Business Item

Environment Committee

Committee meeting date: November 10, 2026 **For the Metropolitan Council:** November 18, 2026

Business Item: 2026-204

Industrial Waste Enforcement Fee Increases

District(s), member(s): **All Districts, All Council Members**
Policy/legal reference: Waste Discharge Rule (WDR) 505.00
Staff prepared/presented: Nanette Ewald, Assistant Manager, Industrial Waste
Division/department: Environmental Services Division – Industrial Waste

Proposed action

Approving the proposed Industrial Waste enforcement fee increases, including the new $350 Enforcement Meeting Fee, effective January 1, 2027, and recommend approval by the Metropolitan Council.

Background

Industrial Waste enforcement fees are administrative cost-recovery fees associated with administering enforcement activities under WDR 505.00. Industrial Waste enforcement fees have not changed since 2012. These fees have not changed since 2012. The Industrial Waste Enforcement Fee Evaluation Team evaluated the current fee structure and determined that the fees do not adequately recover the staff time and resources required to administer our enforcement activities. The evaluation considered staff time and resources, inflation, enforcement activity, and fee information available from other industrial pretreatment programs.

The proposed enforcement fee increases are:

Enforcement Fee	Current Fee	Proposed Fee
Administrative Violation / Late Report	$150	**$250**
Discharge Violation	$200	**$350**
Enforcement Meeting	No fee	**$350**
Order to Appear (OTA)	$350	**$1,000**

The proposed fees would be effective January 1, 2027.

Rationale

Enforcement fee amounts have remained unchanged since 2012, while the staff time and resources required to administer enforcement activities have increased. All enforcement actions are reviewed by management to ensure they follow our MPCA-approved Response Plan, which

ensures consistent treatment among permitted industrial users. We have also added an Enforcement Meeting, as a formal mechanism to transition permitted industrial users into a Compliance Schedule when initial corrective actions have not been successful.

The evaluation found that the current fee structure does not adequately recover the costs associated with staff time and resources required to administer our MPCA-approved Enforcement Response Plan. The proposed fee increases are intended to recover costs associated with staff time and resources required to administer our Enforcement Response Plan.

Thrive lens analysis

On Feb. 12, 2025, the Council adopted Imagine 2050, which builds on policy direction in Thrive MSP 2040. The proposed enforcement fee increases are consistent with the intentions of the Thrive 2040 by supporting a fair and equitable approach to recovering the costs associated with administering Industrial Waste enforcement activities. The proposed changes are administrative fee increases intended to recover costs associated with the staff time and resources required to administer our MPCA-approved Enforcement Response Plan.

Funding

The proposed fee increases are intended to recover costs associated with the staff time and resources required to administer Industrial Waste enforcement activities. Actual annual revenue from these fees varies based on the number and type of enforcement actions issued each year.

Small business inclusion

There are no direct impacts to small businesses with this action.