



State of Oregon Department of Environmental Quality

Notice of Proposed Rulemaking

June 21, 2023

2023 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

DEQ is seeking public comment on whether there are other options for achieving the rules' substantive goals while reducing the rules' potential 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 beginning Nov. 2, 2023 for fiscal year 2024 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 rivers, lakes, streams, and groundwater 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
- 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 U.S. 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 70 permits for development in the 2023 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 2023 Rulemaking Web Page](#).

Public Hearings

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

Date: July 17, 2023

Start time: 5 p.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: 878 4641 3586

Passcode: 338979

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. 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 **4 p.m., on July 21, 2023**.

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: Jason Simpson
700 NE Multnomah St., Room 600
Portland, OR 97232-4100

At hearing

July 17, 2023

Sign up for rulemaking notices

Get email or text updates about this rulemaking by either:

- Signing up through this link: [Water Quality 2023 Fee Increase Rulemaking Email List](#)
- Signing up on the rulemaking web site: [Water Quality Fees 2023 Rulemaking Web Page](#)

What will happen next?

At the Oregon Environmental Quality Commission meeting on May 19, 2023 the Environmental Quality Commission delegated 2023 water quality fee rulemaking to Director Leah Feldon.

DEQ will include a written response to comments in a staff report that will be submitted to Director Feldon. DEQ may modify the rule proposal based on the comments. Response to public comments will also be available for public viewing on the [Water Quality Fees 2023 Rulemaking Webpage](#).

The 2023 proposed rules only become effective if Director Feldon 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, 2023.

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 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.

What need would the proposed rule address?

Fee increase allowed by statute: up to 3 percent increase provided under ORS 468B.051 This increase will cover costs to administer the Water Quality Permitting Program.

How would the proposed rule address the need?

DEQ must apply the new fees to invoices as of November 2023 to cover costs associated with implementing the permitting program and delivering services to regulated entities. By increasing the fees, DEQ can offset the increased costs of administering the program. 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 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 the increased fee revenue in November 2023. DEQ expects the proposed fees would sustain the needed staffing levels for the program through fiscal year 2024 that ends June 30, 2024.

Rules affected, authorities, supporting documents

Lead division

Water Quality Division

Program or activity

Water Quality Permitting and Program Development

Chapter 340 action

Amend				
340-045-0075	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	--	--	--

Documents relied on for rulemaking

Document title	Document location
Fee increase 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's water quality permit database	DEQ Headquarters

Document title	Document location
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

The Oregon Environmental Quality Commission approval of this rule proposal would increase existing fees. ORS 468B.051 authorizes EQC to act on the proposed fees below.

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

At their meeting on May 19, 2023 the EQC delegated 2023 water quality fee rulemaking to Director Leah Feldon.

Brief description of proposed fees

DEQ is proposing a fee increase to support water quality fees for fiscal year 2024 by 3 percent above the fiscal year 2023 fees. These fees apply to (federal) National Pollutant Discharge Elimination System permits and (state) Water Pollution Control Facility permits.

The fee increase rulemaking consists of the following:

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

Reasons

The proposed fees will cover increased 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 3 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 permit writer positions or having to hold those positions vacant. DEQ would also be unable to carry out recommended program improvements identified in the 2015 program evaluation.

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

A [Fiscal Advisory Committee](#) has been established for this rulemaking with committee members representing the range of entities that are both directly and indirectly affected by the proposed fee increase.

Summary of impacts

With existing data, DEQ cannot determine the extent to which the proposed fees would affect each consumer. 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 3 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, 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 2023-25 Agency Request Budget, DEQ estimated that even with a 3 percent annual fee increase in 2023 and another in 2024, 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 2023-25 biennium.

Table 1 below shows the increased cost of maintaining the current service level from the 2021-23 to the 2023-25 biennium. The information illustrates that fees and public funds (General Fund, Lottery Fund and Federal Funds) represent relatively constant proportions of program costs from 2021-23 to 2023-25.

Budget Comparison Table 1. March 3, 2023 (Permit fees last changed: November 1, 2022)				
	2021-23 Legislatively Adopted Budget		2023-2025 Governor's Recommended Budget	
Program costs covered by fees	\$17,719,778	58%	\$19,034,009	60%
Program costs covered by General Fund and Lottery Fund	\$11,065,546	37%	\$11,469,035	36%
Program costs covered by Federal Funding	\$1,532,064	5%	\$1,288,194	4%

Table 2 below shows the Budget Costs justification for the three percent fee increase. The cost per full-time employee (FTE) has increased 6.11% over a two-year period, which is 3.05% over a one-year period.

Budget Costs Table 2. March 3, 2023 Effective date of last fee increase: November 2022	
Budget Period	Cost per FTE
2021-23 Legislatively Adopted Budget	\$358,305
2023-25 Governor's Recommended Budget (Modified current service level + GRB adjustments)	\$380,196
Percent increase over a two-year period	6.11%

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 \$93 and \$104. This affects approximately five state agencies (OAR 340-045-0075, Table 70B).
- Annual fees for WPCF individual permits will increase between \$18 and \$601. This affects approximately five state agencies (OAR 340-045-0075, Table 70C).
- Annual fees for general NPDES and WPCF permits will increase between \$14 and \$24. This affects approximately ten state agencies (OAR 340-045-0075, Table 70G).
- Annual compliance determination fees for WPCF permits will increase between \$1 and \$43. This affects approximately eight state agencies (OAR 340-071-0140, Table 9D).

Local governments and public

The effect of the 3 percent increase for NPDES and WPCF fees on local governments depends on the permit type. Oregon local governments hold approximately 620 total active water quality permits.

Examples of local government entities include water districts, irrigation districts, cities, towns, ports, sanitary districts, library districts, counties, and school districts. For 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 3 percent fee increase on selected permit types include:

- Industrial NPDES fee permits for Tier 2 sources, dairies and fish hatcheries, and facilities that dispose of wastewater only by evaporation from watertight ponds or basins, will increase between \$93 and \$104. 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 \$18 to \$3,624. The \$3,624 increase will affect one local government (OAR 340-045-0075, Table 70C).
- Annual fees for general NPDES and WPCF permits will increase between \$10 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 \$43 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 3 percent fee increase would affect approximately 150 wastewater permit holders that are large businesses. For example, large businesses that require an industrial NPDES Tier 1 permit would pay an additional \$918 in annual fees for pulp, paper, or other fiber pulping industry permits.

Small businesses – businesses with 50 or fewer employees

According to 2018 data from the Oregon Employment Department, the fee increase may affect approximately 3,300 small businesses that hold water quality permits. However, no information is available to determine how the fee increases would affect each permit holder. For example, if a small business is categorized as a Tier 2 facility for food or beverage processing, including produce, meat, poultry, seafood, or dairy for human, pet, or livestock consumption, then under OAR 340-045-0075, fee Table 70B, their annual permit fee would increase by an estimated \$190 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 2023. 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 will request input on whether to consider other options for achieving the rules' substantive goals, while reducing the rules' negative economic impact on small businesses.

