

Part XIII
Fees

4VAC50-60-700. Purpose.

Sections 10.1-603.4 and 10.1-603.5 of the Code of Virginia authorize the establishment of a statewide fee schedule [including administrative charges for state agencies,] for stormwater management ~~and state agency projects for land-disturbing activities and for municipal separate storm sewer systems.~~ These regulations in this This part establish establishes the fee assessment and the collection system and distribution systems for those fees. The fees associated with individual permits or coverage under the General Permit for Discharges of Stormwater From Construction Activities (permits for stormwater management for land-disturbing activities) issued by a qualifying local program or a department-administered local stormwater management program that has been approved by the board shall include costs associated with plan review, permit review and issuance, inspections, enforcement, program administration and oversight, and database management. Fees shall also be established for permit maintenance, modification, and transfer.

Should a qualifying local program demonstrate to the board its ability to fully and successfully implement a qualifying local program without a full implementation of the fees set out in this part, the board may authorize the administrative establishment of a lower fee for that program provided that such reduction shall not reduce the amount of fees due to the department for its program oversight and shall not affect the fee schedules set forth herein.

[A qualifying local program may establish greater fees than those base fees specified by this part should it be demonstrated to the board that such greater fees are necessary to properly administer the qualifying local program. Any fee increases established by the qualifying local program beyond those base fees established in this part shall not be subject to the fee distribution formula set out in 4VAC50-60-780. Nothing in this part shall prohibit a locality from establishing other local fees authorized by the Code of Virginia related to stormwater management within their jurisdictions.]

As part of its program oversight, the department shall periodically assess the revenue generated by both the localities and the department to ensure that the fees have been appropriately set and the fees may be adjusted through periodic regulatory actions should significant deviations become apparent. [The department may make such periodic adjustments in addition to the annual fee increases authorized by 4VAC50-60-840.]

4VAC50-60-710. Definitions. (Repealed.)

The following words and terms used in this chapter have the following meanings:

"Permit applicant" means for the purposes of this part any person submitting a permit application for issuance, reissuance, or modification, ~~except as exempted by 4VAC50-60-740, of a permit or filing a registration statement or permit application for coverage under a general permit issued pursuant to the Act and this chapter.~~

~~"Permit application" means for the purposes of this part the forms approved by the Virginia Soil and Water Conservation Board for applying for issuance or reissuance of a permit or for filing a registration statement or application for coverage under a general permit issued in response to the Act and this chapter. In the case of modifications to an existing permit requested by the permit holder and not exempted by 4VAC50-60-740,~~

48 the application shall consist of the formal written request and any accompanying
49 documentation submitted by the permit holder to initiate the modification.

50 **4VAC50-60-720. Authority.**

51 The authority for this part is pursuant to ~~§§ 10.1-604.4~~ §§ 10.1-603.4 and 10.1-
52 603.4:1 of the Code of Virginia and enactment clause 7 governing the transfer of the
53 relevant provisions of Fees for Permits and Certificates Regulations, 9VAC25-20, in
54 accordance with Chapter 372 of the 2004 Virginia Acts of Assembly.

55 **4VAC50-60-730. Applicability.**

56 A. This part applies to:

57 1. ~~All permit applicants for issuance of~~ persons seeking coverage of a MS4 under
58 a new permit or reissuance of an existing permit, except as specifically exempt
59 under 4VAC50-60-740 A. The fee due shall be as specified under 4VAC50-60-
60 800 or 4VAC50-60-820.

61 2. ~~All permittees operators~~ who request that an existing MS4 individual permit be
62 modified, except as specifically exempt under 4VAC50-60-740 A 1 of this
63 chapter. The fee due shall be as specified under 4VAC50-60-810.

64 3. All persons seeking coverage under the General Permit for Discharges of
65 Stormwater From Construction Activities or a person seeking an Individual Permit
66 for Discharges of Stormwater From Construction Activities. The fee due shall be
67 as specified under 4VAC50-60-820.

