development Charges.

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 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, and there is no expected impact on racial equity in the state. Increasing the fees, as proposed, will help maintain program services critical to protecting public health and the environment (such as permit compliance assurance, inspections and enforcement) which may be particularly important in BIPOC or historically underserved communities.

Federal relationship

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

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 critical permitting program positions or having to hold those positions vacant. DEQ would also be unable to implement recommended program improvements identified in a 2016 program evaluation.

Other ways to reduce program costs

DEQ has implemented measures over the past few biennia that, over time, should result in increased program efficiency and a more cost-effective program. For example, creating a permit writer team has resulted in some 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

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:
 - o Resources, objectives or areas identified in the statewide planning goals, or
 - o 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 shared information about this rulemaking with the EQC. The commission delegated the 2022 Water Quality Fee Increase Rule to the DEQ Director for a decision through an informational item on the [April 6, 2022, EQC agenda](#)

Advisory Committee

Background

DEQ convened the 2022 Fee Increase Rulemaking Fiscal advisory committee. 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 2022 Rulemaking Web Page](#).

The committee members were:

| Rulemaking Name Advisory Committee | |
|------------------------------------|--|
| Name | Representing |
| Samantha Bayer | Oregon Homebuilders Association |
| Brannon Lamp | Aqua Resource Design and Consulting |
| Mark Landauer | Special Districts Association of Oregon |
| Peggy Lynch | League of Women Voters of Oregon |
| Sharla Moffett | Oregon Business and Industry |
| Mallorie Roberts | Association of Oregon Counties |
| Susie Smith | Oregon Association of Clean Water Agencies |
| Jackie White | Northwest Pulp & Paper Association |

Meeting notifications

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

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

Committee discussions

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

- Encouraging support for the Water Quality Permitting Program for their increased permit writing efficiency. The permit backlog has decreased from 80 percent expired to 61 percent currently.
- Due to the routine nature of this rulemaking the committee did not provide any comments or negative feedback for the fiscal impact to small businesses, local governments, or housing costs.

Public Engagement

Public notice

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

- On June 27, 2022, filing notice with the Oregon Secretary of State for publication in the July 2022 Oregon Bulletin.
- Posting the Notice Draft Rules on the web page for this rulemaking, located at: [Water Quality Fees Rulemaking 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 Kate Lieber, Chair of Senate Interim Committee on Energy and Environment
 - Senator Lynn Findley, Vice-chair of Senate Interim Committee on Energy and Environment
 - Representative Ken Helm, Chair of House Interim Committee on Agriculture, Land Use, and Water
 - Representative Mark Owens, Vice-chair of House Interim Committee on Agriculture, Land Use, and Water
 - Representative Susan McLain, Vice-chair of House Interim Committee on Agriculture, Land Use, and Water
 - Senator Kathleen Taylor, Co-Chair of Joint Interim Committee on Ways and Means Interim Subcommittee on Natural Resources
 - Representative Jeff Reardon Co-Chair of Joint Interim Committee on Ways and Means Interim Subcommittee on Natural Resources
- Emailing advisory committee members,
- Posting on the DEQ event calendar: [DEQ Calendar](#)

How to comment on this rulemaking proposal

DEQ is asking for public comment on the proposed rules. Anyone can submit comments and questions about this rulemaking. A person can submit comments by email, regular mail or at the public hearing.

Comment deadline

The deadline for submitting comments is 4 p.m., July 21, 2022.

Submit comment by email to:

WQFeeRule@deq.oregon.gov

Note for public university students:

ORS 192.345(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon’s public records law. If you are an Oregon public university or OHSU student, notify DEQ that you wish to keep your email address confidential.

By mail

Oregon DEQ
Attn: Angela Rowland
700 NE Multnomah St., Room 600
Portland, OR 97232-4100

At hearing

July 19, 2022

Public Hearing

DEQ plans to hold one public hearing.

The public hearing is online and by teleconference only.

Date: July 19, 2022
Start time: 9 a.m.
Remote meeting held via Zoom

Click on this link to join online: [Zoom meeting link](#)

Join by Phone:
Call-in number: 888-475-4499 US Toll-free
Meeting ID: 863 2101 1074
Passcode: 264150

Instructions on how to join webinar or teleconference: [Webinar/teleconference instructions](#)

DEQ will consider all comments and testimony received before the closing date. DEQ will summarize all comments and respond to comments in the staff report.

Accessibility Information

You may review copies of all documents referenced in this announcement electronically. To schedule a review of all websites and documents referenced in this announcement, call Angela Rowland, DEQ (503-887-4759).

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format, or any other arrangements necessary to accommodate a disability. To make these arrangements, contact DEQ, Portland, at 503-229-5696 or call toll-free in Oregon at 1-800-452-4011, ext. 5696; fax to 503-229-6762; or email to deqinfo@deq.state.or.us. Hearing impaired persons may call 711.



Key to Identifying Changed Text:

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New/inserted text

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

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

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

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

(d) Table 70D lists annual population fees.

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

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

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

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

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

- (B) Discharges large biochemical oxygen demand loads; or
- (C) Is a large metals facility; or
- (D) Has significant toxic discharges; or
- (E) Has a treatment system that will have a significant adverse impact on the receiving stream if not operated properly; or
- (F) Needs special regulatory control, as DEQ determines.

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

- (A) Has a dry weather design flow of 1 mgd or greater; or
- (B) Serves an industry that can have a significant impact on the treatment system.

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

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

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

(a) Modification at time of permit renewal:

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

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

(b) Modification prior to permit renewal:

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

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

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

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

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

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

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

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

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

(A) Disposal system and environmental management plan review;

(B) Site inspection and evaluation.

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

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

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

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

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

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

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

History:

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

[DEQ 3-2021, amend filed 01/22/2021, effective 01/22/2021](#)

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

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

[DEQ 194-2018, minor correction filed 09/18/2018, effective 09/18/2018](#)

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

[DEQ 48-2018, minor correction filed 04/03/2018, effective 04/03/2018](#)

[DEQ 34-2017, minor correction filed 12/13/2017, effective 12/13/2017](#)

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

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

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

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

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

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

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

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

DEQ 8-2008, f. 6-27-08, cert. ef. 7-1-08

DEQ 5-2007, f. & cert. ef. 7-3-07

DEQ 11-2006, f. & cert. ef. 8-15-06

DEQ 5-2005, f. & cert. ef. 7-1-05

DEQ 7-2004, f. & cert. ef. 8-3-04

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

DEQ 15-2000, f. & cert. ef. 10-11-00

DEQ 4-1998, f. & cert. ef. 3-30-98

DEQ 20-1994, f. & cert. ef. 10-7-94

DEQ 30-1992, f. & cert. ef. 12-18-92

DEQ 10-1992, f. & cert. ef. 6-9-92

DEQ 9-1992, f. & cert. ef. 6-5-92

DEQ 10-1991, f. & cert. ef. 7-1-91

DEQ 18-1990, f. & cert. ef. 6-7-90

DEQ 9-1987, f. & ef. 6-3-87

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

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

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

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

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



OAR 340-045-0075

Fee Tables

Effective November 1, ~~2021~~2022

| OAR 340-045-0075 Table 70A Industrial NPDES and WPCF Individual Permits: Application and Modification Fees Effective November 1, 202 1 <u>2</u> | | | |
|---|------------------------------------|------------------------------------|----------------------------------|
| Application fees for new industrial permits | | | |
| Tier 1 Industrial Facilities | \$ 84,966 <u>87,514</u> | | |
| Tier 2 Industrial Facilities | \$ 17,099 <u>17,611</u> | | |
| Special WPCF Permits (OAR 340-045-0061) | \$ 808 <u>832</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 | \$ 21,346 <u>21,986</u> | \$ 42,415 <u>43,687</u> | \$ 1,488 <u>1,532</u> |
| Tier 2 Industrial Facilities | \$ 5,428 <u>5,590</u> | \$ 8,476 <u>8,730</u> | \$ 1,488 <u>1,532</u> |
| 1. A new application, application fee and modification fee must accompany all requests for permit modification. DEQ may charge the environmental management plan review fee amount in Table 70F when only the environmental management plan required by the permit requires review. | | | |