Documents relied on for fiscal and economic impact

Document title	Document location
Fee increase calculations	DEQ Headquarters
Recommendations and Implementation Plan	DEQ web page: 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.

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 \$41 for a construction stormwater permit if the parcel is part of a common plan of development disturbing one or more acres. Assuming the three percent increase, this would raise the fee from \$1388 to \$1429.
- 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, 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). These services benefit all people who engage with Oregon's waters, and DEQ does not anticipate disproportionate benefit or burden to any person or community based on racial identity to be a factor in this rulemaking.

Environmental Justice Considerations

Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, culture, education or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies. DEQ is committed to incorporating environmental justice best practices into its programs and decision-making, to ensure all people in Oregon have equitable environmental and public health protections.

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

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

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, will result in increased program efficiency and a more cost-effective program. For example, creating a permit writer team has resulted in progress in issuing NPDES permits over the last few years and reducing the NPDES permit backlog. 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 2023 Water Quality Fee Increase Rule to the DEQ Director for a decision at the [May 19, 2023 EQC meeting](#).

Advisory Committee

Background

DEQ convened the 2023 Fee Increase Rulemaking Fiscal advisory committee. The committee met once and included representatives from local governments, NPDES permit holders, environmental and community involvement organizations. Information about the committee can be found at [Water Quality Fees 2023 Rulemaking Web Page](#).

The committee members are:

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
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:

- The 3 percent fee increase is intended to keep the Water Quality Permitting Program at the current service level from 2023–2024. It does not include filling staff positions that were previously vacant.

- It takes roughly 226 – 335 FTE hours to complete a NPDES Individual permit, not including mandatory applicant review and public notice time periods. This estimates approximately six months to complete a new or renewed proposed permit.
- A 3 percent increase for public owned treatment works providers might not sound like a lot, but there are many other costs associated with labor and construction that add up. Many members are required to increase fees for their services. These fee increases are a part of a larger picture of fee increase potential that may need to be charged to their patrons.
- The DEQ Water Quality Permitting Program is gaining steam in reducing the backlog. The [100-J Cooling Water NPDES General Permit](#) is having informal meetings in June. For more information, the [2023 NPDES Individual Permit Issuance Plan](#), [Statewide Permit Issuance Plan for Federal Fiscal Years 2023-2027](#), and the [NPDES General Permits 5-Year Issuance Plan](#) are updated on the [DEQ Water Quality Permitting website](#) regularly.

Public Engagement

Public notice

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

- On June 20, 2023, filing notice with the Oregon Secretary of State for publication in the July Oregon Bulletin;
- Posting the Notice, Invitation to Comment and Draft Rules on the web page for this rulemaking, located at: [Water Quality Fees 2023](#)
- Emailing approximately 23,644 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:

- Senate Committee on Natural Resources:
 - Chair Jeff Golden
 - Vice-Chair Fred Girod
- House Committee on Agriculture, Land Use, Natural Resources and Water:
 - Chair Ken Helm
 - Vice-Chair Mark Owens
 - Vice-Chair Annessa Hartman
- Joint Ways & Means Subcommittee on Natural Resources
 - Co-Chair Sen Michael Dembrow
 - Co-Chair Rep Khanh Pham
- 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

DEQ will only consider comments on the proposed rules that DEQ receives by 4 p.m., on July 21, 2023

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: Jason Simpson
700 NE Multnomah St., Room 600
Portland, OR 97232-4100

At hearing

July 17, 2023

Public Hearing

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

Date: July 17, 2023

Start time: 5 p.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: 878 4641 3586

Passcode: 338979

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

Translation or other formats

[Español](#) | [한국어](#) | [繁體中文](#) | [Русский](#) | [Tiếng Việt](#) | [العربية](#)

800-452-4011 | TTY: 711 | deqinfo@deq.oregon.gov

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age or sex in administration of its programs or activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).

Draft Rules - Edits Highlighted

Key to Identifying Changed Text:

~~Deleted Text~~

New/inserted text



State of Oregon Department of Environmental Quality

OAR 340-045-0075

Fee Tables

Effective November 1, 202~~2~~³

OAR 340-045-0075 Table 70A Industrial NPDES and WPCF Individual Permits: Application and Modification Fees Effective November 1, 2023			
Application fees for new industrial permits			
Tier 1 Industrial Facilities	\$ 87,514 <u>90,139</u>		
Tier 2 Industrial Facilities	\$ 17,611 <u>18,139</u>		
Special WPCF Permits (OAR 340-045-0061)	\$ 832 <u>856</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 Fees ¹			
	Major		Minor
	At Permit Renewal	Prior to Expiration	
Tier 1 Industrial Facilities	\$ 21,986 <u>22,645</u>	\$ 43,687 <u>44,997</u>	\$ 1,532 <u>1,577</u>
Tier 2 Industrial Facilities	\$ 5,590 <u>5,757</u>	\$ 8,730 <u>8,991</u>	\$ 1,532 <u>1,577</u>

OAR 340-045-0075
Table 70A
Industrial NPDES and WPCF Individual
Permits: Application and Modification
Fees
Effective November 1, 202~~2~~³

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, 2023³²

Type	Description	NPDES Tier 1	NPDES Tier 2	WPCF Tier 1	WPCF Tier 2
B01	Pulp, paper, or other fiber pulping industry	\$ 30,600 31,518	N	\$ 28,400 29,252	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 4,380	N	\$ 3,915 4,032
B03	Processing – small. Flow ≤ 0.1 mgd, or $0.1 < \text{flow} < 1$ mgd for less than 180 days per year	N	\$ 6,360 6,550	N	\$ 6,017 6,197
B04	Processing – medium. $0.1 \text{ mgd} < \text{Flow} < 1$ mgd for 180 or more days per year, or flow ≥ 1 mgd for less than 180 days per year	N	\$ 8,974 9,243	N	\$ 8,632 8,890
B05	Processing – large. Flow ≥ 1 mgd for 180 or more days per year	\$ 30,600 31,518	\$ 26,888 27,694	\$ 28,400 29,252	\$ 26,541 27,337
Primary Smelting or Refining:					
B06	Aluminum	\$ 30,600 31,518	\$ 26,888 27,694	\$ 28,400 29,252	\$ 26,541 27,337
B07	Non-ferrous metals utilizing sand chlorination separation facilities	\$ 30,600 31,518	\$ 26,888 27,694	\$ 28,400 29,252	\$ 26,541 27,337
B08	Ferrous and non-ferrous metals not elsewhere classified	\$ 17,499 18,023	\$ 13,784 14,197	\$ 15,299 15,757	\$ 13,445 13,848
B09	Chemical manufacturing with discharge of process wastewater	\$ 30,600 31,518	\$ 26,888 27,694	\$ 28,400 29,252	\$ 26,541 27,337
B10	Cooling water discharges in excess of 20,000 BTU per second	\$ 17,499 18,023	\$ 13,784 14,197	\$ 15,299 15,757	\$ 13,445 13,848
Mining Operations – includes aggregate or ore processing:					
B11	Large (over 500,000 cubic yards per year or involving chemical leaching)	\$ 30,600 31,518	\$ 26,888 27,694	\$ 28,400 29,252	\$ 26,541 27,337

