

House Bill 5023

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Budget and Management Division, Oregon Department of Administrative Services)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Approves certain new or increased fees adopted by Department of Environmental Quality.
Declares emergency, effective July 1, 2007.

A BILL FOR AN ACT

Relating to financial administration of the Department of Environmental Quality; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. For the purpose of carrying out the provisions of ORS 291.055 (1)(e), the following new or increased fees, adopted or modified by the Department of Environmental Quality by rule and approved by the Oregon Department of Administrative Services, are approved:

(1) **Permit fee to sell light and medium duty vehicles in Oregon. Annual permit fees will total \$200,000 and will be allocated to individual permits according to each manufacturer's market share.**

(2) **Water Quality Division -
Wastewater Permit Fees:**

(a) **Water Quality Permits,
New Permit Application Fees:**

(A) **Tier 1 industry..... \$ 42,193**

(B) **Tier 2 industry..... \$ 8,491**

(C) **Tier 1 domestic..... \$ 26,899**

(D) **Tier 2 domestic,
nondischarging lagoons..... \$ 2,750**

(E) **Tier 2 domestic, flow
less than 1 mgd..... \$ 5,433**

(F) **Tier 2 domestic, septage alkaline
stabilization facilities..... \$ 738**

(G) **Municipal Stormwater Permit
Phase I (type MS4-1)..... \$ 8,491**

(H) **Municipal Stormwater Permit
Phase II (type MS4-2)..... \$ 380**

(I) **Underground Injection Control
(type UIC)..... \$ 8,491**

(J) **General permit numbers 100-J, 200-J,**

Note: For budget, see 2007-2009 Biennial Budget

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

1		400-J, 500-J, 600 (processing	
2		1,500 to 10,000 cubic yards of	
3		material per year), 900-J,	
4		1000, 1400-A.....	\$ 173
5	(K)	General permit numbers 300-J, 1400-B,	
6		1500-A, 1500-B	\$ 274
7	(L)	General permit numbers 1200-A, 1200-C,	
8		1200-CA, 1200-COLS, 1200-Z,	
9		1700-A, 1700-B, 1900, other....	\$ 380
10	(M)	General permit number 600 (processing	
11		less than 1,500 cubic yards of	
12		material per day, or less than	
13		1,500 cubic yards per year),	
14		700-PM.....	\$ 0
15	(b)	Water Quality Permits, Annual Fees:	
16	(A)	Pulp, paper or other fiber pulping	
17		industry, NPDES Tier 1	\$ 14,753
18	(B)	Pulp, paper or other fiber pulping,	
19		industry, NPDES Tier 2	\$ 13,693
20	(C)	Food or beverage processing -	
21		washing or packing only,	
22		NPDES Tier 2.....	\$ 2,052
23	(D)	Food or beverage processing -	
24		washing or packing only,	
25		WPCF Tier 2	\$ 1,887
26	(E)	Food or beverage processing -	
27		small, flow less than or equal to 0.1	
28		mgd, or flow between 0.1 mgd and	
29		1 mgd for less than 180 days per	
30		year, NPDES Tier 2	\$ 3,066
31	(F)	Food or beverage processing -	
32		small, flow less than or equal to 0.1	
33		mgd, or flow between 0.1 mgd and 1	
34		mgd for less than 180 days per year,	
35		WPCF Tier 2	\$ 2,901
36	(G)	Food or beverage processing -	
37		medium, flow between 0.1 mgd and 1	
38		mgd for 180 days or more days per year,	
39		or flow greater than or equal to 1 mgd	
40		for 180 or more days per year,	
41		NPDES Tier 2.....	\$ 4,327
42	(H)	Food or beverage processing -	
43		medium, flow between 0.1 mgd and 1	
44		mgd for 180 days or more days per	
45		year, or flow greater than or equal to	

