

Report on State NPDES Fee Permitting Program Structures



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Association of Clean Water Administrators

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Cover Photo: Salmon River, Idaho, Marti Bridges, Idaho Department of Environmental Quality

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PURPOSE

ACWA is frequently asked about state National Pollution Discharge Elimination System (NPDES) permit fee structures around the country. Given such a high interest in the subject, ACWA developed a survey to collect data on each state's NPDES permitting fee requirements, structures, costs, regulations and statutes, and other basic information as part of a continuing effort to provide states with tools and data to use when discussing permitting frameworks.

As state officials began to provide ACWA with robust responses to the survey questions, ACWA determined that it would be valuable to use the survey data to create a compendium consisting of 1-2 page summaries of each state's responses. It is our hope that distribution of this report to the states will complement and encourage any interstate and intrastate dialogue on NPDES permitting policies and procedures.

Please note that these documents are for REFERENCE USE ONLY. This data is intended to serve as a starting point for discussion by providing a general overview of the size, scope, and structure of each state's NPDES permitting program. For specific, detailed, or additional information on a particular state's program, please contact the designated contact person provided on that state's entry in this report. The information in this report was current at the time each entity responded (between July 2013 and June 2014), and changes to state programs since then are not reflected.

ACWA takes full responsibility for any errors

or omissions. New information may be submitted to ACWA by contacting the association's Executive Director & General Counsel, Julia Anastasio at janastasio@acwa-us.org.

EXECUTIVE SUMMARY

ACWA's NPDES Permitting Program Fee Questionnaire was designed to identify the types of permitting fee programs that exist around the country, whether the permit fee structure is required or allowed by statute or rule, how often the fee structure is updated, what the basis for the fee program is, how many FTE's are covered, what program areas the permit fee revenues are applied to, where the permit fees ultimately end up, what percentage of CWA program revenue the permit fees cover, other sources of program revenue, quantity of individual and general permittees, whether there are permittees which might be exempt from fee payment, which permittees pay the largest fees, how often fees are paid, and whether there is a website that provides further information.



Chimney Point, Vermont, Pete LaFlamme, Vermont Department of Environmental Conservation

TRENDS & ANALYSIS

This section should be prefaced by noting that state representatives gave differing amounts of information and feedback when filling out our survey, as well as when they reviewed the initial draft 1-page summaries. A small number of states also did not respond back during the confirmation review process. Some states did not provide answers to particular questions, and as a result some of the brief trends we note may not include data of all 50 states. In addition to noting these national trends, ACWA encourages states to compare and contrast neighboring and regional NPDES programs to identify additional local trends.

Four out of the 50 states are currently not authorized to administer a NPDES program: Idaho, Massachusetts, New Hampshire, and New Mexico. In addition, two of the 46 remaining states do not have permit fees for their NPDES programs: North Dakota and Mississippi. Accordingly, these six states are not included in this report. It should be noted, however, that Idaho has been undertaking steps to analyze the feasibility of applying for and receiving delegation of NPDES authority primacy from the U.S. Environmental Protection Agency (see Idaho State Statute HB176, passed in 2005, directing Idaho to Evaluate Primacy and release a report concerning state NPDES management). Idaho is now proceeding into a negotiated rulemaking phase of this process.

When analyzing how states go about setting NPDES fees, a few trends become apparent. Seventeen states tie permit fees to the cost of administering or supporting the NPDES program. As for reviewing and updating fees, many states (18) simply review fees “as needed”, with a smaller group of states reviewing fees annually and even smaller groups reviewing fees

every two years or not reviewing them at all. A majority of states (approximately 65%) require statutory change or legislative approval to update fees, and approximately 20% require regulatory change as well.

The data show that most state route permit fee revenue back into environmental programs, although there are exceptions. Twenty-four states collect fees into the state environmental agency or state water program, while seven states are even more specific, collecting funds into dedicated permit fee trust funds. Alternatively, seven states collect permit fees into the State General Fund.

Although there is some diversity in the program elements which make up each state’s NPDES program, program elements almost always included Core NPDES, Stormwater, Pretreatment, CAFOs, Compliance Assistance, Inspection, and Enforcement. A smaller amount of states also (approximately 33%) included WQS development, TMDL Development, Biosolids, Targeted monitoring, and TMDL development in addition to the aforementioned program elements.

Finally, there is considerable diversity in fee schedule design across the 44 states which have permit fees, ranging from flat fees to complex formulae. Most states use classifications such as flow rate, type of facility (i.e. industrial or municipal, major or minor, etc.) and whether the permit is a general or individual permit to determine a pre-set permit fee amount. However, it is also common for states to consider additional factors such as (but not limited to) population size, toxic potential, pollutant loading, previous violations, and waste acreage. About 50% of states are required to pay permit fees annually, while the remaining states use a different frequency (most often paid one time only at application).

Alabama

Contact: dsmart@adem.state.al.us

Websites for NPDES Permit Fee Program: <http://www.adem.state.al.us/alEnviroRegLaws/files/Division1.pdf>
(See 335-1-6-.04 and Fee Schedule D)

Does Alabama have a state statute requiring fees for NPDES permits?

- Alabama has a state statute (22-22A-5(16) of the Alabama Water Pollution Control Act) requiring fees for NPDES programs. Specifically, it allows the state to adopt rules and regulations relating to charging and collecting fees sufficient to cover the reasonable anticipated costs to be incurred by the Dept. and directly related to the issuance, reissuance, modification, or denial of any permit, license, certification, or variance, such fees to include, but not be limited to the reasonable anticipated costs of examination and processing of applications, plans, specifications, or any other data and any necessary public hearings and investigations.
- The rules adopted by the Department to collect NPDES permitting fees may be viewed by accessing the link provided above.

Basic Information on the Alabama NPDES program

- Alabama's NPDES program costs approximately \$10.5M and supports approximately 110 FTEs.
- Alabama's NPDES program consists of the following program elements: Core NPDES, Stormwater, and information systems.

Alabama's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Alabama's NPDES permitting fees are collected by the state Water Division/Program.
- 60% of Alabama NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106, General Funds, and other generated funds.

Alabama's Permittee Universe

- Alabama has approximately 1650 individual permittees and 6000 general permittees, none of whom are exempt from the fees. Permittees within the Major Industrial category have the highest permit fees (\$14,990 – Base fee without any additive fees).
- Individual Permit Fees are based on the type and classification of the source and any addition additive fees for additional regulation reviews, water quality models, etc.

Setting and Modifying Permit Fees in Alabama

- When setting permit fees, Alabama considers the costs of Information Systems, Modeling for WLAs, public notices, public hearings, etc. Some of these fees are additive to the base permitting fee.
- Fees are updated as necessary and require a regulation change.

Fee Structure in Alabama

- Fees are determined based on size (i.e. major/minor/GP) and type of facility (industrial, municipal, etc.) with add on fees for water quality modeling, biomonitoring, greenfield fees, hearing etc.
- Permit fees are at application.
- Inflation Adjustments and COLA factors are not considered.

Alaska

Contact: Melanie.helmick-murphy@Alaska.gov

Websites for NPDES Permit Fee Program: <http://dec.alaska.gov/water/wwdp/index.htm>

Does Alaska have a state statute requiring fees for NPDES permits?

- Alaska has a state statute requiring fees for NPDES programs, which requires that total permit fees be based upon cost of processing, monitoring, and administering permits.
- The act may be viewed here: <http://dec.alaska.gov/water/npdes/pdfs/Legislation/SB110EFINAL.pdf>

Basic Information on the Alaska NPDES program

- Alaska's NPDES program costs \$5,618,500 per year, and is supported by 45 FTEs.
- Alaska's NPDES program consists of the following program elements: Stormwater, Compliance Assistance, Inspections, and Enforcement and information systems.

Alaska's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Alaska's NPDES permit fees go to the Water Division/Program.
- 20% of Alaska NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds.

Alaska's Permittee Universe

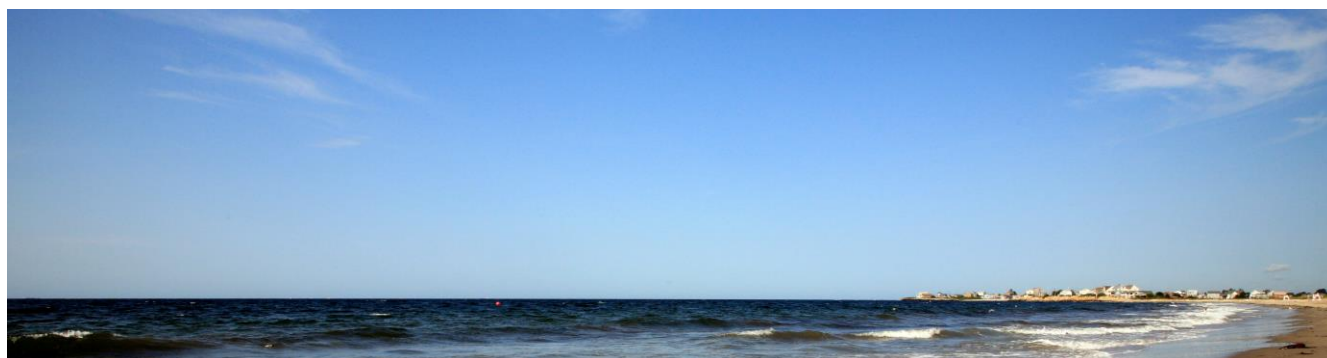
- Alaska has 59 individual permittees and 22 general permittees, none of whom are exempt from the fees.
- In Alaska NPDES Oil and Gas permittees pay the highest permit fee, \$3000.

Setting and Modifying Permit Fees in Alaska

- Alaska considers the costs of support activities in setting permit fees. Specifically, they consider the cost of Compliance Assistance, Inspections, and Enforcement. A fee review is performed every four years as required by statute, and any changes are implemented by changing the regulations.

Fee Structure in Alaska

- Alaska DEC determines permitting fees on source category, and whether permittee is asking for individual or general permits.
- There is no automatic inflation/COLA factor.
- Permit fees are paid both annually and at application.



South County, Rhode Island, Thomas Epstein, Nebraska Department of Environmental Quality

Arizona

Contact: dl2@azdeq.gov

Websites for NPDES Permit Fee Program: <http://www.azdeq.gov/environ/water/permits/fees.html>

Does Arizona have a state statute requiring fees for NPDES permits?

- Arizona has a state statute requiring fees for NPDES programs for processing, issuing and denying an application for a permit. The act may be viewed here: <http://www.azleg.gov/FormatDocument.asp?inDoc=/ars/49/00255-01.htm&Title=49&DocType=ARS> (see A.R.S. § 49-255.01(J))

Basic Information on the Arizona NPDES program

- Arizona's NPDES program costs \$3,283,783 per year, and is supported by 30 FTEs.
- Arizona's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, CAFOs, Compliance Assistance, Inspections, and Enforcement and information systems. These program elements are part of the "overall" surface water program, and used in permit development.

Arizona's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Arizona's NPDES permit fees go to the state Water Division/Program.
- 80% of Arizona NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106.

Arizona's Permittee Universe

- Arizona has approximately 160 individual permittees and 4180 general permittees.
- Some permittees are exempt from permit fees.
 - By statute, state agencies are exempt from paying any water quality permit fees.
 - About five individual permittees and about 12 general permittees are state agencies and therefore exempt from paying any water quality permit fees.
- In Arizona, NPDES permittees within the POTW category have the potential to pay the highest permit fee, a maximum of \$50,000.

Setting and Modifying Permit Fees in Arizona

- Arizona considers the costs of Compliance Assistance, Inspections, Enforcement, and information systems when setting permit fees.
- Fees are updated as needed, and requires legislative approval of changed regulations.