OAR 340-045-0075 Table 70B Industrial NPDES and WPCF Individual Permit Annual Fees Effective November 1, 2023 2					
B12	Medium (100,000 to 500,000 cubic yards per year)	N	\$ 9,414 <u>9,696</u>	N	\$ 9,071 <u>9,343</u>
B13	Small (less than 100,000 cubic yards per year)	N	\$ 2,865 <u>2,950</u>	N	\$ 2,523 <u>2,598</u>
All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater):					
B14	Tier 1 sources		\$30,600 <u>31,518</u>	N	\$28,400 <u>29,252</u>
B15	Tier 2 sources	N	\$ 5,920 <u>6,097</u>	N	\$ 5,583 <u>5,750</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	\$ 3,963 <u>4,081</u>	N	\$ 3,622 <u>3,730</u>
B17	Fish hatcheries and other confined feeding operations on individual permits except permits the Oregon Department of Agriculture administers.	N	\$ 3,470 <u>3,574</u>	N	\$ 3,129 <u>3,222</u>
B18	All facilities which dispose of wastewater only by evaporation from watertight ponds or basins	N	N	N	\$ 2,299 <u>2,367</u>
Timber and Wood Products					
B19	Sawmills, log storage, instream log storage		\$ 8,582 <u>8,839</u>	\$ 4,868 <u>5,014</u>	\$ 6,382 <u>6,573</u>
B20	Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products		\$ 9,075 <u>9,347</u>	\$ 5,362 <u>5,522</u>	\$ 6,878 <u>7,084</u>
B21	Wood preserving		\$ 7,679 <u>7,909</u>	\$ 3,963 <u>4,081</u>	\$ 5,478 <u>5,642</u>

OAR 340-045-0075

Table 70C

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

Effective November 1, 2023²

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 <u>57,462</u>	\$120,817 <u>124,441</u>		\$27,964 <u>28,802</u>	\$1,532 <u>1,577</u>
	A2	5 mgd $\leq$ Flow < 50 mgd	\$55,789 <u>57,462</u>	\$71,006 <u>73,136</u>		\$27,964 <u>28,802</u>	\$1,532 <u>1,577</u>
	A3	10 mgd $\leq$ Flow < 25 mgd	\$55,789 <u>57,462</u>	\$ 33,466 <u>34,469</u>		\$27,964 <u>28,802</u>	\$1,532 <u>1,577</u>
	Ba	5 mgd $\leq$ Flow < 10 mgd	\$55,789 <u>57,462</u>	\$ 21,452 <u>22,095</u>	\$20,048 <u>20,649</u>	\$27,964 <u>28,802</u>	\$1,532 <u>1,577</u>
	C1a	2 mgd $\leq$ Flow < 5 mgd	\$55,789 <u>57,462</u>	\$14,425 <u>14,857</u>	\$13,024 <u>13,414</u>	\$27,964 <u>28,802</u>	\$1,532 <u>1,577</u>
	C2a	1 mgd $\leq$ Flow < 2 mgd	\$55,789 <u>57,642</u>	\$ 9,790 <u>10,083</u>	\$ 8,387 <u>8,638</u>	\$27,964 <u>28,802</u>	\$1,532 <u>1,577</u>
	Da	Flow < 1 mgd	\$11,270 <u>11,608</u>	\$ 3,099 <u>3,191</u>	\$2,876 <u>2,962</u>	\$ 5,708 <u>5,879</u>	\$1,532 <u>1,577</u>

OAR 340-045-0075
Table 70C
Domestic NPDES and WPCF Individual
Permits: Application, Annual and
Modification Fees
Effective November 1, 2023²

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 <u>57,462</u>	\$11,343 <u>11,683</u>		\$27,964 <u>28,802</u>	\$1,532 <u>1,577</u>
	C1b	2 mgd ≤ Flow < 5 mgd	\$55,789 <u>57,462</u>	\$7,887 <u>8,123</u>		\$27,964 <u>28,802</u>	\$1,532 <u>1,577</u>
	C2b	1 mgd ≤ Flow < 2 mgd	\$55,789 <u>57,462</u>	\$5,757 <u>5,929</u>		\$27,964 <u>28,802</u>	\$1,532 <u>1,577</u>
	Db	Flow < 1 mgd	\$11,270 <u>11,608</u>	\$2,185 <u>2,250</u>		\$5,708 <u>5,879</u>	\$1,532 <u>1,577</u>
Nondischarging Lagoons	E	No discharge flow	\$5,708 <u>5,879</u>		\$1,821 <u>1,875</u>	\$2,921 <u>3,008</u>	\$1,532 <u>1,577</u>
Alkaline-stabilization facilities	F		\$1,532 <u>1,577</u>		\$627 <u>645</u>		\$674 <u>694</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	\$30,983 <u>31,912</u>	Please see Table 70H		\$2,690 <u>2,770</u>	\$1,532 <u>1,577</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, 2023²

Population range	Annual fee
500,000+	\$ 162,319 <u>167,188</u>
400,000 to 499,999	\$ 124,173 <u>127,898</u>
300,000 to 399,999	\$ 86,030 <u>88,610</u>
200,000 to 299,999	\$ 47,882 <u>49,318</u>
150,000 to 199,999	\$ 38,725 <u>39,886</u>
100,000 to 149,999	\$ 25,504 <u>26,269</u>
50,000 to 99,999	\$ 15,995 <u>16,474</u>
25,000 to 49,999	\$ 7,189 <u>7,404</u>
15,000 to 24,999	\$ 4,093 <u>4,215</u>
10,000 to 14,999	\$ 2,666 <u>2,745</u>
5,000 to 9,999	\$ 1,620 <u>1,668</u>
1,000 to 4,999	\$ 484 <u>498</u>
100 to 999	\$ 91 <u>93</u>
0 to 99	\$0

OAR 340-045-0075
Table 70E
Annual Pretreatment Fees
Effective November 1, 2023²

Description	Fee
Pretreatment Fee	\$ 2,782 <u>2,865</u>
Significant Industrial User	\$ 928 <u>955</u> per industry

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

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

Effective November 1, 202~~2~~³

Activity	Fee
New or substantially modified sewage treatment facility	\$ 12,799 <u>13,182</u>
Minor facility or pump station modifications	\$ 1,391 <u>1,432</u>
Major system or pressure system expansion	\$ 975 <u>1,004</u>
Minor system expansion or modification	\$ 276 <u>284</u>
New or substantially modified septage alkaline stabilization facility	\$ 1,391 <u>1,432</u>
Site inspection and evaluation ²	\$ 2,179 <u>2,244</u>
Disposal system plan review ²	\$ 871 <u>897</u>
Environmental management plan review ³	\$ 871 <u>897</u>
Other Fees	
Annual temporary or permanent electronic reporting requirement waiver	\$ 1,061 <u>1,092</u>
Permit transfer, legal name change.	\$ 135 <u>139</u>

1. Does not include Onsite septic systems. Please see Tables 9A-9F in OAR 340-071 for appropriate technical activity fees.
2. This fee only applies when these activities are required for DEQ's review of a general permit application.
3. This fee is not charged to new applicants for individual NPDES and WPCF permits. Plans updated after the permit is issued are subject to plan review as specified in the permit. This includes but is not limited to biosolids management plan and recycled water use plan.