68 4. All permittees who request modifications to or transfers of their existing
69 registration statement for coverage under a General Permit for Discharges of
70 Stormwater From Construction Activities or of an Individual Permit for Discharges
71 of Stormwater From Construction Activities. The fee due shall be as specified
72 under 4VAC50-60-825 in addition to any additional fees necessary pursuant to
73 4VAC50-60-820 due to an increase in acreage.

74 B. ~~An applicant for a permit involving a permit that is to be revoked and reissued~~
75 Persons who are applicants for an individual VSMP Municipal Separate Stormwater
76 Sewer System permit as a result of existing permit revocation shall be considered an
77 applicant for a new permit. The fee due shall be as specified under 4VAC50-60-800.

78 Persons whose coverage under the General Permit for Discharges of Stormwater
79 From Construction Activities has been revoked shall reapply for an Individual Permit for
80 Discharges of Stormwater From Construction Activities. The fee due shall be as
81 specified under 4VAC50-60-820.

82 C. Permit and permit coverage maintenance fees may apply to each Virginia
83 Stormwater Management [Permit Program] (VSMP) permit holder. The fee due shall be
84 as specified under 4VAC50-60-830.

85 **4VAC50-60-740. Exemptions.**

86 A. No permit application fees will be assessed to:

87 1. Permittees who request minor modifications or minor amendments to permits
88 as defined in 4VAC50-60-10 or other minor amendments at the discretion of the
89 local stormwater management program.

90 2. Permittees whose permits are modified or amended at the initiative of the
91 permit-issuing authority. This does not include errors in the registration statement
92 identified by the local stormwater management program or errors related to the
93 acreage of the site.

94 B. Permit modifications at the request of the permittee resulting in changes to
95 stormwater management plans that require additional review by the local stormwater
96 management program shall not be exempt pursuant to this section and shall be subject
97 to fees specified under 4VAC50-60-825.

98 **4VAC50-60-750. Due dates for Virginia Stormwater Management Program (VSMP)**
99 **Permits.**

100 ~~A. Permit application fees for all new permit applications are due on the day a permit~~
101 ~~application is submitted and shall be~~ Requests for a permit, permit modification, or
102 general permit coverage shall not be processed until the fees required pursuant to this
103 part are paid in accordance with 4VAC50-60-760. Applications will not be processed
104 without payment of the required fee.

105 ~~B. A permit application fee is due on the day a permit application is submitted for a~~
106 ~~major modification that occurs (and becomes effective) before the stated permit~~
107 ~~expiration date. There is no application fee for a major modification or amendment that is~~
108 ~~made at the permit-issuing authority's initiative.~~

109 ~~C. Permit~~ B. Individual permit or general permit coverage maintenance fees shall be
110 paid annually to the permit-issuing authority by October 1 of each year ~~department or the~~
111 qualifying local program, as applicable, by the anniversary date of individual permit
112 issuance or general permit coverage. No permit will be reissued or automatically
113 continued without payment of the required fee. Individual permit or general permit
114 coverage maintenance fees shall be applied until a Notice of Termination is effective.

115 MS4 individual operators who currently pay a permit maintenance fee that is due by
116 October 1 of each year shall continue to pay the maintenance fee by October 1 until their
117 current permit expires. Upon reissuance of the MS4 individual permit, maintenance fees
118 shall be paid on the anniversary date of the reissued permit.

119 ~~Effective April 1, 2005, any permit holder whose permit is effective as of April 1 of a~~
120 ~~given year (including permits that have been administratively continued) shall pay the~~
121 ~~permit maintenance fee or fees to the permit-issuing authority by October 1 of that same~~
122 ~~year.~~

123 **4VAC50-60-760. Method of payment.**

124 ~~A. Fees, as applicable, shall be, at the discretion of the department, submitted~~
125 ~~electronically or be paid by check, draft or postal money order payable to:~~

126 ~~the~~ 1. The Treasurer of Virginia, for a MS4 individual or general permit or for a
127 coverage issued by the department under the General Permit for Discharges of
128 Stormwater From Construction Activities or Individual Permit for Discharges of
129 Stormwater From Construction Activities, to the permit-issuing authority, and
130 must be in U.S. currency, except that agencies and institutions of the
131 Commonwealth of Virginia may submit Interagency Transfers for the amount of
132 the fee. To pay electronically, go to the Department of Conservation and
133 Recreation's stormwater management section of the Department's public website
134 at <http://www.dcr.virginia.gov>. The Department of Conservation and Recreation
135 may provide a means to pay fees electronically. Fees not submitted electronically
136 shall be sent to the following address: Virginia Department of Conservation and
137 Recreation, Division of Finance, Accounts Payable, 203 Governor Street,
138 Richmond, VA 23219.

