

CHAPTER 335

HEALTH AND ENVIRONMENT

HOUSE BILL 07-1329

BY REPRESENTATIVE(S) Curry, Fischer, Frangas, Gibbs, Hodge, Peniston, Roberts, and Solano;
also SENATOR(S) Boyd, and Williams.

AN ACT

CONCERNING FEES FOR WATER QUALITY PROGRAMS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 25-8-502 (1) (b) (I), (1) (b.5) (I), (1) (b.6), and (1) (c), Colorado Revised Statutes, are amended, and the said 25-8-502 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

25-8-502. Application - definitions - fees - water quality control fund - public participation - repeal. (1) (b) (I) Effective July 1, ~~2002~~ 2007, in addition to the fees assessed pursuant to paragraphs (b.5), ~~and~~ (b.6), AND (b.7) of this subsection (1), the only fee the division may assess is an annual fee upon a discharger, and such fee shall be in accordance with the following schedule:

Facility Categories and Subcategories for Permit Fees		Annual Fees
(A) Category 01	Sand and gravel and placer mining	
Subcategory 1	Pit dewatering only	\$ 358 500
Subcategory 2	Pit dewatering and/or washwater discharge	\$ 407 570
Subcategory 3	Mercury use with discharge impact	\$ 456 640
Subcategory 4	Storm water discharge only	\$ 540 435
(B) Category 02	Coal mining	
Subcategory 1	Sedimentation ponds, surface runoff only	\$ 701 980

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

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Subcategory 2	Mine water, preparation plant discharge	\$ 945 1,320
(C) Category 03	Hardrock mining	
Subcategory 1	Mine dewatering from 0 up to 49,999 gallons per day	\$ 816 1,140
Subcategory 2	Mine dewatering from 50,000 up to 999,999 gallons per day	\$ 1,533 2,150
Subcategory 3	Mine dewatering from 1,000,000 gallons per day or over	\$ 2,346 3,280
Subcategory 4	Mine dewatering and milling with no discharge	\$ 2,346 3,280
Subcategory 5	Mine dewatering and milling with discharge	\$ 7,056 9,880
Subcategory 6	No discharge	\$ 816 1,140
Subcategory 7	Milling with discharge from 0 up to 49,999 gallons per day	\$ 2,394 3,350
Subcategory 8	Milling with discharge from 50,000 gallons per day or greater	\$ 4,773 6,680
(D) Category 04	Oil shale	
Subcategory 1	Sedimentation ponds, surface runoff only	\$ 1,418 1,990
Subcategory 2	Mine water from 0 up to 49,999 gallons per day	\$ 1,533 2,150
Subcategory 3	Mine water from 50,000 up to 999,999 gallons per day	\$ 1,907 2,670
Subcategory 4	Mine water from 1,000,000 gallons per day or over	\$ 1,859 2,600
Subcategory 5	Mine water and process water discharge	\$ 7,056 9,880
Subcategory 6	No discharge	\$ 1,304 1,830
(E) Category 05	Concentrated animal feeding operations (CAFOs)	
Subcategory 1	General permit: The division shall assess a CAFO an annual permit fee, not to exceed \$250 plus \$0.04 per animal unit, based on the CAFO's peak working capacity	
Subcategory 2	Individual permit: The division shall assess a CAFO an annual permit fee, not to exceed \$500 plus \$0.08 per animal unit, based on the CAFO's peak working capacity	
(F) Category 06	Water treatment plants	
Subcategory 1	Intermittent discharge	\$ 407 570
Subcategory 2	Routine discharge	\$ 587 820
(G) Category 07	General permits	
Subcategory 1A	Sand and gravel with process discharge and storm water	\$ 193 270
Subcategory 1B	Sand and gravel without process	

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	discharge - storm water only	\$ 77 75
Subcategory 2	Construction dewatering	\$ 358 500
Subcategory 3	[Reserved for future use]	
Subcategory 4	Placer mining	\$ 371 520
Subcategory 5	Coal mining	\$ 556 780
Subcategory 6	Water treatment plants - intermittent discharge	\$ 340 475
Subcategory 7	Water treatment plants - routine discharge	\$ 510 715
Subcategory 8	Oil and gas cleanup	\$ 1,313 1,840
Subcategory 9A	Construction - storm water only; 5 acres or more of disturbed area	\$ 270 245
Subcategory 9B	Construction - storm water only; 1 to less than 5 acres of disturbed area long-term	\$ 270 245
Subcategory 9C	Construction - storm water only; 1 to less than 5 acres of disturbed area - short-term one quarter	\$ 68
Subcategory 9D	Construction - storm water only; 1 to less than 5 acres of disturbed area - short-term two quarters	\$ 135
Subcategory 9E	Construction - storm water only; 1 to less than 5 acres of disturbed area - short-term three quarters	\$ 203
Subcategory 9F	Construction - storm water only; 1 to less than 5 acres of disturbed area - short-term four quarters	\$ 270
Subcategory 10	Industrial - single municipal industrial - storm water only	\$ 232 185
Subcategory 11	(Deleted by amendment, L. 2002, p. 1657, § 2, effective June 7, 2002.)	
Subcategory 12	Active mineral mines less than ten acres - storm water only	\$ 155 125
Subcategory 13	Active mineral mines - ten acres or larger - storm water only	\$ 463 375
Subcategory 14	Inactive mineral mines - storm water only	\$ 77 75
Subcategory 15	Department of transportation - sand and gravel storm water permit	\$ 5,406 4,360
Subcategory 16	Department of transportation - storm water construction discharges from projects for which the department of transportation is the permittee - statewide permit	\$ 11,662 9,400
Subcategory 17	Coal degasification - process	

