

FEE REPORT FORM

DEP, BRP, Radon Division
Agency

November 13, 2007
Date

Michael Pyles
Contact Person

783-9485
Phone Number

FEE COLLECTIONS:

	<u>Current Year</u>	<u>First Future Year Projected</u>
Current	\$96,000	
Proposed		\$177,875

FEE TITLE AND RATE:

Current:

25 PA 240.103(2) Certified radon tester application fee, \$200 for Individuals, \$500 for firms

25 PA 240.113(2) Certified radon mitigator application fee, \$200 for Individuals, \$500 for firms

25 PA 240.123(2) Certified radon laboratory application fee, \$250 for Individuals, \$500 for firms

Proposed: Fees above are replaced by the following fee schedule located in a new table in a new "Appendix A" at the end of Chapter 240.

Radon Certification Fee Schedule

Testing Individual	\$350 every two years
Testing Employee	\$100 every two years
Testing Firm	\$700 every two years

Mitigation Individual	\$300 every two years
Mitigation Firm	\$700 every two years
Laboratory Individual	\$400 every two years
Laboratory Firm	\$750 every two years
Primary Testing Device Listing	\$100 every two years (1)
Course Provider	\$375 every two years (2)
Late Application Renewal	\$100
Late 45-Day Reporting	\$100 (3)

1. Primary radon testers must submit the Primary Testing Device fee as specified in the Radon Certification Fee Schedule for each device they read and/or analyze.
2. A person approved by the department to provide initial and/or continuing education courses shall submit the Course Provider fee as specified above.
3. Anyone not submitting their required 45-day testing and/or mitigation reporting within 90 days of the completion of the testing and/or mitigation activity (or if no activities have been performed during this period of informing us of same in writing) will be subject to the Late 45-Day Reporting Fee as specified above.

FEE OBJECTIVE:

Per the Radon Certification Act, establish and collect fees sufficient to cover the costs of the Radon Certification Program to protect property owners from unqualified and unscrupulous persons.

FEE RELATED ACTIVITIES AND COSTS:

1. Review of applications and certifying persons for radon testing, mitigation and laboratory analysis.
2. Establish and enforce radon certification regulations.
3. Technical and legal investigation as needed.
4. Supervisory and management time.
5. Staff training.
6. Tracking of certified persons and required reporting.
7. Review of radon courses.
8. Provide certification information.
9. Amend existing certifications.

ANALYSIS:

To equalize the expense for all persons receiving services

- Course provider fees were never received previously even though they require review and approval.
- Primary devices were never charged more even though they required more technical review and are allowed the additional ability to analyze their own devices.

- To off-set time spent on ensuring persons who allow their certifications to lapse are not still performing radon-related services we are instituting a Late Application Fee.
- To discourage the use of the firm certification to prevent paying for individual certification and to ensure that firm employees are kept to a manageable number we are instituting a Firm Employee fee for all additional testing employees after the first one.

RECOMMENDATION AND COMMENT:

The current fees have not been increased since they were initially adopted in January of 1991. Salaries and program expenses have risen at the rate of approximately 5% per year which would be a minimal increase of 80% to bring income up to current expenses. Since 2001, salaries, benefits and operational costs have actually increased by about 30%. Also, the current union contract mandates an additional 20% increase in salary and benefit costs over the next four years.

A review and analysis of current Radon Certification Section personnel costs, with 50% of time for the Radon Division Chief, and 100% of the time for the Section Chief, a Radiological Health Physicist and one Clerical Typist, notes an actual cost of about \$289,000. Thus, even with the fee increases, the EPA Radon Grant and required matching funds, state General Fund monies will continue to under-write the cost of the Radon Certification Program. In calculating the revised fees, the Department has attempted to spread the increases in proportion to the amount of services received and the regulated community's ability to absorb the additional expense. Radon testing is almost exclusively a small "mom and pop" business and therefore it is even more important to consider this factor.

The Radiation Protection Advisory Committee recommended this proposed fee be moved forward with a review of this small business nature of the radon testing industry.