

**Biennial Report to the North Carolina General Assembly's
Environmental Review Commission, Fiscal Research Division & Joint Legislative
Oversight Committee on Agriculture and Natural and Economic Resources**



***Cost & Express Processing Times for North Carolina's
Environmental Permitting Programs***

January 1, 2025

**NORTH CAROLINA DEPARTMENT OF
ENVIRONMENTAL QUALITY**

Division of Environmental Assistance and Customer Service; Division of Air Quality;
Division of Coastal Management; Division of Energy, Mineral and Land Resources;
Division of Waste Management; Division of Water Resources

Pursuant to G.S. 143-215.3A(c); G.S. 143B-279.17

Permit Processing Time Report
North Carolina Department of Environment Quality
State Fiscal Years 2022-2024

This report provides updated information and fulfills the requirements of §143B-279.17, with the expanded requirements of Session Law 2012-187, Sections 13 (a) and (b), to provide information on Standard and Express review processing times for a number of environmental permits issued by the Department of Environment Quality (DEQ). A breakdown of processing times for Fiscal Years (FYs) 2022-2024 is provided in Figures 1-4 and Tables 1-16 for Air Quality permits, Coastal Area Management Act (CAMA) permits, Erosion and Sedimentation Control Plan Approvals, State Stormwater permits, 401 Water Quality Certifications, Stream Determinations, Public Water Supply (PWS) Plan reviews and Central Coastal Plain Capacity Use (Groundwater Capacity Use) permits. DEQ provides an express option for a subset of certain permits issued by the department. In cases where an express component is available to applicants, both standard and express permit processing times are provided.

For the above-noted permitting programs, information is provided for 12,500 permits issued in Fiscal Year (FY) 2022-2023 and 11,669 permits issued in FY 2023-2024. For FY 2022-2023, 543 permits, or 4.34%, took more than 90 days to issue, whereas those numbers increased slightly to 628 permits, or 5.38%, for FY 2023-2024. In those cases, public review, comments from multiple agencies and waiting on information from applicants were significant factors and were reflected in longer processing times. The total time included a combination of DEQ review time and the time for applicants to provide all necessary information and documentation. The majority of permits that required at least 90 days for issuance were among the more complex permit types, such as Title V Air Quality permits, Coastal Area Management Act (CAMA) Major permits, 401 Water Quality Certifications, Stream Determinations, and State Stormwater permits. Complex sites with greater potential for environmental impact have become more common and frequently require greater processing times.

The Express Permitting Program was authorized in 2005 and offers a timelier review process for several environmental permits required for development. This optional program offers applicants quicker permit decisions and certifications as well as consultation to identify necessary environmental requirements. Higher fees are charged for the express review, and the additional monies are used to support the program. The following programs currently have an Express Review option: CAMA Major, Erosion and Sedimentation Control, State Stormwater, 401 Water Quality Certifications, and Stream Determinations. As intended, the process offers a valuable option for time-sensitive projects without sacrificing the quality of the review for new construction and modification to existing permitted sites for growth and economic development projects. Since program inception, economic impacts have led to a decline in the number of express permits issued in some years and, thus, a reduction in staff. The data collected confirms that the express permit option is much quicker than the standard option, as noted in Figures 1 and 3. A comparison of processing times between the standard and express options showed express review in FY 2022-2023 resulted in an 86% reduction for Erosion and Sediment Control, an 80% reduction for State Stormwater Permits, an 80% reduction for CAMA Major, an 73% for Stream Determinations, as illustrated in Figure 2. For FY 2022-2023, no 401 Water Quality Certifications express permitting requests were received. In addition, the State Stormwater express option is only available within the 20 coastal counties.

For FY 2023-2024, a comparison of the permitting processing times between the standard and express options resulted in a 93% reduction for Erosion and Sediment Control, an 87% reduction for State Stormwater, and a 66% reduction for Stream Determinations as illustrated in Figure 4. For FY 2023-2024, no CAMA Major permitting express permitting requests were received, and DWR only received express review applications for Stream Determinations. Table 11-14 shows the total permits for 401 Water Quality Certifications and Stream Determinations for FYs 2022-2024. As

mentioned above, the express option for State Stormwater is only available within the 20 coastal counties. It is important to note that the "goal" processing time for each express permit issuance is a target established by the regulatory programs. In all cases, the goal represents a value much lower than the statutory requirements of the standard review programs.

One express permit was issued for CAMA Major permits during FY 2022-2023. The express permit issued for CAMA Major took 22 days (see Table 3). The express permitting option for CAMA Major permits was not utilized during FY 2023-2024 (see Table 4). For FYs 2022-2024, Erosion and Sedimentation Control plan approvals took an average of 2.2 days (see Tables 7 and 8). State Stormwater permits took an average of 13.9 days for FYs 2022-2024 (see Tables 9 and 10). Stream Determinations were reviewed within an average of 11.5 days (see Tables 13 and 14). The 401 Water Quality Certifications express permitting option was not utilized during FYs 2022-2024 (see Tables 11 and 12). Tables 15 and 16 show the total permits for the Division of Water Resources Public Water Supply plan review and Central Coastal Plain Capacity Use (Groundwater Capacity Use) programs.

Session Law 2012-187, Section 13 (a) requires that the tracking of processing times include 1) the total processing time from initial receipt of an application by the department until issuance or denial and 2) the processing time from the time when a complete application is received to issuance or denial of the permit. The average days for each program's processing time are the dates from the complete application to a decision. Federal and state laws and regulations for air quality, coastal areas, and several water quality programs define processing time from the date of a complete application. Historically, permit programs have tracked data from receipt of a complete application consistent with statutory requirements because a decision cannot be made until all technical documents are submitted. However, all DEQ permit programs collect data showing the complete review process, including timeframes awaiting information, public comment periods, and other milestones. The agency has also completed a comprehensive inventory of the department's permits, licenses, and approvals as directed by Session Law 2010-187, Section 13 (b). Information will continue to be collected, and the existing permit processing times will continue to be evaluated.

DEQ continues to improve the permitting processes in both the standard and express programs. The express review program successfully meets the need for faster review of time-sensitive projects. The process has been expedited without sacrificing the quality of environmental reviews.

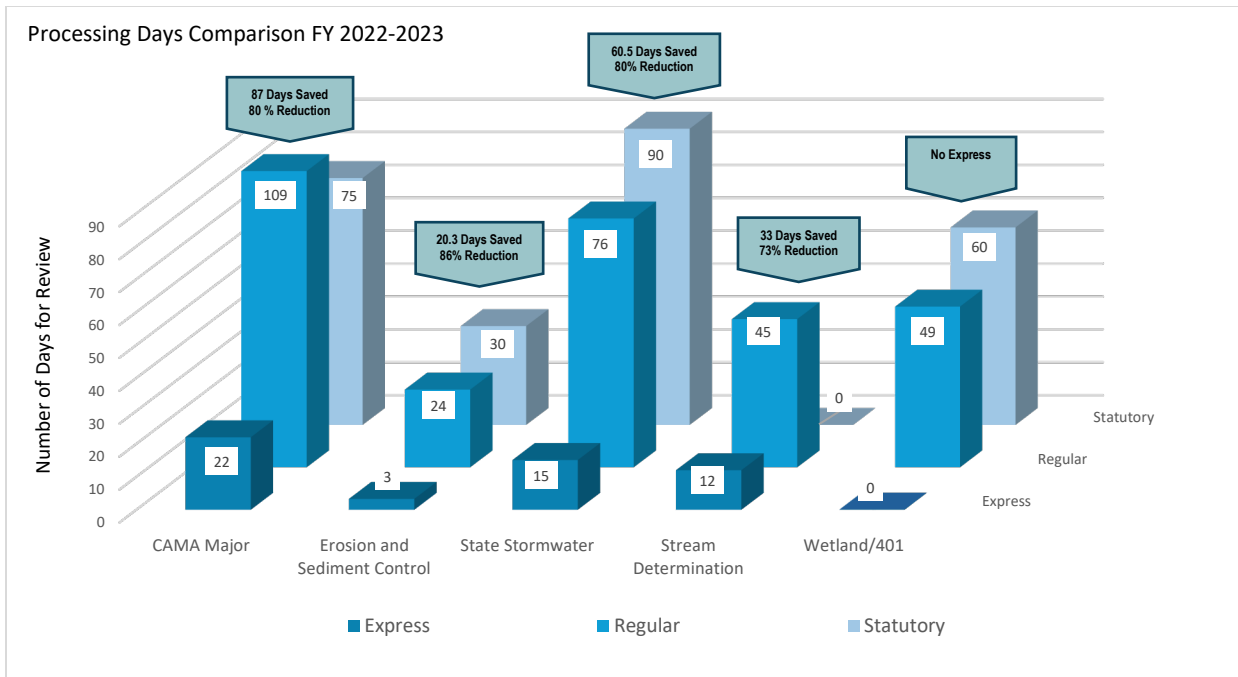


Figure 1: Processing Days for Permits with an Express Option FY 2022-2023

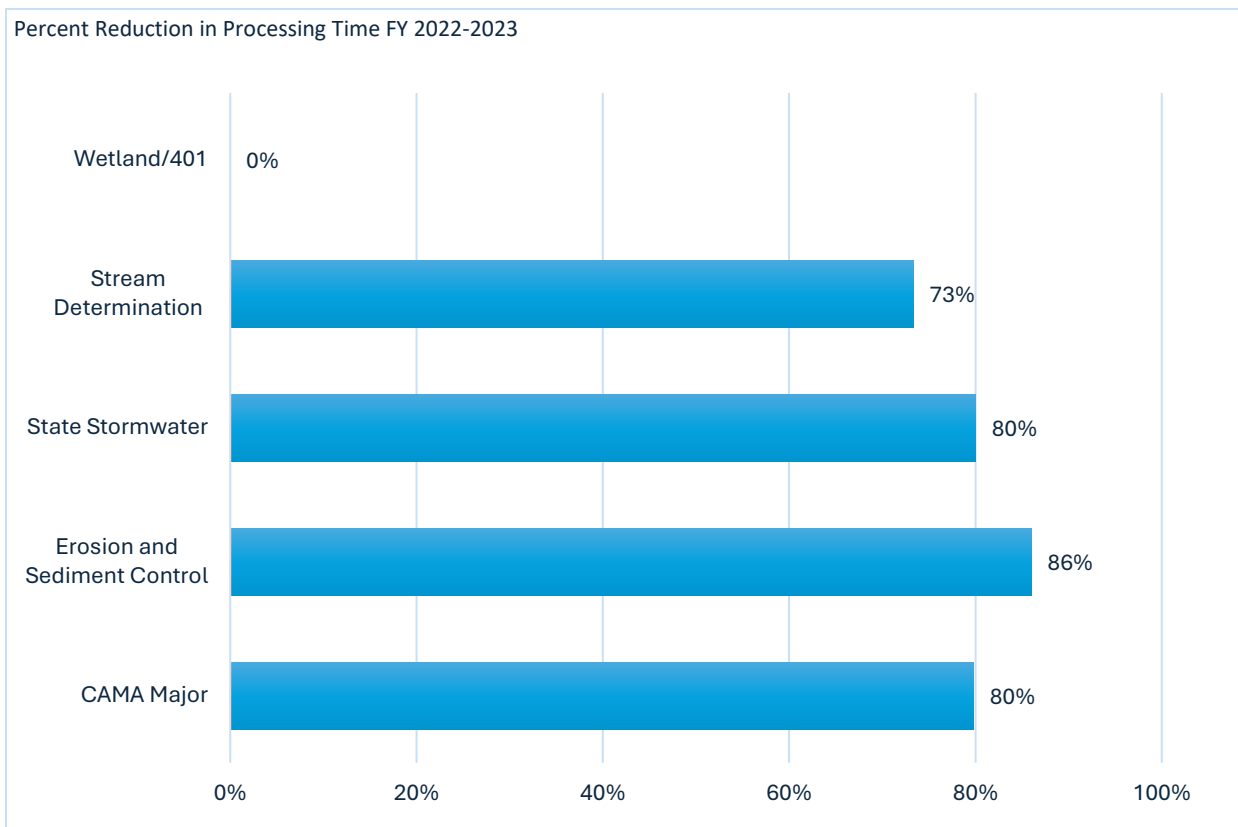


Figure 2: Reduction in Processing Times for Permits with a utilized Express Option FY 2022-2023

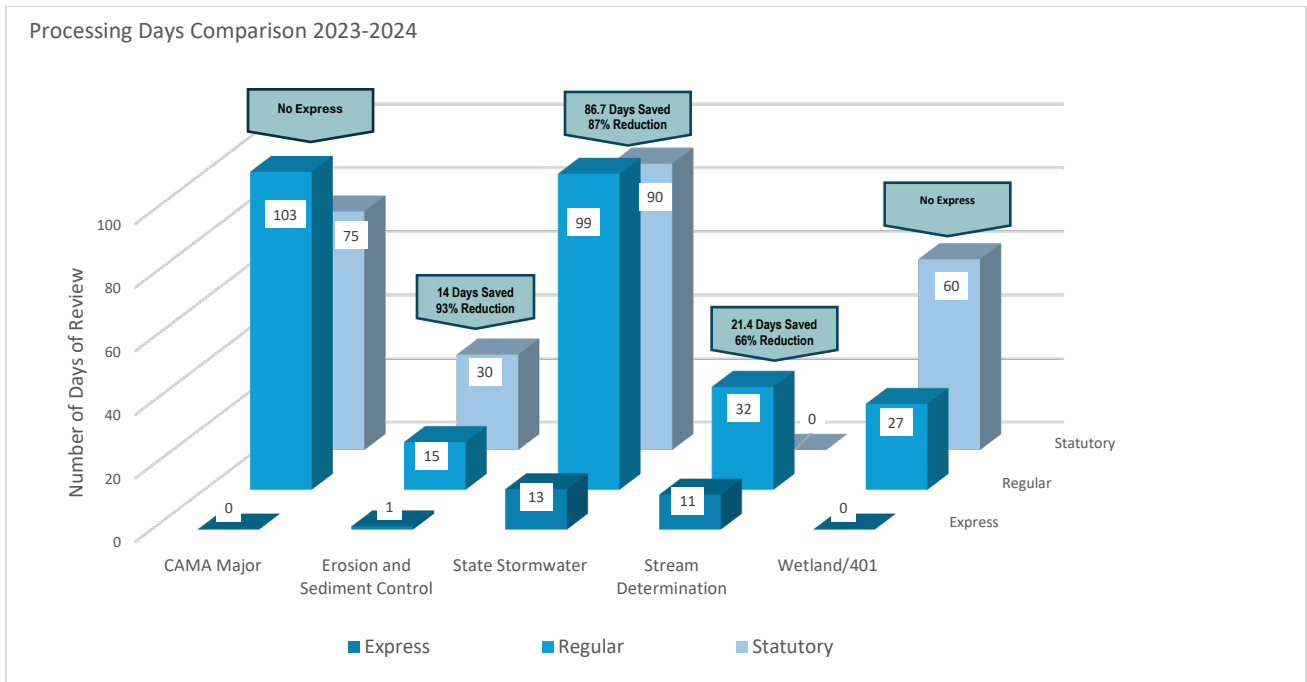


Figure 3: Processing Days for Permits with an Express Option FY 2023-2024

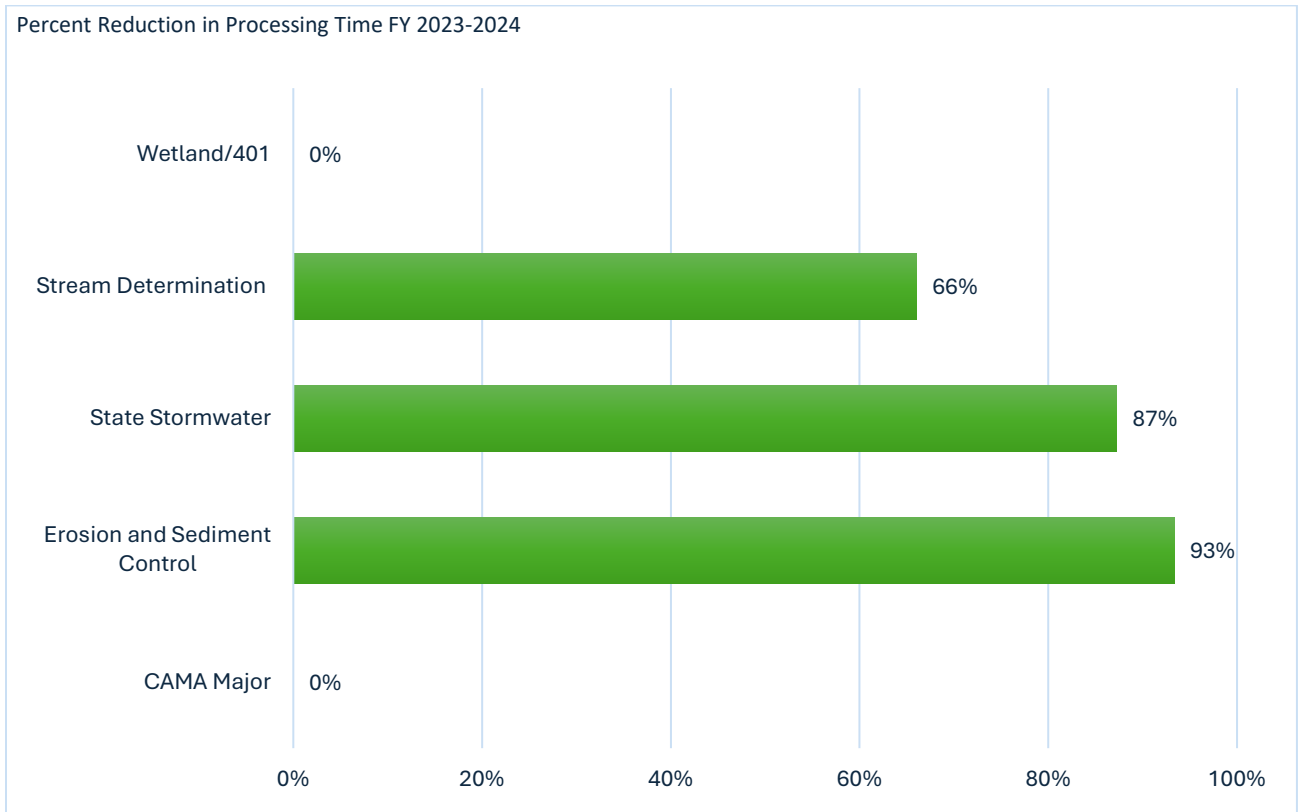


Figure 4: Reduction in Processing Times for Permits with a utilized Express Option FY 2023-2024

