



**New Jersey
Department of Environmental Protection**



Site Remediation Program

SITE REMEDIATION REFORM ACT PROGRAM

**ANNUAL FEE CALCULATION REPORT FOR
FISCAL YEAR (FY) 2016**

June 15, 2015

SITE REMEDIATION REFORM ACT PROGRAM **ANNUAL FEE CALCULATION REPORT FOR FISCAL YEAR (FY) 2016**

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 (Fee Report) for fiscal year (FY) 2016 concerning annual remediation fees and fees associated with remedial action permits. This Fee 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 Fee Report identifies the fees calculated for FY 2016, and compares the input data for FY 2015 with the input data for FY 2016 for both the annual remediation fees and the remedial action permit-related fees. The Department published notice of its fees for FY 2015 in the June 16, 2014 New Jersey Register at 46 N.J.R. 1481(b), and made them available online in the Fee Guidance Document for FY 2015 (http://www.nj.gov/dep/srp/guidance/#fee_oversight_cost_guidance).

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 Program (SRP) 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 spends 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 2016, the total SRRA Program Budget is \$24.559 million.

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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 2016 budget for the active remediation side of the SRRA Program is \$24.559 million, apportioned as \$15.964 million to CAOC fees and \$8.596 million to contaminated media fees.

Contaminated Area of Concern Fee FY 2016

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 2016 and is based on data reported by persons responsible for conducting the remediation in the previous calendar year.

FY 2016 Numbers of Contaminated Areas of Concern

Contaminated Area of Concern Fee Category (CAOC)	Number of Elements FY 2016
Category 1	704
Category 2	12,254
Category 3	1,573
Category 4	1,491
Total CAOCs	16,022

The calculated raw base CAOC fee is therefore \$996.35 (\$15.964 million divided by 16,022). To ensure that the active remediation side of the SRRA Program does not collect more than \$15.964 million from collection of the CAOC fee, the Department adjusted the raw base fee downward and rounded to the nearest \$5.00 to \$950.00 to derive the base CAOC fee for FY 2016.

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.

These calculations would result in the fees increasing by approximately 68 percent for all four fee categories. Rather than imposing this financial burden on the regulated community, the Department is instead increasing the FY 2015 base fee by only 25 percent relative to the FY 2015 base fee (\$565.00). This results in a base fee for FY 2016 of \$706.25, which is rounded to

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the nearest \$5.00, for a final base fee of \$705.00. The Department is then using the appropriate multiplier to determine the FY 2016 annual remediation fees for Categories 2, 3, and 4.

The final CAOC fee for each contaminated area of concern category for FY 2016 is presented in the below table.

FY 2016 Contaminated Area of Concern Fee

Category	Multiplier	Final Fee for FY 2016
1	None – base fee applies	\$705
2	2 times base fee	\$1,410
3	11 times base fee	\$7,755
4	22 times base fee	\$15,510

Contaminated Media Fee FY 2016

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 2014 was 4,896. Therefore, the calculated contaminated media fee for FY 2016 is \$1,755.67 (\$8.596 million divided by 4,896 contaminated media reported), which is rounded to the nearest \$5.00, or \$1,755, which is only \$5.00 more than the FY 2015 fee. In light of the small difference, the Department is not increasing the contaminated media fee for FY 2016, but will leave it at the FY 2015 level of \$1,750.

Example Annual Remediation Fee Calculation FY 2016

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 2016 fee rates:

Category 2 contaminated area of concern fee (Category 2 = two through 10 areas of concern)	\$1,410
Contaminated media fee (Three types of contaminated media @ \$1,750 each)	<u>+ \$5,250</u>
TOTAL ANNUAL REMEDIATION FEE	\$6,660

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 only remediating a single contaminated area of concern will be required to pay a significantly smaller 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

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amount of the annual remediation fee will decrease, thereby providing added incentive for conducting remediation in a timely fashion.

