

**H.872 Fee Bill**  
**Reinstatement of non-sewage indirect discharge fee**  
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The Department of Environmental Conservation proposes to reinstate the non-sewage indirect discharge fee for permit review that was inadvertently struck in last year's fee bill (2015, Act 57, page 24).

Without this correction, applicants will be subject to a higher fee, namely the "indirect discharge application review fee" that is designed for sewage discharges. The minimum "indirect discharge application review fee" is \$1,755. This fee is appropriate for the level of staff time required to review indirect discharges of sewage, but does not align with the staff time required to review non-sewage indirect discharges.

The proposed, minimum fee for non-sewage indirect discharge permit application review is \$400. Over the past three years, DEC has reviewed nine non-sewage indirect discharge permit applications. Eight of the nine permits were for alcoholic beverage production (e.g. breweries), and one was for a small yogurt producer. This is the fee that was inadvertently struck in 2015.

The proposed effective date of the reinstated fee is July 1, 2015. The Department has purposefully proposed this retroactive effective date. The Department has received several applications for non-sewage indirect discharges since the fee for non-sewage indirect discharges was inadvertently removed. If the proposed fee passes, the Department would like to be able to charge those applicants the fee for non-sewage indirect discharges, rather than the fee for sewage indirect discharges.

DEC therefore requests the following language in H.872:

*Sec. \_\_\_\_.* 3 V.S.A. § 2822(j) is amended to read:

*(j) In accordance with subsection (i) of this section, the following fees are established for permits, licenses, certifications, approvals, registrations, orders, and other actions taken by the Agency of Natural Resources.*

\* \* \*

*(2) For discharge permits issued under 10 V.S.A. chapter 47 and orders issued under 10 V.S.A. § 1272, an administrative processing fee of \$240.00 shall be paid at the time of application for a discharge permit in addition to any application review fee and any annual operating fee, except for permit applications under subdivisions (2)(A)(iii)(III) and (V) of this subsection:*

*(A) Application review fee.*

\* \* \*

*(iv) Indirect discharge or underground injection control, excluding stormwater discharges.*

*(i) Indirect discharge, sewage.*

*(aa) Individual permit: original application; amendment for increased flows; amendment for modification or replacement of system:  
\$1,755.00 plus \$0.08 per gallon of design capacity above 6,500 gpd.*

*(ii) Indirect discharge, non-sewage.*

*(aa) Individual permit: original application; amendment for increased flows; amendment for modification or replacement of system:  
\$0.06 per gallon of design capacity; minimum \$400.00.*

(III) Underground injection; ~~original individual permit~~; amendment for increased flows; amendment for modification or replacement of system.

(aa) For applications where the discharge meets groundwater enforcement standards at the point of discharge:  
\$500.00 and \$0.10 for each gallon per day over 2,000 gallons per day.

(bb) For applications where the discharge meets groundwater enforcement standards at the point of compliance:  
\$1,500.00 and \$0.20 for each gallon per day over 2,000 gallons per day.

\* \* \*

Sec. \_\_\_\_ . EFFECTIVE DATE

This act shall take effect on July 1, 2015.