



**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) 2023**

May 2, 2022

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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) 2023 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 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 (SRRRA) Program is both SRRRA (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.). SRRRA 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 2023 and compares the input data for FY 2022 with the input data for FY 2023 for both the annual remediation fees and the remedial action permit fees. The Department published notice of its fees for FY 2022 in the May 3, 2021 New Jersey Register at 53 N.J.R. 747(b), and made them available online in the Fee Guidance Document for FY 2022(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 SRRRA 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 SRRRA Program (SRRRA Program Budget) by determining the dollar amount needed to accomplish all tasks associated with administering the active remediation side of the SRRRA 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 SRRRA Program Budget are to be included in this calculation (see N.J.A.C. 7:26C-4.2(b)1). For FY 2023, the total SRRRA Program Budget is \$24.311 million.

To determine the annual remediation fee, the rules provide that the Department will allocate the total SRRRA Program Budget to each of the two components of the annual fee, the contaminated

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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 (see N.J.A.C. 7:26C-4.2(b)2).

The FY 2023 budget for the active remediation side of the SRRA Program is \$24.311 million, apportioned as \$15.802 million to CAOC fees and \$8.509 million to contaminated media fees.

Contaminated Area of Concern Fee FY 2023

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 2023 and is based on data reported by persons responsible for conducting the remediation in the previous calendar year.

FY 2023 Numbers of Contaminated Areas of Concern

Contaminated Area of Concern Fee Category (CAOC)	Number of Elements CY 2021
Category 1	1,543
Category 2	10,652
Category 3	1,760
Category 4	1,302
Total CAOCs	15,257

The calculated raw base CAOC fee is therefore \$1,035.74 (\$15.802 million divided by 15,257). To ensure that the active remediation side of the SRRA Program does not collect more than \$15.802 million from collection of the CAOC fee, the Department adjusted the raw base fee downward to \$935.00 to derive the base CAOC fee for FY 2023. This represents an increase of \$10, or 1.1 percent, from FY 2022 (\$925).

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.

As stated above, the raw base CAOC fee equals the 65 percent revenue figure divided by the number of CAOCs from the previous calendar year. The CAOC base fee for FY 2023 is increasing compared to the CAOC base fee for FY 2022, because, even though the overall budget decreased slightly from FY 2022 to FY 2023 (as represented by the 65 percent revenue figure used in the calculation), this decrease is offset by the greater decrease in the total number of contaminated areas of concern [the fee is based on a division equation; the decrease was offset by the decrease in the denominator, therefore the resulting number (the base fee) increased].

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The final CAOC fee for each contaminated area of concern category for FY 2023 is presented in the below table.

FY 2023 Contaminated Area of Concern Fee

Category	Multiplier	Final Fee for FY 2023
1	1 – base fee applies	\$935
2	2 times base fee	\$1,870
3	11 times base fee	\$10,285
4	22 times base fee	\$20,570

Contaminated Media Fee FY 2023

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 2021 was 5,339. Therefore, the calculated contaminated media fee for FY 2023 is \$1,593.73 (\$8.509 million divided by 5,339 contaminated media reported), which is rounded down to the nearest \$5.00, or \$1,590. This represents an increase of \$25, or 1.6 percent, from FY 2022 (\$1,565).

As stated above, the contaminated media fee equals the 35 percent revenue figure divided by the number of contaminated media from the previous calendar year. Similar to the increase in the CAOC base fee from FY 2022 to FY 2023, the contaminated media fee is increasing because even though the overall budget decreased from FY 2022 to FY 2023 (as represented by the 35 percent revenue figure), this decrease is offset by the decrease in the total number of contaminated media [the fee is based on a division equation; the decrease in the numerator was offset by the decrease in the denominator, therefore the resulting number (the contaminated media fee) increased].

