

§ 143-215.3D. Fee schedule for water quality permits.

- (a) Annual fees for discharge and nondischarge permits under G.S. 143-215.1. –
- (1) Major Individual NPDES Permits. – The annual fee for an individual permit for a point source discharge of 1,000,000 or more gallons per day, a publicly owned treatment works (POTW) that administers a POTW pretreatment program, as defined in 40 Code of Federal Regulations § 403.3 (1 July 1996 Edition), or an industrial waste treatment works that has a high toxic pollutant potential is four thousand six hundred twenty-five dollars (\$4,625).
 - (2) Minor Individual NPDES Permits. – The annual fee for an individual permit for a point source discharge other than a point source discharge to which subdivision (1) of this subsection applies is one thousand one hundred fifty dollars (\$1,150).
 - (3) Single-Family Residence. – The annual fee for a certificate of coverage under a general permit for a point source discharge or an individual nondischarge permit from a single-family residence is sixty dollars (\$60.00).
 - (4) Wastewater Discharge General Permits. – The annual fee for a certificate of coverage under a general permit for a point source discharge of wastewater is one hundred dollars (\$100.00).
 - (5) Recycle Systems. – The annual fee for an individual permit for a recycle system nondischarge permit is five hundred twenty dollars (\$520.00).
 - (6) Major Nondischarge Permits. – The annual fee for an individual permit for a nondischarge of 10,000 or more gallons per day or requiring 300 or more acres of land is one thousand seven hundred sixty dollars (\$1,760).
 - (7) Minor Nondischarge Permits. – The annual fee for an individual permit for a nondischarge of less than 10,000 gallons per day or requiring less than 300 acres of land is one thousand one hundred sixty dollars (\$1,160).
 - (8) Animal Waste Management Systems. – The annual fee for animal waste management systems is as set out in G.S. 143-215.10G.
 - (9) Authorizations to Construct. – The application fee for an authorization to construct for a wastewater treatment plant expansion, upgrade, replacement, or repair is one thousand dollars (\$1,000).
 - (10) NPDES Stormwater Permits. – The permit fee and annual fee for NPDES stormwater permits is as follows:
 - a. The fee for an industrial NPDES individual permit is one thousand two hundred dollars (\$1,200).
 - b. The fee for coverage under a construction or industrial NPDES general permit is one hundred twenty dollars (\$120.00).
 - c. The fee for an NPDES MS4 major permit is four thousand two hundred dollars (\$4,200).
 - d. The fee for an NPDES MS4 minor permit is one thousand dollars (\$1,000).
 - e. The fee for an NPDES no exposure certification is two hundred fifty dollars (\$250.00), only in the first year.
- (b) Application fee for new discharge and nondischarge permits. – An application for a new permit of the type set out in subsection (a) of this section shall be accompanied by an initial application fee equal to the annual fee for that permit. If a permit is issued, the application fee shall be applied as the annual fee for the first year that the permit is in effect. If the application is denied, the application fee shall not be refunded.
- (c) Application and annual fees for consent special orders. –

- (1) Major Consent Special Orders. – If the Commission enters into a consent special order, assurance of voluntary compliance, or similar document pursuant to G.S. 143-215.2 for an activity subject to an annual fee under subdivision (1) or (6) of subsection (a) of this section, the initial project fee is four hundred dollars (\$400.00) and the annual fee is five hundred dollars (\$500.00). These fees are in addition to the annual fee due under subsection (a) of this section.
- (2) Minor Consent Special Orders. – If the Commission enters into a consent special order, assurance of voluntary compliance, or similar document pursuant to G.S. 143-215.2 for an activity subject to an annual fee under subdivision (2) or (7) of subsection (a) of this section, the initial project fee is four hundred dollars (\$400.00) and the annual fee is two hundred fifty dollars (\$250.00). These fees are in addition to the annual fee due under subsection (a) of this section.

(d) Fee for major permit modifications. – An application for a major modification of a permit of the type set out in subsection (a) of this section shall be accompanied by an application fee equal to thirty percent (30%) of the annual fee applicable to that permit. A major modification of a permit is any modification that would allow an increase in the volume or pollutant load of the discharge or nondischarge or that would result in a significant relocation of the point of discharge, as determined by the Commission. This fee is in addition to the fees due under subsections (a) and (c) of this section. If the application is denied, the application fee shall not be refunded.

(e) Other fees under this Article. –

- (1) Sewer System Extension Permits. – The application fee for (i) a permit for the construction of a new sewer system, (ii) a permit for the extension of an existing sewer system, or (iii) a variance request is six hundred dollars (\$600.00).
- (2) State Stormwater Permits. – The fee for a permit regulating stormwater runoff under G.S. 143-214.7 and G.S. 143-215.1 is as follows:
 - a. The fee for a new permit or a major modification of an existing development project permit is based on the number of stormwater control measures (SCMs) proposed in the permit as set forth in this sub-subdivision. The term "major modification" is defined in 15A NCAC 02H .1002.
 1. For one or fewer SCMs, one thousand dollars (\$1,000).
 2. For two SCMs, one thousand two hundred fifty dollars (\$1,250).
 3. For three SCMs, one thousand seven hundred fifty dollars (\$1,750).
 4. For four or more SCMs, two thousand two hundred fifty dollars (\$2,250).
 - b. The fee for a minor modification of a State stormwater permit is two hundred fifty dollars (\$250.00). The term "minor modification" is defined in 15A NCAC 02H .1002.
 - c. The fee for a renewal or transfer of a State stormwater permit is seven hundred fifty dollars (\$750.00).
 - d. The fee for a combination renewal and transfer of a State stormwater permit is one thousand five hundred dollars (\$1,500).
 - e. The fee for new coverage under a general permit is seven hundred dollars (\$700.00).

- (3) Major Water Quality Certifications. – The fee for a water quality certification involving one acre or more of wetland fill or 150 feet or more of stream impact is seven hundred sixty-seven dollars (\$767.00).
- (4) Minor Water Quality Certifications. – The fee for a water quality certification involving less than one acre of wetland fill or less than 150 feet of stream impact is three hundred twenty-three dollars (\$323.00).
- (5) Permit for Land Application of Petroleum Contaminated Soils. – The fee for a permit to apply petroleum contaminated soil to land is four hundred eighty dollars (\$480.00).
- (6) Fee Nonrefundable. – If an application for a permit or a certification described in this subsection is denied, the application or certification fee shall not be refunded.
- (7) Limit Water Quality Certification Fee Required for CAMA Permit. – An applicant for a permit under Article 7 of Chapter 113A of the General Statutes for which a water quality certification is required shall pay a fee established by the Secretary. The Secretary shall not establish a fee that exceeds the greater of the fee for a permit under Article 7 of Chapter 113A of the General Statutes or the fee for a water quality certification under subdivision (3) or (4) of this subsection.

(f) Local Government Fee Authority Not Impaired. – This section shall not be construed to limit any authority that a unit of local government may have pursuant to any other provision of law to assess or collect a fee for the review of an application for a permit, the review of a mitigation plan, or the inspection of a site or a facility under any local program that is approved by the Commission under this Article. (1998-212, s. 29A.11(a); 1999-413, s. 6; 2006-250, s. 4; 2007-323, s. 30.3(a); 2023-134, s. 12.14(a).)