

**WASTE DISCHARGE REQUIREMENTS FEE HANDBOOK
(including Storm Water Program)**

**California Regional Water Quality Control Board, Los Angeles Region
Information Technology Unit**

Revised: July 1, 2004

This reference material was developed for Regional Board staff to improve our ability to collect Annual Waste Discharge Requirement (WDR) Fees. State and Regional Boards use these fees to pay for a significant portion of the costs of water quality activities. This document describes how to:

- Make the best use of technical and administrative staff time, and
- Improve our ability to provide information to dischargers

Some portions of this document were based on the *Frequently Asked Questions About WDR Fees (and the answers to them)*, which are included in the annual invoices and the *Annual Waste Discharge Requirements Fee Handbook* (March 1997), which the State and Regional Boards developed.

PREPARING WDR INVOICES

The Regional Board maintains direct relationship with owners and operators of regulated facilities within its jurisdiction. Regulatory data maintained in the SWIM database provide the basic information necessary to prepare annual WDR fee invoices. Two common problems with invoices, which may seriously jeopardize fee collection are: 1) incorrect billing address; and 2) inaccurate description of the facility on the invoice. Inaccurate billing addresses often result in undeliverable invoice to the responsible party.

WDR application fees

When the Regional Board receives new WDR applications, staff collects an application fee, equal to the annual WDR fee, which serves as the first annual WDR fee. Administration staff deposits application fees in the Regional Board's account at the local Bank of America branch. Permit staff should make sure that adequate annual fee is paid before a permit is issued.

Staff records receipt of application fees as well as other critical facility information in the SWIM database. Depending on how the application date coincides with the State of California's July 1 to June 30 fiscal year, the application fee may cover a large percentage of the discharger's next annual WDR fee. Before generating the annual WDR fee, the SWRCB will search SWIM to determine if a portion of the application fee will serve as a credit toward the next annual WDR fee. If SWIM fails to reflect the collection of an application fee, the billing system will over-charge the discharger.

Annual WDR billing test run

Before the actual annual WDR fee billing, the SWRCB Fee Unit and Regional Boards coordinate a test run by matching the records in fee-related data fields in SWIM. The test run produces a report listing the responsible party, the billing address, the fee rating, the effluent flow (for non-storm water NPDES permits), the fee amount and the facility identification number (WDID) for each potential invoice. The Regional Board Fee Coordinator reviews the data and corrects any data problem in SWIM.

State Board issues Annual WDR Fee invoices

The invoices direct dischargers to mail payments to the State Board and to contact the Regional Board Fee Coordinator if they have regulatory questions. The Fee Coordinator may request assistance from technical staff to resolve regulatory questions.

WHAT'S NEW FOR FISCAL YEAR 2004-05

The following is a summary of the [fee schedule](#) changes that will affect the FY 2004-05 billing.

Vector Control Permit Fee

In accordance with California Code of Regulations, Title 23, Division 3, Chapter 9, Section 2200 (b)(5), coverage under the Vector Control Permit (Water Quality Order No. 2004-0008-DWQ, Statewide General National Pollutant Discharge Elimination System Permit for Discharges of Aquatic Pesticides to Surface Waters of the United States for Vector Control, General Permit No. CAG990004) currently requires a one-time fee of \$100 during the permit term. Mosquito and vector control fees are not subject to ambient water monitoring surcharges.

WDR dischargers in the NON-15 category

A fee break will be given to WDR dischargers in the NON-15 category that are Municipal/Domestic dischargers in categories 2B, 2C, 3B, and 3C and have a *design flow* of less than 50,000 gallons per day. Your offices should be contacted by DWQ instructing you to review all active dischargers in those categories to ensure flow data is present. Please review the attached fee schedule for complete information.

Wet Weather Facilities

Wet Weather facilities will now have their flow calculated on a monthly average flow basis as described in the fee schedule. A minimum fee of \$20,000 plus any applicable surcharges (SWAMP, etc.) is established. Wet weather municipal facilities are intermittently operated facilities that are designed specifically to handle flows during wet weather conditions.

Quality Assurance Program

Facilities that satisfy the conditions of a State Board certified Quality Assurance Program, adopted as part of a general NPDES storm water permit or by special resolution of the State Board, may receive up to a 50 percent fee reduction.

FREQUENTLY ASKED QUESTIONS ABOUT WDR FEES

Why did I get an invoice?

Annual WDR fee invoices are sent to persons who hold a WDR order issued by the Regional Board. The order number is shown on the invoice (There are three types of WDR orders: NPDES, Chapter 15, and Non-chapter 15 orders). The contact name, company name, and agency and billing address are obtained from Regional Board records or from an address change that the discharger submitted with prior year fee remittances.

What is an "annual WDR fee"?

Annual WDR fees are assessed for the privilege of discharging wastes, pursuant to a WDR order, that may affect California's surface and groundwater. State law (California Water Code Section 13260) requires that every holder of a WDR order pays a yearly fee for each order to SWRCB.

What is the purpose of the fee?

Annual fees are assessed to dischargers (sometimes also called *permittees*) for each WDR order they hold. The WDR fee revenue supports the majority of expenditures of the SWRCB and the Regional Boards' regulatory programs. General state and federal funds cover the remainder of the expenditures for these regulatory programs.

How is the fee determined?

SWRCB has developed [fee schedules](#) to implement the annual WDR fee law (Section 13260 of the California Water Code). The schedules are posted on the Regional Board's web site at: http://www.swrcb.ca.gov/rwqcb4/html/updates_news.html.

Waste Discharge Requirements (Non-Chapter 15)

A threat and complexity rating given to each waste discharge permit will determine WDR fees. There are three categories of threat and three categories of complexity described below. The combination of the threat and complexity rating provides nine possible ratings from 1A through 3C. The associated with these ratings can be viewed on page one of the [fee schedules](#).

Land Disposal (Chapter 15)

The [fees](#) for the land disposal program will be determined by threat and complexity categories.

NPDES (Municipal Storm Water)

Public entities subject to an area-wide Storm Water permit will receive an invoice based on the population of the public entity. A sliding [fee scale](#) based on population is located on page 4 of the fee schedule. The population-based programs will be referred to as MNSTW1.

NPDES (Flow)

The balance of NPDES permittees will pay fees based on permitted flow or design flow specified in each waste discharge permit. The formula based on flow as measured in millions of gallons per day (MGD) is available on page 5 of the fee schedule.

What is Threat to Water Quality?

Threat to Water Quality (TTWQ) is a relative categorization of the waste discharge's *potential* effect upon the surface or groundwater quality and the beneficial uses of those waters. There are three categories of TTWQ:

Category I includes discharges, which could cause long-term loss of a beneficial use, such as drinking water supply, aquatic habitat, etc.

