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9 VAC 25-20 FEES FOR PERMITS AND CERTIFICATES

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**9VAC25-20-10. Definitions.**

Unless otherwise defined in this chapter or unless the context clearly indicates otherwise, the terms used in this regulation shall have the meanings ascribed to them by the State Water Control Law, §62.1-44.3; the board's Permit Regulation, 9VAC25-30-10; the board's Virginia Water Protection Permit Regulation, 9VAC25-210-10; the board's Surface Water Management Area Regulation, 9VAC25-220-10; and the Ground Water Management Act of 1992, §62.1-255 of the Code of Virginia, including any general permits issued thereunder.

"Applicant" means for the purposes of this chapter any person filing an application for issuance, reissuance, or modification, except as exempted by 9VAC25-20-50, of a permit, certificate or special exception or filing a registration statement for coverage under a general permit issued in response to Chapters 3.1 (§62.1-44.2 et seq.), 24 (§62.1-242 et seq.), and 25 (§62.1-254 et seq.) of Title 62.1 of the Code of Virginia.

"Application" means for the purposes of this chapter the forms approved by the State Water Control Board for applying for issuance or reissuance of a permit, certificate or special exception or for filing a registration statement for coverage under a general permit issued in response to Chapters 3.1, 24, and 25 of Title 62.1 of the Code of Virginia. In the case of modifications to an existing permit, certificate or special exception requested by the permit, certificate or special exception holder and not exempted by 9VAC25-20-50, the application shall consist of the formal written request and any accompanying documentation submitted by the permit, certificate or special exception holder to initiate the modification.

"Existing permit" means for the purposes of this chapter a permit, certificate or special exception issued by the board and currently held by an applicant.

"Major modification" means for the purposes of this chapter modification or amendment of an existing permit or, certificate or special exception before its expiration which is not a minor modification as defined in this regulation.

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"Minor modification" means for the purposes of this chapter minor modification or amendment of an existing permit, certificate or special exception before its expiration as specified in 9VAC25-30-10 et seq., 9VAC25-210-210, 9VAC25-220-230, or in regulations promulgated in response to Chapter 25 of Title 62.1 of the Code of Virginia. Minor modification for the purposes of this chapter also means other modifications and amendments not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules.

"New permit" means for the purposes of this chapter a permit, certificate or special exception issued by the board to an applicant that does not currently hold and has never held a permit, certificate or special exception at that location.

"Revoked permit" means for the purposes of this chapter an existing permit, certificate or special exception which is terminated before its expiration.

"VWP Category I Project" means for the purposes of this chapter a project requiring complex staff review including, but not limited to, those which affect instream flows such as reservoirs, hydropower impoundments, and surface water withdrawals; major subdivisions, industrial parks, commercial developments, and regional stormwater facilities which cumulatively impact ~~[more than] 40~~ 5 acres [or more] of surface waters, including wetlands; projects in waters containing wild trout or threatened or endangered species; new marinas, navigational dredging projects, and instream sand and gravel mining operations.

"VWP Category II Project" means for the purposes of this chapter a project requiring moderately complex staff review including, but not limited to, those impacting between ~~one and 10~~ 2 and 5 acres of surface waters, including wetlands, ~~isolated or headwaters wetlands, stream channel modifications or relocations of perennial streams; rip rap and bank stabilization of 500 feet or more;~~ expansion of existing marinas and dredging of navigation channels.

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"VWP Category III Project" means for the purposes of this chapter a project requiring routine staff review including, but not limited to, those which impact 2 acres or less of surface waters, including wetlands. one acre or less of adjacent nontidal wetlands; dredging for single residence boatslip and access channels; perpendicular or linear sub-bed crossings of pipelines for sewer and other utilities in waters which do not contain wild trout or threatened or endangered species; impoundments in nonperennial streams, for the purpose of stormwater management which do not require a VPDES permit, including piping, filling, relocations and channel modifications of such streams, provided that wetland impacts do not exceed one acre, and the stream does not contain threatened or endangered species.

**9VAC25-20-110. Fee schedules for individual new permit issuance and individual existing permit reissuance.**

A. Through June 30, 2004, the following fee schedules apply to applications for issuance of a new individual permit or certificate and reissuance of an existing individual permit or certificate.