Fee Structure in Arizona

- Individual permit applicants pay a \$122 hourly rate up to a maximum fee (\$15,000-\$50,000); the maximum fee varies depending on the category (MS4, Industrial or Pretreatment). Maximum fee increases for POTW based on gpd. Individual permittees pay annual fee (\$250-\$10,000) that varies depending on category; POTW annual fee is based on gpd. General permittees pay initial flat fee & same amount for annual fee (\$250-\$2,500). General permit fees vary with size of disturbance, & complexity of general permit & anticipated number of permittees.
- Permit fees are paid both annually and at the time of initial application. There is no Automatic inflation/COLA factor in Arizona.

California

Contact: dceccarelli@waterboards.ca.gov

Websites for NPDES Permit Fee Program: <http://www.waterboards.ca.gov/resources/fees/>

Does California have a state statute requiring fees for NPDES permits?

- California has a state statute, Water Code Section 13260, requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits.
- The act may be viewed here: <http://law.onecle.com/california/water/13260.html>

Basic Information on the California NPDES program

- California's NPDES program cost \$31.7 million and were supported by approximately 106 FTEs.
- California's NPDES program consists of the following program elements: Core NPDES, Stormwater, Ambient Monitoring, Watershed Planning, TMDL Development, Compliance Assistance, Inspections, and Enforcement and information systems.

California's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- The collected permit fees are deposited into California's Waste Discharge Permit Fund.
- 100% of California NPDES permitting program costs are covered by permit fees.

California's Permittee Universe

- California has 910 individual permittees and 14,595 general permittees, none of whom are exempt from the fees.
- Major Industrial permittees pay the highest fee: \$500,897.

Setting and Modifying Permit Fees in California

- When setting permit fees, California considers the costs of Ambient Monitoring, Watershed Planning, TMDL Development, Compliance Assistance, Compliance Assistance, Enforcement, and Information Systems.
- The State Water Resources Control Board has emergency regulation authority to adopt fees. Annually, the State Water Resources Control Board is presented by staff a fee schedule which the Board votes on to adopt.

Fee Structure in California

- NPDES fee structure is based off of the permit's design flow, population, and or acreage.
- Permit fees are paid both annually and at application. Inflation and COLA factors are not considered.

Colorado

Contact: steve.gunderson@state.co.us

Websites for NPDES Permit Fee Program: <http://www.colorado.gov/cs/Satellite/CDPHE-WQ/CBON/1251596875134>

Does Colorado have a state statute requiring fees for NPDES permits?

- Colorado has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits.
- The act may be viewed here: <http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheadername1=Content-Disposition&blobheadername2=Content-Type&blobheadervalue1=inline%3B+filename%3D%22Colorado+Water+Quality+Control+Act.pdf%22&blobheadervalue2=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251877111255&ssbinary=true> (see section 25-8-502)

Basic Information on the Colorado NPDES program

- Colorado's NPDES program costs \$1.8M and the program is supported by 23 FTEs.
- Colorado's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, and Biosolids.

Colorado's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Colorado's permitting fees are collected into the state Water Division/Program.
- 80% of Colorado NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through General Funds.

Colorado's Permittee Universe

- Colorado has 483 individual permittees and 6598 general permittees. Pesticides is currently the only permit program that has no fee assessed, because it has no category for a fee in the statute and the Division is not able to reasonably apply an existing category
- POTW facilities have the highest permit fee category in Colorado, approximately \$25,100 for facilities with a flow rate greater than 100 MGD. However, it should be noted that this is the only facility in Colorado with such a flow rate.

Setting and Modifying Permit Fees in Colorado

- When setting permit fees, Colorado considers the costs of Permitting, Compliance Assistance, Compliance Assurance, and Information Systems.
- Fees are updated on rare occasions. There must be legislative and gubernatorial support, via approval of state legislature.

Fee Structure in Colorado

- Colorado's fees are all set in statute and are based on type and size of facility. Since they are set by statute, it has proven to be extremely difficult to make changes in both the categorization and size of fees.
- Permit fees are paid annually. There is no application fee and no fee for certain types of permitting services.
- The fees do not account for inflation or contain COLA factors.

Connecticut

Contact: oswald.inglese@ct.gov

Website for NPDES Permit Fee Program:

- <http://www.ct.gov/deep/lib/deep/regulations/22a/22a-430-6and7.pdf>
http://search.cga.state.ct.us/dtsearch_pub_statutes.html (see Title 22a, Chapter 439 Section 22a-6f)
- for general permit registration fees see:
http://www.ct.gov/deep/cwp/view.asp?a=2709&q=324218&deepNav_GID=1643

Does Connecticut have a state statute requiring fees for NPDES permits?

- Connecticut has a state statute requiring fees for NPDES programs, which requires that total permit fees be based upon cost of processing, monitoring, and administering permits. The act may be viewed by accessing the first of the two links provided above.

Basic Information on the Connecticut NPDES program

- Connecticut's NPDES program costs \$6,585,256.71 in 2013 and was supported by 51.2 FTEs.
- Connecticut's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, CAFOs, WQS Development, Ambient Monitoring, Compliance Assistance, Inspections, and Enforcement, Information Systems, and Municipal Facilities planning.

Connecticut's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Connecticut's NPDES permit fees go to the State General Fund.
- 60% of Connecticut NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds and the Connecticut Clean Water Fund.

Connecticut's Permittee Universe

- Connecticut has 330 individual permittees and 2571 general permittees, none of whom are exempt from the fees.
- In Connecticut NPDES permittees within the Major Industrial category pay the highest permit fees: an application review fee of \$14950 and an annual fee of \$8425.

Setting and Modifying Permit Fees in Connecticut

- Connecticut considers costs of Compliance, Inspection, Enforcement, and Information systems when setting NPDES permit fees.
- Fees are updated according to legislative/budgeting requirements.
- Changing permit fees in Connecticut requires Legislative approval.

Fee Structure in Connecticut

- Permit fees are structured according to source category and maximum flow rate.
- Permit fees are paid both annually and at application. There is no Automatic inflation/COLA factor in Connecticut.

Delaware

Contact: Bryan.Ashby@state.de.us

Website for NPDES Permit Fee Program:

<http://www.dnrec.delaware.gov/wr/Information/SWDInfo/Documents/Surface%20Water%20Permit%20Fees.pdf>, and <http://apps.dnrec.state.de.us/noi/#>

Does Delaware have a state statute requiring fees for NPDES permits?

- Delaware's HB 360, as amended by HA No.1; 68 Del. Laws c. 86 (1991 Fee Bill) sets fees for NPDES permits.

Basic Information on the Delaware NPDES program

- Delaware's NPDES program costs \$1,250,000 per year, and is supported by 14 FTEs.
- Delaware's NPDES program consists of the following program elements: Core NPDES, Stormwater, CAFOs, Targeted Monitoring, Compliance Assistance, Inspections, and Enforcement, Information Systems, Aquatic Pesticides, Sewer/WWTF Construction permits.

Delaware's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Delaware's NPDES permit fees go to the state Water Division/Program.
- 20% of Delaware NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106, General Funds, and the Chesapeake Bay Regulatory and Accountability Program Grant.

Delaware's Permittee Universe

- Delaware has 705 Individual Permits (46-Municipal/Industrial, 4-MS4, 21-Biosolids, 439-CAFO, 195-Sewer/WWTF Construction) and 3875 General Permits (3485-Construction General Permit, 360-Multi-Sector General Permits, 30-Aquatic Pesticide).
- Most current fees in Delaware were set in 1991 when some permittees were listed as having a \$0 fee, such as Major Municipal Individual permits (8 permits). Some new programs have been implemented since 1991, such as CAFO (439), MS4 (4), and Aquatic Pesticides (30), which do not fit into any of the current fee categories and were never assigned their own fee, effectively exempting them.
- In Delaware NPDES permittees within a particular Biosolids category pay the highest permit fee: \$12,000 for a Major permit to reuse Biosolids generated out of state.

Setting and Modifying Permit Fees in Delaware

- Most of Delaware's current fees were set in 1991 and do not take into consideration any specific program costs (i.e. Inspection, Enforcement, TMDL Development, etc.) relative to 2013 dollars.
- Changing permit fees in Delaware requires Legislative approval. The Department does fairly regular funding reviews to prepare fee proposals, but there has been no actual change to most fees since 1991.

Fee Structure in Delaware

- Delaware sets fees based on different permit types (major vs. minor). Otherwise fees do not vary to account for the volume of the facility, the complexity of the permitting, inflation or any other factors.
- Most permit fees are on an annual basis. Construction General Permit and Sewer/WWTF Construction fees are one-time due at application.
- There is no Automatic inflation/COLA factor in Delaware.

Florida

Contact: allen.hubbard@dep.state.fl.us

Website for NPDES Permit Fee Program: <http://www.dep.state.fl.us/water/stormwater/npdes/index.htm>

Does Florida have a state statute requiring fees for NPDES permits?

- Florida has a state statute requiring fees for NPDES programs, which does require that total permit fees be based upon cost of processing, monitoring, and administering permits.
- The act may be viewed here: <https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-4>

Basic Information on the Florida NPDES program

- Florida's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, CAFOs, Compliance Assistance, Inspections, and Enforcement.

Florida's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Florida's NPDES permit fees go to a designated Permit Fee Trust Fund.
- 80% of Florida NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds.

Florida's Permittee Universe

- Florida has approximately 730 individual permittees and 13,500 general permittees. In Florida, small counties may be exempt from paying fees under Section 218.075 of Florida Statutes F.S., by seeking a hardship waiver from certain permitting fees based on criteria in the statute. However, it should be noted that the statute is infrequently used.
- In Florida, MS4 permittees pay the highest fees. The Phase 1 MS4 annual fee for the county with the largest population in the state is \$56,000.

Setting and Modifying Permit Fees in Florida

- Florida used the EPA model available at the time of NPDES delegation to determine set permit fees.
- The criteria for updating permitting fees is provided in Section 403.087 F.S. Any change in fees must be made by changing regulations or legislations, or approval by State Legislature.

Fee Structure in Florida

- Permit fees in Florida are based on type of source, discharge flow, population served, and other factors related to the complexity of the permitted entity.
- Permit fees are paid both annually and at application. An inflation/COLA factor may be considered in setting the permit fees.

Georgia

Contact: jan.sammons@dnr.state.ga.us

Website for NPDES Permit Fee Program: <http://rules.sos.state.ga.us/docs/391/3/6/22.pdf>

Does Georgia have a state statute requiring fees for NPDES permits?

- Georgia has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits.

Basic Information on the Georgia NPDES program

- Georgia's NPDES program consists of the following program elements: Stormwater, Compliance Assistance, Inspections, and Enforcement.

Georgia usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Georgia's NPDES permit fees are collected into the State General Fund.

Georgia's Permittee Universe

- Georgia has no individual permittees and approximately 19,000 general permittees, none of whom are exempt from the fees. All permittees pay the same amount in fees, \$80 per disturbed Acre.

Setting and Modifying Permit Fees in Georgia

- In Georgia fees are reviewed for updating as needed, and fee schedules are modified by regulation change.

Fee Structure in Georgia

- The fee is \$80 per acre disturbed. If the project is regulated by a Local Issuing Authority, \$40 of the fee goes to that jurisdiction for the implementation of their local Erosion Control program.
- Permit fees are paid only at application. There is no Automatic inflation/COLA factor in Georgia.



Crater Lake, Oregon, Debra Sturdevant, Oregon Department of Environmental Quality

Hawaii

Contact: alec.wong@doh.hawaii.gov

Websites for NPDES Permit Fee Program: <https://health.hawaii.gov/cwb/>

Does Hawaii have a state statute requiring fees for NPDES permits?

- Hawaii has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits. The director may establish “reasonable fees” for the issuance of permits.

Basic Information on the Hawaii NPDES program

- Hawaii’s NPDES average annual filing fees total \$260,000.
- Hawaii’s NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, WQS Development, Ambient Monitoring, Targeted Monitoring, Watershed Planning, TMDL Development, CAFOs, Compliance Assistance, Inspections, and Enforcement and information systems.

