



**153rd GENERAL ASSEMBLY
FEE IMPACT**

BILL: HOUSE BILL NO. 175

SPONSOR: Representative Heffernan

DESCRIPTION: AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL FEES AND ASSESSMENT AND TO AUTHORIZE AND APPROVE VARIOUS DNREC FEES AND ASSESSMENTS.

In accordance with 29 Del. C. §913, the following information is provided relating to licenses and fees.

Description of the Legislation:

This Act authorizes the Department of Natural Resources and Environmental Control (DNREC) to update certain statutory fees and establishes or updates certain permit and licensing fees.

Affected Entities:

The affected entities of this Act are DNREC, individuals, and businesses that apply for permits.

Fiscal Impact:

Upon implementation, the total estimated revenue will be approximately \$7,200,000.

Fee Description	Proposed Fee Name	Current Fee Amount	Proposed Fee Amount	Frequency	Annual #
Waste and Hazardous Substances: Waste Facilities	Haz. waste: assessment for incineration/off-site but neither land disposal or incineration/land disposal	\$4/\$16/ \$21 per ton	\$10/\$35/ \$50 per ton	Annual	56
Waste and Hazardous Substances: Storage Tanks	UST Registration	\$50	\$150	Annual	1,350
	UST Registration- Late Renewal	\$30	\$50	Annual	10
	UST Contract Certification - Business	\$250	\$750	Every two years	15
	UST Contract Certification - Individual	\$100	\$300	Every two years	35
Waste and Hazardous Substances: Storage Tanks	AST Annual Fee 12,499-39,999 gal	\$300	\$700	Annual	126
	AST Annual Fee 40k+ gal	\$750	\$1,000	Annual	270
	AST Construction 12,499-39,999 gal	\$1,500	\$3,500	One-time	2
	AST Construction 40k+ gal	\$3,750	\$9,000	One-time	2

Fee Description	Proposed Fee Name	Current Fee Amount	Proposed Fee Amount	Frequency	Annual #
Waste and Hazardous Substances: Accidental Release Prevention	Accidental Release Prevention for EHS	\$500.00/yr for first whole unit; \$25/yr for each add'l unit up to 300 units	\$900.00/yr for first whole unit; \$50/yr for each add'l unit up to 300 units	Annual	30
	Accidental Release Prevention for Stationary Sources reporting propane and ammonium nitrate with a potential release \geq sufficient quantity in their Risk Management Plan	\$500.00 per year	\$500.00/yr for first whole unit; \$25/yr for each add'l unit up to 300 units	Annual	68
Waste and Hazardous Substances: Storage Tanks	VOC Sys Construction- bulk gas	\$265	\$1,000	One-time	0
	VOC Sys Construction- gas dispensing	\$120	\$500	One-time	39
	VOC Sys annual fee- gas dispensing	\$75	\$275	Annual	314
Waste and Hazardous Substances: Waste Facilities	Solid waste facility fee	\$7,000	\$14,000	Annual	20
	Recycling facility fee	\$750	\$2,000	Annual	10
	Composting facility fee- 1	\$750	\$400	Annual	10
	Composting facility fee- 2	\$1,500	\$4,000	Annual	1
	Composting facility fee- 3	\$3,000	\$9,000	Annual	0
Waste and Hazardous Substances: Waste Facilities	Scrap tire disposal fee- 1	\$250	\$500	Annual	11
	Scrap tire disposal fee- 2	\$350	\$750	Annual	1
	Haz waste facility	\$7,000	\$14,000	Annual	9
	Haz waste facility- small	\$500	\$1,500	Annual	0
Variance	Temp. Emergency Variance	\$500	\$5,000	Per Application	0
	Variance	\$1,000	\$10,000	Per Application	0
Air Quality: Natural Minors - Permit Application Fees	Fuel Burning-Consolidated	\$165	\$800	Per Application	9
	Crematory	\$165	\$800	Per Application	1
Air Quality: Natural Minors - Permit Application Fees	Process Units- Consolidated	\$215	\$1,000	Per Application	30
	Emergency Generator	\$215	\$800	Per Application	15
	VOC Unit - Solvent Degreaser	\$180	\$500	Per Application	3

