

FEE REPORT FORM

Agency: Bureau of Mining and Reclamation
Department of Environmental Protection

Contact: William S. Allen, Jr.
Acting Director
Bureau of Mining and Reclamation

Phone: 717-783-9580

Fee Collections:	Prior Year 2008-2009 (FY)	Current Year 2009-2010 (Anticipated)	Fiscal Year 2010/11 Projected	Fiscal Year 2011/12 Projected	Fiscal Year 2012/13 Projected
Current – Total	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Proposed-Projected	\$0	\$0	\$0	\$1,250,000	\$2,500,000

FEE TITLE AND RATE:

Title: Noncoal Mining Fees

Current Fee Schedule:

The current fee is in accordance with the following, and must accompany a permit application. The fee is as follows:

CATEGORY	FEE
- Surface Mining or Underground Mining, Support Facilities (including NPDES when required)	\$250

Proposed Fee Schedule:

The fee proposal includes permit application fees and annual administration fees. The proposed fees would be in accordance with the following schedules and must accompany a permit application. The fees are as follows:

The Permit Application Fee schedule:

New Permits	Fee
Large Surface Mining Permit-Mining below water table	\$20,225.00
Large Surface Mining Permit-Not Mining below water table	\$13,500.00
Small Surface Mining Permit	\$525.00
General Permit	\$525.00
Underground Mining Permit	\$20,225.00
Major Amendments	Fee
Large Surface Mining Permit-Mining below water table	\$3,850.00
Large Surface Mining Permit-Not Mining below water table	\$1,600.00
Underground Mining Permit	\$2,650.00

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Minor Amendments	Fee
Large Surface Mining Permit	\$700.00
Small Surface Mining Permit	\$175.00

Transfers	Fee
Large Surface Mining Permit	\$900.00
Underground Mining Permit	\$900.00
Small Surface Mining Permit	\$175.00

Other Actions	Fee
Bonding Increment	\$450.00
Completion Report Application	\$600.00
Blast Plan	\$475.00
Notice of Intent to Explore	\$60.00
Pre-applications	\$3,375.00

The Annual Administration Fee schedule:

Permit Category-Permit Status	Annual Fee
Large Surface Mining Permit-Active	\$1,450.00
Large Surface Mining Permit-Active with Blasting	\$1,850.00
Small Surface Mining Permit-Active	\$200.00
Small Surface Mining Permit-Active with Blasting	\$300.00
Underground Mining Permit-Active	\$1,450.00
General Permit-Short Term Construction	\$200.00
All Permits-Not Started	\$100.00
All Permits-Inactive	\$100.00

Fee Objective:

The fees have been calculated to cover the personnel and operational costs to the Department to review permit applications and administer and enforce permits in accordance with the Noncoal Surface Mining Conservation and Reclamation Act, 52 P.S. § 3307(a). This section reads: "The department is authorized to charge and collect from persons a reasonable filing fee, which fee shall not exceed the cost of reviewing, administering and enforcing the permit."

The Department tracks its program costs by using the SAP database. This shows total personnel costs of \$2,200,000 for the program a year. Further analysis of the data shows additional costs for transportation, water sampling and supplies result in a cost of \$300,000. The total cost of the program is \$2,500,000 a year.

Fee Related Activities and Costs:

The permit application fee amounts were calculated based on the staff time needed to review the various kinds of permit applications. The Bureau of District Mining Operations maintains a workload analysis that tracks the permit applications and the review times. This workload analysis assigns a number of hours of staff time per application. The permit application fee

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amounts are based only on the cost of reviewing the application and are not intended to cover the costs of administering and enforcing the permit.

The annual administration fee amounts were calculated based on the workload analysis time to inspect the various kinds and statuses of permits. The same methodology was used for these fees as for the permit application fees.

Analysis of the program costs reveals that about 25% of the total cost is for permit reviews, 40% for enforcement of the permits and 35% for administrative (clerical and supervisory) support of these activities.

Revenue projections, based on the most recent few years' applications and the current list of mine sites break down with about \$600,000 from the application fees and \$1,500,000 from the annual administrative fee. Other revenue available to operate the program comes from license fees (about \$250,000 per year) and civil penalties (about \$150,000 per year). Interest income is also available, but is difficult to predict in the current economic climate.

Analysis:

The current permit fees for the noncoal mining program are minimal. Under the new fee schedule the Department will collect fees that will support the review of applications and administering and enforcing the permit. Historically, the program costs have been provided through General Fund appropriations, with \$2,500,000 spent to implement the Noncoal Act.

The proposed regulation provides for the review of adequacy of the fee schedule at least every three years to assure that the fees are appropriate based upon actual cost for review.

Comment:

The fee schedule has been reviewed by the regulated industry.