Hawaii’s usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Hawaii’s permit fees are collected according to State statutes and regulations.
- None of Hawaii’s NPDES permitting program costs are covered by permit fees, the costs are funded through CWA §106 and through General Funds.

Hawaii’s Permittee Universe

- Hawaii has 62 individual permittees and 725 general permittees. Industrial facilities not exposed to stormwater are exempted from paying fees (about 30 permittees fall into this category).
- All permittees pay the same filing fee.

Setting and Modifying Permit Fees in Hawaii

- When setting permit fees, Hawaii does not consider the costs of particular program elements, only the cost to file the permit application.
- Fees are updated as needed, by changing regulations.

Fee Structure in Hawaii

- Hawaii's Fee structure requires payment of an Individual permit filing fee of \$1000 and NOI for a general permit coverage filing fee of \$500.
- Permit fees are at application, and there is no consideration of inflation or COLA factors.

Illinois

Contact: marcia.willhite@illinois.gov

Website for NPDES Permit Fee Program: <http://www.epa.state.il.us/fees/npdes.html>

Does Illinois have a state statute requiring fees for NPDES permits?

- Illinois has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits.

Basic Information on the Illinois NPDES program

- Illinois's NPDES program is integrated with the rest of the state water programs, so the cost of the NPDES program in Illinois cannot be separated out from the water programs as a whole which bring in a total annual revenue of approximately \$19,000,000 and is supported by approximately 200 FTEs.
- Illinois's NPDES program consists of the following program elements: Core NPDES, Stormwater, Biosolids, WQS development, CAFOs, Ambient Monitoring, Targeted Monitoring, Compliance Assistance, Inspections, and Enforcement, Information Systems, Administrative Support, Legal Support, and Lab Costs.

Illinois's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Illinois's NPDES permit fees go the state Water Division/Program.
- Any costs not funded through permitting fees are funded through CWA §106.

Illinois's Permittee Universe

- Illinois has 1577 individual permittees and 9757 general permittees. State agencies and individual homeowners are exempt from NPDES fees
- Largest Major POTWs and Major Industrials with toxics pay highest permit fees (approximately \$50,000).

Setting and Modifying Permit Fees in Illinois

- While some states consider costs of support activities (such as WQS Development, Ambient Monitoring, Enforcement, etc.) in setting permit fees, Illinois's permit fees were set by what the sponsors of the fee legislation thought should be paid by various dischargers. Fees were established in 2003 and have only been revised (through changing legislation) to minimize impact on certain municipal dischargers or administrative burden on the Agency.

Fee Structure in Illinois

- In general, different fees are based on source category and daily annual flow, and, for industry, whether toxics are discharged. For CAFOs, fees are also based on size of operation (categorized into large, medium, or small). Construction stormwater fees also exist, and are one-time fees.
- Permit fees are paid both annually and at application. There is no Automatic inflation/COLA factor in Illinois.

Indiana

Contact: ncoker@idem.in.gov

Website for NPDES Permit Fee Program: <http://www.in.gov/idem/4878.htm>

Does Indiana have a state statute requiring fees for NPDES permits?

- Indiana has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits.

Basic Information on the Indiana NPDES program

- Indiana's NPDES program costs \$6,071,202 per year, and is supported by 85.5 FTEs.
- Indiana's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, CAFOs, Compliance Assistance, Inspections, and Enforcement and information systems.

Indiana's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Indiana's NPDES permit fees are transferred into an Environmental Management Permit Operating Dedicated Fund.
- 80% of Indiana NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through General Funds.

Indiana's Permittee Universe

- Indiana has 1220 individual permittees and 330 general permittees, a few of which are exempted from paying permit fees.
 - Stormwater Facilities may receive a No Exposure Exemption (330 Facilities Exempt)
 - INM (Combined Permits, 3 exist)
 - Non-Contact Cooling Facilities receive a 20% discount of Flow Fees (93 Facilities receive this discount)
- In Indiana NPDES permittees within the Major Municipal categorization pay the highest permit fees, a base Fee of \$1,500, plus discharge flow fees.

Setting and Modifying Permit Fees in Indiana

- The existing fee schedule was first established by the State legislature in 1994 and has not been revised since that date. While some factors (enforcement, compliance assistance, inspections, etc.) may have been a consideration in setting those fees, it was so long ago that it is no longer relevant.
- The language in the statute places the authority for updating the fee structure with Indiana's legislature.

Fee Structure in Indiana

- For Industrial Facilities, there is an annual base fee plus an annual discharge flow fee per facility depending on flow rate in MGD. Coal mines pay an annual fee instead of individual permit fees. Municipal permits pay a base fee per facility, plus an annual discharge flow fee per facility depending on flow rate in MGD. Indiana also has an annual base fee and annual flow discharge fee per facility for State, Federal, and semipublic permits.
- Construction Stormwater permits pay an annual fee of \$100 dollars.
- Permit fees are paid annually, and there is no inflation/COLA factor.

Kansas

Contact: Mtate@kdheks.gov

Website for NPDES Permit Fee Program: <http://www.kdheks.gov/water/index.html>

Does Kansas have a state statute requiring fees for NPDES permits?

- Kansas has a state statute requiring fees for NPDES programs, and the statute requires that total permit fees be based upon cost of processing, monitoring, and administering permits.
- The act may be viewed here:
http://kslegislature.org/li_2012/b2011_12/statute/065_000_0000_chapter/065_001_0000_article/065_001_0066a_section/065_001_0066a_k/

Basic Information on the Kansas NPDES program

- Kansas's NPDES program costs approximately \$2,800,000 per year, and is supported by 36 FTEs.
- Kansas's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Ambient Monitoring, Targeted Monitoring, TMDL Development, Compliance Assistance, Inspections, Enforcement, and Information Systems. These program elements are part of the "overall" surface water program, and used in permit development.

Kansas's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Kansas's NPDES permit fees formerly went into the State General Fund. As of July 1, 2014, those fees will go to a newly created fee fund.
- 10% of Kansas NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 State General Funds, and through State Water Plan funds (generated via fees on water use).

Kansas's Permittee Universe

- Kansas has 800 individual permittees and 4000 general permittees (from 5 permits total), a few of which are exempted from paying permitting fees.
- The largest fees (approximately \$6300) paid are generally by the largest facilities, as the amount of the fee corresponds to the flow rate.

Setting and Modifying Permit Fees in Kansas

- Kansas does not look to the cost of particular program elements when setting or modifying fees. Since fees go to the State General Fund, there have been no real efforts to identify costs of program. This will likely change due to the creation of the new fee fund.

Fee Structure in Kansas

- Fees depend on the flow, source, and whether the permittee holds a general or individual permit.
- Fees are paid annually.
- There is no inflation/COLA factor.

Kentucky

Contact: jory.becker@ky.gov

Website for NPDES Permit Fee Program: <http://lrc.ky.gov/kar/401/005/310.htm>

Does Kentucky have a state statute requiring fees for NPDES permits?

- Kentucky has a state statute requiring fees for NPDES programs, and the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits.

Basic Information on the Kentucky NPDES program

- Kentucky's NPDES program costs \$3,600,000 per year, and is supported by 45 FTEs.
- Kentucky's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, and CAFOs.

Kentucky's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Kentucky's NPDES permit fees go to a designated state Water Division/Program.
- 30% of Kentucky NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds.

Kentucky's Permittee Universe

- Kentucky has 1600 individual permittees and 8500 general permittees, some of whom are exempt from the fees (no fees for publicly owned wastewater treatment plants).
- In Kentucky Major Industrial permittees within the Major Industrial categorization pay the highest permit fees, approximately \$7000.

Setting and Modifying Permit Fees in Kentucky

- When setting permit fees, Kentucky considers the costs of WQS development, Inspections, and Enforcement.
- Kentucky reviews fees as needed, and any fee adjustment requires changing the respective regulations. The last time fees were changed, the sole change was adjusting fees for cost of living.

Fee Structure in Kentucky

- Fees for industrial facilities are based on whether the facilities are considered Major Industry, Minor Industry, or Non-Process Industry. Fees for POTW are based on whether facilities are large, intermediate, or small non-publicly owned POTW. There are also fees for agricultural operations and surface mining operations. Categorization usually depends on qualitative factors as well as flow rate.
- Fees are paid at only once, at application.
- There is no inflation/COLA factor.

Louisiana

Contact: steph.braden@la.gov

Website for NPDES Permit Fee Program:

<http://www.deq.louisiana.gov/portal/Portals/0/financial/Web%20Water%20FAQ.pdf>

Does Louisiana have a state statute requiring fees for NPDES permits?

- Louisiana has a state statute requiring fees for NPDES programs (which they deemed the LPDES program – Local Pollutant Discharge Elimination System), and the statute does require that total permit fees be based upon cost of processing, monitoring, and administering permits. The statute may be viewed here: <http://www.deq.louisiana.gov/portal/tabid/1674/Default.aspx#ERC> (see Part IX, “Water Quality,” available as Word Document or PDF)

Basic Information on the Louisiana NPDES program

- Louisiana’s NPDES program costs \$10,000,000 per year, and is supported by 100 FTEs.
- Louisiana’s NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, CAFOs, WQS Development, Ambient Monitoring, Targeted Monitoring, Watershed Planning, TMDL Development, Compliance Assistance, Inspections, and Enforcement.

Louisiana’s usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Louisiana’s NPDES permit fees go to a designated State Environmental Trust Fund.
- 50% of Louisiana NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106, enforcement penalties, and supplemental grants.

Louisiana’s Permittee Universe

- Louisiana has 1394 individual permittees and 12,316 general permittees, none of whom are exempt from the fees.
- In Louisiana NPDES permittees within the Major Industrial category pay the highest permit fee, which is variable and ranges from \$345 to \$143,451.

Setting and Modifying Permit Fees in Louisiana

- When setting fees Louisiana takes into account the cost of ambient monitoring, Targeted Monitoring, TMDL development, Compliance Assistance, Inspections, and Enforcement. The fees are updated as needed, and only by changing the regulations, changing legislations, and receiving approval of the State Legislature.

Fee Structure in Louisiana

- There is an annual fee, as well as fees depending on industrial category, flow volume and type, whether a facility is designated as major or minor, whether the receiving water is used for municipal water supply, and which pollutants are contained in the discharge.
- Permit fees are paid both annually and at application.
- There is no Automatic inflation/COLA factor in Louisiana.

Maine

Contact: brian.w.kavanah@maine.gov

Website for NPDES Permit Fee Program: <http://www.maine.gov/dep/permits/>

Does Maine have a state statute requiring fees for NPDES permits?

- Maine has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits. However, the statute does require that the fees be used to support activities for water quality control operations, including licensing compliance evaluation, monitoring, data acquisition data management and administration (38 MRSA Sec. 352.2.F.).

Basic Information on the Maine NPDES program

- Maine's NPDES program costs \$2,900,000 per year, and is supported by 28.15 FTEs.
- Maine's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, CAFOs, Ambient Monitoring, Targeted Monitoring, TMDL development, Compliance Assistance, Inspections, and Enforcement and information systems.

Maine's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Maine's NPDES permit fees go to the Water Division/Program. 20% of Maine NPDES permitting program costs are covered by permit fees, remaining costs are funded through CWA §106 and the State General Fund.

Maine's Permittee Universe

- Maine has approximately 400 individual permittees and approximately 700 general permittees, none of whom are exempt from the fees.
- In Maine NPDES permittees within the Major Industrial category pay the highest permit fee, ranging from \$11,000 to \$77,000.

Setting and Modifying Permit Fees in Maine

- Maine considers costs of support activities (specifically Ambient Monitoring, Targeted Monitoring, TMDL development, Compliance Assistance, Inspections, Enforcement, and Information Systems) in setting permit fees.
- Maine updates permit fees as needed via legislation change.

