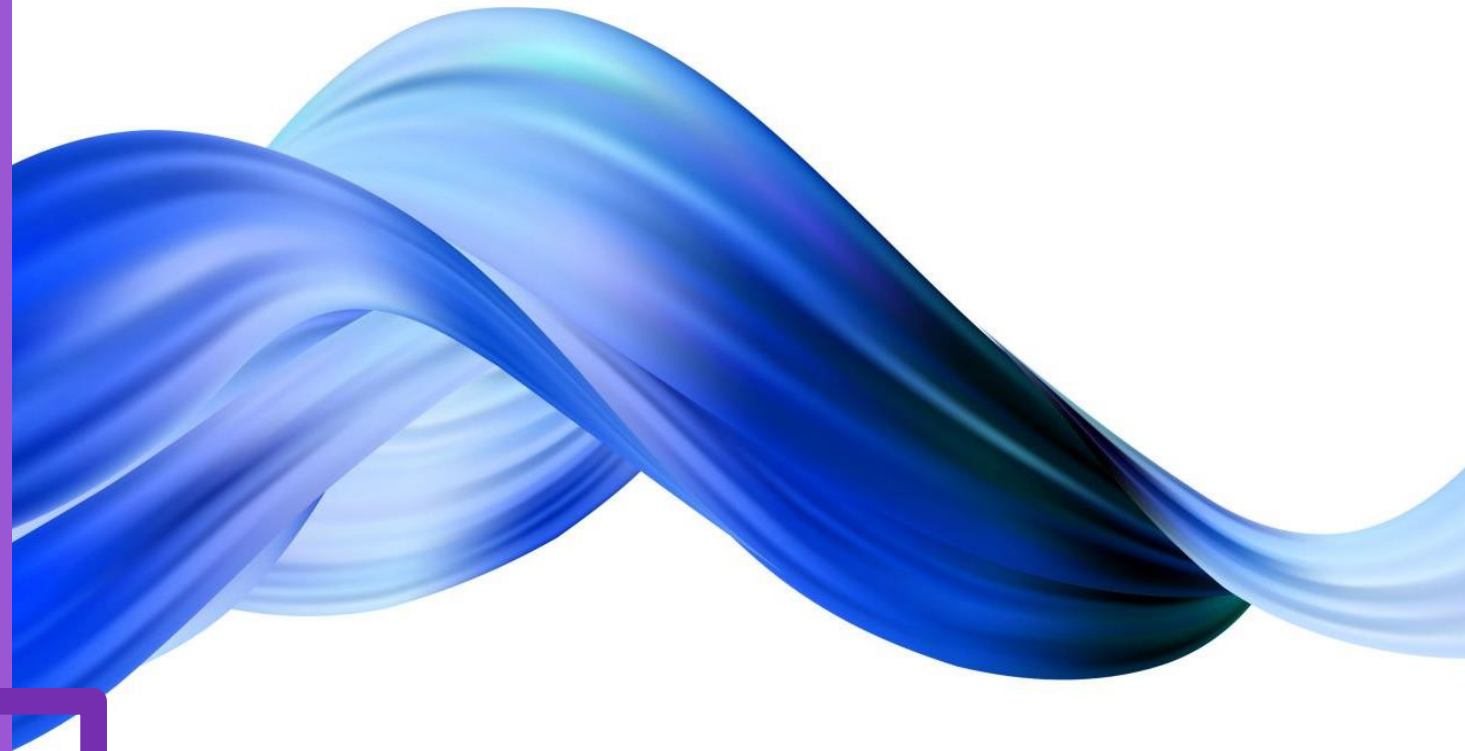


TPDES PERMIT FEES

Public Meeting for
Permittees

August 26, 2020



**Department of Planning & Natural Resources
Division of Environmental Protection
Water Pollution Control Program**



Meeting Agenda

- Welcome - Director Austin Callwood
- Introduction of Program Staff
- Presentation on TPDES Forms & Fees
- DPNR-DEP Website Tour
- TPDES Forms & Fees Q & A
- Adjournment





INTRODUCTIONS

Austin Callwood, Director of the Division of Environmental Protection

Mary Stiehler, Water Program Manager

Anita E. Nibbs, former Acting Water Program Manager

Akil Jacobs, Environmental Specialist II

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What we will cover today

Background

Who Needs to Pay Fees

How Much Are the Fees

How and When to Pay Fees

Where to Get More Information



TPDES Permit Fees – A New Requirement

- **In the past** -- no fees paid to the government to get a TPDES permit program.
- **From now on** -- you will need to pay a fee when you apply for a permit and for each year that you have a permit.
- The fees are used to cover part, but not, all of the costs of running the TPDES and water quality programs.
- The fees were originally proposed in 2016, when we had public hearings and received public comments. We finalized the fees last year and they were approved by the Governor at the end of last year.

What Permits Will Be Subject to Fees?