Fee Description	Proposed Fee Name	Current Fee Amount	Proposed Fee Amount	Frequency	Annual #
	VOC Unit - Storage Tank	\$180	\$500	Per Application	2
	VOC Sys. – Gasoline Disp. Facility	\$120	\$500	Per Application	0
	VOC Sys. – Dry Cleaning Facility	\$265	\$1,000	Per Application	1
Air Quality: Natural Minors - Permit Application Fees	Water Tank Lead Paint Removal	\$215	\$725	Per Application	3
	Amendment to Permits	\$175	\$800	Per Application	40
Air Quality: Natural Minors - Permit Application Fees	Registration and Registration Amendment	NEW	\$100	Per Application	36
Air Quality: Natural Minors - Annual Fees	Fuel Burning-Consolidated	\$75	\$300	Annual	120
	Crematory	\$75	\$300	Annual	20
	Process Units- Consolidated	\$125	\$400	Annual	510
	Process Units- Emergency Generator	\$125	\$400	Annual	Incl. with process units
	VOC Unit - Solvent Degreaser	\$75	\$275	Annual	5
	VOC Unit - Storage Tank	\$75	\$275	Annual	10
	VOC Sys. – Gasoline Disp. Facility	\$75	\$275	Annual	0
Air Quality: Natural Minors - Annual Fees	VOC Sys. – Delivery Vessel	\$50	\$100	Annual	640
	VOC Sys. – Dry Cleaning Facility	\$175	\$600	Annual	40
Air Quality: Natural Minors - Complexity Fees - New	Minor New Source Review Applicability	NEW	\$6,000	Per Application	5
	Emission Offset Provisions	NEW	\$24,000	Per Application	1
	Prevention of Significant Deterioration	NEW	\$24,000	Per Application	0
	Maximum Achievable Control Technology/ National Emission Standards for Hazardous Air Pollutants/ New Source Performance Standards	NEW	\$6,000	Per Application	20

Fee Description	Proposed Fee Name	Current Fee Amount	Proposed Fee Amount	Frequency	Annual #
	Distributed Generator	NEW	\$6,000	Per Application	1
Air Quality: Natural Minors - Complexity Fees - New	Federally Enforceable Laws	NEW	\$3,000	Per Application	5
	Proximity to Sensitive Areas (w/in 500 feet of residence, school, or park, excluding certain facilities)	NEW	\$3,000	Per Application	60
	Confidentiality Review	NEW	\$3,000	Per Application	5
Watershed Stewardship: Sediment and Stormwater Management	Plan Review (per acre, no fee for inspection)	\$80	\$975	Per Application	431
Watershed: Beach Preservation	Coastal construction/mechanical dune restoration permit	\$150	\$4,500	Per Application	12
Watershed: Beach Preservation	Letter of approval	NEW	\$500	Per Application	130
	Violation Review (penalty in addition to permit fee)	NEW	\$500	Per Violation	8
Water: Division Licensing - Septics	Wastewater system construction licensing (Class A-I)	\$40	\$100	Per Application	798
	Wastewater system construction exam	NEW	\$100	Per Exam	10
	Wastewater system late renewal	NEW	\$50	Per Application	100
Water: Division Licensing - Wells	Drilling Contractor licensing	\$150	\$250	Per Application	115
	Pump Installation Contractor licensing	\$115	\$250	Per Application	20
	Well Driller licensing	\$30	\$100	Per Application	266
	Pump Installer licensing	\$15	\$100	Per Application	25
	Water Supply Exam	NEW	\$100	Per Exam	10
	Water Supply Late Renewal	NEW	\$50	Per Application	20
Water: Division Licensing - Waste Transporters	Waste Hauling Transporter Permit	\$450	\$500	Annual	24
Water: Division Licensing - Wastewater Operators	Wastewater Operators licensing	\$50	\$100	Every two years	223
	Wastewater Operators Emergency License	\$375	\$500	Per Application	0
	Wastewater Operators late renewal	\$15	\$50	Per Application	17