OAR 340-045-0075

Table 70B

Industrial NPDES and WPCF Individual Permit Annual Fees

Effective November 1, 202~~2~~⁴

| Type | Description | NPDES Tier 1 | NPDES Tier 2 | WPCF Tier 1 | WPCF Tier 2 |
|--|--|--------------------------------------|--------------------------------------|--------------------------------------|-----------------------------------|
| B01 | Pulp, paper, or other fiber pulping industry | \$29,709 <u>30,600</u> | N | \$27,573 <u>28,400</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 | \$4,130 <u>4,253</u> | N | \$3,801 <u>3,915</u> |
| B03 | Processing – small. Flow ≤ 0.1 mgd, or 0.1 < flow < 1 mgd for less than 180 days per year | N | \$6,175 <u>6,360</u> | N | \$5,842 <u>6,017</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 | \$8,713 <u>8,974</u> | N | \$8,381 <u>8,632</u> |
| B05 | Processing – large. Flow ≥ 1 mgd for 180 or more days per year | \$29,709 <u>30,600</u> | \$26,105 <u>6,888</u> | \$27,573 <u>28,400</u> | \$25,768 <u>26,541</u> |
| Primary Smelting or Refining: | | | | | |
| B06 | Aluminum | \$29,709 <u>30,600</u> | \$26,105 <u>26,888</u> | \$27,573 <u>28,400</u> | \$25,768 <u>26,541</u> |
| B07 | Non-ferrous metals utilizing sand chlorination separation facilities | \$29,709 <u>30,600</u> | \$26,105 <u>26,888</u> | \$27,573 <u>28,400</u> | \$25,768 <u>26,541</u> |
| B08 | Ferrous and non-ferrous metals not elsewhere classified | \$16,990 <u>17,499</u> | \$13,383 <u>13,784</u> | \$14,854 <u>15,299</u> | \$13,054 <u>13,445</u> |
| B09 | Chemical manufacturing with discharge of process wastewater | \$29,709 <u>30,600</u> | \$26,105 <u>26,888</u> | \$27,573 <u>28,400</u> | \$25,768 <u>26,541</u> |
| B10 | Cooling water discharges in excess of 20,000 BTU per second | \$16,990 <u>17,499</u> | \$13,383 <u>13,784</u> | \$14,854 <u>15,299</u> | \$13,054 <u>13,445</u> |
| Mining Operations – includes aggregate or ore processing: | | | | | |
| B11 | Large (over 500,000 cubic yards per year or involving chemical leaching) | \$29,709 <u>30,600</u> | \$26,105 <u>26,888</u> | \$27,573 <u>28,400</u> | \$25,768 <u>26,541</u> |
| B12 | Medium (100,000 to 500,000 cubic yards per year) | N | \$9,140 <u>9,414</u> | N | \$8,807 <u>9,071</u> |
| B13 | Small (less than 100,000 cubic yards per year) | N | \$2,782 <u>2,828</u> | N | \$2,450 <u>2,523</u> |

OAR 340-045-0075
Table 70B
Industrial NPDES and WPCF Individual Permit Annual Fees
 Effective November 1, 2024

| | | | | | |
|---|--|--------------------------------------|------------------------------------|--------------------------------------|------------------------------------|
| | | | <u>65</u> | | |
| All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater): | | | | | |
| B14 | Tier 1 sources | \$29,709 <u>30,600</u> | N | \$27,573 <u>28,400</u> | N |
| B15 | Tier 2 sources | N | \$5,748 <u>5,920</u> | N | \$5,421 <u>5,583</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 | \$3,848 <u>3,963</u> | N | \$3,517 <u>3,622</u> |
| B17 | Fish hatcheries and other confined feeding operations on individual permits except permits the Oregon Department of Agriculture administers. | N | \$3,369 <u>3,470</u> | N | \$3,038 <u>3,129</u> |
| B18 | All facilities which dispose of wastewater only by evaporation from watertight ponds or basins | N | N | N | \$2,233 <u>2,299</u> |
| Timber and Wood Products | | | | | |
| B19 | Sawmills, log storage, instream log storage | \$8,333 <u>8,582</u> | \$4,727 <u>4,868</u> | \$6,197 <u>6,382</u> | \$4,393 <u>4,524</u> |
| B20 | Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products | \$8,811 <u>9,075</u> | \$5,206 <u>5,362</u> | \$6,678 <u>6,878</u> | \$4,877 <u>5,023</u> |
| B21 | Wood preserving | \$7,456 <u>7,679</u> | \$3,848 <u>3,963</u> | \$5,319 <u>5,478</u> | \$3,517 <u>3,622</u> |

OAR 340-045-0075

Table 70C

**Domestic NPDES and WPCF Individual Permits: Application,
Annual and Modification Fees**

Effective November 1, ~~2021~~2022

| Description | Type | Criteria ¹ | New Permit App. Fee ² | NPDES Annual Fee (5yr) | WPCF Annual Fee (10yr) | Modifications ³ | |
|------------------------------|------|------------------------|--------------------------------------|--|--------------------------------------|--------------------------------------|------------------------------------|
| | | | | | | Major | Minor |
| Non-Lagoon Treatment Systems | A1 | Flow ≥ 50 mgd | \$54,165 <u>55,789</u> | \$117,299 <u>120,817</u> | | \$27,150 <u>27,964</u> | \$1,488 <u>1,532</u> |
| | A2 | 5 mgd ≤ Flow < 50 mgd | \$54,165 <u>55,789</u> | \$68,938 <u>71,006</u> | | \$27,150 <u>27,964</u> | \$1,488 <u>1,532</u> |
| | A3 | 10 mgd ≤ Flow < 25 mgd | \$54,165 <u>55,789</u> | \$32,492 <u>33,466</u> | | \$27,150 <u>27,964</u> | \$1,488 <u>1,532</u> |
| | Ba | 5 mgd ≤ Flow < 10 mgd | \$54,165 <u>55,789</u> | \$20,828 <u>21,452</u> | \$19,465 <u>20,048</u> | \$27,150 <u>27,964</u> | \$1,488 <u>1,532</u> |
| | C1a | 2 mgd ≤ Flow < 5 mgd | \$54,165 <u>55,789</u> | \$14,005 <u>14,425</u> | \$12,645 <u>13,024</u> | \$27,150 <u>27,964</u> | \$1,488 <u>1,532</u> |
| | C2a | 1 mgd ≤ Flow < 2 mgd | \$54,165 <u>55,789</u> | \$9,505 <u>9,790</u> | \$8,143 <u>8,387</u> | \$27,150 <u>27,964</u> | \$1,488 <u>1,532</u> |
| | Da | Flow < 1 mgd | \$10,942 <u>11,270</u> | \$3,009 <u>3,099</u> | \$2,793 <u>2,876</u> | \$5,542 <u>5,708</u> | \$1,488 <u>1,532</u> |

OAR 340-045-0075
Table 70C
Domestic NPDES and WPCF Individual
Permits: Application, Annual and
Modification Fees
Effective November 1, ~~2021~~2022

| 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 | \$54,165 <u>55,789</u> | \$11,013 <u>11,343</u> | | \$27,150 <u>7,964</u> | \$1,488 <u>532</u> |
| | C1b | 2 mgd ≤ Flow < 5 mgd | \$54,165 <u>55,789</u> | \$7,658 <u>7,887</u> | | \$27,150 <u>7,964</u> | \$1,488 <u>532</u> |
| | C2b | 1 mgd ≤ Flow < 2 mgd | \$54,165 <u>55,789</u> | \$5,590 <u>5,757</u> | | \$27,150 <u>7,964</u> | \$1,488 <u>532</u> |
| | Db | Flow < 1 mgd | \$10,942 <u>11,270</u> | \$2,122 <u>2,185</u> | | \$5,542 <u>5,708</u> | \$1,488 <u>532</u> |
| Nondischarging Lagoons | E | No discharge flow | \$5,542 <u>5,708</u> | | \$1,768 <u>1,821</u> | \$2,836 <u>2,921</u> | \$1,488 <u>532</u> |
| Alkaline-stabilization facilities | F | | \$1,488 <u>1,532</u> | | \$609 <u>607</u> | | \$655 <u>654</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 | \$30,081 <u>30,983</u> | Please see Table 70H | | \$2,612 <u>2,690</u> | \$1,488 <u>532</u> |