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	water from 0 up to 49,999 gallons per day	\$ 1,533 2,150
Subcategory 18	Coal degasification - process water from 50,000 up to 99,999 gallons per day	\$ 2,346 3,280
Subcategory 19	Coal degasification - process water more than 100,000 gallons per day	\$ 7,056 9,880
Subcategory 20	Storm water municipal greater than 100,000 population	\$ 5,019 4,050
Subcategory 21	Storm water municipal from 50,000 up to 100,000 population	\$ 2,510 2,020
Subcategory 22	Storm water municipal from 10,000 up to 49,999 population	\$ 1,004 810
Subcategory 23	Storm water municipal less than 10,000 population	\$ 438 355
Subcategory 24	Discharges associated with treated water distribution systems less than or equal to 3,300 population	\$ 75 105
Subcategory 25	Discharges associated with treated water distribution systems from 3,301 up to 9,999 population	\$ 150 210
Subcategory 26	Discharges associated with treated water distribution systems greater than or equal to 10,000 population	\$ 225 315
(H) Category 08	Power plants	
Subcategory 1	Cooling water only, no discharge	\$ 816 1,140
Subcategory 2	Process water from 0 up to 49,999 gallons per day	\$ 1,533 2,150
Subcategory 3	Process water from 50,000 up to 999,999 gallons per day	\$ 2,346 3,280
Subcategory 4	Process water from 1,000,000 up to 4,999,999 gallons per day	\$ 7,056 9,880
Subcategory 5	Process water from 5,000,000 gallons per day or over	\$ 7,056 9,880
(I) Category 09	Sugar processing	
Subcategory 1	Cooling water only, no discharge	\$ 863 1,210
Subcategory 2	Process water from 0 up to 49,999 gallons per day	\$ 1,060 1,480
Subcategory 3	Process water from 50,000 up to 999,999 gallons per day	\$ 2,640 3,700
Subcategory 4	Process water from 1,000,000 up to 4,999,999 gallons per day	\$ 7,056 9,880
Subcategory 5	Process water from 5,000,000 gallons per day or over	\$ 7,056 9,880

(J) Category 10 Petroleum refining

Subcategory 1	Cooling water only, no discharge	\$	816 1,140
Subcategory 2	Process water from 0 up to 49,999 gallons per day	\$	1,826 2,560
Subcategory 3	Process water from 50,000 up to 999,999 gallons per day	\$	2,346 3,285
Subcategory 4	Process water from 1,000,000 up to 4,999,999 gallons per day	\$	7,056 9,880
Subcategory 5	Process water from 5,000,000 gallons per day or over	\$	7,056 9,880

(K) Category 11 Fish hatcheries \$ 587 820

No subcategories at this time

(L) Category 12 Manufacturing and other industry

Subcategory 1	Cooling water only	\$	816 1,140
Subcategory 2	Process water from 0 up to 49,999 gallons per day	\$	1,533 2,150
Subcategory 3	Process water from 50,000 up to 999,999 gallons per day	\$	2,346 3,280
Subcategory 4	Process water from 1,000,000 up to 4,999,999 gallons per day	\$	7,056 9,880
Subcategory 5	Process water from 5,000,000 up to 19,999,999 gallons per day	\$	8,671 12,140
Subcategory 6	Process water 20,000,000 gallons per day or over	\$	14,112 19,760
Subcategory 7	No discharge	\$	1,060 1,480

(M) Category 20 Domestic wastewater - lagoons

Subcategory 1	Sewage from 0 up to 49,999 gallons per day	\$	375 525
Subcategory 2	Sewage from 50,000 up to 99,999 gallons per day	\$	603 845
Subcategory 3	Sewage from 100,000 up to 499,999 gallons per day	\$	880 1,230
Subcategory 4	Sewage from 500,000 up to 999,999 gallons per day	\$	1,515 2,120
Subcategory 5	Sewage from 1,000,000 up to 1,999,999 gallons per day	\$	2,264 3,170
Subcategory 6	Sewage 2,000,000 gallons per day or over	\$	4,612 6,460

(N) Category 21 Domestic wastewater - mechanical plants

Subcategory 1	Sewage from 0 up to 19,999 gallons per day	\$	441 615
Subcategory 2	Sewage from 20,000 up to 49,999 gallons per day	\$	701 980
Subcategory 3	Sewage from 50,000 up to 99,999 gallons per day	\$	1,028 1,440
Subcategory 4	Sewage from 100,000 up to 499,999 gallons per day	\$	1,597 2,240

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Subcategory 5	Sewage from 500,000 up to 999,999 gallons per day	\$ 2,657 3,720
Subcategory 6	Sewage from 1,000,000 up to 2,499,999 gallons per day	\$ 4,351 6,090
Subcategory 7	Sewage from 2,500,000 up to 9,999,999 gallons per day	\$ 8,148 11,410
Subcategory 8	Sewage from 10,000,000 up to 49,999,999 gallons per day	\$ 14,130 19,780
Subcategory 9	Sewage from 50,000,000 up to 99,999,999 gallons per day	\$ 16,297 22,820
Subcategory 10	Sewage from 100,000,000 gallons per day or over	\$ 17,926 25,100

(O) Category 22 Domestic facilities discharging to unclassified waters - general permit

