

Ontario Water Resources Act
Loi sur les ressources en eau de l'Ontario

ONTARIO REGULATION 364/98

No Amendments

FEES - APPROVALS

Notice of Currency:* This document is up to date.

*This notice is usually current to within two business days of accessing this document. For more current amendment information, see the Table of Regulations (Legislative History).

This Regulation is made in English only.

Definition

1. In this Regulation,

"administrative application" means an application that, in the opinion of the Director, does not require a technical review. O. Reg. 364/98, s. 1.

Applications under Section 52 of the Act

2. (1) An applicant for an approval under section 52 of the Act shall pay a fee at the time of submitting the application. O. Reg. 364/98, s. 2 (1).

(2) The amount of the fee payable under subsection (1) is the sum of the following amounts:

1. \$200, for administrative processing.

2. For each type of subject-matter referred to in Column 1 of Schedule 1 to which the application relates, the corresponding amount set out in Column 2 of that Schedule.

3. \$3,000, if, in the opinion of the Director, a review of a hydrogeological assessment is required in connection with the application. O. Reg. 364/98, s. 2 (2).

3. (1) An applicant for an amendment to an approval under section 52 of the Act shall pay a fee at the time of submitting the application. O. Reg. 364/98, s. 3 (1).

(2) If the application is an administrative application, the amount of the fee payable under subsection (1) is \$100. O. Reg. 364/98, s. 3 (2).

(3) If the application is not an administrative application, the amount of the fee payable under subsection (1) is the sum of the following amounts:

1. \$200, for administrative processing.

2. Whichever of the following amounts is applicable:

i. \$3,000, if the application relates to,

A. a treatment plant upgrade, including new treatment (such as chemical coagulation and flocculation, settling, granular media filtration, membrane filtration, or contaminant absorption or disinfection) at existing water supply plants, new plant process waste stream treatment and disposal facilities,

additional or replacement treatment modules, and the establishment, alteration, expansion or replacement of an intake facility, or

B. a process modification, including the alteration, extension or replacement of an existing pumping system or chemical storage or application system (such as a change of chemical filter media or a standby power supply system) and the provision of additional points of process chemical application.

ii. \$1,200, if the application relates to the alteration, extension or replacement of an existing well, including provision of an additional well to serve as a standby and the provision of disinfection and disinfection control facilities.

iii. \$600, in any other case.

3. \$3,000, if, in the opinion of the Director, a review of a hydrogeological assessment is required in connection with the application. O. Reg. 364/98, s. 3 (3).

(4) Subsection (1) does not apply in respect of an application to amend an approval if the application is necessary as a result of action that the applicant has been required to take by the Director pursuant to a condition contained in the approval. O. Reg. 364/98, s. 3 (4).

4. (1) An applicant for a revocation of an approval under section 52 of the Act shall pay a fee at the time of submitting the application. O. Reg. 364/98, s. 4 (1).

(2) Subsection (1) does not apply if the application is an administrative application. O. Reg. 364/98, s. 4 (2).

(3) The amount of the fee payable under subsection (1) is the sum of the following amounts:

1. \$200, for administrative processing.

2. For each type of subject-matter referred to in Column 1 of Schedule 1 to which the application relates, the corresponding amount set out in Column 2 of that Schedule.

3. \$3,000, if, in the opinion of the Director, a review of a hydrogeological assessment is required in connection with the application. O. Reg. 364/98, s. 4 (3).

(4) Subsection (1) does not apply in respect of an application to revoke an approval if the application is necessary as a result of action that the applicant has been required to take by the Director pursuant to a condition contained in the approval. O. Reg. 364/98, s. 4 (4).

Applications under Section 53 of the Act

5. (1) An applicant for an approval under section 53 of the Act shall pay a fee at the time of submitting the application. O. Reg. 364/98, s. 5 (1).

(2) The amount of the fee payable under subsection (1) is the sum of the following amounts:

1. \$200, for administrative processing.

2. For each type of subject-matter referred to in Column 1 of Schedule 2 to which the application relates, the corresponding amount set out in Column 2 of that Schedule.

3. \$1,400, if, in the opinion of the Director, a review of an effluent quality criteria assessment for stormwater management, cooling water or soil remediation facilities is required in connection with the application.

4. \$6,000, if, in the opinion of the Director, a review of an effluent quality criteria assessment for municipal or private sewage, industrial process wastewater or leachate treatment plants is required in connection with the application.

