



## I. INTRODUCTION

The purpose of this document is to provide guidance to the person responsible for conducting the remediation regarding the fees that apply to specific activities and submittals subject to the Spill Compensation and Control Act, Site Remediation Reform Act, Underground Storage Tank Act, Industrial Site Recovery Act, and child care center licensing requirements. This guidance describes the steps to identify an annual remediation fee for new cases and those fees that still are in place, and when they apply. This guidance does not take into consideration every combination or scenario that may exist, but rather is designed to address a majority of the most common occurrences. It should also be noted that section XI of this Guidance identifies those cases that are, and may in the future be, subject to direct billing for oversight costs pursuant to the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) rule, specifically N.J.A.C. 7:26C-4.5.

Any person subject to N.J.A.C. 7:26C-2 shall apply this guidance in concert with all applicable regulations and other guidance documents. See <http://www.nj.gov/dep/srp/srra/guidance/>.

If your specific scenario is not discussed within this guidance document, please contact the Department representative identified in Section XII that most closely meets your condition.

## II. DEFINITIONS

"Annual remediation fee" is the fee that the person responsible for conducting the remediation is required to pay to the Department on an annual basis, when the remediation is being conducted for a new case or one which has opted into the new program prior to May 2012 when all cases are obligated to proceed without department pre-approval .

"Area of concern" see definition in the Technical Requirements for Site Remediation N.J.A.C. 7:26E-1.8.

"Child care center fees" are the fees that an owner or operator of a child care center are required to pay pursuant to the Administrative Requirements for the Remediation of Contaminated Sites N.J.A.C. 7:26C-4.3.

"Contamination" or "contaminant" means any discharged hazardous substance as defined in N.J.S.A. 58:10-23.11b, hazardous waste as defined in N.J.S.A. 13:1E-38, or pollutant as defined in N.J.S.A. 58:10A-3.

"Contaminated media additive" is that part of the annual remediation fee that reflects a dollar value for each contaminated medium (ground water, surface water, or sediment) contaminated by a discharge at a site or area of concern. See, N.J.A.C. 7:26C-4.2(a)3.

"Contaminated area of concern" (CAOC) means, for the purpose of assessing the annual remediation fee, an area of concern, pursuant to the Technical Requirements for Site Remediation N.J.A.C. 7:26E-1.8, where contamination has been confirmed to have impacted soil above the applicable standard. **NOTE: Each contaminated area of concern shall be identified individually, separate and distinct, for the purposes of reporting, and no areas of concern may be combined unless specified categorically.**

"Existing case" is a case where the remediation was initiated prior to November 4, 2009, has been continuously undergoing remediation pursuant to the Administrative Requirements for the Remediation of Contaminated Sites N.J.A.C. 7:26C2.2(a), and the Department has not approved a request by the person

responsible for conducting the remediation to "Proceed without Department Pre-approvals" pursuant to the Administrative Requirements for the Remediation of Contaminated Sites N.J.A.C. 7:26C-2.3(b).

"New case" is a case where either: (1) the remediation was initiated on or after November 4, 2009 pursuant to the Administrative Requirements for the Remediation of Contaminated Sites N.J.A.C. 7:26C-2.2(a), or (2) the remediation was initiated prior to November 4, 2009 and the Department has approved a request by the person responsible for conducting the remediation to "Proceed without Department Pre-approvals" pursuant to the Administrative Requirements for the Remediation of Contaminated Sites N.J.A.C. 7:26C-2.3(b).

### **III. DETERMINING APPLICABLE FEES**

When determining which fees apply, the person responsible for conducting the remediation shall determine:

- A. whether there are non-remediation fees and remediation fees that are applicable to a given situation. For instance, there are several non-remediation fees that apply if the person is subject to the Industrial Site Recovery Act rules or the Underground Storage of Hazardous Substances rules. These are further discussed in sections V and VI, below.
- B. whether the case is a new or an existing case, as defined herein. This factor will determine whether the annual remediation fee or direct billing hour-for-hour costs apply.
- C. whether the remedial action implemented includes the use of institutional or engineering controls, triggering fees for a remedial action permit or biennial certification fee.