Subcategory 1	Sewage from 0 up to 49,999 gallons per day	\$ 324 455
Subcategory 2	Sewage from 50,000 up to 199,999 gallons per day	\$ 571 800
Subcategory 3	Sewage from 200,000 up to 599,999 gallons per day	\$ 834 1,170
Subcategory 4	Sewage from 600,000 up to 999,999 gallons per day	\$ 1,329 1,860

(P) Category 23 Municipal storm water permits

Subcategory 1	Municipalities of 250,000 and over in population	\$ 13,130 10,580
Subcategory 2	Municipalities of 100,000 or more, but less than 250,000 in population	\$ 7,723 6,225
Subcategory 3	Municipalities of 50,000 or more, but less than 100,000 in population	\$ 3,862 3,110
Subcategory 4	Municipalities of 10,000 or more, but less than 50,000 in population	\$ 1,545 1,245
Subcategory 5	Statewide permit for department of transportation-owned or -operated municipal separate storm water systems in municipal areas where storm water permits are required	\$ 5,406 4,360

(Q) Category 24 Individual industrial storm water permits If a storm water permit is integrated into an existing permit for a facility that has other point source discharges, or for facilities that have individual permits with only storm water discharges, the following additional charges shall apply:

Subcategory 1	Individual industrial - less than ten acres	\$ 364 295
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Subcategory 2	Individual industrial - ten acres or more	\$ 463,375
Subcategory 3	Individual industrial - storm water only - international airports	\$ 7,723,620

(R) Category 24.5 Housed commercial swine feeding operations THE DIVISION SHALL ASSESS ON EACH HOUSED COMMERCIAL SWINE FEEDING OPERATION AN ANNUAL PERMIT FEE, NOT TO EXCEED TWENTY CENTS PER ANIMAL, BASED ON THE OPERATION'S WORKING CAPACITY, TO OFFSET THE DIRECT AND INDIRECT COSTS OF THE PROGRAM CREATED IN SECTION 25-8-501.1. AS USED IN THIS SUB-SUBPARAGRAPH (R), "WORKING CAPACITY" MEANS THE NUMBER OF SWINE THE HOUSED COMMERCIAL SWINE FEEDING OPERATION IS CAPABLE OF HOUSING AT ANY ONE TIME.

~~(R)~~ **(S) Category 25 Permit amendments** Should a permittee holding a permit issued under any of categories 1 to 24 or 26 to ~~43~~ 46 request an amendment to said permit, the following fees shall apply:

Subcategory 1	Minor amendment - an amount equal to twenty-five percent of the annual fee for the permit being amended, not to exceed	\$ 2,008,810
Subcategory 2	Major amendment - an amount equal to fifty-five percent of the annual fee for the permit being amended, not to exceed	\$ 4,249,950

~~(S)~~ **(T) Category 26 Minimal discharge of industrial or commercial wastewaters - general permit**

Subcategory 1	Discharge of ninety days' duration or less	\$ 155
Subcategory 2	Discharge of greater than ninety days' duration	\$ 448,630

~~(T)~~ **Category 27 Construction dewatering**

Subcategory 1	Long-term permit	\$ 358
Subcategory 2	Short-term one quarter	\$ 89
Subcategory 3	Short-term two quarters	\$ 178
Subcategory 4	Short-term three quarters	\$ 267
Subcategory 5	Short-term four quarters	\$ 358

Note: Gallons per day is based on design capacity of the facility, not flow. This applies to all categories.

(b.5) (I) Effective July 1, ~~2002~~ 2007, in accordance with the provisions of section 25-8-508, the division may assess an annual fee upon each industrial discharger as defined in section 25-8-103 (8.5); and upon each publicly owned treatment works, and all such fees shall be in accordance with the following schedule:

**Facility Categories and Subcategories
for Permit Fees**

Annual Fees

(A) Category 30	Industrial dischargers subject to categorical effluent standards discharging to publicly owned treatment works with pretreatment programs (not including categorical industries subject to zero discharge standards)		
Subcategory 1	Less than 10,000 100 TO 9,999 gallons per day	\$	699
Subcategory 2	10,000 to 50,000 gallons per day	\$	1,047
Subcategory 3	Greater than 50,000 gallons per day	\$	1,397
Subcategory 4	Very low flow - LESS THAN 100 GALLONS PER DAY	\$	292
(B) Category 31	All other significant industrial dischargers discharging to publicly owned treatment works with pretreatment (including categorical industries subject to zero discharge standards)		
Subcategory 1	Less than 10,000 gallons per day	\$	175
Subcategory 2	10,000 to 50,000 gallons per day	\$	349
Subcategory 3	Greater than 50,000 gallons per day	\$	465
Subcategory 4	Pit dewatering only	\$	270
(C) Category 32	Industrial dischargers subject to categorical effluent standards discharging to publicly owned treatment works without pretreatment programs (not including categorical industries subject to zero discharge standards)		
Subcategory 1	Less than 10,000 gallons per day	\$	815
Subcategory 2	10,000 to 50,000 gallons per day	\$	1,280
Subcategory 3	Greater than 50,000 gallons per day	\$	1,746
(D) Category 33	All other significant industrial dischargers discharging to publicly owned treatment works without pretreatment programs (including categorical industries subject to zero discharge standards)		
Subcategory 1	Less than 10,000 gallons per day	\$	349
Subcategory 2	10,000 to 50,000 gallons per day	\$	524
Subcategory 3	Greater than 50,000 gallons per day	\$	699
(E) Category 34	Domestic wastewater - lagoons		
Subcategory 1	Sewage from 0 up to 49,999 gallons per day	\$	35 75
Subcategory 2	Sewage from 50,000 up to 99,999 gallons per day	\$	46 75
Subcategory 3	Sewage from 100,000 up to 499,999 gallons per day	\$	58 75
Subcategory 4	Sewage from 500,000 up to 999,999 gallons per day	\$	69 75

