

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 335
Department or Agency: Alabama Department of Environmental Management General Administration
Rule No.: 335-1-6-.07
Rule Title: Payment Of Fees
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? Yes

To what degree?: Minimally.

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? Yes

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Jeffery W. Kitchens
Jeffery W. Kitchens

Date

Friday, May 15, 2026

REC'D & FILED
MAY 21, 2026
LEGISLATIVE SVC AGENCY

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
GENERAL ADMINISTRATION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: 335-1-6-.07 Payment Of Fees

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to 335-1-6-.07 are being proposed to increase payment of fees.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 10:00 a.m., July 7, 2026, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., July 7, 2026. Written submissions and other inquiries should be directed to: ADEM Hearing Officer, Office of General Counsel, Alabama Department of Environmental Management, P.O. Box 301463, Montgomery, AL 36130-1463 (street address: 1400 Coliseum Boulevard, Montgomery, AL 36110-2400) or by e-mail at hearing.officer@adem.alabama.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, July 7, 2026

CONTACT PERSON AT AGENCY:

Lynn T. Roper, 334-271-7728

*Jeffery W. Kitchens*

---

Jeffery W. Kitchens

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

**335-1-6-.07****Payment Of Fees.**

(1) Payment of permit application/registration fees required under subparagraphs (1)(a) and (1)(b) or paragraph (2) of Rule 335-1-6-.04 shall be included with the permit application/registration. No permit application shall be processed without payment of such fees.

(2) Any fee required under subparagraph (1)(c) of Rule 335-1-6-.04 shall be billed to the applicant. Payment of such fee shall be made within thirty days of the invoice date. No final decision regarding the permit application shall be made until after payment of such fee. Failure to make payment as provided herein shall constitute cause for non-processing/denial of the permit application.

(3) Payment of fees required under Rule 1-6-.05 shall be made within thirty days of the date of the invoice which the Department shall send to the person making the application or request or requiring the certificate.

(4) Payment of fees required under Rule 335-1-6-.06 shall be included with the application for such license, variance or certification. No application shall be processed without payment of such fees.

(5) All fees paid pursuant to the requirements of this Chapter shall be non-refundable.

(6) All fees and remittances shall be made payable to the Alabama Department of Environmental Management.

**SCHEDULE A**

**AIR QUALITY PERMITS**

<u>Type of Activity</u>	<u>Fee</u>
Permit <u>Application</u> (Per <u>Application</u> )	<u>\$150</u>
<u>Permit</u> Preparation (Per Permit)	<del>\$1,465</del> <u>\$1,830</u>
State Regulations Only (Per Permit)	<del>\$575</del> <u>\$720</u>
Public Comment Period (Per Application)	<del>\$740</del> <u>\$925</u>
NSPS Review (Per Permit/Per NSPS)	<del>\$2,795</del> <u>\$3,495</u>
NESHAPS Review (Per Permit/Per NESHAP)	<del>\$2,795</del> <u>\$3,495</u>
MACT/112(g) Determination (Per Pollutant/Per Determination)	<del>\$940</del> <u>\$1,175</u>
PSD Review (Per Application)	<del>\$2,410</del> <u>\$3,015</u>
BACT Determination (Per Pollutant)	<del>\$940</del> <u>\$1,175</u>
Non-Attainment Review Submittal Fee—(Per Application)	<del>\$2,410</del> <u>\$3,015</u>
LAER Determination (Per Permit per Pollutant/Per Determination)	<del>\$940</del> <u>\$1,175</u>

<u>Type of Activity</u>	<u>Fee</u>
Plantwide Applicability Limits (PAL) Review (Per Pollutant)	<del>\$11,830</del> <u>\$14,790</u>
Non-Criteria Air Pollutant Review (Per Pollutant)	<del>\$1,895</del> <u>\$2,370</u>
<b>Modeling Review</b>	—
Modeling Protocol Review	<del>\$2,575</del> <u>\$3,220</u>
Modeling Review	<del>\$19,060</del> <u>\$23,825</u>
Class 1 Modeling Review	<del>\$2,575</del> <u>\$3,220</u>
<u>Secondary MERPS</u>	<u>\$2,100</u>
<u>VOC Only PSD (MERPS review)</u>	<u>\$1,500</u>
Emission Inventory Preparation	<del>\$1,460</del> <del>\$1,825</del> + <del>\$150</del> <u>\$190</u> /point/pollutant
Meteorological Data	<del>\$1,085</del> <u>\$1,355</u>
Adequacy Determination of Preconstruction Monitoring Network/Data	<del>\$7,435</del> <u>\$9,295</u>
Soil Remediation Plan Review	<del>\$650</del> <u>\$815</u>
<u>Asbestos Notification/Registration</u>	<u>\$150</u>
Certification and Recertification of Asbestos Removal Contractors	<del>\$740</del> <u>\$925</u>
Name Change	<del>\$800</del> <u>\$1,000</u> + <del>\$150</del> <u>\$190</u> per permit

**FEE SCHEDULE B**  
**COASTAL USE PERMITS, STATEWIDE WATER QUALITY**  
**~~CERTIFICATION~~CERTIFICATIONS, AND PROJECT REVIEWS**