Category II includes discharges, which could impair the designated beneficial uses, cause short-term violations of water quality objectives, violate secondary drinking water standards, etc.

Category III includes discharges, which could degrade water quality without violating objectives or could cause minor impairment of beneficial uses.

What is Complexity?

There are three categories of Complexity (CPLX):

1. **Category A** includes any major discharge, any influent involving priority pollutants of toxics, those discharges having numerous discharge points or groundwater monitoring, etc.
2. **Category B** includes those dischargers (not included in A) who have physical, chemical, or biological treatment systems, and Class II or Class III waste management unit, etc. Category B treatment systems exclude septic systems with subsurface disposal.
3. All other discharges are ranked in **Category C**.

Who decides what ratings apply to my WDR order? Who do I contact about it?

The Regional Board that issued your WDR order determined the rating criteria shown on the fee invoice. The first digit of your *WDID Code* also indicates which Regional Board regulates the facility or operation. A map showing Regional Board jurisdictions (keyed by number), addresses, and telephone numbers is shown on the reverse side of the invoice cover letter.

What should I do if I think this invoice isn't mine?

Our records show the contact name, company or agency named as the discharger (i.e., *permittee*) in the specified WDR order. The person or company named may be the person, department, or office responsible for operating

the regulated waste treatment and disposal works. However, in many instances, there is a different billing address. If the invoice has been mistakenly sent to the wrong office within a company, re-route it to the proper person. Remind that person to update the name and address information on the remittance stub. Use titles rather than personal names.

Shouldn't the new owner get the invoice?

Not necessarily. If you sold your facility or operation, state law requires that you notify the Regional Board in writing. Under law, the new owner/operator must also notify the Regional Board that *she or he* accepts responsibility for compliance with the WDR order.

As the transfer of property and who should pay the bill is a private matter between the seller and buyer, we must bill the discharger named in the WDR order. The named *permittee* is responsible for payment of the annual WDR fee until the Regional Board transfers or re-issues the WDR order.

The discharge ceased or a project is cancelled.

Dischargers often raise concerns when they receive an Annual WDR Fee invoice and they are no longer discharging waste or when plans for projects have been cancelled or delayed.

Regional Board staff resolves these regulatory questions. When dischargers contact the SWRCB Fee Unit, staff places a *block* on the invoice record, add the invoice to a report that lists all unpaid invoices with pending issues and refer the matter to the Regional Board. Based on the date of the request for termination, Regional Board staff determines whether the discharger is responsible for paying outstanding invoices for the current and prior fiscal years. In general, a WDR remains active, until the Regional Board terminates it (usually in response to a discharger's request). This is true even when the discharge has ceased or a project has been cancelled. Below are some examples.

If I'm not discharging, is a fee required?

Yes. The annual WDR fee pertains to your order, not the frequency or duration of your discharge. Since your WDR order allows you to discharge wastes as specified, you must pay an annual fee as long as your WDR order remains in force.

State law requires that you report any material changes in your discharge to the Regional Board. If you are no longer discharging and think you should not be assessed future fees, you must notify the Regional Board. As appropriate, and after you have complied with all laws and permit conditions, the Regional Board *may* determine that your WDR order can be rescinded. If rescinded, you will not be assessed future fees but you may still be required to pay current and past annual WDR fees. You will need a new WDR should you decide to discharge in the future.

Discharger requests rescission of a WDR (no enforcement action)

- Regional Board Fee Coordinator changes the fee code to 15 (pending rescission) when technical staff verifies that the WDR can be terminated, so Fee Unit does not issue invoice for the next fiscal year.
- Discharger is responsible for paying outstanding invoices for the current and prior fiscal years.
- If an annual WDR fee invoice was generated for the next fiscal year, the Fee Coordinator sends a Form X to the SWRCB Fee Unit to cancel that invoice. Attach a copy of the Regional Board's rescission letter and the discharger's rescission request letter.

Discharger requests rescission of a WDR (under enforcement action)

- The WDR remains active until all enforcement actions are resolved. The discharger is responsible for paying WDR fees for the current and prior fiscal years and any future invoices during the period while the WDR is active.
- Regional Board Fee Coordinator changes the fee code to 15 (pending rescission) when technical staff verifies that the Regional Board withdraws/rescinds enforcement action and that the WDR can be terminated, so Fee Unit does not issue invoice for the next fiscal year.
- If an Annual WDR Fee invoice was generated for the next fiscal year, the Fee Coordinator sends a Form X to the SWRCB Fee Unit to cancel that invoice. Attach a copy of the Regional Board's WDR rescission letter.

Discharger requests rescission of a WDR, but has not submitted a written request.

- The Fee Coordinator or technical staff informs the discharger to submit a written notification to terminate a WDR.
- Regional Board Fee Coordinator changes the fee code to 15 (pending rescission) when technical staff verifies that the WDR can be terminated, so Fee Unit does not issue invoice for the next fiscal year.
- Discharger is responsible for paying outstanding invoices for the current and prior fiscal years.
- If an annual WDR fee invoice was generated for the next fiscal year, the Fee Coordinator sends a Form X to the SWRCB Fee Unit to cancel that invoice. Attach a copy of the Regional Board's WDR rescission letter and the discharger's rescission request letter.

The discharger received an Annual WDR Fee invoice for a rescinded WDR.

The SWRCB uses SWIM data to generate Annual WDR Fee invoices. If data in SWIM do not reflect the rescission, the SWRCB will generate an Annual WDR Fee invoice.

The amount due from the discharger depends either on the date of the discharger's request to rescind the WDR order or the effective date of the rescission. For example, a discharger (assuming no enforcement action) is not responsible for an invoice that was generated the next fiscal year after the written request for rescission was submitted. The Fee Coordinator ensures that SWIM records are accurate, and then prepares a Form X to cancel the invoice based on the effective date of the rescission or the date of the discharger's request for rescission. The SWRCB Fee Unit uses the information on the Form X to cancel invoices. There is no pro-rated payment or refund except the application fee, which can be counted toward the annual fee for the following year.

If I dispute my fee, what should I do?

If you disagree with the assessment or the amount of the fee, you must pay the fee to SWRCB and, most importantly, submit a written description of your dispute along with any key facts to the Regional Board. The Regional Board may require additional information from you so it can resolve your dispute.

The Regional Board will notify you if a portion or all of the disputed fee should be refunded, SWRCB will then refund any monies due you as the law allows.

Do interest charges accrue after the due date?

No, but because of the serious consequences of not paying, you should immediately contact the Regional Board by the due date.