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Subcategory 5	Sewage from 1,000,000 up to 2,499,999 gallons per day	\$	81
Subcategory 6	Sewage from 2,500,000 gallons per day	\$	94
(F) Category 35	Domestic wastewater - mechanical plants		
Subcategory 1	Sewage from 0 up to 19,999 gallons per day	\$	23 75
Subcategory 2	Sewage from 20,000 up to 49,999 gallons per day	\$	35 75
Subcategory 3	Sewage from 50,000 up to 99,999 gallons per day	\$	46 75
Subcategory 4	Sewage from 100,000 up to 499,999 gallons per day	\$	58 75
Subcategory 5	Sewage from 500,000 up to 999,999 gallons per day	\$	69 75
Subcategory 6	Sewage from 1,000,000 up to 2,499,999 gallons per day	\$	81
Subcategory 7	Sewage from 2,500,000 up to 9,999,999 gallons per day	\$	94
Subcategory 8	Sewage from 10,000,000 up to 49,999,999 gallons per day	\$	105
Subcategory 9	Sewage from 50,000,000 up to 99,999,999 gallons per day	\$	117
Subcategory 10	Sewage from 100,000,000 gallons per day or over	\$	128

Note: Gallons per day is based on design capacity of the facility, not flow. This applies to all categories.

(b.6) In accordance with section 25-8-702, the division may assess a fee for the determination of preliminary effluent limitations upon a domestic wastewater treatment works, as defined at IN section 25-8-103, (~~5~~), pursuant to the site location approval process, and all such fees shall be PAID IN ADVANCE OF ANY WORK DONE in accordance with the following schedule ESTABLISHED IN THIS PARAGRAPH (b.6). FURTHERMORE, AT THE REQUEST OF AN ENTITY THAT IS NOT A DOMESTIC WASTEWATER TREATMENT WORKS, AND UPON PAYMENT OF THE APPROPRIATE FEE IN ACCORDANCE WITH THE SCHEDULE ESTABLISHED IN THIS PARAGRAPH (b.6), THE DIVISION MAY DETERMINE PRELIMINARY EFFLUENT LIMITS FOR A PROPOSED DISCHARGE AS DESCRIBED BY THE REQUESTOR. Fees set forth in ~~this~~ THE schedule ESTABLISHED IN THIS PARAGRAPH (b.6) shall be increased by an amount equal to seventy-five percent of the applicable fees for each set of preliminary effluent limitations requested by domestic wastewater treatment works for discharges to a second or additional receiving water bodies. THE DIVISION MAY, WHERE AN ENTITY REQUESTS MODIFICATION OF EXISTING DIVISION-APPROVED PRELIMINARY EFFLUENT LIMITATIONS, COMPLETE SUCH MODIFICATION FOR A FEE EQUAL TO TWENTY-FIVE PERCENT OF THE APPLICABLE FEE AS SET FORTH IN THE FOLLOWING SCHEDULE:

**Facility Categories and Subcategories
for Permit PRELIMINARY EFFLUENT
LIMIT Fees** **Annual Fees**

(I) Category 40 Preliminary effluent limitations for individual permits

Subcategory 1	Less than 100,000 gallons per day	\$	1,500 2,100
Subcategory 2	From 100,000 up to 999,999 gallons per day	\$	3,000 4,200
Subcategory 3	From 1,000,000 up to 9,999,999 gallons per day	\$	4,500 6,300
Subcategory 4	10,000,000 or more gallons per day OR MORE	\$	6,000 8,400

(II) Category 41 Preliminary effluent limitations for general permits

	From 0 up to 1,000,000 gallons per day	\$	750 1,050
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Note: This group includes preliminary effluent limitations for minor domestic facilities that discharge to: Unclassified waters; class 2 (aquatic life) streams with a zero low flow; or class 2 (aquatic life) streams with a low flow greater than zero.

(III) Category 42 Preliminary effluent limitations for discharges to groundwater

Subcategory 1	Minor facilities (less than 1,000,000 gallons per day)	\$	375 525
Subcategory 2	Major facilities (at least 1,000,000 gallons per day)	\$	600 840

(IV) Category 43 Review of preliminary effluent limitations for individual permits (professionally prepared by others)

Subcategory 1	Minor facilities (less than 1,000,000 gallons per day)	\$	1,125 1,575
Subcategory 2	Major facilities (at least 1,000,000 gallons per day)	\$	2,250 3,150

(b.7) EFFECTIVE JULY 1, 2007, IN ACCORDANCE WITH SECTION 25-8-702, THE DIVISION MAY ASSESS A FEE UPON A DOMESTIC WASTEWATER TREATMENT WORKS, AND ALL SUCH FEES SHALL BE PAID IN ADVANCE OF ANY WORK DONE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

(I) CATEGORY 44 WASTEWATER SITE APPLICATIONS

SUBCATEGORY 1	WASTEWATER TREATMENT PLANTS (LESS THAN 100,000 GALLONS PER DAY)	NEW	\$	7,738
		EXPANSION	\$	6,191
SUBCATEGORY 2	WASTEWATER TREATMENT PLANTS (100,000 GALLONS TO 999,999 GALLONS PER DAY)	NEW	\$	15,477
		EXPANSION	\$	12,381

