

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).

| ANNUAL FEE SCHEDULE FOR WASTE DISCHARGE REQUIREMENTS | | | | |
|---|--------------------------|--|---|---|
| Threat to Water Quality (TTWQ) | Complexity (CPLX) | Type of Discharge | | |
| | | Discharge to Land or Surface Waters² | Land Disposal³ | |
| | | | Not Paying a Tipping Fee⁴ | Paying a Tipping Fee⁵ |
| 1 | A | \$119,459 | \$70,781 ⁶ | \$59,252 ⁶ |
| 1 | B | \$75,447 | \$57,168 | \$47,856 |
| 1 | C | \$40,710 | \$36,751 | \$30,766 |
| 2 | A | \$27,192 | \$30,625 | \$25,638 |
| 2 | B | \$16,347 | \$24,502 | \$20,510 |
| 2 | C | \$12,259 | \$18,376 | \$15,383 |
| 3 | A | \$9,661 | \$12,250 | \$10,256 |
| 3 | B | \$5,145 | \$9,188 | \$7,690 |
| 3 | C | \$2,286 | \$4,082 | \$3,419 |

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.

² For this table, discharges to land or surface waters are those discharges of waste to land or surface waters not covered by NPDES permits that are regulated pursuant to Water Code Section 13263 that do not implement the requirements of Title 27 of the California Code of Regulations (CCR). Examples include, but are not limited to, wastewater treatment plants, erosion control projects, and septic tank systems. It does not include discharge of dredge or fill material, discharges from agricultural lands, including irrigated lands, or discharge from animal feeding operations.

Dischargers covered by a WDR for municipal and domestic discharges with permitted flows of less than 50,000 gallons per day in categories 2-B, 2-C, 3-B and 3-C will receive a 50 percent fee discount. The design flow shall be used where no permitted flow is present. Municipal and domestic discharges receiving the discount are defined as discharges from facilities that treat domestic wastewater or a mixture of wastewater that is predominately domestic wastewater. Domestic wastewater consists of wastes from bathroom toilets, showers, and sinks from residential kitchens and residential clothes washing. It does not include discharges from food preparation and dish washing in restaurants or from commercial laundromats. Dischargers covered by a Landscape Irrigation General Permit issued by the state board will be assessed a fee associated with TTWQ/CPLX rating of 3B.

³ For this table, land disposal discharges are those discharges of waste to land that are regulated pursuant to Water Code Section 13263 that implement the requirements of CCR Title 27, Division 2, except Chapter 7, Subchapter 2, §22560-22565 (confined animal facilities). Examples include, but are not limited to, discharges associated with active and closed landfills, waste piles, surface impoundments, and mines.

⁴ For this table, Not Paying a Tipping Fee are those land disposal dischargers not subject to Public Resources Code (PRC) § 48000 et seq.

⁵ For this table, Paying a Tipping Fee are those land disposal dischargers subject to PRC § 48000 et seq.

⁶ A surcharge of \$12,000 will be added for Class I landfills. Class I landfills are those that, during the time they are, or were, in operation, are so classified by the regional board under 23 CCR Chapter 15, have WDRs that allow (or, for closed units, allowed) them to receive hazardous waste, and have a permit issued by the Department of Toxic Substances Control under 22 CCR Chapter 10, § 66270.1 et seq.

Oil and gas produced water storage and disposal facilities regulated by waste discharge requirements are subject to a surcharge according to the following schedule:

| TTWQ & CPLX Rating | Surcharge per Barrels of Waste Water Discharged in the Prior 12 Months | | |
|--------------------|--|----------------------|---------------------------|
| | No Barrels | 1 to 999,999 Barrels | 1,000,000 or more Barrels |
| 1A | \$600 | \$1,000 | \$50,000 |
| 1B | \$600 | \$1,000 | \$50,000 |
| 1C | \$600 | \$1,000 | \$50,000 |
| 2A | \$600 | \$1,000 | \$40,000 |
| 2B | \$600 | \$1,000 | \$30,000 |
| 2C | \$600 | \$1,000 | \$10,000 |
| 3A | \$600 | \$1,000 | \$4,000 |
| 3B | \$600 | \$1,000 | \$2,000 |
| 3C | \$600 | \$600 | \$600 |

(1) Threat to water quality (TTWQ)⁷ and complexity (CPLX) of the discharge is assigned by the regional board in accordance with the following definitions:

THREAT TO WATER QUALITY

Category “1” – Those discharges of waste that could cause the long-term loss of a designated beneficial use of the receiving water. Examples of long-term loss of a beneficial use include the loss of drinking water supply, the closure of an area used for water contact recreation, or the posting of an area used for spawning or growth of aquatic resources, including shellfish and migratory fish.

Category “2” – Those discharges of waste that could impair the designated beneficial uses of the receiving water, cause short-term violations of water quality objectives, cause secondary drinking water standards to be violated, or cause a nuisance.

Category “3” – Those discharges of waste that could degrade water quality without violating water quality objectives, or could cause a minor impairment of designated beneficial uses as compared with Category 1 and Category 2.

COMPLEXITY

Category “A” – Any discharge of toxic wastes; any small volume discharge containing toxic waste; any facility having numerous discharge points and groundwater monitoring; or any Class 1 waste management unit.

⁷ In assigning a category for TTWQ, a regional board should consider duration, frequency, seasonality, and other factors that might limit the impact of the discharge.

Category “B” – Any discharger not included in Category A that has physical, chemical, or biological treatment systems (except for septic systems with subsurface disposal), or any Class 2 or Class 3 waste management units.

Category “C” – Any discharger for which waste discharge requirements have been prescribed pursuant to Section 13263 of the Water Code not included in Category A or Category B as described above. Included are dischargers having no waste treatment systems or that must comply with best management practices, dischargers having passive treatment and disposal systems, or dischargers having waste storage systems with land disposal.

(2) For dischargers covered under Statewide General WDRs for Sanitary Sewer Systems, the TTWQ and CPLX designations are assigned based on the population served by the sanitary sewer system. The table below describes the correlation between population served and TTWQ and CPLX designations to determine the appropriate annual fee:

| Population Served⁸ | Threat and Complexity Designation |
|--------------------------------------|--|
| Less than 50,000 | 3C |
| 50,000 or more | 2C |

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

⁸ Assumes 2.5 persons per equivalent dwelling unit (EDU).