

***Noncoal Program Fees
Environmental Quality Board
April 17, 2012***

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Deputy Secretary for Active and
Abandoned Mining Operations***

Outreach in 2010

- Mass mailing to all operators
- 4 outreach meeting statewide
- Meetings with:
 - Pa Bluestone Association
 - Pa Aggregate and Concrete Association
 - Society of Mining Engineers
- Posting Information on DEP Webpage

Timeline

- EQB Approved Proposed Rulemaking
June 15, 2010
- Published for comment in *PA Bulletin*
August 28, 2010
- Public comment period ended
September 27, 2010
- DEP published for comment in *PA Bulletin*
January 28, 2012

Comments

- EQB comment period
 - 20 Commentators
- DEP comment period
 - 20 Commentators

Comments

- Some support
- Fees too high
- Administrative fee should be for a site rather than a permit
- Industry should have a say
- Professional Seals

Changes from Proposed to Final

- Clarified that it is pumping rather than being in the groundwater that requires an increased fee
- Removed “short-term permit” from the fee schedule since there is now another General Permit

Regulated Community

- 1550 permittees
- About 2250 Permits
 - Large (unlimited production)~ 700
 - 10,000 Ton per year~ 300
 - Small (≤ 2000 Ton per year) ~ 1250

Program Data

- ~ 6500 inspections per year
- ~ 600 applications per year
- 40 Full Time Equivalents
- Total program cost is about \$ 2.5 M per year

Noncoal Act Fee Language

- The department is authorized to charge and collect from persons a reasonable filing fee, which shall not exceed the cost of reviewing, administering and enforcing the permit.

Funding Need

- Current fees are limited to NPDES permit fees (\$250)
- Most permits have no fee
- The program was funded from the General Fund
- Since July 1, 2009, costs charged to the Noncoal Surface Mining Conservation and Reclamation Fund
- This is not sustainable

Fee Proposal

- Fees to pay for the cost of:
 - Permit review: One-time Application Fee
 - Inspection (administering the permit): Annual Fee
- Calculations based on Workload Analysis
 - Hours for Review
 - Inspection Time
 - Personnel Costs

Example Permit Fees

● Large Noncoal (pumping GW)	\$20,225
● Large Noncoal (no pumping)	\$13,500
● Small Noncoal	\$525
● Blast Plan	\$475
● Large Major Amend-GW	\$3,850
● Large Transfer	\$900

Annual Administration Fee

- Paid each year
- Based on type of permit (small or large)
- Inspection Frequency
- To begin January 1, 2013

Administration Fee Amounts

<u>Permit Category-Permit Status</u>	<u>Annual Fee</u>
Large Surface Mining Permit-Active	\$1,450.00
Large Surface Mining Permit-Active with Blasting	\$1,850.00
Small Surface Mining Permit-Active	\$200.00
Small Surface Mining Permit-Active with Blasting	\$300.00
Underground Mining Permit-Active	\$1,450.00
General Permit-Short Term Construction	\$200.00
All Permits-Not Started	\$100.00
All Permits-Inactive	\$100.00

Recommendation

- Recommend Approval
- Thank you