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

OAR 340-045-0075
Table 70D
Domestic NPDES and WPCF Annual Population Fee
Effective November 1, ~~2021~~2022

| Population range | Annual fee |
|--------------------|-------------------------------------|
| 500,000+ | \$157,592 <u>162,319</u> |
| 400,000 to 499,999 | \$120,557 <u>124,173</u> |
| 300,000 to 399,999 | \$83,525 <u>86,030</u> |
| 200,000 to 299,999 | \$46,488 <u>47,882</u> |
| 150,000 to 199,999 | \$37,598 <u>38,725</u> |
| 100,000 to 149,999 | \$24,762 <u>25,504</u> |
| 50,000 to 99,999 | \$15,530 <u>15,995</u> |
| 25,000 to 49,999 | \$6,980 <u>7,189</u> |
| 15,000 to 24,999 | \$3,974 <u>4,093</u> |
| 10,000 to 14,999 | \$2,589 <u>2,666</u> |
| 5,000 to 9,999 | \$1,573 <u>1,620</u> |
| 1,000 to 4,999 | \$470 <u>484</u> |
| 100 to 999 | \$89 <u>91</u> |
| 0 to 99 | \$0 |

OAR 340-045-0075
Table 70E
Annual Pretreatment Fees
Effective November 1, ~~2021~~2022

| Description | Fee |
|-----------------------------|--|
| Pretreatment Fee | \$2,701 <u>2,782</u> |
| Significant Industrial User | \$901 <u>928</u> per industry |

**OAR 340-045-0075
Table 70F**

**All NPDES and WPCF¹ Permits: Technical Activity, Plan Review,
and Other Fees**

Effective November 1, 2024²

| Activity | Fee |
|---|------------------------------------|
| New or substantially modified sewage treatment facility | \$ 12,427 <u>12,799</u> |
| Minor facility or pump station modifications | \$ 1,351 <u>1,391</u> |
| Major system or pressure system expansion | \$ 947 <u>975</u> |
| Minor system expansion or modification | \$ 268 <u>276</u> |
| New or substantially modified septage alkaline stabilization facility | \$ 1,351 <u>1,391</u> |
| Site inspection and evaluation ² | \$ 2,116 <u>2,179</u> |
| Disposal system plan review ² | \$ 846 <u>871</u> |
| Environmental management plan review ³ | \$ 846 <u>871</u> |
| Other Fees | |
| Annual temporary or permanent electronic reporting requirement waiver | \$ 1,031 <u>1,061</u> |
| Permit transfer, legal name change. | \$ 132 <u>135</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~~general permit application.
3. This fee is not charged to new applicants for individual NPDES and WPCF permits. Plans updated after the permit is issued are subject to plan review as specified in the permit. This includes but is not limited to biosolids management plan and recycled water use plan.

**OAR 340-045-0075
Table 70G**

**General NPDES and WPCF Permits:
Application and Annual Fees**

Effective November 1, 2022

| Number | Type | Description | New Permit App. Fee ¹ | Annual Fee |
|--------|-------|--------------------------|-------------------------------------|------------------------------|
| 100-J | NPDES | Cooling water/heat pumps | \$ 346 <u>356</u> | \$ 787 <u>810</u> |
| 200-J | NPDES | Filter backwash | \$ 356 <u>346</u> | \$ 810 <u>787</u> |
| 300-J | NPDES | Fish hatcheries | \$ 552 <u>568</u> | \$ 810 <u>787</u> |
| 400-J | NPDES | Log ponds | \$ 356 <u>346</u> | \$ 810 <u>787</u> |

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 2022

| Number | Type | Description | New Permit App. Fee ¹ | Annual Fee |
|--|-------|---|----------------------------------|-----------------------|
| 500-J | NPDES | Boiler blowdown | \$ 356 346 | \$ 810 787 |
| 900-J | NPDES | Seafood processing | \$ 356 346 | \$ 810 787 |
| 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. | \$ 356 346 | \$ 462 475 |
| 1400-B | WPCF | Wineries and small food processors not otherwise eligible for a 1400A general permit. | \$ 552 568 | \$ 810 787 |
| 1500-A | NPDES | Petroleum hydrocarbon clean-up | \$ 552 568 | \$ 810 787 |
| 1500-B | WPCF | Petroleum hydrocarbon clean-up | \$ 552 568 | \$ 810 787 |
| 1700-A | NPDES | Vehicle and equipment wash water | \$ 767 790 | \$ 810 787 |
| 1700-B | WPCF | Vehicle and equipment wash water | \$ 790 767 | \$ 810 787 |
| 1900-J | NPDES | Non-contact geothermal heat exchange | \$ 790 767 | \$ 810 787 |
| 2000-J | NPDES | Pesticide use irrigation districts | \$ 790 767 | \$ 810 787 |
| 2300-A | NPDES | Pesticide general permit | \$ 767 790 | \$ 810 787 |
| Residential and Commercial Graywater and Industrial Reuse Water | | | | |
| 2401 | WPCF | Tier 1 graywater reuse and disposal system for residential systems: \leq 300 gallons/day, or equivalent specific geographic area graywater reuse and disposal area permit | \$ 53 54 | \$ 42 43 |
| 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 | \$ 566 582 | \$ 53 54 |
| 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 | \$ 790 767 | \$ 810 787 |

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 2022

| Number | Type | Description | New Permit App. Fee ¹ | Annual Fee |
|---|-------|---|----------------------------------|----------------------------------|
| Stormwater General Permits² | | | | |
| 1200-A | NPDES | Stormwater: Sand, gravel, and other non-metallic mining | \$ 1,348 <u>1,388</u> | \$ 1,386 <u>1,427</u> |
| 1200-C | NPDES | Stormwater: Construction activities – one acre or more | \$ 1,348 <u>1,388</u> | \$ 1,386 <u>1,427</u> |
| 1200-C | NPDES | Stormwater: Construction activities – less than one acre and part of a common plan of development disturbing one or more acres | \$ 395 <u>406</u> | \$0 |
| 1200-CA | NPDES | Stormwater: Construction activities performed by public agencies – one acre or more | \$ 1,348 <u>1,388</u> | \$ 1,386 <u>1,427</u> |
| 1200-Z | NPDES | Stormwater: Industrial | \$ 1,348 <u>1,388</u> | \$ 1,386 <u>1,427</u> |
| 4000-MS4 | NPDES | Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc. | \$ 1,348 <u>1,388</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 | \$ 346 <u>356</u> | \$0 |
| 700-PM | NPDES | Suction dredges (gravity and syphon) | \$0 | \$25 |
| 700-PM | NPDES | Suction dredges (motorized) | \$250 | \$250 |
| | | Permit renewal fee every five years (in addition to the annual fee) | \$250 | |
| 1000 | WPCF | Gravel mining | \$ 346 <u>356</u> | \$ 810 <u>787</u> |
| Other General Permits | | | | |
| DOM-F | WPCF | Septage alkaline stabilization facilities | \$ 1,488 <u>1,532</u> | \$ 609 <u>627</u> |
| All other permits not elsewhere classified. | | | \$ 767 <u>790</u> | \$ 810 <u>787</u> |

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
 Effective November 1, 2022

| Number | Type | Description | New Permit App. Fee ¹ | Annual Fee |
|---|------|-------------|-------------------------------------|---------------|
| 1. New permit applications must include both the new permit application fee and the first year's annual fee. 2. Stormwater construction and industrial permits are also administered by public agencies and local districts under contract with DEQ. | | | | |

OAR 340-045-0075
Table 70H
Municipal Separate Storm Sewer System Permits:
Annual Fees
 Effective November 1, 202~~2~~¹

| Population-based cost-per-person, except counties and other | Annual Fee |
|---|-----------------------------------|
| Cost-per-person | \$0.122 <u>0.125</u> |
| Counties, Phase I | \$10,927 <u>11,254</u> |
| Counties, Phase II (non-traditional MS4s, hospitals, public universities, etc.) | \$2,731 <u>2,812</u> |
| Oregon Department of Transportation MS4* | \$43,709 <u>45,020</u> |
| *Fee for ODOT MS4 assessed only in the absence of a separate revenue agreement. | |

OAR 340-045-0075
Table 701
Underground Injection Control Permits
Application Fees, Annual Fees and
Surcharges

Effective November 1, ~~2021~~2022

| 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 |
| 200-U General Permit ³ | Stormwater Injection | \$767,790 | \$787,810 | Low Risk | \$136,140 | None |
| | | | | Medium Risk | \$172,177 | None |
| | | | | High Risk | \$413,425 | \$136,140 |
| 1900-B General Permit | Injection During Geothermal Exploration | \$767,790 | \$787,810 | | | |
| 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 | \$17,099 17,611 | \$3,619 3,727 | \$2,836 2,921 | \$1,488 1,532 | |

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

340-071-0800

Tables

Tables for Division 071.