<u>Type of Activity</u>	<u>Fee</u>
<u>Commercial and/or Residential Development Located Wholly or Partially in the Coastal Area</u>	
a) Commercial and Residential Development greater than 5 acres and less than 25 acres in size.	<del>-\$9,025</del> <u>\$11,280</u>
b) Commercial and Residential Development 25 acres or greater and less than <del>±</del> <u>50 acres in size.</u>	<u>\$15,725</u>
c) <u>Commercial and Residential Development 50 acres or greater and less than 75 acres in size.</u>	<u>\$21,285</u>
d) <u>Commercial and Residential Development 75 acres or greater and less than 100 acres in size.</u>	<del>\$19,070</del> <u>\$26,840</u>
<del>ee</del> ) Commercial and Residential Development 100 acres or greater in size.	<del>\$25,920</del> <u>\$32,400</u>
Groundwater extraction from a well having capacity of 50 gpm or more (335-8-2-.09).	<del>-\$3,995</del> <u>\$4,995</u>
<u>Construction on Beaches and Dunes (335-8-2-.08)</u>	
a) 1 single family dwelling or 1 duplex.	<del>\$1,330</del> <u>\$1,665</u>
b) 2 single family dwellings or 2 duplexes.	<del>\$1,750</del> <u>\$2,190</u>

**FEE SCHEDULE B**  
**COASTAL USE PERMITS, STATEWIDE WATER QUALITY**  
**~~CERTIFICATION~~CERTIFICATIONS, AND PROJECT REVIEWS**

<u>Type of Activity</u>	<u>Fee</u>
c) Commercial (non-residential) structure, multi-unit residential structure having more than 2 units, or any other combination of living units not covered under a) or b) above.	<del>\$17,765</del> <u>\$22,205</u>
d) Hardened erosion control structure, including retaining walls, seawalls, bulkheads and similar structure, or the placement of rip-rap.	<del>\$2,035</del> <u>\$2,545</u>
<u>Beach Nourishment Projects</u> <del>on Gulf</del> <u>Beaches</u>	
a) Gulf <u>fronting</u> Beach Nourishment Project filling less than 1,000 square feet of State <del>water bottoms</del> <u>water bottoms</u> .	\$1,895
b) Gulf <u>fronting</u> Beach Nourishment Project filling 1,000 square feet to 100,000 square feet of State <del>water bottoms</del> <u>water bottoms</u> .	\$3,785
c) Gulf <u>fronting</u> Beach Nourishment Project filling greater than 100,000 square feet of State <del>water bottoms</del> <u>water bottoms</u> .	\$6,985
d) <u>Non-gulf-fronting beach nourishment project.</u>	<u>\$800</u>
<u>Projects Impacting Wetlands</u>	
a) Project involving the dredging or filling of less than <del>1,000</del> <u>25</u> <del>square feet</del> <u>acres</u> of wetlands.	<del>\$2,125</del> <u>\$2,655</u>

**FEE SCHEDULE B**  
**COASTAL USE PERMITS, STATEWIDE WATER QUALITY**  
**~~CERTIFICATION~~CERTIFICATIONS, AND PROJECT REVIEWS**

<u>Type of Activity</u>	<u>Fee</u>
b) Project involving the dredging or filling of <del>±7,000 square feet</del> <u>25 acres</u> or more of wetlands.	<del>\$4,235</del> <u>\$5,295</u>
c) Pile Supported residential, multifamily or commercial structure (does not include piers, walkways, gazebos).	<del>\$3,940</del> <u>\$4,925</u>

Projects Impacting Water Bottoms

a) Project involving the filling of less than 1,000 square feet of water bottom.	<del>\$2,125</del> <u>\$2,655</u>
--	-----------------------------------

~~**FEE SCHEDULE B**~~  
~~**COASTAL USE PERMITS STATEWIDE WATER QUALITY CERTIFICATION AND PROJECT REVIEWS**~~

<u>Type of Activity</u>	<u>Fee</u>
b) Project involving the filling of 1,000 square feet or more of water bottom.	<del>\$4,235</del> <u>\$5,295</u>
c) Project involving the dredging of less than <del>±0,0500</del> <u>500</u> cubic yards of material from the water bottom.	\$2,125
d) Project involving the dredging of <del>±500</del> <u>500</u> cubic yards to less than <u>2,000 cubic yards of material from the water bottom.</u>	<u>\$2,655</u>
e) <u>Project involving the dredging of 2,000</u> cubic yards to <u>less than 100,000</u> cubic yards of material from the water bottom.	<del>\$4,235</del> <u>\$3,575</u>