Example Annual Remediation Fee Calculation FY 2023

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 2023 fee rates:

Category 2 contaminated area of concern fee	
(Category 2 = two through 10 areas of concern)	\$1,870
Contaminated media fee	
(Three types of contaminated media @ \$1,590 each)	+ \$4,770
TOTAL ANNUAL REMEDIATION FEE	\$6,640

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

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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 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 2022 Fees and FY 2023 Fees

Following is a tabular comparison of the FY 2022 fees and the calculated and final FY 2023 fees:

Comparison of FY 2022 and FY 2023 Contaminated Area of Concern (CAOC) Fees

CAOC Category	FY 20202022 Fee	Calculated FY 2023 Fee	Difference in Fee Between FY 2022 and FY 2023
1	\$925	\$935	\$10
2	\$1,850	\$1,870	\$20
3	\$10,175	\$10,285	\$110
4	\$20,350	\$20,570	\$220
Contaminated media	\$1,565	\$1,590	\$25

* 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 2022 and for FY 2023

CAOC Category	Number of Elements FY 2022	Number of Elements FY 2023	Difference in Number of Elements Between FY 2022 and FY 2023
1	1,515	1,543	28
2	10,718	10,652	(66)
3	1,826	1,760	(66)
4	1,302	1,302	No change
Total AOCs	15,361	15,257	(104)
Contaminated media	5,408	5,339	(69)

FEEES ASSOCIATED WITH REMEDIAL ACTION PERMITS

The remedial action permit 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 2023, which (as explained further below) is based on salary, fringe, and indirect costs associated with reviewing the permit documents and administering permits, is \$2,511,285.47. Most work associated with remedial action permits is performed by Site Remediation and Waste Management Program (SRWMP) staff in the Bureau of Remedial Action

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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 fees: (1) the remedial action 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 fees were first promulgated in 2009, and adjusted by rulemaking in 2012. Thereafter, beginning in 2014 for FY 2015 (except in 2020 for FY 2021), the Department has adjusted the fees annually by notice. The most recent notice of fee adjustment was published in 2021 for FY 2022 (53 N.J.R. 747(b)).

Remedial Action Permit Fees Hourly Rate FY 2023

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 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 “non-direct staff” in the following narrative.

The number of BRAP staff FTEs dedicated to review of remedial action permit activities is 8.18, and the number of staff in other bureaus directly assigned to remedial action permitting activities is 7.54, for a total of 15.72 FTEs. This represents a decrease in the BRAP FTEs from FY 2022 of 0.05 FTEs, and an increase in FTEs in other bureaus of 0.07 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 non-direct staff). The total number of staff in the Site Remediation portion of SRWMP is 360, and the total number of non-direct staff is 15. Therefore, the total number of non-direct staff is 345. The ratio is 15.72/345, or 0.046. This ratio is then multiplied by the total number of non-direct staff to derive the number of support staff FTEs whose salaries must be covered by the BRAP Program fees. When the number of non-direct staff of 15 is multiplied by 0.046, the resulting number of support FTEs is 0.68. The total number of FTEs involved in remedial action permit activities is therefore 16.40 (15.72 direct staff FTEs and 0.68 non-direct staff FTEs).

The Department then determined the average salary of the 15 non-direct staff by taking the total salary of the non-direct staff FTEs of \$1,230,125.75 and dividing it by the total number of non-direct staff of 15, resulting in an average non-direct staff salary of \$82,008.38. Multiplying the

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average non-direct staff salary of \$82,008.38 by the total number of non-direct staff FTEs (0.68) results in the total non-direct staff FTE salary of \$56,050.95.

Next, the total salary of the 15.72 direct staff FTEs (\$1,189,249.90) was added to the total non-direct staff FTE salary (\$56,060.95), to derive the total annual salaries of staff involved in remedial action permit activities of \$1,245,300.85. That total was then divided by the total number of FTEs involved in remedial action permit activities (16.40 total FTEs: 15.72 direct FTEs plus 0.68 non-direct FTEs). The resulting value of \$75,916.88 is AS.

Fringe benefits, which include, but are not limited to, health benefits and retirement plans, 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 2022 rate of 61.05 percent. Accordingly, fringe benefits are equal to 0.6105 times \$75,916.88 or \$46,347.25.

Indirect costs, which include, but are not limited to utilities, building leases, and management salaries, 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 2022 rate of 19.90 percent. Accordingly, indirect costs for FY 2023 are the sum of \$75,916.88 plus \$46,347.25 (\$122,264.13), multiplied by 0.1990, or \$24,330.56.

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 per FTE. This number is 1,428.