Division of Air Quality Permit Processing

FY 2022-2023	Air Quality		
	Small	Synthetic Minor	Title V
Number of Permits	288	236	194
Average (days)	44	57	262
Goal (days)	90	90	Varies - See notes*
Beat Goal By (days)	46	33	See notes*
Number > 90 days	4	8	See notes*
% > 90 days	1.4%	3.4%	See notes*

Table 1: Division of Air Quality Permit Processing – FY 2022-2023

*General Title V Permitting Schedule Requirements

Application Schedule:	Regulatory Requirement
Significant Modification and Renewals:	270 days for significant/18 months for renewals within receipt of an administratively complete application (requires 30-day public and 45-day EPA review periods prior to issuance), The processing days above do not include public notice and hearing times (if any) or any other external delays.
Minor mod and those processed under 02Q .0300:	90 days within receipt of an administratively complete application
PSD applications:	One year within receipt of administratively complete application (pursuant to Part 51)
Potential Causes of over 90 days:	Administrative errors in managing the "clock" for the above consideration, Applicants with multiple applications in-house may reprioritize those applications, putting newer applications in front of older ones, Applications may get priority treatment to address compliance issues or for other reasons as determined by management, Data analysis needs to take into consideration all of the above, Applications may get priority treatment to address compliance issues or for other reasons as determined by management, Data analysis needs to take into consideration all of the above

FY: 2023-2024	Air Quality		
	Small	Synthetic Minor	Title V
Number of Permits	275	215	209
Average (days)	47	56	273
Goal (days)	90	90	Varies - See notes*
Beat Goal By (days)	43	34	See notes*
Number > 90 days	5	9	See notes*
% > 90 days	1.8%	2.2%	See notes*

Table 2: Division of Air Quality Permit Processing – FY 2023-2024

*General Title V Permitting Schedule Requirements

Application Schedule:	Regulatory Requirement
Significant Modification and Renewals:	270 days within receipt of a complete application to send to public notice, then within 15 days after the 45-day EPA review period, public notice and hearing times (if any) and any other external delays are not included in the 270 days, Maximum time allowable in the above best-case scenario is 320 days
Processed under 02Q .0300:	90 days within receipt of a complete application
PSD applications:	One year within receipt of a complete application
Potential Causes of over 90 days:	90 days is measured against "process" days rather than "days in house", Administrative errors in managing the "clock" for the above consideration, Applicants with multiple applications in-house may reprioritize those applications, putting newer applications in front of older ones, Applications may get priority treatment to address compliance issues or for other reasons as determined by management, Data analysis needs to take into consideration all of the above

Division of Coastal Management Permit Processing

CAMA Major Permitting Program

FY 2022-2023	Coastal Management	
	CAMA Major*	
	Regular	Express
Number of Permits*	276	1
Average (days)**	109	22
Goal (days)	75	30
Beat Goal By (days)	0	8
Number > 90 days	127	0
% > 90 days	80%	0%

Table 3: Division of Coastal Management - Major Permit Processing – FY 2022-2023

*The "Number of Permits" reflects New, Major Modifications, Minor Modifications, Renewals, and Transfers. For permit timing goals, only New and Major Modifications were calculated.

** Average Days Saved Using Express: 87 days, 80% reduction of permit processing.

FY 2023-2024	Coastal Management	
	CAMA Major*	
	Regular	Express**
Number of Permits*	241	0
Average (days)	103	0
Goal (days)	75	30
Beat Goal By (days)	0	8
Number > 90 days	94	0
% > 90 days	59%	0%

Table 4: Division of Coastal Management - Major Permit Processing – FY 2023-2024

*The "Number of Permits" reflects New, Major Modifications, Minor Modifications, Renewals, and Transfers. For permit timing goals, only New and Major Modifications were calculated.

** Received no CAMA Major Express permitting request.

CAMA Minor and General Permitting Program

FY 2022-2023	Coastal Management	
	Minor	General*
Number of Permits*	275	2279
Average (days)	<25	Generally, <5 Days
Goal (days)	25	Generally, <5 Days
Beat Goal By (days)	>1	0
Number > 90 days	0	0
% > 90 days	0%	0%

Table 5: Division of Coastal Management - Minor and General Permit Processing – FY 2022-2023

* General Permits are expedited forms of major permits. These permits allow the property owner to begin work immediately and come with the pre-approval of a Div. of Water Resources 401 Permit and an Army Corps of Engineers Section 10 and Section 404 permit if applicable.

FY 2023-2024	Coastal Management	
	Minor	General
Number of Permits*	257	2472
Average (days)	<25	Generally, <5 Days
Goal (days)	25	Generally, <5 Days
Beat Goal By (days)	>1	0
Number > 90 days	0	0
% > 90 days	0%	0%

Table 6: Division of Coastal Management - Minor and General Permit Processing – FY 2023-2024

* General Permits are expedited forms of Major permits. These permits allow the property owner to begin work immediately and come with the pre-approval of a Div. of Water Resources 401 Permit and an Army Corps of Engineers Section 10 and Section 404 permit if applicable.

Division of Energy Mineral and Land Resources Permit Processing

Erosion and Sedimentation Control Program

FY 2022-2023	Energy, Mineral, and Land Resources	
	Erosion and Sediment Control	
	Regular	Express
Number of Permits	3437	363
Average (days)**	23.6	3.3
Goal (days)	25	3
Beat Goal By (days)	1.4	-0.3
Number > 30 days*	54	1
% > 90 days	2%	0%

Table 7: Division of Energy Mineral and Land Resources - Erosion and Sediment Control Permit Processing – FY 2022-2023

* For applications with >30-day processing, delays based on lack of resources or applicants' informational delays.

** Average Days Saved Using Express: 20.3 days, 86 % reduction in permit processing.

FY 2023-2024	Energy, Mineral, and Land Resources	
	Erosion and Sediment Control	
	Regular	Express
Number of Permits	2261	328
Average (days)**	15	1.0
Goal (days)	25	3
Beat Goal By (days)	10	2.0
Number > 30 days*	99	1
% > 90 days	4%	0%

Table 8: Division of Energy Mineral and Land Resources - Erosion and Sediment Control Permit Processing – FY 2023-2024

* For applications with >30-day processing, delays based on lack of resources or applicants' informational delays.

** Average Days Saved Using Express: 14 days, 93 % reduction in permit processing.

State Stormwater Program

FY 2022-2023	Energy, Mineral, and Land Resources	
	State Stormwater	
	Regular	Express
Number of Permits	957	133
Average (days)**	75.6	15.1
Goal (days)	90	30
Beat Goal By (days)	24.3	14.9
Number > 90 days*	242	0
% > 90 days	25%	0%

Table 9: Division of Energy Mineral and Land Resources- State Stormwater Permit Processing – FY 2022-2023

* For applications with >90-day processing, delays based on lack of resources or applicants' informational delays.

** Average Days Saved Using Express: 60.5 days, 80 % reduction in permit processing

FY 2023-2024	Energy, Mineral, and Land Resources	
	State Stormwater	
	Regular	Express
Number of Permits	829	200
Average (days)**	99.4	12.7
Goal (days)	90	30
Beat Goal By (days)	-9.4	17.3
Number > 90 days*	233	0
% > 90 days	28%	0%

Table 10: Division of Energy Mineral and Land Resources- State Stormwater Permit Processing – FY 2023-2024

* For applications with >90-day processing, delays based on lack of resources or applicants' informational delays.

** Average Days Saved Using Express: 86.7 days, 87% reduction in permit processing

Division of Water Resources Permit Processing

401 Water Quality Certifications

FY 2022-2023	Water Resources	
	401 Certifications	
	Regular	Express**
Number of Permits	2293	0
Average (days)	48.8	0.0
Goal (days)	60	30
Beat Goal By (days)	11.2	NA
Number > 90 days*	161	N/A
% > 90 days (estimate)	7%	0%

Table 11: Division of Water Resources- 401 Certification Permitting Processing – FY 2022-2023

* For all applications with >90-day processing, additional information was required from the applicant.

**Received no 401 Certification Express permitting request.

FY 2023-2024	Water Resources	
	401 Certifications	
	Regular	Express**
Number of Permits	2448	0
Average (days)	27	0.0
Goal (days)	60	30
Beat Goal By (days)	33.0	NA
Number > 90 days*	51	N/A
% > 90 days	2%	0%

Table 12: Division of Water Resources- 401 Certification Permitting Processing – FY 2023-2024

* For all applications with >90-day processing, additional information was required from the applicant.

**Received no 401 Certification Express permitting request

Stream Determination Program

FY 2022-2023	Water Resources	
	Stream Determinations	
	Regular	Express
Number of Permits	645	15
Average (days)*	45	12
Goal (days)		9
Beat Goal By (days)		18.0
Number > 90 days	0	0
% > 90 days	0%	0%

Table 13: Division of Water Resources- Stream Determination Permitting Processing – FY 2022-2023

*Average Days Saved Using Express: 33 days, 73% reduction of permit processing days.

FY 2023-2024	Water Resources	
	Stream Determinations	
	Regular	Express
Number of Permits	600	4
Average (days)**	32.4	11
Goal (days)	0	9
Beat Goal By (days)	0	19.0
Number > 90 days*	16	0
% > 90 days	3%	0%

Table 14: Division of Water Resources- Stream Determination Permitting Processing – FY 2023-2024

* For all applications with >90-day processing, additional information was required from the applicant.

**Average Days Saved Using Express: 21 days, 66% reduction of processing days.

Public Water Supply (PWS) Plan Review and Coastal Plain Capacity Use (Groundwater (GW) Capacity Use) Programs

FY 2022-2023	Water Resources	
	Public Water Supply Programs	
	PWS Plan Review	GW Capacity Use
Number of Permits	1041	67
Average (days)	17	36.2
Goal (days)	30	45
Beat Goal By (days)	13.0	8.8
Number > 90 days*	1	1
% > 90 days	0%	1.50%

Table 15: Division of Water Resources- Public Water Supply Permitting Processing – FY 2022-2023

* For all applications with >90-day processing, additional information was required from the applicant.

FY 2023-2024	Water Resources	
	Public Water Supply Programs	
	PWS Plan Review	GW Capacity Use
Number of Permits	1229	101
Average (days)	50.3	35.8
Goal (days)	30	45
Beat Goal By (days)	-20.3	9.2
Number > 90 days*	220	0
% > 90 days	18%	0%

Table 16: Division of Water Resources- Public Water Supply Permitting Processing – FY 2023-2024

* For all applications with >90-day processing, additional information was required from the applicant.



The following sections provide an overview of the costs of the state's environmental permitting programs, pursuant to G.S. 143-215.3A(c):

The Department shall report to the Environmental Review Commission, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division on the cost of the State's environmental permitting programs contained within the Department on or before January 1 of each odd-numbered year. The report shall include, but is not limited to, fees set and established under this Article, fees collected under this Article, revenues received from other sources for environmental permitting and compliance programs, changes made in the fee schedule since the last report, anticipated revenues from all other sources, interest earned, and any other information requested by the General Assembly. The Department shall submit this report with the report required by G.S. 143B-279.17 as a single report.

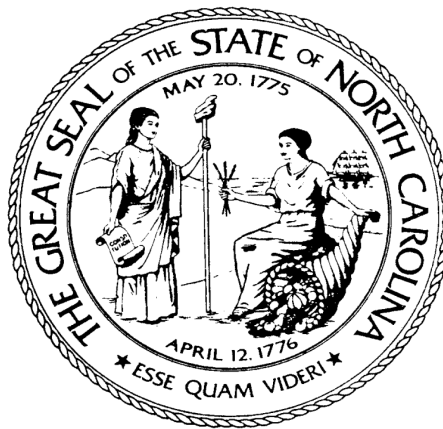
The divisions whose reports are represented below are:

- Division of Air Quality
- Division of Coastal Management
- Division of Energy, Mineral and Land Resources
- Division of Waste Management
- Division of Water Resources

STATE OF NORTH CAROLINA
AIR QUALITY PERMIT PROGRAM
ACCOUNTABILITY REPORT

**A Report to the Environmental Review Commission,
the Joint Legislative Oversight Committee on Agriculture and
Natural and Economic Resources, and
the Fiscal Research Division**

**Submitted by the
North Carolina Department of Environmental Quality
Division of Air Quality
Michael A. Abraczinskas, Director**



JANUARY 2025

STATE OF NORTH CAROLINA

AIR QUALITY PERMIT PROGRAM

ACCOUNTABILITY REPORT

**A Report to the Environmental Review Commission,
the Joint Legislative Oversight Committee on Agriculture and
Natural and Economic Resources, and
the Fiscal Research Division**

**Submitted by the
North Carolina Department of Environmental Quality
Division of Air Quality
Michael A. Abraczinskas, Director**

**This report is submitted pursuant to the requirements of
NC G.S. 143-215.3A(c) and 15A NCAC 02Q .0206(e).**

JANUARY 2025

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EXECUTIVE SUMMARY

The enclosed annual report discusses the costs and other aspects of the North Carolina Division of Air Quality (NCDAQ) permit program, required under North Carolina General Statute (G.S.) 143-215.3A (Appendix A) and 15A NCAC 02Q .0206(e).

The NCDAQ permits minor and synthetic minor facilities under state regulations. True minor facilities are permitted when their emissions are above thresholds defined in 15A NCAC 02Q .0100. Synthetic minor facilities have taken operational or emission control limitations to remain below major source thresholds. These facilities are defined as synthetic minor facilities due to their ability to be major emitters if not for the operational or emissions limitations the facility has requested. Major facilities are permitted under Title V of the federal Clean Air Act Amendments of 1990. The Title V operating permit program consolidates all federal and state air quality regulations for a facility into a single air permit. North Carolina's largest facilities emitting air pollution are subject to the Title V permit program. The NC DAQ received approval from the EPA to implement the Title V program in North Carolina. The federal Clean Air Act requires the Title V program to be funded entirely by fees collected from permitted facilities.

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INTRODUCTION

North Carolina state law requires that the Department of Environmental Quality (DEQ):

“... shall report to the Environmental Review Commission, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division on the cost of the State’s environmental permitting programs contained within the Department on or before January 1 of each odd-numbered year. The report shall include, but is not limited to, fees set and established under this Article, fees collected under this Article, revenues received from other sources for environmental permitting and compliance programs, changes made in the fee schedule since the last report, anticipated revenues from all other sources, interest earned and any other information requested by the General Assembly.” (G.S. 143-215.3A, attached as Appendix A)

This report describes the Permit Program in North Carolina as carried out by the Division of Air Quality (NCDAQ). The report focuses on funding and staffing issues. It does not cover permit programs under the jurisdiction of local air pollution control programs in Buncombe, Forsyth and Mecklenburg counties. The report summarizes all facility permitting classes: minor and synthetic minor facilities permitted under state requirements, and major facilities permitted under Title V of the Clean Air Act.

Congress established the Title V Permit Program under the 1990 amendments to the federal Clean Air Act primarily as a way to consolidate all air regulations affecting major emitters of certain air pollutants (as defined in Section 501 of the Clean Air Act) into a single document. Under the Clean Air Act, Title V permits are required for certain industry groups designated by the U.S. Environmental Protection Agency (EPA) and for any facility with the potential to emit at least:

- 100 tons per year of any regulated criteria pollutant, or
- 10 tons per year of any hazardous air pollutant (HAP), or
- 25 tons per year of any combination of HAPs.

This DAQ Permitting Program Report contains:

- A discussion of program accomplishments and goals,
- A discussion of current issues affecting the program,
- A detailed list of revenues and expenditures for state fiscal years 2022-2023 and 2023-2024, and
- Appendices.

CURRENT STATUS AND RECENT ACCOMPLISHMENTS

The DAQ permit program encompasses the full range of activities associated with implementing the program, including:

- Reviewing applications for issuance, modification and renewal of permits,
- Advising the regulated community on applicability issues,
- Routinely inspecting permitted facilities,
- Soliciting and responding to citizens' concerns and suggestions,
- Gathering emissions inventory data and submitting the data to the EPA,
- Issuing invoices and collecting fees to operate the permitting program,
- Operating a network of air monitors,
- Performing public outreach, including issuing air quality advisories to citizens,
- Long-range planning (including computer modeling) to achieve and maintain healthy air quality for future generations,
- Working with legislators and appointed officials to ensure adequate statutory and regulatory authority to carry out the NCDAQ's mission, and
- Taking enforcement actions against violators, including assessing penalties, revoking permits and taking legal action when necessary.

Staffing Levels

The NCDAQ has 203 positions on the organizational chart, however only 178 of those are filled as of December 2024. Although many positions in the division have some Title V responsibility, the full-time equivalent (FTE) staff dedicated to the Title V program (when fully staffed) is 92.5. The remaining FTEs are responsible for all other aspects of administering the air quality program including, but not limited to: non-Title V air quality permitting and compliance (minor and synthetic minor facilities); complaint investigations (such as open burning); ambient air quality monitoring; planning activities (emissions inventories, modeling, State Implantation Plans) and administration of the DAQ.

The NCDAQ has 100 fewer positions (203) from its highest level of 303 about 15 years ago. The NCDAQ has attained this staffing level to manage and balance ever-changing business needs and fluctuations in revenues. As discussed later, fees received from permitted facilities have declined as major sources have been required by regulations to reduce emissions and change to lower emitting fuels to achieve compliance with state and federal requirements. On November 18, 2021, the new Title V fees were put in place to address a significant deficit in Title V revenues, following a process including research and analysis, stakeholder involvement, industrial outreach, rulemaking, public comment, and finally legislative approval.

In addition to the core functions listed above, the Title V program, as required by the Clean Air Act, also funds DEQ's Small Business Assistance Program and a Small Business Ombudsman.