1		1 mgd for 180 or more days per year,	
2		WPCF Tier 2	\$ 4,162
3	(I)	Food or beverage processing - large,	
4		flow greater than or equal to 1 mgd	
5		for 180 or more days per year,	
6		NPDES Tier 1.....	\$ 14,753
7	(J)	Food or beverage processing - large,	
8		flow greater than or equal to 1 mgd	
9		for 180 or more days per year,	
10		NPDES Tier 2.....	\$ 12,693
11	(K)	Food or beverage processing - large,	
12		flow greater than or equal to 1 mgd	
13		for 180 or more days per year,	
14		WPCF Tier 1	\$ 13,693
15	(L)	Food or beverage processing - large,	
16		flow greater than or equal to 1 mgd	
17		for 180 or more days per year,	
18		WPCF Tier 2	\$ 12,798
19	(M)	Primary smelting or refining -	
20		aluminum, NPDES Tier 1	\$ 14,753
21	(N)	Primary smelting or refining -	
22		aluminum, NPDES Tier 2	\$ 12,963
23	(O)	Primary smelting or refining -	
24		aluminum, WPCF Tier 1	\$ 13,693
25	(P)	Primary smelting or refining -	
26		aluminum, WPCF Tier 2	\$ 12,798
27	(Q)	Primary smelting or refining -	
28		nonferrous metals utilizing sand	
29		chlorination separation facilities,	
30		NPDES Tier 1.....	\$ 14,753
31	(R)	Primary smelting or refining -	
32		nonferrous metals utilizing sand	
33		chlorination separation facilities,	
34		NPDES Tier 2.....	\$ 12,963
35	(S)	Primary smelting or refining -	
36		nonferrous metals utilizing sand	
37		chlorination separation facilities,	
38		WPCF Tier 1	\$ 13,693
39	(T)	Primary smelting or refining -	
40		nonferrous metals utilizing sand	
41		chlorination separation facilities,	
42		WPCF Tier 2	\$ 12,798
43	(U)	Primary smelting or refining -	
44		ferrous and nonferrous metals	
45		not elsewhere classified, NPDES	

1		Tier 1	\$	8,436
2	(V)	Primary smelting or refining -		
3		ferrous and nonferrous metals		
4		not elsewhere classified, NPDES		
5		Tier 2	\$	6,647
6	(W)	Primary smelting or refining -		
7		ferrous and nonferrous metals		
8		not elsewhere classified, WPCF		
9		Tier 1	\$	7,377
10	(X)	Primary smelting or refining -		
11		ferrous and nonferrous metals		
12		not elsewhere classified, WPCF		
13		Tier 2	\$	6,482
14	(Y)	Chemical manufacturing with		
15		discharge of process wastewater,		
16		NPDES Tier 1.....	\$	14,753
17	(Z)	Chemical manufacturing with		
18		discharge of process wastewater,		
19		NPDES Tier 2.....	\$	12,963
20	(AA)	Chemical manufacturing with		
21		discharge of process wastewater,		
22		WPCF Tier 1	\$	13,693
23	(BB)	Chemical manufacturing with		
24		discharge of process wastewater,		
25		WPCF Tier 2	\$	12,798
26	(CC)	Cooling water discharges in		
27		excess of 20,000 Btu per sec,		
28		NPDES Tier 1.....	\$	8,436
29	(DD)	Cooling water discharges in		
30		excess of 20,000 Btu per sec,		
31		NPDES Tier 2.....	\$	6,647
32	(EE)	Cooling water discharges in		
33		excess of 20,000 Btu per sec,		
34		WPCF Tier 1	\$	7,377
35	(FF)	Cooling water discharges in		
36		excess of 20,000 Btu per sec,		
37		WPCF Tier 2	\$	6,482
38	(GG)	Mining operations - includes		
39		aggregate or ore processing, large		
40		(over 500,000 cubic yards per year		
41		or involving chemical leaching),		
42		NPDES Tier 1.....	\$	14,753
43	(HH)	Mining operations - includes aggregate		
44		or ore processing, large (over		
45		500,000 cubic yards per year or		

