

**Sec. 22a-430-7. Annual fees for water pollution control permits**

(a) **Authority.** This section is adopted under the authority of subdivision (a) (10) of Section 22a-6 of the Connecticut General Statutes and Section 22a-430 of the Connecticut General Statutes.

(b) **Definitions:** The definitions in Section 22a-430-6 of the Regulations of Connecticut State Agencies, as amended, shall apply to this section.

(c) **Annual fee.**

(1) Each applicant or permittee shall pay an annual fee to cover the cost to the Department of monitoring compliance with permit terms and conditions and applicable state and federal statutes and regulations. Except as provided in subdivision (3) of this subsection, such fee shall be paid annually on or before each July 1. The commissioner shall not review any permit application unless all required fees have been paid in full, and a new or reissued permit shall not be issued prior to payment of all required fees.

(2) If the commissioner determines that an applicant for permit issuance or reissuance owes any past due fees or late fees, the applicant shall pay all such fees prior to issuance or reissuance of the permit.

(3) Notwithstanding any requirement in Section 22a-430-6 of the Regulations of Connecticut State Agencies to the contrary, the applicant for a new permit shall pay the first annual fee within thirty days of issuance of the permit, provided the amount of such fee shall be pro-rated based on the number of days between the date of permit issuance and the next July 1. Any permittee who was required, prior to the amendment of this section on July 13, 1993, to pay an annual fee under this section for calendar year 1993 and who has not paid such fee on or before the effective date of this amendment shall pay the fee provided by this section as amended on July 13, 1993, within thirty days of notification from the commissioner that such payment is due. All permittees shall pay the annual fee for calendar year 1994 within thirty days of notification from the commissioner that such payment is due.

(d) **Method of payment.** All fees required by this section shall be paid by certified check or money order payable to the Department of Environmental Protection and shall, except for an annual fee which is required by this section to be submitted simultaneously with a permit application, state on the face of the check or money order, "Water Management Annual Fee."

(e) **Calculation of fee.**

(1) The annual fee shall be the total of the annual fees specified in Schedule B of this section for each category of discharge proposed in a permit application or, if a permit has been issued, as authorized by the permit.

(2) If a modification to a permit, other than a modification under Section 22a-430-6 (e) (1) (C) or (D) of the Regulations of Connecticut State Agencies, results in an increase or decrease in the annual fee, such change in the annual fee shall be effective on the July 1 which immediately follows the issuance of the permit modification. For a modification under Section 22a-430-6 (e) (1) (C) or (D) of the Regulations of Connecticut State Agencies, any increase in the annual fee resulting from the proposed modification shall be paid on or before thirty (30) days after the issuance of notice from the Commissioner that it is due.

(f) **Discharge category.** If the Commissioner determines upon review that an applicant's

or permittee's categorization of a discharge for purposes of calculating a fee or the applicant's or permittee's calculation of a fee is incorrect, the Commissioner shall notify the applicant or permittee of his determination. Such determination shall be final. Should additional payment be due it shall be submitted within thirty (30) days of the date the notice of the Commissioner's determination is issued. The Commissioner shall determine the amount of the annual fee for any discharge category which is not listed in Schedule B based on the reasonable cost to the Department of monitoring whether the source in question is in compliance with applicable statutes, regulations and permit terms and conditions.

(g) **Waiver.** The Commissioner may waive, reduce, or allow delayed payment of all or part of a fee in cases in which he or she determines that the amount of the fee is clearly excessive in relation to the cost of the permitted activity.

(h) **Late fee.** A late fee of twenty-five percent of the annual fee shall be charged, in addition to any other fee required by this section, if an applicant or permittee fails to submit the required fee when due. The permittee shall pay an additional two percent of the amount of all fees required by this section which are overdue for each month or part thereof beyond the due date during which the fee is not paid in full. This subsection shall not prevent the Commissioner from pursuing other remedies available by statute or regulation.

(i) **Exemption.** Discharges from a building used solely as a single-family residence or from a swimming pool at a single family residence shall be exempt from all fee requirements under these regulations.

(j) **Municipal fees.**

(1) As required by Section 22a-6 (b) of the Connecticut General Statutes, any fee charged to a municipality pursuant to this section shall be fifty percent of the fee that would be charged to other applicants or permittees.

(2) As required by Section 22a-6 (c) of the Connecticut General Statutes, for municipalities that own more than one POTW, the annual fee for each such POTW is either (A) determined by dividing the fee in schedule A for the sum of the average daily flow proposed in the permit application, if any, plus the permitted average daily flows for all other municipally-owned POTWs, by the total number of municipally-owned POTWs, or (B) fifty percent of the fee that would be charged to other applicants or permittees, for the discharge of sanitary sewage at the average daily flow stated in the permit, whichever is less.