All TPDES Permits

- Individual Permits
- Construction General Permits (sometimes called Stormwater Permits)
- Multi-Sector General Permits (sometimes called Stormwater Permits)
- Pesticide General Permits

Who Must Pay Fees?

All TPDES permittees

- Individual permittees
 - Permittees with coverage under the
 - -- Multi-Sector General Permit
 - -- Construction General Permit
 - -- Pesticide General Permit

 - Except:
 - Public schools do not owe any fees
 - Private schools, municipalities, and churches or other religious organizations pay 15% of the normal fee.
-

What Are the Type of Fees?

Application Fees -- due when you apply for

- A new permit
- A renewed permit
- Certain modifications to an existing permit
- Coverage under a general permit (Notice of Intent)

Annual Discharge Fees

- Due every year (or partial year) you have any TPDES permit
- If you have a permit for only part of the year, the annual discharge fee will be adjusted according to the number of months for which you have a permit

When Are Fees Due?

Application fees

- Due when you file:
 - An application for a new permit
 - An application for a renewed permit
 - An application to make certain modifications to your existing permit
 - An NOI (Notice of Intent) for coverage under a general permit, including stormwater permits

When Are Fees Due?


Annual discharge fees

- If you have a permit for *any part* of a calendar year, there is an annual discharge fee for that year
- For 2020, the annual discharge fee is due **October 1**
- For 2021 and thereafter, the annual discharge fee is due **March 31**
- If you get a new permit after February 1, the annual discharge fee for that year is due 60 days after coverage under the permit starts
- **YOU WILL NOT GET A BILL**



How Much Are the Fees?

Depends on the type of permit and the size of the activity, facility or discharge being permitted.



Determine your fee using the forms DPNR has posted on its Water Pollution Control Program webpage.

Construction General Permit (CGP) Fees

(based on total cleared acreage, see Section III.4. of your NOI – estimated area to be disturbed)

■ Annual Discharge Fee

- \$100 per acre of total cleared acreage

■ Application Fee for New or Renewed Permit

- Total cleared acreage is greater than 5 acres \$500
- Total cleared acreage is 1 to 5 acres \$150

■ Application Fees for Permit Modifications

- Minor modification (e.g., correct typographical errors and certain changes in ownership or operation control) \$0
- Increase in total cleared acreage -- same fee as for new or renewed permit
- No increase in total cleared acreage, not minor modification -- 50% of fee for new or renewed permit

Multi-Sector General Permit (MSGP) Fees

(based on total exposed acreage – see section D.4. of your NOI, the “estimated area at your site exposed to stormwater”)

Annual Discharge Fee

- Total exposed acreage greater than 5 acres \$1000
- Total exposed acreage 5 acres or less \$500

Application Fees for New or Renewed Permits

- Total exposed acreage greater than 5 acres \$500
- Total exposed acreage 5 acres or less \$150
- No exposure certification \$250

Application Fees for Modifications to Existing Permit

- Minor modification (e.g., typographical errors, certain changes in ownership) \$0
- Increase in total exposed acreage -- same fee as for new or renewed permit
- No change in total exposed acreage; not a minor modification -- 50% of fee for new or renewed permit

Pesticide General Permit (PGP) Fees

Annual Discharge Fee

- Anyone who filed a Notice of Intent for coverage under the PGP \$250

Application Fees for New or Renewed Permits

- Anyone who files a Notice of Intent for coverage under the PGP \$250

Application Fees for Modifications to Existing Permit

- Minor modification (e.g., correct typographical errors and certain changes in ownership or operation control) -- \$0
- Increase in permitted capacity -- same fee as for new or renewed permit
- No increase in permitted capacity, but not a minor modification -- 50% of fee for new or renewed permit

Individual Permit Fees *Annual* Discharge Fee – Part I

Based on your average daily discharge flow reported for the last calendar year (Contact DPNR for the facility's first year in operation or if the current year's discharge is likely to be significantly different than last year's.)

Calculate your average daily discharge flow by taking last year's total average daily discharge flow and deducting the following (using last year's amounts):

- 50% of the average daily wastewater discharged through an approved irrigation or land application infrastructure
- 50% of the average daily wastewater from systems producing potable water
- 75% of the average daily wastewater used as once-through non-contact cooling water
- 99% of wastewater determined by DPNR to be flow-through discharge (must have DPNR permission to use this category)
- 100% of stormwater discharge covered by a Multi-Sector General Permit or a Construction General Permit (if, and only if, it is included in your total average daily discharge flow; this ensures you are not paying fees for the same discharge under both the MSGP or CGP and your individual permit)

Individual Permit Fee *Annual* Discharge Fee – Part II

- Use your average daily discharge flow with this table to determine your fee. Add \$500 if the permit has a mixing zone.