### **IV. ANNUAL REMEDIATION FEE**

#### **A. Determining the Annual Remediation Fee**

The person responsible for conducting the remediation shall apply this guidance in concert with the Technical Requirements for Site Remediation N.J.A.C. 7:26E, and the Administrative Requirements for the Remediation of Contaminated Sites N.J.A.C. 7:26C, and shall determine the amount of the annual remediation fee based upon the contaminated areas of concern (CAOCs) and environmental media impacted. This section applies to new cases (see N.J.A.C. 7:26C-4.2). For existing cases, see Section V through Section XI below, as applicable.

When determining the applicable annual remediation fee, the person responsible for conducting the remediation shall first determine the number of CAOCs at the site, typically via a preliminary assessment and site investigation. That person shall then determine whether any of the specific CAOCs are historic fill, regulated tank systems (excluding regulated heating oil US's used for on-site consumption), or landfills. Finally, that person shall determine whether there are any contaminated media other than soil (surface water, ground water, and sediments) that have been impacted by discharges at the site or Area of Concern.

**IMPORTANT NOTE: If an CAOC is identified and determined NOT to be contaminated (including a regulated UST system), or if the person responsible for conducting the remediation has fully remediated the contaminated area of concern, prior to the required submission of the first annual remediation fee is listed at N.J.A.C 4.2(a)4 (detailed in section IV. F. below), then Fee Category I applies.**

## **B. Fee Categories**

Based on the Department's experience, all CAOCs are not equal in complexity, and some site-specific conditions require additional time to evaluate, investigate, and/or remediate. The Department has divided the first part of the annual remediation fee into four fee categories, based upon two variables: 1) the number of CAOCs, and 2) the presence of other specific contaminated areas of concern, such as historic fill, regulated underground storage tank systems and landfills. These specific CAOCs are further detailed and categorized below according to the four annual remediation fee categories the Department established in the Administrative Requirements for the Remediation of Contaminated Sites, specifically N.J.A.C. 7:26C-4.2.

Fee Category I cases; 0-1 CAOC: are those sites where no contamination has been identified or the contamination is limited to a single soil CAOC (including historic fill). Exceptions for specific CAOCs are detailed below in Categories II and III.

**Note: Category I Fees also may apply, if all CAOCs and media are remediated before the initial annual fee is due and the annual fee is being submitted as required prior to the issuance of the RAO.**

Fee Category II cases; 2-10 CAOCs: are those sites with 2-10 soil CAOCs or that have any number of regulated underground storage tank systems, excluding regulated heating oil tanks for on-site consumption provided there are no other soil CAOCs at the site.

Fee Category III cases; 11-20 CAOCs: are those sites with 11-20 soil CAOCs or with a landfill.

Fee Category IV cases; >20 CAOCs: are those sites with >20 soil CAOCs.

**NOTE: In addition to the Fee Categories described above, the annual remediation fee also includes the following contaminated media additives.**

## **C. Contaminated Media Additives**

Contaminated Media Additives apply when contaminants have impacted ground water, surface water and/or sediments (see N.J.A.C. 7:26C-4.2(a)3).

The contaminated ground water additive applies when ground water contamination above the applicable standard is present at a site. The person responsible for conducting the remediation shall only include the contaminated ground water additive once for each site, regardless of the size of the plume or the number of plumes (distinct or commingled) at the site. This contaminated ground water additive applies until an LSRP has issued a RAO that includes all of the contaminated ground water at the site. A contaminated ground water additive applies to sites conducting background ground water investigations until that contamination is proven to be unrelated to the site.

The contaminated surface water additive applies when there is an ongoing, unpermitted discharge from ground water at the site, to surface water at levels that exceed the applicable Surface Water Quality Standards, N.J.A.C. 7:9B. The contaminated surface water additive applies until an LSRP has determined that the discharge to surface water no longer exceeds the Surface Water Quality Standards.

The contaminated sediment additive applies when sediments are contaminated above the applicable screening value specified in the Department's "Guidance for Sediment Quality Evaluation" (<http://www.nj.gov/dep/srp/regs/sediment/>) and the contaminant is attributable to the sites. This contaminated sediment additive applies until an LSRP has issued an RAO for all of the contaminated sediment attributable to the site

#### **D. Annual Remediation Fee Table**

The following table summarizes the annual remediation fee categories and the contaminated media additives for New cases.