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

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

Effective November 1, 202~~2~~³

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
100-J	NPDES	Cooling water/heat pumps	\$ 356 <u>366</u>	\$ 810 <u>834</u>
200-J	NPDES	Filter backwash	\$ 356 <u>366</u>	\$ 810 <u>834</u>
300-J	NPDES	Fish hatcheries	\$ 568 <u>585</u>	\$ 810 <u>834</u>
400-J	NPDES	Log ponds	\$ 356 <u>366</u>	\$ 810 <u>834</u>

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 202~~3~~²

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
500-J	NPDES	Boiler blowdown	\$ 356 <u>366</u>	\$ 810 <u>834</u>
900-J	NPDES	Seafood processing	\$ 356 <u>366</u>	\$ 810 <u>834</u>
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 <u>366</u>	\$ 475 <u>489</u>
1400-B	WPCF	Wineries and small food processors not otherwise eligible for a 1400A general permit.	\$ 568 <u>585</u>	\$ 810 <u>834</u>
1500-A	NPDES	Petroleum hydrocarbon clean-up	\$ 568 <u>585</u>	\$ 810 <u>834</u>
1500-B	WPCF	Petroleum hydrocarbon clean-up	\$ 568 <u>585</u>	\$ 810 <u>834</u>
1700-A	NPDES	Vehicle and equipment wash water	\$ 790 <u>813</u>	\$ 810 <u>834</u>
1700-B	WPCF	Vehicle and equipment wash water	\$ 790 <u>813</u>	\$ 810 <u>834</u>
1900-J	NPDES	Non-contact geothermal heat exchange	\$ 790 <u>813</u>	\$ 810 <u>834</u>
2000-J	NPDES	Pesticide use irrigation districts	\$ 790 <u>813</u>	\$ 810 <u>834</u>
2300-A	NPDES	Pesticide general permit	\$ 790 <u>813</u>	\$ 810 <u>834</u>
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	\$ 54 <u>55</u>	\$ 43 <u>44</u>
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 <u>599</u>	\$ 54 <u>55</u>
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 <u>813</u>	\$ 810 <u>834</u>

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 202~~3~~²

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 <u>1,429</u>	\$ 1,427 <u>1,469</u>
1200-C	NPDES	Stormwater: Construction activities – one acre or more	\$ 1,388 <u>1,429</u>	\$ 1,427 <u>1,469</u>
1200-C	NPDES	Stormwater: Construction activities – less than one acre and part of a common plan of development disturbing one or more acres	\$ 406 <u>418</u>	\$0
1200-CA	NPDES	Stormwater: Construction activities performed by public agencies – one acre or more	\$ 1,388 <u>1,429</u>	\$ 1,427 <u>1,469</u>
1200-Z	NPDES	Stormwater: Industrial	\$ 1,388 <u>1,429</u>	\$ 1,427 <u>1,469</u>
4000-MS4	NPDES	Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc.	\$ 1,388 <u>1,429</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	\$ 356 <u>366</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	\$ 356 <u>366</u>	\$ 810 <u>834</u>
Other General Permits				
DOM-F	WPCF	Septage alkaline stabilization facilities	\$ 1,532 <u>1,577</u>	\$ 627 <u>645</u>
All other permits not elsewhere classified.			\$ 790 <u>813</u>	\$ 810 <u>834</u>

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 202~~3~~²

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
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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, 2022

Population-based cost-per-person, except counties and other	Annual Fee
Cost-per-person	\$ 0.125 <u>0.128</u>
Counties, Phase I	\$ 11,254 <u>11,591</u>
Counties, Phase II (non-traditional MS4s, hospitals, public universities, etc.)	\$ 2,812 <u>2,896</u>
Oregon Department of Transportation MS4*	\$ 45,020 <u>46,370</u>

*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, 202~~3~~²

Type	Description	Application Fee	Annual Fee	Class of Injection	Surcharge	
					Application	Annual
Authorized By Rule ¹	Low Risk Stormwater Only	None	None	Low Risk	\$107	None
	Non-Stormwater Injection ²	None	None	Medium Risk	\$134	None
	All Other UIC's Draining Stormwater from Any Surface	None	None	Low Risk	\$107	None
				Medium Risk	\$134	None
				High Risk	\$321	\$107
1200-U General Permit ³	Stormwater Injection	\$ 790 <u>813</u>	\$ 810 <u>834</u>	Low Risk	\$ 140 <u>144</u>	None
				Medium Risk	\$ 177 <u>182</u>	None
				High Risk	\$ 425 <u>437</u>	\$ 140 <u>144</u>
1900-B General Permit	Injection During Geothermal Exploration	\$ 790 <u>813</u>	\$ 810 <u>834</u>			
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 <u>18,139</u>	\$ 3,727 <u>3,838</u>	\$ 2,921 <u>3,008</u>	\$ 1,532 <u>1,577</u>	