Comparison of FY 2015 Fees and FY 2016 Fees

Following is a tabular comparison of the FY 2015 fees and the calculated and final FY 2016 fees:

Comparison of FY 2015 and FY 2016 Contaminated Area of Concern (CAOC) Fees

CAOC Category	FY 2015 Fee	Calculated FY 2016 Fee	FY 2016 Fee @ 25% Increase*	Final Fee for FY 2016	Fee Difference between FY 2015 and FY 2016
1	\$565	\$950	\$705	\$705	\$140
2	\$1,130	\$1,900	\$1,410	\$1,410	\$280
3	\$6,215	\$10,450	\$7,755	\$7,755	\$1,540
4	\$12,430	\$20,900	\$15,510	\$15,510	\$3,080
Contaminated media	\$1,750	\$1,755	Not Applicable	\$1,750	\$0

* Base fee (Category 1) increased 25 percent; 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 2015 and for FY 2016

CAOC Category	Number of Elements FY 2015	Number of Elements FY 2016	Difference
1	840	704	(136)
2	14,144	12,254	(1,890)
3	1,749	1,573	(176)
4	1,596	1,491	(105)
Total AOCs	18,329	16,022	(2,307)
Contaminated media	5,251	4,896	(355)

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. Most work associated with remedial action permits is performed by Site Remediation Program (SRP) 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 SRP staff to conduct the listed remedial action permit functions, and the hourly rate of SRP 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 permit activity fee and (2) the remedial action permit annual fee. The four types of remedial action permit activities are (1) permit application

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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 and by notice in 2014 (for FY 2015). The estimated cost for FY 2016, which (as explained further below) is based on salary, fringe, and indirect costs associated with reviewing the permit documents and administering permits, is \$2,018,150.

BRAP Hourly Rate FY 2016

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 SRP 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.

Annual salary is calculated by first determining the ratio of the number of direct staff FTEs to the total number of indirect staff in the SRP Program. That ratio is 19.85/306, or 0.065. This ratio is then multiplied by the total number of indirect staff that are not in management to derive the number of support staff whose salaries must be covered by the BRAP Program fees (management salaries are covered in IC, described below). Of the total 70 indirect staff that support remedial action permit activities, 11 are managers, leaving 59 FTEs who support remedial action permit activities. When 59 is multiplied by 0.065, the resulting number of support FTEs is 3.8. The total number of FTEs involved in remedial action permit activities is therefore 23.8 (20 direct staff FTEs and 3.8 indirect staff FTEs).

The Department then determined the average salary of the 3.8 indirect staff FTEs by taking the total salary of the indirect staff FTEs of \$4,867,684.14 and dividing it by the total number of indirect staff FTEs of 59, resulting in an average indirect staff salary of \$82,503.12. Multiplying the average indirect staff salary of \$82,503.12 by the total number of indirect staff FTEs (3.8) renders the total indirect staff FTE salary of \$315,763.17.

Next, the total salary of the 20 direct staff FTEs (\$1,552,712.62) was added to the total indirect staff FTE salary (\$315,763.17), to derive the total annual salaries of staff involved in remedial action permit activities of \$1,868,475.79. That total was then divided by the total number of FTEs involved in remedial action permit activities (19.85 direct FTEs plus 3.85 indirect FTEs, for a total of 23.68 FTEs). The resulting number of \$78,914.27 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 FY 2016,

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this rate is 40.15 percent. Accordingly, fringe benefits are equal to 0.4015 times \$78,914.27 or \$31,684.08.

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 FY 2016, the rate is 20.04 percent. Accordingly, indirect costs for FY 2016 are the sum of \$78,914.27 plus \$31,684.08, multiplied by 0.2004, or \$22,163.91.

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:

$$\$97.52 = \frac{\$78,914.27 + \$31,684.08 + \$22,163.91 + \$6,500.00}{1,428}$$

The Department determined to round \$97.52 to the nearest \$5.00, or \$100.00, and to use \$100.00 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 2016 RAP Hourly Rate with FY 2015 RAP Hourly Rate

For the FY 2015 remedial action permit activity fees, the Department used an hourly rate of \$110.00 to calculate the fees to be charged by the remedial action permitting program. The \$100.00 hourly rate the Department calculated for FY 2016 is \$10.00 less than the hourly rate of \$110.00 used to determine the FY 2015 remedial action permit fees.