<b>Annual Remediation Fee</b>				
<b>Citation</b>	<b>Fee</b>	<b>Citation Summary</b>	<b>New Cases</b>	<b>Existing Cases</b>
N.J.A.C. 7:26C 3.2	\$450	Category I: 0-1 AOC	Y	N
N.J.A.C. 7:26C. 3.2	\$900	Category II: 2-10 AOC	Y	N
N.J.A.C. 7:26C 3.2	\$5,000	Category III: 11-20 AOC	Y	N
N.J.A.C. 7:26C 3.2	\$9,500	Category IV: >20 AOC	Y	N
N.J.A.C. 7:26C 3.2	\$1,400	GW media Additive	Y	N
N.J.A.C. 7:26C 3.2	\$1,400	SW media Additive	Y	N
N.J.A.C. 7:26C 3.2	\$1,400	Sediment media Additive	Y	N

#### **E. Submitting Annual Remediation Fee Reporting Form**

The person responsible for conducting the remediation should identify the number of CAOCs and the applicable contaminated Media Additives. That person shall then determine the annual fee that applies, and shall report in the required timeframe the basis for that determination to the Department on the "Annual Remediation Fee Reporting Form". (See N.J.A.C. 7:26C-4.2(a)4 and 5.)

#### **F. Annual Remediation Fee Increases and Reductions**

The date the person responsible for conducting the remediation is required to submit the first annual remediation fee is listed at N.J.A.C 4.2(a)4 as follows:

- 1) submittal of the preliminary assessment report;
- 2) submittal of a site investigation report;
- 3) submittal of the first remedial phase document; or
- 4) 270 days after the event that triggered the initiation of remediation as listed (See N.J.A.C 7:26C-2.2(b)) or from the date of electing to proceed without department pre-approval (See N.J.A.C 7:26C-2.3(b))

This fee submittal due date establishes the subsequent anniversary date for that remediation. Each year, after this anniversary date and until an LSRP has issued a RAO for all CAOCs at the site, the person responsible for conducting the remediation shall pay the annual remediation fee as the Department directs in its annual remediation fee invoice. (See N.J.A.C. 7:26C-4.2(a)5.)

If the person responsible for conducting the remediation determines that additional contaminated soil areas of concern exist or that additional environmental media are contaminated, that person shall revise the applicable annual remediation fee by submitting an Annual Remediation Fee Reporting Form, at least 90 days prior to the annual remediation fee anniversary date. The Department will reflect the fee increase in the annual remediation fee invoice it issues for the remediation.

If the person responsible for conducting the remediation receives an RAO for one or more CAOCs or contaminated media, that person may notify the Department by means of the Annual Remediation Fee Reporting Form, 90 days prior to the annual remediation fee anniversary date, indicating the basis for the reduction as required in the Administrative Requirements for the Remediation of Contaminated Sites (See N.J.A.C.7:26C-4.2.) The Department will review the request, and if acceptable, reduce the amount of the annual remediation fee in the annual remediation fee invoice.

All fees must be paid to the Department before the RAO is issued. The initial annual fee shall be paid before RAO issuance, even in those cases involving the completion of the entire remediation before any of the events listed above.

**NOTE:** If an LSRP issues an RAO for all CAOCs and all contaminated media, the person responsible for conducting the remediation is no longer required to pay an annual remediation fee. However, remedial action permit fees detailed in Section IX below, as established in the Administrative Requirements for the Remediation of Contaminated Sites N.J.A.C. 7:26C-4.4, still apply.

## V. REGULATED UNDERGROUND STORAGE TANK FEES

### A. Underground Storage Tank Non-Remediation Fees

Non-remediation fees contained in the Underground Storage Tank N.J.A.C. 7:14B-3, are summarized below. These fees are for the registration, modification, installation and closure of an underground storage tank system and associated apparatus. These non-remediation fees apply irrespective of when remediation was initiated, to both new and existing cases.