1		involving chemical leaching),	
2		NPDES Tier 2.....	\$ 12,963
3	(II)	Mining operations - includes aggregate	
4		or ore processing, large (over	
5		500,000 cubic yards per year or	
6		involving chemical leaching),	
7		WPCF Tier 1.....	\$ 13,693
8	(JJ)	Mining operations - includes aggregate	
9		or ore processing, large (over	
10		500,000 cubic yards per year or	
11		involving chemical leaching),	
12		WPCF Tier 2.....	\$ 12,798
13	(KK)	Mining operations - includes aggregate	
14		or ore processing, medium (100,000 to	
15		500,000 cubic yards per year),	
16		NPDES Tier 2.....	\$ 4,539
17	(LL)	Mining operations - includes aggregate	
18		or ore processing, medium (100,000 to	
19		500,000 cubic yards per year),	
20		WPCF Tier 2.....	\$ 4,374
21	(MM)	Mining operations - includes aggregate	
22		or ore processing, small (less than	
23		100,000 cubic yards per year),	
24		NPDES Tier 2.....	\$ 1,381
25	(NN)	Mining operations - includes aggregate	
26		or ore processing, small, (less than	
27		100,000 cubic yards per year)	
28		WPCF Tier 2.....	\$ 1,216
29	(OO)	All facilities not elsewhere classified	
30		that dispose of process wastewater	
31		(includes remediated groundwater),	
32		NPDES Tier 1	\$ 14,753
33	(PP)	All facilities not elsewhere classified	
34		that dispose of process wastewater	
35		(includes remediated groundwater),	
36		WPCF Tier 1.....	\$ 13,693
37	(QQ)	All facilities not elsewhere classified	
38		that dispose of process wastewater	
39		(includes remediated groundwater),	
40		NPDES Tier 2.....	\$ 2,856
41	(RR)	All facilities not elsewhere classified	
42		that dispose of process wastewater	
43		(includes remediated groundwater),	
44		WPCF Tier 2.....	\$ 2,692
45	(SS)	All facilities not elsewhere classified	

1		that dispose of non-process	
2		wastewaters, NPDES Tier 2..	\$ 1,912
3	(TT)	All facilities not elsewhere classified	
4		that dispose of non-process	
5		wastewaters, WPCF Tier 2 ...	\$ 1,747
6	(UU)	Dairies, fish hatcheries and other	
7		confined animal feeding operations	
8		on individual permits, NPDES	
9		Tier 2	\$ 1,673
10	(VV)	Dairies, fish hatcheries and other	
11		confined animal feeding operations	
12		on individual permits, WPCF	
13		Tier 2	\$ 1,508
14	(WW)	All facilities that dispose of	
15		wastewater only by evaporation from	
16		watertight ponds or basins,	
17		WPCF Tier 2	\$ 1,110
18	(XX)	Timber and wood products: sawmills,	
19		log storage, in-stream log storage,	
20		NPDES Tier 1.....	\$ 4,138
21	(YY)	Timber and wood products: sawmills,	
22		log storage, in-stream log storage,	
23		NPDES Tier 2.....	\$ 2,348
24	(ZZ)	Timber and wood products: sawmills,	
25		log storage, in-stream log storage,	
26		WPCF Tier 1	\$ 3,078
27	(AAA)	Timber and wood products: sawmills,	
28		log storage, in-stream log storage,	
29		WPCF Tier 2	\$ 2,183
30	(BBB)	Timber and wood products: hardboard,	
31		veneer, plywood, particle board,	
32		pressboard manufacturing, wood products,	
33		NPDES Tier 1.....	\$ 4,376
34	(CCC)	Timber and wood products: hardboard,	
35		veneer, plywood, particle board,	
36		pressboard manufacturing, wood products,	
37		NPDES Tier 2.....	\$ 2,587
38	(DDD)	Timber and wood products: hardboard,	
39		veneer, plywood, particle board,	
40		pressboard manufacturing, wood products,	
41		WPCF Tier 1	\$ 3,317
42	(EEE)	Timber and wood products: hardboard,	
43		veneer, plywood, particle board,	
44		pressboard manufacturing, wood products,	
45		WPCF Tier 2	\$ 2,422