Permitting and Compliance Actions

For the 2022-2023 and 2023-2024 state fiscal years, the NCDAQ performed the following permitted facility activities:

- Reviewed and processed 408 permit applications for Title V facilities, 453 permit applications for synthetic minor facilities and 542 permit applications for minor facilities.
- Performed a total of 3266 permit-related compliance evaluations including 561 full compliance evaluations (FCEs) of permitted Title V facilities, 1104 FCEs of permitted synthetic minor facilities, 785 FCEs of permitted minor facilities, and 526 compliance assurance visits at registered/permit exempt facilities.
- Issued 586 compliance/enforcement letters to various regulated facilities including 202 total letters and 155 Notices of Violation (NOVs) to Title V facilities, 188 total letters and 97 NOVs to synthetic minor facilities, 196 total letters and 107 NOVs to permitted minor facilities, and 0 total letters and 0 NOVs to registered/permit exempt facilities.
- Assessed 38 enforcement cases against Title V facilities resulting in total penalties of \$474,833, 11 enforcement cases against synthetic minor facilities resulting in total penalties of \$109,630, and 14 enforcement cases against permitted minor/permit exempt facilities resulting in total penalties of \$34,472. (Per General Statute, all civil penalties collected by DAQ are transferred to local school systems.)

PROGRAM CHALLENGES

Title V Facilities

In order to maintain a federally approved Title V operating permit program, North Carolina's permit program must be adequately funded by the regulated sources. See Clean Air Act (CAA) §502; 40 CFR §70.10. Specifically, CAA §502(b)(3)(A) requires a state program to collect revenue "sufficient to cover all reasonable (direct and indirect) costs required to develop and administer the permit program requirements." Title V is triggered by certain emission levels and tonnage fees are applied to just Title V facilities. Therefore, due to a downward trend in emissions of air pollutants and an increase in new federal regulations, Title V program revenues have decreased, while the resources necessary to implement the program have increased.

Federal Regulatory Programs

Since 2005 there has been an increase in the promulgation of federal air regulations. Every time a new regulation is promulgated, each facility must be evaluated to determine potential applicability of the new regulation and, if applicable, revise the facility's permit to incorporate the necessary emission limits, monitoring provisions, recordkeeping and reporting requirements. In general, these new federal regulations fall into the following areas:

MACT/GACT Standards

The federal EPA is required by the Clean Air Act to promulgate nationally applicable emission standards referred to as Maximum Achievable Control Technologies (MACTs) that apply to defined categories of major sources of hazardous air pollutants and Generally Available Control Technologies (GACTs) that apply to smaller non-major sources of hazardous air pollutants. Established MACTs and GACTs apply to a wide range of emission sources from large coal-fired utility boilers down to 25-horsepower emergency generators. Specifically, promulgated GACT regulations have expanded the universe of regulated sources at both Title V and non-Title V facilities. For example, the NCDAQ estimated that there are over 5,000 individual emergency generators located at facilities that currently hold an air quality permit. These engines are subject to the EPA's MACT/GACT standards for Reciprocating Internal Combustion Engines (RICE) units. Each individual engine must be evaluated for applicability, a determination made as to which specific requirements apply, and in many cases the existing air quality permit must be revised to include those federal requirements. Each MACT/GACT standard is complex and requires considerable resources to implement effectively.

New/Revised National Ambient Air Quality Standards (NAAQS)

Every five years, the EPA is required to review each of the National Ambient Air Quality Standards (NAAQS) – the concentration of a pollutant in the ambient air considered to be safe. When revisions of a NAAQS occur, it requires the state to design and maintain an ambient monitoring network and develop a regulatory State

Implementation Plan (SIP) to ensure compliance with the new standard. Most recently, the NCDAQ is implementing the EPA's new PM2.5 standard. This process will involve a significant amount of work over the coming years.

New and revised federal regulatory programs create a challenge for the permit program because new requirements pose changes for air quality engineers, who need to maintain expertise on emerging technologies and regulatory compliance. In addition, communicating the regulatory requirements and drafting the complex permit conditions to implement those requirements can be very challenging and take a significant amount of time and resources. Therefore, a strong commitment to training staff is critical to maintaining those competencies. Compliance actions, inspections and evaluations are included as Title V compliance costs since Title V revenues are required to fund for all aspects of the program. As rules become more complex and permits become more complex, the analysis performed by the compliance staff becomes more difficult and requires more resources.

Staffing

When fully staffed the Permitting Section is made up of 28 positions. For the previous two fiscal years the Section has been operating in a reduced capacity with as many as ten positions being vacant. Several vacant Engineer II (EEII) positions in the Section were advertised multiple times in 2024. Due to difficulties in hiring EEII's, the Division and Section have had to pivot and reclass at least two positions from EEII to EEI to get employees hired and trained to do the permitting work. The EEI position classification does not require any prior experience. Those hired into the Section were either seeking first jobs out of college or were transitioning into the air quality field with only translatable skills. This high vacancy rate within this organizational unit and the loss of institutional knowledge is having an impact on the number of permit applications processed.

Recent History of Title V Revenue

In 1992, the Clean Air Act Advisory Council established by the North Carolina General Assembly recommended that half of the total Title V fees should come from a base permit fee (an annual flat fee for each permit). The council recognized that some fixed amount of work is required to permit and provide compliance oversight for every Title V permitted facility without regard to the individual facility's emissions. The other half of the revenue comes from annual per-ton charges imposed on top of the base permit fee. The tonnage fee is calculated from the per-ton rate and the "billable tons" a facility emits (up to a maximum defined emission level). As a direct result of this fee structure, Title V revenues decrease when emissions decrease. Billable tons in North Carolina have decreased over time. The next table provides the most recent ten-year period showing billable tons, number of Title V facilities in North Carolina, and the number of full-time equivalent positions funded under the program.

Fiscal Year	Billable Tons	Number of Title V Facilities	Actual FTE Funded Title V Positions
2014-2015	165,437	321	94
2015-2016	154,778	320	88
2016-2017	146,394	314	83
2017-2018	131,372	312	75
2018-2019	129,124	289	74
2019-2020	124,787	277	72
2020-2021	121,500	290	72*
2021-2022	114,348	291	72
2022-2023	101,926	308	77.74
2023-2024	98,719	309	77.34

*DAQ conducted an internal review of workload related to Title V activities in 2019-2020. The results indicated that DAQ is undercharging time to this revenue stream. The review shows that 92.5 FTE should be charged to the Title V account. This discrepancy likely resulted from the steady reduction of positions over the past 7 years and the reassignment of Title V work to remaining staff. Concurrently, while the total number of Title V facilities and their emissions decreased, workload for DAQ did not decrease. These adjustments will be made when the revenues fully support the fund shifts.

There is a myriad of reasons for the reduction in statewide emissions and facilities subject to Title V, ranging from economic factors to the implementation of state and federal air pollution reduction programs such as North Carolina’s landmark Clean Smokestacks Act (CSA) (Senate Bill 2002-1078). The CSA continues to require reductions in sulfur dioxide (SO₂) and nitrogen oxide (NO_x) emissions from the state’s coal-fired utilities. These reductions have been achieved by installing state-of-the-art pollution control systems on the large coal-fired units and by shutting down certain coal-fired units and replacing them with renewable forms of generation and new natural gas units. Consequently, these reductions in emissions decreased the DAQ annual Title V revenue collected from utilities (based on tons of pollutants emitted) by about 40 percent between 2014 and 2024 (as invoiced).

Beginning in 2019 and through 2020, the DAQ performed an internal evaluation of activities related to the Title V program. The purpose was to evaluate all available options to sustain the Title V program as required by CAA §502 and 40 CFR §70.10. In early 2020 DAQ initiated a stakeholder process involving regulated facilities, consultants, environmental groups and industry group representation. The result of the stakeholder process was a revised Title V fee structure model that would be used to revise the current rules. All Title V facility “authorized” and “permit” contacts were invited to a webinar presentation on the fee structure revision. The DAQ also discussed the fee structure revision during several other public outreach engagements. The DAQ requested the Environmental Management Commission (EMC) approve a public hearing and comment period on the proposed fee rule revision. The public hearing was held on November 12, 2020. The comment period was open through November 30, 2020, with scheduled presentation of the hearing officer’s report to the EMC in January 2021.

The amended rule was adopted by the Environmental Management Commission (EMC) January 14, 2021. The rule amendments were approved by the Rules Review Commission (RRC) at its February 18, 2021, meeting. Sixteen letters of objection were received by the RRC (by February 10, 2021) and the rule was sent for legislative review during the 2021 session. The rule amendments were made

effective by the Governor's signature of the state budget bill SB 105, Section 12.17 on November 18, 2021. The revised Title V annual fees first affected those facilities invoiced in December 2021 while the permit application fee went into effect immediately.

The new (current) fee structure (see Appendix C) is less reliant on the emissions fee than before, but still comprises of a significant portion of the overall Title V revenue.

DAQ PERMIT PROGRAM REVENUES AND EXPENDITURES

The federal Clean Air Act (CAA) requires that the entire cost of the Title V Permit Program, including both direct and other related expenses, be funded by facilities’ permit fees and that Title V permit fees be used only for the purpose of operating the program.

As a benchmark to allow the federal EPA to readily determine whether a state Title V program is collecting enough revenue to cover the cost of the Title V program, the CAA set a presumptive minimum fee of \$25 per ton of air pollutant emissions (1990 dollars). This presumptive minimum fee is adjusted for inflation every year. If a state collects less than the presumptive minimum fee, the EPA may require the state to demonstrate that they are sufficiently funding an effective Title V permit program.

In September 2024, the EPA adjusted the presumptive minimum for inflation to \$63.69 per ton for the 12-month period of September 1, 2024, through August 31, 2025¹. North Carolina’s fee has consistently been below the EPA presumptive minimum and has provided, at EPA’s request, adequate demonstrations that the program fees collected are sufficient to fund the Title V program.

Synthetic minor and minor facilities do not pay a fee per ton of pollution that they emit. However, they do pay an annual fee as well as fees for certain permitting actions.

TABLE 1. DAQ PERMIT PROGRAM COST FOR STATE FISCAL YEAR 2022-2023

	Non-Title V	Title V	I&M	Fuel Tax	Total
Revenue	\$1,766,635.00	\$7,173,543.00	\$2,374,886.61	\$8,421,789.67	\$19,736,854.28
Salary/Fringe/ Overhead	\$957,640.26	\$7,384,014.34	\$1,383,015.81	\$5,584,049.60	\$15,308,720
Equipment	\$0	\$0	\$42,895.93	\$91,430.71	\$212,720.33
Operations	\$390,556.98	\$21,295.59	\$1,271,868.24	\$2,825,208.45	\$4,350,042.03
Total Expense	\$1,267,703.70	\$7,405,309.93	\$2,697,779.98	\$8,500,688.76	\$19,871,482.37

¹ https://www.epa.gov/system/files/documents/2024-09/fee70_2025.pdf

TABLE 2. DAQ PERMIT PROGRAM COST FOR STATE FISCAL YEAR 2023-2024**

	Non-Title V	Title V	I&M	Fuel Tax	Total
Revenue	\$974,223.00	\$9,024,230.80	\$2,618,319.54	\$8,576,406.18	\$21,193,179.52
Salary/Fringe/ Overhead	\$1,202,153.38	\$7,163,236.02	\$1,402,876.04	\$6,056,815.48	\$15,825,080.92
Equipment	\$0	\$0	\$12,728.48	\$79,623.11	\$95,908.34
Operations	\$150,992.70	\$16,840.36	\$1,201,883.04	\$2,288,874.76	\$3,575,411.26
Total Expense	\$1,353,146.08	\$7,180,076.64	\$2,617,487.56	\$8,345,690.24	\$19,496,400.52

**This table illustrates total DAQ receipts and expenditures, not just the receipts and expenditures for the permitting program. DAQ federal grants are not shown here.

**APPENDIX A: NC GENERAL STATUTES ON THE PERMIT PROGRAM
(G.S. 143-215.3A)**

§ 143-215.3A. Water and Air Quality Account; use of application and permit fees; Title V Account; I & M Air Pollution Control Account; reports.

(a) The Water and Air Quality Account is established as an account within the Department. Revenue in the Account shall be applied to the costs of administering the programs for which the fees were collected. Revenue credited to the Account pursuant to G.S. 105-449.43, G.S. 105-449.125, and G.S. 105-449.136 shall be used to administer the air quality program. Any funds credited to the Account from fees collected for laboratory facility certifications under G.S. 143-215.3(a)(10) that are not expended at the end of each fiscal year for the purposes for which these fees may be used under G.S. 143-215.3(a)(10) shall revert. Any other funds credited to the Account that are not expended at the end of each fiscal year shall not revert. Except for the following fees, all application fees and permit administration fees collected by the State for permits issued under Articles 21, 21A, 21B, and 38 of this Chapter shall be credited to the Account:

- (1) Fees collected under Part 2 of Article 21A and credited to the Oil or Other Hazardous Substances Pollution Protection Fund.
- (2) Fees credited to the Title V Account.
- (3) Repealed by Session Laws 2005-454, s. 7, effective January 1, 2006.
- (4) Fees collected under G.S. 143-215.28A.
- (5) Fees collected under G.S. 143-215.94C shall be credited to the Commercial Leaking Petroleum Underground Storage Tank Cleanup Fund.
- (6) Fees collected under G.S. 143-215.3D for the following permits and certificates shall be credited to the General Fund for use by the Department to administer the program for which the fees were collected:
 - a. Stormwater permits and certificates of general permit coverage authorized under G.S. 143-214.7.
 - b. Permits to apply petroleum contaminated soil to land authorized under G.S. 143-215.1.

(a1) The total monies collected per year from fees for permits under G.S. 143-215.3(a)(1a), after deducting those monies collected under G.S. 143-215.3(a)(1d), shall not exceed thirty percent (30%) of the total budgets from all sources of environmental permitting and compliance programs within the Department. This subsection shall not be construed to relieve any person of the obligation to pay a fee established under this Article or Articles 21A, 21B, or 38 of this Chapter.

(b) The Title V Account is established as a nonreverting account within the Department. Revenue in the Account shall be used for developing and implementing a permit program that meets the requirements of Title V. The Title V Account shall consist of fees collected pursuant to G.S. 143-215.3(a)(1d) and G.S. 143-215.106A. Fees collected under G.S. 143-215.3(a)(1d) shall be used only to cover the direct and indirect costs required to develop and administer the Title V permit program, and fees collected under G.S. 143-215.106A shall be used only for the eligible expenses of the Title V program. Expenses of the ombudsman for the Small Business Stationary Source Technical and Environmental Compliance Assistance Program, support staff, equipment, legal services provided by the Attorney General, and contracts with consultants and program expenses listed in section 502(b)(3)(A) of Title V shall be included among Title V program expenses.

(b1) The I & M Air Pollution Control Account is established as a nonreverting account within the Department. Fees transferred to the Division of Air Quality of the Department pursuant to G.S. 20-183.7(c) shall be credited to the I & M Air Pollution Control Account and shall be applied to administering the air quality program.

(c) The Department shall report to the Environmental Review Commission, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division on the cost of the State's environmental permitting programs contained within the Department on or before January 1 of each odd-numbered year. The report shall include, but is not limited to, fees set and established

under this Article, fees collected under this Article, revenues received from other sources for environmental permitting and compliance programs, changes made in the fee schedule since the last report, anticipated revenues from all other sources, interest earned, and any other information requested by the General Assembly. The Department shall submit this report with the report required by G.S. 143B-279.17 as a single report. (1987, c. 767, s. 2; 1989, c. 500, s. 121; c. 727, s. 218(104); 1989 (Reg. Sess., 1990), c. 976, s. 2; 1991, c. 552, s. 3; 1991 (Reg. Sess., 1992), c. 1039, s. 12; 1993, c. 400, s. 14; 1995, c. 390, s. 28; 1995 (Reg. Sess., 1996), c. 743, s. 13; 1998-212, s. 29A.11(c); 2001-452, s. 2.4; 2001-474, s. 27; 2005-386, s. 8.1; 2005-454, s. 7; 2008-198, s. 11.2; 2011-145, s. 13.7; 2011-266, ss. 1.35(b), 3.3(b); 2014-120, s. 38(a); 2015-241, s. 14.16(d); 2017-10, s. 4.12(a); 2017-57, ss. 13.1, 14.1(i).)

§ 143-215.3. General powers of Commission and Department; auxiliary powers.

(a) Additional Powers. – In addition to the specific powers prescribed elsewhere in this Article, and for the purpose of carrying out its duties, the Commission shall have the power:

- (1) To make rules implementing Articles 21, 21A, 21B, or 38 of this Chapter.
- (1a) To adopt fee schedules and collect fees for the following:
 - a. Processing of applications for permits or registrations issued under Article 21, other than Parts 1 and 1A, Articles 21A, 21B, and 38 of this Chapter;
 - b. Administering permits or registrations issued under Article 21, other than Parts 1 and 1A, Articles 21A, 21B, and 38 of this Chapter including monitoring compliance with the terms of those permits; and
 - c. Reviewing, processing, and publicizing applications for construction grant awards under the Federal Water Pollution Control Act.

No fee may be charged under this provision, however, to a farmer who submits an application that pertains to his farming operations.

- (1b) The fee to be charged pursuant to G.S. 143-215.3(a)(1a) for processing an application for a permit under G.S. 143-215.108 and G.S. 143-215.109 of Article 21B of this Chapter may not exceed five hundred dollars (\$500.00). The fee to be charged pursuant to G.S. 143-215.3(a)(1a) for processing a registration under Part 2A of this Article or Article 38 of this Chapter may not exceed fifty dollars (\$50.00) for any single registration. An additional fee of twenty percent (20%) of the registration processing fee may be assessed for a late registration under Article 38 of this Chapter. The fee for administering and compliance monitoring under Article 21, other than Parts 1 and 1A, and G.S. 143-215.108 and G.S. 143-215.109 of Article 21B shall be charged on an annual basis for each year of the permit term and may not exceed one thousand five hundred dollars (\$1,500) per year. Fees for processing all permits under Article 21A and all other sections of Article 21B shall not exceed one hundred dollars (\$100.00) for any single permit. The total payment for fees that are set by the Commission under this subsection for all permits for any single facility shall not exceed seven thousand five hundred dollars (\$7,500) per year, which amount shall include all application fees and fees for administration and compliance monitoring. A single facility is defined to be any contiguous area under one ownership and in which permitted activities occur. For all permits issued under these Articles where a fee schedule is not specified in the statutes, the Commission, or other commission specified by statute shall adopt a fee schedule in a rule following the procedures established by the Administrative Procedure Act. Fee schedules shall be established to reflect the size of the emission or discharge, the potential impact on the environment, the staff costs involved, relative costs of the issuance of new permits and the reissuance of existing permits and shall include adequate safeguards to prevent unusual fee assessments which would result in serious economic burden on an individual applicant. A system shall be considered to allow consolidated annual payments for persons with multiple permits. In its rulemaking to establish fee schedules, the Commission is also directed to consider a method of rewarding facilities which achieve full compliance with administrative and self-monitoring reporting requirements, and to consider, in those cases where the cost of renewal or amendment of a permit is less than for the original permit, a lower fee for the renewal or amendment.

