



Bureau of Mining Programs

Proposed Rulemaking: Noncoal Mining Program Fees (25 Pa. Code Chapter 77)

Environmental Quality Board Meeting
October 17, 2017

Tom Wolf, Governor

Patrick McDonnell, Secretary

Purpose

- Adjust Fees to cover the cost to implement the Noncoal Surface Mining Conservation and Reclamation Act

Background

- Fees were most recently updated in 2012
 - Permit Application Fees
 - Annual Administration Fees
- Three-year fee report provided in May 2015
- Aggregate Advisory Board
 - Established in 2014
 - Initial Meeting May 2015

Three-Year Fee Report

- Identified three factors why fees were insufficient:
 - Based on 2009 wage rate.
 - Increased Benefit rate.
 - Fewer Applications.
- FY 2016-17 program shortage = + \$1 million.

Proposed Regulation

- Phases in fee increases in 3, 2-year steps:
 - Step one adjusts fees for current wage costs.
 - Step two adds indirect costs.
 - Step three adds overhead costs.
- After this, adjusts fees every two years based on the Employment Cost Index.

Proposed Permit Application Fees

Permit Application Fee Category	Current Fee	First Phase	Second Phase	Third Phase
Large noncoal surface mining with groundwater pumping:				
Permit Application	\$22,225	\$22,450	\$25,525	\$29,500
Major Amendment	\$3,850	\$4,250	\$4,850	\$5,625
Minor Amendment	\$700	\$775	\$900	\$1,050
Transfer	\$900	\$975	\$1,125	\$1,300
Large noncoal surface mining without groundwater pumping:				
Permit Application	\$13,500	\$15,000	\$17,025	\$19,750
Major Amendment	\$1,600	\$1,775	\$2,000	\$2,350
Minor Amendment	\$700	\$775	\$900	\$1,050
Transfer	\$900	\$975	\$1,125	\$1,300

Proposed Permit Fees Continued

Permit Application Fee Category	Current Fee	First Phase	Second Phase	Third Phase
Small noncoal surface mining:				
Permit Application	\$525	\$600	\$675	\$775
Minor Amendment	\$175	\$200	\$225	\$250
Underground noncoal mining:				
Permit Application	\$20,225	\$22,450	\$25,525	\$29,500
Major Amendment	\$2,650	\$2,950	\$3,350	\$3,900
Transfer	\$900	\$975	\$1,125	\$1,300
Bonding Increment	\$450	\$500	\$550	\$650
Completion Report Application	\$600	\$650	\$750	\$875
Blast Plan	\$475	\$550	\$675	\$775
Notice of Intent to Explore	\$60	\$65	\$75	\$85
Pre-application	\$3,375	\$3,750	\$4,250	\$4,950
Permit renewal	---	\$175	\$200	\$225

▶ Proposed Annual Administrative Fees

Annual Administrative Fee Category	Current Fee	First Phase	Second Phase	Third Phase
Active large noncoal surface mining permit	\$1,450	\$1,300	\$1,500	\$1,750
Active large noncoal surface mining permit with blasting	\$1,850	\$1,675	\$1,925	\$2,250
Active small noncoal surface mining permit	\$200	\$400	\$450	\$500
Active small noncoal surface mining permit with blasting	\$300	\$550	\$625	\$700
Active underground noncoal mining permit	\$1,450	\$1,300	\$1,500	\$1,750
General permit	\$200	\$400	\$450	\$500
All noncoal mining permits – not started	\$100	\$125	\$150	\$175
All noncoal mining permits – inactive	\$100	\$125	\$150	\$175

Aggregate Advisory Board

- Six Board Meetings.
- Seven committee meetings.
- Extensive program revenue and cost data was reviewed.
- In August 2016, the Aggregate Advisory Board recommended that the Department proceed with the rulemaking process.

Recommendation

- The Department recommends adoption of this proposed rulemaking with a 30-day public comment period.



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DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Mining Programs

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