Virginia Department of Conservation and Recreation
Division of Finance, Accounts Payable

203 Governor Street
Richmond, VA 23219

139 2. The qualifying local program, for coverage authorized by the qualifying local
140 program under the General Permit for Discharges of Stormwater From
141 Construction Activities, and must be in U.S. currency.

142 B. Required information - for permits or permit coverage: All applicants ~~for new~~
143 ~~permit issuance, permit reissuance, or permit modification, unless otherwise specified by~~
144 the department, shall submit the following information along with the fee payment or
145 utilize the Department of Conservation and Recreation Permit Application Fee Form:

- 146 1. Applicant name, address and daytime phone number.
147 2. Applicant Federal Identification Number (FIN), if applicable.
148 3. The name of the facility/activity, and the facility/activity location.
149 4. The type of permit applied for.
150 5. Whether the application is for a new permit issuance, permit reissuance,
151 permit maintenance, or permit modification.
152 6. The amount of fee submitted.
153 7. The existing permit number, if applicable.
154 8. Other information as required by the local stormwater management program.

155 **4VAC50-60-770. Incomplete payments and late payments.**

156 All incomplete payments will be deemed as nonpayments. The department or the
157 qualifying local program, as applicable, shall provide notification to the applicant of any
158 incomplete payments.

159 Interest may be charged for late payments at the underpayment rate [~~set out by the~~
160 ~~U.S. Internal Revenue Service established pursuant to § 6621(a)(2) of the Internal~~
161 ~~Revenue Code. This rate is] prescribed set forth in § 58.1-15 of the Code of Virginia and
162 is calculated on a monthly basis at the applicable periodic rate.~~

163 A 10% late payment fee ~~may~~ shall be charged to any delinquent (over 90 days past
164 due) account.

165 ~~The permit-issuing authority is~~ department and the qualifying local program are
166 entitled to all remedies available under the Code of Virginia in collecting any past due
167 amount and may recover any attorney's fees and/or other administrative costs incurred
168 in pursuing and collecting any past due amount.

169 **4VAC50-60-780. Deposit and use of fees.**

170 A. All fees collected by the board ~~department or department board~~ in response
171 pursuant to this chapter shall be deposited into a special nonreverting fund known as the
172 Virginia Stormwater Management Fund established by, and shall be used and
173 accounted for as specified in § 10.1-603.4:1 of the Code of Virginia. Fees collected by
174 the department or board shall be exempt from statewide indirect costs charged and
175 collected by the Department of Accounts.

176 B. All fees collected by a qualifying local program pursuant to this chapter shall be
177 subject to accounting review and shall be used solely to carry out the qualifying local
178 program's responsibilities pursuant to Part II and Part III A of this chapter.

179 Whenever Pursuant to subdivision 5 a of § 10.1-603.4 of the Code of Virginia,
180 whenever the board has delegated authorized the administration of a stormwater
181 management program to by a locality or is required to do so by the Act qualifying local

182 ~~program, no more than 30%~~ 28% of the total revenue generated by the statewide
183 stormwater management fees collected within the locality in accordance with 4VAC50-
184 60-820 shall be remitted on a monthly basis to the State Treasurer for deposit in the
185 Virginia Stormwater Management Fund unless otherwise collected electronically. If the
186 qualifying local program waives or reduces any fee due in accordance with 4VAC50-60-
187 820, the qualifying local program shall remit the 28% portion that would be due to the
188 Virginia Stormwater Management Fund if such fee were charged in full. [Any fee
189 increases established by the qualifying local program beyond the base fees established
190 in this part shall not be subject to the fee distribution formula.]