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SUBCATEGORY 3	WASTEWATER TREATMENT PLANTS (1,000,000 GALLONS TO 9,999,999 GALLONS PER DAY)		
		NEW	\$ 23,215
		EXPANSION	\$ 18,572
SUBCATEGORY 4	WASTEWATER TREATMENT PLANTS (10,000,000 GALLONS PER DAY OR MORE)		
		NEW	\$ 30,953
		EXPANSION	\$ 24,763
SUBCATEGORY 5	LIFT STATIONS (LESS THAN 100,000 GALLONS PER DAY)		
		NEW	\$ 1,935
		EXPANSION	\$ 1,548
SUBCATEGORY 6	LIFT STATIONS (100,000 GALLONS TO 999,999 GALLONS PER DAY)		
		NEW	\$ 3,869
		EXPANSION	\$ 3,095
SUBCATEGORY 7	LIFT STATIONS (1,000,000 GALLONS TO 9,999,999 GALLONS PER DAY)		
		NEW	\$ 5,804
		EXPANSION	\$ 4,643
SUBCATEGORY 8	LIFT STATIONS (10,000,000 GALLONS PER DAY OR MORE)		
		NEW	\$ 7,738
		EXPANSION	\$ 6,191
SUBCATEGORY 9	AMENDMENTS TO SITE APPLICATIONS CONCERNING A CHANGE FROM GAS CHLORINATION TO LIQUID CHLORINATION OR FROM ANY FORM OF CHLORINATION TO ULTRAVIOLET LIGHT DISINFECTION (LESS THAN 100,000 GALLONS PER DAY)		
			\$ 451
SUBCATEGORY 10	AMENDMENTS TO SITE APPLICATIONS CONCERNING A CHANGE FROM GAS CHLORINATION TO LIQUID CHLORINATION OR FROM ANY FORM OF CHLORINATION TO ULTRAVIOLET LIGHT DISINFECTION (100,000 GALLONS TO 999,999 GALLONS PER DAY)		
			\$ 903
SUBCATEGORY 11	AMENDMENTS TO SITE APPLICATIONS CONCERNING A CHANGE FROM GAS CHLORINATION TO LIQUID CHLORINATION OR FROM ANY FORM OF CHLORINATION TO ULTRAVIOLET LIGHT DISINFECTION (1,000,000 GALLONS TO 9,999,999 GALLONS PER DAY)		
			\$ 1,354
SUBCATEGORY 12	AMENDMENTS TO SITE APPLICATIONS CONCERNING A CHANGE		

FROM GAS CHLORINATION TO LIQUID
CHLORINATION OR FROM ANY FORM
OF CHLORINATION TO ULTRAVIOLET LIGHT
DISINFECTION (10,000,000 GALLONS
PER DAY OR MORE)

SUBCATEGORY 13	OTHER AMENDMENTS TO SITE APPLICATIONS (LESS THAN 100,000 GALLONS PER DAY)	\$	1,806
SUBCATEGORY 14	OTHER AMENDMENTS TO SITE APPLICATIONS (100,000 GALLONS TO 999,999 GALLONS PER DAY)	\$	645
SUBCATEGORY 15	OTHER AMENDMENTS TO SITE APPLICATIONS (1,000,000 GALLONS TO 9,999,999 GALLONS PER DAY)	\$	1,290
SUBCATEGORY 16	OTHER AMENDMENTS TO SITE APPLICATIONS (10,000,000 GALLONS PER DAY OR MORE)	\$	1,935
SUBCATEGORY 17	INDIVIDUAL SEWAGE DISPOSAL SYSTEMS	\$	2,579
SUBCATEGORY 18	EXTENSION	\$	4,500
SUBCATEGORY 19	INTERCEPTORS SITE APPLICATIONS	\$	650
SUBCATEGORY 20	INTERCEPTOR CERTIFICATIONS	\$	1,300
SUBCATEGORY 21	OUTFALL SEWERS	\$	300
		\$	1,300

(II) CATEGORY 45 WASTEWATER DESIGN REVIEW

SUBCATEGORY 1	WASTEWATER TREATMENT PLANTS (LESS THAN 100,000 GALLONS PER DAY)		
		NEW	\$ 4,900
		EXPANSION	\$ 3,900
SUBCATEGORY 2	WASTEWATER TREATMENT PLANTS (100,000 GALLONS TO 999,999 GALLONS PER DAY)		
		NEW	\$ 9,900
		EXPANSION	\$ 7,900
SUBCATEGORY 3	WASTEWATER TREATMENT PLANTS (1,000,000 GALLONS TO 9,999,999 GALLONS PER DAY)		
		NEW	\$ 14,800
		EXPANSION	\$ 11,800
SUBCATEGORY 4	WASTEWATER TREATMENT PLANTS (10,000,000 GALLONS PER DAY OR MORE)		
		NEW	\$ 19,700
		EXPANSION	\$ 15,800
SUBCATEGORY 5	LIFT STATIONS (LESS THAN 100,000 GALLONS PER DAY)		
		NEW	\$ 1,200