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

Statutory/Other Authority: ORS 454.615, 454.625 & 468.020

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

History:

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

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

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

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

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

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

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



OAR 340-071-0800

Fee Tables

Effective November 1, ~~2021~~2022

| 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 |

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 |
|---|--|--|---|
| 6. Irrigation Canals | Lined (watertight canal) : Downgradient | 25 | 25 |
| | Unlined: Upgradient | 25 | 25 |
| | Unlined: Downgradient | 50 | 50 |
| 7. Manmade Cuts Down - Gradient in Excess of 30 Inches (top of downslope cut) | Which Intersect Layers that Limit Effective Soil Depth Within 48 Inches of Surface | 50 | 25 |
| | Which Do Not Intersect Layers that Limit Effective Soil Depth | 25 | 10 |
| 8. Downgradient Escarpments | Which Intersect Layers that Limit Effective Soil Depth | 50 | 10 |
| | Which Do Not Intersect Layers that Limit Effective Soil Depth | 25 | 10 |
| 9. Property Lines | | 10 | 5 |
| 10. Water Lines | | 10 | 10 |
| 11. Foundation Lines of any Building, Including Garages and Out Buildings | | 10 | 5 |
| 12. Underground Utilities | | 10 | — |

* 50-foot setback for wells constructed with special standards granted by WRD.

**This does not prevent stream crossings of pressure effluent sewers.

OAR 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) | 700 |
| | With flush toilets, no showers | 25 (per person) | 500 |
| | Construction camps — semi- permanent | 50 (per person) | 1000 |
| | Day camps — no meals served | 15 (per person) | 300 |
| | Resort camps (night and day) with limited plumbing | 50 (per person) | 1000 |
| | Luxury camps | 100 (per person) | 2000 |
| Churches | | 5 (per seat) | 150 |
| 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 |

OAR 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 |
| Dwellings: | Single family dwellings | 300 (not exceeding 2 bedrooms) | 450* |
| | Single family dwellings — with more than 2 bedrooms | 75 (for third & each succeeding bedroom) | 450 |
| Factories (exclusive of industrial wastes — with shower facilities) | | 35 (per person per shift) | 300 |
| Factories (exclusive of industrial wastes — without shower facilities) | | 15 (per person per shift) | 150 |
| Hospitals | | 250 (per bed space) | 2500 |
| Hotels with private baths | | 120 (per room) | 600 |
| Hotels without private baths | | 100 (per room) | 500 |
| Institutions other than hospitals | | 125 (per bed space) | 1250 |
| 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 |

OAR 340-071-0220

TABLE 2

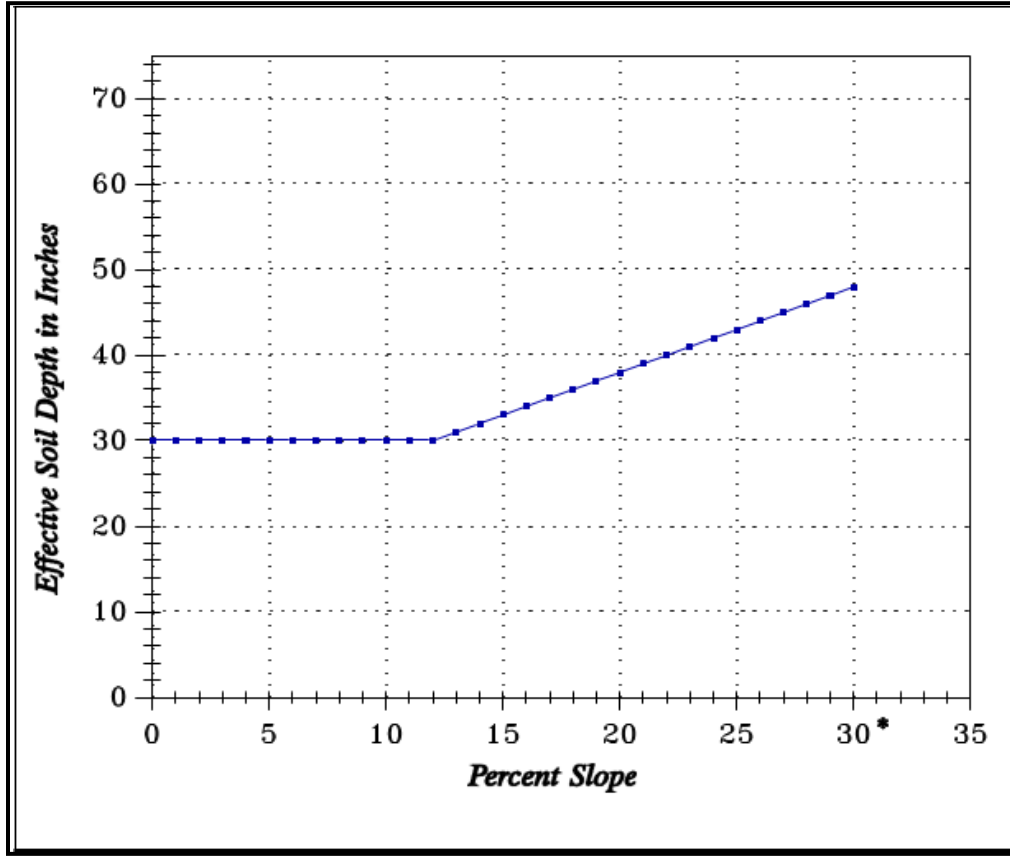
QUANTITIES OF SEWAGE FLOWS

| Type of Establishment | | Column 1 | Column 2 |
|---|---|-------------------------|---|
| | | Gallons Per Day | Minimum Gallons Per Establishment Per Day |
| 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 |
| 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 |

Soil Group A — Sand, Loamy Sand, Sandy Loam.

Soil Group B — Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam.

Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay.

If sand grains are fine or very fine, site according to Group B soils.

OAR 340-071-0220

TABLE 5

Minimum length of absorption trench (linear feet) required per 150 gallons projected daily sewage flow determined from soil texture versus depth to temporary groundwater.

| Depth to Temporary Groundwater | Soil Group | | |
|---------------------------------------|-------------------|----------|----------|
| | A | B | C |
| 24" to Less than 48" | 100 | 125 | 150 |
| 48" or More | 50 | 75 | 125 |

Soil Group A — Sand, Loamy Sand, Sandy Loam.

Soil Group B — Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam.

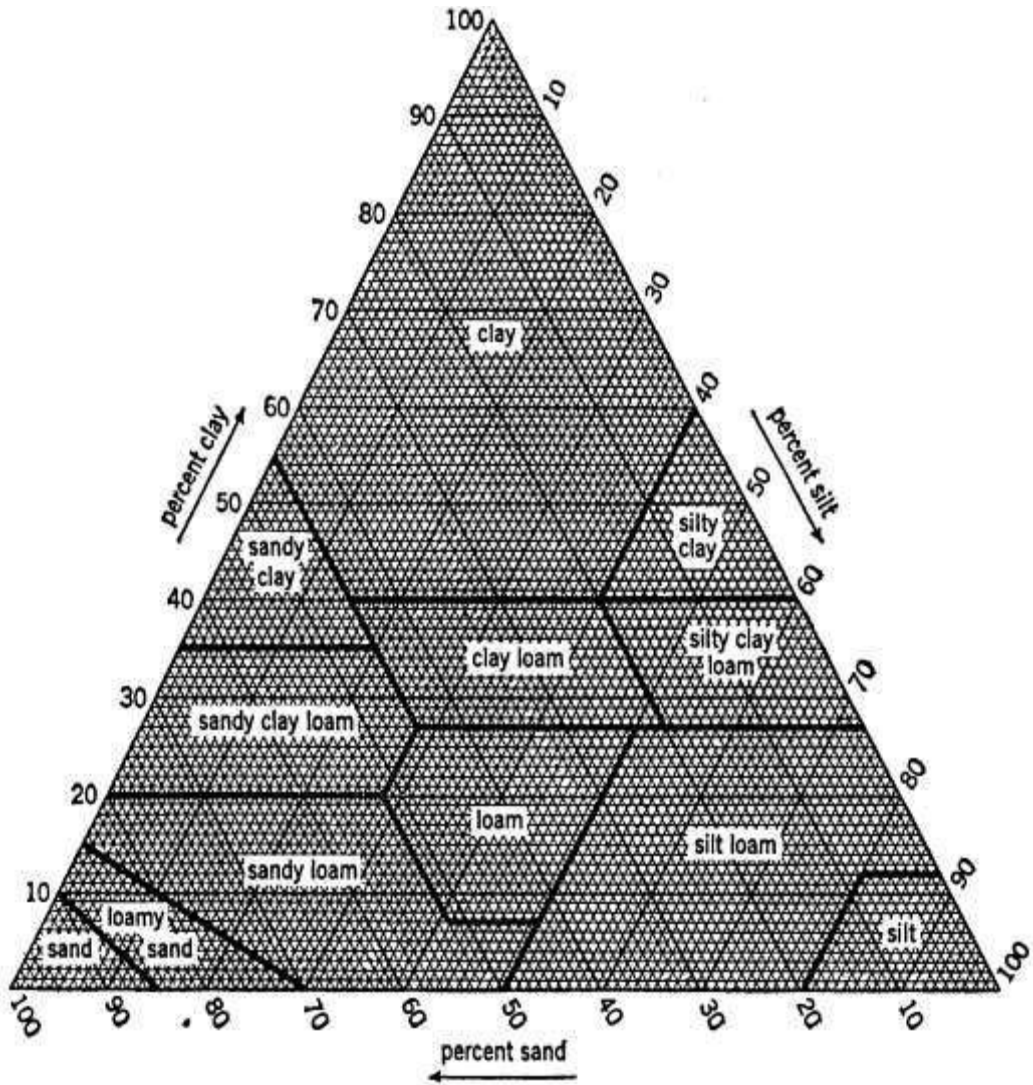
Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay.