1	(FFF)	Timber and wood products: wood		
2		preserving, NPDES Tier 1.....	\$	3,702
3	(GGG)	Timber and wood products: wood		
4		preserving, NPDES Tier 2.....	\$	1,912
5	(HHH)	Timber and wood products:		
6		wood preserving, WPCF Tier 1\$		2,642
7	(III)	Timber and wood products: wood		
8		preserving, WPCF Tier 2	\$	1,747
9	(JJJ)	Domestic permits for nondischarging		
10		lagoons, type E, WPCF Tier 2	\$	879
11	(KKK)	Domestic permits for lagoons that		
12		discharge to surface waters, flow less than		
13		1 mgd, NPDES Tier 2.....	\$	1,053
14	(LLL)	Domestic permits for lagoons that		
15		discharge to surface waters, flow greater		
16		than or equal to 1 mgd and less than 2		
17		mgd, NPDES Tier 1.....	\$	2,775
18	(MMM)	Domestic permits for lagoons that		
19		discharge to surface waters, flow greater		
20		than or equal to 2 mgd and less than 5 mgd,		
21		NPDES Tier 1.....	\$	3,803
22	(NNN)	Domestic permits for lagoons that		
23		discharge to surface waters, flow greater		
24		than or equal to 5 mgd and less than 10		
25		mgd, NPDES Tier 1.....	\$	5,469
26	(OOO)	Domestic permits for treatment systems		
27		other than lagoons, flow less than 1 mgd,		
28		NPDES Tier 2.....	\$	1,495
29	(PPP)	Domestic permits for treatment systems		
30		other than lagoons, flow less than 1 mgd,		
31		WPCF Tier 2	\$	1,387
32	(QQQ)	Domestic permits for treatment systems		
33		other than lagoons, flow greater than or		
34		equal to 1 mgd and less than 2 mgd,		
35		NPDES Tier 1.....	\$	4,720
36	(RRR)	Domestic permits for treatment systems		
37		other than lagoons, flow greater than or		
38		equal to 1 mgd and less than 2 mgd,		
39		WPCF Tier 1	\$	4,043
40	(SSS)	Domestic permits for treatment systems		
41		other than lagoons, flow greater than or		
42		equal to 2 mgd and less than 5 mgd,		
43		NPDES Tier 1.....	\$	6,956
44	(TTT)	Domestic permits for treatment systems		
45		other than lagoons, flow greater than or		

1	equal to 2 mgd and less than 5 mgd,	
2	WPCF Tier 1.....	\$ 6,279
3	(UUU) Domestic permits for treatment systems	
4	other than lagoons, flow greater than or	
5	equal to 5 mgd and less than 10 mgd,	
6	NPDES Tier 1.....	\$ 10,344
7	(VVV) Domestic permits for treatment systems	
8	other than lagoons, flow greater than or	
9	equal to 5 mgd and less than 10 mgd,	
10	WPCF Tier 1.....	\$ 9,666
11	(WWW) Domestic permits for treatment systems	
12	other than lagoons, flow greater than or	
13	equal to 10 mgd and less than 25 mgd,	
14	NPDES Tier 1.....	\$ 16,135
15	(XXX) Domestic permits for treatment systems	
16	other than lagoons, flow greater than or	
17	equal to 25 mgd and less than 50 mgd,	
18	NPDES Tier 1.....	\$ 34,235
19	(YYY) Domestic permits for treatment systems	
20	other than lagoons, flow greater	
21	than or equal to 50 mgd,	
22	NPDES Tier 1.....	\$ 58,250
23	(ZZZ) Septage alkaline stabilization	
24	facilities	\$ 302
25	(AAAA) Municipal stormwater permits, type	
26	MS4-1	\$ 1912
27	(BBBB) Municipal stormwater permits, type	
28	MS-2	\$ 391
29	(CCCC) UIC permits	\$ 1,747
30	(DDDD) General permit numbers 100-J, 200-J, 300-J,	
31	400-J, 500-J, 900-J, 1000, 1200-A,	
32	1200-C, 1200-CA, 1200-COLS, 1200-Z,	
33	1400-B, 1500-A, 1500-B, 1700-A,	
34	1700-B, 1900, other	\$ 391
35	(EEEE) General permit number 600 ..	\$ 0
36	(FFFF) General permit number	
37	700-PM.....	\$ 25
38	(GGGG) General permit number 1400-A\$	229
39	(c) Major Modification Fees:	
40	(A) Industrial permit, Tier 1.....	\$ 10,599
41	(B) Industrial permit, Tier 2.....	\$ 2,694
42	(C) Domestic permit,	
43	nondischarging lagoons.....	\$ 1,409
44	(D) Domestic permit, lagoons that	
45	discharge to surface waters, flow	