~~FEE SCHEDULE B  
COASTAL USE PERMITS STATEWIDE WATER QUALITY CERTIFICATION AND PROJECT  
REVIEWS~~

<u>Type of Activity</u>	<u>Fee</u>
<del>ef)</del> <u>Project involving the dredging of <del>greater</del>10,000 cubic yards to less than 25,000 cubic yards of material from the water bottom.</u>	<del>\$5,295</del>
<del>g)</del> <u>Project involving the dredging of 25,000 cubic yards to less than 75,000 cubic yards of material from the water bottom.</u>	<del>\$6,805</del>
<del>h)</del> <u>Project involving the dredging of 75,000 cubic yards to less than 100,000 cubic yards of material from the water bottom.</u>	<del>\$7,855</del> <u>\$8,310</u>
<del>fi)</del> <u>Project involving the dredging of 100,000 cubic yards or more of material from the water bottom.</u>	<del>\$9,820</del>
<del>j)</del> Project which involves the construction of coastal or inland marinas, canals, or creek relocation or modification.	<del>\$4,235</del> <u>\$5,295</u>
<del>k)</del> Raised creek crossing.	<del>\$800</del> <u>\$1,000</u>
 <u>Shoreline Stabilization of Non Gulf-Fronting Properties</u>	
a) <del>Shoreline stabilization project involving less than 200 feet of shoreline stabilization, including bulkhead construction</del> <u>which does not include jetties, groins, bulkheads, or the placement of rip-rap.</u>	<del>\$800</del>
b) <del>Shoreline stabilization project involving greater than 20</del> <u>50 feet or less of shoreline stabilization including bulkhead construction or placement of rip-rap.</u>	<del>\$1,330</del> <u>\$1,000</u>
c) <u>Shoreline stabilization project involving more than 50 feet of shoreline stabilization, including bulkhead construction or placement of rip-rap.</u>	<u>\$1,665</u>

~~FEE SCHEDULE B~~  
~~COASTAL USE PERMITS STATEWIDE WATER QUALITY CERTIFICATION AND PROJECT~~  
~~REVIEWS~~

<u>Type of Activity</u>	<u>Fee</u>
Groin, jetty, and/or other sediment catching shoreline structure.	<del>\$1,680</del> <u>\$2,100</u>
Construction of pile supported pier, dock, boardwalk, or other similar structure <u>associated with a single-family dwelling/property.</u>	\$800
<u>Construction of pile supported pier, dock, boardwalk, or other similar structure not otherwise specified.</u>	<u>\$2,400</u>
Siting, construction and operation of energy facility.	\$24,480
Mitigation bank project.	<del>\$8,730</del> <u>\$10,915</u>
State agency permits subject to review, not otherwise specified in Schedule B.	<del>\$1,680</del> <u>\$2,100</u>
Federal license or permits not otherwise specified in Schedule B.	<del>\$1,680</del> <u>\$2,100</u>
<del>Project requiring certification for</del> <u>401 Certification of Hydropower &amp; Other Energy Projects Requiring a Federal Energy Regulatory Commission permit or authorization.</u> <u>License (FERC, NRC, etc.)</u>	<del>\$6,550</del> <u>\$14,500</u>
All other projects and/or consistency reviews not otherwise specified in Schedule B which are subject to ADEM's Division 8 regulations.	<del>\$800</del> <u>\$1,000</u>
Certification transfer or to change the name of the applicant only.	<del>\$800</del> <u>\$1,000</u>

~~FEE SCHEDULE B~~  
~~COASTAL USE PERMITS STATEWIDE WATER QUALITY CERTIFICATION AND PROJECT~~  
~~REVIEWS~~

<u>Type of Activity</u>	<u>Fee</u>
Modifications, and/or time extension, not requiring public notice.	<del>\$800</del> <u>\$1,000</u>
Modifications and/or time extension, requiring public notice shall be one-half the fee listed in schedule B but in no case less than <del>\$800</del> <u>\$1,000</u> .	<sup>1/2-</sup> or <del>\$800</del> <u>\$1,000</u>
Additive fee for variance request.	<del>\$3,275</del> <u>\$4,095</u>

**FEE SCHEDULE C  
HAZARDOUS WASTE PERMITS**

<u>TYPE OF ACTIVITY</u>	INITIAL UNIT (1)	NEW DESIGN/ ADDITIONAL UNIT (2)	MINOR MOD (3)	MAJOR MOD (4)	CLOSURE PLAN (5)
Permit Type (6)	—				
Transport- Hazardous Waste/ Used Oil		<del>\$2,105</del> <u>\$2,630</u>	---	<del>\$2,105</del> <u>\$1,138</u> <u>\$2,630</u>	-----
Base Application (Non Transporter) (25)	<del>\$6,985</del> <u>\$8,730</u>	-----	-----	-----	-----
Storage (Container/ Tank/ Containment Building)	<del>\$36,475</del> <u>\$45,595</u>	<del>\$27,520</del> <u>\$34,400</u>	<del>\$2,320</del> <u>\$2,900</u>	<del>\$9,025</del> <u>\$11,280</u>	<del>\$8,154</del> <u>\$10,195</u>
Drip Pad	<del>\$36,475</del> <u>\$45,595</u>	<del>\$27,520</del> <u>\$34,400</u>	<del>\$2,320</del> <u>\$2,900</u>	<del>\$9,025</del> <u>\$11,280</u>	<del>\$8,154</del> <u>\$10,195</u>
Treatment (7)	<del>\$46,315</del> <u>\$57,895</u>	<del>\$34,820</del> <u>\$43,525</u>	<del>\$2,915</del> <u>\$3,645</u>	<del>\$11,430</del> <u>\$14,290</u>	<del>\$9,760</del> <u>\$12,200</u>
Thermal Treatment (8)	<del>\$111,550</del> <u>\$139,480</u>	<del>\$80,740</del> <u>\$104,685</u>	<del>\$5,205</del> <u>\$9,005</u>	<del>\$27,740</del> <u>\$34,675</u>	<del>\$9,760</del> <u>\$12,200</u>
Land Treatment	<del>\$62,550</del> <u>\$78,190</u>	<del>\$47,035</del> <u>\$58,795</u>	<del>\$3,940</del> <u>\$4,925</u>	<del>\$15,515</del> <u>\$19,395</u>	<del>\$18,590</del> <u>\$23,240</u>
Waste Pile	<del>\$52,795</del> <u>\$65,995</u>	<del>\$39,760</del> <u>\$49,700</u>	<del>\$3,275</del> <u>\$4,095</u>	<del>\$13,030</del> <u>\$16,290</u>	<del>\$19,590</del> <u>\$24,490</u>
Surface Impoundment	<del>\$85,410</del> <u>\$106,765</u>	<del>\$54,225</del> <u>\$80,280</u>	<del>\$5,400</del> <u>\$6,750</u>	<del>\$21,185</del> <u>\$26,480</u>	<del>\$19,590</del> <u>\$24,490</u>
Landfill	<del>\$475,000</del> <u>\$593,750</u>	<del>\$360,000</del> <u>\$562,560</u>	<del>\$60,860</del> <u>\$8,575</u>	<del>\$26,585</del> <u>\$33,230</u>	<del>\$19,590</del> <u>\$24,490</u>