(k) **Credits and refunds.** If the total annual fee paid by an applicant or permittee is more than all required fees, including late fees, the Commissioner shall credit the excess payment to the applicant to be applied to future fees due to the Commissioner under a statute or regulation administered by him or her. If the applicant or permittee demonstrates to the Commissioner's satisfaction that no future fees can reasonably be expected to be required of the applicant or permittee, the Commissioner shall refund the excess payment to the applicant or permittee. There shall be no credits or refunds other than under this subsection.

*Regulations of Connecticut State Agencies*

SCHEDULE B

I. Category I

<i>Subcategory</i>	<i>Annual Fee</i>		
<i>X</i>	350.00		
<i>Y</i>	2,725.00		
<i>Z</i>	5,450.00		
<i>Wastewater Category</i>	<i>Subcategory</i>		
	<i>X*</i>	<i>Y*</i>	<i>Z*</i>
Adhesives and Sealants <sup>2</sup>	—	0–5,000	>5,000
Aluminum Forming <sup>1</sup> (except to POTW)	—	0–5,000	>5,000
Aluminum Forming <sup>1</sup> (to POTW)	—	0–10,000	>10,000
Asbestos Manufacturing <sup>1</sup>	—	0–5,000	>5,000
Bakery and Confectionary <sup>3</sup>	—	0–50,000 <sup>4</sup>	>50,000
Battery Manufacturing <sup>1</sup>	—	0–5,000	>5,000
Beverage <sup>3</sup>	—	0–50,000 <sup>4</sup>	>50,000
Builders Paper and Roofing Felt <sup>1</sup>	—	0–5,000	>5,000
Canned and Preserved Fruits Processing <sup>1</sup>	—	0–50,000 <sup>4</sup>	>50,000
Canned and Preserved Seafood Processing <sup>1</sup>	—	0–50,000 <sup>4</sup>	>50,000
Cement Manufacturing <sup>1</sup>	—	0–50,000	>50,000
Clay, Gypsum, Refractory, and Ceramic Products <sup>3</sup>	—	0–50,000	>50,000
Coal Gasification <sup>3</sup>	—	0–50,000	>50,000
Coal Liquefaction <sup>3</sup>	—	0–50,000	>50,000
Coal Mining <sup>1</sup>	—	0–50,000	>50,000
Coil Coating <sup>1</sup> (except to POTW)	—	0–5,000	>5,000
Coil Coating <sup>1</sup> (to POTW)	—	0–10,000	>10,000
Concrete Product <sup>3</sup>	<10,000	10,000–50,000	>50,000
Copper Forming <sup>1</sup> (except to POTW)	—	0–5,000	>5,000
Copper forming <sup>1</sup> (to POTW)	—	0–10,000	>10,000
Dairy Products Processing <sup>1</sup>	—	0–50,000 <sup>4</sup>	>50,000
Edible Oils <sup>3</sup>	—	0–50,000 <sup>4</sup>	>50,000
Electrical and Electronic Components <sup>1</sup> (except to POTW)	—	0–5,000	>5,000
Electrical and Electronic Components <sup>1</sup> (to POTW)	—	0–10,000	>10,000
Explosives Manufacturing <sup>3</sup>	—	0–5,000	>5,000

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<i>Y</i>	2,725.00		
<i>Z</i>	5,450.00		
<i>Wastewater Category</i>	<i>X*</i>	<i>Y*</i>	<i>Z*</i>
Ferroalloys Manufacturing <sup>1</sup> (except to POTW)	—	0–5,000	>5,000
Ferroalloys Manufacturing <sup>1</sup> (to POTW)	—	0–10,000	>10,000
Fertilizer Manufacturing <sup>1</sup>	—	0–5,000	>5,000
Fish Hatchery & Farm <sup>3</sup>	—	0–1,000,000	>1,000,000
Furniture Manufacturing <sup>3</sup>	—	0–5,000	>5,000
Glass Manufacturing <sup>1</sup>	—	0–50,000	>50,000
Grain Mills <sup>1</sup>	—	0–50,000	>50,000
Gum and Wood Chemical <sup>3</sup>	—	0–5,000	>5,000
Hospitals <sup>1</sup>	<5,000	5,000–100,000	>100,000
Inorganic Chemicals Manufacturing <sup>1</sup>	—	0–5,000	>5,000
Iron and Steel Manufacturing <sup>1</sup>	—	0–50,000	>50,000
Laboratory Wastewaters <sup>1</sup>	<5,000	5,000–100,000	>100,000
Leather Tanning and Finishing <sup>1</sup>	—	0–50,000	>50,000
Meat Products and Rendering <sup>1</sup>	—	0–50,000 <sup>4</sup>	>50,000
Metal Finishing <sup>1</sup> (except to POTW)	—	0–5,000	>5,000
Metal Finishing <sup>1</sup> (to POTW)	—	0–10,000	>10,000
Metal Molding and Casting <sup>1</sup>	—	0–50,000	>50,000
Mineral Mining and Processing <sup>1</sup>	—	0–50,000	>50,000
Miscellaneous Food Product <sup>3</sup>	—	0–50,000 <sup>4</sup>	>50,000
Nonferrous Metals Manufacturing <sup>1</sup> (except to POTW)	—	0–5,000	>5,000
Nonferrous Metals Manufacturing <sup>1</sup> (to POTW)	—	0–10,000	>10,000
Oil and Gas Extraction <sup>1</sup>	—	0–50,000	>50,000
Ore Mining <sup>1</sup>	<100,000	100,000–1,000,000	>1,000,000
Organic Chemicals Manufacturing <sup>1</sup>	—	0–50,000	>50,000
Paint and Ink Formulation <sup>3</sup>	—	0–1,000	>1,000