If sand grains are fine or very fine, site according to Group B soils.

OAR 340-071-0100

TABLE 6

SOIL TEXTURAL CLASSIFICATION CHART



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' |

OAR 340-071-0140

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 |

OAR 340-071-0140

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 |

System Type Key:

Type A = Gray Water waste disposal sumps

Type B = Holding tanks

Type C = Standard subsurface, Absorption trenches in saprolite, Redundant, Seepage trench, Steep slope

Type D = Alternative treatment technologies, Capping fill, Pressurized distribution, Tile dewatering

Type E = Recirculating gravel filter, Sand filter (commercial or residential)

OAR 340-071-0140

TABLE 9C

**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 | | |

OAR 340-071-0140

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~~2022

| | 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 | \$117 <u>120</u> | \$939 <u>967</u> | \$4,692 <u>4,832</u> |
| Permit renewal (involving request for effluent limit modifications) | \$117 <u>120</u> | \$467 <u>481</u> | \$2,349 <u>2,419</u> |
| Permit renewal (without request for effluent limit modifications) | \$117 <u>120</u> | \$236 <u>243</u> | \$1,171 <u>1,206</u> |
| Permit modification (involving increase in effluent limitations) | \$117 <u>120</u> | \$467 <u>481</u> | \$2,349 <u>2,419</u> |
| Permit modification (not involving an increase in effluent limits) | \$117 <u>120</u> | \$351 <u>361</u> | \$1,171 <u>1,206</u> |
| Plan Review fee | | | |
| For commercial facilities with a design capacity less than 600 gpd | | \$0 | |
| For commercial facilities with a design capacity of 601-600 - 1,000 gpd | | \$447 <u>460</u> | |
| For commercial facilities with a design capacity of 1,001 - 1,500 gpd | | \$527 <u>542</u> | |
| For commercial facilities with a design capacity of 1,501 - 2,000 gpd | | \$606 <u>624</u> | |
| For commercial facilities with a design capacity of 2,001 - 2,500 gpd | | \$683 <u>703</u> | |
| For commercial facilities with a design capacity of 2,501 - 3,000 gpd | | \$802 <u>826</u> | |
| For commercial facilities with a design capacity of 3,001 - 3,500 gpd | | \$880 <u>906</u> | |

OAR 340-071-0140 TABLE 9D

WPCF PERMIT FEES

Effective November 1, ~~2021~~2022

| | |
|---|---------------------------------|
| For commercial facilities with a design capacity of 3,501 - 4,000 gpd | \$957 <u>985</u> |
| Plan Review fee | |
| For commercial facilities with a design capacity of 4,001 - 4,500 gpd | \$1,034 <u>1,065</u> |
| For commercial facilities with a design capacity of 4,501 - 5,000 gpd | \$1,114 <u>1,147</u> |
| Commercial facilities with a design capacity greater than 5,000 gpd | \$1,171 <u>1,206</u> |
| Single family dwelling | \$236 <u>243</u> |
| Annual Compliance Determination fee | |
| Onsite sewage lagoon with no discharge | \$1,406 <u>1,448</u> |
| Treatment Standard 1 or better systems with design capacities less than 2,500 gpd | \$587 <u>604</u> |
| Treatment Standard 1 or better systems with design capacities of 2,501 <u>2,500</u> - 20,000 gpd | \$1,171 <u>1,206</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 | \$467 <u>481</u> |
| Holding tanks, if by the date specified by DEQ, the owner submits written certification to DEQ that the holding tank has been operated the previous calendar year in full compliance with the permit and that the previous year's service | \$51 <u>52</u> |
| Other systems with design capacities less than 20,000 gpd | \$587 <u>604</u> |

OAR 340-071-0140 TABLE 9D

WPCF PERMIT FEES

Effective November 1, ~~2021~~2022

| | |
|--|----------------------------------|
| Other systems with design capacities greater than 20,000 gpd <u>or more</u> | \$ 1,171 <u>1,206</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 |



Draft Rules – Edits Incorporated

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

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

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

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

(d) Table 70D lists annual population fees.

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

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

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

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

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

- (B) Discharges large biochemical oxygen demand loads; or
- (C) Is a large metals facility; or
- (D) Has significant toxic discharges; or
- (E) Has a treatment system that will have a significant adverse impact on the receiving stream if not operated properly; or
- (F) Needs special regulatory control, as DEQ determines.

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

- (A) Has a dry weather design flow of 1 mgd or greater; or
- (B) Serves an industry that can have a significant impact on the treatment system.

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

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

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

(a) Modification at time of permit renewal:

- (A) Major modification — involves an increase in effluent limitations or any other change that involves significant analysis by DEQ;
- (B) Minor modification — does not involve significant analysis by DEQ.

(b) Modification prior to permit renewal:

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

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

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

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

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

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

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

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

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

(A) Disposal system and environmental management plan review;

(B) Site inspection and evaluation.

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

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

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

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

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

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

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

History:

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

[DEQ 3-2021, amend filed 01/22/2021, effective 01/22/2021](#)

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

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

[DEQ 194-2018, minor correction filed 09/18/2018, effective 09/18/2018](#)

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

[DEQ 48-2018, minor correction filed 04/03/2018, effective 04/03/2018](#)

[DEQ 34-2017, minor correction filed 12/13/2017, effective 12/13/2017](#)

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

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

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

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

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

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

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

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

DEQ 8-2008, f. 6-27-08, cert. ef. 7-1-08

DEQ 5-2007, f. & cert. ef. 7-3-07

DEQ 11-2006, f. & cert. ef. 8-15-06

DEQ 5-2005, f. & cert. ef. 7-1-05

DEQ 7-2004, f. & cert. ef. 8-3-04

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

DEQ 15-2000, f. & cert. ef. 10-11-00

DEQ 4-1998, f. & cert. ef. 3-30-98

DEQ 20-1994, f. & cert. ef. 10-7-94

DEQ 30-1992, f. & cert. ef. 12-18-92

DEQ 10-1992, f. & cert. ef. 6-9-92

DEQ 9-1992, f. & cert. ef. 6-5-92

DEQ 10-1991, f. & cert. ef. 7-1-91

DEQ 18-1990, f. & cert. ef. 6-7-90

DEQ 9-1987, f. & ef. 6-3-87

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

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

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

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

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



OAR 340-045-0075

Fee Tables

Effective November 1, 2022

| OAR 340-045-0075 Table 70A Industrial NPDES and WPCF Individual Permits: Application and Modification Fees Effective November 1, 2022 | | | |
|---|------------------------------|--------------------------------|--------------|
| Application fees for new industrial permits | | | |
| Tier 1 Industrial Facilities | \$87,514 | | |
| Tier 2 Industrial Facilities | \$17,611 | | |
| Special WPCF Permits (OAR 340-045-0061) | \$832 | | |
| 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 | \$21,986 | \$43,687 | \$1,532 |
| Tier 2 Industrial Facilities | \$5,590 | \$8,730 | \$1,532 |
| 1. A new application, application fee and modification fee must accompany all requests for permit modification. DEQ may charge the environmental management plan review fee amount in Table 70F when only the environmental management plan required by the permit requires review. | | | |

