

1 9VAC25-20-142. Permit maintenance fees.

2 A. The following annual permit maintenance fees apply to each individual VPDES
 3 and VPA permit, including expired permits that have been administratively continued,
 4 except those exempted by 9VAC25-20-50 B or 9VAC25-20-60 A 4:

5 1. Base fee rate for Virginia Pollutant Discharge Elimination System (VPDES)
 6 permitted facilities. (Note: All flows listed in the table below are facility "design"
 7 flows.)

VPDES Industrial Major	\$4,800 <u>\$7,876</u>
VPDES Municipal Major/Greater Than 10 MGD	\$4,750 <u>\$7,794</u>
VPDES Municipal Major/2 MGD - 10 MGD	\$4,350 <u>\$7,138</u>
VPDES Municipal Major/Less Than 2 MGD	\$3,850 <u>\$6,317</u>
VPDES Municipal Major Stormwater/MS4	\$3,800 <u>\$6,235</u>
VPDES Industrial Minor/No Standard Limits	\$2,040 <u>\$3,347</u>
VPDES Industrial Minor/Standard Limits	\$1,200 <u>\$1,969</u>
VPDES Industrial Minor/Water Treatment System	\$1,200 <u>\$1,969</u>
VPDES Industrial Stormwater	\$1,440 <u>\$2,363</u>
VPDES Municipal Minor/Greater Than 100,000 GPD	\$1,500 <u>\$2,461</u>
VPDES Municipal Minor/10,001 GPD - 100,000 GPD	\$1,200 <u>\$1,969</u>
VPDES Municipal Minor/1,001 GPD - 10,000 GPD	\$1,080 <u>\$1,772</u>
VPDES Municipal Minor/1,000 GPD or Less	\$400 <u>\$656</u>
VPDES Municipal Minor Stormwater/MS4	\$400 <u>\$656</u>

8 2. Base fee rate for Virginia Pollution Abatement (VPA) permits. (Note: Land
 9 application rates listed in the table below are facility "design" rates.)

VPA Industrial Wastewater Operation/Land Application of 10 or More Inches Per Year	\$1,500 <u>\$2,461</u>
VPA Industrial Wastewater Operation/Land Application of Less Than 10 Inches Per Year	\$1,050 <u>\$1,723</u>
VPA Industrial Sludge Operation	\$750 <u>\$1,231</u>
VPA Municipal Wastewater Operation	\$1,350 <u>\$2,215</u>

VPA Municipal Sludge Operation	\$750 \$1,231
VPA Concentrated Animal Feeding Operation	(Reserved)
VPA Intensified Animal Feeding Operation	(Reserved)
All other operations not specified above	\$75 \$123

1 3. The amount of the annual permit maintenance fee due from the owner for
2 VPDES and VPA permits for a specified year as required by 9VAC25-20-40 C
3 shall be calculated according to the following formulae:

$$\begin{aligned} F &= B \times C \\ C &= 1 + \Delta\text{CPI} \\ \Delta\text{CPI} &= \frac{\text{CPI} - 215.15}{215.15} \end{aligned}$$

4 where:

5 F = the permit maintenance fee amount due for the specified calendar year,
6 expressed in dollars.

7 B = the base fee rate for the type of VPDES or VPA permit from subdivisions
8 1 or 2 of this subsection, expressed in dollars.

9 C = the Consumer Price Index adjustment factor.

10 ΔCPI = the difference between CPI and 215.15 (the average of the Consumer
11 Price Index values for all-urban consumers for the 12-month period ending on
12 April 30, 2009) [, expressed as a proportion of 215.15] .

13 CPI = the average of the Consumer Price Index values for all-urban
14 consumers for the 12-month period ending on April 30 of the calendar year
15 before the specified year for which the permit maintenance fee is due. (The
16 Consumer Price Index for all-urban consumers is published by the U.S.

1 Department of Labor, Bureau of Labor Statistics, U.S. All items,
2 CUUR0000SA0).

3 For example, if calculating the 2010 permit maintenance fee (F) for a VPDES
4 Industrial Major source:

5 CPI = 215.15 (the average of CPI values from May 1, 2008 to April 30, 2009,
6 inclusive would be used for the 2010 permit maintenance fee calculation).

7 Δ CPI = zero for the 2010 permit maintenance fee calculation (i.e., [~~CPI~~
8 ~~215.15 - 215.15 - 215.15 (CPI - 215.15)/215.15 = (215.15 - 215.15)/215.15]~~
9 = 0). (Note: Δ CPI for other years would not be zero.)

10 C = 1.0 for the 2010 permit maintenance fee calculation (i.e., $1 + \Delta$ CPI = 1 +
11 0 = 1.0).

12 B = \$7,876 (i.e. the value for a VPDES Industrial Major source, taken from
13 subdivision 1 of this subsection).

14 F = \$7,876 for the 2010 permit maintenance fee calculation for this VPDES
15 Industrial Major source (i.e., $\$7,876 \times 1.0 = \$7,876$).

16 4. Permit maintenance fees (F) calculated for each facility shall be rounded to the
17 nearest dollar.

18 5. The total amount of permit fees collected by the board (permit maintenance
19 fees plus permit application fees) shall not exceed 50% of direct costs for
20 administration, compliance, and enforcement of VPDES and VPA permits. The
21 Director shall take whatever action is necessary to ensure that this limit is not
22 exceeded.

23 B. Additional permit maintenance fees.

- 1 1. An additional permit maintenance fee of \$1,000 shall be paid annually by
2 permittees in a toxics management program. Any facility that performs acute or
3 chronic biological testing for compliance with a limit or special condition requiring
4 monitoring in a VPDES permit is included in the toxics management program.
- 5 2. An additional permit maintenance fee of \$1,000 shall be paid annually by
6 permittees that have more than five process wastewater discharge outfalls at a
7 single facility (not including "internal" outfalls).
- 8 3. For a local government or public service authority with permits for multiple
9 facilities in a single jurisdiction, the total permit maintenance fees for all permits
10 held as of April 1, 2004, shall not exceed ~~\$20,000~~ \$32,818 per year.
- 11 C. If the category of a facility (as described in 9VAC25-20-142 A 1 or 2) changes as
12 the result of a permit modification, the permit maintenance fee based upon the permit
13 category as of April 1 shall be submitted by October 1.
- 14 D. Annual permit maintenance fees may be discounted for participants in the
15 Environmental Excellence Program as described in 9VAC25-20-145.