



SUSQUEHANNA RIVER BASIN COMMISSION

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REGULATORY PROGRAM FEE SCHEDULE **Effective January 1, 2010**

Adopted by Resolution No. 2009-11
December 17, 2009

1. The Susquehanna River Basin Commission (Commission) requires payment of non-refundable review fees, in accordance with the tables herein, for the following categories of projects which require review and approval by the Commission under the Susquehanna River Basin Compact (the “Compact”) and Commission Regulations Parts 801 and 806.
 - a. Consumptive uses.
 - b. Surface and groundwater withdrawals.
 - c. Diversions.
 - d. Hydroelectric projects.
 - e. Any other projects requiring the review and approval of the Commission under the Compact that do not involve a request for a quantity of water.
 - f. Other applications required under 18 CFR §806.5.
2. If any project involves more than one of the above categories, a separate fee is required for each category.
3. Agencies of the member jurisdictions to the Compact are exempt from fees. However, political subdivisions of the member jurisdictions are subject to the fees.
4. Agricultural water use projects, as defined in 18 CFR §806.3, are exempt from the fees set forth in this schedule.
5. Public water systems owned and operated by a governmental authority, as defined in 18 CFR §806.3, are eligible to pay the discounted fee amounts identified in the “Municipal Fee” category listed on the tables herein.

6. Fees are non-refundable. Fees are not reduced nor any amount credited to the project sponsor, if the Commission's approval authorizes a rate of withdrawal or quantity of water that is less than that requested by the project sponsor, or if the application is withdrawn during the review process.
7. Project sponsors must complete and submit the enclosed worksheet (page 6) with their application payment.
8. When fees calculated in accordance with this schedule are deemed to be insufficient to cover costs associated with applications or compliance, the Executive Director may impose a fee in the amount up to 100 percent of such costs or as required in the Commission action.
9. Sponsors of projects with expiring Commission approvals shall pay the same fees as sponsors of new projects.
10. The Commission may, for good cause shown, waive or reduce any of the fees set forth herein.
11. If any single application fee exceeds \$25,000, project sponsors have the option of making installment payments. This option provides for the payment of up to three consecutive equal annual installments with interest thereon at the rate of 10 percent per annum on the unpaid balance. The project sponsor should indicate that it intends to use this option when making application. The first annual installment is due at the time the application is submitted.
12. The appropriate fee must be submitted to the Commission with the project application (see Paragraph 11 regarding an installment payment option). Failure to submit payment of the fee or submission of an insufficient fee with the application will result in its return to the project sponsor or, at the discretion of the Commission, an additional billing of the proper fee to the project sponsor. Except as otherwise provided in Paragraph 6, refunds will be made for any portion of a fee payment submitted with the application that exceeds the appropriate amount identified on the tables herein. The Commission will not take action on a project application until the appropriate fees are paid.
13. All projects approved by the Commission on or after January 1, 2010, including modification approvals, shall also be subject to annual compliance and monitoring fees as set forth herein. Fees will be prorated the first year and due annually thereafter. Fees are due and payable within 30 days from the date of invoice.