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



State of Oregon Department of Environmental Quality

OAR 340-071-0800

Fee Tables

Effective November 1, 202~~2~~3

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

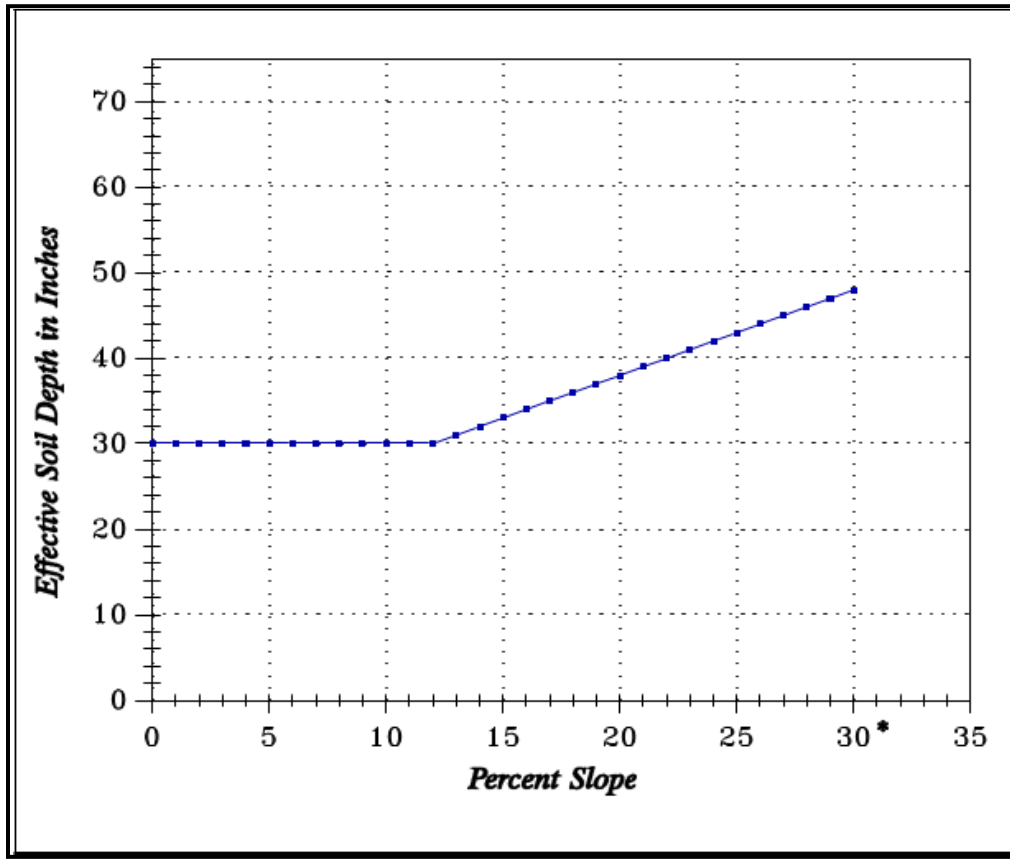
QUANTITIES OF SEWAGE FLOWS

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.

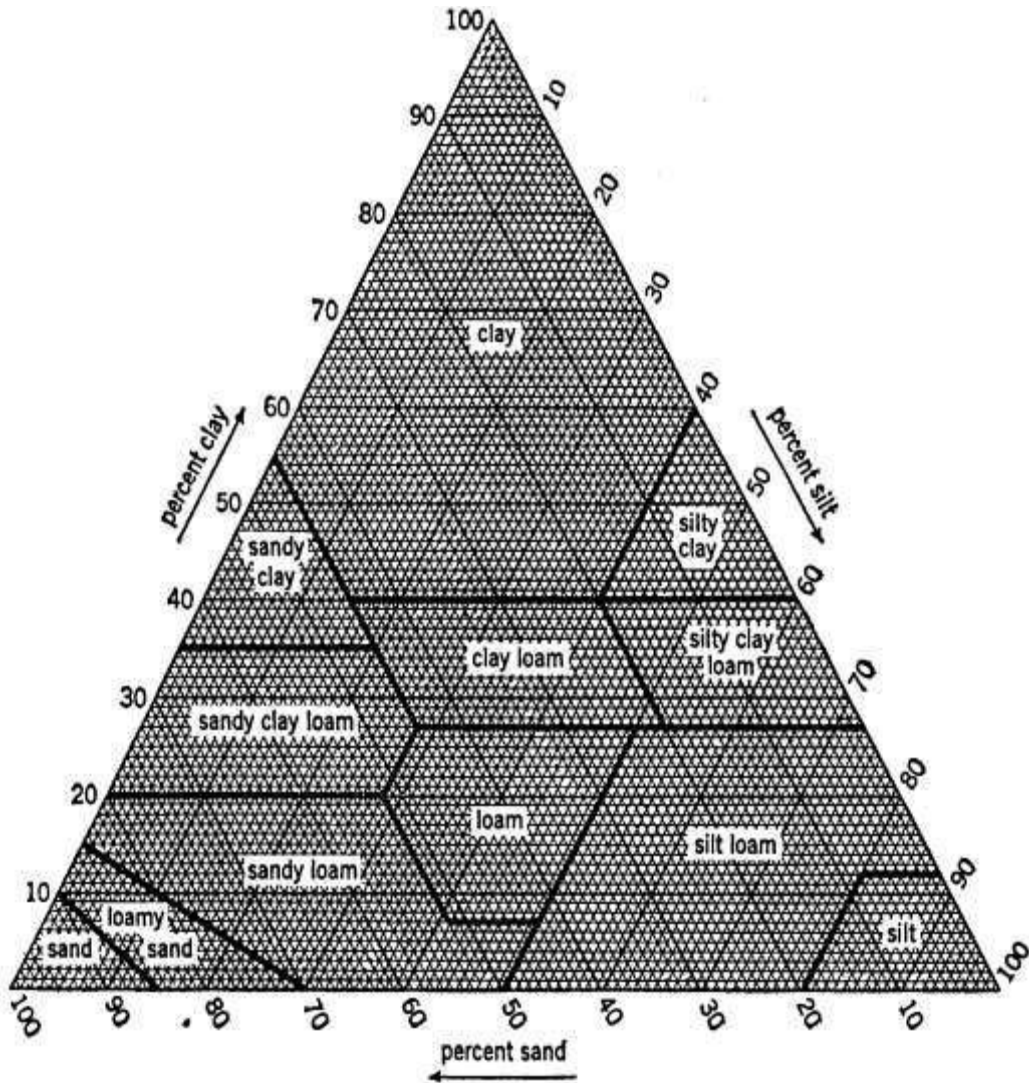
Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay.

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, 202~~2~~³

	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 <u>123</u>	\$967 <u>996</u>	\$4,832 <u>4,976</u>
Permit renewal (involving request for effluent limit modifications)	\$120 <u>123</u>	\$481 <u>495</u>	\$2,419 <u>2,491</u>
Permit renewal (without request for effluent limit modifications)	\$120 <u>123</u>	\$243 <u>250</u>	\$1,206 <u>1,242</u>
Permit modification (involving increase in effluent limitations)	\$120 <u>123</u>	\$481 <u>495</u>	\$2,419 <u>2,491</u>
Permit modification (not involving an increase in effluent limits)	\$120 <u>123</u>	\$361 <u>371</u>	\$1,206 <u>1,242</u>
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 <u>473</u>		
For commercial facilities with a design capacity of 1,001 - 1,500 gpd	\$542 <u>558</u>		
For commercial facilities with a design capacity of 1,501 - 2,000 gpd	\$624 <u>642</u>		
For commercial facilities with a design capacity of 2,001 - 2,500 gpd	\$703 <u>724</u>		
For commercial facilities with a design capacity of 2,501 - 3,000 gpd	\$826 <u>850</u>		
For commercial facilities with a design capacity of 3,001 - 3,500 gpd	\$906 <u>933</u>		