All outstanding fees will be considered delinquent thirty (30) days after the date of the invoice. Failure to pay the required fee is a misdemeanor and will result in the Regional Board seeking collection of the fee through the Enforcement provisions of the California Water Code. The Regional or State Board may administratively impose civil liability in accordance with Article 2.5 (commencing with Section 13323) of Chapter 5 for a

violation of subdivision (a) in an amount that may not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

What is the SWRCB's taxpayer identification number?
68-0281986.

What is the SWRCB's address?

The State Water Resources Control Board's address is 1001 I Street, Sacramento, CA 95814.

Who do I contact at State Board regarding fees?

The Fee Coordinators at the State Board Fee Unit are Bob Rinker and David Bott.

MOST FREQUENTLY ASKED QUESTIONS ABOUT STORM WATER FEES

What is this invoice for?

Storm Water fee invoices are sent to every person who filed a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB). The invoice is your bill for the twelve month period shown. Under state law, a fee is assessed annually for persons who may discharge industrial and/or construction storm water under a general permit.

If I don't have any pollutants in my storm water discharge, am I still subject to an annual fee?

Yes. As long as you discharge storm water, you are subject to this fee regardless of whether or not there are pollutants in the discharges. You must pay the fee no matter how often or long your discharge occurs.

What is my fee going toward?

The annual fee pays for the implementation and administration of the Storm Water Program.

If my construction project has been completed, am I still subject to the annual fee?

You are subject to the annual fee until you (1) file a Notice of Termination (NOT) with the Regional Board, and (2) the Regional Board approves your NOT.

Where do I send my Notice of Termination?

Send the NOT to the Regional Board which has the jurisdiction over your site. Please refer to the last page of a NOT packet for Regional Board locations. If you have already submitted a NOT and still received an invoice, please contact the Regional Board.

If a Notice of Termination has been submitted to the Regional Board, do I still have to pay the fee?

Possibly, send or fax us a copy of your NOT and we will place you on *billing hold* pending Regional Board decision. If the Regional Board approves your NOT, and the project completion date of construction or the facility was transferred or closed prior to the annual fee billing date, you are not required to pay the fee. If the Regional Board denies your NOT, you will be required to pay the annual fee.

I am the new owner of the facility/site being invoiced, but the invoice is in the previous owner's name. Can I pay the invoice and assume responsibility?

No. The previous owner needs to file a NOT with the Regional Board and you as the new owner would need to file a new NOI and fee with the SWRCB.

What if I don't know where the previous owners are?

Contact the Storm Water Section and we will send you a form to submit with your NOI that allow us to update the information in our records pertaining to your facility.

The site is changing to a new location, can I pay the annual fee and return the address changes on the billing invoice?

No. Your NOI was approved based on the information specifically for that NOI. Any changes to the location of your site would require you to file a NOT with the Regional Board and then file a NOI for the new site location. As stated on your invoice coupon, if you have changes to your agency address (billing address), please note the changes on the coupon and return it to the SWRCB's accounting office.

If the facility is going to be sold in a few months, am I required to pay the entire fee?

Yes, you would still be required to pay the annual fee. Storm water annual fees are not pro-rated.

My construction project will be completed mid-year, is the fee pro-rated?

No. Storm water annual fees are not pro-rated.

What is a Facility Identification Number or WDID Number?

The facility identification number or WDID number is the number the SWRCB gives each permittee when they apply for a NOI. Consider it your account number with the SWRCB.

What is the SWRCB's Federal Tax Identification Number?

68-0281986

What if I still have some questions that were not answered, who should I contact?

You can contact the SWRCB's fee line at (916) 341-5247 or you may fax any questions at (916) 341-5248. In order to expedite responding to your phone call, please leave your name, name of company, phone number, invoice number and/or your facility ID number (WDID), and detailed question at the tone. If you are requesting a document, please also include your full address. You can also download a wide variety of storm water information and documents by accessing the State Board's website at <http://www.swrcb.ca.gov/stormwtr/index.html>.

FREQUENTLY ASKED QUESTIONS ABOUT INDUSTRIAL STORM WATER PROGRAM

How do I know if I need this permit?

The federal storm water regulations require a broad range of industrial facilities to be permitted. They include manufacturing facilities, mining operations, disposal sites, recycling yards, transportation facilities, and other. See Attachment 1 of the [Industrial Storm Water General Permit](#) for a complete list of required facilities.

Who must apply?

The facility operator must submit an NOI for each industrial facility that is required by U.S. Environmental Protection Agency regulations to obtain a storm water permit. The required industrial facilities are listed in Attachment 1 of the [General Permit](#) and are also listed in 40 Code of Federal Regulations Section 122.26(b)(14). The facility operator is typically the owner of the business or operation where the industrial activities requiring a storm water permit occur. The facility operator is responsible for all permit related activities at the facility. Where operations have discontinued and significant materials remain on site (such as closed landfills), the landowner may be responsible for filing an NOI and complying with this General Permit. Landowners may also file an NOI for a facility if the landowner, rather than the facility operator, is responsible for compliance with this General Permit.

Are there other requirements when applying for this permit?

A "to scale" site map of the facility is required. The site map must identify buildings, material handling and storage areas, roads, names of adjacent streets, discharge locations, and include a north arrow.

What is the Permit fee?

The permit fee is \$830.00 (\$700 + 18.5% surcharge). Checks should be made payable to: SWRCB.

Where is the Primary Permit Location?

The completed NOI form, a site map, and appropriate permit fee must be mailed to the State Water Resources Control Board (SWRCB) at the following address:

State Water Resources Control Board
Division of Water Quality
P. O. Box 1977
Sacramento, CA 95812-1977
Attn: Storm Water Permitting Unit

What are the timelines for applications/renewals?

Facility operators of existing facilities must file an NOI in accordance with these instructions by March 30, 1992. Facility operators of new facilities (those beginning operations after March 30, 1992) must file an NOI in accordance with these instructions at least 14 days prior to the beginning of operations. Once the completed NOI, site map, and appropriate permit fee have been submitted to the State Water Board, your NOI will be processed and you will be issued a receipt letter with a Waste Discharge identification (WDID) Number. Please refer to this number when you contact either the State or Regional Water Quality Control Boards (RWQCB)

What is the annual compliance fee?

The annual fee is the same as the permit fee.

How long is this permit in effect?

Your coverage under the general permit is in effect until you submit a valid Notice of Termination (NOT) to the appropriate RWQCB. The RWQCB, however, may deny the NOT if the NOT is considered invalid.

How can I avoid the most common mistakes made in applying for this permit?

Make sure the NOI is signed, the correct permit fee is attached, and site map is attached.

What are the regulations that apply to this permit? Where can I get copies?