- (1c) Moneys collected pursuant to G.S. 143-215.3(a)(1a) shall be used to:
 - a. Eliminate, insofar as possible, backlogs of permit applications awaiting agency action;
 - b. Improve the quality of permits issued;
 - c. Improve the rate of compliance of permitted activities with environmental standards; and

- d. Decrease the length of the processing period for permit applications.
- (1d) The Commission may adopt and implement a graduated fee schedule sufficient to cover all direct and indirect costs required for the State to develop and administer a permit program which meets the requirements of Title V. The provisions of subdivision (1b) of this subsection do not apply to the adoption of a fee schedule under this subdivision. In adopting and implementing a fee schedule, the Commission shall require that the owner or operator of all air contaminant sources subject to the requirement to obtain a permit under Title V to pay an annual fee, or the equivalent over some other period, sufficient to cover costs as provided in section 502(b)(3)(A) of Title V. The fee schedule shall be adopted according to the procedures set out in Chapter 150B of the General Statutes.
 - a. The total amount of fees collected under the fee schedule adopted pursuant to this subdivision shall conform to the requirements of section 502(b)(3)(B) of Title V. No fee shall be collected for more than 4,000 tons per year of any individual regulated pollutant, as defined in section 502(b)(3)(B)(ii) of Title V, emitted by any source. Fees collected pursuant to this subdivision shall be credited to the Title V Account.
 - b. The Commission may reduce any permit fee required under this section to take into account the financial resources of small business stationary sources as defined under Title V and regulations promulgated by the United States Environmental Protection Agency.
 - c. When funds in the Title V Account exceed the total amount necessary to cover the cost of the Title V program for the next fiscal year, the Secretary shall reduce the amount billed for the next fiscal year so that the excess funds are used to supplement the cost of administering the Title V permit program in that fiscal year.
 - (1e) The Commission shall collect the application, annual, and project fees for processing and administering permits, certificates of coverage under general permits, and certifications issued under Parts 1 and 1A of this Article and for compliance monitoring under Parts 1 and 1A of this Article as provided in G.S. 143-215.3D and G.S. 143-215.10G.
 - (2) To direct that such investigation be conducted as it may reasonably deem necessary to carry out its duties as prescribed by this Article or Article 21A or Article 21B of this Chapter, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigating the condition of any waters and the discharge therein of any sewage, industrial waste, or other waste or for the purpose of investigating the condition of the air, air pollution, air contaminant sources, emissions, or the installation and operation of any air-cleaning devices, and to require written statements or the filing of reports under oath, with respect to pertinent questions relating to the operation of any air-cleaning device, sewer system, disposal system, or treatment works. In the case of effluent or emission data, any records, reports, or information obtained under this Article or Article 21A or Article 21B of this Chapter shall be related to any applicable effluent or emission limitations or toxic, pretreatment, or new source performance standards. No person shall refuse entry or access to any authorized representative of the Commission or Department who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.
 - (3) To conduct public hearings and to delegate the power to conduct public hearings in accordance with the procedures prescribed by this Article or by Article 21B of this Chapter.
 - (4) To delegate such of the powers of the Commission as the Commission deems necessary to one or more of its members, to the Secretary or any other qualified employee of the Department. The Commission shall not delegate to persons other than its own members and the designated employees of the Department the power to conduct hearings with

respect to the classification of waters, the assignment of classifications, air quality standards, air contaminant source classifications, emission control standards, or the issuance of any special order except in the case of an emergency under subdivision (12) of this subsection for the abatement of existing water or air pollution. Any employee of the Department to whom a delegation of power is made to conduct a hearing shall report the hearing with its evidence and record to the Commission.

- (5) To institute such actions in the superior court of any county in which a violation of this Article, Article 21B of this Chapter, or the rules of the Commission has occurred, or, in the discretion of the Commission, in the superior court of the county in which any defendant resides, or has his or its principal place of business, as the Commission may deem necessary for the enforcement of any of the provisions of this Article, Article 21B of this Chapter, or of any official action of the Commission, including proceedings to enforce subpoenas or for the punishment of contempt of the Commission.
- (6) To agree upon or enter into any settlements or compromises of any actions and to prosecute any appeals or other proceedings.
- (7) To direct the investigation of any killing of fish and wildlife which, in the opinion of the Commission, is of sufficient magnitude to justify investigation and is known or believed to have resulted from the pollution of the waters or air as defined in this Article, and whenever any person, whether or not he shall have been issued a certificate of approval, permit or other document of approval authorized by this or any other State law, has negligently, or carelessly or unlawfully, or willfully and unlawfully, caused pollution of the waters or air as defined in this Article, in such quantity, concentration or manner that fish or wildlife are killed as the result thereof, the Commission, may recover, in the name of the State, damages from such person. The measure of damages shall be the amount determined by the Department and the North Carolina Wildlife Resources Commission, whichever has jurisdiction over the fish and wildlife destroyed to be the replacement cost thereof plus the cost of all reasonable and necessary investigations made or caused to be made by the State in connection therewith. Upon receipt of the estimate of damages caused, the Department shall notify the persons responsible for the destruction of the fish or wildlife in question and may effect such settlement as the Commission may deem proper and reasonable, and if no settlement is reached within a reasonable time, the Commission shall bring a civil action to recover such damages in the superior court in the county in which the discharge took place. Upon such action being brought the superior court shall have jurisdiction to hear and determine all issues or questions of law or fact, arising on the pleadings, including issues of liability and the amount of damages. On such hearing, the estimate of the replacement costs of the fish or wildlife destroyed shall be prima facie evidence of the actual replacement costs of such fish or wildlife. In arriving at such estimate, any reasonably accurate method may be used, and it shall not be necessary for any agent of the Wildlife Resources Commission or the Department to collect, handle or weigh numerous specimens of dead fish or wildlife.

The State of North Carolina shall be deemed the owner of the fish or wildlife killed and all actions for recovery shall be brought by the Commission on behalf of the State as the owner of the fish or wildlife. The fact that the person or persons alleged to be responsible for the pollution which killed the fish or wildlife holds or has held a certificate of approval, permit or other document of approval authorized by this Article or any other law of the State shall not bar any such action. The proceeds of any recovery, less the cost of investigation, shall be used to replace, insofar as and as promptly as possible, the fish and wildlife killed, or in cases where replacement is not practicable, the proceeds shall be used in whatever manner the responsible agency deems proper for improving the fish and wildlife habitat in question. Any such funds received are hereby appropriated for these

designated purposes. Nothing in this paragraph shall be construed in any way to limit or prevent any other action which is now authorized by this Article.

- (8) After issuance of an appropriate order, to withhold the granting of any permit or permits pursuant to G.S. 143-215.1 or G.S. 143-215.108 for the construction or operation of any new or additional disposal system or systems or air-cleaning device or devices in any area of the State. Such order may be issued only upon determination by the Commission, after public hearing, that the permitting of any new or additional source or sources of water or air pollution will result in a generalized condition of water or air pollution within the area contrary to the public interest, detrimental to the public health, safety, and welfare, and contrary to the policy and intent declared in this Article or Article 21B of this Chapter. The Commission may make reasonable distinctions among the various sources of water and air pollution and may direct that its order shall apply only to those sources which it determines will result in a generalized condition of water or air pollution.

The determination of the Commission shall be supported by detailed findings of fact and conclusions set forth in the order and based upon competent evidence of record. The order shall describe the geographical area of the State affected thereby with particularity and shall prohibit the issuance of permits pending a determination by the Commission that the generalized condition of water or air pollution has ceased.

Notice of hearing shall be given in accordance with the provisions of G.S. 150B-21.2. A person aggrieved by an order of the Commission under this subdivision may seek judicial review of the order under Article 4 of Chapter 150B of the General Statutes without first commencing a contested case. An order may not be stayed while it is being reviewed.

- (9) If an investigation conducted pursuant to this Article or Article 21B of this Chapter reveals a violation of any rules, standards, or limitations adopted by the Commission pursuant to this Article or Article 21B of this Chapter, or a violation of any terms or conditions of any permit issued pursuant to G.S. 143-215.1 or 143-215.108, or special order or other document issued pursuant to G.S. 143-215.2 or G.S. 143-215.110, the Commission may assess the reasonable costs of any investigation, inspection or monitoring survey which revealed the violation against the person responsible therefor. If the violation resulted in an unauthorized discharge to the waters or atmosphere of the State, the Commission may also assess the person responsible for the violation for any actual and necessary costs incurred by the State in removing, correcting or abating any adverse effects upon the water or air resulting from the unauthorized discharge. If the person responsible for the violation refuses or fails within a reasonable time to pay any sums assessed, the Commission may institute a civil action in the superior court of the county in which the violation occurred or, in the Commission's discretion, in the superior court of the county in which such person resides or has his or its principal place of business, to recover such sums.

- (10) To require a laboratory facility that performs any tests, analyses, measurements, or monitoring required under this Article or Article 21B of this Chapter to be certified annually by the Department, to establish standards that a laboratory facility and its employees must meet and maintain in order for the laboratory facility to be certified, and to charge a laboratory facility a fee for certification. Fees collected under this subdivision shall be credited to the Water and Air Account and used to administer this subdivision. Beginning July 1, 2025, and every two years thereafter, the Commission shall adjust the fees imposed pursuant to this subdivision to cover the costs of legislatively mandated salary and benefits revisions for the employees administering the laboratory facility certification program. These fees shall be applied to the cost of certifying laboratory facilities.

- (11) Repealed by Session Laws 1983, c. 296, s. 6.
- (12) To declare an emergency when it finds that a generalized condition of water or air pollution which is causing imminent danger to the health or safety of the public. Regardless of any other provisions of law, if the Department finds that such a condition of water or air pollution exists and that it creates an emergency requiring immediate action to protect the public health and safety or to protect fish and wildlife, the Secretary of the Department with the concurrence of the Governor, shall order persons causing or contributing to the water or air pollution in question to reduce or discontinue immediately the emission of air contaminants or the discharge of wastes. Immediately after the issuance of such order, the chairman of the Commission shall fix a place and time for a hearing before the Commission to be held within 24 hours after issuance of such order, and within 24 hours after the commencement of such hearing, and without adjournment thereof, the Commission shall either affirm, modify or set aside the order.
- In the absence of a generalized condition of air or water pollution of the type referred to above, if the Secretary finds that the emissions from one or more air contaminant sources or the discharge of wastes from one or more sources of water pollution is causing imminent danger to human health and safety or to fish and wildlife, he may with the concurrence of the Governor order the person or persons responsible for the operation or operations in question to immediately reduce or discontinue the emissions of air contaminants or the discharge of wastes or to take such other measures as are, in his judgment, necessary, without regard to any other provisions of this Article or Article 21B of this Chapter. In such event, the requirements for hearing and affirmance, modification or setting aside of such orders set forth in the preceding paragraph of this subdivision shall apply.
- (13) Repealed by Session Laws 1983, c. 296, s. 6.
- (14) To certify and approve, by appropriate delegations and conditions in permits required by G.S. 143-215.1, requests by publicly owned treatment works to implement, administer and enforce a pretreatment program for the control of pollutants which pass through or interfere with treatment processes in such treatment works; and to require such programs to be developed where necessary to comply with the Federal Water Pollution Control Act and the Resource Conservation and Recovery Act, including the addition of conditions and compliance schedules in permits required by G.S. 143-215.1. Pretreatment programs submitted by publicly owned treatment works shall include, at a minimum, the adoption of pretreatment standards, a permit or equally effective system for the control of pollutants contributed to the treatment works, and the ability to effectively enforce compliance with the program.
- (15) To adopt rules for the prevention of pollution from underground tanks containing petroleum, petroleum products, or hazardous substances. Rules adopted under this section may incorporate standards and restrictions which exceed and are more comprehensive than comparable federal regulations.
- (16) To adopt rules limiting the manufacture, storage, sale, distribution or use of cleaning agents containing phosphorus pursuant to G.S. 143-214.4(e), and to adopt rules limiting the manufacture, storage, sale, distribution or use of cleaning agents containing nitrilotriacetic acid.
- (17) To adopt rules to implement Part 2A of Article 21A of Chapter 143.

(b) Research Functions. – The Department shall have the power to conduct scientific experiments, research, and investigations to discover economical and practical corrective methods for air pollution and waste disposal problems. To this end, the Department may cooperate with any public or private agency or agencies in the conduct of such experiments, research, and investigations, and may, when funds permit, establish research studies in any North Carolina educational institution, with the consent of such institution. In

addition, the Department shall have the power to cooperate and enter into contracts with technical divisions of State agencies, institutions and with municipalities, industries, and other persons in the execution of such surveys, studies, and research as it may deem necessary in fulfilling its functions under this Article or Article 21B of this Chapter. All State departments shall advise with and cooperate with the Department on matters of mutual interest.

(c) Relation with the Federal Government. – The Commission as official water and air pollution control agency for the State is delegated to act in local administration of all matters covered by any existing federal statutes and future legislation by Congress relating to water and air quality control. In order for the State of North Carolina to effectively participate in programs administered by federal agencies for the regulation and abatement of water and air pollution, the Department is authorized to accept and administer funds provided by federal agencies for water and air pollution programs and to enter into contracts with federal agencies regarding the use of such funds.

(d) Relations with Other States. – The Commission or the Department may, with the approval of the Governor, consult with qualified representatives of adjoining states relative to the establishment of regulations for the protection of waters and air of mutual interest, but the approval of the General Assembly shall be required to make any regulations binding.

(e) Variances. – Any person subject to the provisions of G.S. 143-215.1 or 143-215.108 may apply to the Commission for a variance from rules, standards, or limitations established pursuant to G.S. 143-214.1, 143-215, or 143-215.107. The Commission may grant such variance, for fixed or indefinite periods after public hearing on due notice, or where it is found that circumstances so require, for a period not to exceed 90 days without prior hearing and notice. Prior to granting a variance hereunder, the Commission shall find that:

- (1) The discharge of waste or the emission of air contaminants occurring or proposed to occur do not endanger human health or safety; and
- (2) Compliance with the rules, standards, or limitations from which variance is sought cannot be achieved by application of best available technology found to be economically reasonable at the time of application for such variances, and would produce serious hardship without equal or greater benefits to the public, provided that such variances shall be consistent with the provisions of the Federal Water Pollution Control Act as amended or the Clean Air Act as amended; and provided further, that any person who would otherwise be entitled to a variance or modification under the Federal Water Pollution Control Act as amended or the Clean Air Act as amended shall also be entitled to the same variance from or modification in rules, standards, or limitations established pursuant to G.S. 143-214.1, 143-215, and 143-215.107, respectively.

(f) Notification of Completed Remedial Action. – The definitions set out in G.S. 130A-310.31(b) apply to this subsection. Any person may submit a written request to the Department for a determination that groundwater has been remediated to meet the standards and classifications established under this Part. A request for a determination that groundwater has been remediated to meet the standards and classifications established under this Part shall be accompanied by the fee required by G.S. 130A-310.39(a)(2). If the Department determines that groundwater has been remediated to established standards and classifications, the Department shall issue a written notification that no further remediation of the groundwater will be required. The notification shall state that no further remediation of the groundwater will be required unless the Department later determines, based on new information or information not previously provided to the Department, that the groundwater has not been remediated to established standards and classifications or that the Department was provided with false or incomplete information. Under any of those circumstances, the Department may withdraw the notification and require responsible parties to remediate the groundwater to established standards and classifications. (1951, c. 606; 1957, c. 1267, s. 3; 1959, c. 779, s. 8; 1963, c. 1086; 1967, c. 892, s. 1; 1969, c. 538; 1971, c. 1167, ss. 7, 8; 1973, c. 698, ss. 1-7, 9, 17; c. 712, s. 1; c. 1262, ss. 23, 86; c. 1331, s. 3; 1975, c. 583, ss. 5, 6; c. 655, s. 3; 1977, c. 771, s. 4; 1979, c. 633, ss. 6-8; 1979, 2nd Sess., c. 1158, ss. 1, 3, 4; 1983, c. 296, ss. 5-8; 1985, c. 551, s. 2; 1987, c. 111, s. 2; c. 767, s. 1; c. 827, ss. 1, 154, 161, 266; 1987 (Reg. Sess., 1988), c. 1035, s. 2; 1989, c. 500, s. 122; c. 652, s. 1; 1991, c. 552, ss. 2, 11; c. 712, s.

2; 1991 (Reg. Sess., 1992), c. 890, s. 16; c. 1039, ss. 14, 20.1; 1993, c. 344, s. 2; c. 400, ss. 1(c), 2, 3, 15; c. 496, s. 4; 1993 (Reg. Sess., 1994), c. 694, s. 1; 1995, c. 484, s. 5; 1997-357, s. 6; 1997-496, s. 4; 1998-212, s. 29A.11(b); 2023-134, s. 12.14(m).)