1. Virginia Pollutant Discharge Elimination System (VPDES) permits.

VPDES Industrial Major \$24,000

VPDES Municipal Major \$21,300

VPDES Municipal Stormwater \$21,300

VPDES Industrial Minor/No Standard Limits \$10,200

VPDES Industrial Minor/Standard Limits \$6,600

VPDES Industrial Stormwater \$7,200

VPDES Municipal Minor/100,000 GPD or More \$7,500

VPDES Municipal Minor/More Than 10,000 GPD-Less Than 100,000 GPD \$6,000

VPDES Municipal Minor/More Than 1,000 GPD-10,000 GPD or Less \$5,400

VPDES Municipal Minor/1,000 GPD or less \$4,200

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2. Virginia Pollution Abatement (VPA) permits.

VPA Concentrated Animal Feeding Operation (Reserved)

VPA Intensified Animal Feeding Operation (Reserved)

VPA Industrial Wastewater Operation \$10,500

VPA Industrial Sludge Operation \$7,500

VPA Municipal Wastewater Operation \$13,500

VPA Municipal Sludge Operation \$7,500

All other operations not specified above \$750

3. Virginia Water Protection (VWP) permits.

VWP Category I Project \$9,000

VWP Category II Project \$6,300

VWP Category III Project \$2,400

4. Surface Water Withdrawal (SWW) permits or certificates issued in response to Chapter 24 of Title 62.1 of the Code of Virginia.

Agricultural withdrawal not exceeding 150 million gallons in any single month (Reserved)

Agricultural withdrawal greater than 150 million gallons but less than 300 million gallons in any single month (Reserved)

Agricultural withdrawal of 300 million gallons or greater in any single month (Reserved)

Certificate for an Existing Nonagricultural Withdrawal \$6,000

Permit for a New or Expanded Nonagricultural Withdrawal \$9,000

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Agricultural withdrawal not exceeding 150 million gallons in any single month (Reserved)

Agricultural withdrawal greater than 150 million gallons but less than 300 million gallons in any single month (Reserved)

Agricultural withdrawal of 300 million gallons or greater in any single month (Reserved)

Initial Permit for an Existing Nonagricultural Withdrawal \$1,200

Permit for a New or Expanded Nonagricultural Withdrawal \$6,000

B. Effective July 1, 2004, the following fee schedules apply to applications for issuance of a new individual permit or certificate and reissuance of an existing individual permit or certificate.

1. Virginia Pollutant Discharge Elimination System (VPDES) permits.

VPDES Industrial Major \$8,000

VPDES Municipal Major \$7,100

VPDES Municipal Stormwater \$7,100

VPDES Industrial Minor/No Standard Limits \$3,400

VPDES Industrial Minor/Standard Limits \$2,200

VPDES Industrial Stormwater \$2,400

VPDES Municipal Minor/100,000 GPD or More \$2,500

VPDES Municipal Minor/More Than 10,000 GPD-Less Than 100,000 GPD \$2,000

VPDES Municipal Minor/More Than 1,000 GPD-10,000 GPD or Less \$1,800

VPDES Municipal Minor/1,000 GPD or less \$1,400

2. Virginia Pollution Abatement (VPA) permits.

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VPA Concentrated Animal Feeding Operation (Reserved)

VPA Intensified Animal Feeding Operation (Reserved)

VPA Industrial Wastewater Operation \$3,500

VPA Industrial Sludge Operation \$2,500

VPA Municipal Wastewater Operation \$4,500

VPA Municipal Sludge Operation \$2,500

All other operations not specified above \$250

3. Virginia Water Protection (VWP) permits.

VWP Category I Project \$3,000

VWP Category II Project \$2,100

VWP Category III Project \$800

~~VWP Waivers \$300~~

4. Surface Water Withdrawal (SWW) permits or certificates issued in response to Chapter 24 of Title 62.1 of the Code of Virginia.