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

$$\frac{\$107.21 = \$75,916.88 + \$46,347.25 + \$24,330.56 + \$6,500.00}{1,428}$$

The Department determined to round \$107.21 down 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 2022 RAP Hourly Rate with FY 2023 RAP Hourly Rate

For the FY 2022 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. Therefore, the hourly rate calculated for FY 2023 represents a decrease of \$5.00 from the FY 2022 hourly rate.

Remedial Action Permit Activity Fees FY 2023

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.

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When the remedial action permit activity fees were first codified in November 2009, the remedial action permit program had no historical data on which it could rely to calculate the various fees, and therefore 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 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. A comparison of the average number of hours required to perform specific remedial action permit activities between FY 2022 and FY 2023 is as follows:

Comparison of FY 2022 and FY 2023 Staff Hours to Complete Remedial Action Permit Activities

Remedial Action Permit Activity	FY 2022 Staff Hours	FY 2023 Staff Hours	Difference in Staff Hours between FY 2022 and FY 2023
<i>Soil Remedial Action Permits</i>			
Remedial Action Permit Application	16	15	(1)
Remedial Action Permit Modification	8	11	3
Remedial Action Permit Transfer	8	6	(2)
Remedial Action Permit Termination	7	12	5
<i>Ground Water - Natural Attenuation Remedial Action Permits</i>			
Remedial Action Permit Application	9	10	1
Remedial Action Permit Modification	8	11	3
Remedial Action Permit Transfer	8	6	(2)
Remedial Action Permit Termination	7	5	(2)
<i>Ground Water - Active System Remedial Action Permits</i>			
Remedial Action Permit Application	9	10	1
Remedial Action Permit Modification	8	11	3
Remedial Action Permit Transfer	8	6	(2)
Remedial Action Permit Termination	7	5	(2)

The number of staff hours, the staff hourly rate, and the resulting calculated remedial action permit activity fees for FY 2023 are as follows:

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FY 2023 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	Calculated FY 2023 fee	Staff hours	Average Staff Hourly Rate	Calculated FY 2023 fee	Staff hours	Average Staff Hourly Rate	Calculated FY 2023 fee
Remedial Action Permit Application	15	\$105.00	\$1575.00	10	\$105.00	\$1,050.00	10	\$105.00	\$1,050.00
Remedial Action Permit Modification Fee	11	\$105.00	\$1,155.00	11	\$105.00	\$1,155.00	11	\$105.00	\$1,155.00
Remedial Action Permit Transfer Fee	6	\$105.00	\$630.00	6	\$105.00	\$630.00	6	\$105.00	\$630.00
Remedial Action Permit Termination Fee	12	\$105.00	\$1,260.00	5	\$105.00	\$525.00	5	\$105.00	\$525.00

As shown in the table below, the calculated remedial action permit activity fees for FY 2023 increased between 6 percent and 77 percent for six remedial action permit activities and decreased between 5 percent and 28 percent for the remaining six remedial action permit activities compared to the FY 2022 fees (refer to the column “Difference in Fee between FY 2022 and FY 2023”). The fee increases are due to the increase in average hours to complete a given task. Similarly, the decreases are due to decreases in the number of hours to complete the given task (in one instance the number of hours to complete the given task remained the same, and the decrease in the fee is due to the decrease in the hourly rate). Additionally, specific to active system ground water remedial action permit fees, as with previous years, because the Department received so few active system ground water remedial action permit related documents in CY 2021 and therefore there are minimal data available for determining staff hours to calculate the ground water - active system remedial action permit activity fees, the Department is using the staff hours for monitored natural attenuation ground water remedial action permit activities to calculate the ground water - active system remedial action permit activity fees for FY 2023.

The following table compares the calculated remedial action permit activity fees for FY 2023, and compares the remedial action permit activity fees for FY 2022 with the remedial action permit activity fees for FY 2023:

Comparison of FY 2022 and FY 2023 Remedial Action Permit Activity Fees

Remedial Action Permit Activity	FY 2022 Fee	FY 2023 Fee	Difference in Fee Between FY 2022 and FY 2023
Soil Remedial Action Permits			
Remedial Action Permit Application	\$1,760.00	\$1,575.00	(\$185.00)
Remedial Action Permit Modification	\$880.00	\$1,155.00	\$275.00