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		EXPANSION	\$ 1,000
SUBCATEGORY 6	LIFT STATIONS (100,000 GALLONS TO 999,999 GALLONS PER DAY)		
		NEW	\$ 2,500
		EXPANSION	\$ 2,000
SUBCATEGORY 7	LIFT STATIONS (1,000,000 GALLONS TO 9,999,999 GALLONS PER DAY)		
		NEW	\$ 3,700
		EXPANSION	\$ 3,000
SUBCATEGORY 8	LIFT STATIONS (10,000,000 GALLONS PER DAY OR MORE)		
		NEW	\$ 4,900
		EXPANSION	\$ 3,900
SUBCATEGORY 9	AMENDMENTS TO SITE APPLICATIONS CONCERNING A CHANGE FROM GAS CHLORINATION TO LIQUID CHLORINATION OR FROM ANY FORM OF CHLORINATION TO ULTRAVIOLET LIGHT DISINFECTION (LESS THAN 100,000 GALLONS PER DAY)		
			\$ 500
SUBCATEGORY 10	AMENDMENTS TO SITE APPLICATIONS CONCERNING A CHANGE FROM GAS CHLORINATION TO LIQUID CHLORINATION OR FROM ANY FORM OF CHLORINATION TO ULTRAVIOLET LIGHT DISINFECTION (100,000 GALLONS TO 999,999 GALLONS PER DAY)		
			\$ 1,000
SUBCATEGORY 11	AMENDMENTS TO SITE APPLICATIONS CONCERNING A CHANGE FROM GAS CHLORINATION TO LIQUID CHLORINATION OR FROM ANY FORM OF CHLORINATION TO ULTRAVIOLET LIGHT DISINFECTION (1,000,000 GALLONS TO 9,999,999 GALLONS PER DAY)		
			\$ 1,500
SUBCATEGORY 12	AMENDMENTS TO SITE APPLICATIONS CONCERNING A CHANGE FROM GAS CHLORINATION TO LIQUID CHLORINATION OR FROM ANY FORM OF CHLORINATION TO ULTRAVIOLET LIGHT DISINFECTION (10,000,000 GALLONS PER DAY OR MORE)		
			\$ 2,000
SUBCATEGORY 13	OTHER AMENDMENTS TO SITE APPLICATIONS (LESS THAN 100,000 GALLONS PER DAY)		
			\$ 700
SUBCATEGORY 14	OTHER AMENDMENTS TO SITE APPLICATIONS (100,000 GALLONS TO 999,999 GALLONS PER DAY)		
			\$ 1,400

SUBCATEGORY 15	OTHER AMENDMENTS TO SITE APPLICATIONS (1,000,000 GALLONS TO 9,999,999 GALLONS PER DAY)	\$	2,100
SUBCATEGORY 16	OTHER AMENDMENTS TO SITE APPLICATIONS (10,000,000 GALLONS PER DAY OR MORE)	\$	2,800
SUBCATEGORY 17	INDIVIDUAL SEWAGE DISPOSAL SYSTEMS	\$	3,000
SUBCATEGORY 18	INTERCEPTORS	\$	1,400
SUBCATEGORY 19	OUTFALL SEWERS	\$	1,400

(III) CATEGORY 46 WASTEWATER REUSE AUTHORIZATIONS

SUBCATEGORY 1	FACILITY CAPACITY (LESS THAN 100,000 GALLONS PER DAY)	\$	450
SUBCATEGORY 2	FACILITY CAPACITY (100,000 GALLONS TO 499,999 GALLONS PER DAY)	\$	840
SUBCATEGORY 3	FACILITY CAPACITY (500,000 GALLONS TO 999,999 GALLONS PER DAY)	\$	1,400
SUBCATEGORY 4	FACILITY CAPACITY (1,000,000 TO 2,499,999 GALLONS PER DAY)	\$	2,300
SUBCATEGORY 5	FACILITY CAPACITY (2,500,000 TO 9,999,999 GALLONS PER DAY)	\$	4,300
SUBCATEGORY 6	FACILITY CAPACITY (10,000,000 GALLONS PER DAY OR MORE)	\$	6,300

(c) All fees collected pursuant to paragraphs (b), ~~and~~ (b.6), AND (b.7) of this subsection (1) shall be transmitted to the state treasurer, who shall credit the same to the water quality control fund, which fund is hereby created. The moneys in such fund that are collected pursuant to paragraph (b) of this subsection (1) shall be appropriated annually to the department of public health and environment by the general assembly, which shall review expenditures of such moneys to assure that they are used only to fund the expenses of the discharge permit system AND OTHER ACTIVITIES INCLUDED IN PARAGRAPHS (b), (b.6), AND (b.7) OF THIS SUBSECTION (1). All interest earned on the investment or deposit of moneys in the fund and all unencumbered or unappropriated balances in the fund shall remain in the fund, shall be appropriated only for the expenses of the discharge permit system, and shall not be transferred or revert to the general fund or any other fund at the end of any fiscal year or any other time. It is the intent of the general assembly that a portion of the expenses of the discharge permit system be funded from the general fund, reflecting the benefit derived by the general public; except that the general assembly may determine, in any given fiscal year, that general fund revenues are inadequate to meet general fund demands and that, as a consequence, it shall be necessary to forego, subject to future reconsideration, all or some portion of such general fund contribution to the discharge permit program pursuant to this part 5.

