

The proposed revisions to 18 CFR 401.43 Regulatory program fees read as follows:

§ 401.43 Regulatory program fees.

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(b) * * *

(1) ~~Docket a~~ Application fee. Except as set forth in paragraph (b)(1)(iii) of this section, the ~~docket~~ application fee shall apply to:

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(iii) Exemptions. The ~~docket~~ application fee shall not apply to:

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(2) Annual monitoring and coordination fee.

(i) Except as provided in paragraph (b)(2)(ii) of this section, an annual monitoring and coordination fee shall apply to each active water allocation or wastewater discharge approval issued pursuant to the *Compact* and implementing regulations, regardless of whether the approval was issued by the Commission in the form of a docket, permit or other instrument, or by a Signatory Party Agency under the One Permit Program rule (§ 401.42). ~~The fee shall be based on the amount of a project's approved monthly water allocation and/or approved daily discharge capacity.~~

(3) * * *

(v) a project involves treatability studies for the discharge of wastewater.

(4) * * *

(iii) Modification of a DRBC approval. Following Commission action on a project, each project revision or modification that the Executive Director deems substantial shall require an additional ~~docket~~ application fee calculated in accordance with paragraph (e) of this section and subject to an alternative review fee in accordance with paragraph (b)(3) of this section.

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(c) Indexed adjustment. On July 1 of every year, beginning July 1, 2017, all fees established by this section will increase commensurate with any increase in the annual April 12-month Consumer Price Index (CPI) for Philadelphia, published by the U.S. Bureau of Labor Statistics during that year.¹ In any year in which the April 12-month CPI for Philadelphia declines or shows no change, the ~~docket~~ application fee and annual monitoring and coordination fee will remain unchanged. Following any indexed adjustment made under this paragraph (c), a revised fee schedule will be published in the

¹ Consumer Price Index – U / Series ID: CWURA102SA0 / Not Seasonally Adjusted / Area: Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD / Item: All items / Base Period: 1982-84=100.

Federal Register by July 1 and posted on the Commission’s website. Interested parties may also obtain the fee schedule by contacting the Commission directly during business hours.

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(e) * * *

TABLE 1 TO § 401.43 – DOCKET APPLICATION FILING FEES

Project Type	Docket Application Fee	Fee Maximum
Water Allocation	\$405 per million gallons/month of allocation ¹ , not to exceed \$15,190 ¹ . Fee is doubled for any portion to be exported from the basin.	Greater of: \$15,190 ¹ or Alternative Review Fee
Wastewater Discharge	Private projects: \$1,013 ¹ Public projects: \$506 ¹ <u>Projects involving wastewater treatability studies: \$5,000¹</u>	Alternative Review Fee
Other	0.4% of project cost up to \$10,000,000 plus 0.12% of project cost above \$10,000,000 (if applicable), not to exceed \$75,951 ¹	Greater of: \$75,951 ¹ or Alternative Review Fee

¹ Subject to an annual adjustment in accordance with paragraph (c) of this section.

TABLE 2 TO § 401.43 – ANNUAL MONITORING AND COORDINATION FEE

Water Allocation	Annual Fee	Allocation
	\$304 ¹	< 4.99 mgm
	\$456 ¹	5.00 to 49.99 mgm
	\$658 ¹	50.00 to 499.99 mgm
	\$835 ¹	500.00 to 9,999.99 mgm
	\$1,013 ¹	> or = to 10,000 mgm
Wastewater Discharge	Annual Fee	Discharge Design Capacity
	\$304 ¹	< 0.05 mgd
	\$618 ¹	0.05 to 0.994 mgd
	\$830 ¹	1 to 9.9940 mgd
	\$1,013 ¹	> or = to \geq 10 mgd

¹ Subject to annual adjustment in accordance with paragraph (c) of this section.

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