

2018-19 Fee Schedules

**CALIFORNIA CODE OF REGULATIONS
TITLE 23. Division 3. Chapter 9. Waste Discharge Reports and Requirements
Article 1. Fees**

Section 2200. Annual Fee Schedules.

Each person for whom waste discharge requirements have been prescribed pursuant to Section 13263 of the Water Code shall submit, to the state board, an annual fee in accordance with the following schedules. The fee shall be submitted for each waste discharge requirement order issued to that person.¹

(a) The annual fees for persons issued waste discharge requirements (WDRs), except as provided in subdivisions (a)(3), (b), and (c), shall be based on the discharge's threat to water quality (TTWQ) and complexity (CPLX) rating according to the following fee schedule, plus applicable surcharge(s).

(b) The annual fees for persons issued NPDES permits shall be based on the following schedules, plus any applicable surcharge(s).

(5) Discharges associated with mosquito and vector control activities²⁰ that are regulated by an individual or general NPDES permit adopted specifically for these purposes, including those issued by a regional board, shall pay a fee of \$250. Dischargers filing an application for a mosquito and vector control permit shall pay a fee of \$250. The fee shall be paid each time an application for initial certification or renewal of certification is submitted. Mosquito and vector control fees are not subject to ambient water monitoring surcharges.

(6) Planned and emergency discharges from community water systems that are regulated by a general NPDES permit adopted specifically for this purpose shall pay an application fee and subsequent annual fees (if applicable) based on the number of service connections for the public water system in accordance with the following schedule. The application fee shall be submitted with the discharger's NOI to be regulated by the general NPDES permit. For purposes of this section, an NOI is considered to be a report of waste discharge.

Dischargers with a Single System		
Service Connections	Application Fee	Annual Fee
15 – 999	\$110	No Annual Fee
1,000 – 9,999	\$550	\$550
10,000+	\$2,268	\$2,268
Transmission System or Water Wholesaler	\$2,268	\$2,268

¹ Federal facilities will generally not be invoiced for the portion of the annual fee that is attributable to the state board's ambient water monitoring programs. See *Massachusetts v. United States* (1978) 435 U.S. 444.

²⁰ A mosquito and vector control activity involves discharge of pesticides into a designated area for the maintenance and control of mosquito larva for the protection of public health from the outbreak of lethal diseases. A mosquito and vector control agency discharges pesticides into surface waters for the control of mosquito larva.

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Dischargers with Multiple Systems		
Total Number of Service Connections	Application Fee	Annual Fee ²¹
15 – 999	\$110	No Annual Fee
1,000 – 9,999	\$550	\$550 per Primary System fee plus \$110 per Secondary System
10,000+	\$2,268	\$2,268 per Primary System fee plus \$110 per Secondary System
Transmission System or Water Wholesaler System	\$2,268	\$2,268 per Primary System fee plus \$110 per Secondary System

(7) Discharges from public wastewater treatment facilities that are regulated by a general NPDES permit adopted specifically for this purpose and all other NPDES permitted discharges, except as provided in (b)(8), (b)(9), and (c), shall pay a fee according to the following formula:

Fee equals \$2,268 plus 4,011 multiplied by the permitted flow, in mgd, with a maximum fee of \$567,091 plus any applicable surcharge(s).

If there is no permitted effluent flow specified, the fee shall be based on the design flow of the facility.

NPDES permitted industrial discharges²² with a threat/complexity²³ rating of 1A, 1B, or 1C are subject to a surcharge as follows:

- Threat/Complexity Rating 1A - \$15,000
- Threat/Complexity Rating 1B - \$10,000
- Threat/Complexity Rating 1C - \$5,000

Public wastewater treatment facilities with approved pretreatment programs are subject to a surcharge of \$10,000. Agencies with multiple facilities under one approved pretreatment program shall pay a \$10,000 surcharge per program.

(8)(A) Flow for wet weather municipal facilities²⁴ will be based on the previous five years' actual monthly average flow²⁵, as of the date the permit is issued.

(B) Notwithstanding (8)(A), the minimum annual fee for wet weather municipal facilities shall be \$20,000.

²¹ All Transmission Systems and Water Wholesaler Systems are Primary Systems. If the Discharger does not have a Transmission System or a Water Wholesaler System, the Discharger's individual water system with the highest number of service connections will be designated as the Primary System. All systems that are not Primary Systems are designated as Secondary Systems.

²² NPDES permitted industrial discharger(s) means those industries identified in the Standard Industrial Classification Manual, Bureau of Budget, 1967, as amended and supplemented, under the category "Division D-Manufacturing" and such other classes of significant waste producers as, by regulation, the U.S. EPA Administrator deems appropriate. (33 USC Sec. 1362).

²³ Threat/complexity categories are listed under (a)(1) of this document.

²⁴ Wet weather municipal facilities are intermittently operated facilities that are designated specifically to handle flows during wet weather conditions.

²⁵ The actual monthly average flow is defined as the average of the flows during each of the months that the discharge occurred during the previous five-year period.

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(9) All other general NPDES permits and de minimis discharges²⁶ that are regulated by an individual or general NPDES permit, including those issued by a regional board, shall pay a fee as follows:

Category 1 – Discharges that require treatment systems to meet priority toxic pollutant limits and that could impair beneficial uses if limits are violated: \$13,065

Category 2 – Discharges that require treatment systems to meet non-priority pollutant limits, but are not expected to impair beneficial uses if limits are violated. Examples of non-priority pollutants include, but are not limited to, nutrients, inorganic compounds, pH, and temperature: \$7,895

Category 3 – Discharges that require minimal or no treatment systems to meet limits and pose no significant threat to water quality: \$2,268

Note: Authority cited: Sections 185 and 1058 of the Water Code. Reference: Section 13260 of the Water Code.

²⁶ De minimis discharge activities include, but are not limited to, the following: aquaculture activities (as defined in Chapter 40, Section 122.25(b) of the Code of Federal Regulations) defined as managed water areas that use discharges of pollutants into that designated area for maintenance or reproduction of harvestable freshwater, estuarine, or marine plants or animals including fish hatcheries; geothermal facilities that utilize, extract, or produce energy from geothermal fluids for heating, generating power, or other beneficial uses, and discharge geothermal fluids to surface waters; aquatic pesticide applications; evaporative condensate; swimming and landscape pool drainage; discharges from fire hydrant testing or flushing; discharges resulting from construction dewatering; discharges associated with supply well installation, development, test pumping, and purging; discharges resulting from the maintenance of uncontaminated water supply wells, pipelines, tanks, etc.; discharges resulting from hydrostatic testing of water supply vessels, pipelines, tanks, etc.; discharges resulting from the disinfection of water supply pipelines, tanks, reservoirs, etc.; discharges from water supply systems resulting from system failures, pressure releases, etc.; discharges of non-contact cooling water, not including steam/electric power plants; discharges resulting from diverted stream flows; water treatment plant discharges; and other similar types of wastes that have low pollutant concentrations and are not likely to cause or have a reasonable potential to cause or contribute to an adverse impact on the beneficial uses of receiving waters yet technically must be regulated under an NPDES permit.