



**New Jersey
Department of Environmental Protection**



**Site Remediation and Waste Management
Program**

SITE REMEDIATION REFORM ACT PROGRAM

**ANNUAL FEE CALCULATION REPORT FOR
FISCAL YEAR (FY) 2019**

June 18, 2018

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

In accordance with the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) at N.J.A.C. 7:26C-4.2(c) and 4.5(e), the New Jersey Department of Environmental Protection (the Department) has prepared this Annual Site Remediation Program Fee Calculation Report (Report) for fiscal year (FY) 2019 concerning annual remediation fees and fees associated with remedial action permits. This Report is available for download from the Department's website at www.nj.gov/dep/srp.

Two categories of fees are discussed in the Report: the annual remediation fee, and remedial action permit-related fees. Those persons who are actively remediating sites are charged annual remediation fees, and those persons who have implemented a remedial action that involves a remedial action permit are charged remedial action permit fees.

The authority for charging annual remediation fees to cover the costs of administering the Site Remediation Reform Act (SRRA) Program is both SRRA (N.J.S.A. 58:10C-1 et seq.) and the Brownfield and Contaminated Site Remediation Act (N.J.S.A. 58:10B-1 et seq.). SRRA allows the Department to charge reasonable application fees to cover the costs of processing applications for remedial action permits for engineering or institutional controls, and to charge reasonable annual fees to cover the costs of the administration and enforcement of the remedial action permits (N.J.S.A. 58:10C-19d). The Brownfield and Contaminated Site Remediation Act requires a person who initiates a remediation to pay all applicable fees and oversight costs as required by the Department (N.J.S.A. 58:10B-1.3b(5)).

This Report identifies the fees calculated for FY 2019, and compares the input data for FY 2018 with the input data for FY 2019 for both the annual remediation fees and the remedial action permit-related fees. The Department published notice of its fees for FY 2018 in the June 19, 2017 New Jersey Register at 49 N.J.R. 1732(b), and made them available online in the Fee Guidance Document for FY 2018 (www.nj.gov/dep/srp/guidance/srra/fee_guidance_document.pdf).

ANNUAL REMEDIATION FEE

The annual remediation fees cover the Department's costs to operate the "active" remediation side of the SRRA program, which are those cases for which a final remediation document has not been issued (i.e., either a no further action letter from the Department or a response action outcome from the licensed site remediation professional (LSRP)). To calculate the annual remediation fee, the Site Remediation and Waste Management Program (SRWMP) is first required to calculate the annual budget for the active remediation side of the SRRA Program (SRRA Program Budget) by determining the dollar amount needed to accomplish all tasks associated with administering the active remediation side of the SRRA Program, using the information contained in the Department's annual budget submission to the Department of the Treasury for the upcoming fiscal year. This budget is calculated based on the number of full time equivalents (FTEs) that Site Remediation Program staff spend on "active" cases. No costs associated with any other program area within the Site Remediation Program that are funded by a source outside of the SRRA Program Budget are to be included in this calculation (see N.J.A.C. 7:26C-4.2(b)1). For FY 2019, the total SRRA Program Budget is \$25.198 million.

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

To determine the annual remediation fee, the rules provide that the Department will allocate the total SRRA Program Budget to each of the two components of the annual fee, the contaminated area of concern (CAOC) component and the contaminated media component. Sixty-five percent of the revenue to be collected through annual remediation fees is allocated to CAOC fees, and 35 percent is allocated to contaminated media fees.

The FY 2019 budget for the active remediation side of the SRRA Program is \$25.198 million, apportioned as \$16.379 million to CAOC fees and \$8.819 million to contaminated media fees.

Contaminated Area of Concern Fee FY 2019

The Department is required to calculate the raw base CAOC fee by first determining the total number of CAOCs reported by persons responsible for conducting the remediation in the previous calendar year (see N.J.A.C. 7:26C-4.2(b)3), and then dividing the 65 percent revenue figure by that number of CAOCs. The base fee is then used to establish the CAOC fee for each of four categories. The categories reflect the number and type of CAOCs. A description of each of the categories of concern is codified at N.J.A.C. 7:26C-4.2(b)4 and also appears in Appendix A to this report.

The following distribution of the total number of CAOCs across each of the four CAOC categories applies to FY 2019 and is based on data reported by persons responsible for conducting the remediation in the previous calendar year.