OAR 340-045-0075

Table 70B

Industrial NPDES and WPCF Individual Permit Annual Fees

Effective November 1, 2022

| Type | Description | NPDES Tier 1 | NPDES Tier 2 | WPCF Tier 1 | WPCF Tier 2 |
|--|---|---------------------|---------------------|--------------------|--------------------|
| B01 | Pulp, paper, or other fiber pulping industry | \$30,600 | N | \$28,400 | N |
| Food or beverage processing - includes produce, meat, poultry, seafood or dairy for human, pet, or livestock consumption: | | | | | |
| B02 | Washing or packing only | N | \$4,253 | N | \$3,915 |
| B03 | Processing – small. Flow \leq 0.1 mgd, or 0.1 < flow < 1 mgd for less than 180 days per year | N | \$6,360 | N | \$6,017 |
| 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 | \$8,974 | N | \$8,632 |
| B05 | Processing – large. Flow \geq 1 mgd for 180 or more days per year | \$30,600 | \$26,888 | \$28,400 | \$26,541 |
| Primary Smelting or Refining: | | | | | |
| B06 | Aluminum | \$30,600 | \$26,888 | \$28,400 | \$26,541 |
| B07 | Non-ferrous metals utilizing sand chlorination separation facilities | \$30,600 | \$26,888 | \$28,400 | \$26,541 |
| B08 | Ferrous and non-ferrous metals not elsewhere classified | \$17,499 | \$13,784 | \$15,299 | \$13,445 |
| B09 | Chemical manufacturing with discharge of process wastewater | \$30,600 | \$26,888 | \$28,400 | \$26,541 |
| B10 | Cooling water discharges in excess of 20,000 BTU per second | \$17,499 | \$13,784 | \$15,299 | \$13,445 |
| Mining Operations – includes aggregate or ore processing: | | | | | |
| B11 | Large (over 500,000 cubic yards per year or involving chemical leaching) | \$30,600 | \$26,888 | \$28,400 | \$26,541 |
| B12 | Medium (100,000 to 500,000 cubic yards per year) | N | \$9,414 | N | \$9,071 |
| B13 | Small (less than 100,000 cubic yards per year) | N | \$2,865 | N | \$2,523 |
| All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater): | | | | | |
| B14 | Tier 1 sources | \$30,600 | N | \$28,400 | N |
| B15 | Tier 2 sources | N | \$5,920 | N | \$5,583 |

OAR 340-045-0075**Table 70B****Industrial NPDES and WPCF Individual Permit Annual Fees**

Effective November 1, 2022

| 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 | \$3,963 | N | \$3,622 |
| B17 | Fish hatcheries and other confined feeding operations on individual permits except permits the Oregon Department of Agriculture administers. | N | \$3,470 | N | \$3,129 |
| B18 | All facilities which dispose of wastewater only by evaporation from watertight ponds or basins | N | N | N | \$2,299 |
| Timber and Wood Products | | | | | |
| B19 | Sawmills, log storage, instream log storage | \$8,582 | \$4,868 | \$6,382 | \$4,524 |
| B20 | Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products | \$9,075 | \$5,362 | \$6,878 | \$5,023 |
| B21 | Wood preserving | \$7,679 | \$3,963 | \$5,478 | \$3,622 |

OAR 340-045-0075

Table 70C

**Domestic NPDES and WPCF Individual Permits: Application,
Annual and Modification Fees**

Effective November 1, 2022

| Description | Type | Criteria ¹ | New Permit App. Fee ² | NPDES Annual Fee (5yr) | WPCF Annual Fee (10yr) | Modifications ³ | |
|------------------------------|------|-----------------------------|----------------------------------|------------------------|------------------------|----------------------------|---------|
| | | | | | | Major | Minor |
| Non-Lagoon Treatment Systems | A1 | Flow \geq 50 mgd | \$55,789 | \$120,817 | | \$27,964 | \$1,532 |
| | A2 | 5 mgd \leq Flow < 50 mgd | \$55,789 | \$71,006 | | \$27,964 | \$1,532 |
| | A3 | 10 mgd \leq Flow < 25 mgd | \$55,789 | \$33,466 | | \$27,964 | \$1,532 |
| | Ba | 5 mgd \leq Flow < 10 mgd | \$55,789 | \$21,452 | \$20,048 | \$27,964 | \$1,532 |
| | C1a | 2 mgd \leq Flow < 5 mgd | \$55,789 | \$14,425 | \$13,024 | \$27,964 | \$1,532 |
| | C2a | 1 mgd \leq Flow < 2 mgd | \$55,789 | \$9,790 | \$8,387 | \$27,964 | \$1,532 |
| | Da | Flow < 1 mgd | \$11,270 | \$3,099 | \$2,876 | \$5,708 | \$1,532 |

OAR 340-045-0075
Table 70C
Domestic NPDES and WPCF Individual
Permits: Application, Annual and
Modification Fees
Effective November 1, 2022

| 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 | \$55,789 | \$11,343 | | \$27,964 | \$1,532 |
| | C1b | 2 mgd ≤ Flow < 5 mgd | \$55,789 | \$7,887 | | \$27,964 | \$1,532 |
| | C2b | 1 mgd ≤ Flow < 2 mgd | \$55,789 | \$5,757 | | \$27,964 | \$1,532 |
| | Db | Flow < 1 mgd | \$11,270 | \$2,185 | | \$5,708 | \$1,532 |
| Nondischarging Lagoons | E | No discharge flow | \$5,708 | | \$1,821 | \$2,921 | \$1,532 |
| Alkaline-stabilization facilities | F | | \$1,532 | | \$627 | | \$674 |
| 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 | \$30,983 | Please see Table 70H | | \$2,690 | \$1,532 |

4. Based on Average Dry Weather Design Flow, or as defined in 40 C.F.R.

5. New permit applications must include the annual fee in addition to the new permit application fee.

6. DEQ may charge the environmental management plan review fee amount in Table 70F when only the environmental management plan required by the permit requires review.

OAR 340-045-0075
Table 70D
Domestic NPDES and WPCF Annual Population Fee
 Effective November 1, 2022

| Population range | Annual fee |
|--------------------|------------|
| 500,000+ | \$162,319 |
| 400,000 to 499,999 | \$124,173 |
| 300,000 to 399,999 | \$86,030 |
| 200,000 to 299,999 | \$47,882 |
| 150,000 to 199,999 | \$38,725 |
| 100,000 to 149,999 | \$25,504 |
| 50,000 to 99,999 | \$15,995 |
| 25,000 to 49,999 | \$7,189 |
| 15,000 to 24,999 | \$4,093 |
| 10,000 to 14,999 | \$2,666 |
| 5,000 to 9,999 | \$1,620 |
| 1,000 to 4,999 | \$484 |
| 100 to 999 | \$91 |
| 0 to 99 | \$0 |

OAR 340-045-0075
Table 70E
Annual Pretreatment Fees
 Effective November 1, 2022

| Description | Fee |
|-----------------------------|--------------------|
| Pretreatment Fee | \$2,782 |
| Significant Industrial User | \$928 per industry |

**OAR 340-045-0075
Table 70F**

**All NPDES and WPCF¹ Permits: Technical Activity, Plan Review,
and Other Fees**

Effective November 1, 2022

| Activity | Fee |
|---|----------|
| New or substantially modified sewage treatment facility | \$12,799 |
| Minor facility or pump station modifications | \$1,391 |
| Major system or pressure system expansion | \$975 |
| Minor system expansion or modification | \$276 |
| New or substantially modified septage alkaline stabilization facility | \$1,391 |
| Site inspection and evaluation ² | \$2,179 |
| Disposal system plan review ² | \$871 |
| Environmental management plan review ³ | \$871 |
| Other Fees | |
| Annual temporary or permanent electronic reporting requirement waiver | \$1,061 |
| Permit transfer, legal name change. | \$135 |

4. Does not include Onsite septic systems. Please see Tables 9A-9F in OAR 340-071 for appropriate technical activity fees.

5. This fee only applies when these activities are required for DEQ's review of a general permit application.

6. This fee is not charged to new applicants for individual NPDES and WPCF permits. Plans updated after the permit is issued are subject to plan review as specified in the permit. This includes but is not limited to biosolids management plan and recycled water use plan.