<b>UST Non-Remediation Fees</b>				
<b>Citation</b>	<b>Fee</b>	<b>Citation Summary</b>	<b>New Cases</b>	<b>Existing Cases</b>
N.J.A.C. 7:14B-3.1	\$150	The owner or operator of an underground storage tank system shall submit a Registration Fee for each facility upon registration of the facility with the Department.	Y	Y
N.J.A.C. 7:14B-3.2(b)	\$150	The owner or operator shall pay the Facility Certification fee per facility for the three year facility certification cycle and after receiving an invoice from the Department within the time frame set forth in the invoice.	Y	Y
N.J.A.C. 7:14B-3.3	\$35	The Fee for duplicate Registration Certificates per document	Y	Y
N.J.A.C. 7:14B-3.5(c)1	\$450	Permit for the installation or substantial modification of an underground storage tank system.	Y	Y
N.J.A.C. 7:14B-3.5(c)2	\$450	Review of the closure plan for an underground storage tank system.	Y	Y
N.J.A.C. 7:14B-3.7	\$500	Any confidentiality claim submitted in accordance with N.J.A.C. 7:14B-15 shall be accompanied by a fee.	Y	Y
N.J.A.C. 7:14B-3.10(a)1	\$50	Nonrefundable examination application fee (see N.J.A.C. 7:14B-3.10(d) below).	Y	Y
N.J.A.C. 7:14B-3.10(a)2	\$375	Individual UST Certification (see N.J.A.C. 7:14B-3.10(f) below)	Y	Y
N.J.A.C. 7:14B-3.10(a)3	\$50	UST Business Firm Certification (see N.J.A.C. 7:14B-3.10(e) below).	Y	Y
N.J.A.C. 7:14B-3.10(a)4	\$375	Renewal of Individual UST Certification.	Y	Y
N.J.A.C. 7:14B-3.10(a)5	\$50	Renewal of UST Business Firm Certification.	Y	Y
N.J.A.C. 7:14B-3.10(a)6	\$30	Amendment to Individual UST Certification card and certificate (see N.J.A.C. 7:14B-3.10(g) below).	Y	Y
N.J.A.C. 7:14B-3.10(a)7	\$30	Replacement of UST Certification card or certificate (see N.J.A.C. 7:14B-3.10(h) below).	Y	Y

<b>UST Non-Remediation Fees</b>				
<b>Citation</b>	<b>Fee</b>	<b>Citation Summary</b>	<b>New Cases</b>	<b>Existing Cases</b>
N.J.A.C. 7:14B-3.10(a)8	\$15	Duplicate UST certificate, as required by N.J.A.C. 7:14B-13.1(c).	Y	Y
N.J.A.C. 7:14B-3.10(d)	\$50	Individuals failing examinations shall pay an additional nonrefundable fee for each subsequent application for each classification.	Y	Y
N.J.A.C. 7:14B-3.10(e)	\$50	Business firms applying for UST certification shall pay a single filing fee per application, regardless of the number of classifications for which application is being made. Business firms applying for additional classifications after the original UST certification is issued shall pay an additional application fee.	Y	Y
N.J.A.C. 7:14B-3.10(f)	\$375	Individual applicants satisfying the UST certification requirements shall pay for the certification or the renewal of the certification. Individuals adding additional classifications after the original certification card is issued do not need to pay an additional certification fee.	Y	Y
N.J.A.C. 7:14B-3.10(g)	\$30	Issuance of a new UST certification card or certificate required as a result of amendment to a certification shall result in a fee to the individual.	Y	Y
N.J.A.C. 7:14B-3.10(h)	\$30	Issuance of a replacement UST certification card or certificate required as a result of loss shall result in a fee to the individual or business firm.	Y	Y

### **B. Underground Storage Tank Remediation Fees**

The person responsible for conducting remediation of an existing case is required to comply with the following UST remediation fees, as applicable.

<b>UST Remediation Fees for Existing Cases</b>				
<b>Citation</b>	<b>Fee</b>	<b>Citation Summary</b>	<b>New Cases</b>	<b>Existing Cases</b>
N.J.A.C. 7:14B-3.5(c)3	\$750	Review of the site investigation report.	N	Y
N.J.A.C. 7:14B-3.5(c)4	\$1,500	Review of the initial remedial investigation report.	N	Y

**VI. INDUSTRIAL SITE RECOVERY ACT FEES**

**A. ISRA Non-Remediation Fees**

Non-remediation fees contained in the Industrial Site Recovery Act Rule are summarized below. These non-remediation fees are limited in nature, and can only be applied as provided in the Industrial Site Recovery Act N.J.A.C. 7:26B.