Fee Structure in Maine

- In Maine, the initial fee structure developed in 1998 was based on various fee categories. Each category had a different base fee, plus an additional fee for amounts discharged per year and additional fees for number of outfalls and toxics. This system was simplified in 2011. Now the basis for the annual fee is the amount that was paid in 2011, or for some fee categories the average of the 2009-2011, adjusted by the annual Consumer Price Index (CPI) (38 MRSA Sec. 353-B.).
- Permit fees are paid annually.
- There is no automatic inflation/COLA factor in Maine, however, at the Department's discretion, the annual fee may be adjusted by the annual CPI.

Maryland

Contact: estone@mde.state.md.us

Website for NPDES Permit Fee Program:

<http://www.mde.state.md.us/programs/Water/StormwaterManagementProgram/SedimentandStormwaterHome/Pages/Programs/WaterPrograms/SedimentandStormwater/home/index.aspx> ,
<http://www.dsd.state.md.us/comar/getfile.aspx?file=26.08.04.09-1.htm>

Does Maryland have a state statute requiring fees for NPDES permits?

- Maryland has a state statute requiring fees for NPDES programs, and the statute does require that total permit fees be based upon cost of processing, monitoring, and administering permits

Basic Information on the Maryland NPDES program

- Maryland's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Compliance Assistance, Inspections, and Enforcement. These program elements are part of the "overall" surface water program, and used in permit development.

Maryland's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Maryland's NPDES permit fees go to the Environmental Agency Program.
- 10% of Maryland NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds and enforcement penalties.

Maryland's Permittee Universe

- Maryland has 1190 individual permittees and 11,500 general permittees, none of whom are exempt from the fees except for municipalities and counties.
- In Maryland NPDES permittees within the Major Industrial category pay the highest permit fee. Specifically, they Major Industrial permittees pay \$5000 per year.

Setting and Modifying Permit Fees in Maryland

- Maryland considers the costs of inspection and enforcement when setting permit fees. Permit fees are updated every two years by changing regulations.

Fee Structure in Maryland

- Maryland bases fees on discharge flow rates and facility category.
- Permit fees are paid both annually and at application.
- There is no Automatic inflation/COLA factor in Maryland.

Michigan

Contact: argiroffp@michigan.gov

Website for NPDES Permit Fee Program: http://www.michigan.gov/deq/0,4561,7-135-3313_3682_3713-90130--_00.html

Does Michigan have a state statute requiring fees for NPDES permits?

- Michigan has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits. The act may be viewed here: <http://legislature.mi.gov/doc.aspx?mcl-Act-451-of-1994>.

Basic Information on the Michigan NPDES program

- Michigan's NPDES program costs \$11,850,000 per year, and is supported by 90 FTEs.
- Michigan's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, CAFOs, Targeted Monitoring, Compliance Assistance, Inspections, and Enforcement and information systems. These program elements are part of the "overall" surface water program, and used in permit development.

Michigan's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Michigan's NPDES permit fees go to two designated funds for program use: NPDES (non stormwater), and Stormwater.
- 30% of Michigan NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds.

Michigan's Permittee Universe

- Michigan has 591 individual permittees and 4200 general permittees, none of whom are exempt from the fees.
- In Michigan NPDES permittees within the POTW category pay the highest permit fee. Specifically, WWTPs with greater than 500 MGD pay \$213,000 per year.

Setting and Modifying Permit Fees in Michigan

- While some states consider costs of support activities (such as WQS Development, Ambient Monitoring, Enforcement, etc.) in setting permit fees, Michigan's permit fees are set by statute. They are not designed to fund the entire NPDES program in Michigan. Accordingly, for changing permit fees in Michigan requires Legislative approval.

Fee Structure in Michigan

- Permit fees are paid both annually and at application. There is no Automatic inflation/COLA factor in Michigan.
- Stormwater permit fees include a one-time construction fee, an annual industrial fee, and MS4 fees which vary depending on population range.
- Non-Stormwater permit fees apply to municipal and industrial commercial structures. The fees include one-time application fees which vary depending on type of facility as well as annual fees depending on flow as well as the type of facility (i.e. municipal, industrial commercial, major, minor. Non-stormwater permits also require agricultural purpose fees.)

Minnesota

Contact: lyle.mueller@state.mn.us

Website for NPDES Permit Fee Program: <http://www.pca.state.mn.us/index.php/water/water-permits-and-rules/water-permits-and-forms/water-permit-application-forms.html>

Does Minnesota have a state statute requiring fees for NPDES permits?

- Minnesota has a state statute requiring fees for NPDES programs - total permit fees based upon cost of processing, monitoring, and administering permits.

Basic Information on the Minnesota NPDES program

- Minnesota's NPDES program costs \$20,980,000 per year, and is supported by 175 FTEs.
- Minnesota's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, CAFOs, WQS Development, Targeted Monitoring, Compliance Assistance, Inspections, and Enforcement and information systems.

Minnesota's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- All of Minnesota's NPDES permit fees are deposited into the Environmental Fund, a governmental special revenue fund.
- 30% of Minnesota NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds.
 - More specifically, a small portion of funds come from the state's General Fund; largest portion of the shortfall from the Environmental Fund; federal grant sources in addition to CWA §106 as noted above; small portion from a federally funded source dedicated to wastewater facilities; and a portion from a state Clean Water Fund, a relatively new fund generated by a percentage of sales tax receipts.

Minnesota's Permittee Universe

- Minnesota's individual permittee breakdown is as follows: 4 MS4 stormwater permittees, 685 Wastewater NPDES/SDS only permittees, 872 Wastewater NPDES/SDS and SDS permittees, and 45 feedlot permittees.
- Minnesota's General Permittee breakdown is as follows: 1,688 Construction Stormwater permittees in the past 12 months, 233 MS4 permittees, 1,510 Industrial permittees in the past 12 months, 539 Wastewater NPDES/SDS permittees, and 856 Wastewater NPDES/SDS and SDS permittees, 1,150 feedlot permittees.
- Some permitting fee exemptions exist: Industrial stormwater facilities that claim non-exposure do not receive a permit and therefore do not pay a fee.
- In Minnesota NPDES permittees within the POTW category pay the highest permit fee. POTW categorized as Major Municipal facilities with >50 MGD have an annual fee of \$175,500. The highest permit application fee is \$56,420, and includes EAW, non-degradation review, construction with expansion in design flow, etc.

Setting and Modifying Permit Fees in Minnesota

- Minnesota considers costs of support activities (specifically WQS Development, Targeted Monitoring, Enforcement, Compliance, Inspection, Enforcement, and Information Systems) in setting permit fees.

Minnesota (cont.)

Setting and Modifying Permit Fees in Minnesota

- Minnesota considers costs of support activities (specifically WQS Development, Targeted Monitoring, Enforcement, Compliance, Inspection, Enforcement, and Information Systems) in setting permit fees.
- Permit fees are updated every two years. Authorization to review adequacy of fees is set in rule, and the agency needs the approval of state legislature to implement changes to several of its water fees, notably feedlot and wastewater fees.

Fee Structure in Minnesota

- Agency uses a combination of annual fees and an application fee. Application fees, except stormwater application fees, are based on a point system. Points are assessed depending on a scale that reflects the complexity of the project and level of effort required by the agency to analyze, review and review the proposed project.
- Permit fees are paid both annually and at application. There is no Automatic inflation/COLA factor in Minnesota.
- For certain wastewater fees, the calculation of the cost of a point includes an inflationary clause.



Rogue River, Oregon, Robin Leferink, Oregon Department of Environmental Quality

Missouri

Contact: Jodi.Gerling@dnr.mo.gov

Website for Clean Water Fee Program: <http://dnr.mo.gov/env/wpp/cw-fees.htm>

Does Missouri have a state statute requiring fees for NPDES permits?

- Missouri has a state statute requiring clean water fees, but the statute does not require that total fees be based upon cost of processing, monitoring, and administering permits. Chapter 644 of the Missouri Revised Statutes related to Water Pollution may be viewed at: <http://www.moga.mo.gov/>.

Basic Information on the Missouri NPDES program

- Missouri's NPDES program costs approximately \$12,900,000 per year, and is supported by approximately 125 FTEs (based on FY11 Data).
- Missouri's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, CAFOs, WQS Development, Targeted Monitoring, Ambient Monitoring, Watershed Planning, TMDL Development, Compliance Assistance, Inspections, Enforcement, Permitting, and information systems. The program itself does not include State Revolving Fund or Non-Point Source costs.

Missouri's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Missouri's clean water fees go to its Water Protection Program and are used in support of the clean water program.
- 30% of Missouri NPDES permitting program costs are covered by clean water fees, and the remaining costs are funded through CWA §106, General Funds, and other fees as well as small federal grants.

Missouri's Permittee Universe

- Missouri has 2,662 individual permittees and 7,436 general permittees, none of whom are exempt from the fees.
- The Missouri NPDES permittees who pay the highest clean water fees are Industrial Stormwater CAFO Class 1A Industrial Process Flows Categorical $\geq 1,000,000$ gallons per day, who pay \$5,000.

Setting and Modifying Permit Fees in Missouri

- When setting clean water fees, Missouri attempts to consider all potential program costs.
- Fees are changed as needed within the statutory timeframes allowed. Changing fees in Missouri allows Legislative approval after the Department works with stakeholders to conduct a comprehensive review of the clean water fee structure and submits the proposed fee structure recommendations with stakeholder agreement to the Clean Water Commission. The commission, upon receiving the department's recommendations, reviews such recommendations at the forthcoming regular or special meeting. The Clean Water Commission shall not take a vote on the clean water fee structure recommendations until the following regular or special meeting. If the commission approves, by a vote of two-thirds majority or five of seven commissioners, the clean water fee structure recommendations, the commission promulgates by regulation and publishes the recommended clean water fee structure by October 1st of the same year and files an order of rulemaking with the joint committee on administrative rules by December 1st of the same year.

(continued on next page)

Missouri (cont.)

Setting and Modifying Permit Fees in Missouri (cont.)

- If the rules are not disapproved by the general assembly, the fee structure becomes effective on January 1 of the next odd-numbered year. If the general assembly disapproves of the promulgation of regulation, by concurrent resolution, the Clean Water Commission shall continue to use the fee structure established in the most recent preceding regulation promulgated. The statute expires August 28, 2023 and has to go before the legislature.

Fee Structure in Missouri

- Fees are based on flow, animal unit, categorical industry or non-categorical industry, waste type and acreage.
- Clean water fees are paid both annually and at application. There is no automatic inflation/COLA factor in Missouri.



Crater Lake, Oregon, David Cole, Oregon Department of Environmental Quality

Montana

Contact: fhaab@mt.gov

Website for NPDES Permit Fee Program: <http://www.deq.mt.gov/wqinfo/mpdes/default.mcp>

Does Montana have a state statute requiring fees for NPDES permits?

- Montana has a state statute requiring fees for NPDES programs, and the statute does require that total permit fees be based upon cost of processing, monitoring, and administering permits. The act may be viewed here <http://leg.mt.gov/bills/mca/75/5/75-5-516.htm>

Basic Information on the Montana NPDES program

- Montana's NPDES program costs \$2,866,210 per year, and is supported by 29 FTEs.
- Montana's NPDES program consists of the following program elements: Core NPDES, Stormwater, CAFOs, WQS Development, Ambient Monitoring, Compliance Assistance, Inspections, and Enforcement and information systems.

Montana's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Montana's NPDES permit fees go its Water Division/Program.
- The percentage of Montana NPDES permitting program costs covered by permit fees has not been determined.
- Any costs remaining after application of permit fees towards the program are funded through CWA §106 as well as General Funds.

Montana's Permittee Universe

- Montana has 167 individual permittees and 1171 general permittees, none of whom are exempt from the fees.
- In Montana NPDES permittees within the POTW category pay the highest permit fee, \$3,000 per outfall per average daily flow.