**FEE SCHEDULE C  
HAZARDOUS WASTE PERMITS**

<u>TYPE OF ACTIVITY</u>	INITIAL UNIT (1)	NEW DESIGN/ ADDITIONAL UNIT (2)	MINOR MOD (3)	MAJOR MOD (4)	CLOSURE PLAN (5)
—	—	—	—	—	—
Post-Closure (9)	<del>\$82,135</del> <u>\$102,670</u>	<del>\$61,760</del> <u>\$77,200</u>	<del>\$5,110</del> <u>\$6,390</u>	<del>\$20,395</del> <u>\$25,495</u>	—

**FEE SCHEDULE C  
HAZARDOUS WASTE PERMITS**

<u>TYPE OF ACTIVITY</u>	INITIAL UNIT (1)	NEW DESIGN/ ADDITIONAL UNIT (2)	MINOR MOD (3)	MAJOR MOD (4)	CLOSURE PLAN (5)
SWMU Only (10)	<del>\$16,310</del> <u>\$20,390</u>	-----	<del>\$1,025</del> <u>\$1,280</u>	<del>\$4,070</del> <u>\$5,090</u>	-----
Miscellaneous Units	<del>\$93,780</del> <u>\$117,285</u>	<del>\$50,475</del> <u>\$88,095</u>	<del>\$5,820</del> <u>\$7,275</u>	<del>\$23,300</del> <u>\$29,125</u>	-----
Corrective Action Management Unit <u>(CAMU)</u> (17)	<del>\$42,380</del> <u>\$52,975</u>	<del>\$31,825</del> <u>\$39,780</u>	<del>\$2,770</del> <u>\$3,465</u>	<del>\$10,640</del> <u>\$13,300</u>	Varies (18)
Non-Unit Specific Modifications (11)	-----	-----	<del>\$1,160</del> <u>\$1,450</u>	<del>\$5,400</del> <u>\$6,750</u>	-----
Modifications to Incorporate Final Corrective Measures	-----	-----	-----	<del>\$14,550</del> <u>\$18,190</u>	-----
<b>ADDITIVE FEES (12)</b>					
Groundwater Contamination (13)				-----	-----
Plume Undefined	<del>\$61,960</del> <u>\$77,450</u>	<del>\$46,460</del> <u>\$58,075</u>	-----	-----	-----
Plume Defined	<del>\$32,615</del> <u>\$40,770</u>	<del>\$24,410</del> <u>\$30,515</u>	-----	-----	-----
Trial Burn (14)	<del>\$16,310</del> <u>\$20,390</u>	-----	-----	-----	-----

**FEE SCHEDULE C  
HAZARDOUS WASTE PERMITS**

<u>TYPE OF ACTIVITY</u>	INITIAL UNIT (1)	NEW DESIGN/ ADDITIONAL UNIT (2)	MINOR MOD (3)	MAJOR MOD (4)	CLOSURE PLAN (5)
RCRA					
Facility					
Assessment (RFA) (24)	<del>\$16,310</del> <u>\$20,390</u>	-----	-----	-----	-----
RCRA					
Facility					
Investigation (RFI) Certification (15)	<del>\$24,470</del> <u>\$30,590</u> <del>18,790</del> <u>\$23,490</u>	-----	-----	-----	-----
Corrective					
Action					
Program					
(CAP) or					
Corrective					
Measures Implementation (CMI) Plan Certification (16)	<del>\$42,390</del> <u>\$52,990</u> <del>31,825</del> <u>\$39,780</u> <del>2,780</del> <u>\$3,475</u> <del>\$10,640</del> <u>\$13,300</u>				-----
Temporary					
Unit	<del>\$35,890</del> <u>\$44,865</u> <del>26,946</del> <u>\$33,685</u> <del>2,330</del> <u>\$2,915</u> <del>\$8,950</del> <u>\$11,190</u> <del>\$8,155</del> <u>\$10,195</u>				
Off-Site					
Waste					
Analysis Certification (19)	<del>\$8,155</del> <u>\$10,195</u>	-----	<del>\$810</del> <u>\$1,015</u>	<del>\$2,125</del> <u>\$2,655</u>	-----
Indirect					
Risk					
Assessment (20)	<del>\$163,105</del> <u>\$203,880</u>	-----	-----	-----	-----
Landfill					
5-Year					
Review Certification (25)	<del>\$450,000</del> <u>\$562,500</u> <del>460,000</del> <u>\$562,500</u>	-----	-----	-----	-----