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<i>Y</i>	2,725.00		
<i>Z</i>	5,450.00		
<i>Wastewater Category</i>	<i>Subcategory</i>		
	<i>X*</i>	<i>Y*</i>	<i>Z*</i>
Paving and Roofing Materials <sup>1</sup>	—	0–5,000	>5,000
Pesticides <sup>1</sup>	—	0–1,000	>1,000
Petroleum Refining <sup>1</sup>	—	0–5,000	>5,000
Pharmaceutical Preparations <sup>1</sup>	—	0–50,000	>50,000
Phosphate Manufacturing <sup>1</sup>	—	0–50,000	>50,000
Photographic Equipment, Supplies <sup>3</sup>	<5,000	5,000–50,000	>50,000
Photographic Processing <sup>3</sup>	<5,000	5,000–50,000	>50,000
Plastics Processing <sup>1</sup>	—	0–5,000	>5,000
Porcelain Enameling <sup>1</sup>	—	0–5,000	>5,000
Printing and Publishing <sup>3</sup>	—	0–5,000	>5,000
Pulp and Paper Mills <sup>1</sup>	—	0–50,000	>50,000
Rubber Processing <sup>3</sup>	—	0–50,000	>50,000
Shale Oil <sup>3</sup>	—	0–50,000	>50,000
Shipbuilding <sup>3</sup>	—	0–50,000	>50,000
Shore Receptor and Bulk Terminal <sup>3</sup>	—	0–50,000	>50,000
Soap, Detergent, and Cosmetic Manufacturing <sup>3</sup>	—	0–5,000	>5,000
Steam Electric Power Plants <sup>1</sup> (per power generating unit)	—	0–50,000	>50,000
Sugar Processing <sup>1</sup>	—	0–50,000	>50,000
Textile Mills <sup>1</sup>	—	0–50,000	>50,000
Timber Products Processing <sup>1</sup>	—	0–5,000	>5,000
Transportation <sup>3</sup>	—	0–50,000	>50,000

\* These figures refer to the total maximum daily flow for each category of discharge, in gallons per day, as authorized by the permit, or, if the annual fee being calculated is required to be paid simultaneously with a permit application, as proposed in the permit application.

<sup>1</sup> Means wastewaters from this source, as defined pursuant to Section 301 of the 1972 Federal Water Pollution Control Act 33 U.S.C. 1251 et seq., as amended.

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<i>X</i>	350.00			
<i>Y</i>	2,725.00			
<i>Z</i>	5,450.00			
	<i>Subcategory</i>			
<i>Wastewater Category</i>	<i>X*</i>	<i>Y*</i>	<i>Z*</i>	

<sup>2</sup> Means wastewaters from this source, as defined pursuant to the 1972 Standard Industrial Classification Manual, Executive Office of the President, Office of Management and Budget, as amended.

<sup>3</sup> Defined in Section 22a-430-6 (b) of the Regulations of Connecticut State Agencies, as amended.

<sup>4</sup> For these categories, if the discharge is to a POTW and the maximum daily flow (as authorized by the permit, or, if the annual fee being calculated is required to be paid simultaneously with a permit application, as proposed in the permit application) is less than 5,000 gallons per day, the fee shall be \$350.00.