5. \$3,000, if, in the opinion of the Director, a review of a hydrogeological assessment is required in connection with the application. O. Reg. 364/98, s. 5 (2).

6. (1) An applicant for an amendment to an approval under section 53 of the Act shall pay a fee at the time of submitting the application. O. Reg. 364/98, s. 6 (1).

(2) If the application is an administrative application, the amount of the fee payable under subsection (1) is \$100. O. Reg. 364/98, s. 6 (2).

(3) If the application is not an administrative application, the amount of the fee payable under subsection (1) is the sum of the following amounts:

1. \$200, for administrative processing.

2. Whichever of the following amounts is applicable:

i. \$3,600, if the application relates to an amendment to an existing treatment plant approval to include additional facilities that do not increase the approved rated capacity of the plant, including new tertiary treatment facilities, plant process waste stream treatment and disposal facilities, new treatment facilities to replace deteriorated facilities and the establishment, alteration, expansion or replacement of an outfall.

ii. \$1,800, if the application relates to the alteration, extension or replacement of treatment plant equipment or processes that do not involve the addition of new facilities, including,

A. the alteration, extension or replacement of a pumping system, an aeration system, a chemical storage or application system, filter media or a standby power supply system,

B. the provision of additional points of process chemical application, and

C. the provision of odour control equipment facilities.

iii. \$600, in any other case.

3. \$1,400, if, in the opinion of the Director, a review of an effluent quality criteria assessment for stormwater management, cooling water or soil remediation facilities is required in connection with the application.

4. \$6,000, if, in the opinion of the Director, a review of an effluent quality criteria assessment for municipal or private sewage, industrial process wastewater or leachate treatment plants is required in connection with the application.

5. \$3,000, if, in the opinion of the Director, a review of a hydrogeological assessment is required in connection with the application. O. Reg. 364/98, s. 6 (3).

(4) Subsection (1) does not apply in respect of an application to amend an approval if the application is necessary as a result of action that the applicant has been required to take by the Director pursuant to a condition contained in the approval. O. Reg. 364/98, s. 6 (4).

7. (1) An applicant for a revocation of an approval under section 53 of the Act shall pay a fee at the time of submitting the application. O. Reg. 364/98, s. 7 (1).

(2) Subsection (1) does not apply if the application is an administrative application. O. Reg. 364/98, s. 7 (2).

(3) The amount of the fee payable under subsection (1) is the sum of the following amounts:

1. \$200, for administrative processing.

2. For each type of subject-matter referred to in Column 1 of Schedule 2 to which the application relates, the corresponding amount set out in Column 2 of that Schedule.

3. \$1,400, if, in the opinion of the Director, a review of an effluent quality criteria assessment for stormwater management, cooling water or soil remediation facilities is required in connection with the application.

4. \$6,000, if, in the opinion of the Director, a review of an effluent quality criteria assessment for municipal or private sewage, industrial process wastewater or leachate treatment plants is required in connection with the application.

5. \$3,000, if, in the opinion of the Director, a review of a hydrogeological assessment is required in connection with the application. O. Reg. 364/98, s. 7 (3).

(4) Subsection (1) does not apply in respect of an application to revoke an approval if the application is necessary as a result of action that the applicant has been required to take by the Director pursuant to a condition contained in the approval. O. Reg. 364/98, s. 7 (4).

8. (1) If a hearing is required under the Act in respect of an application for an approval under section 53 of the Act or for an amendment to an approval under section 53 of the Act, the applicant shall pay a fee of \$18,000. O. Reg. 364/98, s. 8 (1).

(2) The applicant shall pay the fee at the time of submitting the application, unless the hearing is required under subsection 55 (1) of the Act, in which case the applicant shall pay the fee before the hearing begins. O. Reg. 364/98, s. 8 (2).

(3) The fee payable under this section is in addition to the fee payable under section 5 or 6. O. Reg. 364/98, s. 8 (3).

(4) Subsection (1) does not apply in respect of,

(a) an application to amend an approval, if the application is necessary as a result of action that the applicant has been required to take by the Director pursuant to a condition contained in the approval; or

(b) an appeal. O. Reg. 364/98, s. 8 (4).