OAR 340-071-0140 TABLE 9D

WPCF PERMIT FEES

Effective November 1, 202~~2~~3

For commercial facilities with a design capacity of 3,501 - 4,000 gpd	\$ 985 <u>1,014</u>
Plan Review fee	
For commercial facilities with a design capacity of 4,001 - 4,500 gpd	\$ 1,065 <u>1,096</u>
For commercial facilities with a design capacity of 4,501 - 5,000 gpd	\$ 1,147 <u>1,181</u>
Commercial facilities with a design capacity greater than 5,000 gpd	\$ 1,206 <u>1,242</u>
Single family dwelling	\$ 243 <u>250</u>
Annual Compliance Determination fee	
Onsite sewage lagoon with no discharge	\$ 1,448 <u>1,491</u>
Treatment Standard 1 or better systems with design capacities less than 2,500 gpd	\$ 604 <u>622</u>
Treatment Standard 1 or better systems with design capacities of 2,500 - 20,000 gpd	\$ 1,206 <u>1,242</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	\$ 481 <u>495</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	\$ 52 <u>53</u>
Other systems with design capacities less than 20,000 gpd	\$ 604

OAR 340-071-0140 TABLE 9D WPCF PERMIT FEES Effective November 1, 202 2 <u>3</u>	
	<u>622</u>
Other systems with design capacities 20,000 gpd or more	\$ 1,206 <u>1,242</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



State of Oregon Department of Environmental Quality

OAR 340-045-0075

Fee Tables

Effective November 1, 2023

OAR 340-045-0075 Table 70A Industrial NPDES and WPCF Individual Permits: Application and Modification Fees Effective November 1, 2023			
Application fees for new industrial permits			
Tier 1 Industrial Facilities	\$ 90,139		
Tier 2 Industrial Facilities	\$ 18,139		
Special WPCF Permits (OAR 340-045-0061)	\$ 856		
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 Fees ¹			
	Major		Minor
	At Permit Renewal	Prior to Expiration	
Tier 1 Industrial Facilities	\$ 22,645	\$ 44,997	\$ 1,577
Tier 2 Industrial Facilities	\$ 5,757	\$ 8,991	\$ 1,577
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, 2023					
Type	Description	NPDES Tier 1	NPDES Tier 2	WPCF Tier 1	WPCF Tier 2
B01	Pulp, paper, or other fiber pulping industry	\$ 31,518	N	\$ 29,252	N
Food or beverage processing - includes produce, meat, poultry, seafood or dairy for human, pet, or livestock consumption:					
B02	Washing or packing only	N	\$ 4,380	N	\$ 4,032
B03	Processing – small. Flow $\leq$ 0.1 mgd, or 0.1 < flow < 1 mgd for less than 180 days per year	N	\$ 6,550	N	\$ 6,197
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	\$ 9,243	N	\$ 8,890
B05	Processing – large. Flow $\geq$ 1 mgd for 180 or more days per year	\$ 31,518	\$ 27,694	\$ 29,252	\$ 27,337
Primary Smelting or Refining:					
B06	Aluminum	\$ 31,518	\$ 27,694	\$ 29,252	\$ 27,337
B07	Non-ferrous metals utilizing sand chlorination separation facilities	\$ 31,518	\$ 27,694	\$ 29,252	\$ 27,337
B08	Ferrous and non-ferrous metals not elsewhere classified	\$ 18,023	\$ 14,197	\$ 15,757	\$ 13,848
B09	Chemical manufacturing with discharge of process wastewater	\$ 31,518	\$ 27,694	\$ 29,252	\$ 27,337
B10	Cooling water discharges in excess of 20,000 BTU per second	\$ 18,023	\$ 14,197	\$ 15,757	\$ 13,848
Mining Operations – includes aggregate or ore processing:					
B11	Large (over 500,000 cubic yards per year or involving chemical leaching)	\$ 31,518	\$ 27,694	\$ 29,252	\$ 27,337
B12	Medium (100,000 to 500,000 cubic yards per year)	N	\$ 9,696	N	\$ 9,343
B13	Small (less than 100,000 cubic yards per year)	N	\$ 2,950	N	\$ 2,598
All facilities not elsewhere classified which dispose of process wastewater (includes remediated groundwater):					
B14	Tier 1 sources	\$ 31,518	N	\$ 29,252	N
B15	Tier 2 sources	N	\$ 6,097	N	\$ 5,750

OAR 340-045-0075 Table 70B Industrial NPDES and WPCF Individual Permit Annual Fees Effective November 1, 2023					
Type	Description	NPDES Tier 1	NPDES Tier 2	WPCF Tier 1	WPCF Tier 2
B16	All facilities not elsewhere classified which dispose of non-process wastewaters (for example: small cooling water discharges, boiler blowdown, filter backwash)	N	\$ 4,081	N	\$ 3,730
B17	Fish hatcheries and other confined feeding operations on individual permits except permits the Oregon Department of Agriculture administers.	N	\$ 3,574	N	\$ 3,222
B18	All facilities which dispose of wastewater only by evaporation from watertight ponds or basins	N	N	N	\$ 2,367
Timber and Wood Products					
B19	Sawmills, log storage, instream log storage	\$ 8,839	\$ 5,014	\$ 6,573	\$ 4,659
B20	Hardboard, veneer, plywood, particle board, pressboard manufacturing, wood products	\$ 9,347	\$ 5,522	\$ 7,084	\$ 5,173
B21	Wood preserving	\$ 7,909	\$ 4,081	\$ 5,642	\$ 3,730

OAR 340-045-0075

Table 70C

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

Effective November 1, 2023

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	\$ 57,462	\$124,441		\$ 28,802	\$ 1,577
	A2	5 mgd $\leq$ Flow < 50 mgd	\$ 57,462	\$ 73,136		\$ 28,802	\$ 1,577
	A3	10 mgd $\leq$ Flow < 25 mgd	\$ 57,462	\$ 34,469		\$ 28,802	\$ 1,577
	Ba	5 mgd $\leq$ Flow < 10 mgd	\$ 57,462	\$ 22,095	\$ 20,649	\$ 28,802	\$ 1,577
	C1a	2 mgd $\leq$ Flow < 5 mgd	\$ 57,462	\$ 14,857	\$ 13,414	\$ 28,802	\$ 1,577
	C2a	1 mgd $\leq$ Flow < 2 mgd	\$ 57,642	\$ 10,083	\$ 8,638	\$ 28,802	\$ 1,577
	Da	Flow < 1 mgd	\$ 11,608	\$ 3,191	\$ 2,962	\$ 5,879	\$ 1,577

OAR 340-045-0075
Table 70C
Domestic NPDES and WPCF Individual
Permits: Application, Annual and
Modification Fees
Effective November 1, 2023

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	\$ 57,462	\$ 11,683		\$ 28,802	\$ 1,577
	C1b	2 mgd ≤ Flow < 5 mgd	\$ 57,462	\$ 8,123		\$ 28,802	\$ 1,577
	C2b	1 mgd ≤ Flow < 2 mgd	\$ 57,462	\$ 5,929		\$ 28,802	\$ 1,577
	Db	Flow < 1 mgd	\$ 11,608	\$ 2,250		\$ 5,879	\$ 1,577
Nondischarging Lagoons	E	No discharge flow	\$ 5,879		\$ 1,875	\$ 3,008	\$ 1,577
Alkaline-stabilization facilities	F		\$ 1,577		\$ 645		\$ 694
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	\$ 31,912	Please see Table 70H		\$ 2,770	\$ 1,577

