**Section 325.205 Amount of the Fee**

a) Except when no fee is due pursuant to Section 325.215 for construction site stormwater discharges, each permit holder or applicant subject to this Part pursuant to Section 325.105 shall pay an annual fee to the Agency for any discharge that requires an NPDES permit pursuant to Section 12(f) of the Act and for all activities requiring a sludge generator or sludge user permit pursuant to Section 12(b) of the Act.

1) *The initial annual fee for discharges under a new NPDES permit or for activity under a new individual sludge generator or sludge user permit must be remitted to the Agency prior to the issuance of the permit.* [415 ILCS 5/12.5(c)]

2) *The initial annual fee for discharges or other activity under a general NPDES permit must be remitted to the Agency as part of the application for coverage under that general permit.* [415 ILCS 5/12.5(c)]

b) *The annual fees applicable to discharges under NPDES permits are as follows:*

1) *For NPDES permits for publicly owned treatment works, other facilities for which the wastewater being treated and discharged is primarily domestic sewage, and wastewater discharges from the operation of public water supply treatment facilities, the fee is:*

A) *$500 for facilities with a Design Average Flow rate of less than 100,000 gallons per day;*

B) *$2,500 for facilities with a Design Average Flow rate of at least 100,000 gallons per day but less than 500,000 gallons per day;*

C) *$7,500 for facilities with a Design Average Flow rate of at least 500,000 gallons per day but less than 1,000,000 gallons per day;*

D) *$15,000 for facilities with a Design Average Flow rate of at least 1,000,000 gallons per day but less than 5,000,000 gallons per day;*

E) *$30,000 for facilities with a Design Average Flow rate of at least 5,000,000 gallons per day but less than 10,000,000 gallons per day; and*

F) *$50,000 for facilities with a Design Average Flow rate of 10,000,000 gallons per day or more.* [415 ILCS 5/12.5(e)(1)]

2) *For NPDES permits for treatment works or sewer collection systems that include combined sewer overflow outfalls,* in addition to the fees in subsection (b)(1) of this Section, the fee is:

A) *$1,000 for systems serving a tributary population of 10,000 or less;*

B) *$5,000 for systems serving a tributary population that is greater than 10,000 but not more than 25,000; and*

C) *$20,000 for systems serving a tributary population that is greater than 25,000.* [415 ILCS 5/12.5(e)(2)]

3) *For NPDES permits for mines, the fee is $5,000.* [415 ILCS 5/12.5(e)(3) and (4)]

4) *For NPDES permits for industrial activity, other than mines, where toxic substances are not regulated, the fee is:*

A) *$1,000 for a facility with a Design Average Flow rate that is not more than 10,000 gallons per day;*

B) *$2,500 for a facility with a Design Average Flow rate that is more than 10,000 gallons per day but not more than 100,000 gallons per day; and*

C) *$10,000 for a facility with a Design Average Flow rate that is more than 100,000 gallons per day.* [415 ILCS 5/12.5(e)(5)]

5) For NPDES permits for industrial activity, other than mines, where toxic substances are regulated, the fee is:

A) *$15,000 for a facility with a Design Average Flow rate that is not more than 250,000 gallons per day; and*

B) *$20,000 for a facility with a Design Average Flow rate that is more than 250,000 gallons per day.* [415 ILCS 5/12.5(e)(6)]

6) For NPDES permits for industrial activity classified by USEPA as a major discharge, other than mines, the fee is:

A) *$30,000 for a facility where toxic substances are not regulated; and*

B) *$50,000 for a facility where toxic substances are regulated.* [415 ILCS 5/12.5(e)(7)]

7) *For NPDES permits for municipal separate storm sewer systems, the fee is $1,000.* [415 ILCS 5/12.5(e)(8)]

8) *For NPDES permits for industrial storm water, the fee is $500.* [415 ILCS 5/12.5(e)(9)]

9) *For NPDES permits for construction site storm water, the fee:*

A) *for applications received before January 1, 2010 is $500;*

B) *for applications received on or after January 1, 2010 is:*

i) *$250 if less than 5 acres are disturbed; and*

ii) *$750 if 5 or more acres are disturbed.* [415 ILCS 5/12.5(e)(10)]

10) *For NPDES permits for a Concentrated Animal Feeding Operation (CAFO), the fee is:*

A) *$750 for a Large CAFO as defined in 40 CFR 122.23(b)(4)* (2012)*;*

B) *$350 for a Medium CAFO as defined in 40 CFR 122.23(b)(6)* (2012)*; and*

C) *$150 for a Small CAFO as defined in 40 CFR 122.23(b)(9)* (2012)*.* [415 ILCS 5/12.5(e)(11)]

c) *The annual fee for activities under a permit that authorizes applying sludge on land is:*

1) *$2,500 for a sludge generator permit.*

2) *$5,000 for a sludge user permit.* [415 ILCS 5/12.5(f)]

(Source: Amended at 37 Ill. Reg. 7484, effective June 1, 2013)