FY 2019 Numbers of Contaminated Areas of Concern

Contaminated Area of Concern Fee Category (CAOC)	Number of Elements CY 2017
Category 1	1,389
Category 2	12,190
Category 3	1,848
Category 4	1,449
Total CAOCs	16,876

The calculated raw base CAOC fee is therefore \$970.56 (\$16.379 million divided by 16,876). To ensure that the active remediation side of the SRRA Program does not collect more than \$16.379 million from collection of the CAOC fee, the Department adjusted the raw base fee downward and rounded down to the nearest \$5.00 to \$890.00 to derive the base CAOC fee for FY 2019.

Next, the Department multiplied the base CAOC fee by the multiplier for each CAOC category to derive the raw CAOC fee for each category, using the list of categories of CAOC and the applicable multiplier for each category set forth at N.J.A.C. 7:26C-4.2(b)4i through iv. As described in greater detail in Appendix A, the multiplier for Category 1 is one, the multiplier for Category 2 is two, the multiplier for Category 3 is 11, and the multiplier for Category 4 is 22.

The CAOC base fee is not changing compared to the CAOC base fee for FY 2018. As discussed above, the base fee is calculated by dividing the CAOC portion of the budget by the number of CAOCs reported during the previous calendar year (in this case, 2017). Therefore, although the budget for FY 2019 is lower than the budget for FY 2018, because there are fewer CAOCs for CY 2017 (16,876) compared to CY 2016 (17,584), the result is each CAOC bearing a greater share of the budget.

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

The final CAOC fee for each contaminated area of concern category for FY 2019 is presented in the below table.

FY 2019 Contaminated Area of Concern Fee

Category	Multiplier	Final Fee for FY 2019
1	None – base fee applies	\$890
2	2 times base fee	\$1,780
3	11 times base fee	\$9,790
4	22 times base fee	\$19,580

Contaminated Media Fee FY 2019

The contaminated media fee is calculated by first determining the total number of contaminated media reported by persons responsible for conducting the remediation in the previous calendar year (see N.J.A.C. 7:26C-4.2(b)5), and then dividing that number into the total contaminated media revenues that must be generated. The three categories of contaminated media are contaminated ground water, contaminated sediment, and ground water contaminated above a Surface Water Quality Standard that is migrating into surface water.

The total number of contaminated media reported in calendar year 2017 was 5,714. Therefore, the calculated contaminated media fee for FY 2019 is \$1,543.49 (\$8.819 million divided by 5,714 contaminated media reported), which is rounded down to the nearest \$5.00, or \$1,540. This represents a decrease of \$45, or three (3) percent, from FY 2018 (\$1,585).

The decrease in the contaminated media fee is due to a decrease in the FY 2019 budget compared to the FY 2018 budget and an increase in the number of impacted media. Similar to the contaminated areas of concern base fee, the impacted media fee is determined by dividing the impacted media portion of the budget by the total number of impacted media, the smaller budget divided by the larger number of impacted media will result in a lower fee.

Example Annual Remediation Fee Calculation FY 2019

The example below illustrates how a person responsible for conducting the remediation would calculate his or her annual remediation fee, where that person’s site includes four areas of concern and three types of contaminated media, using the FY 2019 fee rates:

Category 2 contaminated area of concern fee (Category 2 = two through 10 areas of concern)	\$1,780
Contaminated media fee (Three types of contaminated media @ \$1,540 each)	<u>+ \$4,620</u>
TOTAL ANNUAL REMEDIATION FEE	\$6,400

The fee structure built into the ARRCs rules takes into account the variation among remediation projects by requiring the person responsible for conducting the remediation to calculate the annual remediation fee based on the number of contaminated areas of concern and the number of contaminated media that the person is remediating. A person who is remediating only a single contaminated area of concern will be required to pay a significantly lower fee than a person who is remediating several contaminated areas of concern. Additionally, as contaminated areas of

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

concern and contaminated media are satisfactorily remediated, the amount of the annual remediation fee will decrease, thereby providing added incentive for conducting remediation in a timely fashion.