The permit is available from the SWRCB and the RWQCBs. The regulations are available from the USEPA.

Questions? Call....

If you have any questions completing the NOI, please call the appropriate RWQCB (Attachment 2) or the SWRCB at (916) 341-5536 or by email at stormwater@dwq.swrcb.ca.gov.

FREQUENTLY ASKED QUESTIONS ABOUT CONSTRUCTION STORM WATER PROGRAM**How do I know if I need this permit?**

Construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger common plan of development or sale must obtain the Construction Activities Storm Water General Permit (General Permit). Construction activity includes clearing, grading, excavation, stockpiling, and reconstruction of existing facilities involving removal and replacement. Construction activity does not include routine maintenance such as, maintenance of original line and grade, hydraulic capacity, or original purpose of the facility.

Storm water discharges in the Lake Tahoe Hydrologic Unit and the San Jacinto Watershed are regulated by a separate construction permit(s) adopted by the respective California Regional Water Quality Control Boards (RWQCB), and may not seek coverage under the State Water Resources Control Board's (SWRCB) General Permit. Storm water discharges associated with construction activity on Indian lands will be regulated by the U.S. Environmental Protection Agency.

Are there other requirements I should be aware of when applying for this permit?

Owners of new construction must file a complete NOI package and develop a Storm Water Pollution Prevention Plan (SWPPP) in accordance with Section A of the General Permit prior to the commencement of soil disturbing activities. A Waste Discharger Identification (WDID) number will be issued to within 10 business days after the SWRCB receives a complete NOI package (original signed NOI, vicinity map, and check).

There may be other permits or requirements in addition to the General Permit. For example, you may also need a streambed alteration agreement from the [Department of Fish and Game](#), a Water Quality Certification (Clean Water Act Section 401) as administered by the SWRCB and RWQCB, and/or Clean Water Act Section 404 permit administered by the U. S. Army Corp. of Engineers. Contact the appropriate RWQCB to determine if other permits are required for your construction activity.

Who should apply, and who is the proper signatory?

The General Permit currently states the owner of the land where the construction activity is occurring is responsible for obtaining a permit and for signing the certification statement on the Notice of Intent (NOI). Language in Section C 9: "Signatory Requirements" allows a duly authorized representative to sign documents including the NOI.

Permit coverage for construction activity conducted on easements (e.g., linear construction projects), on nearby properties by agreement or permission, or by an owner or lessee of a mineral estate (oil, gas, geothermal, aggregate, precious metals, and/or industrial minerals) shall be obtained by the entity responsible for the construction activity, and not by the landowner. In the cases listed above, the same responsible entity would be considered the proper signatory. For further information concerning filing a NOI for linear construction projects, see the [Frequently Asked Questions Associated with Linear Construction Activity](#).

What are the fees associated with the Permit?

The current fee is based on total size of the construction project in acres. [See Construction fees](#) for a list of fees by acres. You will continue to receive an annual invoice until your project is complete and a [Notice of Termination](#) submitted and approved by the RWQCB.

Who do I contact for questions regarding an invoice?

If you have questions regarding outstanding invoices or payments please contact our Fee Unit at (916) 341-5247.

Where do I send the NOI application?

Mail a complete NOI package including: the **original signed NOI**, **site map**, and **appropriate fee** to the State Water Resources Control Board at the following address:

Regular Mail:

State Water Resources Control Board
Division of Water Quality
Attn: Storm Water Section
PO Box 1977
Sacramento, CA 95812-1977

Fedex or other overnight mail:

State Water Resources Control Board
Division of Water Quality
Attn: Storm Water Section
1001 I Street
Sacramento, CA 95814

How can I find out the status of my permit?

You can download the construction storm water database (Microsoft Access 2000) from the Storm Water Section's web page at <http://www.swrcb.ca.gov/stormwtr/construction.html> under "[List of Active Construction Storm Water Permittees](#)." You can also check to see if you have any outstanding invoices by clicking on "List of Outstanding Invoices."

How long is my permit in effect?

Your coverage under the General Permit remains in effect until a [Notice of Termination](#) (NOT) is submitted and approved by the RWQCB. Once the appropriate RWQCB approves the NOT and informs the SWRCB, the permit is terminated and the annual fees no longer accrue. A letter is sent to the discharger by the SWRCB confirming the permit is terminated in the database. If the RWQCB denies the NOT, you are responsible for any missed or outstanding invoices prior to filing the NOT.

Can I terminate or sell a portion of my project?

Yes, the current permit allows a discharger to terminate portions of a construction project if those portions have been sold to another owner. The permit is not transferable so the responsibility to obtain permit coverage, update the SWPPP, and comply with permit requirements becomes that of the new owner. The seller must notify the new owner about his/her responsibilities concerning the permit, and must notify the SWRCB by submitting the new owners name, address, and phone number on the Change of Information (COI) form for the termination to be processed. The seller must also disclose the state of construction, primarily if construction activity is ongoing or if the post-construction requirements are completed. The SWRCB sends a letter to the new owner including a permit packet.

What if I sell the property prior to completing the construction?

The new owner must submit a new NOI package within 30 days of the date of change of ownership. For ongoing construction activity involving a change of ownership, the new owner must review the existing SWPPP, determine if it is appropriate for the construction activity being undertaken and if it is in compliance with Section A. of the current Permit. If not, then the SWPPP must be amended or a new SWPPP developed within 45-calendar days.

Who should I contact if I have questions?

If you have any questions concerning the General Permit please email us at stormwater@swrcb.ca.gov or call (916) 341-5537.

Are there any new modifications to the General Permit?

On April 26, 2001 the State Water Resources Control Board adopted modifications to the General Permit. These modifications are in response to a court judgment and writ of mandate filed by the BayKeepers. You can download a copy of the adopted language at <http://www.swrcb.ca.gov/stormwtr/index.html>. The Court directed the SWRCB to modify the provisions of the General Permit to require permittees to implement specific sampling and analytical procedures to determine whether Best Management Practices (BMPs) implemented on a construction site are: (1) preventing further impairment by sediment in storm waters discharged directly into waters listed as impaired for sediment or silt, and (2) preventing other pollutants, that are known or should be known by permittees to occur on construction sites and that are not visually detectable in storm water discharges, from causing or contributing to exceedances of water quality objectives.

COLLECTING FEES

Outstanding fee notices

The SWRCB Accounting Office sends outstanding fee notices – one at 60 days and another at 90 days (certified mail) after the date of the original invoice.