Average Daily Discharge Flow (GPD)	Amount
0-1,000	\$250
1,001-10,000	\$500
10,001 to 50,000	\$1,000
50,001 to 100,000	\$1,400
100,001 to 250,000	\$1,700
250,001 to 500,000	\$2,250
500,001 to 1,000,000	\$5,500
1,000,001 to 2,000,000	\$7,250
2,000,001 to 5,000,000	\$10,000
5,000,001 to 10,000,000	\$15,500
10,000,001 to 20,000,000	\$22,250
20,000,001 to 40,000,000	\$31,500
40,000,001 to 100,000,000	\$42,250
greater than 100,000,000	\$55,000

Individual Permit Fee *Application Fee for New or Renewed Permits*

- This fee is based on the maximum daily discharge flow from all outfalls combined. It is the maximum design flow or estimated engineered maximum flow that is capable of being discharged from the system. It is based on the permit application and permitted levels. Add \$500 if your permit has a mixing zone.

MAXIMUM DAILY DISCHARGE FLOW (Gallons Per Day)	APPLICATION FEE (USD)
0-1,000	\$50
1,001 to 10,000	\$100
10,001 to 50,000	\$500
50,001 to 100,000	\$1,100
100,001 to 1,000,000	\$2,200
1,000,001 to 5,000,000	\$3,300
5,000,001 to 10,000,000	\$4,400
10,000,001 to 40,000,000	\$5,500
40,000,001 to 100,000,000	\$6,600
greater than 100,000,000	\$7,700

Annual Discharge Fees for Partial Years (ALL PERMIT TYPES)

If your permit or permit coverage is only in effect for part of the year, you will owe an annual discharge fee for that portion of year when you have a permit.

Your fee will be pro-rated based on the number of months in the year for which you have a permit.

- For example, if your permit expires or is terminated on June 20,
 - your permit would be in effect for six months (half the year)
 - your annual discharge fee would be half what it would otherwise be.

The forms calculate this for you.

How Do I Terminate My Permit?

If you no longer need a permit or coverage under a general permit – TERMINATE IT!

- For each of the general permits, there is a Notice of Termination form on our website.
- When you no longer need permit coverage (e.g., when you finish construction for which you have a CGP), fill out the Notice of Termination for CGPs (found on our website) and submit it to DPNR.
- Normally, the termination is effective when DPNR receives the Notice of Termination. You will owe fees for the period of time up until we receive your Notice of Termination.
 - If you no longer need a permit as of June 20, but you do not submit your Notice of Termination until December 20, you will owe a full year's annual discharge fee.

Correcting the Record for Permit Terminations

Did you fail to terminate your permit when you could have and now you owe a larger annual discharge fee?

Correct the record!

Until October 1, 2020, you can file a Notice of Termination and request that your permit or permit coverage be terminated on an earlier date when you no longer needed permit coverage.

- For example, let's say you finished construction on March 10, 2020, at a site for which you have coverage under the Construction General Permit. You should have, but did not, file a NOT in March 2020.
 - If you file the NOT on September 1, 2020, normally your permit would terminate on September 1, 2020.
 - You would then owe an annual discharge fee for 2020 for January through August.
 - However, if you file the NOT on or before October 1, 2020, you can file a special addendum to the NOT that requests a termination date of March 10, 2020 (the day you no longer needed the permit).
 - DPNR would treat your permit as having terminated on March 10, 2020 and you would owe an annual discharge fee for 2020 for January through March.

How Do You Pay Fees?

Do not wait for a bill – you won't get one.

Use the appropriate fee form to determine your fee.

- The forms are on the Water Pollution Control Program page of the DPNR website <https://dpr.vi.gov/environmental-protection/water-pollution-control-program/> and were attached to our email about fees and this meeting
- There is a fee form for each type of permit (individual permits, construction general permits, multi-sector general permits and pesticide general permits)
- Fill in the specific section for the type of fee you are paying. (The forms have different sections for application fees and annual fees. Only fill in the one for the type of fee you are paying.)

If you are paying application fees, the fee form and payment should accompany the rest of the materials you file to get a permit.

If you are paying **annual discharge fees**, you should hand deliver or mail the fee form and your payment to DPNR.

Due **October 1 for 2020.**

Due **March 31** every year thereafter beginning in 2021

What If I Don't Pay a Fee?

- If you do not pay the application fee, your application will be incomplete and DPNR will not issue you a permit or coverage under a general permit.
- If you do not pay your annual discharge fee, you are violating DPNR regulations and the terms of your permit.
 - DPNR can initiate an enforcement action that would require payment of the fees plus a penalty on top of that.
 - **DPNR-DEP CAN TERMINATE YOUR PERMIT**

Questions?

- [Go to the Water Pollution Control Program page on the DPMR website.](https://dpmr.vi.gov/environmental-protection/water-pollution-control-program/)
 - <https://dpmr.vi.gov/environmental-protection/water-pollution-control-program/>
 - There is one section with all the relevant information about the TPDES Fees Program.
 - In addition, the documents for each type of permit include the relevant Fee Form and NOT.
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