SECTION 2. Repeal. 25-8-501.1 (7), Colorado Revised Statutes, is repealed as follows:

25-8-501.1. Permit required for point source water pollution control - definitions - housed commercial swine feeding operations - legislative

declaration. (7) ~~The division shall assess a housed commercial swine feeding operation an annual permit fee, not to exceed 20 cents per animal, based on the operations working capacity to offset direct and indirect costs of the program. As used in this paragraph (a), "working capacity" means the number of swine that the housed commercial swine feeding operation is capable of housing at one time.~~

SECTION 3. 25-1.5-209, Colorado Revised Statutes, is RECREATED AND REENACTED, WITH AMENDMENTS, to read:

25-1.5-209. Drinking water fee - drinking water cash fund. (1) EFFECTIVE JULY 1, 2007, THE DIVISION MAY ASSESS AN ANNUAL FEE UPON PUBLIC WATER SYSTEMS, AND ALL SUCH FEES SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

**FACILITY CATEGORIES AND SUBCATEGORIES
FOR DRINKING WATER FEES**

		ANNUAL FEES
(a) CATEGORY 01 COMMUNITY SURFACE WATER SYSTEMS		
SUBCATEGORY 1	POPULATION FROM 25 - 250	\$ 75
SUBCATEGORY 2	POPULATION FROM 251 - 500	\$ 100
SUBCATEGORY 3	POPULATION FROM 501 - 1,000	\$ 310
SUBCATEGORY 4	POPULATION FROM 1,001 - 3,300	\$ 465
SUBCATEGORY 5	POPULATION FROM 3,301 - 10,000	\$ 865
SUBCATEGORY 6	POPULATION FROM 10,001 - 30,000	\$ 1,850
SUBCATEGORY 7	POPULATION FROM 30,001 - 100,000	\$ 4,940
SUBCATEGORY 8	POPULATION FROM 100,001 - 200,000	\$ 9,270
SUBCATEGORY 9	POPULATION FROM 200,001 - 500,000	\$ 15,450
SUBCATEGORY 10	POPULATION GREATER THAN 500,000	\$ 21,630
(b) CATEGORY 02 COMMUNITY GROUND WATER SYSTEMS		
SUBCATEGORY 1	POPULATION FROM 25 - 250	\$ 75
SUBCATEGORY 2	POPULATION FROM 251 - 500	\$ 100
SUBCATEGORY 3	POPULATION FROM 501 - 1,000	\$ 220
SUBCATEGORY 4	POPULATION FROM 1,001 - 3,300	\$ 310
SUBCATEGORY 5	POPULATION FROM 3,301 - 10,000	\$ 680
SUBCATEGORY 6	POPULATION FROM 10,001 - 30,000	\$ 1,545
SUBCATEGORY 7	POPULATION GREATER THAN 30,001	\$ 4,450
(c) CATEGORY 03 COMMUNITY-PURCHASED SURFACE WATER OR GROUND WATER SYSTEMS		
SUBCATEGORY 1	POPULATION FROM 25 - 250	\$ 75
SUBCATEGORY 2	POPULATION FROM 251 - 500	\$ 100
SUBCATEGORY 3	POPULATION FROM 501 - 1,000	\$ 155
SUBCATEGORY 4	POPULATION FROM 1,001 - 3,300	\$ 250
SUBCATEGORY 5	POPULATION FROM 3,301 - 10,000	\$ 490
SUBCATEGORY 6	POPULATION FROM 10,001 - 30,000	\$ 865
SUBCATEGORY 7	POPULATION GREATER THAN 30,001	\$ 2,470
(d) CATEGORY 04 NONTRANSIENT, NONCOMMUNITY SURFACE WATER SYSTEMS		
SUBCATEGORY 1	POPULATION FROM 25 - 250	\$ 75

SUBCATEGORY 2	POPULATION FROM 251 - 500	\$	100
SUBCATEGORY 3	POPULATION FROM 501 - 1,000	\$	280
SUBCATEGORY 4	POPULATION FROM 1,001 - 3,300	\$	400
SUBCATEGORY 5	POPULATION FROM 3,301 - 10,000	\$	620
SUBCATEGORY 6	POPULATION FROM 10,001 - 30,000	\$	1,670
SUBCATEGORY 7	POPULATION GREATER THAN 30,001	\$	4,450

**(e) CATEGORY 05 NONTRANSIENT, NONCOMMUNITY
GROUND WATER SYSTEMS**

SUBCATEGORY 1	POPULATION FROM 25 - 250	\$	75
SUBCATEGORY 2	POPULATION FROM 251 - 500	\$	100
SUBCATEGORY 3	POPULATION FROM 501 - 1,000	\$	155
SUBCATEGORY 4	POPULATION FROM 1,001 - 3,300	\$	245
SUBCATEGORY 5	POPULATION FROM 3,301 - 10,000	\$	495
SUBCATEGORY 6	POPULATION FROM 10,001 - 30,000	\$	1,360
SUBCATEGORY 7	POPULATION GREATER THAN 30,001	\$	3,650

**(f) CATEGORY 06 NONTRANSIENT, NONCOMMUNITY
PURCHASED SURFACE WATER OR
GROUND WATER SYSTEMS**

SUBCATEGORY 1	POPULATION FROM 25 - 250	\$	75
SUBCATEGORY 2	POPULATION FROM 251 - 500	\$	100
SUBCATEGORY 3	POPULATION FROM 501 - 1,000	\$	125
SUBCATEGORY 4	POPULATION FROM 1,001 - 3,300	\$	185
SUBCATEGORY 5	POPULATION FROM 3,301 - 10,000	\$	325
SUBCATEGORY 6	POPULATION FROM 10,001 - 30,000	\$	805
SUBCATEGORY 7	POPULATION GREATER THAN 30,001	\$	1,980