191 **4VAC50-60-790. General.**

192 ~~Each permit application for a new permit each permit application for reissuance of a~~
193 ~~permit, each permit application for major modification of a permit, and each revocation~~
194 ~~and reissuance of a permit is a~~ The fees for individual permits, general permit coverage,
195 permit or registration statement modification, or permit transfers are considered separate
196 action actions and shall be assessed a separate fee, as applicable. The fees for each
197 type of permit that the permit-issuing authority has the authority to issue, reissue or
198 modify will be as specified in this part.

199 **4VAC50-60-800. Fee schedules for VSMP Municipal Separate Storm Sewer System**
200 **new permit issuance.**

201 The following fee schedule applies to permit applications for issuance of a new
202 individual VSMP Municipal Separate Storm Sewer System permit or coverage under a
203 MS4 General Permit. All regulated MS4s that apply for joint coverage under an individual
204 permit or general permit registration shall each pay the appropriate fees set out below.

VSMP Municipal Stormwater / MS4 Individual (Large and Medium)	\$21,300 <u>\$16,000</u>
VSMP Municipal Stormwater / MS4 Individual (Small)	\$2,000 <u>\$8,000</u>
VSMP Municipal Stormwater / MS4 General Permit (Small)	\$600 <u>\$4,000</u>

205 **4VAC50-60-810. Fee schedules for major modification of MS4 individual permits or**
206 **certificates requested by the permittee operator.**

207 The following fee ~~schedules apply~~ schedule applies to applications for major
208 modification of an individual MS4 permit requested by the permittee:

209 The permit application fees listed in the table below apply to a major modification of a
210 ~~VSMP Municipal Separate Storm Sewer Systems Permit that occurs (and becomes~~
211 ~~effective) before the stated permit expiration date.~~

VSMP Municipal Stormwater / MS4 Individual (Large and Medium)	\$10,650 <u>\$5,000</u>
VSMP Municipal Stormwater / MS4 Individual (Small)	\$1,000 <u>\$2,500</u>

212 **4VAC50-60-820. Fees for filing permit applications (registration statements) for**
213 **general permits issued by the permit-issuing authority an individual permit or**
214 **coverage under the General Permit for Discharges of Stormwater from**
215 **Construction Activities.**

216 The following fees apply to filing of permit applications ~~(registration statements)~~ for
217 all general permits issued by the permit-issuing authority, ~~except VSMP Stormwater~~
218 ~~Construction General Permits~~ coverage under the General Permit for Discharges of
219 Stormwater from Construction Activities issued by the department prior to a qualifying

220 local program or a department-administered local stormwater management program
 221 being approved by the board in the area where the applicable land-disturbing activity is
 222 located, or where the department has issued an individual permit or coverage under the
 223 General Permit for Discharges of Stormwater from Construction Activities for a state [or
 224 federal] agency for which it has approved annual standards and specifications.

225 The fee for filing a permit application (registration statement) for coverage under a
 226 VSMP stormwater general permit issued by the permit-issuing authority shall be:

<u>VSMP General / Stormwater Management - Phase I Land Clearing ("Large" Construction Activity - Sites or common plans of development equal to or greater than 5 <u>five</u> acres)</u>	<u>\$500</u>
<u>VSMP General / Stormwater Management - Phase II Land Clearing ("Small" Construction Activity - Sites or common plans of development equal to or greater than 4 <u>one</u> acre and less than 5 <u>five</u> acres</u>	<u>\$300</u>
<u>VSMP General / Stormwater Management - Small Construction Activity/Land Clearing (Sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one <u>acre</u>)</u>	<u>\$200</u>

227 The following fees apply to coverage under the General Permit for Discharges of
 228 Stormwater from Construction Activities for a state [or federal] agency that does not file
 229 annual standards and specifications, an individual permit issued by the board or
 230 coverage under the General Permit for Discharges of Stormwater from Construction
 231 Activities issued by a qualifying local program, or a department-administered local
 232 stormwater management program that has been approved by the board. For coverage
 233 under the General Permit for Discharges of Stormwater from Construction Activities, [no
 234 more than] 50% of the [base] fee [set out in this part] shall be due at the time that a
 235 stormwater management plan or an initial stormwater management plan is submitted for
 236 review in accordance with 4VAC50-60-108. The remaining [50% base fee balance]
 237 shall be due prior to the issuance of coverage under the General Permit for Discharges
 238 of Stormwater from Construction Activities.