**OAR 340-045-0075
Table 70G**

**General NPDES and WPCF Permits:
Application and Annual Fees**

Effective November 1, 2022

| Number | Type | Description | New Permit App. Fee ¹ | Annual Fee |
|--------|-------|--------------------------|-------------------------------------|---------------|
| 100-J | NPDES | Cooling water/heat pumps | \$356 | \$810 |
| 200-J | NPDES | Filter backwash | \$356 | \$810 |
| 300-J | NPDES | Fish hatcheries | \$568 | \$810 |
| 400-J | NPDES | Log ponds | \$356 | \$810 |

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 2022

| Number | Type | Description | New Permit App. Fee ¹ | Annual Fee |
|--|-------|---|----------------------------------|------------|
| 500-J | NPDES | Boiler blowdown | \$356 | \$810 |
| 900-J | NPDES | Seafood processing | \$356 | \$810 |
| 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. | \$356 | \$475 |
| 1400-B | WPCF | Wineries and small food processors not otherwise eligible for a 1400A general permit. | \$568 | \$810 |
| 1500-A | NPDES | Petroleum hydrocarbon clean-up | \$568 | \$810 |
| 1500-B | WPCF | Petroleum hydrocarbon clean-up | \$568 | \$810 |
| 1700-A | NPDES | Vehicle and equipment wash water | \$790 | \$810 |
| 1700-B | WPCF | Vehicle and equipment wash water | \$790 | \$810 |
| 1900-J | NPDES | Non-contact geothermal heat exchange | \$790 | \$810 |
| 2000-J | NPDES | Pesticide use irrigation districts | \$790 | \$810 |
| 2300-A | NPDES | Pesticide general permit | \$790 | \$810 |
| 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 | \$54 | \$43 |
| 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 | \$582 | \$54 |
| 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 | \$790 | \$810 |

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 2022

| Number | Type | Description | New Permit App. Fee ¹ | Annual Fee |
|---|-------|---|----------------------------------|----------------------|
| Stormwater General Permits² | | | | |
| 1200-A | NPDES | Stormwater: Sand, gravel, and other non-metallic mining | \$1,388 | \$1,427 |
| 1200-C | NPDES | Stormwater: Construction activities – one acre or more | \$1,388 | \$1,427 |
| 1200-C | NPDES | Stormwater: Construction activities – less than one acre and part of a common plan of development disturbing one or more acres | \$406 | \$0 |
| 1200-CA | NPDES | Stormwater: Construction activities performed by public agencies – one acre or more | \$1,388 | \$1,427 |
| 1200-Z | NPDES | Stormwater: Industrial | \$1,388 | \$1,427 |
| 4000-MS4 | NPDES | Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc. | \$1,388 | 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 | \$356 | \$0 |
| 700-PM | NPDES | Suction dredges (gravity and syphon) | \$0 | \$25 |
| 700-PM | NPDES | Suction dredges (motorized) | \$250 | \$250 |
| | | Permit renewal fee every five years (in addition to the annual fee) | \$250 | |
| 1000 | WPCF | Gravel mining | \$356 | \$810 |
| Other General Permits | | | | |
| DOM-F | WPCF | Septage alkaline stabilization facilities | \$1,532 | \$627 |
| All other permits not elsewhere classified. | | | \$790 | \$810 |

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
 Effective November 1, 2022

| Number | Type | Description | New Permit App. Fee ¹ | Annual Fee |
|--------|------|-------------|-------------------------------------|---------------|
|--------|------|-------------|-------------------------------------|---------------|

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

OAR 340-045-0075
Table 70H
Municipal Separate Storm Sewer System Permits:
Annual Fees
 Effective November 1, 2022

| Population-based cost-per-person, except counties and other | Annual Fee |
|---|------------|
| Cost-per-person | \$0.125 |
| Counties, Phase I | \$11,254 |
| Counties, Phase II (non-traditional MS4s, hospitals, public universities, etc.) | \$2,812 |
| Oregon Department of Transportation MS4* | \$45,020 |

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

OAR 340-045-0075
Table 70I
Underground Injection Control Permits
Application Fees, Annual Fees and
Surcharges
Effective November 1, 2022

| Type | Description | Application Fee | Annual Fee | Class of Injection | Surcharge | |
|------------------------------------|--|-----------------|------------|-------------------------------|-------------|--------|
| | | | | | Application | Annual |
| Authorized By Rule ¹ | Low Risk Stormwater Only | None | None | Low Risk | \$107 | None |
| | Non-Stormwater Injection ² | None | None | Medium Risk | \$134 | None |
| | All Other UIC's Draining Stormwater from Any Surface | None | None | Low Risk | \$107 | None |
| | | | | Medium Risk | \$134 | None |
| 1200-U General Permit ³ | Stormwater Injection | \$790 | \$810 | Low Risk | \$140 | None |
| | | | | Medium Risk | \$177 | None |
| | | | | High Risk | \$425 | \$140 |
| 1900-B General Permit | Injection During Geothermal Exploration | \$790 | \$810 | | | |
| 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 | \$17,611 | \$3,727 | \$2,921 | \$1,532 | |

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

Division 71
ONSITE WASTEWATER TREATMENT SYSTEMS

340-071-0800

Tables

Tables for Division 071.

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

Statutory/Other Authority: ORS 454.615, 454.625 & 468.020

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

History:

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

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

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

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

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

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

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



OAR 340-071-0800

Fee Tables

Effective November 1, 2022

| 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 |

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 |
|---|--|--|---|
| 6. Irrigation Canals | Lined (watertight canal) : Downgradient | 25 | 25 |
| | Unlined: Upgradient | 25 | 25 |
| | Unlined: Downgradient | 50 | 50 |
| 7. Manmade Cuts Down - Gradient in Excess of 30 Inches (top of downslope cut) | Which Intersect Layers that Limit Effective Soil Depth Within 48 Inches of Surface | 50 | 25 |
| | Which Do Not Intersect Layers that Limit Effective Soil Depth | 25 | 10 |
| 8. Downgradient Escarpments | Which Intersect Layers that Limit Effective Soil Depth | 50 | 10 |
| | Which Do Not Intersect Layers that Limit Effective Soil Depth | 25 | 10 |
| 9. Property Lines | | 10 | 5 |
| 10. Water Lines | | 10 | 10 |
| 11. Foundation Lines of any Building, Including Garages and Out Buildings | | 10 | 5 |
| 12. Underground Utilities | | 10 | — |

* 50-foot setback for wells constructed with special standards granted by WRD.

**This does not prevent stream crossings of pressure effluent sewers.

OAR 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) | 700 |
| | With flush toilets, no showers | 25 (per person) | 500 |
| | Construction camps — semi- permanent | 50 (per person) | 1000 |
| | Day camps — no meals served | 15 (per person) | 300 |
| | Resort camps (night and day) with limited plumbing | 50 (per person) | 1000 |
| | Luxury camps | 100 (per person) | 2000 |
| Churches | | 5 (per seat) | 150 |
| 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 |

OAR 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 |
| Dwellings: | Single family dwellings | 300 (not exceeding 2 bedrooms) | 450* |
| | Single family dwellings — with more than 2 bedrooms | 75 (for third & each succeeding bedroom) | 450 |
| Factories (exclusive of industrial wastes — with shower facilities) | | 35 (per person per shift) | 300 |
| Factories (exclusive of industrial wastes — without shower facilities) | | 15 (per person per shift) | 150 |
| Hospitals | | 250 (per bed space) | 2500 |
| Hotels with private baths | | 120 (per room) | 600 |
| Hotels without private baths | | 100 (per room) | 500 |
| Institutions other than hospitals | | 125 (per bed space) | 1250 |
| 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 |