<b>ISRA Non-Remediation Fees</b>				
<b>Citation</b>	<b>Fee</b>	<b>Citation Summary</b>	<b>New Cases</b>	<b>Existing Cases</b>
N.J.A.C. 7:26B-8.1(a)2	\$375	Confidentiality claim fee.	Y	Y
N.J.A.C. 7:26B-8.1(a)5	\$150	General Information Notice fee.	N	Y

**B. ISRA Remediation Fees**

The person responsible for conducting remediation at an Existing case is required to comply with the following Industrial Site Recovery Act fees, as applicable.

<b>ISRA Remediation Fees for Existing Cases</b>				
<b>Citation</b>	<b>Fee</b>	<b>Citation Summary</b>	<b>New Cases</b>	<b>Existing Cases</b>
N.J.A.C. 7:26B-8.1(a)9	\$375	Preliminary assessment report fee.	N	Y
N.J.A.C. 7:26B-8.1(a)14	\$750	Site investigation report fee.	N	Y
N.J.A.C. 7:26B-8.1(a)8	\$150	Negative declaration review fee.	N	Y

In addition, there are alternative compliance options available through the Industrial Site Recovery Act rules. Each of these options, identified below, has an associated fee identified in the Industrial Site Recovery Act Rule, N.J.A.C. 7:26B-8. All of the alternative compliance options that have previously existed will now be handled by an LSRP pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rule, N.J.A.C. 7:26C-2.4, except the de minimis quantity exemption option (N.J.A.C. 7:26B-5.9). The person responsible for conducting the remediation seeking a de minimis quantity exemption shall comply with the requested compliance options and submit all required documentation with the applicable fee upon submission of the required form.

<b>ISRA Alternative Compliance Options Fees</b>				
<b>Citation</b>	<b>Fee</b>	<b>Citation Summary</b>	<b>New Cases</b>	<b>Existing Cases</b>
N.J.A.C. 7:26B-8.1(a)1	\$150	Area of concern waiver application fee.	N	Y
N.J.A.C. 7:26B-8.1(a)3	\$300	De minimis quantity exemption application fee.	Y	Y
N.J.A.C. 7:26B-8.1(a)4	\$225	Expedited review application fee.	N	Y
N.J.A.C. 7:26B-8.1(a)6	\$525	Limited site review application fee.	N	Y
N.J.A.C. 7:26B-8.1(a)7	\$600	Limited conveyance application fee.	N	Y
N.J.A.C. 7:26B-8.1(a)10	\$600	Regulated underground storage tank waiver application fee.	N	Y
N.J.A.C. 7:26B-8.1(a)11	\$975	Remedial action workplan deferral application fee.	N	Y
N.J.A.C. 7:26B-8.1(a)13	\$225	Remediation in progress waiver application fee.	N	Y

## **VII. UNREGULATED HEATING OIL TANK FEES**

The person responsible for conducting the remediation of a site with only unregulated heating oil tanks used for on-site consumption shall pay the fees specified in the Administrative Requirements for the Remediation of Contaminated Sites rule, N.J.A.C. 7:26C-4.3, as applicable.

<b>Unregulated Heating Oil Tank Fees</b>				
<b>Citation</b>	<b>Fee</b>	<b>Citation Summary</b>	<b>New Cases</b>	<b>Existing Cases</b>
N.J.A.C. 7:26C-4.3(a)3	\$400	Remedial action report fee	Y	Y
N.J.A.C. 7:26C-4.3(c)1	\$350	Discharge to groundwater proposal fee	Y	Y
N.J.A.C. 7:26C-4.3(c)2	\$400	OSC Discharge Authorization fee	Y	Y
N.J.A.C. 7:26C-4.3(c)3	TBD	Applicable NJPDES Fees	Y	Y

## **VIII. CHILD CARE CENTER FEES**

To renew an existing license, child care centers that already have an approval letter (or No Further Action letter) issued by the Department's Child Care Unit may submit an Attestation for Compliance with N.J.A.C. 10:122-5.2(i) Form to the Department of Children and Families – Office of Licensing certifying that there have been no changes to the facility and that all conditions in the approval letter have been met. The Department will only be involved in these renewals if the center owner/operator is unable to sign the Attestation Form because changes have been made at the center since the approval or approval conditions were not met. Depending on the reason for the Department's involvement a preliminary assessment (PA) and site investigation (SI) may be required, along with the associated fees of \$375 and \$750.