Remedial Action Permit Activity Fees FY 2016

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 \$100.00 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 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. These corrected values are reflected in the following table, which compares the number of staff hours required to perform specific remedial action permit activities in FY 2015 to FY 2016:

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Comparison of FY 2015 and FY 2016 Staff Hours to Complete Remedial Action Permit Activities

Remedial Action Permit Activity	FY 2015 Staff Hours	FY 2016 Staff Hours	Difference in Staff Hours between FY 2015 and FY 2016
Soil Remedial Action Permits			
Remedial Action Permit Application	7	10	3
Remedial Action Permit Modification	7	14	7
Remedial Action Permit Transfer	3	10	7
Remedial Action Permit Termination	7	21	14
Ground Water - Natural Attenuation Remedial Action Permits			
Remedial Action Permit Application	12	15	3
Remedial Action Permit Modification	12	15	3
Remedial Action Permit Transfer	3	15	12
Remedial Action Permit Termination	7	21	14
Ground Water - Active System Remedial Action Permits			
Remedial Action Permit Application	21	28	7
Remedial Action Permit Modification	14	21	7
Remedial Action Permit Transfer	7	10	3
Remedial Action Permit Termination	10	21	11

The number of staff hours, the staff hourly rate, and the resulting calculated remedial action permit activity fees for FY 2016 are as follows:

FY 2016 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 2016 Fee	Staff Hours	Average Staff Hourly Rate	FY 2016 Fee	Staff Hours	Average Staff Hourly Rate	FY 2016 Fee
Remedial Action Permit Application	10	\$100	\$1,000	15	\$100	\$1,500	28	\$100	\$2,800
Remedial Action Permit Modification Fee	14	\$100	\$1,400	15	\$100	\$1,500	21	\$100	\$2,100
Remedial Action Permit Transfer Fee	10	\$100	\$1,000	15	\$100	\$1,500	10	\$100	\$1,000
Remedial Action Permit Termination Fee	21	\$100	\$2,100	21	\$100	\$2,100	21	\$100	\$2,100

As shown in the table below, the calculated remedial action permit activity fees for FY 2016 are increased for all activities compared to the FY 2015 fees (refer to the column “Fee Difference between FY 2015 and FY 2016”). For FY 2015, the Department adjusted the remedial action permit activity fees, but underestimated the number of staff hours that would be required to complete remedial action permit activities. Rather than imposing on the regulated community

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the entire cost associated with the correction of staff hours, the Department is limiting the remedial action permit activity fees for FY 2016 to no more than 25 percent above the comparable FY 2015 remedial action permit activity fees; this calculated value is then rounded to the nearest \$5.00. When the Department calculated the FY 2016 remedial action permit activity fees for (1) the remedial action permit application fee for ground water monitored natural attenuation remediation, (2) the remedial action permit modification fee for ground water monitored natural attenuation remediation, and (3) the remedial action permit application fee for active system remediation of ground water (hourly rate multiplied by the average number of hours required by BRAP staff to perform the activity), the resulting fee equated to an increase of 14 percent, 14 percent, and 21 percent, respectively, relative to the FY 2015 fee. Therefore, the Department is increasing these three remedial action permit activity fees only by those respective percentages.

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 2016, and a comparison of the remedial action permit activity fees for FY 2015 with the final remedial action permit activity fees for FY 2016:

Comparison of FY 2015 and FY 2016 Remedial Action Permit Activity Fees

Remedial Action Permit Activity	FY 2015 Fee	Calculated FY 2016 Fee	FY 2016 Fee @ Maximum 25% Increase	Final FY 2016 Fee	Fee Difference between FY 2015 and FY 2016
Soil Remedial Action Permits					
Remedial Action Permit Application	\$750	\$1,000	\$940	\$940	\$190
Remedial Action Permit Modification	\$500	\$1,400	\$625	\$625	\$125
Remedial Action Permit Transfer	\$330	\$1,000	\$415	\$415	\$85
Remedial Action Permit Termination	\$750	\$2,100	\$940	\$940	\$190
Ground Water - Natural Attenuation Remedial Action Permits					
Remedial Action Permit Application	\$1,000	\$1,500	\$1,250	\$1,250	\$250
Remedial Action Permit Modification	\$750	\$1,500	\$940	\$940	\$190
Remedial Action Permit Transfer	\$330	\$1,500	\$415	\$415	\$85
Remedial Action Permit Termination	\$770	\$2,100	\$965	\$965	\$195
Ground Water - Active System Remedial Action Permits					
Remedial Action Permit Application	\$1,250	\$2,800	\$1,565	\$1,565	\$315
Remedial Action Permit Modification	\$1,000	\$2,100	\$1,250	\$1,250	\$250
Remedial Action Permit Transfer	\$375	\$1,000	\$470	\$470	\$95
Remedial Action Permit Termination	\$1,100	\$2,100	\$1,375	\$1,375	\$275

Remedial Action Permit Annual Fees FY 2016

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

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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.

As with the remedial action permit activity fees, the Department underestimated the number of staff hours that would be required to perform this function. A comparison of the type of remedial action permit and the number of staff hours required for FY 2015 and FY 2016 follows:

Comparison of FY 2015 and FY 2016 Staff Hours for Remedial Action Permit Annual Fees

	FY 2015 Staff Hours	FY 2016 Staff Hours	Difference in Staff Hours between FY 2015 and FY 2016
Type of Permit			
Soil Remedial Action Permit			
With deed notice without engineering controls	1.5	2.5	1.0
With deed notice with engineering controls	1.5	2.5	1.0
Ground Water Remedial Action Permit			
Natural Attenuation remedial action	1.5	3	1.5
Any other ground water remedial action	1.5	7	5.5

Based on the above staff hours, and the hourly rate of \$100.00, the calculated remedial action permit annual fees for FY 2016 are as follows:

FY 2016 Staff Hours, Hourly Rate, and Remedial Action Permit Annual Fees

	FY 2016 Staff Hours	FY 2016 Hourly Rate	FY 2016 Annual Permit Fee
Type of Permit			
Soil Remedial Action Permit			
With deed notice without engineering controls	2.5	\$100.00	\$250.00
With deed notice with engineering controls	2.5	\$100.00	\$250.00
Ground Water Remedial Action Permit			
Natural Attenuation remedial action	3	\$100.00	\$300.00
Any other ground water remedial action	7	\$100.00	\$700.00

These calculated remedial action permit annual fees all represent increases greater than 25 percent of the FY 2015 remedial action permit annual fees. The Department is limiting the increase in the FY 2016 remedial action permit annual fees to no more than 25 percent greater than the comparable FY 2015 remedial action permit annual fee; these values are then rounded to the nearest \$5.00.

The following table provides a comparison of the FY 2015 staff hours, average staff hourly rate, and remedial action permit annual fees; the FY 2016 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 2015; and the difference between the FY 2015 and FY 2016 remedial action permit annual fees:

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Comparison of FY 2015 and FY 2016 Remedial Action Permit Annual Fees

	FY 2015			FY 2016				Difference between FY 2015 and FY 2016		
Type of Permit	Staff Hours	Average Staff Hourly Rate	Fee	Staff Hours	Average Staff Hourly Rate	Calculated Fee	Fee @ 25% FY 2015	Staff Hours	Average Staff Hourly Rate	Remedial Action Permit Annual Fee
<i>Soil Remedial Action Permit</i>										
With deed notice without engineering controls	1.5	\$110.00	\$165	2.5	\$100.00	\$250.00	\$205.00	1.0	(\$10.00)	\$40.00
With deed notice with engineering controls	1.5	\$110.00	\$165	2.5	\$100.00	\$250.00	\$205.00	1.0	(\$10.00)	\$40.00
<i>Ground Water Remedial Action Permit</i>										
Natural Attenuation remedial action	1.5	\$110.00	\$165	3	\$100.00	\$300.00	\$205.00	1.5	(\$10.00)	\$40.00
Any other ground water remedial action	1.5	\$110.00	\$165	7	\$100.00	\$700.00	\$205.00	5.5	(\$10.00)	\$40.00

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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