Comparison of FY 2018 Fees and FY 2019 Fees

Following is a tabular comparison of the FY 2018 fees and the calculated and final FY 2019 fees:

Comparison of FY 2018 and FY 2019 Contaminated Area of Concern (CAOC) Fees

CAOC Category	FY 2018 Fee	Calculated FY 2019 Fee	Difference in Fee Between FY 2018 and FY 2019
1	\$890	\$890	\$0
2	\$1,780	\$1,780	\$0
3	\$9,790	\$9,790	\$0
4	\$19,580	\$19,580	\$0
Contaminated media	\$1,585	\$1,540	(\$45)

* Category 2, 3, and 4 fees were determined by multiplying the base fee by the appropriate multiplier pursuant to N.J.A.C. 7:26C-4.2(b)4

Comparison of Number of Elements used for FY 2018 and for FY 2019

CAOC Category	Number of Elements FY 2018	Number of Elements FY 2019	Difference in Number of Elements Between FY 2018 and FY 2019
1	1,268	1,389	122
2	13,000	12,190	(810)
3	1,804	1,848	44
4	1,512	1,449	(63)
Total AOCs	17,584	16,876	(708)
Contaminated media	5,707	5,714	7

FEES ASSOCIATED WITH REMEDIAL ACTION PERMITS

The remedial action permit-related fees fund the portion of the SRRA program that oversees sites for which remedial actions have been implemented that require a remedial action permit. The estimated cost for FY 2019, which (as explained further below) is based on salary, fringe, and indirect costs associated with reviewing the permit documents and administering permits, is \$3,331,126.33. Most work associated with remedial action permits is performed by Site Remediation and Waste Management Program (SRWMP) staff in the Bureau of Remedial Action Permitting (BRAP). As more fully described below, Remedial Action Permit Fees consist of two elements: the number of hours required by the SRWMP staff to conduct the listed remedial action permit functions, and the hourly rate of SRWMP staff working on permit activities (see N.J.A.C. 7:26C-4.5(c)). There are two types of remedial action permit-related fees: (1) the remedial action

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

permit activity fee and (2) the remedial action permit annual fee. The four types of remedial action permit activities are (1) permit application review, (2) permit modification, (3) permit transfer and (4) permit termination. The four types of remedial action permits are (1) deed notice with no engineering control(s), (2) deed notice with engineering control(s), (3) natural attenuation ground water remedial action, and (4) any other ground water remedial action. These permit-related fees were first promulgated in 2009, and adjusted by rulemaking in 2012, by notice in 2014 for FY 2015 (see 46 N.J.R. 1481(b)), by notice in 2015 for FY 2016 (see 47 N.J.R. 1351(b)), by notice in 2016 for FY 2017 (see 48 N.J.R. 1391(a)), and by notice in 2017 for FY 2018 (see 49 N.J.R. 1732(b)).

BRAP Hourly Rate FY 2019

The formula the Department is required to use to calculate the staff hourly rate and the descriptions of each of the variables in that formula are codified at N.J.A.C. 7:26C-4.5(d). In summary, the Department uses the following formula, where AS means average annual salary, FB means Fringe benefit rate, IC means indirect costs, OE means average operational expenses and BH means annual billable hours per full time staff member:

$$\text{Hourly rate} = \frac{\text{AS} + \text{FB} + \text{IC} + \text{OE}}{\text{BH}}$$

AS includes the average annual salary of the SRWMP staff directly involved in reviewing, issuing, and overseeing remedial action permits. This includes BRAP staff full time equivalents (FTEs) directly assigned to the activity, as well as staff in other bureaus (such as staff performing inspections of engineering controls). AS also includes a component that reflects the salaries for program overhead staff who perform functions related to the fee activity (such as enforcement and information technology). The two groups are referred to as “direct staff” and “indirect staff” in the following narrative.

The number of BRAP staff full time equivalents (FTEs) is 14.10, and the number of staff in other bureaus directly assigned to remedial action permitting activities is 6.57, for a total of 20.67 FTEs. This represents a decrease in the BRAP FTEs from FY 2018 of 1.35 FTEs, and a decrease in FTEs in other bureaus of 0.92 FTEs.

Annual salary is calculated by first determining the ratio of the number of direct staff FTEs to the total number of non-direct staff (this is the total staff in the Site Remediation portion of SRWMP less the total number of indirect staff). The total number of staff in the Site Remediation portion of SRWMP is 361, and the total number of indirect staff is 11. Therefore, the total number of non-direct staff is 350. The ratio is 20.67/350, or 0.059. This ratio is then multiplied by the total number of indirect staff to derive the number of support staff FTEs whose salaries must be covered by the BRAP Program fees. When the number of indirect staff of 11 is multiplied by 0.059, the resulting number of support FTEs is 0.65. The total number of FTEs involved in remedial action permit activities is therefore 21.32 (20.67 direct staff FTEs and 0.65 indirect staff FTEs).