Fee Description	Proposed Fee Name	Current Fee Amount	Proposed Fee Amount	Frequency	Annual #
Water: Commercial and Government Services - NPDES	National Pollutant Discharge Elimination System (NPDES) Permit Application Fee	NEW	\$250	Every 5 years	6
	NPDES Amendments, \$250 per application	0	\$250	Per application	1
	NPDES-Major Industrial Annual Fee	\$9,000	\$0.25 per 1,000 gal up to \$20,000	Annual	11
	NPDES Minor Industrial Annual Fee	\$2,250		Annual	15
	NPDES Major Non-Industrial Annual Fee	NEW		Annual	7
	NPDES Minor Non-Industrial Annual Fee	\$3,000		Annual	5
	NPDES Municipal Annual Fee	NEW	\$0.10 per 1,000 gal up to \$15,000 per entity	Annual	7
	Temporary Discharge Authorization	NEW	\$250	Per Application	25
Water: Commercial and Government Services - Industrial Stormwater	Industrial Stormwater- General	\$200	\$250	Annual	260
	Industrial Stormwater- No Exposure	\$40	\$250	Annual	103
Water: Commercial and Government Services - Wastewater Construction	Wastewater Treatment Facility Construction- Major	\$4,500-\$6,000	\$5,000	Per Application	1
	Wastewater Treatment Facility Construction- Minor	\$1,125-\$2,250	\$2,500	Per Application	7
	Sewer Collection- System application	\$825	\$2,500	Per Application	77
Water: Commercial and Government Services - Biosolids	Biosolids- Agricultural Utilization (Major)	\$6,000	\$250/Dry Ton up to \$10,000	Annual	7
Water: Commercial and Government Services - Biosolids	Biosolids- Agricultural Utilization (Minor)	\$3,750		Annual	0
	Biosolids- Distribution & Marketing (In State)	\$3,000		Annual	4
	Biosolids- Distribution & Marketing (Out of State)	\$4,000		Annual	1
	Biosolids- Septage (Major)	\$500	\$1,000	Annual	4
	Biosolids- Septage (Minor)	\$200	\$500	Annual	0
	Biosolids- Landfill	\$2,000	\$0	Annual	0
	Biosolids- Other (Reclamation)	\$2,000	\$0	Annual	0
	Biosolids- Other (Research)	\$2,000	\$0	Annual	0
Water: Commercial and Government Services - Bulk Storage	Bulk Storage- Liquid Animal Waste	\$100	\$250	One Time	0
	Bulk Storage- Transfer & Pipeline	\$3,750	\$5,000	Per Application	0

Fee Description	Proposed Fee Name	Current Fee Amount	Proposed Fee Amount	Frequency	Annual #
Water: Commercial and Government Services - Aquatic Pesticides	Use of Aquatic Pesticides	NEW	\$250	Per 5 year Application	20
Water: Commercial and Government Services - CAFO	CAFO	NEW	\$0	Per 5 year Application	40
Water: Commercial and Government Services - MS4	Municipal Separate Storm Sewer Systems- Individual	NEW	\$250	Per 5 year Application	1
	Municipal Separate Storm Sewer Systems- General	NEW	\$250	Per 5 year Application	9
Water: Commercial and Government Services - Subsurface Discharge	Large Septic Systems (Drain fields, RIBs, & UIC) Permit Application Fee	\$750	\$250	Per Application	23
	Large Septic Systems (Drain fields, RIBs, & UIC) Annual Fee	NEW	\$0.25 per 1,000 gal up to \$20,000 per entity	Annual	123
	Large Septic Systems (Drain fields, RIBs, & UIC) Municipal Annual Fee	NEW	\$0.10 per 1,000 gal up to \$15,000 per entity	Annual	2
Water: Commercial and Government Services - Spray Irrigation	Irrigation Spray Systems Permit Application Fee	NEW	\$250	Per Application	0
	Irrigation Spray Systems- Food Processing Facility Annual Fee	\$1,500	\$0.25 per 1,000 gal up to \$20,000 per entity	Annual	11
	Irrigation Spray Systems- Minor Annual Fee	\$2,000		Annual	
	Irrigation Spray Systems- Major Annual Fee	\$4,500		Annual	
	Irrigation Spray Systems- Municipal Annual Fee	NEW	\$0.10 per 1,000 gal up to \$15,000 per entity	Annual	5
Water: Commercial and Government Services - Water Allocations	Allocation permit- Public Systems	\$375	\$250	Per Permit	5
	Allocation permit- Municipal Systems	NEW	\$250	Per Permit	3
	Allocation annual fee- Public Systems	NEW	\$0.25 per 1,000 gal up to \$20,000 per entity	Annual	38
	Allocation annual fee- Municipal Systems	NEW	\$0.10 per 1,000 gal up to \$15,000 per entity	Annual	27
	Allocation permit- Industrial Systems	\$375	\$250	Per Permit	10
	Allocation annual fee- Industrial Systems	NEW	\$0.25 per 1,000 gal up to \$20,000 per entity	Annual	35
	Allocation permit- Commercial Systems	\$375	\$250	Per Permit	0
	Allocation annual fee- Commercial Systems	NEW	\$0.25 per 1,000 gal up to \$20,000 per entity	Annual	27
	Allocation permit- Agricultural Systems	NEW	\$250	Per Permit	40
	Allocation annual fee- Agricultural Systems	N/A	There shall be no Allocation Annual Fee for Agricultural Systems	Annual	