Setting and Modifying Permit Fees in Montana

- Montana considers costs of support activities (such as WQS Development, Ambient Monitoring, Targeted Monitoring, TMDL Development, Compliance, Enforcement, Inspections) in setting permit fees.
- Montana updates fees as needed, by changing regulations.

Fee Structure in Montana

- Permit fees are paid both annually and at application. There is no Automatic inflation/COLA factor in Montana.
- Storm water permit fees are based on acreage disturbed or regulated activity, POTW permit fees are based on outfalls per design average flow, and general permits are based on number of outfalls times the rate. If there are no violations during the calendar year, the permittees get a 25% discount on annual fees.

Nebraska

Contact: marty.link@nebraska.gov

Websites for NPDES Permit Fee Program:

<http://deq.ne.gov/Publica.nsf/780613fa1854e3b906256ab60068778a/0dc3f5cd029b090d86256896005cf75b?OpenDocument>

Does Nebraska have a state statute requiring fees for NPDES permits?

- Nebraska has a state statute requiring fees for NPDES livestock and some large livestock operations that are exempt from NPDES *only*. The responses summarized here will reflect the livestock NPDES fees/program with respect to Nebraska's entire NPDES program (WWTF, stormwater, etc.).
- Nebraska's statute does not base fees off of the cost of administering, monitoring, or processing specifically. State Statute 54-2428 reads "Beginning in fiscal year 2007-08, the department shall annually review and adjust the fee structure in this section and section 54-2423 to ensure that fees are adequate to meet twenty percent of the program costs from the previous fiscal year." Please note that "program costs" refer to the livestock program.

Basic Information on the Nebraska NPDES program

- Nebraska's NPDES cost \$379,799 and was supported by 13.7 FTEs. Fees are only used to fund part of the CAFO program.
- Nebraska's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, CAFOs, WQS Development, Ambient Monitoring, Targeted Monitoring, TMDL Development, Compliance Assistance, Inspections, and Enforcement and information systems.

Nebraska's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Nebraska's collected NPDES fees go to a State Cash Fund; Nebraska only collects fees on NPDES livestock.
- 10% of Nebraska NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 and General Funds.

Nebraska's Permittee Universe

- Nebraska has 737 individual permittees and 3714 general permittees. Most facilities do not pay fees; only Livestock operations pay fees (407 livestock operations with NPDES permits exist, compared to 4044 other NPDES facilities).
- The largest permit fees paid by livestock operations varies depending on animal type. Livestock operations are also assessed fees for initial inspections, late charges, permit applications, major modifications, and permit transfers.

Nebraska (cont.)

Setting and Modifying Permit Fees in Nebraska

- When setting permit fees, Nebraska does not consider particular program elements. (See State Statute 54-2428 above). Nebraska's program calculates the new fees annually based on costs of the previous year.

Fee Structure in Nebraska

- Nebraska fees are set to vary with species. Species Annual Fee (in 2013) (Per Head, or as Specified) is as follows:
 - Cattle/Veal Calves \$0.075, Dairy Cows \$0.113, Swine \geq 55 lbs. \$3.00/hundred*, Swine < 55 lbs. \$0.75/hundred*, Sheep/Lambs \$0.75/hundred*, Chickens – with liquid manure facility \$2.25/thousand*, Chickens – no liquid manure facility \$0.75/thousand*, Turkeys \$1.50/thousand*, Horses \$0.15.
- Permit fees are paid both annually and at application, as well as at renewal every five years.
 - Inflation Adjustments are considered, but have remained static since July 1, 2010.



Big Sandy Creek, Nebraska, Dave Bubb, Nebraska Department of Environmental Quality

Nevada

Contact: clawson@ndep.nv.gov

Websites for NPDES Permit Fee Program: <http://leg.state.nv.us/NAC/NAC-445A.html#NAC445ASec232>
<http://leg.state.nv.us/NAC/NAC-445A.html#NAC445ASec268>

Does Nevada have a state statute requiring fees for NPDES permits?

- Nevada has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits.

Basic Information on the Nevada NPDES program

- Nevada's NPDES fees totaled up to \$1,522,947 in SFY 2013 (complete fees totaled \$3,036,880), and is supported by 14.5 FTEs.
- Nevada's NPDES program consists of the following program elements: Core NPDES, Stormwater, CAFOs, Compliance Assistance, Inspections, and Enforcement and information systems.

Nevada's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- All of Nevada's Individual NPDES permitting program costs are covered by permit fees.
- While, the Nevada Division of Environmental Protection (NDEP) Bureau of Water Pollution Control (BWPC) Individual NPDES permitting program is funded with Fees a small portion of CWA §106 funds are used to cover its NPDES General Permit permitting program. With respect to general permits, approximately 30% of costs of Nevada's NPDES General Permit permitting program are funded through CWA §106, the remaining is funded through fees.
- NDEP is not delegated for the CWA Pretreatment or Biosolids Programs.

Nevada's Permittee Universe

- Currently, Nevada has 112 individual permittees and 2699 general permittees, none of whom are exempt from the fees.
- Individual Permit Fees are based on Source and Flow, so the permittee which pays the highest fee depends on several factors. The highest fee possible is a \$10,000 Application/Renewal Fee, with a \$51,052 Annual Fee.

Setting and Modifying Permit Fees in Nevada

- When setting permit fees, Nevada considers the costs of Compliance Assistance, Inspections, Enforcement, Indirect Costs, and Information Systems.
- Additionally, as Nevada considers FTE costs NDEP also indirectly takes into account what funding will be available to other programs (i.e.: The Bureau of Water Quality Planning's (BWQP) Non-Point Source Program, WQS Development, TMDL Development, Ambient Monitoring, Targeted Monitoring, and Watershed Planning).

Nevada (cont.)

Setting and Modifying Permit Fees in Nevada (cont.)

- Fees are updated as needed, by changing regulations and obtaining approvals from the State Legislature and of the Governor's office. In general, modifying a NDEP fee schedule requires: A regulation change request submitted through NDEP Administration; Draft language submittal to the Legislative Council Bureau for approval; Small Business Impact analysis; Public Workshops; Approval from the State Environmental Commission; and Final Approval from State Legislature committee.

Fee Structure in Nevada

- Nevada's Fee structure is based on two criteria: the source category, and on Daily Flows expressed in Million Gallons per Day (MGD). Fee rates can be found in Nevada Administrative Code (NAC) 445A.232 (<http://leg.state.nv.us/NAC/NAC-445A.html#NAC445ASec232>) and NAC 445A.268 (<http://leg.state.nv.us/NAC/NAC-445A.html#NAC445ASec268>).
- Permit fees are paid both annually and at application, as well as at renewal every five years.
- Inflation Adjustments were considered, but fees have remained static after July 1, 2010.



Narangasset Bay, Rhode Island, Thomas Epstein, Nebraska Department of Environmental Quality

New Jersey

Contact: Terry.Beym@dep.state.nj.us

Websites for NPDES Permit Fee Program: www.nj.gov/dep/dwq/njpdessfees.html

Does New Jersey have a state statute requiring fees for NPDES permits?

- New Jersey has a state statute requiring fees for NPDES programs, which requires that total permit fees be based upon cost of processing, monitoring, and administering permits.
- The regulations may be viewed here: <http://www.nj.gov/dep/dwq/714a.htm>

Basic Information on the New Jersey equivalent NPDES program

- New Jersey's NPDES program cost \$20,000,000, and is supported by 125.3 FTEs.
- New Jersey's NPDES program consists of the following program elements: Surface Water Discharges Municipal & Industrial, Ground Water Discharges Municipal & Industrial, Stormwater, Pretreatment, Significant Indirect User and Residuals or Biosolids and ,Information Management. New Jersey also has an enforcement component which handles inspections & enforcement as well as Monitoring and Standards, TMDL Development etc.

New Jersey's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- New Jersey's permitting fees are collected into the State General Fund.
- 100% of New Jersey NPDES permitting program costs are covered by permit fees.

New Jersey's Permittee Universe

- New Jersey has 1050 individual permittees and 7110 general permittees.
- Several exemptions exist to permit fee requirements: GW General Permit for Dental Amalgam Separator, Beneficial Reuse GP (fee incorporated into individual permit), and SQAR GP (fee incorporated into individual permit). Public Schools, charitable and religious organizations also receive exemptions.
- Permits for POTW facilities pay the highest fees in New Jersey.

Setting and Modifying Permit Fees in New Jersey

- When setting permit fees, New Jersey considers the costs of Permit Coordination, Application Review, Permitting, Permit Oversight/Case Management, Compliance & Enforcement, WQS Development, Ambient Monitoring, Watershed Planning, TMDL Development, Compliance Assistance, Legal fees, Operating costs, Fringe costs, Indirect costs, Education/Outreach, Research, Data Management, and Information Systems.
- Fees are updated annually, via annual fee report notice.

Fee Structure in New Jersey

- There are four separate fee formulas based upon minimum fee for category and environmental impact calculated based upon pollutant loading.
- Permit fees are paid annually.

New York

Contact: jxdimura@gw.dec.state.ny.us

Website for NPDES Permit Fee Program: <http://www.dec.ny.gov/permits/6054.html>

Does New York have a state statute requiring fees for NPDES permits?

- New York has a state statute requiring fees for NPDES programs, New York State Environmental Conservation Law 17-0821. The statute does not specifically require fees to consider program costs such as monitoring, processing and administration, but instead allows for “due recognition to the amount of federal assistance available” The act may be viewed here: http://law.onecle.com/new-york/environmental-conservation/ENV017-0821_17-0821.html

Basic Information on the New York NPDES program

- New York’s NPDES program costs \$5,232,272 per year, and is supported by 34.5 FTEs.
- New York’s NPDES program consists of the following program elements: Core NPDES, Stormwater, and CAFOs.

New York’s usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- New York’s NPDES permit fees go to a designated Environmental Regulatory Account.
- 30% of New York NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through various federal sources and a State General Fund.

New York’s Permittee Universe

- New York has 7468 individual permittees, 526 MS4 permittees, 1603 MSGP permittees, 551 CAFO permittees, 453 PGP permittees and 7840 Construction storm water permittees.
- The following exemptions to permit fees exist: MS4 permittees do not pay, CAFO permittees were reduced from \$100 to \$50 per year
- In New York NPDES permittees within the Pretreatment category pay the highest permit fee, \$50,000.

Setting and Modifying Permit Fees in New York

- New York considers the costs of WQS development, Ambient Monitoring, TMDL development, Compliance Assistance, Inspection, Enforcement, Information systems, and Environmental Impact when setting permit fees.
- New York updates their fees as needed via legislative approval.

Fee Structure in New York

- Fees for individual permits are based on major areas: Municipal, Industrial, PCI and Power Plants. Except for power plants (which all pay the same amount), fees are determined according to structured levels divided by design flow of facility.
- General Permits: PCI, MSGP, CAFO and Pesticide all have a set amount.
- Construction stormwater permits have a set fee, plus an initial authorization fee based on acreage of land disturbance.
- All permit fees are paid annually. There is no Automatic inflation/COLA factor in New York.

North Carolina

Contact: jeff.poupart@ncdenr.gov

Website for NPDES Permit Fee Program: http://portal.ncdenr.org/web/wq/swp/ps/npdes/feeschedule#Fee_Notes

Does North Carolina have a state statute requiring fees for NPDES permits?

- North Carolina has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits.
- The act may be viewed here:
http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_143/GS_143-215.1.html (note section (g))

Basic Information on the North Carolina NPDES program

- North Carolina's NPDES program is supported by 52 FTEs.
- North Carolina's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, WQS development, Ambient Monitoring, TMDL development, Inspections, and Enforcement.

North Carolina's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- North Carolina's NPDES permit fees go to a designated Water Division/Program.
- 40% of North Carolina NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds.