**FEE SCHEDULE C  
HAZARDOUS WASTE PERMITS**

<u>TYPE OF ACTIVITY</u>	INITIAL UNIT (1)	NEW DESIGN/ ADDITIONAL UNIT (2)	MINOR MOD (3)	MAJOR MOD (4)	CLOSURE PLAN (5)
Confirmatory Sampling (CS) Work	<del>\$20,395</del>	<del>\$25,495</del> <u>\$15,305</u>	<del>\$19,130</del> <u>\$19,130</u>	-----	-----
Plan Certification (21)				-----	-----
Interim Measures (IM) Work	<del>\$20,395</del>	<del>\$25,495</del> <u>\$15,305</u>	<del>\$19,130</del> <u>\$19,130</u>	-----	-----
Plan Certification (22)				-----	-----
Corrective Measures Study (CMS)	<del>\$24,755</del>	<del>\$30,945</del> <u>\$18,935</u>	<del>\$23,670</del> <u>\$23,670</u>	-----	-----
Certification (23)				-----	-----

**FEE SCHEDULE C (Continued)**

**EXPLANATORY NOTES**

- (1) Fee applies to initial unit (design) of a given type at a facility.
- (2) Fee applies to additional designs and/or units of the same type unit or process at a given facility.
- (3) Refer to rule 335-14-8-.04(3) for classification of minor mods. Each separate mod request requires a separate fee payment. Multiple changes to a permit consolidated in one mod request will be charged a single fee for each applicable unit. (e.g., A facility permitted

- for container storage and a landfill who requests modifications to both units will be charged the appropriate fee for each unit.)
- (4) Refer to rule 335-14-8-.04(2) for classification of major mods. Each separate mod request requires a separate fee payment. Multiple changes to a permit consolidated in one mod request will be charged a single fee for each applicable unit. (e.g., A facility permitted for container storage and a landfill who requests modifications to both units will be charged the appropriate fee for each unit.)
  - (5) If clean closure is not attained and a post-closure permit is required, then the cost is credited to the post-closure permit fee. Closure plan fees shall be charged per unit to be closed.
  - (6) Fees for miscellaneous units (rule 335-14-5-.24) and for other units not specifically listed shall be assessed based on the fees established for the permit type most closely analogous to the activity in question. For example, an open burning/open detonation unit would be assessed fees for thermal treatment; a stabilization unit would be assessed fees for treatment; etc.
  - (7) Fee applies to all treatment units except land treatment units and thermal treatment units.
  - (8) Fee applies to incinerators, boilers, industrial furnaces, and other thermal treatment units.
  - (9) Fee applies to each hazardous waste management unit which is subject to post-closure permitting requirements. Multiple units which are closed under a single (common) cap will be charged the fee for a single post-closure unit. Fee also applies to certification of post-closure plans required by order.
  - (10) Fee applies to permits which include solid waste management unit (SWMU) requirements (pursuant to ADEM Admin. Code rs. 335-14-5-.06(12), 335-14-5-.19, 335-14-8-.02(5)(d), but do not include regulated hazardous waste management unit requirements. This fee applies to facilities which have completed all closure and post-closure requirements for regulated hazardous waste management units, but do not complete all SWMU requirements.
  - (11) Fee applies to modifications which are not unit specific (i.e., mods not affecting the unit type, design, or configuration). Examples: contingency plan changes, transfer of ownership, personnel training plan changes, changes to groundwater monitoring system, etc.
  - (12) Additive fees are levied in addition to base application fees as applicable. Total fees due are sum of base application fees and additive fees applicable to a given facility/application.

- (13) Initial fee applies to the first contaminant plume at a facility. The additional unit fee will be charged for each additional, separate plume at the same facility.
- (14) Fee applies to each trial burn performed.
- (15) Initial fee applies to the first investigation at a facility imposed by the Department under ADEM Admin. Code r. 335-14-5-.06(12). The fee is applicable at the time the investigation is imposed. The additional unit fee will be charged for each additional, separate investigation at the same facility (e.g. an investigation of a newly discovered area of contamination). This fee is also applicable to any investigation required by statute or order that is designed to assess the extent of contamination at a facility or a single unit within a facility.
- (16) Fee applies to each separate corrective action program proposal or corrective measures implementation plan submitted. CAPs which integrate multiple technologies (e.g., pump and treat, biological, chemical, physical, etc.) into a single system shall be charged a single fee for the system. Facilities which have multiple separate programs (e.g., two separate groundwater contamination plumes, one remediated using pump and treat and the other using vapor extraction) shall be charged a separate fee for each separate system. This fee is also applicable to passive corrective measures (e.g. land-use restrictions, monitored natural attenuation).
- (17) Fee applies to each separate corrective action management unit (CAMU) designated/approved at a facility. This fee is in addition to any other fees applicable to any hazardous waste management units included within a CAMU.
- (18) ~~Fee determined~~ based on type of ~~units~~CAMU unit proposed (Storage—~~\$4,855~~; Treatment [except Land Treatment]—~~\$5,820~~; Disposal/Land Treatment—~~\$11,650~~). See Closure Plan Fees for unit types above.
- (19) Fee applies to facilities which receive hazardous waste from off-site sources (e.g., commercial facilities).
- (20) Fee applies to thermal treatment units required to conduct indirect risk assessments.
- (21) Initial fee applies to the first CS work plan at a facility. The additional unit fee will be charged for each additional, separate CS workplan at the same facility.
- (22) Initial fee applies to the first IM work plan at a facility. The additional unit fee will be charged for each additional, separate IM workplan at the same facility.