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, 2023

Population range	Annual fee
500,000+	\$ 167,188
400,000 to 499,999	\$ 127,898
300,000 to 399,999	\$ 88,610
200,000 to 299,999	\$ 49,318
150,000 to 199,999	\$ 39,886
100,000 to 149,999	\$ 26,269
50,000 to 99,999	\$ 16,474
25,000 to 49,999	\$ 7,404
15,000 to 24,999	\$ 4,215
10,000 to 14,999	\$ 2,745
5,000 to 9,999	\$ 1,668
1,000 to 4,999	\$ 498
100 to 999	\$ 93
0 to 99	\$0

OAR 340-045-0075
Table 70E
Annual Pretreatment Fees
Effective November 1, 2023

Description	Fee
Pretreatment Fee	\$ 2,865
Significant Industrial User	\$ 955 per industry

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

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

Effective November 1, 2023

Activity	Fee
New or substantially modified sewage treatment facility	\$ 13,182
Minor facility or pump station modifications	\$ 1,432
Major system or pressure system expansion	\$ 1,004
Minor system expansion or modification	\$ 284
New or substantially modified septage alkaline stabilization facility	\$ 1,432
Site inspection and evaluation ²	\$ 2,244
Disposal system plan review ²	\$ 897
Environmental management plan review ³	\$ 897
Other Fees	
Annual temporary or permanent electronic reporting requirement waiver	\$ 1,092
Permit transfer, legal name change.	\$ 139

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, 2023

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
100-J	NPDES	Cooling water/heat pumps	\$ 366	\$ 834
200-J	NPDES	Filter backwash	\$ 366	\$ 834
300-J	NPDES	Fish hatcheries	\$ 585	\$ 834
400-J	NPDES	Log ponds	\$ 366	\$ 834

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 2023

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
500-J	NPDES	Boiler blowdown	\$ 366	\$ 834
900-J	NPDES	Seafood processing	\$ 366	\$ 834
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.	\$ 366	\$ 489
1400-B	WPCF	Wineries and small food processors not otherwise eligible for a 1400A general permit.	\$ 585	\$ 834
1500-A	NPDES	Petroleum hydrocarbon clean-up	\$ 585	\$ 834
1500-B	WPCF	Petroleum hydrocarbon clean-up	\$ 585	\$ 834
1700-A	NPDES	Vehicle and equipment wash water	\$ 813	\$ 834
1700-B	WPCF	Vehicle and equipment wash water	\$ 813	\$ 834
1900-J	NPDES	Non-contact geothermal heat exchange	\$ 813	\$ 834
2000-J	NPDES	Pesticide use irrigation districts	\$ 813	\$ 834
2300-A	NPDES	Pesticide general permit	\$ 813	\$ 834
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	\$ 55	\$ 44
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	\$ 599	\$ 55
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	\$ 813	\$ 834

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 2023

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
Stormwater General Permits²				
1200-A	NPDES	Stormwater: Sand, gravel, and other non-metallic mining	\$ 1,429	\$ 1,469
1200-C	NPDES	Stormwater: Construction activities – one acre or more	\$ 1,429	\$ 1,469
1200-C	NPDES	Stormwater: Construction activities – less than one acre and part of a common plan of development disturbing one or more acres	\$ 418	\$0
1200-CA	NPDES	Stormwater: Construction activities performed by public agencies – one acre or more	\$ 1,429	\$ 1,469
1200-Z	NPDES	Stormwater: Industrial	\$ 1,429	\$ 1,469
4000-MS4	NPDES	Municipal Separate Storm Sewer System (MS4): Conveyance system owned or operated by municipality, special district, hospital, port, school district, etc.	\$ 1,429	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	\$ 366	\$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	\$ 366	\$ 834
Other General Permits				
DOM-F	WPCF	Septage alkaline stabilization facilities	\$ 1,577	\$ 645
All other permits not elsewhere classified.			\$ 813	\$ 834

OAR 340-045-0075
Table 70G
General NPDES and WPCF Permits:
Application and Annual Fees
Effective November 1, 2023

Number	Type	Description	New Permit App. Fee ¹	Annual Fee
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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	\$ 0.128
Counties, Phase I	\$ 11,591
Counties, Phase II (non-traditional MS4s, hospitals, public universities, etc.)	\$ 2,896
Oregon Department of Transportation MS4*	\$ 46,370

*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, 2023

Type	Description	Application Fee	Annual Fee	Class of Injection	Surcharge	
					Application	Annual
Authorized By Rule ¹	Low Risk Stormwater Only	None	None	Low Risk	\$107	None
	Non-Stormwater Injection ²	None	None	Medium Risk	\$134	None
	All Other UIC's Draining Stormwater from Any Surface	None	None	Low Risk	\$107	None
				Medium Risk	\$134	None
				High Risk	\$321	\$107
1200-U General Permit ³	Stormwater Injection	\$ 813	\$ 834	Low Risk	\$ 144	None
				Medium Risk	\$ 182	None
				High Risk	\$ 437	\$ 144
1900-B General Permit	Injection During Geothermal Exploration	\$ 813	\$ 834			
Type	Description	Application Fee	Annual Fee	Individual WPCF Modifications		
				Major	Minor	
Individual WPCF Permit	As defined in 40 CFR parts 9, 144, 145 and 146	\$ 18,139	\$ 3,838	\$ 3,008	\$ 1,577	

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.



Effective November 1, 2023

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.

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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

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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