239 When a site or sites are purchased for development within a previously permitted
 240 common plan of development or sale, the applicant shall be subject to fees in
 241 accordance with the disturbed acreage of their site or sites according to the following
 242 table.

<u>VSMP General / Stormwater Management - Small Construction Activity/Land Clearing (Sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 2,500 square feet and less than 0.5 <u>acre</u>)</u>	<u>\$290</u>
<u>VSMP General / Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land-disturbance acreage less than one <u>acre</u>)</u>	<u>\$290</u>
<u>VSMP General / Stormwater Management - Small</u>	<u>\$1,500</u>

<u>Construction Activity/Land Clearing (Sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 0.5 acre and less than one acre)</u>	
<u>VSMP General / Stormwater Management - Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one acre and less than five acres)</u>	<u>\$2,700</u>
<u>VSMP General / Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than five acres and less than 10 acres)</u>	<u>\$3,400</u>
<u>VSMP General / Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)</u>	<u>\$4,500</u>
<u>VSMP General / Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)</u>	<u>\$6,100</u>
<u>VSMP General / Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres)</u>	<u>\$9,600</u>
<u>VSMP Individual Permit for Discharges of Stormwater From Construction Activities</u>	<u>\$15,000</u>

243 4VAC50-60-825. Fees for the modification or transfer of individual permits or of
244 registration statements for the General Permit for Discharges of Stormwater from
245 Construction Activities.

246 The following fees apply to modification or transfer of individual permits or of
247 registration statements for the General Permit for Discharges of Stormwater from
248 Construction Activities issued by a qualifying local program or a department-
249 administered local stormwater management program that has been approved by the
250 board. If the permit modifications result in changes to stormwater management plans
251 that require additional review by the local stormwater management program, such
252 reviews shall be subject to the fees set out in this section. The fee assessed shall be
253 based on the total disturbed acreage of the site. [In addition to the permit modification
254 fee, modifications resulting in an increase in total disturbed acreage shall pay the
255 difference in the initial permit fee paid and the permit fee that would have applied for the
256 total disturbed acreage in 4VAC50-60-820.] No modification or transfer fee shall be
257 required until such board-approved programs exist. No modification fee shall be required
258 for the General Permit for Discharges of Stormwater from Construction Activities for a

259 state [or federal] agency that is administering a project in accordance with approved
 260 annual standards and specifications but shall apply to all other state [or federal] agency
 261 projects.

<u>VSMP General / Stormwater Management – Small Construction Activity/Land Clearing (Sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 2,500 square feet and less than 0.5 acre)</u>	<u>\$20</u>
<u>VSMP General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than one acre)</u>	<u>\$20</u>
<u>VSMP General / Stormwater Management – Small Construction Activity/Land Clearing (Sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 0.5 acre and less than one acre)</u>	<u>\$100</u>
<u>VSMP General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than one and less than five acres)</u>	<u>\$200</u>
<u>VSMP General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than five acres and less than 10 acres)</u>	<u>\$250</u>
<u>VSMP General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)</u>	<u>\$300</u>
<u>VSMP General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)</u>	<u>\$450</u>
<u>VSMP General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 100 acres)</u>	<u>\$700</u>
<u>VSMP Individual Permit for Discharges of Stormwater From Construction Activities</u>	<u>\$5,000</u>

262 **4VAC50-60-830. Permit maintenance fees.**

263 A. The following annual permit maintenance fees apply to each VSMP permit
 264 identified below, including expired permits that have been administratively continued.
 265 With respect to the General Permit for Discharges of Stormwater from Construction
 266 Activities, these fees shall apply until the permit coverage is terminated, and shall only
 267 be effective when assessed by a qualifying local program or a department-administered

