

NPDES Fees for Individual and General Permits

Overview

25 Pa. Code Chapter 92a establishes application and annual fees for facilities with National Pollutant Discharge Elimination System (NPDES) permits in Sections [92a.26](#) and [92a.62](#), respectively. These fees are intended to partially cover the costs associated with the Pennsylvania Department of Environmental Protection's (DEP) administration of the NPDES program, which includes permitting, compliance monitoring, enforcement, and surface water standards, monitoring, and assessment activities. Notice of Intent (NOI) fees for coverage under general NPDES permits fall under application fees in Section 92a.26 and are incorporated into each General Permit. DEP has the responsibility under its regulations to review the adequacy of the fees every three years.

Individual Permit Fees

The NPDES individual permit initial application fee is designed to cover the cost of issuing the permit plus the first year of permit coverage. After the first year of permit coverage, Chapter 92a fees are invoiced three months before the due date. It is important to note that failure to receive an invoice does not excuse a permittee from paying the fee. As of August 28, 2021, (the date Chapter 92a was last amended), the fee due date is set based on the anniversary of the effective date of the permit. If a permit is amended or transferred during the permit term, the anniversary due date for the fee does not change. With the exception of individual NPDES permits for stormwater discharges associated with construction activities under 25 Pa. Code Chapter 102, renewal application fees are no longer required once an NPDES permit is issued, though the renewal application itself is still required. Permit amendments, permit transfers, and renewal applications for individual NPDES permits for stormwater discharges associated with construction activities under Chapter 102 still require a separate fee. Additionally, Chapter 102 permits will not be assessed a fee in the fifth year of the permit since a renewal application fee is expected for those permits. All other NPDES permits will be invoiced every year without skipping the fifth year.

Examples

Individual Permit Cycle:

- If a new individual NPDES permit were issued with an effective date of June 1, 2021, and an expiration date of May 31, 2026, the first invoice would be sent March 1, 2022, with a June 1, 2022, due date. The second invoice would be sent March 1, 2023, with a June 1, 2023, due date, and so on. Six months prior to expiration (i.e., December 31, 2025), the renewal application would be due, but there would be no renewal application fee (except for individual permits under Chapter 102). Additionally, regardless of the effective date of the renewed permit, the fee would continue to be due June 1 of each year.

Note: If the same example permit were a Chapter 102 permit, a fee would be due with the renewal application, but no additional fee would be due in 2026, the year the permit would expire.

Amendments and Transfers:

- If an individual NPDES permit were issued with an effective date of February 1, 2021, and the permit is amended or transferred on June 10, 2021, the Chapter 92a fee invoice and due dates would not change; the next fee invoice would be mailed on November 1, 2021, and due on February 1, 2022. In the case of a transfer, the fee invoice would be sent to the new permittee, provided the transfer application was received prior to the invoice mailing.

General Permit NOI Fees

General NPDES permits may be subject to NOI installment payments. The initial general permit NOI fee for new permit coverage is submitted with the initial NOI. After that, most general NPDES permits are subject to NOI installment fees with due dates based on the type of general permit instead of the effective date, as detailed below. NOI installment fees are invoiced three months before the due date. It is important to note that failure to receive an invoice does not excuse a permittee from paying the NOI installment fee. The first NOI installment fee will be due on the preset due date after 12 months of permit coverage. For example, a PAG-03 permit issued June 1, 2021, would not have an NOI installment fee due on May 1, 2022, because it has not had 12 months of permit coverage. The first NOI installment fee would be due on May 1, 2023, after at least 12 months of permit coverage. The NOI installment fee would then continue to be due every May 1 after for the term of the permit.

General Permit Due Dates by Permit Type

PAG-03: May 1

PAG-10: March 1

PAG-15: March 1

PAG-05: January 28

PAG-12: January 1

PAG-06: March 31

PAG-13: September 30

Financially Distressed Municipalities

To seek exemption as a financially distressed municipality under Act 47 of 1987, you must submit documentation of the determination from the Pennsylvania Department of Community and Economic Development (DCED) of financially distressed status with a copy of your invoice. Documentation will have to be resubmitted with your invoice each year for as long as you qualify as a financially distressed municipality.

Permit Termination

The Chapter 92a or NOI installment fee must be paid unless the permit is terminated by DEP *prior to the due date*. Termination requests must be made in writing to the DEP regional office or conservation district that issued the permit. A permit is not terminated until DEP verifies the termination in writing. This applies to facilities that were never built, were decommissioned, or have ceased discharging. Mail a copy of the termination request along with the invoice to the address listed on the invoice. If DEP terminates your permit, you must apply for a new permit if you wish to resume a discharge to surface waters in the future. All NPDES permittees except for those with Chapter 102 permits should use the *NPDES Notice of Termination (NOT) for Permits Issued Under Chapter 92a* form [3800-PM-BCW0410](#). Permittees with Chapter 102 permits should use the Chapter 102 NOT form [3800-PM-BCW0229](#). These forms can also be located by searching within DEP's [eLibrary](#) by using the asterisk (*) around the document number (e.g., *3800-PM-BCW0229*).

Additional Information

If you receive an invoice from DEP for Chapter 92a fees or NOI installment fees, the fees must be paid by the due date. This includes permits that are renewed prior to the due date listed on the invoice, as permit renewals have no effect on the due date.

Pay Online

To pay online with a credit card, please visit www.depgreenport.state.pa.us/NPDESpay. A receipt will be emailed to the address provided when paying online.

Checks and money orders should be made out to "Commonwealth of Pennsylvania" and include the invoice ID, permit number, and the invoice remittance stub. The mailing address for Chapter 92a fees and NOI installment fees is:

PA Department of Environmental Protection Bureau of Clean Water
Re: Chapter 92a Fee
P.O. Box 8466
Harrisburg, PA 17105-8466

For more information or to receive a W-9 form for DEP

Please contact DEP at ra-annualfee@pa.gov or 717-787-6744.

For more information, visit www.dep.pa.gov.