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TABLE 2

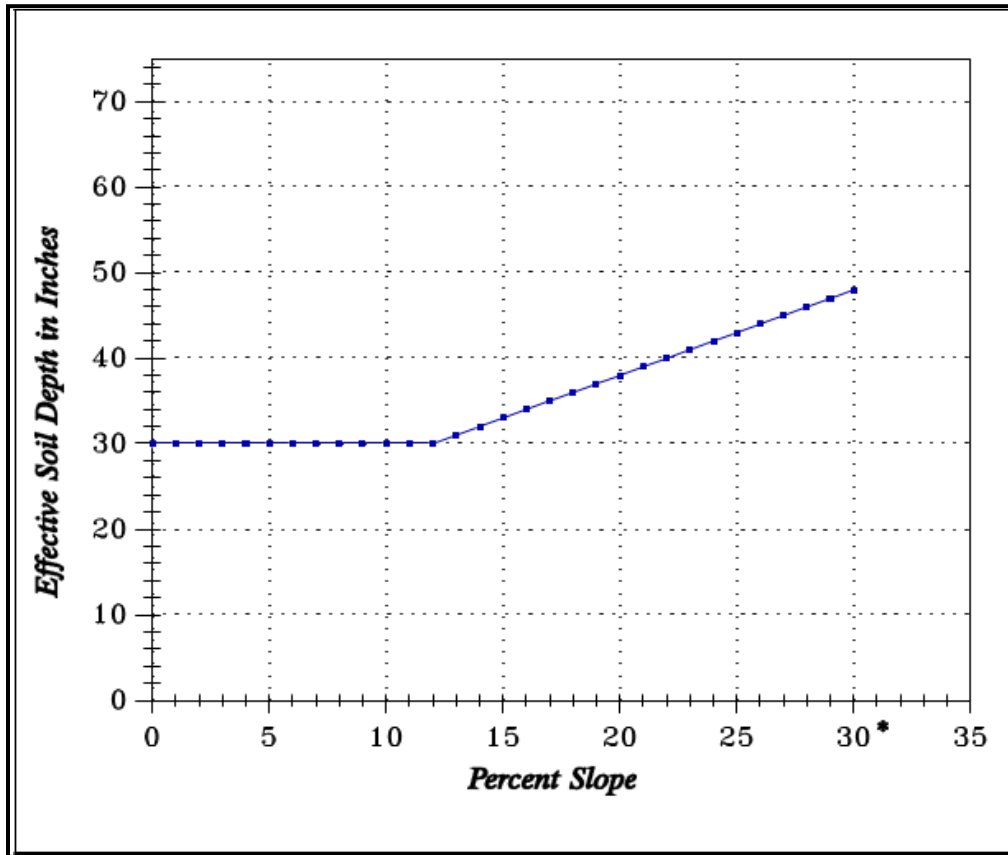
QUANTITIES OF SEWAGE FLOWS

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.			

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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.

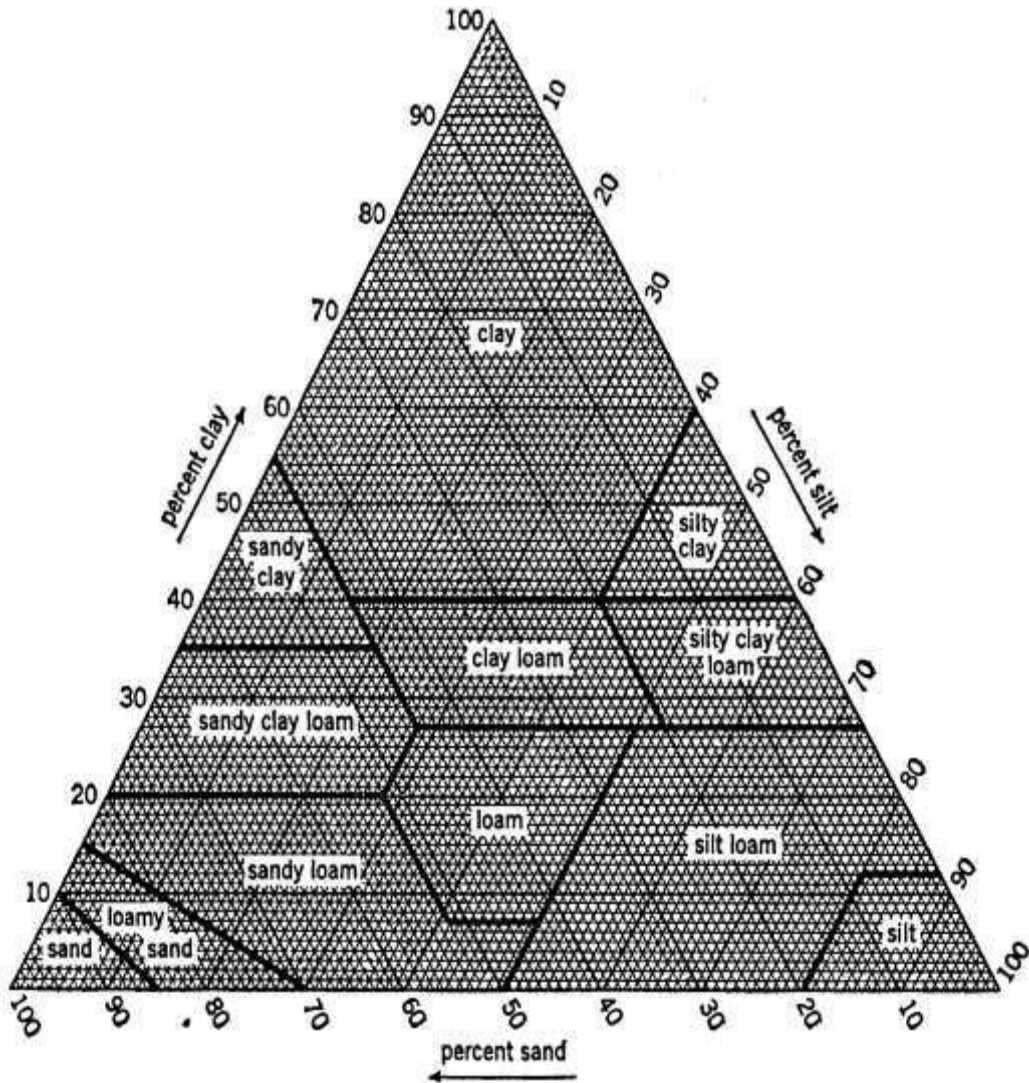
Soil Group C — Silty Clay Loam, Sandy Clay, Silty Clay, Clay.

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

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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

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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)

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		

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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, 2023

	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	\$ 123	\$ 996	\$ 4,976
Permit renewal (involving request for effluent limit modifications)	\$ 123	\$ 495	\$ 2,491
Permit renewal (without request for effluent limit modifications)	\$ 123	\$ 250	\$ 1,242
Permit modification (involving increase in effluent limitations)	\$ 123	\$ 495	\$ 2,491
Permit modification (not involving an increase in effluent limits)	\$ 123	\$ 371	\$1,242
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	\$ 473		
For commercial facilities with a design capacity of 1,001 - 1,500 gpd	\$ 558		
For commercial facilities with a design capacity of 1,501 - 2,000 gpd	\$ 642		
For commercial facilities with a design capacity of 2,001 - 2,500 gpd	\$ 724		
For commercial facilities with a design capacity of 2,501 - 3,000 gpd	\$ 850		
For commercial facilities with a design capacity of 3,001 - 3,500 gpd	\$ 933		
For commercial facilities with a design capacity of 3,501 - 4,000 gpd	\$ 1,014		

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

Effective November 1, 2023

Plan Review fee	
For commercial facilities with a design capacity of 4,001 - 4,500 gpd	\$ 1,096
For commercial facilities with a design capacity of 4,501 - 5,000 gpd	\$ 1,181
Commercial facilities with a design capacity greater than 5,000 gpd	\$ 1,242
Single family dwelling	\$ 250
Annual Compliance Determination fee	
Onsite sewage lagoon with no discharge	\$ 1,491
Treatment Standard 1 or better systems with design capacities less than 2,500 gpd	\$ 622
Treatment Standard 1 or better systems with design capacities of 2,500 - 20,000 gpd	\$ 1,242
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	\$ 495
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	\$ 53
Other systems with design capacities less than 20,000 gpd	\$ 622
Other systems with design capacities 20,000 gpd or more	\$ 1,242

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