268 local stormwater management program that has been approved by the board. No
 269 maintenance fee shall be required for a General Permit for Discharges of Stormwater
 270 from Construction Activities until such board approved programs exist. No maintenance
 271 fee shall be required for the General Permit for Discharges of Stormwater from
 272 Construction Activities for a state [or federal] agency that is administering a project in
 273 accordance with approved annual standards and specifications but shall apply to all
 274 other state [or federal] agency projects. All regulated MS4s who are issued joint
 275 coverage under an individual permit or general permit registration shall each pay the
 276 appropriate fees set out below:

VSMP Municipal Stormwater / MS4 Individual (Large and Medium)	\$3,800 \$8,800
VSMP Municipal Stormwater / MS4 Individual (Small)	\$400 \$6,000
<u>VSMP Municipal Stormwater / MS4 General Permit (Small)</u>	[\$4,000 <u>\$3,000</u>]
<u>VSMP General / Stormwater Management – Phase I Land Clearing ("Large" Construction Activity – Sites or common plans of development equal to or greater than 5 acres)</u>	\$0
<u>VSMP General / Stormwater Management – Phase II Land Clearing ("Small" Construction Activity – Sites or common plans of development equal to or greater than 1 acre and less than 5 Acres)</u>	\$0
<u>VSMP General / Stormwater Management – Small Construction Activity/Land Clearing (Sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 2,500 square feet and less than 0.5 acre)</u>	\$50
<u>VSMP General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land-disturbance acreage less than one acre)</u>	\$50
<u>VSMP General / Stormwater Management – Small Construction Activity/Land Clearing (Sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 0.5 acre and less than one acre)</u>	\$200
<u>VSMP General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance equal to or greater than one acre and less than five acres)</u>	\$400
<u>VSMP General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than five acres and less than 10 acres)</u>	\$500

<u>VSMP General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 10 acres and less than 50 acres)</u>	<u>\$650</u>
<u>VSMP General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater than 50 acres and less than 100 acres)</u>	<u>\$900</u>
<u>VSMP General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land-disturbance acreage equal to or greater 100 acres)</u>	<u>\$1,400</u>
<u>VSMP Individual Permit for Discharges [From from] Construction Activities</u>	<u>\$3,000</u>

277 B. An additional permit maintenance fee of \$1,000 shall be paid annually by
 278 permittees in a toxics management program. Any facility that performs acute or chronic
 279 biological testing for compliance with a limit or special condition requiring monitoring in a
 280 VPDES permit is included in the toxics management program.

281 **4VAC50-60-840. [[Reserved.] Annual increase in fees.]**

282 [~~The fees set out in 4VAC50-60-800 through 4VAC50-60-830 shall be increased~~
 283 ~~each July 1 by multiplying the fee by the percentage by which the consumer price index~~
 284 ~~for all-urban consumers published by the United States Department of Labor (CPI-U) for~~
 285 ~~the 12-month period ending May 31 of the preceding year exceeds the CPI-U for the 12-~~
 286 ~~month period ending May 31, 2007, and the result shall be rounded to the nearest \$1~~
 287 ~~increment. The fee schedule shall be posted to the department's website and distributed~~
 288 ~~to each qualified local program in advance of each fiscal year. Notwithstanding the~~
 289 ~~foregoing, in no event shall the permit fee be decreased and in no event shall any~~
 290 ~~increase exceed 4.0% per annum without formal action by the board.]~~

291 FORMS (4VAC50-60)

292 Application Form 1-General Information, Consolidated Permits Program, EPA Form
 293 3510-1, DCR 199-149 (August 1990).

294 Department of Conservation and Recreation Permit Fee Form, DCR 199-145 (03/09)
 295 [~~(9/08)~~ (10/09)] .

296 VSMP General Permit for Discharges of Stormwater from Construction Activities
 297 (VAR10) - Registration Statement, DCR 199-146 (03/09).

298 VSMP General Permit Notice of Termination - Construction Activity Stormwater
 299 Discharges (VAR10), DCR 199-147 (03/09).

300 VSMP General Permit for Discharges of Stormwater from Construction Activities
 301 (VAR10) - Transfer Agreement, DCR199-191 (03/09).

302 VSMP General Permit Registration Statement for Stormwater Discharges From
 303 Small Municipal Separate Storm Sewer Systems (VAR04), DCR 199-148 (07/08).