Agricultural withdrawal not exceeding 150 million gallons in any single month (Reserved)

Agricultural withdrawal greater than 150 million gallons but less than 300 million gallons in any single month (Reserved)

Agricultural withdrawal of 300 million gallons or greater in any single month (Reserved)

Certificate for an Existing Nonagricultural Withdrawal \$2,000

Permit for a New or Expanded Nonagricultural Withdrawal \$3,000

5. Permits for the withdrawal of groundwater issued in response to Chapter 25 of Title 62.1 of the Code of Virginia.

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Agricultural withdrawal not exceeding 150 million gallons in any single month (Reserved)

Agricultural withdrawal greater than 150 million gallons but less than 300 million gallons in any single month  
(Reserved)

Agricultural withdrawal of 300 million gallons or greater in any single month (Reserved)

Initial Permit for an Existing Nonagricultural Withdrawal \$400

Permit for a New or Expanded Nonagricultural Withdrawal \$2,000

**9VAC25-20-120. Fee schedules for major modification of individual permits or certificates requested by the permit or certificate holder.**

A. Through June 30, 2004, the following fee schedules apply to applications for major modification of an individual permit or certificate requested by the permit or certificate holder.

1. Virginia Pollutant Discharge Elimination System (VPDES) permits.

VPDES Industrial Major \$12,000

VPDES Municipal Major \$10,650

VPDES Municipal Stormwater \$10,650

VPDES Industrial Minor/No Standard Limits \$5,100

VPDES Industrial Minor/Standard Limits \$3,300

VPDES Industrial Stormwater \$3,600

VPDES Municipal Minor/100,000 GPD or More \$3,750

VPDES Municipal Minor/More Than 10,000 GPD-Less Than 100,000 GPD \$3,000

VPDES Municipal Minor/More Than 1,000 GPD-10,000 GPD or Less \$2,700

VPDES Municipal Minor/1,000 GPD or Less \$2,100

2. Virginia Pollution Abatement (VPA) permits.

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VPA Concentrated Animal Feeding Operation (Reserved)

VPA Intensified Animal Feeding Operation (Reserved)

VPA Industrial Wastewater Operation \$5,250

VPA Industrial Sludge Operation \$3,750

VPA Municipal Wastewater Operation \$6,750

VPA Municipal Sludge Operation \$3,750

All other operations not specified above \$375

3. Virginia Water Protection (VWP) permits.

VWP Category I Project \$4,500

VWP Category II Project \$3,150

VWP Category III Project \$1,200

4. Surface Water Withdrawal (SWW) permits or certificates issued in response to Chapter 24 of Title 62.1 of the Code of Virginia.

Agricultural withdrawal not exceeding 150 million gallons in any single month (Reserved)

Agricultural withdrawal greater than 150 million gallons but less than 300

million gallons in any single month (Reserved)

Agricultural withdrawal of 300 million gallons or greater in any single month (Reserved)

Certificate for an Existing Nonagricultural Withdrawal \$3,000

Permit for a New or Expanded Nonagricultural Withdrawal \$4,500

5. Permits for the withdrawal of groundwater issued in response to Chapter 25 of Title 62.1 of the Code of Virginia.



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Agricultural withdrawal not exceeding 150 million gallons in any single month (Reserved)

Agricultural withdrawal greater than 150 million gallons but less than 300

million gallons in any single month (Reserved)

Agricultural withdrawal of 300 million gallons or greater in any single month (Reserved)

Initial Permit for an Existing Nonagricultural Withdrawal \$600

Permit for a New or Expanded Nonagricultural Withdrawal \$3,000

B. Effective July 1, 2004, the following fee schedules apply to applications for major modification of an individual permit or certificate requested by the permit or certificate holder.

1. Virginia Pollutant Discharge Elimination System (VPDES) permits.

VPDES Industrial Major \$4,000

VPDES Municipal Major \$3,550

VPDES Municipal Stormwater \$3,550

VPDES Industrial Minor/No Standard Limits \$1,700

VPDES Industrial Minor/Standard Limits \$1,100

VPDES Industrial Stormwater \$1,200

VPDES Municipal Minor/100,000 GPD or More \$1,250

VPDES Municipal Minor/More Than 10,000 GPD-Less Than 100,000 GPD \$1,000

VPDES Municipal Minor/More Than 1,000 GPD-10,000 GPD or Less \$900

VPDES Municipal Minor/1,000 GPD or Less \$700

2. Virginia Pollution Abatement (VPA) permits.

VPA Concentrated Animal Feeding Operation (Reserved)