APPENDIX B: NC DAQ RULE – TITLE V REPORT REQUIREMENT

15A NCAC 02Q .0206 PAYMENT OF FEES

- (a) Payment of fees required pursuant to 15A NCAC 02Q .0200 may be by check or money order made payable to the N.C. Department of Environmental Quality. Annual permit fee payments shall refer to the permit number.
- (b) If, within 30 days after being billed, the permit holder fails to pay an annual fee required pursuant to 15A NCAC 02Q .0200, the Director may initiate action to terminate the permit pursuant to 15A NCAC 02Q .0309 or .0519.
- (c) A holder of multiple permits may arrange to consolidate the payment of annual fees into one annual payment.
- (d) The payment of the permit application fee required by 15A NCAC 02Q .0200 shall accompany the application and is non-refundable.
- (e) The Division shall annually prepare and make publicly available an accounting showing aggregate fee payments collected pursuant to 15A NCAC 02Q .0200 from facilities that have obtained or will obtain permits pursuant to 15A NCAC 02Q .0500 except synthetic minor facilities, as defined in 15A NCAC 02Q .0503, and showing a summary of reasonable direct and indirect expenditures required to develop and administer the Title V permit program.
- (f) In lieu of the procedures in Paragraph (a) of this Rule, fees required pursuant to 15A NCAC 02Q .0200 may be paid electronically if an electronic payment option is available for the fee, as provided on the Division of Air Quality Permitting website at <https://deq.nc.gov/about/divisions/air-quality/air-quality-permitting>.

History Note: Authority G.S. 143-215.3(a)(1),(1a),(1b),(1d);
Temporary Adoption Eff. March 8, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. July 1, 1994;
Amended Eff. September 1, 2015;
Readopted Eff. April 1, 2018;
Amended Eff. September 1, 2023.

APPENDIX C: NC DAQ FEE STRUCTURE


ROY COOPER
Governor
ELIZABETH S. BISER
Secretary
MICHAEL ABRACZINSKAS
Director



December 15, 2023

MEMORANDUM

TO: Air Quality Section Chiefs
Regional Air Quality Supervisors

FROM: Mike Abraczinskas, Director 

SUBJECT: Permit Annual and Application Fees for Calendar Year 2024

Attached are the official tables for the new Division of Air Quality permit annual and application fees for calendar year 2024. Please forward this memorandum to anyone likely to need it. In 2023, pursuant to 15A NCAC 02Q .0204, the Department of Environmental Quality increased the Title V fees by the Consumer Price Index (5.43149%). This annual inflation adjustment will go into effect starting January 1, 2024 for the Title V permit application fees. The new Title V annual fees will first affect those facilities invoiced in February 2024 which have January anniversary dates.

More information regarding the Consumer Price Index and the 40 CFR Part 70 presumptive minimum fee can be found here: https://www.epa.gov/system/files/documents/2022-09/FEE71_2023.pdf

Attachment

cc: Taylor Hartsfield
Lisa Butler
Holly Groce



North Carolina Department of Environmental Quality | Division of Air Quality
217 West Jones Street | 1641 Mail Service Center | Raleigh, North Carolina 27699-1641
919.707.8400

CALENDAR YEAR 2024 AIR QUALITY FEES

ANNUAL PERMIT FEES

(FOR CALENDAR YEAR 2024)

Facility Category	Tonnage Factor	Basic Permit Fee	Non-attainment Area Added Fee	Complexity Fee (3-6 Programs) ^b	Complexity Fee (7+ Programs) ^b
Title V	\$46.78*	\$10,262*	\$4,743*	\$2,924*	\$8,771*
Synthetic Minor		\$1,500			
Small		\$250			
General		50% of the otherwise applicable fee			
General TV ACI ^a		10% of the otherwise applicable fee			

^a Applies to air curtain incinerators (ACI) only

^b Federal Programs are defined in 2Q .0203(c) and include rules such as NSPS, MACT, PSD, etc.

PERMIT APPLICATION FEES

(FOR CALENDAR YEAR 2024)

Facility Category	New or Modification	New	2Q .0300 or Minor Modification	Significant Modification	Ownership Change
Title V		\$12,074*	\$3,508*	\$8,186*	\$70
Title V (PSD or NSR/NAA)	\$18,279*				\$70
Title V (PSD and NSR/NAA)	\$35,551*				\$70
Synthetic Minor	\$400				\$50
Small	\$50				\$50
General		50% of the otherwise applicable fee			
General TV ACI ^a		10% of the otherwise applicable fee			

^a Applies to new air curtain incinerators (ACI) only

The tables above as well as other useful information can be found on the Internet at <https://deq.nc.gov/about/divisions/air-quality/air-quality-permitting>

Make checks payable to: Department of Environmental Quality

* Pursuant to 15A NCAC 02Q .0200 rules, these fees reflect the Consumer Price Index (CPI) increase this year effective January 1, 2024.

Go to <https://deq.nc.gov/epayments> for online payment options by credit/debit card or eCheck for Annual Fees and Permit Application fees.

Permit Application Fees Guide (For Calendar Year 2024)

Permit Application	Application Fee
Title V	
All Renewals (including TV)	\$0
Changes initiated by Director, name change with no ownership change, changes under 2Q .0523, construction date changes, test date change, a reporting procedure change, or similar changes	\$0
New TV (<i>covers both the 2Q .0300 permit with condition to file TV 12 months after operation and the TV permit</i>). New is defined as a previously unpermitted facility.	\$12,074 only once at the 1 st application, not again for the TV
TV - 501(b)(2) or 501(c)(2) – Two-Step significant (Fee is paid only with the first step. Two-Step applications submitted before November 18, 2021 will pay \$1002 for the second step under the previous fee schedule)	\$8,186
TV- Ownership Change (note no fee for name change only)	\$70
TV – Administrative Amendment	\$0
TV – Reopen for Cause (<i>fee dependent on whether the impetus was that of the permittee or the Director</i>)	\$0 changes initiated by the Director \$8,186 changes initiated by the permittee
TV- Significant 501(b)(1) or 501(c)(1) – One-Step significant	\$8,186
TV- Minor, TV State only	\$3,508
Expedited TV - Significant	\$8,186
Expedited TV - Minor	\$3,508
Synthetic minor, small or exclusionary to TV (<i>TV application submitted only, can wait for TV permit to remove synthetic limit</i>) (1 st time TV)	\$3,508
Synthetic minor or small to TV (2Q .0300 application submitted first, permit issued with condition to file TV 12 months after operation) and TV later (1 st time TV)	\$3,508 for modification to change fee class and \$3,508 for TV 1st time submittal
TV - PSD or NSR/NAA (PSD application submitted, permit condition to file TV 12 months after permit issuance)	\$18,279 only once at the 1 st application, not again for the TV
TV - PSD and NSR/NAA (<i>same as TV-PSD or NSR/NAA</i>)	\$35,551 only once at the 1 st application, not again for the TV
General TV Air Curtain Incinerator (ACI)	10% of otherwise applicable fee
Small, Synthetic Minor, Exclusionary, General, Construction Notice	
TV to synthetic minor	\$400
TV to small or exclusionary	\$50
Expedited synthetic	\$400
Expedited small	\$50
Synthetic minor (<i>New or Modification</i>)	\$400
Synthetic minor Ownership Change	\$50
Small or exclusionary small (<i>New or Modification</i>)	\$50
Small or synthetic minor administrative amendment (includes name change)	\$0
Small Ownership Change	\$50
General	50% of otherwise applicable fee
General Ownership Change	\$25
Construction Notice – Processing fee	\$200

APPENDIX D: EPA'S 2021 REVIEW OF NC TITLE V PROGRAM

The EPA typically conducts a review of NCDAQ's Clean Air Act Title V program every five years. The EPA Region IV conducted a review of the NCDAQ's Title V program in May 28, 2021, in Raleigh. This evaluation consisted of a review of staffing resources and internal management support, Title V revenue and expenses, public participation, environmental justice (EJ) in permitting, permit issuance rates, and a detailed review of 10 issued permits. The results of the review are kept on file at the EPA Region IV office in Atlanta, Ga. The following findings and recommendations are contained in EPA's July 30, 2021, Program Evaluation Report:

Programmatic Knowledge/Implementation

The EPA and NCDAQ held discussions on a variety of Title V topics including adequacy of Title V resources (staffing and capital), public participation, Title V workload, and renewal of Title V permits. NCDAQ currently has qualified, experienced staff and management resources, with limited turnover for successful implementation of the Title V program. Predicted retirements will continue to require NCDAQ's focus on succession planning, training, and a Salary Management Plan to address retention and hiring needs.

Resources

NCDAQ's Title V program is organized so that Title V applications are processed in the central office and enforcement and inspections are handled by the regional offices.

The Permitting Section consists of three branches: Title V Permits Branch, New Source Review Permitting Branch, and Air Quality Analysis Branch. NCDAQ is responsible for 2,517 regulated sources, of which 296 are Title V sources (as of May 2021). The Permitting Section has 19 Title V FTE, supported by three meteorologists, one Environmental Specialist, one Administration and Data Technician, and section and branch supervisors. The regional offices assist the Permitting Section with permitting of non-major sources and perform most of the compliance inspections. In addition, in March 2020, NCDAQ initiated a "pilot" permitting program in which 7 regional staff assisted with reviewing Title V renewal permit applications, with the goal of providing career growth, as well as addressing permit backlog. The pilot approach, which NCDAQ reports requires some restructuring of resources and staff training, presents an additional option for addressing Title V workload. NCDAQ staff is responsible for taking care of all permitting issues for those assigned facilities including reviewing permit applications, drafting permits, calculating emissions, reviewing all submitted reports, answering questions, responding to citizens' information requests, and providing necessary compliance assistance. The permit writers also focus on other work associated with Title V facility permits such as prevention of significant deterioration, state-only permitting, quarterly stakeholder meetings, and multiple workgroups.

At the time of the May 28, 2021, program evaluation, NCDAQ's Title V sources were billed for actual emissions at a rate of \$34.75 per ton and an annual Title V fee of \$7,531.00. Newly permitted Title V sources were billed a first-time fee of \$10,325.00. One issue that has concerned NCDAQ management is the steady decline in billable tons of emissions for the Title V program. This decline in billable tons has been a slow decrease over the years, and the program has been able to compensate for this with increases in the Title V billable tonnage rate.

From 2009 - 2012 the NCDAQ collected the following Title V revenue:

FY 09-10 - \$8,754,998.00

FY 10-11 - \$8,187,756.00

FY 11-12 - \$8,000,817.00

FY 12-13 - \$7,902,853.00

FY 13-14 - \$7,512,314.00

FY 14-15 - \$6,938,474.00
FY 15-16 - \$6,737,942.00
FY 16-17 - \$6,392,205.00
FY 17-18 - \$6,191,037.00
FY 18-19 - \$6,403,589.00
FY 19-20 - \$6,380,440.00

Title V revenue projected for FY21 is:
\$5,724,718

The EPA commends the state for their internal audit of the Title V permitting program funding and workload and proposed 2020 regulations, including stakeholder engagement to address the projected Title V program funding deficit. However, given that the NCDAQ program is projecting a significant deficit this year and substantial deficits during the next several years, and the delay in passage of amended fee schedule 15A NCAC 02Q .0203, the current fee schedule does not meet the Part 70 program requirements at 40 CFR § 70.9. It is the EPA's understanding that North Carolina is in the process of taking immediate legislative action to adopt a revised fee schedule in compliance with Title V, which we understand will be effective this year.

Public Participation

The NCDAQ works with its citizens to protect and improve outdoor air, or ambient, air quality in North Carolina for the health, benefit and economic wellbeing of all. Permits include conditions to ensure a facility is complying with federal and state rules and laws that are developed to protect human health. The EPA commends NCDAQ for their enhanced public notice permitting process, including tools and processes for meaningful engagement with the public and communities, with the goal of ensuring that potentially impacted communities are aware of their ability to participate in the permitting process.

Renewal Permits

At the time of the FY21 program review, NCDAQ had a backlog of 11 Title V permit renewal applications, i.e., older than eighteen (18) months past the Title V permit expiration date. This represents less than four (4) percent of NCDAQ's Title V universe. The applications for these permits were certified by NCDAQ as being timely, so they are extended and not expired (i.e., the facilities may continue to operate in compliance with their permits). NCDAQ reports that those permits in backlog status typically involved those with the most complexity, including pulp and paper and chemical processing, and those being consolidated with a number of modifications. NCDAQ management reports that 90-day modifications tend to take priority over the permits with longer deadlines. However, NCDAQ is prioritizing the backlogged permits and will be monitoring their progress on decreasing the backlog.

Conclusion

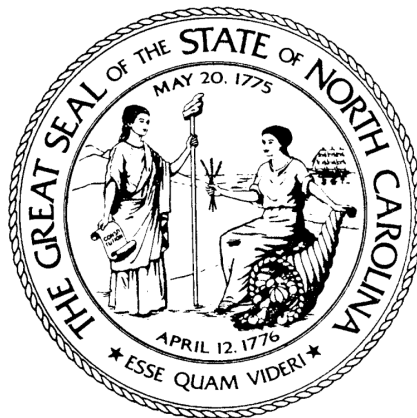
At the conclusion of the onsite portion of the Title V program review, Region 4 personnel met with NCDAQ officials to conduct an exit interview. Overall, the EPA believes that NCDAQ is meeting the requirements set forth for operation of a Title V program. The EPA takes special note of the work NCDAQ had done in strategic planning, as they continue to fully operate the Title V program while steadily addressing the reality of diminishing resources and simultaneously reducing the Title V backlog. The EPA acknowledges the ongoing nationwide challenge of maintaining a fully funded Title V program with significantly declining emissions and fees. However, NCDAQ is facing a significant funding shortfall starting in FY21, which the State must take immediate action to address. It is the EPA's understanding that the State is in the process of revising the fee schedule, which will be

effective this year. In addition, NCDAQ should develop a process for ongoing periodic review of the actual FTE necessary to implement the Title V program. The EPA looks forward to continuing the working relationship with the NCDAQ.

**STATE OF NORTH CAROLINA
COASTAL MANAGEMENT PERMIT
PROGRAM
PROGRAM COST REPORT**

**A Report to the
Environmental Review Commission, the Joint Legislative Oversight
Committee
on Agriculture and Natural and Economic Resources and the
Fiscal Research Division**

**Submitted by the
North Carolina Department of Environmental Quality
Division of Coastal Management
Tancred Miller, Director**



JANUARY 2025

BACKGROUND

The Division of Coastal Management works to protect, conserve and manage North Carolina's coastal resources through an integrated program of planning, permitting, education and research. DCM carries out the state's Coastal Area Management Act (CAMA), the Dredge and Fill Law and the federal Coastal Zone Management Act of 1972 in the 20 coastal counties, using rules and policies of the N.C. Coastal Resources Commission, known as the CRC. The division serves as staff to the CRC. Coastal Management is part of the Department of Environmental Quality, which is responsible for keeping the state's environment healthy. The division also receives oversight (and part of its funding) from the Office of Ocean Management, part of the National Oceanic and Atmospheric Administration.

COASTAL MANAGEMENT PERMIT TYPES

The Division of Coastal Management issues three types of development permits: major permits, general permits and minor permits. Some development may be authorized by exemption certificate.

Major permits are necessary for activities that require other state or federal permits, for projects that cover more than 20 acres or for construction covering more than 60,000 square feet. Applications for major permits are reviewed by nine state and four federal agencies before a decision is made.

General permits are used for routine projects that usually pose little or no threat to the environment or other use impacts. General permits are issued on-site or within a few days of a site visit by DCM Staff.

Minor permits are required for projects, such as single-family houses, that don't require major permits or general permits. They are reviewed, issued and administered to CRC standards by local governments under contract with the Division of Coastal Management. Under CAMA regulations, a minor permit is to be issued within 25 days once a complete application is in hand.

The CAMA Major Permit process is an “umbrella” process that allows an applicant to present a single application and project design to multiple state and federal agencies through a single process. Inter-agency scoping meetings are usually conducted to identify any initial concerns and discuss design alternatives. Through the Corps of Engineers 291 Programmatic General Permit for CAMA projects in North Carolina and other inter-agency agreements, the application can then be circulated through DCM to other resource agencies for comments and put on notice for public comments. With a single application and fee, an applicant can simultaneously receive all (or most) required federal and state approvals, and any changes in project proposals along the way can also be circulated for approval. This avoids piecemeal projects where an applicant may be required to make a design change by one agency, only to be told that the design must be different by another agency. There are also significant time and cost savings to the applicant, which vary with the circumstances involved in each project.

There are 17 types of CAMA General Permits, which are actually expedited forms of Major Permits. Categories include docks and piers, bulkheads, revetments, emergency repairs, temporary erosion control, temporary structures, boat ramps, upland boat basins, freestanding moorings, maintenance dredging, utility lines, beach bulldozing, and marsh sills/living shorelines, among others. When a proposal meets a set of standards and criteria that have been pre-approved by the other state and federal resource agencies involved in coastal project reviews, it is eligible for a General Permit that can be issued onsite, as soon as adjacent property owner notifications and/or approvals have been obtained and assuming all required drawings and other information are made available (and fees are paid). This results in the rapid issuance of over 2,000 General Permits each year by Division staff, with relatively few appeals, objections, or complaints. Any General Permit where site complexities warrant further review can be elevated to the full Major Permit process.

COASTAL MANAGEMENT PERMIT FEES

G.S. 113A-119.1(a) authorizes the CRC to establish a graduated fee schedule for the processing of applications for permits. Currently, statute limits the maximum fee charges for processing a CAMA permit application to \$400. Effective January 1, 2024 the CRC approved a permit fee increase for all general permits to the maximum allowable under statute - \$400. Prior to this, permit fees had not been increased since 2006.

The fee rates for general, minor, and major permits are outlined in Tables A & B. This table also shows the number of permits issued and fees collected for FY22/23 & FY23/24 respectively.