New (or relocating) child care centers that are subject to requirements of the Madden legislation (P.L. 2007 c.1) are required to conduct a PA and, if needed a SI, using the services of a LSRP. The Division of Children and Families will issue a license for operation upon issuance of a RAO by the LSRP. The RAO must be filed with the Department along with the applicable child care RAO fee of \$225.

For all new (or relocating) facilities that are not subject to the requirements of the Madden legislation (P.L. 2007 c.1), owners/operators are not required to hire a LSRP to conduct the PA/SI. These parties may hire a consultant to conduct a PA, and if needed a SI, and pay the associated fees of \$375 and \$750, respectively. Based on the PA/SI, if there are no impacts to the child care center the Department will issue an approval letter as the basis for the Division of Children and Families to issue the license to the child care center. The Department will pursue the child care center owner and other responsible parties if remediation is required for areas of concern that are not impacting the child care center. Based on the PA/SI, if impacts to the child care center prompt additional remediation and an approval letter cannot be issued by the Department without remediation, the child care center's owner/operator will need to retain a LSRP to conduct the remediation and issue a RAO, and pay the RAO fee of \$225.

Child care centers proposing to open (or relocate) a facility on property that was the subject of a no further action letter previously issued by the Department may rely on the NFA up to the date of its issuance. However, site use, the potential for discharges including but not limited to the play area(s), source of the water supply, and any engineering and/or institutional controls, or conditions of the NFA, must be evaluated as part of a PA, and if needed a SI, that covers the period from the date of NFA issuance to the present.

<b>Child Care Center Fees</b>				
<b>Citation</b>	<b>Fee</b>	<b>Citation Summary</b>	<b>New Cases</b>	<b>Existing Cases</b>
N.J.A.C. 7:26C-4.3(a)1	\$375	Preliminary assessment report fee.	N	Y
N.J.A.C. 7:26C-4.3(a)2	\$750	Site investigation report fee.	N	Y
N.J.A.C. 7:26C-4.3(a)5	\$225	Child care center RAO	Y	N

## **IX. REMEDIAL ACTION FEES**

### **A. Remedial Action Permit Fees**

The person responsible for conducting the remediation that has a remedial action permit for any part of the remedial action shall pay the fees specified in the Administrative Requirements for the Remediation of Contaminated Sites, N.J.A.C. 26C-4.3, and summarized below.

In an existing Deed Notice, Declaration of Environmental Restriction or a Classification Exception Area, or on-going active ground water remediation system requiring long-term operation and maintenance, the permit fees will not apply until converted to a remedial action permit.

Remedial Action Permit Fees				
Citation	Fee	Citation Summary	New	Existing
			Cases	Cases
<b>Application Fees</b>				
N.J.A.C. 7:26C-4.4(a)	\$550	Soil Remedial Action - Permit Application	Y	Y
N.J.A.C. 7:26C-4.4(a)	\$550	Soil Remedial Action - Permit Modification	Y	Y
N.J.A.C. 7:26C-4.4(a)	\$100	Soil Remedial Action - Permit Transfer	Y	Y
N.J.A.C. 7:26C-4.4(a)	\$550	Soil Remedial Action - Permit Termination	Y	Y
N.J.A.C. 7:26C-4.4(a)	\$750	GW Remedial Action - Permit Application	Y	Y
N.J.A.C. 7:26C-4.4(a)	\$750	GW Remedial Action - Permit Modification	Y	Y
N.J.A.C. 7:26C-4.4(a)	\$100	GW Remedial Action - Permit Transfer	Y	Y
N.J.A.C. 7:26C-4.4(a)	\$750	GW Remedial Action - Permit Termination	Y	Y
<b>Annual Fees</b>				
N.J.A.C. 7:26C-4.4(b)	\$100	Soil Annual – Limited Restricted Use with deed notice	Y	Y
N.J.A.C. 7:26C-4.4(b)	\$250	GW Annual – Limited Restricted Use Nat. Rem.	Y	Y
N.J.A.C. 7:26C-4.4(b)	\$250	Soil Annual – Restricted Use with deed notice and cap	Y	Y
N.J.A.C. 7:26C-4.4(b)	\$750	GW Annual – Restricted Use All Others	Y	Y

**B. Biennial Certification Fees (without a Remedial Action Permit)**

A person responsible for conducting the remediation that has implemented a remedial action that includes institutional and/or engineering controls, and the Department has not yet issued a remedial action permit for the operation, maintenance and monitoring of the remedial action, shall submit a biennial certification fee in the amount of \$375.00 along with the submission of each biennial certification. (See N.J.A.C. 7:26C-4.3(a)4.)