APPLICATION FEE TABLE

Project Category	Requested Quantities ¹ or Capacities	Standard Fee	Municipal Fee
Consumptive Water Use	20,000 gallons per day (gpd) – 99,999 gpd 100,000 gpd – 499,999 gpd 500,000 gpd – 999,999 gpd 1 million gpd (mgd) – 5 mgd Over 5 mgd	\$ 2,520 5,060 10,070 30,200 50,350	\$ 2,020 4,050 8,050 24,160 40,280
Approval by Rule Consumptive Use	<u>Approval by Rule; 18 CFR §806.22(e):</u> 20,000 gpd – 99,999 gpd 100,000 gpd – 499,999 gpd 500,000 gpd – 999,999 gpd 1 mgd – 5 mgd Over 5 mgd <u>Natural Gas Approval by Rule; 18 CFR §806.22(f):</u>	\$ 1,260 2,530 5,040 15,100 25,180 \$ 10,000	Not Applicable
Withdrawals ^{1,2,3}	Less than 100,000 gpd 100,000 gpd – 249,999 gpd 250,000 gpd – 499,999 gpd 500,000 gpd – 999,999 gpd 1 mgd – 5 mgd 5,000,001 gpd – 10 mgd Over 10 mgd	\$ 4,400 6,600 8,800 11,000 13,200 28,650 28,650 + \$4,875 for each additional 1 mgd increment ^{4,5}	\$ 3,520 5,280 7,040 8,800 10,560 22,920 22,920 + \$3,900 for each additional 1 mgd increment ^{4,5}
Diversions	Up to 250,000 gpd Greater than 250,000 gpd	\$ 8,400 25,200 (plus consumptive use fee unless inapplicable)	\$ 6,720 20,160 (plus consumptive use fee unless inapplicable)
Hydroelectric Projects (New or Re-licensing)	Greater than 10 megawatts (anything less subject to “all other projects” category below)	\$ 200,000	Not Applicable
All other projects requiring review and approval and not otherwise specified.	Not Applicable	\$ 4,200	\$ 3,360
Aquatic Resource Survey ^{2,3,6}		\$ 5,720	\$ 5,720
Constant-Rate Aquifer Testing Plan Evaluation ²		\$ 3,380	\$ 2,700
Emergency Certificate		\$ 4,200	\$ 4,200

¹ Groundwater withdrawal fees are based on a maximum 30-day average. All other fees are based on peak 24-hour period.

² A separate fee is required for each withdrawal location.

³ Withdrawal applications may also be subject to an aquatic resource survey fee (see footnote 6).

⁴ 1 mgd increment includes any amount from 1 gallon to the next mgd.

⁵ Except as provided in No. 8 on page 2, the maximum project fee for this category will be \$258,350.

⁶ Aquatic resource surveys will be conducted on streams when recent relevant data are not available to evaluate the potential impacts of a withdrawal. Commission staff will make that determination during the review of an application and will invoice this fee.

MODIFICATION APPLICATION FEE TABLE¹

Project Category	Requested Modified Quantities or Capacities	Standard Fee	Municipal Fee
Consumptive Water Use	0 gallons per day (gpd) – 99,999 gpd 100,000 gpd – 499,999 gpd 500,000 gpd – 999,999 gpd 1 million gpd (mgd) – 5 mgd Over 5 mgd	\$ 1,690 5,060 10,100 30,200 50,340	\$ 1,350 4,050 8,080 24,160 40,270
Approval by Rule Consumptive Use	<u>Approval by Rule; 18 CFR §806.22(e):</u> 0 gpd – 99,999 gpd 100,000 gpd – 499,999 gpd 500,000 gpd – 999,999 gpd 1 mgd – 5 mgd Over 5 mgd <u>New Water Sources Under 18 CFR §806.22(f)²:</u> New Source Registration; Subpart (12)(i) New Source Approval; Subpart (12)(ii)	\$ 1,260 2,530 5,040 15,100 25,180 \$ 500 1,000	Not Applicable
Withdrawals ³	0 gpd – 249,999 gpd 250,000 gpd – 499,999 gpd 500,000 gpd – 999,999 gpd 1 mgd – 5 mgd 5,000,001 gpd – 10 mgd Over 10 mgd	\$ 4,400 8,800 11,000 13,200 28,650 28,650 + \$4,875 for each additional 1 mgd increment ^{4,5}	\$ 3,520 7,040 8,800 10,560 22,920 22,920 + \$ 3,900 for each additional 1 mgd increment ^{4,5}
Diversions	Up to 250,000 gpd Greater than 250,000 gpd	\$ 8,400 25,220 (plus consumptive use fee unless inapplicable)	\$ 6,720 20,160 (plus consumptive use fee unless inapplicable)
Hydroelectric Projects	Greater than 10 megawatts (anything less subject to “all other projects” category below)	Actual Costs	Not Applicable
All other projects requiring review and approval and not otherwise specified.	Not Applicable	\$ 4,200	\$ 3,360
Transfer of Existing Approval		\$ 1,690	\$ 1,350