Table A: Current CAMA Permit Fees - FY22/23	Fee	Issued	Collected
General Permit for certain post-storm redevelopment and recovery activities	\$0		
General Permit for placement of riprap to protect wetlands in estuarine and public trust waters	\$200		
General Permit for installation of sandbags	\$400		
General Permit for placement of rip rap <i>below</i> Normal High Water/Normal Water Line	\$400		
General Permit for placement of rip rap <i>at or above</i> Normal High Water/Normal Water Line	\$200		
General Permit for construction of a bulkhead	\$400		
General Permit for maintenance excavation within existing canals, channels, basins and ditches in estuarine or public trust waters, <i>101-1000 cubic yards</i>	\$400	2,279	\$752,600
General Permit for maintenance excavation within existing canals, channels, basins and ditches in estuarine or public trust waters, <i>up to 100 cubic yards</i>	\$200		
General Permit for beach bulldozing	\$400		
General Permit for replacement of bridges and culverts	\$400		
General Permit for Estuarine Enhancement Program mitigation	\$400		
All other General Permits	\$200		
Minor Permit	\$100	275	\$27,500
Major Permit for private, non-commercial development that does not involve the filling or excavation of wetlands or open-water areas	\$250		
Major Permit for public or commercial development, or projects that involve the filling or excavation of: A) one acre or less of wetlands or open-water areas, or B) less than 150 linear feet of stream	\$400		
Major Permit for the development that involves the filling or excavation of more than one acre of wetlands or open-water areas, or 150 linear feet or more of stream	\$475	258	\$65,900
Major development extension request	\$100		
Minor modification to a Major Permit	\$100		
	\$250		
Major modification to a Major Permit	\$400		
	\$475		
Permit transfer	\$100		
Totals		2,812	\$846,000

Table B: Current CAMA Permit Fees FY23/24	Fee	Issued	Collected
General Permit for certain post-storm redevelopment and recovery activities	\$0	2,416	\$966,400
General Permit for placement of riprap to protect wetlands in estuarine and public trust waters	\$400		
General Permit for installation of sandbags	\$400		
General Permit for placement of rip rap	\$400		
General Permit for construction of a bulkhead	\$400		
General Permit for maintenance excavation within existing canals, channels, basins and ditches in estuarine or public trust waters	\$400		
General Permit for beach bulldozing	\$400		
General Permit for replacement of bridges and culverts	\$400		
General Permit for Estuarine Enhancement Program mitigation	\$400		
All other General Permits	\$400		
Minor Permit	\$100	257	\$25,700
Major Permit for private, non-commercial development that does not involve the filling or excavation of wetlands or open-water areas	\$250	225	\$58,005
Major Permit for public or commercial development, or projects that involve the filling or excavation of: A) one acre or less of wetlands or open-water areas, or B) less than 150 linear feet of stream	\$400		
Major Permit for the development that involves the filling or excavation of more than one acre of wetlands or open-water areas, or 150 linear feet or more of stream	\$475		
Major development extension request	\$100		
Minor modification to a Major Permit	\$100		
	\$250		
Major modification to a Major Permit	\$400		
	\$475		
Permit transfer	\$100		
Totals		2,898	\$1,050,105

COASTAL MANAGEMENT COMPLIANCE & ENFORCEMENT (Violations)

CAMA permits are intended to protect the environment, public-trust rights and the economy of the North Carolina Coast. To ensure that CRC regulations are followed, Coastal Management employs a number of compliance tools. DCM staff monitor projects that have received minor, major or general permits to make sure they are being carried out correctly. Staff also conduct routine aerial flights to look for unauthorized development within Areas of Environmental concern and to monitor permitted development.

The division's most critical compliance tool is enforcement. Someone is determined to be in violation when they begin development in an Area of Environmental Concern (AEC) without a valid CAMA permit or if any of their CAMA-permitted work does not comply with the issued permit or the Coastal Resources Commission's rules. Once a violation has occurred, Coastal Management staff may issue a violation notice, halt development in progress, require restoration of the site and assess a penalty for the violation.

In dealing with violations, Coastal Management's first priority is to seek resource recovery through prompt, voluntary restoration of the damaged area. General Statute 113A-126(d)(1) allows the division to assess civil penalties of up to \$10,000 for major development violations and \$1,000 for minor development violations. In addition, the division may assess for the costs incurred for investigations, inspections, and monitoring associated with violations.

Collections of civil penalties (NOVs) is outlined in Tables C & D for FY22/23 & FY23/24 respectively.

Table C: Civil Fines & Penalties (NOVs) FY22/23	Fee	Issued	Collected
Civil Fines & Penalties (NOVs)	Varies	52	\$41,765

Table D: Civil Fines & Penalties (NOVs) FY23/24	Fee	Issued	Collected
Civil Fines & Penalties (NOVs)	Varies	43	\$38,934

COASTAL MANAGEMENT PERMIT PROGRAM REVENUES & EXPENSES

FY22/23

For FY22/23, the permitting program expenses totaled \$4,588,205. Revenues from permit receipts, along with violations (NOVs), came in at \$887,765. In FY22/23, DCM received CZM federal funding from NOAA in the amount of \$2,524,000. Of the \$2.524 million in federal funding from NOAA, \$2.422 million is directly related to permitting activities within the division. Additionally, DCM received \$306,571 in DOT receipts to support DOT employees participating in permitting activities for the division. Appropriations received that directly support permitting totaled \$1,295,844. DCM was allowed to carryforward \$150k in unearned revenue from permit receipts to help support the permitting program in FY23/24. The percentage of revenue across the various funding sources to support permitting activities in FY22/23 are as follows: Receipts-Permitting 18%, Federal - NOAA 50%, Receipts-DOT 6%, and Appropriations 26%.

	Minors	Majors	Generals	NOVs	Total
Receipts - Permitting	\$27,500	\$65,900	\$752,600	\$41,765	\$887,765
Federal - NOAA					\$2,422,800
Receipts - DOT					\$306,571
Appropriations					\$1,295,844
Total Revenue					\$4,912,980
Salary/Fringe/Overhead	-	-	-	-	\$3,791,389
Equipment	\$0	\$0	\$0	\$0	\$0
Operations	-	-	-	-	\$796,816
Total Expense	-	-	-	-	\$4,588,205

COASTAL MANAGEMENT PERMIT PROGRAM REVENUES & EXPENSES

FY23/24

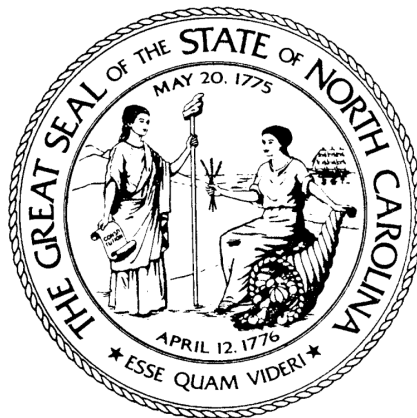
For FY23/24, the permitting program expenses totaled \$4,263,295. Revenues from permit receipts, along with violations (NOVs), came in at \$1,089,039. In FY23/24, DCM received CZM federal funding from NOAA in the amount of \$2,625,000. Of the \$2.62 million in federal funding from NOAA, \$2.093 million is directly related to permitting activities within the division. Additionally, DCM received \$345,405 in DOT receipts to support DOT employees participating in permitting activities for the division. Appropriations received that directly support permitting totaled \$1,369,456. DCM was allowed to carryforward \$225k in unearned revenue from permit receipts to help support the permitting program in FY24/25. The percentage of revenue across the various funding sources to support permitting activities in FY23/24 are as follows: Receipts-Permitting 22%, Federal - NOAA 43%, Receipts-DOT 7%, and Appropriations 28%.

	Minors	Majors	Generals	NOVs	Total
Receipts - Permitting	\$25,700	\$58,005	\$966,400	\$38,934	\$1,089,039
Federal - NOAA					\$2,093,585
Receipts - DOT					\$345,405
Appropriations					\$1,369,456
Total Revenue					\$4,897,485
Salary/Fringe/Over head	-	-	-	-	\$3,627,402
Equipment	\$0	\$0	\$0	\$0	\$0
Operations	-	-	-	-	\$635,893
Total Expense	-	-	-	-	\$4,263,295

STATE OF NORTH CAROLINA
DIVISION OF ENERGY, MINERAL AND
LAND RESOURCES
PROGRAM COST REPORT

A Report to the
Environmental Review Commission, the Joint Legislative Oversight
Committee
on Agriculture and Natural and Economic Resources and the Fiscal
Research Division

Submitted by the
North Carolina Department of Environmental Quality
Division of Energy, Mineral and Land Resources
Toby Vinson, Director



JANUARY 2025

DEMLR Permit Program Cost - FY22-23

	NPDES Stormwater	Post-Const Stormwater	Sediment	Mining	Dam Safety															
Current Fee	Industrial Individual - \$860; Industrial General - \$100; MS4 Local Government (Phase II); - \$860; MS4 Local Government (Phase I) - \$3,440	New Development with SCMs - \$505; New Development General - \$505; Industrial - No Exposure - \$0	\$100 / Acre	<table border="0"> <tr> <td></td> <td>0-25 acres</td> <td>26+ acres</td> </tr> <tr> <td>New Permit Applications</td> <td>\$3,750.00</td> <td>\$5,000.00</td> </tr> <tr> <td>Permit Modifications</td> <td>\$750.00</td> <td>\$1,000.00</td> </tr> <tr> <td>Permit Transfers</td> <td>\$100.00</td> <td>\$100.00</td> </tr> <tr> <td>Annual Operating Fee</td> <td>\$400.00</td> <td>\$400.00</td> </tr> </table>		0-25 acres	26+ acres	New Permit Applications	\$3,750.00	\$5,000.00	Permit Modifications	\$750.00	\$1,000.00	Permit Transfers	\$100.00	\$100.00	Annual Operating Fee	\$400.00	\$400.00	2% of the actual costs between \$10,000 and \$100,000; 1.5% of actual costs between \$100,001 and \$500,000; 1.0% of actual costs between \$500,001 and \$1,000,000; 0.5% of actual costs > \$1,000,000: Minimum fee of \$200 paid with initial application. Balance due upon completion of the dam construction or removal. The additional fee shall not exceed \$50,000.
	0-25 acres	26+ acres																		
New Permit Applications	\$3,750.00	\$5,000.00																		
Permit Modifications	\$750.00	\$1,000.00																		
Permit Transfers	\$100.00	\$100.00																		
Annual Operating Fee	\$400.00	\$400.00																		
Previous Fee	Industrial Individual - \$715; Industrial General - \$80; MS4 Local Government (Phase II); - N/A; MS4 Local Government (Phase I) - \$715	New Development with SCMs - \$480; New Development General - \$480; Industrial - No Exposure - \$0	\$65 / Acre	<table border="0"> <tr> <td></td> <td>0-25 acres</td> <td>26+ acres</td> </tr> <tr> <td>New Permit Applications</td> <td>\$3,750.00</td> <td>\$5,000.00</td> </tr> <tr> <td>Permit Modifications</td> <td>\$750.00</td> <td>\$1,000.00</td> </tr> <tr> <td>Permit Renewals</td> <td>\$750.00</td> <td>\$1,000.00</td> </tr> <tr> <td>Permit Transfers</td> <td>\$100.00</td> <td>\$100.00</td> </tr> </table>		0-25 acres	26+ acres	New Permit Applications	\$3,750.00	\$5,000.00	Permit Modifications	\$750.00	\$1,000.00	Permit Renewals	\$750.00	\$1,000.00	Permit Transfers	\$100.00	\$100.00	Archives will have to be reviewed to determine previous fees from 32 years ago.
	0-25 acres	26+ acres																		
New Permit Applications	\$3,750.00	\$5,000.00																		
Permit Modifications	\$750.00	\$1,000.00																		
Permit Renewals	\$750.00	\$1,000.00																		
Permit Transfers	\$100.00	\$100.00																		
Year Fee Last Updated	2007	2007	2021	2017	1991															
Fee Revenue	\$1,545,636.00	\$506,670.00	\$4,006,661.66	\$389,950.00	\$132,767.95															
Fee Revenue Salary / Fringe / Overhead	\$481,003.71	\$454,670.00	\$2,212,930.11	\$211,036.00	\$36,833.31															
Fee Equipment	\$0.00	\$0.00	\$254,379.59	\$15,307.00	\$0.00															
Fee Operations	\$260,879.03	\$52,000.00	\$414,150.85	\$418,770.33	\$3,551.24															
State Appropriations	466,406.50	466,406.50	The Sedimentation, Mining and Dam Safety Programs are the historical programs originally assigned to the Division of Land Resources, Now Division of Energy, Mineral, and Land Resources. These three programs have been historically provided a grouped annual appropriation to cover some personnel and operations costs with the remainder covered by individual program fees. The Group Appropriation for 2022-23 was: \$4,001,400																	
Appropriated Salary/Fringe/Overhead	441,042.50	441,042.50	1,314,923.66	441,330.70	1,266,558.65															
Appropriated Equipment	7,640.00	0.00	61,208.00	0.00	0.00															
Appropriated Operations	22,794.00	22,794.00	285,430.04	95,799.06	274,931.46															
Other Revenue Source	none	none	EPA 319 Grant	None	FEMA HHPD Grant (external flow through for qualifying publicly owned dams) and FEMA NDSP Grant (Program Fund which covers 1 FTE and some Operating Costs.															
Other Revenue Source - Amount	0.00	0.00	68,486.57	0.00	277,664.00															
Other Revenue: Salary / Fringe / Overhead	0.00	0.00	86,460.87	0.00	112,994.16															
Other Revenue Equipment	0.00	0.00	750.00	0.00	0.00															
Other Revenue Operations	0.00	0.00	62.38	0.00	0.00															
Total Expense	1,213,359.24	970,506.50	4,698,782.07	1,182,243.09	1,972,532.82															

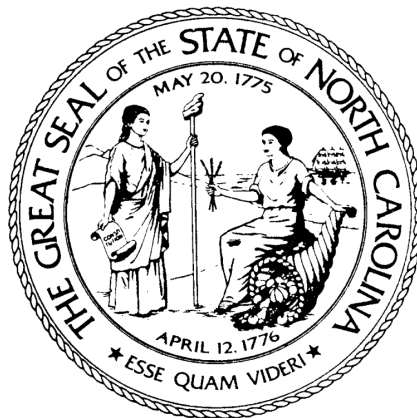
DEMLR Permit Program Cost - FY23-24

	NPDES Stormwater	Post-Construction Stormwater	Sediment	Mining	Dam Safety															
Current Fee	Industrial Individual - \$1,200; Industrial/Construction General - \$120; Industrial No Exposure - \$250; MS4 Local Government (Phase II) - \$1,000; MS4 Local Government (Phase I) - \$4,200; Major Mod - 30% of annual fee applicable to permit	New Permit or Major Mod with 0-1 SCMs - \$1,000; 2 SCMs - \$1,250; 3 SCMs - \$1,750; 4 or more SCMs - \$2,250; Minor Mod - \$250; Renewal or Transfer - \$750; Combo Renewal & Transfer - \$1,500; General Permit - \$700	\$100 / Acre	<table border="0"> <tr> <td></td> <td>0-25 acres</td> <td>26+ acres</td> </tr> <tr> <td>New Permit Applications</td> <td>\$3,750.00</td> <td>\$5,000.00</td> </tr> <tr> <td>Permit Modifications</td> <td>\$750.00</td> <td>\$1,000.00</td> </tr> <tr> <td>Permit Transfers</td> <td>\$100.00</td> <td>\$100.00</td> </tr> <tr> <td>Annual Operating Fee</td> <td>\$400.00</td> <td>\$400.00</td> </tr> </table>		0-25 acres	26+ acres	New Permit Applications	\$3,750.00	\$5,000.00	Permit Modifications	\$750.00	\$1,000.00	Permit Transfers	\$100.00	\$100.00	Annual Operating Fee	\$400.00	\$400.00	1. An initial fee of \$500, or one-half of the processing and compliance fee based on the engineer's estimated cost of construction, whichever amount is greater, shall be submitted with the application. 2. The remainder of the processing and compliance fee based on the engineer's actual cost of construction (minus the initial fee paid), shall be paid when the as-built plans are submitted. The maximum fee shall not exceed \$50,000
	0-25 acres	26+ acres																		
New Permit Applications	\$3,750.00	\$5,000.00																		
Permit Modifications	\$750.00	\$1,000.00																		
Permit Transfers	\$100.00	\$100.00																		
Annual Operating Fee	\$400.00	\$400.00																		
Previous Fee	Industrial Individual - \$860; Industrial General - \$100; MS4 Local Government (Phase II); - \$860; MS4 Local Government (Phase I) - \$3,440	New Development with SCMs - \$505; New Development General - \$505; Industrial - No Exposure - \$0	\$65 / Acre	<table border="0"> <tr> <td></td> <td>0-25 acres</td> <td>26+ acres</td> </tr> <tr> <td>New Permit Applications</td> <td>\$3,750.00</td> <td>\$5,000.00</td> </tr> <tr> <td>Permit Modifications</td> <td>\$750.00</td> <td>\$1,000.00</td> </tr> <tr> <td>Permit Renewals</td> <td>\$750.00</td> <td>\$1,000.00</td> </tr> <tr> <td>Permit Transfers</td> <td>\$100.00</td> <td>\$100.00</td> </tr> </table>		0-25 acres	26+ acres	New Permit Applications	\$3,750.00	\$5,000.00	Permit Modifications	\$750.00	\$1,000.00	Permit Renewals	\$750.00	\$1,000.00	Permit Transfers	\$100.00	\$100.00	2% of the actual costs between \$10,000 and \$100,000; 1.5% of actual costs between \$100,001 and \$500,000; 1.0% of actual costs between \$500,001 and \$1,000,000; 0.5% of actual costs > \$1,000,000; Minimum fee of \$200 paid with initial application. Balance due upon completion of the dam construction or removal. The additional fee shall not exceed \$50,000.
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New Permit Applications	\$3,750.00	\$5,000.00																		
Permit Modifications	\$750.00	\$1,000.00																		
Permit Renewals	\$750.00	\$1,000.00																		
Permit Transfers	\$100.00	\$100.00																		
Year Fee Last Updated	2023	2023	2021	2017	2023															
Fee Revenue	\$1,770,273.00	\$688,750.00	\$3,762,948.71	\$440,102.00	\$207,850.51															
Fee Revenue Salary / Fringe / Overhead	\$843,392.71	\$395,267.05	\$2,591,521.18	\$238,398.00	\$39,803.71															
Fee Equipment	\$0.00	\$0.00	\$210,276.92	\$106,282.00	\$0.00															
Fee Operations	\$119,968.68	\$11,054.96	\$214,367.60	\$269,366.00	\$81,023.58															
State Appropriations	471,743.50	471,743.50	The Sedimentation, Mining and Dam Safety Programs are the historical programs originally assigned to the Division of Land Resources, Now Division of Energy, Mineral, and Land Resources. These three programs have been historically provided a grouped annual appropriation to cover some personel and operations costs with the remainder covered by individual program fees. The Group Appropriation for 2023-24 was: \$4,312,570																	
Appropriated Salary/Fringe/Overhead	450,170.50	450,170.50	1,627,904.42	546,377.11	1,568,027.47															
Appropriated Equipment	132.00	0.00	67,329.56	22,597.97	64,853.07															
Appropriated Operations	26,820.58	26,820.58	676,266.54	226,976.82	651,392.37															
Other Revenue Source	none	none	EPA 319 Grant	None	FEMA HHPD Grant (external flow through for qualifying publicly owned dams) and FEMA NDSP Grant (Program Fund which covers 1 FTE and some Operating Costs.															
Other Revenue Source - Amount	0.00	0.00	91,566.00	0.00	167,263.00															
Other Revenue: Salary / Fringe / Overhead	0.00	0.00	93,335.62	0.00	133,796.69															
Other Revenue Equipment	0.00	0.00	0.00	0.00	0.00															
Other Revenue Operations	0.00	0.00	1,177.60	0.00	35,685.62															
Total Expense	1,440,484.47	883,313.09	5,573,745.44	1,409,997.90	2,741,845.51															

**STATE OF NORTH CAROLINA
DIVISION OF WASTE MANAGEMENT
PROGRAM COST REPORT**

**A Report to the
Environmental Review Commission, the Joint Legislative Oversight
Committee
on Agriculture and Natural and Economic Resources and the Fiscal
Research Division**

**Submitted by the
North Carolina Department of Environmental Quality
Division of Waste Management
Michael Scott, Director**



JANUARY 2025

DIVISION OF WASTE MANAGEMENT - STATE FISCAL YEARS 2022-23 AND 2023-24 SUMMARY OF REVENUE, EXPENSES, AND FEES

The Division of Waste Management (Division) is made up of five sections which include the Brownfields Redevelopment Section, the Hazardous Waste Section, the Solid Waste Section, the Superfund Section, and the Underground Storage Tank Section. Only the Hazardous Waste Section, the Solid Waste Section, and the Underground Storage Tank Section issue permits authorizing facility operation. Permit fees collected by the Hazardous Waste and Solid Waste Sections for the permitting of hazardous and solid waste management facilities are collected under the authority of Chapter 130A Article 9 of the General Statutes. Permit fees collected by the Underground Storage Tank Section for permitting of underground storage tanks are collected under the authority of Chapter 143 Article 21A of the General Statutes.

