



# SUSQUEHANNA RIVER BASIN COMMISSION

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## REGULATORY PROGRAM FEE SCHEDULE

Effective July 1, 2011

Adopted by Resolution No. 2011-05, June 23, 2011

1. The Susquehanna River Basin Commission (Commission) requires payment of nonrefundable 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 found in 18 CFR Parts 801 and 806.
  - a. Consumptive uses, including all related administrative approvals under 18 CFR §806.22.
  - b. Surface and groundwater withdrawals, including any related constant-rate aquifer test plan evaluations or aquatic resource surveys.
  - 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.

Fees for Consumptive Use Mitigation and Annual Compliance and Monitoring are also set forth in this schedule.

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 with applicable member jurisdiction-wide authority 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. Groundwater remediation systems approved by an agency of a member jurisdiction shall pay a single withdrawal application fee based on the total requested quantity of withdrawal to create a single, localized depression within the groundwater table, regardless of the number of individual recovery wells being used in the system. Such systems shall also pay a single annual compliance and monitoring fee.
7. Fees paid in accordance with this schedule are nonrefundable. 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.
8. Project sponsors must complete and submit the enclosed worksheet (page 8) with their application payment.
9. 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 an amount up to 100 percent of such costs or as required in the Commission approval action.
10. Sponsors of projects with expiring Commission approvals shall pay the same fees as sponsors of new projects.
11. The Commission may, for good cause shown, waive or reduce any of the fees set forth herein.
12. 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 a rate of prime<sup>1</sup> plus 2 percent, but not less than 5 percent per annum on the unpaid balance. The project sponsor should indicate that it intends to use this option when making application. Municipal<sup>2</sup> project sponsors have the option of making installment payments for fees exceeding \$5,000, and may make payments of up to five equal annual installments with interest thereon at a rate of prime<sup>1</sup> plus 2 percent, but not less than 5 percent per annum on the unpaid balance. The first annual installment is due at the time the application is submitted.
13. The appropriate fee must be submitted to the Commission with the project application (see Paragraph 12 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

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<sup>1</sup> Prime refers to the U.S Prime Rate at the time of the installment payment request.

<sup>2</sup> For purposes of this fee schedule, municipalities are defined as political subdivisions of the member states, which shall include counties, townships, towns, boroughs, villages, cities, or any authorities, boards or other public benefit corporations organized thereby.

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 7, 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.

14. 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 pro-rated 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 <sup>1</sup> 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	\$ 2,850 5,750 11,400 34,225 57,050	\$ 2,280 4,600 9,120 27,380 45,640
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)<sup>2</sup>:</u>	\$ 1,425 2,875 5,700 17,100 28,525  \$ 10,000	Not Applicable
Withdrawals <sup>1,3,4</sup>	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	\$ 4,975 7,475 9,975 12,475 14,950 32,475 32,475+ \$5,525 for each additional 1 mgd increment <sup>5,6</sup>	\$ 3,980 5,980 7,980 9,980 11,960 25,980 25,980 + \$4,425 for each additional 1 mgd increment <sup>5,6</sup>
Diversions	Less than 250,000 gpd 250,000 gpd or greater	\$ 9,525 28,550 (plus consumptive use fee unless not applicable)	\$ 7,620 22,840 (plus consumptive use fee unless not applicable)
Hydroelectric Projects (New or Re-licensing)	Greater than 10 megawatts (anything less subject to “all other projects” category below)	\$ 222,500	Not Applicable
All other projects requiring review and approval and not otherwise specified.	Not Applicable	\$ 4,750	\$ 3,800
Aquatic Resource Survey <sup>3,4,7</sup>		\$ 6,475	\$ 5,180
Constant-Rate Aquifer Testing Plan or Waiver Request Evaluation <sup>3</sup>		\$ 3,825	\$ 3,060
Emergency Certificate		\$ 4,750	\$ 4,750

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

<sup>2</sup> Applicants are reminded that the water source for any Approval By Rule approved consumptive use must be either registered or administratively approved, regardless of quantity. See 18 CFR §806.22(f)(12)(i),(ii).

<sup>3</sup> A separate application fee is required for each withdrawal location.

<sup>4</sup> Withdrawal applications may also be subject to an aquatic resource survey fee (see footnote 6).