Outstanding fee report

Every Thursday, the SWRCB Fee Unit updates the Department of Administrative Services' (DAS) web site http://dasweb/html/acctg_fee_unit.htm, which provides a detailed list of outstanding and paid invoices for the current and previous fiscal year. The Fee Coordinator distributes this list to seniors and supervisors and may request staff to determine the correct billing information.

Regional Board receives an annual WDR fee payment

Sometimes, dischargers send annual WDR fee payments to the Regional Board. Please do not deposit these fees in the local bank. Forward payments to the SWRCB Accounting Office. Include reference numbers (e.g., invoice number, facility WDID number) that will allow Accounting Office staff to record the payment.

IDENTIFYING AND RESOLVING ANNUAL WDR FEE PROBLEMS**Improving the fee collection rate**

The biggest problem with unpaid annual WDR fees appears to be the result of outdated and inaccurate billing addresses in the SWIM database. Dischargers responsible for paying the fees never receive our invoices. Instead, the U. S. Post Office return invoices back to SWRCB as *returned mail*. Updating the billing information in SWIM is an ongoing effort. Starting in 2001, the Information Technology (IT) Unit sends pre-billing letters to all active permittees before the end of each fiscal year. The purpose is to verify and update mailing and billing information in SWIM. For 2001 and 2002, approximately 30% of the dischargers had billing information corrections. Undeliverable invoices and uncollected fees were dramatically reduced because of this effort.

The IT Unit also tracks communications (letter, phone, fax, e-mail) with dischargers using MS Access database, which contains the annual WDR fee invoices for a particular fiscal year, the mailing and billing addresses, the facility identification number (WDID), and other pertinent facility and WDR information.

Returned mail

When the U.S. Post Office returns an invoice to the SWRCB, the Accounting Office enters a *return mail block* in their annual WDR fee database, which prevents the system from mailing a late notice to an old address. Fee Unit staff forwards the *returned mail* to the appropriate Regional Board office. The Regional Board Fee Coordinator and technical staff do the research necessary to find the correct billing information and update the address in SWIM. The Fee Coordinator also prepares a *Request for Modification of Fee Invoice* (Form X) requesting the Fee Unit to issue a revised invoice to the fee-payer at the new address.

Change of billing address

The Fee Coordinator updates the mailing and billing information in SWIM based on written change of address notifications from the discharger. The Fee Coordinator also prepares a Form X requesting the SWRCB Fee Unit to issue a revised invoice to the fee-payer at the new address.

Changing the fee amount, fee rating or program assignment

When dischargers receive Annual WDR Fee invoices, they frequently question the fee amount reflected on the invoices.

The AFRS system uses the fee rating (TTWQ/CMPLX, effluent flow specified in the permit, amount of dredge and fill material or population) and program type (NPDES, Non-Chapter 15 and Chapter 15) to calculate the fee amount. Regional Board staff is responsible for reviewing the regulatory issues and resolving fee-rating and program assignment questions.

When dischargers contact the SWRCB Fee Unit, staff place a *block* in the AFRS invoice file to stop late notices, add the invoices in question to a report that lists unpaid invoices with pending issues and forward the correspondences to the Regional Board Fee Coordinator for action. The Fee Coordinator works with technical staff to resolve the regulatory question(s) and updates SWIM accordingly. The Fee Coordinator also sends a Form X to the SWRCB Fee Unit to modify the invoice. The Fee Unit and Accounting Office issue a revised invoice to the discharger and release the *block* on the invoice.

A Form X must be submitted to the SWRCB Fee Unit to remove a *block* for reasons other than the one stated above. The box "other" should be checked and an explanation should be given in section E such as permit remains active, reissue invoice NOT denied or something we can include in the letter we sent with the re-issued invoice.

Issuing refunds

Regional Boards submit refund requests to the SWRCB Fee Unit on behalf of the discharger. The request should include a brief statement explaining the Regional Board's reasons for the refund. Since the Regional Boards do not have access to fee payment records, we must rely on the SWRCB Fee Unit and Accounting Office to research and to calculate the actual refund amount due to the discharger. The SWRCB sends a refund and a cover letter that includes information to help the discharger understand the reason for the refund. Regional Board staff must send enough information to the SWRCB Fee Unit about the regulatory issues involved. The Regional Board regulatory files should contain the detailed information necessary for audit purposes.

Annual WDR fee refunds

Sometimes, a discharger requests a refund of all or part of an Annual WDR Fee payment if they cease discharging during the middle of a fiscal year. Statutes describe the authority extended to dischargers through the WDR orders issued by the Regional Board as a *privilege*. Compare the WDR fee to paying a fee for a driver's license. The DMV would not issue a refund if a driver decided to stop driving before the license expired. Viewed from this perspective, dischargers who hold WDRs owe the Annual WDR Fee whether or not they exercise the privilege.

Fee Unit staff will work with the Fee Coordinator and technical staff to calculate Annual WDR Fee refunds. Regional Board staff prepares a Form X and sends it and a copy of the front and back of the check (from the discharger) to the Fee Unit.

Application fee refunds

If a discharger pays an application fee, but technical staff decides not to prepare a WDR, the Regional Board can deduct \$ 50 per hour from the application fee for time spent on reviewing the application. The Regional Board can direct the SWRCB to refund the balance of the fee to the applicant. To refund application fees collected and deposited by Regional Boards, send a *General Cash Check Request for Refund* form to the SWRCB Accounting Office. The Accounting Office needs a copy of the original deposit record (Report of Collections) prepared by the Regional Board in order to locate the necessary SWRCB financial records.

Out-of-date regulatory information in SWIM

Inaccurate data in the SWIM database cause the financial database to generate inaccurate Annual WDR Fee invoices. The SWIM coordinator must maintain timely and accurate SWIM records in order to avoid the workload, aggravation, and frustration associated with modifying Annual WDR Fee invoices. The Regional Board's SWIM Coordinator, Fee Coordinator, and technical staff must establish a workable method for maintaining accurate facility records in the SWIM database. The following steps were developed to achieve this goal:

Inform staff about their responsibilities to keep SWIM data updated: Flowcharts (MS PowerPoint) identifying SWIM data entry requirements associated with WDR activities (application, inspection, reporting and termination) were developed and distributed to seniors and supervisors.

Verify mailing and billing information: All active dischargers are requested to verify their mailing and billing information before the SWRCB Fee Unit generates the annual WDR fee Invoice.

Monitor SWIM data entry: IT staff maintains a database (MS Access) to track data entry of new WDRs, rescissions and resolutions in the SWIM database. This database also tracks the receipt of electronic copies of WDRs, rescissions and resolutions, which are posted in Region 4's web site.