- (23) Initial fee applies to the first CMS work plan at a facility. The additional unit fee will be charged for each additional, separate CMS workplan at the same facility.
- (24) Fee is charged per each RFA Report prepared for a given facility.
- (25) Landfill 5-Year Review Certification fee applies to operating hazardous waste land disposal facilities subject to 335-14-5-.05.

FEE SCHEDULE D

WATER PERMITS

<u>Type of Activity</u>	<u>Initial Registration/ Issuance Reissuance or Modification (effluent limit change) (injection zone change or <del>compatibility study</del>)</u>	<u>Modification (no effluent limit change) (no injection zone change or no compatibility study)</u>
Major Industrial Discharger	<del>\$17,990</del> <u>\$22,490</u>	<del>\$3,940</del> <u>\$4,925</u>
Minor Industrial Discharger <u>(not subject to effluent guidelines)</u>	<del>\$5,615</del> <u>\$7,020</u>	<del>\$3,120</del> <u>\$3,900</u>
<u>Minor Industrial Discharger (subject to effluent guidelines)</u>	<u>\$8,775</u>	<u>\$4,875</u>
Major Municipal & Private	<del>\$7,060</del> <u>\$8,825</u>	<del>\$3,140</del> <u>\$3,925</u>
Minor Municipal & Private & Water Treatment	<del>\$4,290</del> <u>\$5,365</u>	<del>\$2,250</del> <u>\$2,815</u>
Municipal Stormwater <b>(MS-4)</b>	<del>\$7,060</del> <u>\$8,825</u>	<del>\$3,275</del> <u>\$4,095</u>
—		
Mineral/Resource Extraction Mining, Storage Transloading, Dry Processing <u>(up to and including 5 outfalls)</u>	<del>\$5,820</del> <u>\$7,275</u>	<del>\$3,400</del> <u>\$4,250</u>
Wet Preparation, Processing, Beneficiation <u>(up to and including 5 outfalls)</u>	<del>\$6,860</del> <u>\$8,575</u>	<del>\$3,940</del> <u>\$4,925</u>

**FEE SCHEDULE D**

**WATER PERMITS**

<u>Type of Activity</u>	<u>Initial Registration/ Issuance Reissuance or Modification (effluent limit change) (injection zone change or <del>compatibility study</del>)</u>	<u>Modification (no effluent limit change) (no injection zone change or no compatibility study)</u>
Coalbed Methane <u>(up to and including 5 outfalls)</u>	<del>\$6,860</del> <u>\$8,575</u>	<del>\$3,940</del> <u>\$4,925</u>
General Permit	<del>\$1,385</del> <u>\$1,730</u>	<del>\$800</del> <u>\$1,000</u>
<del>Minor NPDES Modifications</del> <u>No Exposure Certification</u>	<u>\$500</u>	<u>-----</u>
<u>Individual Permit Administrative Changes</u>	<u>-----</u>	<del>\$800</del> <u>\$1,000</u>
<b>ADDITIVE FEES</b>		
Modeling with Data Collection (10 Stations)	<del>\$60,390</del> <u>\$75,490</u>	<del>\$60,390</del> <u>\$75,490</u>
Modeling with Data Collection (5 Stations)	<del>\$49,315</del> <u>\$61,645</u>	<del>\$49,315</del> <u>\$61,645</u>
Modeling - desktop	<del>\$4,855</del> <u>\$6,800</u>	<del>\$4,855</del> <u>\$6,800</u>
Review of Model Performed by Others	<del>\$2,705</del> <u>\$5,800</u>	<del>\$2,705</del> <u>\$5,800</u>
Seasonal Limits	<del>\$4,855</del> <u>\$6,800/</u> additional season	<del>\$4,855</del> <u>\$6,800/</u> additional season
Biomonitoring & Toxicity Limits	<del>\$1,015</del> <u>\$1,270</u>	<del>\$1,015</del> <u>\$1,270</u>
316b Phase I, Phase II, and Phase III Facilities [Permit Issuance/Re-issuance Modification]	<del>\$5,065</del> <u>\$6,330</u>	0