The Department then determined the average salary of the 11 indirect staff by taking the total salary of the indirect staff FTEs of \$993,626.67 and dividing it by the total number of indirect staff of 11, resulting in an average indirect staff salary of \$90,329.70. Multiplying the average indirect staff salary of \$90,329.70 by the total number of indirect staff FTEs (0.65) results in the total indirect staff FTE salary of \$58,680.75.

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

Next, the total salary of the 20.67 direct staff FTEs (\$1,615,468.48) was added to the total indirect staff FTE salary (\$58,680.75), to derive the total annual salaries of staff involved in remedial action permit activities of \$1,674,149.23. That total was then divided by the total number of FTEs involved in remedial action permit activities (20.67 direct FTEs plus 0.65 indirect FTEs, for a total of 21.32 FTEs). The resulting value of \$78,526.19 is AS.

Fringe benefits are calculated by multiplying the fringe benefit rate supplied to the Department by the Treasury's Office of Management and Budget by AS, as calculated above. For the purposes of this calculation, the Department is using the FY 2018 rate of 50.65 percent. Accordingly, fringe benefits are equal to 0.5065 times \$78,526.19 or \$39,773.52.

Indirect costs are calculated by multiplying the rate negotiated annually between the Department and the US Environmental Protection Agency by the sum of annual salary and fringe benefits. For the purposes of this calculation, the Department is using the FY 2018 rate of 21.17 percent. Accordingly, indirect costs for FY 2019 are the sum of \$78,526.19 plus \$39,773.52 (\$118,299.71), multiplied by 0.2117, or \$25,044.05.

Operating expenses are the average operational expenses attributable to a program staff FTE directly assigned to the activity. The Department estimates this variable to be \$6,500 per FTE.

BH is the total annual billable hours. This number is 1,428.

When all of the above-calculated values are inserted into the hourly rate formula, the resulting hourly rate is as follows:

$$\text{\$104.93} = \frac{\text{\$78,526.19} + \text{\$39,773.52} + \text{\$25,044.05} + \text{\$6,500.00}}{1,428}$$

The Department determined to round \$104.93 up to the nearest \$5.00, or \$105.00, and to use \$105.00 to calculate the fee for each type of remedial action permit activity and the annual fee for each type of remedial action permit.

Comparison of FY 2019 RAP Hourly Rate with FY 2018 RAP Hourly Rate

For the FY 2018 remedial action permit activity fees, the Department used an hourly rate of \$105.00 to calculate the fees to be charged by the remedial action permitting program. This is the same hourly rate the Department calculated for FY 2019.

Remedial Action Permit Activity Fees FY 2019

To calculate the remedial action permit activity fee for each type of remedial action permit activity, the Department determined the average number of hours required by BRAP staff to issue, modify, transfer or terminate remedial action permits. The Department then multiplied the average number of hours by \$105.00 per hour to derive the remedial action permit activity fee for each type of remedial action permit activity.

When the remedial action permit activity fees were first codified in November 2009, the remedial action permit program was just beginning, and the Department had to estimate the average number of hours it would take staff to perform the various remedial action permit activities. Likewise, the Department estimated the staff hours when it amended these fees in 2012. As the

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

remedial action permitting program has matured, the Department has continued to gain a better understanding of the average number of hours it takes staff to perform the various remedial action permit activities. The average number of hours required to perform specific remedial action permit activities did not change between FY 2018 and FY 2019.

Comparison of FY 2018 and FY 2019 Staff Hours to Complete Remedial Action Permit Activities

Remedial Action Permit Activity	FY 2018 Staff Hours	FY 2019 Staff Hours	Difference in Staff Hours between FY 2018 and FY 2019
Soil Remedial Action Permits			
Remedial Action Permit Application	18	18	0
Remedial Action Permit Modification	19	19	0
Remedial Action Permit Transfer	15	15	0
Remedial Action Permit Termination	26	26	0
Ground Water - Natural Attenuation Remedial Action Permits			
Remedial Action Permit Application	20	20	0
Remedial Action Permit Modification	20	20	0
Remedial Action Permit Transfer	20	20	0
Remedial Action Permit Termination	26	26	0
Ground Water - Active System Remedial Action Permits			
Remedial Action Permit Application	33	33	0
Remedial Action Permit Modification	26	26	0
Remedial Action Permit Transfer	12	12	0
Remedial Action Permit Termination	23	23	0