VPA Intensified Animal Feeding Operation (Reserved)

VPA Industrial Wastewater Operation \$1,750

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VPA Industrial Sludge Operation \$1,250

VPA Municipal Wastewater Operation \$2,250

VPA Municipal Sludge Operation \$1,250

All other operations not specified above \$125

3. Virginia Water Protection (VWP) permits.

VWP Category I Project \$1,500

VWP Category II Project \$1,050

VWP Category III Project \$400

~~VWP Waivers \$150~~

4. Surface Water Withdrawal (SWW) permits or certificates issued in response to Chapter 24 of Title 62.1 of the Code of Virginia.

Agricultural withdrawal not exceeding 150 million gallons in any single month (Reserved)

Agricultural withdrawal greater than 150 million gallons but less than 300

million gallons in any single month (Reserved)

Agricultural withdrawal of 300 million gallons or greater in any single month (Reserved)

Certificate for an Existing Nonagricultural Withdrawal \$1,000

Permit for a New or Expanded Nonagricultural Withdrawal \$1,500

5. Permits for the withdrawal of groundwater issued in response to Chapter 25 of Title 62.1 of the Code of Virginia.

Agricultural withdrawal not exceeding 150 million gallons in any single month (Reserved)

Agricultural withdrawal greater than 150 million gallons but less than 300

million gallons in any single month (Reserved)

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Agricultural withdrawal of 300 million gallons or greater in any single month (Reserved)

Initial Permit for an Existing Nonagricultural Withdrawal \$200

Permit for a New or Expanded Nonagricultural Withdrawal \$1,000

**9VAC25-20-130. Fees for filing registration statements for general permits issued by the board.**

A. Through June 30, 2004, the following fees apply to filing of applications or registration statements for all general permits issued by the board, except.

1. The fee for filing a registration statement for coverage under 9VAC25-110-10 et seq. is \$ 0.

2. The fee for filing a registration statement for coverage under 9VAC25-120-10 et seq. is \$ 0.

3. The fee for filing an application or registration statement for coverage under any VWP General Permit authorizing impacts to one tenth of an acre or more, but less than one-half of an acre of non tidal surface waters shall be \$600.

4. The fee for filing an application or registration statement for coverage under any VWP General Permit authorizing impacts to one-half of an acre or more of non tidal surface waters shall be \$1,200.

5. Except as specified in 9VAC25-20-130 A 1, 2, 3 and 4, the maximum fee for filing an application or registration statement for coverage under any general permit issued by the board shall be \$600. Fees for coverage under general permits will be based on the number of years from the filing of a registration statement until the general permit expires. The annual prorated amount is equal to the maximum fee of \$600 divided by the total term of the general permit. The fee is the annual prorated amount multiplied by the number of years rounded to the nearest whole year from the filing of a registration statement until the expiration of the general permit.

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B. Effective July 1, 2004, ~~the~~ the following fees apply to filing of applications or registration statements for all general permits issued by the board, except.

~~A.~~ 1. The fee for filing a registration statement for coverage under 9VAC25-110-10 et seq. is \$ 0.

~~B.~~ 2. The fee for filing a registration statement for coverage under 9VAC25-120-10 et seq. is \$ 0.

3. The fee for filing an application or registration statement for coverage under any VWP General Permit authorizing impacts to one tenth of an acre or more, but less than one-half of an acre of non tidal surface waters shall be \$200.

4. The fee for filing an application or registration statement for coverage under any VWP General Permit authorizing impacts to one-half of an acre or more of non tidal surface waters shall be \$400.

5. Except as specified in 9VAC25-20-130 ~~A and B~~ 1, 2, 3 and 4, the maximum fee for filing an application or registration statement for coverage under any general permit issued by the board shall be \$200. Fees for coverage under general permits will be based on the number of years from the filing of a registration statement until the general permit expires. The annual prorated amount is equal to the maximum fee of \$200 divided by the total term of the general permit. The fee is the annual prorated amount multiplied by the number of years rounded to the nearest whole year from the filing of a registration statement until the expiration of the general permit.

Certified True and Accurate: \_\_\_\_\_

\_\_\_\_\_ Robert G. Burnley, Director, DEQ

Date: \_\_\_\_\_