



State of Oregon Department of Environmental Quality

2019 Hazardous Waste Fee Increases

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DEQ Hazardous Waste Program

The Oregon Department of Environmental Quality's Hazardous Waste Program promotes reducing and safely managing hazardous waste, issues permits to waste management facilities, inspects waste generators and used oil processors, and helps small businesses comply with regulations. Oregon has approximately 500 hazardous waste generators and two operating permitted treatment, storage and disposal sites.

The program includes four areas:

1. Technical assistance for hazardous waste generators to promote safe hazardous waste management practices and reduce toxic substances use.
2. Compliance monitoring inspections, complaint response, and regulations enforcement applicable to businesses producing hazardous waste.
3. Permitting and compliance oversight of hazardous waste treatment, storage, and disposal facilities.
4. Program administration, including policy development and implementation, data reporting management, and invoicing.

Fee Increases

The Hazardous Waste Program recently aligned its fees more closely with program needs and the Consumer Price Index. This effort is a multi-phase project to amend current hazardous waste fee funding over several years to secure sufficient funding by 2026. DEQ will seek statutory fee changes in 2021.

This factsheet summarizes the 2019 fee changes by rules effective July 19, 2019. The rulemaking revised the:

- Annual hazardous waste generators activity verification fees
- Annual hazardous waste generators management method fee factors
- Annual permitted treatment, storage and disposal facility compliance determination fees
- Treatment, storage and disposal permit modification fees

The 2019 rule changes also created a new hazardous waste disposal administrative fee.

Generator Fees

Businesses generating more than 220 pounds of hazardous waste per calendar month, generating 2.2 pounds of acutely hazardous waste per calendar month, or accumulating more than 2,200 pounds at any one time are subject to generator fees. Recent fee changes do not affect conditionally exempt generators generating less than the above amounts of hazardous waste. Visit our web link for hazardous waste generator fee information <https://www.oregon.gov/deq/FilterDocs/HWgenfees.pdf>.

Annual activity verification fee increases

A three-year phase-in will increase the Annual Hazardous Waste Activity Verification Fee as defined in OAR 340-102-0065(4). This is the first fee increase DEQ has implemented since 1997. The fee will increase by 80 percent from 1997 to 2021 to better align with the Consumer Price Index of 72 percent from 1997 to 2021. The increase will follow this schedule:

Hazardous Waste Generator Annual Activity Verification Fee				
Generator Type	Effective in Calendar Year			
	Current 2018	2019 (25%)**	2020 (20%)**	2021 & After (20%)**
Large Quantity Generators	\$525	\$656	\$788	\$945
Small Quantity Generators	\$300	\$375	\$450	\$540
Conditionally Exempt Generators	\$0	\$0	\$0	\$0
Annual Fee Revenue*	\$190,200	~\$237,750	~\$285,300	~\$342,360
Additional Annual Revenue	\$0	\$47,550	\$47,550	~ \$57,060
* Revenue based on 2017 hazardous waste generator invoicing of 196 LQGs and 291 SQGs.				
** Percent increase is over previous year.				

Management method fee factor changes

The fee applies to large and small quantity generators reporting hazardous waste generation and management during a calendar year. One portion of this calculation is the management method factors, which is in this rulemaking. The management method factors reflect Oregon's environmental hierarchy of preferred management methods. It offers financial incentives to reduce hazardous waste and manage any waste that's generated using an environmentally-preferred method.

A six-year, phased-in approach increases the management method fee factors as defined in OAR 340-102-0065(3)(c). The factors will increase by 70 percent overall by 2024 to better align with the Consumer Price Index of 94 percent from 1992 to 2021 using this schedule:

Management Method Factor Increase							
Effective in Calendar year	Recovery & Wastewater	Energy Recovery & Neutralization (off site)	Incineration & Treatment	Land Disposal	Unknown & Not Reported	Potential Revenue* by year	Potential Additional Annual Revenue
Current-2018	0.50	0.75	1.00	1.50	2.00	\$1,390,457	\$0
2019 (12%)+	0.56	0.84	1.12	1.68	2.24	\$1,557,457	~\$166,999
2020 (17%)+	0.66	0.98	1.31	1.97	2.62	\$1,822,224	~\$264,768
2021 (5%)+	0.69	1.03	1.38	2.06	2.75	\$1,913,336	~ \$91,111
2022 (8%)+	0.74	1.11	1.49	2.23	2.97	\$2,066,403	~\$153,067

Management Method Factor Increase							
Effective in Calendar year	Recovery & Wastewater	Energy Recovery & Neutralization (off site)	Incineration & Treatment	Land Disposal	Unknown & Not Reported	Potential Revenue* by year	Potential Additional Annual Revenue
2023 (7%)+	0.80	1.19	1.59	2.39	3.18	\$2,211,051	~\$144,648
2024 (7%)+ & After	0.85	1.28	1.70	2.55	3.40	\$2,365,824	~\$154,774
*Revenue based on 2017 hazardous waste generator invoicing. + Calculated by percent multiplied by current revenue and subsequently over previous year							

New management method factor

DEQ included a new management method fee factor for brownfield or orphaned industrial sites that has received grant funding for cleanup. These sites will be exempt from the management method fee factor part of the hazardous waste generation fees while under grant supported cleanup. DEQ identified two sites in the last six years that would meet this criteria. Each of those sites had ~\$30,000 in disposal costs.