The number of staff hours, the staff hourly rate, and the resulting calculated remedial action permit activity fees for FY 2019 are as follows:

FY 2019 Staff Hours, Hourly Rate, and Remedial Action Permit Activity Fees

Remedial Action Permit Activity	Soil Remedial Action Permit			Ground Water - Natural Attenuation Remedial Action Permit			Ground Water - Active System Remedial Action Permit		
	Staff Hours	Average Staff Hourly Rate	FY 2019 Fee	Staff Hours	Average Staff Hourly Rate	FY 2019 Fee	Staff Hours	Average Staff Hourly Rate	FY 2019 Fee
Remedial Action Permit Application	18	\$105	\$1,890	20	\$105	\$2,100	33	\$105	\$3,465
Remedial Action Permit Modification Fee	19	\$105	\$1,995	20	\$105	\$2,100	26	\$105	\$2,730
Remedial Action Permit Transfer Fee	15	\$105	\$1,575	20	\$105	\$2,100	12	\$105	\$1,260
Remedial Action Permit Termination Fee	26	\$105	\$2,730	26	\$105	\$2,730	23	\$105	\$2,415

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

As shown in the table below, the calculated remedial action permit activity fees for FY 2019 are increased for all activities compared to the FY 2018 fees (refer to the column “Fee Difference between FY 2018 and FY 2019”). As in previous years, rather than imposing on the regulated community the entire cost associated with the increased fees, the Department is limiting the remedial action permit activity fees for FY 2019 to no more than 25 percent above the comparable FY 2018 remedial action permit activity fees; this calculated value is then rounded to the nearest \$5.00.

The following table compares the calculated remedial action permit activity fees, the remedial action permit activity fees based on a maximum increase of 25 percent over the current remedial action permit activity fee, the final remedial action permit activity fees for FY 2019, and a comparison of the remedial action permit activity fees for FY 2018 with the final remedial action permit activity fees for FY 2019:

Comparison of FY 2018 and FY 2019 Remedial Action Permit Activity Fees

Remedial Action Permit Activity	FY 2018 Fee	Calculated FY 2019 Fee	FY 2019 Fee @ Maximum 25% Increase	Final FY 2019 Fee	Difference in Fee Between FY 2018 and FY 2019
Soil Remedial Action Permits					
Remedial Action Permit Application	\$1,470	\$1,890	\$1,840	\$1,840	\$370
Remedial Action Permit Modification	\$975	\$1,995	\$1,220	\$1,220	\$245
Remedial Action Permit Transfer	\$650	\$1,575	\$815	\$815	\$165
Remedial Action Permit Termination	\$1,470	\$2,730	\$1,840	\$1,840	\$370
Ground Water - Natural Attenuation Remedial Action Permits					
Remedial Action Permit Application	\$1,955	\$2,100	\$2,100	\$2,100	\$145
Remedial Action Permit Modification	\$1,470	\$2,100	\$1,840	\$1,840	\$370
Remedial Action Permit Transfer	\$650	\$2,100	\$815	\$815	\$165
Remedial Action Permit Termination	\$1,505	\$2,730	\$1,880	\$1,880	\$375
Ground Water - Active System Remedial Action Permits					
Remedial Action Permit Application	\$2,445	\$3,465	\$3,055	\$3,055	\$610
Remedial Action Permit Modification	\$1,955	\$2,730	\$2,445	\$2,445	\$490
Remedial Action Permit Transfer	\$740	\$1,260	\$925	\$925	\$185
Remedial Action Permit Termination	\$2,150	\$2,415	\$2,415	\$2,415	\$265

Remedial Action Permit Annual Fees FY 2019

The remedial action permit annual fee is charged to each person who maintains a remedial action permit, after the remedial action permit is issued. This remedial action permit annual fee is also calculated by determining the number of hours required annually to administer the remedial action permits, multiplied by the average hourly rate of staff charged with administering these remedial action permits, including activities such as evaluating biennial certifications.