North Carolina's Permittee Universe

- North Carolina has 1181 individual permittees and 1746 general permittees.
- Reused water end users, Construction facilities, and Stormwater facilities are exempted.
- In North Carolina NPDES permittees within the Major category pay the highest permit fee, \$3440.

Setting and Modifying Permit Fees in North Carolina

- Fees in North Carolina were originally set in the 1990s and were modified in 2007, but did not adjust for inflation.
- Fees may be updated by changing legislation accordingly.

Fee Structure in North Carolina

- Fees are categorized by design, flow, and major/minor facility designation. CAFO permits are categorized by size. General permits and single family permits all pay the same amount.
- Permit fees are paid annually.
- There is no automatic inflation/COLA factor in North Carolina.

Ohio

State: **Ohio**

Contact: mark.stump@epa.ohio.gov

Website for NPDES Permit Fee Program:

- Copy of URL to Ohio Revised Code/Statutes - <http://codes.ohio.gov/orc/3745.11>
- Copy of URL to Ohio EPA Developed Fee Schedule Pamphlet - <http://epa.ohio.gov/portals/47/facts/feeschedule.pdf>

Does Ohio have a state statute requiring fees for NPDES permits?

- Ohio has a state statute requiring fees for NPDES programs, and the statute requires that total permit fees be based upon cost of processing, monitoring, and administering permits. When created in early 1990's the intent was to use the fees to fill the gap between federal 106 and state GRF funding. However, since that time the fees have not increased to address increased cost of program, inflation, etc., state GRF has decreased and federal funds have been reduced so, alternate fee issues and funding sources are utilized today.

Basic Information on the Ohio NPDES program

- Ohio's NPDES program costs \$10,200,000 in 2012, and was supported by 102 FTEs.
- Ohio's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, and CAFOs.

Ohio's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Ohio's NPDES permit fees go to the state Water Division/Program. Approximately 76% of the collected fees stay within the NPDES program and the remaining goes to the Division Lab to assist with programs support.
- 50% of Ohio NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106. Approximately \$5 million in NPDES fees were collected in 2012, and the remaining \$5.2 million is funded by CWA §106 and a state solid waste tipping fee (fee collected through municipal solid waste disposal program).

Ohio's Permittee Universe

- Ohio has approximately 3400 individual permittees and approximately 12,000 active general permittees (does not include construction storm water), none of whom are exempt from the fees.
- In Ohio NPDES permittees within the POTW category pay the highest permit fees: a NPDES Annual Discharge fee of \$62,100. However, it should be noted that there are multiple fees and a POTW may pay four or five fees in addition to this fee.

Setting and Modifying Permit Fees in Ohio

- When setting permit fees, Ohio considers the costs of Compliance Assistance, Inspections, Enforcement, and Information Systems.
- Ohio reviews fees every two years. However, no statutory changes have been approved to NPDES fees in 16 years. Fees are evaluated as part of our states biennium budget process.

Ohio (cont.)

Fee Structure in Ohio

- Permittees pay an application fee that ranges from \$200 to \$300 depending on type discharge and activity (individual NPDES, general NPDES, stormwater NPDES). There is also an issuance fee for Individual NPDES permits ranging from \$0 to \$750 per outfall in NPDES based upon permitted flow of that outfall. Annual Individual NPDES Discharge fees depend on flow and type source (POTW, Industrial, major/minor), ranging from \$0 to \$62,100. The annual Sludge Disposal Fee is based upon volume disposed and quality of product ranging from \$100 to \$20,000 (\$3.00-3.50 per ton). Lastly, the annual Municipal Storm Water (MS4) fee is \$100 per square mile permitted, up to a maximum of \$10,000.
- There is no inflation/COLA factor for the fees in Ohio.



Scenic River, North Dakota, Gerald Blank, ND Tourism

Oklahoma

Contact: mark.hildebrand@deq.ok.gov

Website for NPDES Permit Fee Program: <http://www.deq.state.ok.us/rules/606.pdf>

Specifically 252:606-3-4. Fees, and Appendices B, C,D, E, and F

Does Oklahoma have a state statute requiring fees for NPDES permits?

- Oklahoma has a state statute requiring fees for NPDES programs, and the statute requires that total permit fees be based upon cost of processing, monitoring, and administering permits.
- The statute (27A O.S. §2-6-203(A)(9)) may be viewed here:
<http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=79010>

Basic Information on the Oklahoma NPDES program

- Oklahoma's NPDES program costs \$7,000,000 per year, and is supported by 58 FTEs.
- Oklahoma's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, Targeted Monitoring, Watershed Planning, TMDL Development, Compliance Assistance, Inspections, and Enforcement and information systems.

Oklahoma's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Oklahoma's NPDES permit fees go to a designated Environmental Agency Program.
- 70% of Oklahoma NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds.

Oklahoma's Permittee Universe

- Oklahoma has 471 individual permittees and 3268 general permittees, none of whom are exempt from the fees.
- In Oklahoma NPDES permittees within the Major Industrial categorization pay the highest permit fees, approximately \$26,000.

Setting and Modifying Permit Fees in Oklahoma

- When setting permit fees, Oklahoma considers the costs of Targeted Monitoring, Watershed Planning, TMDL Development, Compliance Assistance, Compliance Assistance, and Information Systems.
- Fees are updated as needed, by changing regulations and obtaining approval of State Legislature and approval of Governor.

Fee Structure in Oklahoma

- Permit fees are based on complexity, Major/Minor classification, Flow, number of outfalls, pretreatment system, and toxic pollutant potential.
- Permit fees are paid both annually and at application. Inflation is considered in calculations using consumer price index.

Oregon

Contact: ades.dennis@deq.state.or.us

Website for NPDES Permit Fee Program: www.deq.state.or.us/wq/wqpermit/permits.htm

Does Oregon have a state statute requiring fees for NPDES permits?

- Oregon has a state statute requiring fees for NPDES programs, and the statute requires that total permit fees be based upon cost of processing, monitoring, and administering permits. The act may be viewed here: http://arcweb.sos.state.or.us/pages/rules/oars_300/oar_340/340_045.html

Basic Information on the Oregon NPDES program

- Oregon's NPDES program costs \$5,900,000 in 2013 (though the budget set for it was \$6.7M), and was supported by 44FTEs (54 were budgeted).
- Oregon's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, Compliance Assistance, Inspections, and Enforcement and information systems.

Oregon's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Oregon's NPDES permit fees go to the state Water Division/Program.
- 60% of Oregon NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds.

Oregon's Permittee Universe

- Oregon has 365 individual permittees and 4822 general permittees, none of whom are exempt from the fees.
- In Oregon NPDES permittees within the POTW categorization pay the highest permit fees (\$93,930).

Setting and Modifying Permit Fees in Oregon

- When setting permit fees, Oregon considers the costs of Compliance Assistance, Inspection, and Enforcement.
- Fees are updated annually, by changing regulations.

Fee Structure in Oregon

- Fees are based on source category, design average flow, amount of material processed (mining operations) or population size (domestic individual permits).
- Permit fees are paid both annually and at application. There is no inflation/COLA factor built in to the fees.

Pennsylvania

Contact: sefurjanic@pa.gov

Websites for NPDES Permit Fee Program: <http://www.pacode.com/secure/data/025/chapter92a/chap92atoc.html>

Does Pennsylvania have a state statute requiring fees for NPDES permits?

- Pennsylvania does not have a state statute requiring fees for NPDES programs, but does have a regulation (chapter 92a). Chapter 92a.26 addresses permit application fees and Chapter 92a.62 addresses annual fees for individual NPDES permits.

Basic Information on the Pennsylvania NPDES program

- Pennsylvania's NPDES program cost approximately \$4,000,000 are supported by 130 FTEs.
- Pennsylvania's NPDES program consists of the following program elements: Core NPDES, Stormwater, CAFOs, WQS Development, Ambient Monitoring, Targeted Monitoring, TMDL Development, Compliance Assistance, Inspections, and Enforcement and information systems.

Pennsylvania's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Pennsylvania's fees are collected in the state Clean Water Fund.
- 30% of Pennsylvania NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106, General Funds, and Enforcement Penalties.

Pennsylvania's Permittee Universe

- Pennsylvania has 4374 individual permittees and 6003 general permittees. General permit-covered facilities, small flow sewage treatment facilities, and agricultural/aquacultural facilities pay application fees only and are exempt from annual fees. Amtrak, Port Authorities, and state and federal agencies that contribute to the NPDES program are exempt from all fees.
- The facilities which pay the highest fees are Major Industrial facilities with a >250 MGD design flow, which cost \$50,000 for new permits and \$25,000 for renewals and annual fees.

Setting and Modifying Permit Fees in Pennsylvania

- Fees may be updated every three years by changing regulations.

Fee Structure in Pennsylvania

- Fees in Pennsylvania are based on categories: Major or minor IW (with or without ELG), Sewage, Stormwater Presence, absence of CSO, and Annual average design flow
- Permit fees are paid for new and renewal applications; annual fees are paid annually except the year the permit expires.
- Inflation and COLA factors are not considered.

Rhode Island

Contact: angelo.liberti@dem.ri.gov

Website for NPDES Permit Fee Program: <http://www.dem.ri.gov/pubs/regs/regs/water/feereg07.pdf>

Does Rhode Island have a state statute requiring fees for NPDES permits?

- Rhode Island has a state statute requiring fees for NPDES programs, which bases fees upon the cost for the processing of applications and performing of related activities in connection with the Department of Environmental Management's responsibilities as detailed in RI General Law § 42-17.1-2 (26), viewable here: <http://webserver.rilin.state.ri.us/Statutes/title42/42-17.1/42-17.1-2.HTM>
- The state statute may be viewed here: <http://www.dem.ri.gov/pubs/regs/regs/water/feereg07.pdf>

Basic Information on the Rhode Island NPDES program

- Rhode Island's NPDES program costs \$1,220,000 per year, and is supported by 10.5 FTEs.
- Rhode Island's NPDES program consists of the following program elements: Core NPDES, , Pretreatment, Compliance Assistance, and information systems.

Rhode Island's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Rhode Island's NPDES permit fees go an Agency-restricted Receipt Account.
- 10% of Rhode Island NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds and enforcement penalties.

Rhode Island's Permittee Universe

- Rhode Island has 82 individual permittees and 596 general permittees, none of whom are exempt from the fees. Rhode Island's application fee is only required for new applications, not re-applications.
- In Rhode Island NPDES permittees within the Major Industrial and Major POTW categories pay the highest fees. Both pay \$10,000 application fees and \$6,000 annual fees.

Setting and Modifying Permit Fees in Rhode Island

- Rhode Island takes into consideration several factors when setting permit fees: the cost of compliance assistance programs, information systems programs, and whether or not there was a request to address budget deficits or reductions. Changing permit fees requires updating and changing the actual regulations.

Fee Structure in Rhode Island

- Permit fees are paid both annually and at application. There is no Automatic inflation/COLA factor in Rhode Island.
- Fees vary based on type (major, minor, general) and the permitted flow.

South Carolina

Contact: littonit@dhec.sc.gov

Websites for NPDES Permit Fee Program: <http://www.scdhec.gov/environmental/water/regs/r61-30.pdf>

Does South Carolina have a state statute requiring fees for NPDES permits?

- South Carolina has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits.

Basic Information on the South Carolina NPDES program

- NPDES Activities and other water program activities are blended within the accounting system in a manner that does not allow NPDES to be broken out separately, so program cost estimates are not available.
- The program is supported by 35.58 FTEs.
- South Carolina's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, and Enforcement. South Carolina DHEC considers many other parts of its program integral to NPDES, which are not supported by the same FTEs: such integral activities include WQS Development, Monitoring, TMDL Development, Compliance, information Systems, and Modeling.