The Superfund Section oversees and directs funding for cleanup of contaminated sites. Administration of the Superfund Section is supported almost entirely by federal funding and appropriations. This Section is able to collect some minor fees for voluntary participation in the remedial action program and the risk-based remediation program, but the revenue from these fees is a very small part of the overall revenue for this Section.

The Division's newest section, the Brownfields Redevelopment Section, enters into agreements with developers to address liability concerns at contaminated sites. The Brownfields Redevelopment Section collects fees for review and processing of a Brownfields agreement, and administration of that Section is supported by fees and federal grants. The Brownfields Redevelopment Section also recently applied for and received multiple additional federal grants to assist the program with the redevelopment of brownfields properties.

The Hazardous Waste, Solid Waste, and Underground Storage Tank Sections conduct inspections, compliance, and enforcement and provide technical assistance for the facilities that they permit. The same staff that conduct inspections, compliance, and enforcement and provide technical assistance for the permitted facilities also conduct inspections, compliance, and enforcement and provide technical assistance for facilities that may be exempt from permitting under certain conditions (and therefore do not pay a permit fee), or that are required to register or provide notification to the Department for certain activities, or that need some other kind of approval or certificate (for example, inspections for certification that they are conducting recycling activities that allow for tax exemptions, or pre-approval of temporary disaster debris sites). These staff also conduct investigations and take enforcement against persons that are conducting illegal activities related to solid and hazardous waste, and/or provide technical assistance for spills (such as a petroleum spill).

These additional inspection, compliance, enforcement, and technical assistance activities for non-permitted or illegal sites are not funded by permit fee revenues, but may be funded by other sources, including federal funding or grants or state appropriations and tax revenues. Because of this crossover of duties for individual staff, funding of staff salaries and other expenses are often a combination of fee revenues and various other funding sources that cannot easily be summarized. Designating revenue and expenses by Section is also complicated by the fact that several funding sources, such as hazardous waste permit fees and revenue from the disposal tax, are required by statute to be distributed in varying amounts between the Hazardous Waste Section, the Solid Waste Section, and the Inactive Hazardous Site and Pre-Regulatory Landfill Units of the Superfund Section.

Tables 1-4 below provide the revenue and expense summaries for FY 2022-23 and FY 2023-24 for the Division of Waste Management. The tables show the revenue by various funding sources and provide a breakdown of expense categories.

Tables 5-9 below list the various types of fees collected by the five sections within the Division for application and operation of permitted facilities in accordance with the General Statutes. The tables also list various fees for other fee types such as remedial action and risk-based remediation program participation, electronics manufacturer registration, and fees for brownfield agreements. The tables do not include penalties or fines deposited to the Civil Penalty and Forfeiture Fund.

Table 1: NCDEQ Division of Waste Management - Revenue for State Fiscal Year 2022-23

Revenue Source	Brownfields	Hazardous Waste	Solid Waste	Superfund	UST	Division-Level	Total
Permit Fees or other fee types	\$ 1,995,000.00	\$ 3,964,330.00	\$ 2,429,851.00	\$ 204,300.00	\$ 9,527,968.00	\$ -	\$ 18,121,449.00
Cost Recovery	\$ -	\$ 41,585.00	\$ 7,166.00	\$ -	\$ 204,886.00	\$ -	\$ 253,637.00
Tax Revenue	\$ -	\$ -	\$ -	\$ 20,727,680.00	\$ 18,730,366.00	\$ -	\$ 39,458,046.00
Appropriations	\$ -	\$ 84,985.00	\$ 1,003,997.00	\$ 2,316,711.00	\$ 1,896,998.00	\$ 2,146,818.00	\$ 7,449,509.00
Federal Funding/Grants	\$ 1,058,156.00	\$ 2,823,052.00	\$ -	\$ 713,761.00	\$ 3,472,765.00	\$ -	\$ 8,067,734.00
Other	\$ -	\$ -	\$ 509.00	\$ 822,596.00	\$ 45,824.00	\$ -	\$ 868,929.00
Transfer (Tax Revenue)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenue	\$ 3,053,156.00	\$ 6,913,952.00	\$ 3,441,523.00	\$ 24,785,048.00	\$ 33,878,807.00	\$ 2,146,818.00	\$ 74,219,304.00

NOTES:

1. The "Other" category for revenue may include miscellaneous items such as settlement refunds, cost corrections, reimbursements from commerce or dry cleaning, etc.
2. The "Transfer" category shows \$500,000 in SW disposal tax revenue being transferred from Superfund (6379) as an expense to Solid Waste (1760-7621) as revenue each year, per legislation.
3. Additional transfers between fund accounts include UST transfer from 6370 to 1671-6710 to cover administrative costs of the program; HW transfer from 2387 to 1760-7610, 1760-7610-0798, 1760-7610-0799 to cover HW administrative costs. In addition, appropriation comes into 1760-7601-TRFR and is credited to the following Special Funds: SW Scrap Tire 6770 \$420,000; SF Bernard Allen 2054 \$700,000; SF IHS Cleanup 6372 \$400,000.

Table 2: NCDEQ Division of Waste Management - Expenses for State Fiscal Year 2022-23

Expense Type	Brownfields	Hazardous Waste	Solid Waste	Superfund	UST	Division-Level	Total
Salary & Fringe	\$ 2,404,619.00	\$ 4,666,224.00	\$ 3,782,606.00	\$ 5,443,347.00	\$ 7,958,775.00	\$ 589,916.00	\$ 24,845,487.00
Purchased Services	\$ 246,085.00	\$ 564,488.00	\$ 509,477.00	\$ 16,989,793.00	\$ 8,972,137.00	\$ 33,438.00	\$ 27,315,418.00
Supplies	\$ 2,720.00	\$ 18,951.00	\$ 25,976.00	\$ 15,735.00	\$ 32,545.00	\$ 1,512.00	\$ 97,439.00
Property, Plant & Equipment	\$ 11,045.00	\$ 12,522.00	\$ 21,627.00	\$ 21,716.00	\$ 78,861.00	\$ 1,952.00	\$ -
Indirect	\$ 73,181.00	\$ 176,726.00	\$ -	\$ 93,557.00	\$ 209,657.00	\$ -	\$ 553,121.00
Other Expenses	\$ 1,203.00	\$ 47,126.00	\$ 14,958.00	\$ 305,962.00	\$ 7,320,605.00	\$ -	\$ -
Regional Office	\$ 13,746.00	\$ -	\$ 37,481.00	\$ 33,119.00	\$ 96,661.00	\$ -	\$ 181,007.00
Transfer (to Solid Waste)	\$ -	\$ -	\$ -	\$ 500,000.00	\$ -	\$ -	\$ 500,000.00
Total Program Expenses	\$ 2,752,599.00	\$ 5,486,037.00	\$ 4,392,125.00	\$ 23,403,229.00	\$ 24,669,241.00	\$ 626,818.00	\$ 61,330,049.00
Distribution for Cleanup/Lab/County Aid	\$ -	\$ -	\$ 896,256.00	\$ -	\$ -	\$ -	\$ -
Program Total Incl Distributions	\$ 2,752,599.00	\$ 5,486,037.00	\$ 5,288,381.00	\$ 23,403,229.00	\$ 24,669,241.00	\$ 626,818.00	\$ 62,226,305.00
FTE (6/30/2023)	31.25	52.4	43	58.7	96.9	9.3	\$ 291.55

NOTES:

1. Only the UST, Solid Waste, and Hazardous Waste Sections conduct permitting activities, however all five sections conduct compliance activities. The three Sections that conduct permitting and compliance and enforcement activities for permitted facilities also conduct compliance and enforcement activities for non-permitted and/or illegal activities.
2. The "Transfer" category shows \$500,000 in SW disposal tax revenue being transferred from Superfund (6379) as an expense to Solid Waste (1760-7621) as revenue each year, per legislation.
3. FTE Counts are for 2023 only. FTE Count for Solid Waste includes 5 Department-funded staff for coal ash. FTE Count for the Division-level includes the addition of 5 new positions for emerging compounds included in the 2020-21 Legislative Session.

Table 3: NCDEQ Division of Waste Management - Revenue for State Fiscal Year 2023-24

Revenue Source	Brownfields	Hazardous Waste	Solid Waste	Superfund	UST	Division-Level	Total
Permit Fees or other fee types	\$ 1,025,500.00	\$ 3,711,458.00	\$ 2,198,270.00	\$ 352,275.00	\$ 9,127,110.00		\$ 16,414,613.00
Cost Recovery		\$ 40,710.00	\$ 14,554.00		\$ 33,200.00		\$ 88,464.00
Tax Revenue				\$ 22,112,367.00	\$ 19,074,265.00		\$ 41,186,632.00
Appropriations		\$ 272,091.00	\$ 1,025,544.00	\$ 3,324,782.00	\$ 2,919,947.00	\$ 3,020,824.00	\$ 10,563,188.00
Federal Funding/Grants	\$ 1,960,737.00	\$ 2,676,044.00	\$ 18,665.00	\$ 765,886.00	\$ 3,311,611.00		\$ 8,732,943.00
Federal ARPA Reimbursement							\$ -
Other		\$ 2,253.00		\$ 826,976.00	\$ 3,879,628.00		\$ 4,708,857.00
Transfer (Tax Revenue)							\$ -
Total Revenue	\$ 2,986,237.00	\$ 6,702,556.00	\$ 3,257,033.00	\$ 27,382,286.00	\$ 38,345,761.00	\$ 3,020,824.00	\$ 81,694,697.00

NOTES:

1. The "Other" category for revenue may include miscellaneous items such as settlement refunds, cost corrections, reimbursements from commerce or dry cleaning, etc.
2. The "Transfer" category shows \$500,000 in SW disposal tax revenue being transferred from Superfund (6379) as an expense to Solid Waste (1760-7621) as revenue each year, per legislation.
3. Additional transfers between fund accounts include UST transfer from 6370 to 1671-6710 to cover administrative costs of the program; HW transfer from 2387 to 1760-7610, 1760-7610-0798, 1760-7610-0799 to cover HW administrative costs. In addition, appropriation comes into 1760-7601-TRFR and is credited to the following Special Funds: SW Scrap Tire 6770 \$420,000; SF Bernard Allen 2054 \$700,000; SF IHS Cleanup 6372 \$800,000.

Table 4: NCDEQ Division of Waste Management - Expenses for State Fiscal Year 2023-24

Expense Type	Brownfields	Hazardous Waste	Solid Waste	Superfund	UST	Division-Level	Total
Salary & Fringe	\$ 2,685,689.00	\$ 4,599,117.00	\$ 3,932,978.00	\$ 5,916,961.00	\$ 8,758,900.00	\$ 1,036,707.00	\$ 26,930,352.00
Purchased Services	\$ 658,528.00	\$ 501,785.00	\$ 658,724.00	\$ 16,560,476.00	\$ 8,450,422.00	\$ 82,555.00	\$ 26,912,490.00
Supplies	\$ 10,792.00	\$ 15,523.00	\$ 27,960.00	\$ 17,329.00	\$ 38,769.00	\$ 9,683.00	\$ 120,056.00
Property, Plant & Equipment	\$ 118,590.00	\$ 949.00		\$ 688.00	\$ 12,657.00	\$ 390.00	\$ 133,274.00
Indirect	\$ 125,312.00	\$ 203,741.00		\$ 137,760.00	\$ 262,788.00		\$ 729,601.00
Other Expenses	\$ (1,225.00)	\$ 1,477,204.00	\$ 14,449.00	\$ 290,671.00	\$ 14,337,818.00		\$ 16,118,917.00
Regional Office	\$ 18,712.00		\$ 57,755.00	\$ 1,642.00	\$ 153,113.00		\$ 231,222.00
Transfer (to Solid Waste)				\$ 500,000.00			\$ 500,000.00
Total Program Expenses	\$ 3,616,398.00	\$ 6,798,319.00	\$ 4,691,866.00	\$ 23,425,527.00	\$ 32,014,467.00	\$ 1,129,335.00	\$ 71,675,912.00
Distribution for Cleanup/Lab/County Aid		\$ 13,990.00	\$ 964,765.00				\$ 978,755.00
Program Total Incl Distributions	\$ 3,616,398.00	\$ 6,812,309.00	\$ 5,656,631.00	\$ 23,425,527.00	\$ 32,014,467.00	\$ 1,129,335.00	\$ 72,654,667.00
FTE (as of 6/5/2024)	31.25	51.4	42	62.95	96.9	13.3	297.8

NOTES:

1. Only the UST, Solid Waste, and Hazardous Waste Sections conduct permitting activities, however all five sections conduct compliance activities. The three Sections that conduct permitting and compliance and enforcement activities for permitted facilities also conduct compliance and enforcement activities for non-permitted and/or illegal activities.
2. The "Transfer" category shows \$500,000 in SW disposal tax revenue being transferred from Superfund (6379) as an expense to Solid Waste (1760-7621) as revenue each year, per legislation.
3. FTE Counts are for 2023 only. FTE Count for Solid Waste includes 5 Department-funded staff for coal ash. FTE Count for the Division-level includes the addition of 5 new positions for emerging compounds included in the 2020-21 Legislative Session.
4. Coal Ash Expenses are included in Solid Waste totals.

Table 5: DWM Hazardous Waste Section Fees - Chapter 130A, Article 9

Fee Type	Category	Interval	Fee Amount	Last Modified	Authority
Annual Operating Fees	Small Quantity Generator (SQG)	Annual	\$300.00	2023	
	Large Quantity Generator (LQG)		\$1,400.00		
	Transporter		\$840.00		
	Treatment, Storage, and Disposal (TSD) facility		\$1,680.00		
Tonnage Fees	Fee for tonnage generated at a Large Quantity Generator	Per Ton	\$0.70	2010	G.S. 130A-294.1
	Fee for tonnage of hazardous waste treated, stored, or disposed at Commercial Facilities		\$2.45		
Commercial Facility Permit Application Fees	Storage Facility	Per Application	\$14,000.00		
	Treatment Facility		\$21,000.00		
	Disposal Facility		\$35,000.00		
Commercial Facility Permit Modification Fees	Class 1	Per Modification	\$100.00	1990	15A NCAC 13A .0113
	Class 2		\$1,000.00		
	Class 3		\$5,000.00		
Resident Inspector Program Fee Schedule for Commercial Hazardous Waste Treatment, Storage, and Disposal Facilities	Non-Special Purpose - fee for hours of operation	Per Hour of Operation	\$41.00	2011	15A NCAC 13A .0117
	Special Purpose - fee for tonnage of waste received	Monthly Per Ton	\$4.50		
	Special Purpose - Category 1	Monthly	\$1,332.00		
	Special Purpose - Category 2		\$2,664.00		
	Special Purpose - Category 3		\$3,996.00		
	Special Purpose - Category 4		\$5,328.00		
Special Purpose - Category 5	\$6,660.00				

Table 6: DWM - Solid Waste Section Fees - Chapter 130A, Article 9

Fee Type	Category	Interval	Fee Amount	Last Modified	Authority			
Annual Operating Fees (septage management)	Septage Firm Permit (1 truck)	Annual (including initial application)	\$800.00	2023	G.S. 130A-291.1(e) and (e1)			
	Septage Firm Permit (2 or more trucks)		\$950.00					
	Septage Firm Permit (3 or more trucks)		\$1,500.00					
	Septage Land Application or Detention and Treatment Facility		\$500.00					
Annual Operating Fees (other than septage)	MSW Landfill accepting less than 100,000 tons/year of solid waste	Annual	\$6,125.00	2023	G.S. 130A-295.8(d1)			
	MSW Landfill accepting 100,000 tons/year or more but less than 250,000 tons/year of solid waste		\$7,000.00					
	MSW Landfill accepting 250,000 tons/year or more of solid waste		\$8,750.00					
	Post-Closure MSW Landfill		\$1,000.00					
	C&D Landfill accepting less than 25,000 tons/year of solid waste		\$4,813.00					
	C&D Landfill accepting 25,000 tons/year or more of solid waste		\$5,500.00					
	Post-Closure C&D Landfill		\$500.00					
	Industrial Landfill accepting less than 100,000 tons/year of solid waste		\$5,500.00					
	Industrial Landfill accepting 100,000 tons/year or more of solid waste		\$6,875.00					
	Post-Closure Industrial Landfill - \$500		\$500.00					
	Tire Monofill		\$1,000.00					
	Post-Closure Tire Monofill		\$500.00					
	Post Closure Tire Monofill conducted assessment and corrective action		\$1,250.00					
	Transfer Station accepting less than 25,000 tons/year of solid waste		\$1,500.00					
	Transfer Station accepting 25,000 tons/year or more of solid waste		\$1,875.00					
	Treatment and Processing Facility					\$750.00	2023	
	Incinerator accepting less than 200 tons per day of solid waste					\$500.00		
Incinerator accepting 200 tons per day or more of solid waste		\$1,000.00						
Large Compost Facility		\$800.00						
Small Compost Facility (excludes small type 1 covered under YWN)		\$300.00						
Land Clearing and Inert Debris Landfill		\$500.00						

Permit Application Fees (other than septage)	Initial permit application for new facility (Greenfield) - amount is 25% of annual fees listed above	Per Application	Varies	2023	G.S. 130A-295.8(d2)
	Permit application for substantial amendment to a Sanitary Landfill - amount is 25% of annual fees listed above	Per Application	Varies		G.S. 130A-295.8(d2)
	Initial permit application for new facility(Greenfield) - amount is 25% of annual fees listed above	Per Application	Varies		G.S. 130A-295.8(d2)
	(Greenfield or Substantial Amendment to a Sanitary Landfill or Subject Facility)	Per Application	\$1,000.00		G.S. 130A-295.8(d4)
	Application fee for modification of an LOS facility permit (sanitary landfill or Transfer Station)	Per Application	\$500.00		G.S. 130A-295.8(d3)
Electronics Registration*	Computer Equipment Manufacturer - Level 1	Initial Registration	\$15,000.00	2010	G.S. 130A-309.134(d)
	Computer Equipment Manufacturer - Level 2		\$10,000.00		
	Computer Equipment Manufacturer - Level 3		\$10,000.00		
	Computer Equipment Manufacturer - Level 1	Annual Renewal	\$15,000.00		
	Computer Equipment Manufacturer - Level 2		\$7,500.00		
	Computer Equipment Manufacturer - Level 3		\$2,500.00		
	Television Manufacturers that sell more than 1,000 TVs per year	Initial Registration	\$2,500.00		G.S. 130A-309.135(a)
Television Manufacturers that sell more than 1,000 TVs per year	Annual Renewal	\$2,500.00			

NOTE:

(*) The Department may only use the fees collected from television manufacturers and 10% of the fees collected from Computer Manufacturers for program administration.

