



HB 2061: CAFO fee increase

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Description

- Raises statutory caps for application fees and annual permit fees for Confined Animal Feeding Operations (CAFO).
- Allows ODA to adopt rules that create definitions for different sizes of CAFOs and establish fee schedules based on these definitions.

Background

In Oregon, facilities that meet the state or federal CAFO definition must obtain and maintain a CAFO permit with ODA. Facilities may be registered to the program's general National Pollutant Discharge Elimination System (NPDES) permit or Water Pollution Control Facility (WPCF) permit, or in certain circumstances, obtain an individual NPDES or WPCF permit. All applicants for a new CAFO permit must pay an application fee, and all existing facilities must pay an annual permit renewal fee.

The current fee structure for facilities registered to the program's general permits was established in statute and rule in 2011. Today, the fees received under the program's current structure do not fully support one inspector position. The biennial cost of an average NRS3 inspector position is approximately \$273,500 (including personal services and S & S) while the program's biennial fee revenue is approximately \$220,500.

This concept proposes to raise the statutory caps for application and permit fees, both for facilities registered to the program's general permits and for facilities that obtain an individual permit issued by ODA and DEQ. The proposed caps will cover the cost of one NRS3 inspector position for the 2019 to 2021 biennium. ODA will continue discussions about ongoing program funding during the interim.