

Following is the text of an email sent from Mary Stiehler, Water Program Manager, on August 5, 2020, to permit and SWPP contacts:

Good day.

This email contains important information about new requirements for your TPDES water pollution permit. Please read it carefully.

DPNR's records show that you have a TPDES permit (either an individual permit or coverage under the Construction General Permit or the Multi-Sector General Permit, sometimes called a Stormwater Permit, or the Pesticide General Permit), which means **you must pay an annual discharge fee (and submit the Fee Form) no later than October 1, 2020**. If you believe you do not have a permit, please contact DPNR. If you would like to terminate your permit coverage, see below.

For several years, the Department of Planning and Natural Resources (DPNR) has been working on regulations to charge fees to defray the cost of running the permitting program so that we can continue to protect our water resources. DPNR proposed the fee requirement and fee amounts in 2016 and held public hearings that fall. After incorporating suggestions from the public, DPNR issued final regulations setting out the TPDES permit fees, which the Governor signed at the end of 2019.

Under the new regulations, there are two types of TPDES permit fees: annual discharge fees and application fees.

PUBLIC MEETING

DPNR will host a virtual public meeting (using ZOOM) to explain the new fees on Wednesday, **August 26, 2020, from 5:30 to 7:30 pm**. To participate in the meeting use the information below:

URL: <https://zoom.us/join>
Meeting ID: 834 1424 3032
Password: 068627

ANNUAL DISCHARGE FEES

- In 2020, annual fee payments will be due October 1, 2020. After 2020, annual fee payments will be due March 31st each year.
- Each permittee will be responsible for submitting the annual payment and appropriate form on the due date. Bills will not be mailed to permittees. You should use the attached Fee Form for your type of permit to determine your fee. The Fee Forms will also be posted on DPNR's website.
- The fee amount will depend on the type of permit and the size of facility, activity or discharge being permitted, as set forth in the Annual Fee table.
- The annual discharge fees for general permits are:
 - Construction General Permit: \$100 per acre of total cleared acreage.
 - Multi-Sector General Permit: \$500 for 5 acres or less of total exposed acreage; \$1000 for more than 5 acres of total exposed acreage.
 - Pesticide General Permit: \$500 if your application acreage was high enough that you had to file a Notice of Intent.
- For individual permits, the annual discharge fee is based on the actual level of discharge you reported for the prior calendar year. (If you expect the current year

discharge to be significantly different, please talk to DPNR.) The fee table is at the bottom of the Fee Form for individual permits and will be posted on our website.

- If a permit is in effect for only part of the year, the annual fee will be prorated. Terminating your permit when you no longer need coverage may reduce your annual discharge fee (see below).

APPLICATION FEES

- New Permits and Permit Renewals
 - Applicants must pay an application fee when applying for either a new permit or a permit renewal.
 - The fee amount will depend on the type of TPDES permit (each general permit has its own fee schedule) and the size of facility, activity or discharge being permitted.
 - To determine the applicable fee, a permit applicant should fill out the attached Fee Form for the relevant permit (the forms will also be available on DPNR's web site).
- Permit Modifications
 - Applicants will not be required to pay a fee for a minor modification to a permit.
 - For non-minor permit modifications, the permit fee will depend on the type of modification and permit.
 - The applicable fee should be determined by filling out the Fee Form for the relevant permit.
- Application fees must be paid for any applications (or Notices of Intent) completed or filed on or after September 1, 2020.

EXCEPTIONS

- Public Schools do not have to pay fees.
- Private schools, municipalities and churches or other religious organizations have reduced fees (15% of what the fee would otherwise be).

DETERMINING YOUR FEE

To assist you in determining your fee amount, DPNR has prepared a form for each type of TPDES permit that will explain how to determine your fee. If you have questions when you are filling out the form, please contact DPNR. The forms are attached to this email and will be posted on our website.

TERMINATING YOUR PERMIT

When you no longer need permit coverage, you are required to notify DPNR. Your permit coverage remains in effect (and you are obligated to pay an annual discharge fee) until your permit coverage expires or is terminated.

If you no longer need coverage under a TPDES permit, you should file a Notice of Termination with DPNR. Normally, this Notice would be effective on the date it is received by DPNR and that date would be used to determine your annual discharge fee for that year. However, if your permit coverage should have been terminated earlier, DPNR is giving you until October 1, 2020, to request an earlier termination date and to use this earlier termination date to determine your 2020 annual discharge fee (if any). (For example, if you had coverage under the Construction General Permit and have not filed a Notice of Termination even though you completed construction on November 1, 2019, you can file that Notice no later than October 1, 2020, and request that the termination be effective November 2, 2019. You would then

not owe an annual discharge fee for that permit because it would not have been in effect in 2020.) Notices of Terminations with an Addendum to request an earlier termination date are attached and will be posted on our website.

ADDITIONAL INFORMATION

The relevant forms for determining an applicable fee or terminating a permit are attached.

DPNR is in the process of adding these forms and other information to the Water Pollution Control program website <https://dpr.vi.gov/environmental-protection/water-pollution-control-program/>. The information will be in a special section dealing just with TPDES fees and also with the relevant forms for each type of permit. The material includes:

- A fee form for each type of permit, which you should use to determine your fee and to file with your fee payment
- Two tables showing the fee amounts for application fees and annual discharge fees
- The regulations signed by the Governor
- Notice of Termination forms, including an Addendum to request an earlier termination date

For any information regarding the TPDES program, please call the Division of Environmental Protection at (340) 774-3320 in St. Thomas, and (340) 773-1082 in St. Croix.