

## NPDES Annual Fees for Individual and General Permits

### Overview

Chapter 92a of the 25 Pa. Code 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 address DEP's administrative, permitting, and monitoring costs for the NPDES program. 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 a responsibility under the regulations to review the adequacy of the fees every three years.

### Individual Permit Fees

The NPDES individual permit application fee is designed to cover the cost of issuing the permit plus the first year of permit coverage. Chapter 92a annual fees are designed to cover the ongoing maintenance and review of the permit and its associated requirements such as monitoring and support.

Chapter 92a annual fees are billed three months before the anniversary of the effective date of the permit and are due on the anniversary date. The renewal application fee is followed by four Chapter 92a annual fees to cover the 5-year term of permit coverage. If a permit is amended or transferred during the permit term, the anniversary date does not change. No invoice is mailed to the permittee during the year the permit expires (since a renewal fee is due), but invoices resume if the permit is administratively extended by nine or more months. It is important to note that failure to receive an invoice does not excuse a permittee from paying the annual fee.

### Typical Individual Permit Fee Structure

- Start-up – Initial application fee (twice the amount of the annual/renewal fee for most permits)
- 1st anniversary of effective date – Chapter 92a annual fee due
- 2nd anniversary of effective date – Chapter 92a annual fee due
- 3rd anniversary of effective date – Chapter 92a annual fee due
- 4th anniversary of effective date – Chapter 92a annual fee due
- Middle of 5th year of permit coverage – Renewal application due (six months prior to expiration), same amount as annual fee for most permits
- 5th anniversary of effective date – NO CHAPTER 92A ANNUAL FEE DUE

If the permit is administratively extended past the expiration date by nine or more months, DEP will resume mailing Chapter 92a annual fee invoices (due on the 6th anniversary of the effective date of the permit).

### Examples

Typical Individual Permit Cycle:

- A new individual permit (initial application fee) is issued with an effective date of June 1, 2018, and an expiration date of May 31, 2023. The first invoice will be sent March 1, 2019, with a June 1, 2019, due date. The second invoice will be sent March 1, 2020, with a June 1, 2020, due date, and so on. Six months prior to expiration, the renewal application fee is due December 31, 2022. As such, an invoice will not be sent March 1, 2013, nor is the fee due June 1, 2023.
  - If the permit is renewed prior to March 1, 2024, the next invoice will be due on the anniversary of the effective date of the permit renewal which may or may not be the same date as the previous permit.
  - If the permit is not renewed by March 1, 2024, an invoice will be sent March 1, 2024, due June 1, 2024, for the administratively extended permit coverage.

#### Delayed Issuance:

- An individual permit was effective August 1, 2014, and expires on July 31, 2019. The renewal application and application fee are sent to DEP six months prior to the expiration. DEP's issuance of the renewed permit is delayed. The next Chapter 92a annual fee invoice is sent May 1, 2020, and is due August 1, 2020 (the anniversary of the old permit). The renewed permit is issued June 23, 2020, with an effective date of July 1, 2020. The Chapter 92a annual fee invoice is still due on August 1, 2020. The next Chapter 92a annual fee invoice will be based on the effective date of the renewed permit. It will be mailed on April 1, 2021, and will be due on July 1, 2021.

#### Amendments and Transfers:

- An individual permit is issued with an effective date of February 1, 2019. The permit is amended or transferred on June 10, 2020. The Chapter 92a annual fee invoice and due dates *do not change* and the next fee invoice will be mailed on November 1, 2020, and due on February 1, 2021, as usual. In the case of a transfer, the fee invoice will be sent to the new permittee provided the transfer application was received prior to the invoice mailing.

#### General Permit NOI Fees

General permits are subject to NOI annual fees. The initial general permit application fee for new permits is submitted with the initial NOI. After that, most general permits are subject to NOI annual installment fees in lieu of application fees and the permit is automatically renewed every year. Due dates are based on the type of general permit instead of the effective date. For example, PAG-03 (industrial stormwater) permits are due May 1 every year.

#### Permit Termination

The Chapter 92a annual or NOI annual fee must be paid unless the permit is terminated by DEP *prior to the due date*. Termination requests must be made in writing and the permit is not terminated until DEP verifies the termination in writing. This includes facilities that were never built, were decommissioned, or have ceased discharging. Mail the 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.

#### Additional Information

If you receive an invoice from DEP for Chapter 92a or NOI annual fees, the fees must be paid by the due date to cover DEP's costs for the next year. This includes permits that are renewed prior to the due date listed on the invoice.

To pay online with a credit card, please visit [www.depgreenport.state.pa.us/NPDESpay](http://www.depgreenport.state.pa.us/NPDESpay). 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 annual fees is:

PA Department of Environmental Protection Bureau of Clean Water  
Re: Chapter 92a Annual 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](mailto:ra-annualfee@pa.gov) or 717-787-6744.

For more information, visit [www.dep.pa.gov](http://www.dep.pa.gov).