304



DEPARTMENT OF CONSERVATION AND RECREATION PERMIT FEE FORM

Instructions:

Applicants for an individual Virginia Stormwater Management Program (VSMP) Permit are required to pay permit application fees. Fees are also required for registration coverage under General Permits. Fees must be paid when applications for permit issuance or modification are submitted. Applications will not be considered incomplete if the proper fee is not paid and will not be processed until the fee is received.

The permit fee schedule is included with this form. Fees for permit issuance, reissuance, modification, and maintenance are included. Once you have determined the fee for the type of application you are submitting, complete this form. The original copy of the form and your check or money order payable to "Treasurer of Virginia" should be mailed to:

Department of Conservation and Recreation
Division of Finance, Accounts Payable
203 Governor Street, 4th Floor
Richmond, Virginia 23219

A copy of the form and a copy of your check or money order should accompany the permit registration statement (application). You should retain a copy for your records. Please direct any questions regarding this form or fee payment to SWMESquestions@dcr.virginia.gov.

Construction Activity Operator:

Name: _____ FIN: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Daytime Phone Number: (____) _____ - _____

Name and Location of Construction Activity:

Name: _____

Town, City, or County: _____

Type of VSMP Permit (from Fee Schedule):

- | | |
|---|--|
| <input type="checkbox"/> MS4 Individual Permit | <input type="checkbox"/> MS4 General Permit |
| <input type="checkbox"/> Construction Individual Permit | <input type="checkbox"/> Construction General Permit |

Type of Action: New Issuance Reissuance
 Modification Maintenance

Amount of Fee Submitted (from Fee Schedule): _____

Existing Permit Number (if applicable): _____



Virginia Stormwater Management Program (VSMP) Permit Fee Schedule

A. VSMP Individual Permits. Applications for issuance of new individual VSMP permits, and for initiated major modifications that occur (and become effective) before the stated permit expiration date. [NOTE: Individual VSMP permittees pay an Annual Permit Maintenance Fee instead of a reapplication fee. The permittee is billed separately by DCR for the Annual Permit Maintenance Fee.]

TYPE OF VSMP PERMIT	ISSUANCE	MODIFICATION
Municipal Stormwater / MS4 Individual (Large and Medium)	\$16,000	\$5,000
Municipal Stormwater / MS4 Individual (Small)	\$8,000	\$2,500
Construction Stormwater Individual	\$15,000	\$0

B. Registration Statements for VSMP MS4 General Permit Coverage. The fee for filing a permit application (registration statement) for coverage under a VSMP MS4 stormwater general permit issued by the permit issuing authority is as follows:

TYPE OF VSMP PERMIT	ISSUANCE
Municipal Stormwater / MS4 General Permit (Small)	\$4,000

C. Registration Statements for VSMP Construction General Permit Coverage. The fee for filing a permit application (registration statement) for coverage under a VSMP Construction stormwater general permit issued by the permit issuing authority is as follows:

TYPE OF VSMP PERMIT	ISSUANCE
Construction General / Stormwater Management - Phase I Land Clearing ("Large" Construction Activity - Sites or common plans of development or sale equal to or greater than five acres)	\$500
Construction General / Stormwater Management - Phase II Land Clearing ("Small" Construction Activity - Sites or common plans of development or sale equal to or greater than one acre and less than five acres)	\$300
Construction General / Stormwater Management – Small Construction Activity/Land Clearing (Sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	\$200

D. Permit Maintenance Fees. The annual permit maintenance fees apply to each VSMP permit identified below, including expired permits that have been administratively continued.

TYPE OF PERMIT	MAINTENANCE
VSMP Municipal Stormwater / MS4 Individual (Large and Medium)	\$8,800
VSMP Municipal Stormwater / MS4 Individual (Small)	\$6,000
VSMP Municipal Stormwater / MS4 General Permit (Small)	\$3,000
VSMP General / Stormwater Management - Phase I Land Clearing ("Large" Construction Activity - Sites or common plans of development equal to or greater than 5 acres)	\$0
VSMP General / Stormwater Management - Phase II Land Clearing ("Small" Construction Activity - Sites or common plans of development equal to or greater than one acre and less than 5 acres)	\$0