FEE SCHEDULE D

WATER PERMITS

<u>Type of Activity</u>	<u>Initial Registration/ Issuance Reissuance or Modification (effluent limit change) (injection zone change or compatibility study)</u>	<u>Modification (no effluent limit change) (no injection zone change or no compatibility study)</u>
Review of Site Specific Impingement and Entrainment Studies and/or Comprehensive Demonstration Studies	<del>\$40,525</del> <del>(1)</del> \$50,655 (1)	0
<u>Land Application</u>	<u>\$1,000</u>	<u>-----</u>
<u>Financial Assurance Review</u>	<u>\$1,000</u>	<u>-----</u>
<u>Additional Outfalls (any after the 5th outfall) for Mineral/Resource Extraction Mining; Storage Transloading; Dry Processing; Wet Preparation, Processing, and Beneficiation; and Coalbed Methane.</u>	<u>\$250/proposed outfall</u>	<u>-----</u>
<u>Outfalls Discharging to an Impaired Water for NPDES Individual permits: Industrial; Municipal; Private; Water Treatment; Mineral/Resource Extraction Mining; Wet Preparation, Processing, and Beneficiation; and Coalbed Methane.</u>	<u>\$100/outfall</u>	<u>-----</u>
<b>SID</b>		
Indirect Discharge (SID)	<del>\$3,850</del> \$4,815	<del>\$2,125</del> \$2,655

**FEE SCHEDULE D**

**WATER PERMITS**

<u>Type of Activity</u>	<u>Initial Registration/ Issuance Reissuance or Modification (effluent limit change) (injection zone change or compatibility study)</u>	<u>Modification (no effluent limit change) (no injection zone change or no compatibility study)</u>
Indirect Discharge with EPA Established Categorical Effluent Guidelines	<del>\$4,375</del> <u>\$7,225</u>	<del>\$2,520</del> <u>\$3,985</u>
<b>UIC</b>		
Class III Well	<del>\$33,650</del> <u>\$42,065</u>	<del>\$2,250</del> <u>\$2,815</u>
Class V Well	<del>\$4,290</del> <u>\$5,365</u>	<del>\$2,250</del> <u>\$2,815</u>
General Permit	<del>\$1,385</del> <u>\$1,730</u>	<del>\$800</del> <u>\$1,000</u>
<b>WATER SUPPLY</b>		
Surface Water Treatment Plant/System	<del>\$4,595</del> <u>\$5,745</u>	<del>\$2,250</del> <u>\$2,815</u>
Distribution System	<del>\$2,995</del> <u>\$3,745</u>	<del>\$1,960</del> <u>\$2,450</u>
Groundwater Supply (Well/ System)	<del>\$3,715</del> <u>\$4,645</u>	<del>\$1,960</del> <u>\$2,450</u>
Name Change/Permit Minor Mod	-----	<del>\$800</del> <u>\$1,000</u>
<b>AFO/CAFO Individual Permit</b>	\$7,435	\$5,820
<b>AFO/CAFO Registration</b>		
AFO	\$450	\$150
CAFO:		

FEE SCHEDULE D

WATER PERMITS

<u>Type of Activity</u>	<u>Initial Registration/ Issuance Reissuance or Modification (effluent limit change) (injection zone change or <del>compatibility study</del>)</u>	<u>Modification (no effluent limit change) (no injection zone change or no compatibility study)</u>
1-999 Animal Units	\$725	\$450
1,000-1,499 Animal Units	\$1,390	\$815
1,500-1,999 Animal Units	\$2,060	\$1,175
2,000 or more Animal Units	\$2,725	\$1,550

---

~~11~~(1) Due upon submittal of CDS

—

**FEE SCHEDULE E**

**SOLID WASTE PERMITS/REGISTRATION**

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Modification</u>	<u>Reissuance</u>
Medical Waste Transfer Facility	\$2,035	\$725	\$1,330
New Technology Review	\$10,205	-----	-----
Commercial Treatment Facility	\$16,460	\$7,280	\$9,180
Commercial Transportation of Medical Waste	\$3,490	\$1,460	\$2,035
Storage of Untreated Medical Waste	\$2,630	\$665	\$1,960
Municipal Solid Waste Landfill/CCR Unit	\$83,880	-----	<del>\$37,270</del> <u>\$71,300</u>
Minor Mod. (1)*	-----	<del>\$3,275</del> <u>\$4,095</u>	-----
Major Mod. (2)*	-----	<del>\$32,615</del> <u>\$40,770</u>	-----
Construction/Demolition Waste Landfill	<del>\$7,145</del> <u>\$8,930</u>	-----	<del>\$5,400</del> <u>\$7,590</u>
Minor Mod. (1)*	-----	<del>\$1,460</del> <u>\$1,825</u>	-----
Major Mod. (2)*	-----	<del>\$2,915</del> <u>\$3,645</u>	-----
Industrial Waste Landfill	<del>\$12,670</del> <u>\$15,840</u>	-----	<del>\$8,150</del> <u>\$13,465</u>