>means more than

<means less than

II. Category II—Miscellaneous Discharges

<i>Category</i>	<i>Annual Fee</i>
1. Cooling Water (Non-Contact) <sup>3</sup>	
a. 0–100,000*	350.00
b. 100,001–10,000,000*	1,360.00
c. >10,000,000*	5,450.00
2. Incinerator <sup>3</sup>	1,775.00
3. Transfer Station <sup>3</sup>	350.00
4. Hazardous Waste Disposal Facilities <sup>3</sup>	18,960.00
5. Solid Waste Disposal Areas <sup>3</sup>	8,900.00
6. Water Production Wastewaters <sup>3</sup>	350.00
7. Agricultural Activities <sup>3</sup>	350.00
8. Stormwater <sup>3</sup>	1,775.00
9. Groundwater Contamination Recovery Systems <sup>3</sup>	2,725.00
10. Hazardous Waste Treatment Facility <sup>3</sup>	16,350.00
11. Sanitary Sewage <sup>3</sup> to Surface Waters <sup>3</sup>	

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II. Category II—Miscellaneous Discharges

<i>Category</i>	<i>Annual Fee</i>
1.	
a. < 20,000*	1,060.00
b. 20,000–999,999*	2,130.00
c. 1,000,000–4,999,999*	2,990.00
d. 5,000,000–9,999,999*	3,410.00
e. 10,000,000–20,000,000*	3,840.00
f. >20,000,000*	4,260.00
1 Sanitary Sewage <sup>3</sup> to Groundwaters <sup>3</sup> >5,000 <sup>‡</sup>	590.00
2.	
1 Sanitary Sewage <sup>3</sup> to Sewer	350.00
3.	
1 Dredging <sup>3</sup>	2,725.00
4.	
1 Auto and other Laundries Wastewaters	
5.	
a. Power Laundries, Family and Commercial <sup>2</sup>	
1. 0–50,000*	350.00
2. >50,000*	1,060.00
b. Linen Supply <sup>2</sup>	
1. 0–50,000*	350.00
2. >50,000*	1,060.00
c. Diaper Service <sup>2</sup>	350.00
d. Coin-Operated Laundries and Dry Cleaners <sup>2</sup>	350.00
e. Dry Cleaning Plants Except Rug Cleaning <sup>2</sup>	1,060.00
f. Carpet and Upholstery Cleaners <sup>2</sup>	475.00
g. Industrial Laundries <sup>2</sup>	
1. 0–50,000*	2,725.00
2. >50,000*	5,450.00
h. Misc. Laundry & Garment Services <sup>2</sup>	350.00
i. Car Washes <sup>2</sup>	350.00
1 Septage Disposal Area <sup>3</sup>	1,775.00
6.	
1 Blowdown from Heating and Cooling Equipment <sup>3</sup>	2,725.00
7.	
1 Tumbling and Cleaning of Parts Wastewaters <sup>3</sup>	

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II. Category II—Miscellaneous Discharges

<i>Category</i>	<i>Annual Fee</i>
8.	
a. 0–1,000*	1,250.00
b. 1,001–10,000*	2,725.00
c. >10,000	5,450.00
1 Minor Tumbling and Cleaning of Parts Waste-	
9. waters <sup>3</sup>	
a. 0–1,000*	750.00
b. 1,001–10,000*	1,360.00
c. >10,000*	2,720.00
2 Non-hazardous Waste Treatment Facility <sup>3</sup>	5,450.00
0.	
2 Hydrostatic Pressure Testing Wastewater <sup>3</sup>	
1.	
a. 0–50,000* (excluding natural gas pipelines)	350.00
b. >50,000* (excluding natural gas pipelines)	1,360.00
c. Natural Gas Pipelines	2,725.00

\* These figures refer to the total maximum daily flow for each category of discharge, in gallons per day, as authorized by the permit or, if the annual fee being calculated is required to be paid prior to permit issuance or reissuance, as proposed in the permit application.

‡ These figures refer to the design flow rate, in gallons per day, as authorized by the permit or, if the annual fee being calculated is required to be paid simultaneously with a permit application, as proposed in the permit application.

<sup>2</sup> Means wastewaters from this source, as defined pursuant to the 1972 Standard Industrial Classification Manual, Executive Office of the President, Office of Management and Budget, as amended.

<sup>3</sup> Defined in Section 22a-430-6 (b) of the Regulations of Connecticut State Agencies, as amended.

>means more than

<means less than

III. Category III—No Annual Fee.

1. Design flow rate as authorized by the permit, or, if the annual fee being calculated is required to be paid simultaneously with a permit application, as proposed in the permit application.

2. General permits issued under Section 22a-430b of the Connecticut General Statutes.

3. Building floor drain wastewaters.

4. Swimming pool backwash.



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5. Permits issued pursuant to Section 22a-430-3 (b) (6) of the Regulations of Connecticut State Agencies, as those Regulations existed prior to the effective date of this section.

(Effective June 23, 1994)