For similar reasons as with the remedial action permit activity fees, historically, the Department underestimated the number of staff hours that would be required to perform this function. However, as the following comparison of the type of remedial action permit and the number of

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

staff hours required for FY 2018 and FY 2019 indicates, there is no change in the number of staff hours between FY 2018 and FY 2019:

Comparison of FY 2018 and FY 2019 Staff Hours for Remedial Action Permit Annual Fees

	FY 2018 Staff Hours	FY 2019 Staff Hours	Difference in Staff Hours Between FY 2018 and FY 2019
Type of Permit			
Soil Remedial Action Permit			
With deed notice without engineering controls	11	11	0
With deed notice with engineering controls	11	11	0
Ground Water Remedial Action Permit			
Natural Attenuation remedial action	12	12	0
Any other ground water remedial action	16	16	0

Based on the above staff hours, and the hourly rate of \$105.00, the calculated remedial action permit annual fees for FY 2019 are as follows:

FY 2019 Staff Hours, Hourly Rate, and Remedial Action Permit Annual Fees

	FY 2019 Staff Hours	FY 2019 Hourly Rate	FY 2019 Annual Permit Fee
Type of Permit			
Soil Remedial Action Permit			
With deed notice without engineering controls	11	\$105	\$1,155
With deed notice with engineering controls	11	\$105	\$1,155
Ground Water Remedial Action Permit			
Natural Attenuation remedial action	12	\$105	\$1,260
Any other ground water remedial action	16	\$105	\$1,680

These calculated remedial action permit annual fees all represent increases greater than 25 percent of the FY 2018 remedial action permit annual fees. The Department is limiting the increase in the FY 2019 remedial action permit annual fees to no more than 25 percent greater than the comparable FY 2018 remedial action permit annual fee; these values are then rounded to the nearest \$5.00.

The following table provides a comparison of the FY 2018 staff hours, average staff hourly rate, and remedial action permit annual fees; the FY 2019 staff hours, average hourly rate and, calculated remedial action permit annual fees, and the remedial action permit annual fees increased by 25 percent from FY 2018; and the difference between the FY 2018 and FY 2019 remedial action permit annual fees:

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

Comparison of FY 2018 and FY 2019 Remedial Action Permit Annual Fees

Type of Permit	FY 2018			FY 2019				Difference Between FY 2018 and FY 2019		
	Staff Hours	Average Staff Hourly Rate	Fee	Staff Hours	Average Staff Hourly Rate	Calculated Fee	Fee @ 25% FY 2018	Staff Hours	Average Staff Hourly Rate	Remedial Action Permit Annual Fee
Soil Remedial Action Permit										
With deed notice without engineering controls	11	\$105	\$320	11	\$105	\$1,155	\$400	0	\$0	\$80
With deed notice with engineering controls	11	\$105	\$320	11	\$105	\$1,155	\$400	0	\$0	\$80
Ground Water Remedial Action Permit										
Natural Attenuation remedial action	12	\$105	\$320	12	\$105	\$1,260	\$400	0	\$0	\$80
Any other ground water remedial action	16	\$105	\$320	16	\$105	\$1,680	\$400	0	\$0	\$80

SITE REMEDIATION REFORM ACT PROGRAM
ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2019

Appendix A

Description of Areas of Concern Categories and Category Multipliers

Category	N.J.A.C. Citation	Category Description	Multiplier
1	7:26C-4.2(b)4i	<p>Sites with zero or one contaminated areas of concern with no contaminated regulated USTs, that only contains historic fill (i.e., no other contaminated areas of concern).</p> <p>Sites where the number of contaminated areas of concern has not been determined based on the information known at the time the fee is to be calculated (for example, the preliminary assessment or site investigation has not been completed).</p>	1 times the base fee
2	7:26C-4.2(b)4ii	<p>Sites with 2 through 10 contaminated areas of concern.</p> <p>Sites with any number of contaminated regulated underground storage tank system areas, excluding unregulated heating oil tanks, provided there are no other contaminated areas of concern at the site.</p> <p>Example: If the site contains 15 regulated underground storage tank system areas and these were the only contaminated areas of concern at the site, the person would be subject to Category 2 fees. However, if this same site also had one other type of contaminated area of concern, the Department would consider the number of contaminated areas of concern at this site as 16, and the person would be subject to Category 3 fees.</p>	2 times the base fee
3	7:26C-4.2(b)4iii	<p>Sites with 11 through 20 contaminated areas of concern, at least one of which is a contaminated regulated underground storage tank area of concern.</p> <p>Site contains one or more sanitary landfills.</p>	11 times the base fee
4	7:26C-4.2(b)4iv	<p>Sites with more than 20 contaminated areas of concern.</p> <p>Sites where there are more than 20 contaminated areas of concern, at least one of which is a contaminated regulated UST area of concern.</p>	22 times the base fee