Table 7: DWM - Superfund Section Fees - Chapter 130A, Article 9

Fee Type	Category	Interval	Fee Amount	Last Modified	Authority
Risk-Based Program Application Fee	Application fee for participation in voluntary risk-based remediation program - fee amount varies based on acreage of site. Total fee amount cannot exceed \$100,000.	Per Application Submittal	Not to exceed \$5,000/acre	2015	G.S. 130A-310.76
Risk-Based Program Oversight Fee	Oversight Fee for participation in the voluntary risk-based remediation program - fee amount varies based on acreage of site. Total fee amount cannot exceed \$25,000.	Per Approved Application	Not to exceed \$500/acre	2015	G.S. 130A-310.76
Remedial Action Program Fee	Fee for participation in the voluntary remedial action program	Per Agreement	\$1,000.00	2009	G.S. 130A-310.9(a)
Registered Environmental Consultant (REC) Program Fees	Initial Fee for REC agreement under the voluntary remedial action program	Per Agreement	\$3,000.00	2017	G.S. 130A-310.12(b) and 15A NCAC 13C .0307(c)
	Cost Recovery fee for REC audits under the voluntary remedial action program	Annual	Varies - Not to exceed \$3,000	2022	

Table 8: DWM - Underground Storage Tank Section Fees - Chapter 143, Article 21A

Fee Type	Category	Interval	Fee Amount	Last Modified	Authority
Annual Operating Fees	Regulated (motor fuel) tanks	Annual Per Tank	\$420.00	2008	G.S. 143-215.94C(a)
	Commercial heating oil tanks		\$420.00		
Application Fee	Land Application of Petroleum-Contaminated Soils	Per Application	\$480.00	2007	G.S. 143-215.3D(e)(5)

Table 9: DWM - Brownfields Redevelopment Section Fees - Chapter 130A, Article 9

Fee Type	Category	Interval	Fee Amount	Last Modified	Authority
Initial Submittal Fee	Fee for submittal of all eligible agreements for eligibility review	Per Agreement	\$2,000.00	1999	G.S. 130A-310.39(a)(1)
Agreement Processing Fee	Fee for continued processing and follow-up for agreement		\$6,000.00	2012	G.S. 130A-310.39(a)(2)*
Ready-for-Reuse Fee	Fee for review of site for owner with no current buyer for marketing		\$15,000.00		
Redevelopment Now Fee	Fee to have review of agreement expedited		\$30,000.00		
Amendment Fee	Fee to amend an existing agreement		\$1,000.00		

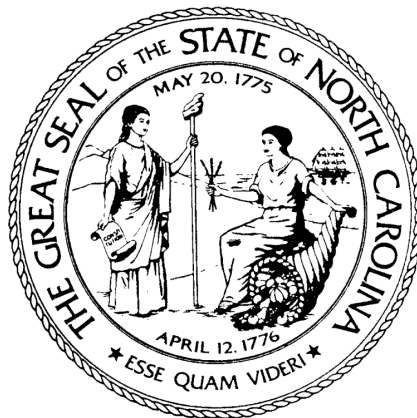
NOTE:

(*) The amount of fees established under G.S. 130A-310.39(a)(2) can be negotiated in the Brownfields agreement, but the amounts shown are the standard amounts published on the Section's website.

**STATE OF NORTH CAROLINA
DIVISION OF WATER RESOURCES
PROGRAM COST REPORT**

**A Report to the
Environmental Review Commission, the Joint Legislative Oversight
Committee
on Agriculture and Natural and Economic Resources and the Fiscal
Research Division**

**Submitted by the
North Carolina Department of Environmental Quality
Division of Water Resources
Richard Rogers, Director**



JANUARY 2025

DWR Permit Program Cost - FY22-23

					Public Water Supply	
	Animal Operations	NPDES WW	Non-Discharge	401/Buffer	Water Systems	Plan Review Fees
Current Fee	Animal Ops Large >800,000 SSLW \$360 Animal Ops Medium >100,000 SSLW \$180 Animal Ops Small <100,000 SSLW \$60	Misc NPDES \$60 Major individual NPDES permit \$3,440 Minor individual NPDES permit \$860 NPDES WW Authorization to Construct \$1,000 NPDES WW General COC \$100 NPDES WW Individual Major \$3,440 NPDES WW Individual Minor \$860 Single Family Residence \$60 Stormwater/WW Discharge COCs \$100	Collection System Major Permit \$1,310 Collection System Minor Permit \$1,160 Distribution Animal Solids major permit \$180 Distribution Animal Solids minor permit \$60 Wastewater Pump and Haul \$1,160 Nondischarge major permit \$1,310 Nondischarge minor permit \$810 Recycle system \$360 Sewer extension \$480 Sewer variance \$600 Single family residence \$60	Major Water Quality Certifications \$570 Minor Water Quality Certifications \$240	Non transient non-community water system \$190 Community Water Systems: 50 or fewer \$255 More than 50, no more than 100 \$270 More than 100, no more than 200 \$330 More than 200, no more than 300 \$350 More than 300, no more than 400 \$385 More than 400, no more than 500 \$420 More than 500, no more than 750 \$780 More than 750, no more than 1000 \$810 More than 1000, no more than 2000 \$840 More than 2000, no more than 3000 \$870 More than 3000, no more than 4000 \$1,350 More than 4000, no more than 5000 \$1,460 More than 5000, no more than 7500 \$1,925 More than 7500, no more than 10,000 \$2,065 More than 10,000, no more than 25,000 \$2,600 More than 25,000, no more than 50,000 \$2,925 More than 50,000, no more than 75,000 \$4,250 More than 75,000, no more than 100,000 \$4,675 More than 100,000, no more than 250,000 \$5,100 More than 250,000, no more than 500,000 \$5,525 More than 500,000 \$5,950	Construction of water lines, less than 5000 linear feet \$150 Construction of water lines, 5000 linear fee or more \$200 Other construction or alteration \$75 Construction of a new ground water system or adding a new well \$200 Alteration to an existing ground water system \$100 Construction of a new surface water treatment facility \$250 Alteration to an existing surface water treatment facility \$150 Water System Management Plan review \$75 Misc changes or maintenance covered above \$50
Previous Fee	Animal Ops Large >800,000 SSLW \$360 Animal Ops Medium >100,000 SSLW \$180 Animal Ops Small <100,000 SSLW \$60	Misc NPDES \$60 Major individual NPDES permit \$3,440 Minor individual NPDES permit \$860 NPDES WW Authorization to Construct \$1,000 NPDES WW General COC \$100 NPDES WW Individual Major \$3,440 NPDES WW Individual Minor \$860 Single Family Residence \$60 Stormwater/WW Discharge COCs \$100	Collection System Major Permit \$1,310 Collection System Minor Permit \$1,160 Distribution Animal Solids major permit \$180 Distribution Animal Solids minor permit \$60 Wastewater Pump and Haul \$1,160 Nondischarge major permit \$1,310 Nondischarge minor permit \$810 Recycle system \$360 Sewer extension \$480 Sewer variance \$600 Single family residence \$60	Major Water Quality Certifications \$570 Minor Water Quality Certifications \$240	Non transient non-community water system \$190 Community Water Systems: 50 or fewer \$255 More than 50, no more than 100 \$270 More than 100, no more than 200 \$330 More than 200, no more than 300 \$350 More than 300, no more than 400 \$385 More than 400, no more than 500 \$420 More than 500, no more than 750 \$780 More than 750, no more than 1000 \$810 More than 1000, no more than 2000 \$840 More than 2000, no more than 3000 \$870 More than 3000, no more than 4000 \$1,350 More than 4000, no more than 5000 \$1,460 More than 5000, no more than 7500 \$1,925 More than 7500, no more than 10,000 \$2,065 More than 10,000, no more than 25,000 \$2,600 More than 25,000, no more than 50,000 \$2,925 More than 50,000, no more than 75,000 \$4,250 More than 75,000, no more than 100,000 \$4,675 More than 100,000, no more than 250,000 \$5,100 More than 250,000, no more than 500,000 \$5,525 More than 500,000 \$5,950	Construction of water lines, less than 5000 linear feet \$150 Construction of water lines, 5000 linear fee or more \$200 Other construction or alteration \$75 Construction of a new ground water system or adding a new well \$200 Alteration to an existing ground water system \$100 Construction of a new surface water treatment facility \$250 Alteration to an existing surface water treatment facility \$150 Water System Management Plan review \$75 Misc changes or maintenance covered above \$50
Year Fee Last Updated	2007	2007	2007	2007	2007	2007
Fee Revenue	\$515,100	\$1,670,760	\$1,672,830	\$421,050	\$1,357,696	\$294,060
Fee Revenue Salary / Fringe / Overhead	\$31,471	\$1,027,971	\$356,422	\$135,483	\$1,460,003	\$96,954
Fee Equipment	\$1,621	\$5,425	\$5,426			
Fee Operations	\$123,266	\$402,986	\$421,951		\$206,133	\$367,424
State Appropriations & Federal Revenue	The Water Quality Permitting Program includes Animal Operations, Discharge, Non-Discharge, NPDES, and 401/Buffer Certification permits. These programs have been historically supported by grouped annual appropriation and several Federal grant programs to cover some personnel costs with the remainder covered by individual program fees. Appropriations and federal revenues are received for both permitting and non-permitting activities, but costs have been identified for personnel permit activities.					
Appropriated Salary/Fringe/Overhead	\$740,989	\$1,223,201	\$788,307	\$677,375		
Federal Revenue: Salary/Fringe/Overhead	\$465,699	\$898,067	\$480,110	\$765,951		
Total Expenses	\$1,363,047	\$3,557,651	\$2,052,215	\$1,578,809	\$1,666,135	\$464,378

DWR Permit Program Cost - FY23-24

					Public Water Supply	
	Animal Operations	NPDES WW	Non-Discharge	401/Buffer	Water Systems	Plan Review Fees
Current Fee	Animal Ops Large >800,000 SSLW \$360 Animal Ops Medium >100,000 SSLW \$180 Animal Ops Small <100,000 SSLW \$60	Misc NPDES \$60 Major individual NPDES permit \$4,625 Minor individual NPDES permit \$860 NPDES WW Authorization to Construct \$1,000 NPDES WW General COC \$100 NPDES WW Individual Major \$4,625 NPDES WW Individual Minor \$1,150 Single Family Residence \$60 Stormwater/WW Discharge COCs \$100	Collection System Major Permit \$1,760 Collection System Minor Permit \$810 Distribution Animal Solids major permit \$180 Distribution Animal Solids minor permit \$60 Wastewater Pump and Haul \$1,160 Nondischarge major permit \$1,760 Nondischarge minor permit \$1,160 Recycle system \$520 Sewer extension \$600 Sewer variance \$600 Single family residence \$60	Major Water Quality Certifications \$767 Minor Water Quality Certifications \$323	Non transient non-community water system \$190 Community Water Systems: 50 or fewer \$320 More than 50, no more than 100 \$340 More than 100, no more than 200 \$410 More than 200, no more than 300 \$430 More than 300, no more than 400 \$480 More than 400, no more than 500 \$520 More than 500, no more than 750 \$970 More than 750, no more than 1000 \$1,010 More than 1000, no more than 2000 \$1,050 More than 2000, no more than 3000 \$1,090 More than 3000, no more than 4000 \$1,690 More than 4000, no more than 5000 \$1,830 More than 5000, no more than 7500 \$2,410 More than 7500, no more than 10,000 \$2,580 More than 10,000, no more than 25,000 \$3,250 More than 25,000, no more than 50,000 \$3,660 More than 50,000, no more than 75,000 \$5,310 More than 75,000, no more than 100,000 \$5,840 More than 100,000, no more than 250,000 \$6,380 More than 250,000, no more than 500,000 \$6,910 More than 500,000 \$7,440	Construction of water lines, less than 5000 linear feet \$300 Construction of water lines, 5000 linear fee or more \$400 Other construction or alteration \$150 Construction of a new ground water system or adding a new well \$400 Alteration to an existing ground water system \$200 Construction of a new surface water treatment facility \$500 Alteration to an existing surface water treatment facility \$300 Water System Management Plan review \$150 Misc changes or maintenance covered above \$100
Previous Fee	Animal Ops Large >800,000 SSLW \$360 Animal Ops Medium >100,000 SSLW \$180 Animal Ops Small <100,000 SSLW \$60	Misc NPDES \$60 Major individual NPDES permit \$3,440 Minor individual NPDES permit \$860 NPDES WW Authorization to Construct \$1,000 NPDES WW General COC \$100 NPDES WW Individual Major \$3,440 NPDES WW Individual Minor \$860 Single Family Residence \$60 Stormwater/WW Discharge COCs \$100	Collection System Major Permit \$1,310 Collection System Minor Permit \$1,160 Distribution Animal Solids major permit \$180 Distribution Animal Solids minor permit \$60 Wastewater Pump and Haul \$1,160 Nondischarge major permit \$1,310 Nondischarge minor permit \$810 Recycle system \$360 Sewer extension \$480 Sewer variance \$600 Single family residence \$60	Major Water Quality Certifications \$570 Minor Water Quality Certifications \$240	Non transient non-community water system \$190 Community Water Systems: 50 or fewer \$255 More than 50, no more than 100 \$270 More than 100, no more than 200 \$330 More than 200, no more than 300 \$350 More than 300, no more than 400 \$385 More than 400, no more than 500 \$420 More than 500, no more than 750 \$780 More than 750, no more than 1000 \$810 More than 1000, no more than 2000 \$840 More than 2000, no more than 3000 \$870 More than 3000, no more than 4000 \$1,350 More than 4000, no more than 5000 \$1,460 More than 5000, no more than 7500 \$1,925 More than 7500, no more than 10,000 \$2,065 More than 10,000, no more than 25,000 \$2,600 More than 25,000, no more than 50,000 \$2,925 More than 50,000, no more than 75,000 \$4,250 More than 75,000, no more than 100,000 \$4,675 More than 100,000, no more than 250,000 \$5,100 More than 250,000, no more than 500,000 \$5,525 More than 500,000 \$5,950	Construction of water lines, less than 5000 linear feet \$150 Construction of water lines, 5000 linear fee or more \$200 Other construction or alteration \$75 Construction of a new ground water system or adding a new well \$200 Alteration to an existing ground water system \$100 Construction of a new surface water treatment facility \$250 Alteration to an existing surface water treatment facility \$150 Water System Management Plan review \$75 Misc changes or maintenance covered above \$50
Year Fee Last Updated	2007	2023	2023	2023	2023	2023
Fee Revenue	\$461,280	\$1,917,682	\$1,985,961	\$525,061	\$1,819,920	\$454,290
Fee Revenue Salary / Fringe / Overhead	\$35,051	\$1,099,931	\$407,786	\$162,711	\$1,316,689	\$238,825
Fee Equipment	\$18,482	\$73,929	\$75,609		\$7,025	
Fee Operations	\$82,019	\$328,075	\$335,531		\$200,013	\$139,816
State Appropriations & Federal Revenue	The Water Quality Permitting Program includes Animal Operations, Discharge, Non-Discharge, NPDES, and 401/Buffer Certification permits. These programs have been historically supported by grouped annual appropriation and several Federal grant programs to cover some personnel costs with the remainder covered by individual program fees. Appropriations and federal revenues are received for both permitting and non-permitting activities, but costs have been identified for personnel permit activities.					
State Appropriation: Salary/Fringe/Overhead	\$859,593	\$1,435,651	\$933,359	\$776,427		
Federal Revenue: Salary/Fringe/Overhead	\$544,860	\$1,036,941	\$559,963	\$879,632		
Total Expenses	\$1,540,005	\$3,974,527	\$2,312,248	\$1,818,770	\$1,523,727	\$378,641