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Remedial Action Permit Activity	FY 2022 Fee	FY 2023 Fee	Difference in Fee Between FY 2022 and FY 2023
Remedial Action Permit Transfer	\$880.00	\$630.00	(\$250.00)
Remedial Action Permit Termination	\$770.00	\$1,260.00	\$490.00
Ground Water - Natural Attenuation Remedial Action Permits			
Remedial Action Permit Application	\$990.00	\$1,050.00	\$60.00
Remedial Action Permit Modification	\$880.00	\$1,155.00	\$275.00
Remedial Action Permit Transfer	\$880.00	\$630.00	(\$250.00)
Remedial Action Permit Termination	\$770.00	\$525.00	(\$245.00)
Ground Water - Active System Remedial Action Permits			
Remedial Action Permit Application	\$990.00	\$1,050.00	\$60.00
Remedial Action Permit Modification	\$880.00	\$1,155.00	\$275.00
Remedial Action Permit Transfer	\$880.00	\$630.00	(\$250.00)
Remedial Action Permit Termination	\$770.00	\$525.00	(\$245.00)

Remedial Action Permit Annual Fees FY 2023

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 protectiveness certifications.

The Department has streamlined the process for reviewing biennial protectiveness certifications for remedial action permits. As the following comparison of the type of remedial action permit and the number of staff hours required for FY 2022 and FY 2023 indicates, the number of staff hours between FY 2022 and FY 2023 either remained the same or were reduced for all types of remedial action permits:

Comparison of FY 2020 and FY 2023 Staff Hours for Remedial Action Permit Annual Fees

Type of Permit	FY 2022 Staff Hours	FY 2023 Staff Hours	Difference in Staff Hours Between FY 2022 and FY 2023
Soil Remedial Action Permit			
Deed notice without engineering controls	5	4	(1)
Deed notice with engineering controls	5	4	(1)
Ground Water Remedial Action Permit			
Natural Attenuation remedial action	6	4	(2)
Any other ground water remedial action	7	4	(3)

Based on the above staff hours, and the hourly rate of \$105.00, the calculated remedial action permit annual fees for FY 2023 are as follows:

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FY 2023 Staff Hours, Hourly Rate, and Remedial Action Permit Annual Fees

	FY 2023 Staff Hours	FY 2023 Hourly Rate	Calculated FY 2023 Annual Permit Fee
Type of Permit			
<i>Soil Remedial Action Permit</i>			
Deed notice without engineering controls	4	\$105.00	\$420.00
Deed notice with engineering controls	4	\$105.00	\$420.00
<i>Ground Water Remedial Action Permit</i>			
Natural Attenuation remedial action	4	\$105.00	\$420.00
Any other ground water remedial action	4	\$105.00	\$420.00

When compared to FY 2022, these calculated remedial action permit annual fees represent decreases of between 5 percent and 32 percent. These decreases are due to a decreases in both the hourly rate and the hours to complete the given task.

The following table provides a comparison of the FY 2022 staff hours, average staff hourly rate, and remedial action permit annual fees; the FY 2023 staff hours, average hourly rate and, calculated remedial action permit annual fees; and the difference between the FY 2022 and FY 2023 remedial action permit annual fees:

Comparison of FY 2022 and FY 2023 Remedial Action Permit Annual Fees

Type of Permit	FY 2022			FY 2023			Difference Between FY 2022 and FY 2023		
	Staff Hours	Average Staff Hourly Rate	Remedial Action Permit Annual Fee	Staff Hours	Average Staff Hourly Rate	Remedial Action Permit Annual Fee	Staff Hours	Average Staff Hourly Rate	Remedial Action Permit Annual Fee
<i>Soil Remedial Action Permit</i>									
Deed notice without engineering controls	5	\$110.00	\$550.00	4	\$105.00	\$525.00	(1)	(\$5)	(\$130)
Deed notice with engineering controls	5	\$110.00	\$550.00	4	\$105.00	\$525.00	(1)	(\$5)	(\$130)
<i>Ground Water Remedial Action Permit</i>									
Natural Attenuation remedial action	6	\$110.00	\$660.00	4	\$105.00	\$525.00	(2)	(\$5)	(\$240)
Any other ground water remedial action	7	\$110.00	\$770.00	4	\$105.00	\$525.00	(3)	(\$5)	(\$350)

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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