1		less than 1 mgd.....	\$	2,750
2	(E)	Domestic permit, all other lagoons that		
3		discharge to surface waters..	\$	13,483
4	(F)	Domestic permit, treatment system		
5		other than lagoon, flow less than		
6		1 mgd	\$	2,750
7	(G)	Domestic permit, treatment system other		
8		than lagoon, flow greater than or equal to		
9		1 mgd and less than 2 mgd...	\$	13,483
10	(H)	Domestic permit, treatment system		
11		other than lagoon, flow greater than		
12		1 mgd	\$	13,483
13	(d)	Minor Modification Fees		
14	(A)	All industrial permits	\$	738
15	(B)	All domestic permits except septage		
16		alkaline stabilization facilities	\$	738
17	(C)	Septage alkaline stabilization		
18		facilities	\$	335
19	(e)	Other Fees:		
20	(A)	Permit transfer, all permits .	\$	67
21	(B)	Special WPCF permits issued pursuant to		
22		OAR 340-045-0061.....	\$	402
23	(C)	Domestic permit, annual population		
24		fee for population from 0		
25		through 99.....	\$	0
26	(D)	Domestic permit, annual population		
27		fee for population from 100		
28		through 999	\$	45
29	(E)	Domestic permit, annual population		
30		fee for population from 1,000		
31		through 4,999.....	\$	235
32	(F)	Domestic permit, annual population		
33		fee for population from 5,000		
34		through 9,999.....	\$	783
35	(G)	Domestic permit, annual population		
36		fee for population from 10,000		
37		through 14,999.....	\$	1,286
38	(H)	Domestic permit, annual population		
39		fee for population from 15,000		
40		through 24,999.....	\$	1,973
41	(I)	Domestic permit, annual population		
42		fee for population from 25,000		
43		through 49,999.....	\$	3,466
44	(J)	Domestic permit, annual population		
45		fee for population from 50,000		

1		through 99,999.....	\$	7,714
2	(K)	Domestic permit, annual population		
3		fee for population from 100,000		
4		through 149,999	\$	12,298
5	(L)	Domestic permit, annual population		
6		fee for population from 150,000		
7		to 199,999.....	\$	18,671
8	(M)	Domestic permit, annual population		
9		fee for population from 200,000		
10		to 299,999.....	\$	23,087
11	(N)	Domestic permit, annual population		
12		fee for population from 300,000		
13		to 399,999.....	\$	41,478
14	(O)	Domestic permit, annual population		
15		fee for population from 400,000		
16		to 499,999.....	\$	59,869
17	(P)	Domestic permit, annual population		
18		fee for population over 500,000	\$	78,260
19	(Q)	Domestic permit, annual pretreatment		
20		fee for municipalities with		
21		pretreatment programs	\$	1,342
22	(R)	Domestic permit, significant industrial		
23		user fee for municipalities with		
24		pretreatment programs	\$447 per industry	
25	(S)	Domestic permit, technical activity fee for		
26		new or substantially modified sewage		
27		treatment facility.....	\$	6,171
28	(T)	Domestic permit, technical activity		
29		fee for minor sewage treatment		
30		facility modifications and pump		
31		stations	\$	671
32	(U)	Domestic permit, technical activity fee for		
33		pressure sewer system or major sewer		
34		collection system expansion..	\$	470
35	(V)	Domestic permit, technical activity fee for		
36		minor sewer collection system expansion		
37		or modification.....	\$	134
38	(W)	Domestic permit, technical activity fee for		
39		new or substantially modified water		
40		pollution control facilities using alkaline		
41		agents to stabilize septage....	\$	671
42	(X)	General permit, disposal system plan		
43		review.....	\$	419
44	(Y)	General permit, site inspection and		
45		evaluation.....	\$	1,051

1 **SECTION 2. This 2007 Act being necessary for the immediate preservation of the public**
2 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
3 **on July 1, 2007.**

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