South Carolina's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- South Carolina's NPDES permitting fees are collected to fund the State's Water Program.
- NPDES activities and other Water Program Activities are blended within the accounting system in a manner that does not allow NPDES to be broken out separately, so the percentage of program costs paid for by permit fees, CWA §106 Grants, and General Funds cannot be ascertained.

South Carolina's Permittee Universe

- South Carolina has 470 individual permittees and 24,850 permittees operating under general permits.

Setting and Modifying Permit Fees in South Carolina

- South Carolina has not calculated NPDES fees in a manner that considers specific NPDES activities since inception of the fee regulation. Accurate records to reflect activities are not available.
- Fees are reviewed for updating as needed, and changed via altering regulations through legislative approval.

Fee Structure in South Carolina

- Discharges are generally based on flow tiers and stormwater is generally based on impacted area. Individual discharge permits with multiple discharge pipes and high flows require the highest permit fees. Five discharge pipes with flow up to 5 mgd would have a fee of \$2660. See fee regulation for details of flow rate cut offs, impacted area categories, etc.: <http://www.scdhec.gov/environmental/water/regs/r61-30.pdf>
- Permit fees are paid both annually and at application
- Inflation is not considered, and COLA factors are not included.

South Dakota

Contact: albert.spangler@state.sd.us

Website for NPDES Permit Fee Program:

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=StatuteChapter&Statute=34A-2>

Does South Dakota have a state statute requiring fees for NPDES permits?

- South Dakota has a state statute requiring fees for NPDES programs. The statute requires that fees be used to offset program costs. It specifically reads that “a reasonable fee upon these systems shall be imposed, as provided in §§ 34A-2-117 to 34A-2-120, inclusive, in order to defray the department's costs of administering this program.”

Basic Information on the South Dakota NPDES program

- South Dakota’s NPDES program costs \$824,740 per year, and is supported by 9.69 FTEs.
- South Dakota’s NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, Compliance Assistance, Inspections, and Enforcement and information systems. These program elements are part of the "overall" surface water program, and used in permit development.

South Dakota’s usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- South Dakota’s NPDES permit fees go into an "Other Fund" Fund set up specifically for NPDES Fees.
- 70% of South Dakota NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106.

South Dakota’s Permittee Universe

- South Dakota has 383 individual permittees and 3000 general permittees.
- Stormwater permittees are exempt (totaling approximately 2,800 permittees)
- In South Dakota NPDES permittees within the POTW category pay the highest permit fee, up to \$100,000 for one facility. However, this is due to South Dakota not having industries with significant flow rates. If such industrial facilities were present, they would pay comparable fees.

Setting and Modifying Permit Fees in South Dakota

- In South Dakota, permit fees have never been reviewed for updating, but the mechanism for such a change would have to be through changing legislation.

Fee Structure in South Dakota

- POTW fees are based on population served. Industrial fees are based on flow and types of wastewater generated.
- Permit fees are paid both annually. There is no Automatic inflation/COLA factor in South Dakota.

Utah

Contact: wbaker@utah.gov

Websites for NPDES Permit Fee Program:

http://www.deq.utah.gov/Financial_Assistance/docs/2014/3Mar/DEQFEEDOC15.pdf (pages 8 through 10)

Does Utah have a state statute requiring fees for NPDES permits?

- Utah does not have a state statute requiring fees for NPDES programs, but the statute does provide discretion to require such fees so long as they be “reasonable, fair, and reflect the cost of services provided.”
- The act may be viewed here: <http://www.rules.utah.gov/publicat/code/r317/r317-008.htm#T1>

Basic Information on the Utah NPDES program

- Utah’s cost to implement the NPDES program is \$2,170,800 (FY2014 \$) including staff, travel, indirect costs, current expense but not lab and legal costs. This budget supports 18 FTEs. These FTEs are allocated to the following functions:
 - ✓ Stormwater – MS4 Program (1); Construction SW (2);
 - ✓ ICIS – (2)
 - ✓ Pretreatment – (1)
 - ✓ Pesticide – (0.25)
 - ✓ Bio-solids (0.25)
 - ✓ CAFO – (1)
 - ✓ Permitting – (13.5 – including management and administrative support)

Utah’s usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Utah’s collected permitting fees go to the State Water Division/Program. Specifically, the fees are remitted to the Division of Water Quality and placed in a restricted, non-lapsing account.
- 20% of Utah NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 and General Funds.
 - Federal funds: \$436,100 (20.1%)
 - Fees: \$468,800 (21.6%)
 - General funds: \$1,265,900 (58.3%)
 - Total \$2,170,800 (100%)

Utah’s Permittee Universe

- Utah has 169 individual permits and 3,005 general permits.
- Until this year pesticide permit fees were annually waived by the legislature, preferring instead to cover the annual \$65,000 cost through a state appropriation. This year no state appropriation was provided so the cost will be borne entirely by permit fees.
- POTW facilities pay the highest permit fees in Utah, up to \$8,000/year for the largest facilities and down to \$500/year for the smallest facilities

Utah (cont.)

Setting and Modifying Permit Fees in Utah

- When setting permit fees, Utah considers the costs of Compliance Assistance, Compliance Assistance, and Information Systems. Utah collected only 20% of the cost of administering our NPDES program through fees, and the costs associated with standards, TMDLs, monitoring and legal costs are not included in the cost figures noted above.
- Utah's fee system goes before a state budget committee annually for review. The recommendations of each department's budget committee is then rolled up into the State Appropriations Committee which ultimately makes the fees part of the overall state budget. The fee system is made part of the legislation that ultimately is the vehicle for getting our budget approved. Additionally, the fee system undergoes public comment 5 months before the legislative session begins.

Fee Structure in Utah

- Fees are defined by the particular source category. The "major" or "minor" element of the category also affect the amount of the fee. For POTWs discharge permit fees, the amount of the fee is dictated by the amount of discharge. Utah established 4 categories of POTWs: large (>10 mgd), medium (between 3 and 10 mgd), small (between 1 and 3 mgd), and very small (<1 mgd)
- The amounts of the MS4 permit fee are based on population.
- Pesticide permit fees are based on the size of the applicator -- small, medium or large
- Biosolids fees are based on the size of the municipal operation -- small, medium or large
- Permit fees are paid both annually and at application, and do not consider inflation or COLA factors.



Wild Goose Island, Montana, Eric Regensburger, Montana Department of Environmental Quality

Vermont

Contact: amber.vanzuilen@state.vt.us

Website for NPDES Permit Fee Program: Stormwater:

http://www.watershedmanagement.vt.gov/stormwater/htm/sw_permits.htm , Wastewater:

<http://www.watershedmanagement.vt.gov/ww/docs/permits/WastewaterPermitFees2012.pdf>

Does Vermont have a state statute requiring fees for NPDES permits?

- Vermont has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits. The term “permit fees” includes administrative processing fees, application review fees, and annual operating fees). The act is 10 V.S.A. §§1258, 1264 and 1264a, both of which may be viewed here:
<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=10&Chapter=047&Section=01264>

Basic Information on the Vermont NPDES program

- Vermont’s NPDES program costs \$2,000,000 per year, and is supported by 17 FTEs (6.5 FTE to wastewater discharge permits and associated O&M; the remainder to stormwater and CAFO).
- Vermont’s NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, CAFOs, Compliance Assistance, Inspections, and Enforcement and Direct Discharge.

Vermont’s usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Vermont’s NPDES permit fees go to the Vermont Department of Environmental Conservation Permit Fund
- 50% of Vermont NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through General Funds and the Federal Performance Partnership Grant (PPG).

Vermont’s Permittee Universe

- Vermont has 426 individual permittees and 1452 general permittees.
- Some permittees are exempt from fees: Notice of Intent for Waste Water General Permits have no operating fees (15-20 exemptions per year); there are no application fees for NPDES Stormwater projects under the Capital Project; and State Transportation or Buildings and General Services projects are also exempt (about 6 per year). Public schools are exempt from annual operating fees.
- In Vermont, Major Industrial Permittees pay the highest permit fees. The highest was \$210,000 from Vermont Yankee – funds that will not be received following closure of the facility in 2014.

Setting and Modifying Permit Fees in Vermont

- Vermont’s permit fees take into account only the cost of running the program, and do not consider support activities. Permit fees may be updated every three years following approval by the State Legislature.

Fee Structure in Vermont

- Wastewater permit administrative processing fees are flat rate, application review fees are based on design flow with a minimum and maximum fee, annual operating fees for industrial and pre-treatment permittees are based on design flows, and on actual annual flow for municipal WWTF discharges, with a minimum and maximum fee. Stormwater permit fees vary based on permit program (general vs. individual) and size of the project.
- Permit fees are paid both annually and at application. There is no Automatic inflation/COLA factor in Vermont.

Virginia

Contact: burton.tuxford@deq.virginia.gov

Website for NPDES Permit Fee Program:

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx>

Does Virginia have a state statute requiring fees for NPDES permits?

- Virginia has a state statute requiring fees for NPDES programs, and the statute does require that total permit fees be based upon cost of processing, monitoring, and administering permits. The statute may be viewed here: <http://lis.virginia.gov/000/reg/TOC09025.HTM.HTM#C0020>

Basic Information on the Virginia NPDES program

- Virginia's NPDES program costs approximately \$ 9.7 million (does not include indirect (common) costs like IT, rent and administration) and is supported by 110-120 FTEs.
- Virginia's NPDES program consists of the following program elements: Core NPDES, Stormwater, and Pretreatment.

Virginia's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Virginia's NPDES permit fees go to the Water Division/Program.
- 40% of Virginia NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds.

Virginia's Permittee Universe

- Virginia has 992 individual permittees and 4742 general permittees.
- Construction SW GPs number ~10,200; MS4 permits number ~110.
- Some NPDES permittees in Virginia are exempt from permit fees (*see footnote on next page*).
- In Virginia NPDES permittees within the Major Industrial category pay the highest permit fee. \$24,000.

Setting and Modifying Permit Fees in Virginia

- Permit fees are updated as needed, by changing legislation.

Fee Structure in Virginia

- Permit fees are paid both annually and at application, and there is an annual Automatic inflation/COLA (only the annual fees are adjusted each year for inflation/COLA).
- Fees depend on the type of facility (major or minor industrial, major or minor municipal) and the flow in gallons per day. Specific details on what flow rates lead to which permit fees can be seen here: <http://lis.virginia.gov/cgi-bin/legp604.exe?000+cod+62.1-44.15C6>. There are also annual maintenance fees associated with individual permits.

Virginia (cont.)

Fee Structure in Virginia (cont.)

- For General permits, the application fee is \$600, and there is no annual fee. Exception: Industrial SW is \$500; Domestic Sewage Discharges are \$0; Petroleum Contaminated Sites are \$0.
 - Construction SW and MS4 SW have a different fee schedule since those program were recently transferred from the Department of Conservation and Recreation back to DEQ, and they both also have annual fees that must be paid. For more information on these new fee regulations, see Sections 800 through 830 here: <http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+TOC09025.HTM#C0870>
 - For General permits, the application fee is \$600, and there is no annual fee. Exception: Industrial SW is \$500; Domestic Sewage Discharges are \$0; Petroleum Contaminated Sites are \$0.
 - Construction SW and MS4 SW have a different fee schedule since those program were recently transferred from the Department of Conservation and Recreation back to DEQ, and they both also have annual fees that must be paid. For more information on these new fee regulations, see Sections 800 through 830 here: <http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+TOC09025.HTM#C0870>
- (1) VPDES permits for farming operations engaged in production for market are exempt from fees by statute. 13 permittees with individual permits fall into this exemption. (2) VPDES Pesticide Discharges General Permit holders pay no fee since there is no registration Statement (Notice of Intent) required. No registration, so no count is available for permittees covered by this exemption. (3) VPDES Domestic Sewage Discharges $\leq 1,000$ GPD General Permit holders. 2502 permittees fall under this exemption. (4) VPDES Petroleum Contaminated Sites General Permit. 42 permittees fall under this exemption



Tanana Headwaters, Alaska, Tim Hoffman, Alaska Department of Environmental Conservation

Washington

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Website for NPDES Permit Fee Program: http://www.ecy.wa.gov/programs/wq/permits/permit_fees/index.html#Fee Program Administration

Does Washington have a state statute requiring fees for NPDES permits?

