

**WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION**

Form #6

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FILED

Jul 1 11 04 AM '93

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE

AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: DCL&ER, Division of Environmental Protection TITLE NUMBER: 47

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 26

TITLE OF RULE BEING AMENDED: Water Pollution Control Permit Fee Schedules

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

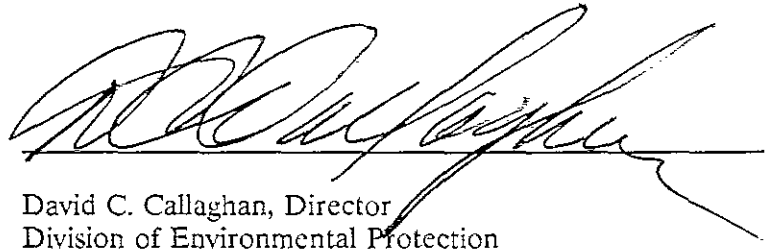
TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB100

SECTION 64-3-8(uu), PASSED ON May 26, 1993

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE: July 1, 1993


David C. Callaghan, Director
Division of Environmental Protection

4.60

486 schedules, 47 CSR 26, effective the twenty-second day
487 of April, one thousand nine hundred ninety-one, with the
488 amendment set forth below:

489 On page eight, subdivision 7.4.1, at the end of the
490 subdivision by striking the period and adding the
491 following:

492 "Provided, That if the chief determines that a facility
493 is in substantial compliance with its existing permit, the
494 fee is one thousand two hundred fifty dollars
495 (\$1,250.00)."

Title
47-26

496 ~~And~~ The Legislature hereby authorizes and directs
497 the division of natural resources to amend its rules
498 relating to water pollution control permit fee schedules
499 which were filed in the code of state regulations (47 CSR
500 26) on the thirteenth day of April, one thousand nine
501 hundred ninety-two, with the following amendments set
502 forth below:

503 On page nine, after section 7.5, by inserting the
504 following:

505 "7.6. Facilities Discharging Stormwater. The annual
506 permit fee for a facility that discharges stormwater only
507 shall be determined through the use of Table F of these
508 regulations.

Adm.

509 7.7. Aquaculture facilities. The annual permit fees
510 for aquaculture facilities that are subject to the
511 provisions of the water pollution control regulations
512 shall be determined by Table G of these regulations."

513 And after Table E, on page ten, by inserting Table
514 F, designated "Schedule of Annual Permit Fees For
515 Facilities Discharging Stormwater," and inserting
516 Table G, designated "Schedule of Annual Permit Fees
517 For Aquaculture Facilities" to read as follows:

518 "TABLE F

519 SCHEDULE OF ANNUAL PERMIT FEES FOR

520 FACILITIES DISCHARGING STORMWATER

521 Average Discharge Volume	
522 (gallons per day)	Annual Permit Fee

523	less than 5,001	\$ 50
524	5,001 to 15,000	\$125
525	15,001 to 50,000	\$250
526	50,001 to 100,000	\$500
527	greater than 100,000	\$750"

528 and

529

"TABLE G

530 SCHEDULE OF ANNUAL PERMIT FEES FOR
 531 AQUACULTURE FACILITIES

532	#Feed/Month	Annual Fee	Application Fee
533			(Initial and
534			Reissuance)
535	5,000 to 9,999	\$ 250	\$ 250
536	10,000 to 14,999	\$ 500	\$ 250
537	15,000 to 19,999	\$ 750	\$ 250
538	20,000 to 24,999	\$1,000	\$ 250
539	25,000 to 29,999	\$1,250	\$ 250
540	greater than 30,000	\$1,750	\$ 250"

541 ~~§(v)~~ The legislative rules filed in the state register on
 542 the seventeenth day of September, one thousand nine
 543 hundred ninety-two, modified by the division of natural
 544 resources to meet the objections of the legislative rule-
 545 making review committee and refiled in the state
 546 register on the sixteenth day of December, one thousand
 547 nine hundred ninety-two, relating to the division of
 548 natural resources (commercial sale of wildlife), are
 549 authorized.

550 ~~§(w)~~ The legislative rules filed in the state register
 551 on the ninth day of September, one thousand nine
 552 hundred ninety-two, modified by the division of natural
 553 resources to meet the objections of the legislative rule-
 554 making review committee and refiled in the state
 555 register on the seventh day of December, one thousand
 556 nine hundred ninety-two, relating to the division of
 557 natural resources (deer hunting), are authorized.

558 ~~§(x)~~ The legislative rules filed in the state register on
 559 the ninth day of September, one thousand nine hundred
 560 ninety-two, modified by the division of natural resources