<sup>5</sup> 1 mgd increment includes any amount from 1 gallon to the next mgd.

<sup>6</sup> Except as provided in No. 9 on page 2, the maximum project fee for this category will be \$266,100.

<sup>7</sup> 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 separately.

## MODIFICATION APPLICATION FEE TABLE<sup>1</sup>

Project Category	Amount of Requested Increase in Quantities or Capacities	Standard Fee	Municipal Fee
Consumptive Water Use	Less than 100,000 gpd <sup>2</sup> 100,000 gpd – 499,999 gpd 500,000 gpd – 999,999 gpd 1 mgd – 5 mgd Over 5 mgd	\$ 1,900 5,750 11,400 34,225 57,050	\$ 1,520 4,600 9,120 27,380 45,640
Approval by Rule Consumptive Use	<u>Approval by Rule; 18 CFR §806.22(e):</u> Less than 100,000 gpd 100,000 gpd – 499,999 gpd 500,000 gpd – 999,999 gpd 1 mgd – 5 mgd Over 5 mgd  <u>Water Sources Under 18 CFR §806.22(f)<sup>3</sup>:</u> Source Registration; Subpart (12)(i) Source Approval; Subpart (12)(ii)	\$ 1,425 2,875 5,700 17,100 28,525  \$ 515 1,030	Not Applicable
Withdrawals <sup>4</sup>	Less than 250,000 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	\$ 4,975 9,975 12,475 14,950 32,475 32,475 + \$5,525 for each additional 1 mgd increment <sup>5,6</sup>	\$ 3,980 7,980 9,980 11,960 25,980 25,980 + \$4,420 for each additional 1 mgd increment <sup>5,6</sup>
Diversions	Less than 250,000 gpd 250,000 gpd or greater	\$ 9,525 28,550 (plus consumptive use fee unless not applicable)	\$ 7,620 22,840 (plus consumptive use fee unless not applicable)
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	\$ 4,750	\$ 3,800
Transfer of Existing Approval <sup>7</sup>		\$ 1,900	\$ 1,520

<sup>1</sup> 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 the Application Fee Table.

<sup>2</sup> When the requested modification for any category of project listed does not include a request to modify quantities, the lowest fee for the applicable project category shall apply.

<sup>3</sup> A separate application and fee are required for each new water source added to a company source list as defined under Commission Regulation found in 18 CFR §806.22(f).

<sup>4</sup> A separate application fee is required for each withdrawal location.

<sup>5</sup> 1 mgd increment includes any amount from 1 gallon to the next mgd.

<sup>6</sup> Except as provided in No. 9 on page 2, the maximum project fee for this category will be \$266,100.

<sup>7</sup> The fee for transfers as defined under Commission Regulation found in 18 CFR §806.6 which occur simultaneously as part of a single transaction will be reduced by 50% when the number of transfers in the transaction equal 50 or more.

## ANNUAL COMPLIANCE AND MONITORING FEE TABLE<sup>1</sup>

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	\$ 1,000 <sup>2</sup>	\$ 1,000 <sup>2</sup>
Groundwater	\$ 1,000 <sup>2</sup>	\$ 1,000 <sup>2</sup>
Surface Water	\$ 1,000 <sup>2</sup>	\$ 1,000 <sup>2</sup>
Approval by Rule	\$ 1,000	\$ 1,000

<sup>1</sup> Annual compliance and monitoring fees apply to each docket approval or Approval by Rule issued by the Commission on or after January 1, 2010, including modifications of approvals that require Commission action on or after that date. All fees on this table will be invoiced by the Commission on or after July 1 of each year. Fees will be prorated on the basis of a fiscal year commencing July 1. Fees are due and payable within 30 days from the date of invoice.

<sup>2</sup> In the case of a facility operating under multiple approvals (consumptive use, groundwater, or surface water), the maximum annual compliance and monitoring fee will be limited to \$5,000.

## CONSUMPTIVE USE MITIGATION FEE TABLE

Project Category	Standard Fee
Consumptive Use Mitigation Fee <sup>1</sup>	\$0.29 per 1,000 gallons consumed

<sup>1</sup> 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:**

**Municipality:**

**State:**

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