**C. Discharge to Ground Water Proposal Fee**

A person responsible for conducting the remediation that requires a Discharge to Ground Water approval from the Department shall submit a fee (see Section VII above) in the amount of \$350.00. (See N.J.A.C. 7:26C-4.3(c).)

**X. INDIVIDUAL REVIEW FEES**

The person responsible for conducting the remediation at an existing case that is not subject to the annual remediation fees discussed in Section IIV above, shall submit the following individual review fees when submitting the following documents to the Department for review.

Individual Review Fees				
Citation	Fee	Citation Summary	New	Existing
			Cases	Cases
N.J.A.C. 7:26C-4.3(a)1	\$375	Preliminary assessment report fee	N	Y
N.J.A.C. 7:26C-4.3(a)2	\$750	Site investigation report fee	N	Y

## **XI. OVERSIGHT COSTS BILLING (Hour for Hour Billing)**

The Department will maintain the practice of assignment of dedicated staff to oversee remediation of existing cases and billing the person responsible for conducting the remediation for related oversight costs. In addition, the Department has identified circumstances where it will assign dedicated staff to oversee remediation activities. When the Department determines that the assignment of dedicated staff is necessary, in addition to the annual remediation fee or other required fees noted herein, the person responsible for conducting the remediation shall also pay the Department's oversight costs, as reflected in periodic invoices, pursuant to N.J.A.C-4.2(f) and 4.5(a)1.

Circumstances that shall trigger the assignment of dedicated staff and Department oversight costs include:

- Immediate Environmental Concern (IEC) cases or portions of cases with an IEC condition.
- Cases requiring Direct Department oversight.
- Emergency response cases

Circumstances that may trigger the assignment of dedicated staff include:

- Brownfield Development Area (BDA) cases (Guidance under development)
- State and Federal Facilities
- State or Federally funded projects
- Federally regulated sites through CERCLA or RCRA

Should specific circumstance not be adequately addressed in this Guidance, in Section XII below, is a list of contacts in specific categories of interest, please select the category and contact the designated department representative for assistance.

## **XII. Department Representatives**

<u>Category</u>	<u>Representative</u>	<u>Phone number</u>
Regulated UST Fees	Kirstin Pointin-Hahn, Chief <a href="mailto:Kirstin.Pointin-Hahn@dep.state.nj.us">Kirstin.Pointin-Hahn@dep.state.nj.us</a>	(609) 292-2943
ISRA Fees	Kirstin Pointin-Hahn, Chief <a href="mailto:Kirstin.Pointin-Hahn@dep.state.nj.us">Kirstin.Pointin-Hahn@dep.state.nj.us</a>	(609) 292-2943
Unregulated Heating Oil Tank Fees	Gary Sanderson, Supervisor <a href="mailto:Gary.Sanderson@dep.state.nj.us">Gary.Sanderson@dep.state.nj.us</a>	(609) 292-1251
Child Care Center Fees	Diane Pupa, Section Chief <a href="mailto:Diane.Pupa@dep.state.nj.us">Diane.Pupa@dep.state.nj.us</a>	(609) 292-8602
Remedial Action Permit Fees	Wayne Howitz, Assistant Director <a href="mailto:Wayne.Howitz@dep.state.nj.us">Wayne.Howitz@dep.state.nj.us</a>	(609) 984-1351
Individual Review Fees	Kirstin Pointin-Hahn, Chief <a href="mailto:Kirstin.Pointin-Hahn@dep.state.nj.us">Kirstin.Pointin-Hahn@dep.state.nj.us</a>	(609) 292-2943
Oversight Cost Billing	Gary Czock, Supervisor <a href="mailto:Gary.Czock@dep.state.nj.us">Gary.Czock@dep.state.nj.us</a>	(609) 633 0701
Annual Remediation Fees	Tony Farro, Administrator <a href="mailto:Tony.Farro@dep.state.nj.us">Tony.Farro@dep.state.nj.us</a>	(609) 984-2902
Brownfield Development	Colleen Kokas Chief <a href="mailto:Colleen.Kokas@dep.state.nj.us">Colleen.Kokas@dep.state.nj.us</a>	(609) 292-1251