Refunds

9. (1) Subject to subsection (2), the Director may refund to the applicant all or part of a fee paid under section 2, 3, 4, 5, 6, 7 or 8, if,

(a) the applicant withdraws the application before the Director makes a decision on the application; or

(b) the Director refuses the application, in whole or in part. O. Reg. 364/98, s. 9 (1).

(2) Subsection (1) does not authorize the refund of an amount specified in paragraph 1 of subsection 2 (2), subsection 3 (2), paragraph 1 of subsection 3 (3), paragraph 1 of subsection 4 (3), paragraph 1 of subsection 5 (2), subsection 6 (2), paragraph 1 of subsection 6 (3) or paragraph 1 of subsection 7 (3). O. Reg. 364/98, s. 9 (2).

(3) The Director shall refund to the applicant a fee paid under section 8 if the Environmental Assessment Board decides under subsection 8 (2) of the Act not to hold a hearing. O. Reg. 364/98, s. 9 (3).

Payee

10. (1) Subject to subsection (2), all fees payable under this Regulation are payable to the Minister of Finance. O. Reg. 364/98, s. 10 (1).

(2) A fee payable under this Regulation in respect of an application is payable to a municipality if the responsibility for reviewing the application has been transferred to the municipality in accordance with the list of municipalities under the Transfer of Review Program available at the Public Information Centre at the Ministry or at the Approvals Branch of the Ministry. O. Reg. 364/98, s. 10 (2).

11. Omitted (revokes other Regulations). O. Reg. 364/98, s. 11.

12. Omitted (provides for coming into force of provisions of this Regulation). O. Reg. 364/98, s. 12.

SCHEDULE 1

SECTION 52 OF THE ACT - SUBJECT-MATTER

Column 1

Column 2

Subject-Matter

Amount

1. The new intake or extraction of surface or ground water, together with treatment other than disinfection, or the expansion of the capacity of an existing intake or extraction of surface or ground water, together with treatment other than disinfection.

\$5,000, if the maximum design capacity is not more than 4,550 cubic metres per day.

\$10,000, if the maximum design capacity is more than 4,550 cubic metres per day.

2. A facility for the extraction and supply of ground water with no treatment other than disinfection.
\$2,000.

3. Watermains and appurtenances, including hydrants.
\$1,000.

4. Highlift and booster pumping stations, reservoirs or elevated tanks.
\$2,000.

O. Reg. 364/98, Sched. 1.

SCHEDULE 2

SECTION 53 OF THE ACT - SUBJECT-MATTER

Column 1

Column 2

Subject-Matter

Amount

1. A municipal or private facility for the treatment and disposal of sewage, including a lagoon or stabilization pond or a sewage treatment plant, including the expansion, re-rating or upgrading of an existing facility that involves an increase in the rated capacity of the facility.

\$5,000, if the maximum design capacity is not more than 4,550 cubic metres per day.

\$10,000, if the maximum design capacity is more than 4,550 cubic metres per day.

2. A facility for attenuating stormwater runoff peak flow rate or volume or for managing stormwater runoff quality, such as detention or retention pools, underground chambers, oversized sewers, rooftop storage, parking lot storage, oil, grit and silt separators, flow control outlet structures, infiltration wells, perforated sewers, and trenches or outfalls, including the expansion of an existing facility that involves an increase in the rated capacity of the facility.

\$2,000.

3. A facility for the treatment and disposal of leachate, including the expansion of an existing facility that involves an increase in the rated capacity of the facility.

\$6,000.

4. A subsurface disposal facility, including the expansion of an existing facility that involves an increase in the rated capacity of the facility.

\$600, if the design capacity of the facility is not more than 15 cubic metres per day.

\$1,500, if the design capacity of the facility is more than 15 cubic metres per day and not more than 50 cubic metres per day.

\$3,000, if the design capacity of the facility is more than 50 cubic metres per day.

5. A facility for the treatment and disposal of industrial process wastewater, including contact cooling water, including the expansion of an existing facility that involves an increase in the rated capacity of the facility.

\$6,000.

6. A facility for the disposal of spent water from a non-contact industrial cooling process, including the expansion of an existing facility that involves an increase in the rated capacity of the facility.

\$1,000.

7. Storm and sanitary sewers and appurtenances, including expansion of existing sewers.

\$900.

8. Storm and sanitary pump stations, force mains, and sanitary sewage detention chambers or oversized sewers, including the expansion of an existing facility that involves an increase in the rated capacity of the facility.

\$1,800.

O. Reg. 364/98, Sched. 2.