Develop and implement adequate QA/QC procedures: Prepare monthly reports pertaining to WDR activities (inspections, WDRs adopted, monitoring reports reviewed) completed in the previous month. A list of outstanding Annual WDR Fee invoices and SWIM data entry are also prepared. These reports are provided to seniors and supervisors for review and follow up. The SWIM Coordinator updates SWIM based on information that technical staff provide and any data corrections necessary. This process also ensures that the SWRCB monthly management reports for Region 4 are accurate.

Collecting delinquent fees

Some dischargers fail to pay annual WDR fees, which reduces the revenue needed to pay for State and Regional Board operating expenses. Those dischargers who fail to pay annual WDR fees receive two late notices: 1) 60 days from the date of the invoice; and 2) a certified notice 90 days from the date of the invoice. In an effort to make information easily accessed and available to the Regions, the SWRCB Fee Unit has linked a listing of all invoices generated by either Storm Water or "waste water" programs (WDR and NPDES) to: http://dasweb/html/acctg_fee_unit.htm. The web site also provides information on outstanding invoices and paid invoices, as well as a monthly report of collections which may be very valuable in reviewing payments and collection rates. SWRCB Fee Unit staff updates these reports every Thursday.

The Fee Coordinator also distributes to program managers the monthly summary tables that show delinquent fee amounts by program type (NPDES, Non-Chapter 15 and Chapter 15). The workload involved and the time necessary to resolve outstanding fees is daunting. The following steps are taken to settle delinquent fees:

- The Fee Coordinator and technical staff review the discharger's file for notice of termination, ownership change, billing address change, or any information that would lead to the collection of delinquent funds. The priority is given to the dischargers with the highest amount of delinquent fees.
- The Fee Coordinator or technical staff contact the discharger by phone and advise them of outstanding fee(s) and/or undeliverable invoices. The Fee Coordinator also informs the discharger about any unpaid Annual WDR Fees when the discharger calls regarding the current fiscal year's WDR fee invoice.
- The Fee Coordinator requests technical staff to advise the discharger of outstanding annual invoice(s) and obtain correct billing address during a site inspection.
- The Fee Coordinator prepares a Form X and sends it to the Fee Unit to either reissue an invoice to the new billing address or cancel an invoice.
- Water Code Section 13261 authorizes the Regional Boards to take enforcement action when dischargers fail to pay required fees.

APPENDIX A: FY 2004-05 FEE SCHEDULES
(As adopted by State Board Resolution 2004-0032 on May 20, 2004)

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.

An Ambient Water Monitoring (AWM) surcharge will be added to each individual fee. The AWM surcharge for all discharges pursuant to section (a) Non- National Pollutant Discharge Elimination System (NPDES) and (c) Confined Animal Feeding Operations (CAFO) is 9% of the calculated fee; the surcharge for all discharges pursuant to section (b) NPDES is 18.5% of the calculated fee. The surcharge shall be applied to all permits prior to other surcharges prescribed herein.

(a) Non-NPDES fees: Annual fees for persons issued waste discharge requirement orders for discharges to land under the Waste Discharge Requirements¹ or surface waters not covered by a NPDES permit and Land Disposal² Programs, shall be based on the discharge's fee rating according to the following schedule, plus applicable surcharge(s), except as provided in subdivisions (a)(2) and c.

ANNUAL FEE SCHEDULE FOR DISCHARGES TO LAND			
Threat to Water Quality (TTWQ)	Complexity (CPLX)	<i>Regulatory Programs</i>	
		Waste Discharge Requirements ¹	Land Disposal ²
1	A	\$41,800	\$26,000 ³
1	B	\$26,400	\$21,000
1	C	\$14,245	\$13,500
2	A	\$9,515	\$11,250
2	B	\$5,720	\$9,000
2	C	\$4,290	\$6,750
3	A	\$3,380	\$4,500
3	B	\$1,800	\$3,375
3	C	\$800	\$1,500

¹ Waste Discharge Requirements (WDRs) are those discharges of waste to land that are regulated through waste discharge requirements issued pursuant to Water Code Section 13263 and 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. Municipal and domestic discharges of less than 50,000 gallons per day in category 2-B, 2-C, 3-B and 3-C will receive a 50% fee discount. Municipal and domestic discharges receiving the discount are defined as 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 from residential clothes washing. It does not include discharges from food preparation and dish washing in restaurants or from commercial laundromats.

² Land Disposal WDRs are those discharges of waste to land that are regulated through waste discharge requirements issued pursuant to Water Code Section 13263 and that implement the requirements of CCR Title 27. Examples include, but are not limited to both active and closed landfills and surface impoundments.

³ 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 RWQCB 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 Substance Control under 22 CCR Chapter 10, §66270.1 et seq.

(a)(1) Threat to water quality TTWQ 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 or having numerous discharge points or ground water monitoring, or any Class 1 waste management unit.

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

(a)(2) Dredge and Fill Operation fees shall be assessed as follows, not to exceed \$40,000, plus applicable surcharge(s)⁴.

Type of Discharge	Fees
(i) Fill & Excavation ⁵ Discharges. Size of the area as expressed in hundredths of acres (0.01 acre) (436 square feet) rounded up.	\$500 Base Price + (Discharge area in hundredths of an acre x \$21.50)
(ii) Dredging Discharges Dredge volume expressed in Cubic Yards.	\$500 Base Price + (Dredge volume in cubic yards x \$0.08)
(iii) Channel and Shoreline Discharges Includes linear discharges to drainage features and shorelines, e.g., bank stabilization, revetment and channelization projects. (Note): The fee for channel and shoreline linear discharges will be assessed under the 'Fill and Excavation' or 'Channel and Shoreline' schedules, whichever results in the higher fee.	\$500 Base Price + (Discharge length in feet x \$5.00)
(iv) Discharges to Non-federal (e.g. 'Isolated') Waters. Discharges to waters or portions of waterbodies not regulated as 'waters of the United States', including waters determined to be 'isolated' pursuant to the findings of <i>Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers</i> (2001) 121 S. Ct. 675.	Double the applicable fee schedules except for (vi) restoration projects
(v) Low Impact Discharges. Projects may be classified as low impact discharges if they meet all of the following criteria: 1. The discharge size is less than all of the following: (a) for fill, 0.1 acre, and 200 linear feet, and (b) for dredging, 25 cubic yards. 2. The discharger demonstrates that: (a) all practicable measures will be taken to avoid impacts, (b) where unavoidable temporary impacts take place, waters and vegetation will be restored to pre-project conditions as quickly as practicable, and (c) where unavoidable permanent impacts take place, there will be no net loss of wetland, riparian area, or headwater functions, including onsite habitat, habitat connectivity, floodwater retention, and pollutant removal. 3. The discharge will not do any of the following: (a) directly or indirectly destabilize a bed of a receiving water, (b) contribute to significant cumulative effects, (c) cause pollution, contamination, or nuisance, (d) adversely affect candidate, threatened, or endangered species, (e) degrade water quality or beneficial uses, (f) be toxic, (g) include "hazardous" or "designated" material. 4. Discharge is to a waterbody regulated as 'Waters of the United States'.	\$500 Flat fee.
(vi) Restoration Projects. Projects funded or sponsored by a government program with the primary purpose of restoring or enhancing the beneficial uses of water. This schedule does not apply to projects required under a regulatory mandate or to projects undertaken primarily for some other non-restorative purpose, e.g., land development. (vii) General Orders. Projects which are required to submit notification of a proposed discharge to the State and/or Regional Board as a condition of compliance with a general waste discharge requirement associated with permitting discharges authorized by a federal general permit or license, e.g., a U.S. Army Corps of Engineers nationwide permit.	\$500 Flat fee \$60 Flat Fee