- Washington has a state statute requiring fees for NPDES programs, and the statute requires that total permit fees be based upon cost of processing, monitoring, and administering permits. The act may be viewed here: http://www.ecy.wa.gov/programs/wq/permits/permit_fees/2013EcyCh173-120213.pdf

Basic Information on the Washington NPDES program

- Washington's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, CAFOs, WQS Development, Ambient Monitoring, Targeted Monitoring, Watershed Planning, TMDL Development, Compliance Assistance, Inspections, and Enforcement and information systems.
- When the program began in 1988, Ecology recovered approximately \$3.6 million dollars a biennium from approximately 900 fee payers. For the 2012-2013 biennium (July 1, 2010 - June 30, 2013), Washington's Department of Ecology recovered \$37.1 million in revenue from approximately 5,950 fee payers, which includes revenue from both NPDES *and* State Waste Discharge permits.

Washington's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Washington's NPDES permit fees go to a designated Environmental Agency Program.
- Any costs not covered by permit fees are covered by Toxics Control Monies, and Federal Dollars.

Washington's Permittee Universe

- Washington has 820 individual permittees and 4700 general permittees, none of whom are exempt from the fees.
- In Washington NPDES permittees within the Major Industrial categorization pay the highest permit fees.

Setting and Modifying Permit Fees in Washington

- The Washington State Legislature establishes the budget amount Ecology needs to recover through permit fees. This action occurs every two years when the state budget is passed (every odd year). Because of this, Wastewater Discharge Permit Fees must be amended to allow for recovery of the costs Ecology will incur operating the permit program at the budgeted level established by the Legislature.
- State law requires Washington to consider the impact of fees on small business and provide appropriate adjustment. The Department of Ecology responds to this mandate by granting Small Business/Extreme Hardship Fee Reductions on a yearly basis.

Fee Structure in Washington

- Each permittee pays an annual fee, and first time applicants (except for general permit applicants) pay a one-time application fee of 25% of the annual permit fee or \$250, whichever is greater.
- Fees depend on the category of industrial facility, the flow rate, whether a facility is municipal or domestic.
- Billing occurs twice per year for permit holders whose annual fee is greater than \$500.

West Virginia

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Website for NPDES Permit Fee Program:

<http://www.dep.wv.gov/WWE/permit/individual/Documents/47csr26%20water%20pollution%20control%20permit%20fee%20schedules.pdf> (links to the West Virginia state statute containing permit fee information)

Does West Virginia have a state statute requiring fees for NPDES permits?

- West Virginia has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits. The statute may be viewed at the website listed at the top of this page.

Basic Information on the West Virginia NPDES program

- West Virginia's NPDES program costs approximately \$2.0 million per year, and is supported by 30-35 FTEs.
- West Virginia's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, and CAFOs. It should also be noted that some State Permits are issued to cover different discharges. State ground water program administrators are also part of the NPDES program, as they are directed to review ground water protection plans for approval.

West Virginia's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- West Virginia NPDES permit fees go to the Water Division/Program.
- 90% of West Virginia NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106 as well as General Funds and Enforcement Penalties.

West Virginia's Permittee Universe

- West Virginia has approximately 150 individual permittees and 7000-9000 general permittees, none of whom are exempt from the fees.
- In West Virginia, Major Industrial NPDES permittees pay the highest permit fee, \$5000.

Setting and Modifying Permit Fees in West Virginia

- West Virginia's permit fees are set by statute, and reviewed for updating only as needed. They may be changed by passage of legislation.

Fee Structure in West Virginia

- Application fees in West Virginia are calculated by the following formula (with a few exceptions): the initial permit application fee shall equal the volume fee multiplied by the facility factor multiplied by the waste factor (for details about the specific factors, see Section 4.1 of the statute linked to at the top of this page, and for details about excepted facilities, see 4.2-4.4).
- Permit fees are paid both annually and at application. There is no Automatic inflation/COLA factor in West Virginia.

Wisconsin

Contact: michael.lemcke@wisconsin.gov

Website for NPDES Permit Fee Program: <http://dnr.wi.gov/topic/wastewater/Permits.html>

Does Wisconsin have a state statute requiring fees for NPDES permits?

- Wisconsin has a state statute requiring fees for NPDES programs, which considers factors such as the environmental harm and the quantity of pollution discharges and quality of water receiving the discharge. The act may be viewed here: XXXX

Basic Information on the Wisconsin NPDES program

- Wisconsin's NPDES program costs \$5,567,645 per year, and is supported by approximately 69 FTEs.
- Wisconsin's NPDES program consists of the following program elements: Core NPDES, Stormwater, Pretreatment, Biosolids, CAFOs, WQS Development, Ambient Monitoring, TMDL Development, Compliance Assistance, Inspections, and Enforcement and information systems.

Wisconsin's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Wisconsin's NPDES permit fees go to a designated state general fund.
- 10% of Wisconsin NPDES permitting program costs are covered by permit fees, and the remaining costs are funded through CWA §106.

Wisconsin's Permittee Universe

- Wisconsin has 1300 individual permittees and approximately 2500 general permittees.
- A person who owns or operates a concentrated aquatic animal production facility is not required to pay the wastewater discharge environmental fee.
- The largest fees are paid by dischargers from the largest municipalities & certain industrial facilities, up to approximately \$691,641 per year.

Setting and Modifying Permit Fees in Wisconsin

- As mentioned above, Wisconsin can only consider environmental harm, quantity of discharge, quality of receiving water body, as well as certain base fees (such as permit fees for ballast water permit, an base fees for Stormwater permits).
- Fees in Wisconsin are updated annually through state legislature.

Fee Structure in Wisconsin

- The wastewater fee is the greater of the sum of discharge fees calculated (using monthly average flow multiplied by concentration values multiplied by rate (which dependent on type of pollutant)) or a base fee of \$250 for minor permits or \$500 for major permits.
- There is an additional \$100 fee for land application and/or land treatment if it occurred during the year.

Fees for a CAFO permittee are the \$250 base fee plus an additional \$95 fee assessed specifically for the CAFO permitting program. Ballast water permit fee is \$1200 plus a \$345 annual fee.

Wyoming

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Websites for NPDES Permit Fee Program: http://deq.state.wy.us/wqd/WYPDES_Permitting/index.asp

Does Wyoming have a state statute requiring fees for NPDES permits?

- Wyoming has a state statute requiring fees for NPDES programs, but the statute does not require that total permit fees be based upon cost of processing, monitoring, and administering permits. Fees cannot be used to administer the permitting program, however, they can be used for special projects such as monitoring.

Basic Information on the Wyoming NPDES program

- Wyoming's NPDES program is supported by 24 FTEs.
- Wyoming's NPDES program consists of the following program elements: Core NPDES, Stormwater, CAFOs, Inspections, and Enforcement.

Wyoming's usage of permitting fees (PROGRAMMING COSTS AND USE OF PERMIT FEES)

- Wyoming's permitting fees are collected by the state Water Division/Program.
- None of the Wyoming NPDES permitting program costs are covered by permit fees, they are all funded through CWA §106 and general funds.

Wyoming's Permittee Universe

- Wyoming has approximately 1100 individual permittees and 1600 general permittees, none of whom are exempt from the fees.

Setting and Modifying Permit Fees in Wyoming

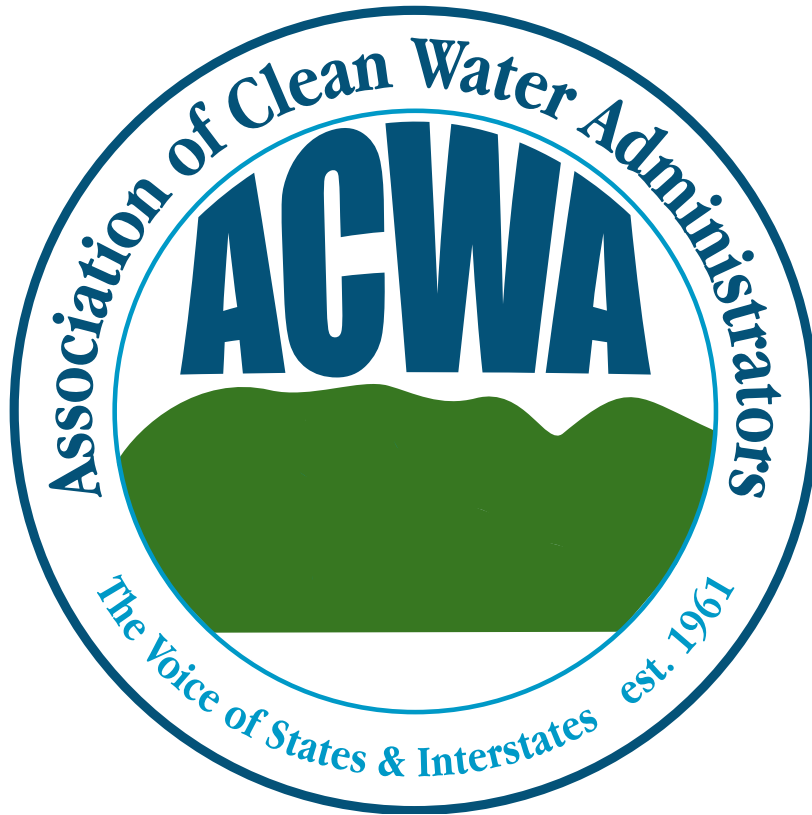
- All fees are \$100/year per permit. Wyoming does not consider program elements or costs when setting fees.

Fee Structure in Wyoming

- Wyoming requires a fee of 100\$ per permit or authorization, per year.
- Permit fees are paid at application.
- Inflation and COLA factors are not considered.

APPENDIX A: GLOSSARY OF ABBREVIATIONS

401 Cert.:	State Water Quality certification required by Section 401 of CWA
ACWA:	Association of Clean Water Administrators
BAT:	Best Available Technology
BMPs:	Best Management Practices
BPT:	Best Practicable Control Technology currently available
CAFO:	Concentrated Animal Feeding Operation
COLA:	Cost of Living Adjustment
CWA :	Clean Water Act
CZMA:	Coastal Zone Management Act
EA:	Environmental Assessment
EIS:	Environmental Impact Statement
EPA:	Environmental Protection Agency
ESA:	Endangered Species Act
EJ:	Environmental Justice
FIFRA:	Federal Insecticide, Fungicide and Rodenticide Act
FTE:	Full-Time Equivalent
GPD:	Gallons per Day
LID:	Low Impact Development
MGD:	Million Gallons per Day
MOA:	Memorandum of Agreement
MOU:	Memorandum of Understanding
MS4:	Municipal Separate Storm Sewer System
NOAA:	National Oceanic and Atmospheric Administration
NOI:	Notice of Intent
NPDES:	National Pollutant Discharge Elimination System
PCB:	Polychlorinated Biphenyls
POTW:	Publicly Owned Treatment Work
QA/QC:	Quality Assurance/Quality Control
ANCR:	Annual Noncompliance Report
QNCR:	Quarterly Noncompliance Report
RCRA:	Resource Conservation and Recovery Act
SDWA:	Safe Drinking Water Act
SSO:	Sanitary Sewer Overflow
CSO:	Combined Sewer Overflow
TMDL:	Total Maximum Daily Load
TSCA:	Toxic Substances Control Act
USDA:	United States Department of Agriculture
USGS:	United States Geological Survey
WLA:	Waste Load Allocation
WQS:	Water Quality Standards
WWTP:	Wastewater Treatment Plant



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