Fee Description	Proposed Fee Name	Current Fee Amount	Proposed Fee Amount	Frequency	Annual #
Water: Residential Services - Residential Wastewater	Review Private Site Evaluations	\$75	\$250	Per Application	1830
	Component Replacement	NEW	\$250	Per Application	899
	System Repair	NEW	\$250	Per Application	
	Authorization to Connect	NEW	\$250	Per Application	
	Class H Inspection Review	NEW	\$250	Per Application	
	Subdivision Feasibility	\$345	\$1,000	Per Application	1
	Gravity Systems	\$50	\$250	Per Application	1,113
	Engineered Septic Systems	\$115	\$250	Per Application	769
	Sys Compliance Inspections	\$70	\$100	Annual	60
	Holding Tank Inspection	\$60	\$250	Annual	11
	Waivers/Variance	\$675	\$1,000	Per Application	4
	Product Approvals- Application	NEW	\$1,000	Per Application	1
	Product Approvals Renewal	NEW	\$500	Every 5 Years	20
Water: Residential Services - Residential Water Supply	Agricultural- Standard	NEW	\$250	Per Application	93
	Agricultural- Cert. of Public Convenience & Necessity	NEW	\$250	Per Application	675
	Dewater-Standard	NEW	\$250	Per Application	143
	Domestic-Standard	\$35	\$250	Per Application	1,143
	Geothermal Closed Loop	NEW	\$250	Per Application	69
	Geothermal Recharge	\$115	\$250	Per Application	6
	Geothermal Supply	\$75	\$250	Per Application	4
	Industrial-Standard	\$75	\$250	Per Application	1
	Irrigation-Standard	NEW	\$250	Per Application	73
	Miscellaneous-Standard	NEW	\$250	Per Application	2
	Monitor-Standard	\$75	\$250	Per Application	346
	Observation-Standard	NEW	\$250	Per Application	164
	Public-Standard	\$75	\$250	Per Application	48
	Remediation I-Injection	\$75	\$250	Per Application	56
	Remediation R- Recovery	\$75	\$250	Per Application	21
	Soil Borings	NEW	\$250	Per Application	478
	Waivers/Variances	NEW	\$1,000	Per Application	9
	Authorization to Connect to Well	NEW	\$250	Per Application	67

Fee Description	Proposed New Fee	Current Fee Amount	Proposed Fee Amount	Frequency	Annual #
Water: Subaqueous Permit Application Fees	Structural Dock/Pier Permit Application	\$225	\$250	Per Application	200
	Non-Structural (Fill) Permit Application	\$225	\$250	Per Application	150
	Permit Amendment	\$225	\$250	Per Application	50
	Letter of Authorization (Statewide Activity Approval)	\$150	\$250	Per Application	250
	Salvage Exploration Permit Application	\$300	\$250	Per Application	1
	New Dredging (< 500 cubic yards) Permit Application	\$150 + \$1.50/ cu yard	\$250 + \$1.50/ cu yard	Per Application	2
Water: Subaqueous Permit Application Fees	New Dredging (500 cubic yards) Permit Application	\$300 + 1.50/ cu yard	\$250 + \$1.50/cu yard	Per Application	1
	Maintenance Dredging Permit Application (< 500 cubic yards)	\$500	\$250 per app., \$500 per event	Per Application	6
	Maintenance Dredging Permit Application (>500 cubic yards)	\$225	\$250 per app., \$1,000 per event	Per Application	10
Water: Subaqueous Lease Application Fees	Structural Dock/Pier 10 year Lease Application	\$225	\$250	Every 10 years	70
	Non-Structural (Fill) 10 year Lease Application	\$225	\$250	Every 10 years	20
	Transmission Lines/Pipelines 10 year Lease Application	\$225	\$250	Every 10 years	17
	Salvage Exploration 10 year Lease Application	\$300	\$250	Every 10 years	1
	Lease Amendment (Supplemental Approval)	\$225	\$250	Every 10 years	20
Subaqueous Lands Leases Annual Fees	Subaqueous Lands Lease: Filled Lands Aquatic and Wetland Veg.	NEW	\$0.02 per sq ft	Annual	7
	Subaqueous Lands Lease: Beach Restoration	NEW	\$0.10 per sq ft	Annual	2
	Subaqueous Lands Lease: Vegetative Stabilization Protection	NEW	\$0.10 per sq ft	Annual	15

Intended Use of Revenue:

Intended use of revenue is to support the Department's responsibilities concerning Division of Waste and Hazardous Substances, Division of Air Quality, Division of Watershed Stewardship, and Division of Water.

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