⁴ When a single project includes multiple discharges within a single dredge and fill fee category, the fee for that category shall be assessed based on the total area, volume, or length of discharge (as applicable) of the multiple discharges. When a single project includes discharges that are assessed under multiple fee categories, the total fee shall be the sum of the fees assessed under each applicable fee category; however a \$500 base fee, if required, shall be charged only once.

⁵ 'Excavation' refers to moving sediment or soil in shallow waters or under no-flow conditions where impacts to beneficial uses are best described by the area of the discharge. It typically is done for purposes other than navigation. Examples include trenching for utility lines, other earthwork preliminary to construction, removing sediment to increase channel capacity, and aggregate mining in fresh waters.

(b) NPDES fees: Annual fees for persons issued permits for discharges to surface waters pursuant to the program, except confined animal feeding operations, shall be based on the following schedules.

(b)(1) Each public entity that owns and/or operates a storm water conveyance system, or part of such a system, that is subject to a NPDES permit for storm water discharges from a municipal separate storm sewer system (MS4) shall pay an annual fee according to the following schedule, plus applicable surcharge(s). The fee shall be based on the population of the public entity according to the most recently published United States Census. For public entities other than cities or counties, the population figure shall be the number of people using the entity's facilities on a daily basis. Flood control districts or other special districts named as co-permittees to MS4 permits and school districts, serving students between kindergarten and fourteenth grade, shall not pay an annual fee if the city or county within whose jurisdiction the district lies, pays an annual fee.

ANNUAL FEE SCHEDULE FOR AREAWIDE MUNICIPAL STORM WATER SEWER SYSTEM PERMITS AND CO-PERMITTEES	
Population equal to or greater than 250,000	\$25,000
Population between 200,000 and 249,999	\$21,875
Population between 150,000 and 199,999	\$18,875
Population between 100,000 and 149,999	\$15,625
Population between 75,000 and 99,999	\$12,500
Population between 50,000 and 74,999	\$9,375
Population between 25,000 and 49,999	\$6,250
Population between 10,000 and 24,999	\$3,750
Population between 1,000 and 9,999	\$2,500
Less than 1,000 population	\$1,250
Statewide Permit Holders	\$100,000

(b)(2)(A) Facilities that discharge storm water associated with industrial activities that are regulated by a State Board or Regional Board general NPDES storm water permit, shall pay an annual fee of \$700, plus applicable surcharge(s). An amount equal to the fee prescribed shall be submitted with the discharger's Notice of Intent (NOI) to be regulated under a general NPDES permit and will serve as the first annual fee. For the purposes of this section, an NOI is considered to be a report of waste discharge.

(B) Facilities that satisfy the conditions of a State Board certified Quality Assurance Program, adopted as part of a general NPDES storm water permit or by special resolution of the State Board, may receive up to a 50 percent fee reduction.

(b)(3) Storm water discharges associated with construction activities that are regulated by a general NPDES storm water permit other than those covered under (b)(4), including those issued by a Regional Board, shall pay an annual fee of \$200 plus \$20 per acre, to a maximum fee of \$2,200, plus any applicable surcharge, based on the total acreage listed on the NOI. An amount equal to the fee prescribed shall be submitted with the discharger's NOI to be regulated under a general NPDES permit and will serve as the first annual fee. For the purposes of this section, an NOI is considered to be a report of waste discharge.

(b)(4) Storm water discharges associated with small linear underground and overhead construction projects, that include but are not limited to, any conveyance, pipe or pipeline for the distribution of any gaseous liquid (including water for domestic municipal services or wastewater), liquescent, or slurry substance; any cable line or wire for the transmission of electrical energy; and any cable line or wire for communications, that are regulated by a general NPDES storm water permit are subject to the following annual fees, plus applicable surcharge(s):

Tier 1 –\$5,000 for each region in which activities subject to the permit are conducted, or

Tier 2 –A fee as prescribed by (b)(3), based on the area covered by the project.

(b)(5) Discharges associated with mosquito and vector control activities that are regulated by an individual or general NPDES permit adopted exclusively for these purposes, including those issued by a Regional Board, shall pay a fee of \$100. 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. Dischargers filing an application for a mosquito and vector control permit shall pay a fee of \$100. The fee shall be paid each time an application for initial certification or renewal is submitted. Mosquito and vector control fees are not subject to ambient water monitoring surcharges.

(b)(6) All other NPDES permitted discharges with permitted flows of less than 100 million gallons per day (mgd) except as provided in (b)(6), (b)(7), (b)(8), (b)(9) and c, shall pay a fee according to the following formula:

Fee = \$1,000 plus 3418 multiplied by the permitted flow, in mgd, to the maximum plus any applicable surcharge(s).

The maximum fee for NPDES permitted industrial discharges⁶ is \$35,000, plus any applicable surcharge(s). NPDES permitted industrial discharges with a Threat/complexity⁷ rating of 1A, 1B or 1C are subject to a surcharge as follows:

Threat /Category 1C - \$5,000

Threat /Category 1B - \$10,000

Threat /Category 1A - \$15,000

⁶ NPDES permitted industrial discharger(s) means those industries identified in the Standard Industrial Classification Manual, Bureau of the 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).

⁷ Threat/complexity categories are listed on page 2 of this document titled "THREAT TO WATER QUALITY".

The maximum fee for NPDES permitted public wastewater treatment facilities is \$50,000, plus applicable surcharge(s). 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.

(b)(7) All NPDES discharges with permitted flows of 100 mgd or greater shall pay a fee of \$100,000, plus applicable surcharges. The fee shall be based on permitted effluent flow specified in the discharge permit, except as provided in (b)(7), (b)(8) and (b)(9). If there is no permitted effluent flow specified, the fee shall be based on the designed flow of the facility.