OAR 340-071-0220

TABLE 2

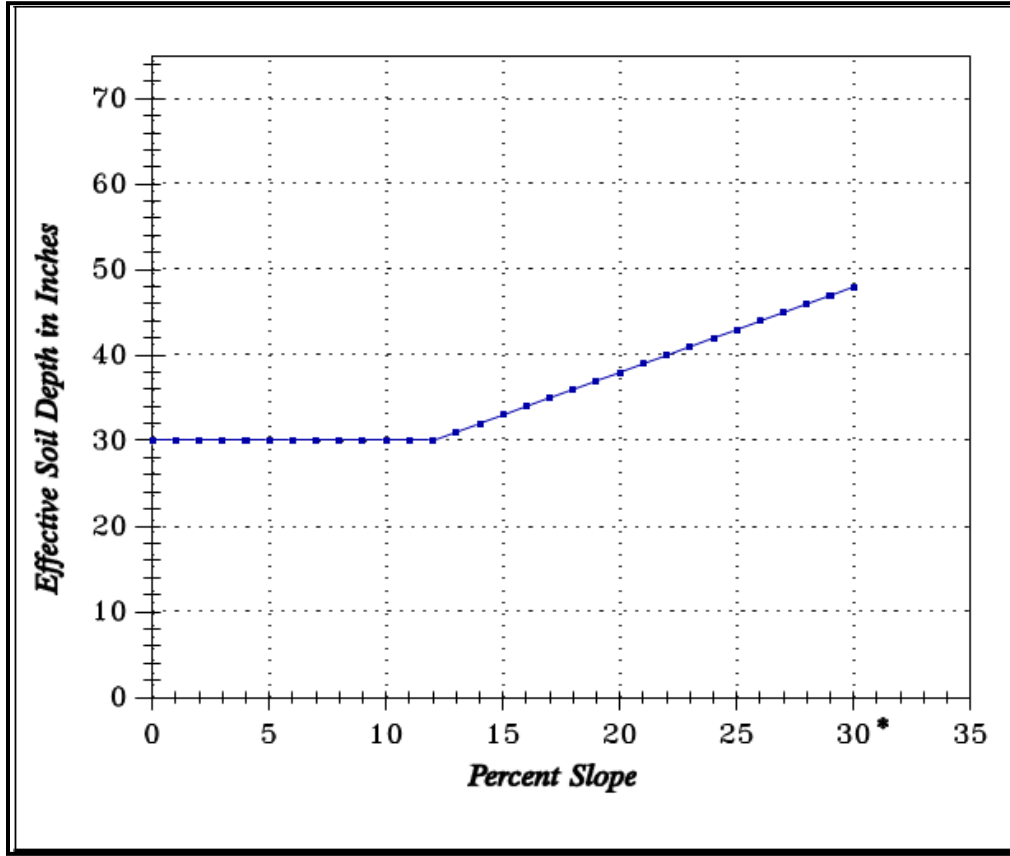
QUANTITIES OF SEWAGE FLOWS

| Type of Establishment | | Column 1 | Column 2 |
|---|---|-------------------------|---|
| | | Gallons Per Day | Minimum Gallons Per Establishment Per Day |
| 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 |
| 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 |

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.

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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 |

Soil Group A — Sand, Loamy Sand, Sandy Loam.

Soil Group B — Sandy Clay Loam, Loam, Silt Loam, Silt, Clay Loam.

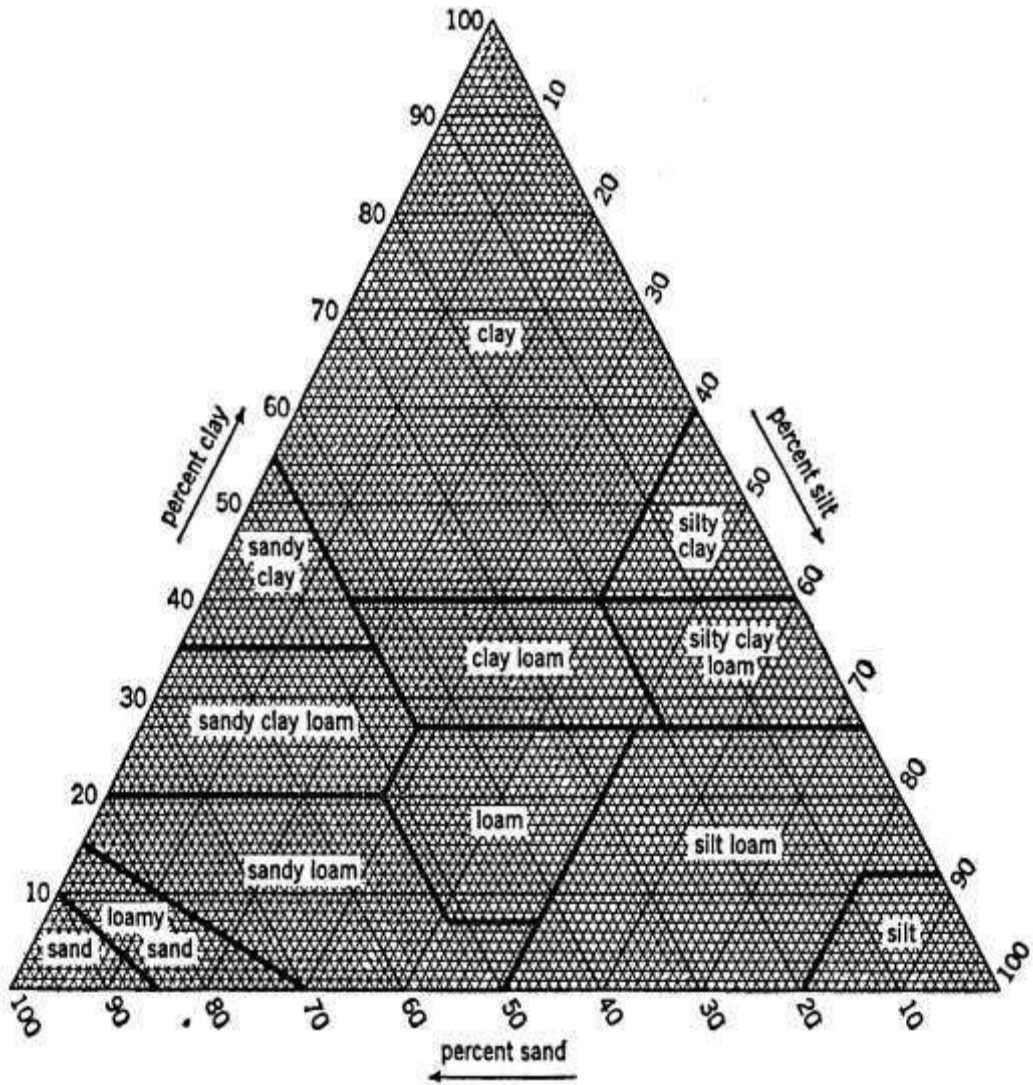
Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay.

If sand grains are fine or very fine, site according to Group B soils.

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TABLE 6

SOIL TEXTURAL CLASSIFICATION CHART



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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 | | |

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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 |

System Type Key:

Type A = Gray Water waste disposal sumps

Type B = Holding tanks

Type C = Standard subsurface, Absorption trenches in saprolite, Redundant, Seepage trench, Steep slope

Type D = Alternative treatment technologies, Capping fill, Pressurized distribution, Tile dewatering

Type E = Recirculating gravel filter, Sand filter (commercial or residential)

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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, 2022

| | 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 | \$120 | \$967 | \$4,832 |
| Permit renewal (involving request for effluent limit modifications) | \$120 | \$481 | \$2,419 |
| Permit renewal (without request for effluent limit modifications) | \$120 | \$243 | \$1,206 |
| Permit modification (involving increase in effluent limitations) | \$120 | \$481 | \$2,419 |
| Permit modification (not involving an increase in effluent limits) | \$120 | \$361 | \$1,206 |
| Plan Review fee | | | |
| For commercial facilities with a design capacity less than 600 gpd | | \$0 | |
| For commercial facilities with a design capacity of 600 - 1,000 gpd | | \$460 | |
| For commercial facilities with a design capacity of 1,001 - 1,500 gpd | | \$542 | |
| For commercial facilities with a design capacity of 1,501 - 2,000 gpd | | \$624 | |
| For commercial facilities with a design capacity of 2,001 - 2,500 gpd | | \$703 | |
| For commercial facilities with a design capacity of 2,501 - 3,000 gpd | | \$826 | |
| For commercial facilities with a design capacity of 3,001 - 3,500 gpd | | \$906 | |
| For commercial facilities with a design capacity of 3,501 - 4,000 gpd | | \$985 | |

OAR 340-071-0140 TABLE 9D**WPCF PERMIT FEES**

Effective November 1, 2022

| Plan Review fee | |
|---|---------|
| For commercial facilities with a design capacity of 4,001 - 4,500 gpd | \$1,065 |
| For commercial facilities with a design capacity of 4,501 - 5,000 gpd | \$1,147 |
| Commercial facilities with a design capacity greater than 5,000 gpd | \$1,206 |
| Single family dwelling | \$243 |
| Annual Compliance Determination fee | |
| Onsite sewage lagoon with no discharge | \$1,448 |
| Treatment Standard 1 or better systems with design capacities less than 2,500 gpd | \$604 |
| Treatment Standard 1 or better systems with design capacities of 2,500 - 20,000 gpd | \$1,206 |
| 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 | \$481 |
| 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 | \$52 |
| Other systems with design capacities less than 20,000 gpd | \$604 |
| Other systems with design capacities 20,000 gpd or more | \$1,206 |

| 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 |