¹ The amount of the fee for a modification of an approved project involving a request for an additional quantity of water shall not be less than the difference between the amount of the fee that was paid on the total quantity of water requested in an initial application, and the fee for the total quantity of water (existing quantity + requested increase quantity) stipulated in Schedule 1.

² A separate application and fee are required for each new water source added to a company source list under Commission Regulation 18 CFR §806.22(f).

³ A separate fee is required for each withdrawal location.

⁴ 1 mgd increment includes any amount from 1 gallon to the next mgd.

⁵ Except as provided in No. 8 on page 2, the maximum project fee for this category will be \$258,350.

ANNUAL COMPLIANCE AND MONITORING FEE TABLE¹

Project Category	Standard Fee	Municipal Fee
Hydroelectric	\$10,000	\$10,000
Diversions and Consumptive Water Use Projects Not Paying the Consumptive Use Mitigation Fee	\$ 2,000	\$ 2,000
Consumptive Use ²	\$ 1,000 ³	\$ 1,000 ³
Groundwater ²	\$ 1,000 ³	\$ 1,000 ³
Surface Water ²	\$ 1,000 ³	\$ 1,000 ³
Approval by Rules ²	\$ 1,000 ⁴	\$ 1,000 ⁴

- 1 Annual compliance and monitoring fees apply to each approval issued by the Commission on or after January 1, 2010, including modifications of approvals after that date that require Commission action. All fees on this table will be invoiced by the Commission. Fees will be prorated the first year and due annually thereafter. Fees are due and payable within 30 days from the date of invoice. Compliance and monitoring fees may be paid at the time of approval for the entire term of the Commission approval.
- 2 A separate fee is required for each withdrawal location.
- 3 In the case of a facility operating under multiple approvals (consumptive use, groundwater, or surface water) or a well field where multiple wells have been approved, the maximum annual compliance and monitoring fee will be limited to \$5,000.
- 4 Approval by Rules (ABRs) that paid full fees, including the base fee of \$10,000 in 2009, are not subject to the annual compliance and monitoring fee.

CONSUMPTIVE USE FEE TABLE

Project Category	Standard Fee
Consumptive Use Mitigation Fee ¹	\$0.28 per 1,000 gallons consumed

- 1 Consumptive use mitigation fees are paid by project sponsors electing to use such payments as their method of compliance with 18 CFR §806.22(b). Such fees are deposited in the Commission's Water Management Fund and shall be used for planning, engineering, design, and construction phases of new projects, or the reformulation of existing reservoirs, or any other project or study initiated by the Commission to address the cumulative impact of consumptive water use or otherwise to support low flow management in the Susquehanna River Basin, as provided for in the Commission's Water Management Fund Policy, Policy No. 95-02, as revised June 8, 2005.

APPLICATION FEE WORKSHEET

Project Sponsor:

Facility:

County:

Town/Township:

State:

Table ¹	Project Category ²	Source Location ³	Requested Quantity (gpd) ⁴	Municipal Fee (Yes/No)	Fee from Table
1 Application or modification. Use "A" for Application Fee Table and "M" for Modification Application Fee Table. 2 Consumptive Water Use, Approval by Rule, Withdrawal, Diversion, etc. 3 Name of withdrawal point (not applicable for Consumptive Water Use); e.g., Well 2A, Trout Creek, etc. 4 Requested amount of water in gallons per day (gpd) based on peak 24-hour period (maximum 30-day average for groundwater withdrawals).				Amount Due	
				Amount Paid	
				Check Number	