New Management Method Factor	
Effective in Calendar year	Grant-funded environmental cleanup of a brownfield or orphaned industrial property involving waste residues for off-site treatment and/or landfill disposal
2019	0.00

Permitting Fees

Businesses permitted to operate treatment, storage and disposal facilities in Oregon are subject to permit fees that include an annual hazardous waste compliance determination fee. The 2019 fee increase amends the compliance determination fee, permit modification fee, and a new annual administrative fee.

Annual compliance determination fee

Permitted hazardous waste treatment, storage and disposal facilities with active operating hazardous waste units are subject to 40 C.F.R. §§ 264, 265, 270 and to the annual compliance determination fee in Oregon Administrative Rule 340-105-0113(3). The fee increases by 31 percent to better align with the Consumer Price Index of 72 percent from 1997 to 2021 using this schedule:

Permitted Treatment, Storage and Disposal Compliance Determination Fee			
Facility Activity Type	Current 2018	Effective in Calendar Year 2019	Potential Annual Revenue
Storage	\$18,750	\$24,500	\$49,000
Treatment: Single Technology	\$37,500	\$49,500	\$0

Permitted Treatment, Storage and Disposal Compliance Determination Fee			
Facility Activity Type	Current 2018	Effective in Calendar Year 2019	Potential Annual Revenue
Treatment: Multiple Technology	\$75,000	\$98,500	\$98,500
Disposal Facility: Single Disposal Unit	\$75,000	\$98,500	\$0
Disposal Facility: Multiple Disposal Units	\$150,000	\$196,500	\$196,500
Post-Closure Facility	\$18,750	\$24,500	\$0
Revenue Effect			
Annual Permit Fee Revenue*	\$262,500	--	~\$344,000
Additional Annual Revenue	--	--	~\$81,500
*Revenue based on 2018 TSD reporting data of 2 Storage, 1 Multi-Treatment, 1 Multi-Disposal			

Permit modification fee

DEQ assesses permittees a modification fee. This excludes modification related to corrective action as defined in OAR 340-105-0113(4). The fee increases by 59 percent to better align with the Consumer Price Index of 94 percent from 1992 to 2021, and streamlines the modification types to remove low and medium workloads using this schedule:

Permit Modification Fee			
Modification Type	Current 2018	Effective in Calendar Year 2019	Potential Variable Revenue*
Class 1 Low Workload	\$425	\$0	--
Class 1 Medium Workload	\$1,500	\$0	--
Class 1 High Workload	\$2,800	\$4,500	\$9,000
Class 2 Low Workload	\$5,000	\$0	--
Class 2 Medium Workload	\$10,000	\$0	--
Class 2 High Workload	\$20,000	\$31,800	\$31,800
Class 2 Processed as Class 3	\$31,000	\$0	--
Class 3 Low Workload	\$7,500	\$0	--
Class 3 Medium Workload	\$15,000	\$0	--
Class 3 High Workload	\$31,000	\$49,300	--

Permit Modification Fee			
Modification Type	Current 2018	Effective in Calendar Year 2019	Potential Variable Revenue*
Revenue Effect			
Revenue*	~\$7,350	- -	~\$40,800
Potential Additional Revenue	- -	- -	~\$33,450
*Revenue based on 20-year average of 2-Class 1 and 1-Class 2			

New operating hazardous waste disposal administrative fee

The 2019 fee increase introduces a new administrative fee of \$5.50 per metric ton of waste disposed of in a permitted Subtitle C hazardous waste land unit in Oregon. DEQ expects approximately 80 to 90 percent of the metric ton volume will be from out-of-state generators. The rulemaking adds this new fee using this schedule:

New Permitted Operating Disposal Administrative Fee		
Type	Current 2018	Effective in Calendar Year 2019
Permitted Operating Disposal Fee	\$0	\$5.50 per metric ton
Revenue Change		
Annual fee revenue*	\$0	- -
Potential additional revenue	- -	~\$495,000
*Revenue based on ~90,000 metric tons hazardous waste disposed in Oregon annually		

Regulated Entities

The 2019 hazardous waste fees affect approximately 500 sites producing hazardous waste and two businesses operating permitted treatment, storage and disposal facilities in Oregon. Fees ensure DEQ continues to implement the state's federally delegated hazardous waste management program while providing technical assistance to many more business.

More Information

Visit <https://www.oregon.gov/deq/Regulations/rulemaking/Pages/rhwfees2019.aspx> for more information on this rulemaking and adoption https://www.oregon.gov/deq/EQCdocs/07182019_C_HazWasteRules.pdf.

Alternative Formats

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.