**(g) CATEGORY 07 TRANSIENT, NONCOMMUNITY SURFACE
WATER SYSTEMS**

SUBCATEGORY 1	POPULATION FROM 25 - 250	\$	75
SUBCATEGORY 2	POPULATION FROM 251 - 500	\$	100
SUBCATEGORY 3	POPULATION FROM 501 - 1,000	\$	245
SUBCATEGORY 4	POPULATION FROM 1,001 - 3,300	\$	310
SUBCATEGORY 5	POPULATION FROM 3,301 - 10,000	\$	555
SUBCATEGORY 6	POPULATION FROM 10,001 - 30,000	\$	620
SUBCATEGORY 7	POPULATION GREATER THAN 30,001	\$	3,960

**(h) CATEGORY 08 TRANSIENT, NONCOMMUNITY GROUND
WATER SYSTEMS**

SUBCATEGORY 1	POPULATION FROM 25 - 250	\$	75
SUBCATEGORY 2	POPULATION FROM 251 - 500	\$	100
SUBCATEGORY 3	POPULATION FROM 501 - 1,000	\$	125
SUBCATEGORY 4	POPULATION FROM 1,001 - 3,300	\$	185
SUBCATEGORY 5	POPULATION FROM 3,301 - 10,000	\$	495
SUBCATEGORY 6	POPULATION FROM 10,001 - 30,000	\$	535
SUBCATEGORY 7	POPULATION GREATER THAN 30,001	\$	2,970

**(i) CATEGORY 09 TRANSIENT, NONCOMMUNITY
PURCHASED SURFACE WATER OR
GROUND WATER SYSTEMS**

SUBCATEGORY 1	POPULATION FROM 25 - 250	\$	75
SUBCATEGORY 2	POPULATION FROM 251 - 500	\$	100
SUBCATEGORY 3	POPULATION FROM 501 - 1,000	\$	110
SUBCATEGORY 4	POPULATION FROM 1,001 - 3,300	\$	125
SUBCATEGORY 5	POPULATION FROM 3,301 - 10,000	\$	310
SUBCATEGORY 6	POPULATION FROM 10,001 - 30,000	\$	435
SUBCATEGORY 7	POPULATION GREATER THAN 30,001	\$	1490

(2) ALL FEES COLLECTED PURSUANT TO THIS SECTION SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THEM TO THE DRINKING WATER CASH FUND, WHICH FUND IS HEREBY CREATED IN THE STATE TREASURY. MONEYS SO COLLECTED SHALL BE ANNUALLY APPROPRIATED BY THE GENERAL ASSEMBLY TO THE DEPARTMENT FOR ALLOCATION TO THE DIVISION OF ADMINISTRATION TO OPERATE THE DRINKING WATER PROGRAM ESTABLISHED IN THIS PART 2. THE GENERAL ASSEMBLY SHALL REVIEW EXPENDITURES OF SUCH MONEYS TO ASSURE THAT THEY ARE USED ONLY FOR SUCH PURPOSES. ALL INTEREST EARNED ON THE INVESTMENT OR DEPOSIT OF MONEYS IN THE CASH FUND AND ALL UNAPPROPRIATED OR UNENCUMBERED MONEYS IN THE CASH FUND SHALL REMAIN IN THE CASH FUND AND SHALL NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND AT THE END OF ANY FISCAL YEAR OR ANY OTHER TIME. ANY FUNDS REMAINING FROM FEES COLLECTED PRIOR TO THE REPEAL OF FORMER SECTION 25-1.5-209, AS IT EXISTED PRIOR TO JULY 1, 2005, SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE CASH FUND.

SECTION 4. 25-10-107, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

25-10-107. Fees. (3) EFFECTIVE JULY 1, 2007, IN ADDITION TO THE FEES ESTABLISHED IN THIS SECTION, THE DIVISION MAY ASSESS A FEE OF TWENTY-THREE DOLLARS FOR EACH NEWLY AUTHORIZED INDIVIDUAL SEWAGE DISPOSAL SYSTEM, THREE DOLLARS OF WHICH SHALL BE RETAINED BY THE COUNTY IN WHICH THE INDIVIDUAL SEWAGE DISPOSAL SYSTEM IS TO BE CONSTRUCTED TO COVER THE COUNTY'S ADMINISTRATIVE COSTS AND TWENTY DOLLARS OF WHICH SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL DEPOSIT SUCH SUM IN THE WATER QUALITY CONTROL FUND CREATED IN SECTION 25-8-502 (1) (c).

SECTION 5. Appropriation - adjustments to the 2007 long bill. (1) In addition to any other appropriation, there is hereby appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2007, the sum of five hundred six thousand two hundred ninety-one dollars (\$506,291) and 4.0 FTE, or so much thereof as may be necessary, for the implementation of this act. Of said sum, three hundred fifty-two thousand nine hundred seventy dollars (\$352,970) and 3.5 FTE shall be from the Drinking Water Cash Fund created in section 25-8-502 (1) (c), Colorado Revised Statutes, and one hundred fifty-three thousand three hundred twenty-one dollars (\$153,321) and 0.5 FTE shall be from the Water Quality Control Fund created in section 25-1-209 (2), Colorado Revised Statutes.

(2) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2007, to the department of public health and environment, division of water quality control, is decreased by

eighteen thousand two hundred sixty dollars (\$18,260) from the general fund.

SECTION 6. Effective date. This act shall take effect July 1, 2007.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 30, 2007