(b)(8)(A) Flow for wet weather municipal facilities will be based on the previous five years actual monthly average flow, as of the date the permit is issued. Wet weather municipal facilities are intermittently operated facilities that are designed specifically to handle flows during wet weather conditions. 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

(B) Notwithstanding paragraph 1, the minimum annual fee for wet weather municipal facilities shall be \$20,000.

(b)(9)(A) Discharges associated with aquaculture activities that are regulated by an individual or general NPDES permit, including those issued by a Regional Board, shall pay a fee based on the categories listed in (b)(9), as determined by the Regional Board. An aquaculture activity (as defined in Chapter 40, Section 122.25(b) of the Code of Federal Regulations) is a defined managed water area which uses discharges of pollutants into that designated area for the maintenance or production of harvestable freshwater, estuarine, or marine plants or animals. The definition for purposes of this fee category includes fish hatcheries.

(B) Discharges associated with geothermal facilities, where water quality objectives are not likely to be exceeded or where beneficial uses are fully protected, that are regulated by an individual or general NPDES permit, including those issued by a Regional Board, shall pay a fee based on the categories listed in (b)(9), as determined by the Regional Board. A geothermal facility is an entity that utilizes, extracts, or produces energy from geothermal fluids for heating, generating power, or other beneficial uses, and discharges geothermal fluids to surface water.

(C) De minimis discharges that are regulated by an individual or general NPDES permit, including those issued by a Regional Board, shall pay a fee based on the categories listed in (b)(9), as determined by the Regional Board. De minimis discharge activities include the following: 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 affect on the beneficial uses of receiving waters yet technically must be regulated under an NPDES permit.

(D) All other NPDES general permits.

(b)(10) Discharges that fall within the categories specified in (b)(9) or that are regulated by a general NPDES permit (excluding storm water permits), shall pay a fee as follows, plus applicable surcharge(s):

Category 1 - Discharges that require treatment systems to meet priority toxic pollutant limits and that could impair beneficial uses if limits are violated: \$4,800.

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: \$2,900. (Examples of non-priority pollutants include, but are not limited to, nutrients, inorganic compounds, pH, and temperature).

Category 3 - Discharges that require minimal or no treatment systems to meet limits and pose no significant threat to water quality: \$1,000.

(c) Confined Animal Feeding Operation fees: Whether regulated by an NPDES permit or a waste discharge requirement order, dischargers who own or operate Confined Animal Feedlots, including dairies, shall pay a fee based on the following schedules plus applicable surcharge(s).

FEEDLOTS	
TYPE OF FACILITY	FEE
Cattle or cow/calf pairs	
Number of animals	
100,000 or more	\$3,000
10,000 to 99,999	\$1,500
5,000 to 9,999	\$800
1,000 to 4,999	\$400
Less than 1,000	\$200
Calves	
10,000 or more	\$3,000
5,000 to 9,999	\$1,500
1,000 to 4,999	\$800
300 to 999	\$400
Less than 300	\$200
Heifers (not at a dairy)	
10,000 or more	\$3,000
5,000 to 9,999	\$1,500
1,000 to 4,999	\$800
300 to 999	\$400
Less than 300	\$200
Finishing Yards/Auction Yards	
1,000 or more	\$800
300 to 999	\$400
Less than 300	\$200

<i>DAIRIES</i>	
<i>TYPE OF FACILITY</i>	<i>FEE</i>
Mature dairy cattle	
Number of animals	
3,000 or more	\$4,000
1,500 to 2,999	\$2,500
700 to 1,499	\$1,200
300 to 699	\$600
Less than 300	\$300
Goat Dairies	
1,000 or more	\$400
Less than 1,000	\$200
HOGS	
Swine (> 55 pounds)	
5,000 or more	\$1,500
2,500 to 4,999	\$800
750 to 2,499	\$400
Less than 750	\$200
Swine (< 55 pounds)	
20,000 or more	\$1,500
10,000 to 19,999	\$800
3,000 to 9,999	\$400
Less than 3,000	\$200
OTHER	
Horses	
500 or more	\$800
150 to 499	\$400
Less than 150	\$200
Sheep or Lambs	
10,000 or more	\$800
3,000 to 9,999	\$400
Less than 3,000	\$200

POULTRY		
Number of Animals	On-Site Discharge Fee	Off-Site Discharge Fee
Layers or Broilers (liquid manure system)		
120,000 or more	\$2,000	\$700
60,000 to 119,999	\$1,000	\$500
30,000 to 59,999	\$750	\$350
9,000 to 29,999	\$400	\$200
Less than 9,000	\$200	\$0
Non-layers (other than liquid manure system)		
500,000 or more	\$2,000	\$700
250,000 to 499,999	\$1,000	\$500
125,000 to 249,999	\$750	\$350
37,500 to 124,999	\$400	\$200
Less than 37,500	\$200	\$0
Layers (other than liquid manure system)		
350,000 or more	\$2,000	\$700
165,000 to 349,999	\$1,000	\$500
82,000 to 164,999	\$750	\$350
25,000 to 81,999	\$400	\$200
Less than 25,000	\$200	\$0
Ducks (other than liquid manure system)		
120,000 or more	\$2,000	\$700
60,000 to 119,999	\$1,000	\$500
30,000 to 59,999	\$750	\$350
10,000 to 29,999	\$400	\$200
Less than 10,000	\$200	\$0
Ducks (liquid manure system)		
20,000 or more	\$1,000	
5,000 to 19,999	\$750	
1,500 to 4,999	\$400	
Less than 1,500	\$200	
Turkeys		
200,000 or more	\$2,000	\$700
100,000 to 199,999	\$1,000	\$500
55,000 to 99,999	\$750	\$350
16,500 to 54,999	\$400	\$200
Less than 16,500	\$200	\$0

(c)(1) Facilities that are certified under a quality assurance program approved by the State Board or under a County regulatory program approved by the appropriate Regional Board, will receive a 50 percent fee reduction.

(c)(2) Facilities that pose no potential to discharge, as determined by a Regional Board, shall pay a fee of \$200. The fee shall be paid each time an application for initial certification or renewal is submitted and shall not be subject to ambient water monitoring surcharges.

Section 2200.5. No Exposure Certification

Dischargers filing an application for a No Exposure Certification (NEC) shall pay a fee of \$200 for each facility for which an application is submitted, as prescribed in a general industrial storm water permit. The fee shall be paid each time an application for initial certification or renewal is submitted. NEC fees are not subject to ambient water monitoring surcharges.

NOTE: *Authority cited: Section 185 and 1058, Water Code. Reference: Section 13260.2, Water Code.*