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Modification</u>	<u>Reissuance</u>
Minor Mod. (1) *	-----	<del>\$1,460</del> <u>\$1,825</u>	-----
Major Mod. (2) *	-----	<del>\$4,375</del> <u>\$5,470</u>	-----
<u>Lagoon Closure Certification (3) *</u>	<u>\$24,490</u>	-----	-----
Compost Facility	<del>\$4,860</del> <u>\$6,075</u>	-----	<del>\$3,670</del> <u>\$4,590</u>
Minor Mod.	-----	<del>\$1,225</del> <u>\$1,530</u>	-----
Major Mod	—	<del>\$1,945</del> <u>\$2,430</u>	—
<b>Additive Fees</b>			
— <u>Geological Review (4) *</u>	<del>\$4,865</del> <u>\$6,080</u>	<del>\$3,275</del> <u>\$4,095</u>	<del>\$3,275</del> <u>\$4,095</u>
— <u>Solid Waste Disposal Notification (5) *</u>	<del>\$215</del> <u>\$270</u>	<del>\$215</del> <u>\$270</u>	<del>\$215</del> <u>\$270</u>
— <u>Variance Request (6) *</u>	<del>\$1,460</del> <u>\$1,825</u>	<del>\$1,460</del> <u>\$1,825</u>	<del>\$1,460</del> <u>\$1,825</u>
<u>Corrective Action Plan Certification (7) *</u>	<u>\$52,975</u>	-----	-----
<u>Minor Mod.</u>	-----	<u>\$3,465</u>	-----
<u>Major Mod.</u>	-----	<u>\$13,300</u>	-----
<u>Beneficial Use Generator</u>	<u>\$2,100</u>	<u>\$690</u>	<u>\$2,100</u>
Beneficial Use <del>Facility Registration</del>	—	<del>\$550</del>	—

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Modification</u>	<u>Reissuance</u>
<del>Beneficial Use Generator</del> Distributor	<del>\$1,680</del> <u>\$4,200</u>	<del>---</del> <u>\$690</u>	<del>\$1,680</del> <u>\$4,200</u>
<del>Beneficial Use Distributor</del>	<del>\$3,360</del>	<del>---</del>	<del>\$3,360</del>
<del>Beneficial Use FPR Treatment Facility</del>	<del>\$5,050</del> <u>\$6,315</u>	<del>---</del> <u>\$690</u>	<del>\$5,050</del> <u>\$6,315</u>

\*~~1~~(1). These are modifications as included in ADEM Admin. Code rule 335-13-5-.06(2).

\*~~2~~(2). These are modifications as included in ADEM Admin. Code rule 335-13-5-.06(1).

-(3). Fee applies to individual unit closure.

(4). Fee applies to landfill permit actions (initial issuance, reissuance, and modifications) that require geological/hydrogeological review.

(5). Minor modifications apply to changes on the FORM 300 for the following: Process Generating Waste, Waste Name, Adding an Additional Landfill, and Generator Name/Address. All other modifications are considered Major Modifications to the Solid Waste Disposal Notification.

(6).Fee applies to Variances as defined in ADEM Admin. Code rule 335-13-8-.01 and applies to landfill and composting permits.

(7).Fee applies to each separate corrective action program proposal or corrective measures implementation plan submitted. Corrective Action Plans (CAPs) which integrate multiple technologies (e.g., pump and treat, biological, chemical, physical, etc.) into a single system shall be charged a single fee for the system. Facilities which have multiple separate programs (e.g., two separate groundwater contamination plumes, one remediated using pump and treat and the other using vapor extraction) shall be charged a separate fee for each separate system. This fee is also applicable to passive corrective measure (e.g. land-use restrictions, monitored natural attenuation, etc.). Modification fee applies to changes of approved Corrective Measures Implementation Plans/ Corrective Action Plans.

**FEE SCHEDULE F**  
**NPDES CONSTRUCTION STORMWATER GENERAL PERMIT AUTHORIZATION**

<u>Type of Activity</u>	<u>Initial Issuance and Reissuance</u>	<u>Modification</u>
<u>Construction General Permit (1)</u>	<u>\$1,000</u>	<u>\$1,000</u>
<b><u>Additive Fees</u></b>	-	-
<u>Per Acre Increment (project ≥ 5 acres) (2)</u>	<u>\$100/acre</u>	<u>\$100/acre added</u>
<u>Priority Site Fee (3)</u>	<u>\$100; if ≥ 5 acres + \$10 per acre</u>	<u>If acreage increases: \$100 + \$10 per acre added</u>

~~RESERVED~~ (1). Includes coverage for < 5 acres. A Modification Fee for change in acreage for a less than 5-acre project does not require an additional per acre fee if the additional acreage increase does not cause the project to equal or exceed 5 acres. The total permit fee for each permit action will not exceed \$10,000, including all additive fees.

~~Repealed~~ (2). An Additive Per Acre Increment Fee is required for projects equal to or greater than 5 acres. The Per Acre Increment Fee is determined by the total permitted disturbance during the life of the overall project as identified by the permit boundary. Permitted disturbance acreage will not be 'moved around' within the permit boundary.

In a modification:

- if the original permit was for < 5 acres and the additional acreage increases to equal or exceed 5 acres, the additive Per Acre Incremental Fee will apply to total acreage of the project, while the initial fee did not include a per acre fee.
- if the original permit was for ≥ 5 acres, the increment fee is assessed for each additional acre not included in the previous permit coverages.

(3). A Priority Site Fee is required for all projects discharging to a waterbody which is listed on the most recently EPA approved 303(d) list of impaired waters for turbidity, siltation, or sedimentation, any waterbody for which a TMDL has been finalized or approved by EPA for turbidity, siltation, or sedimentation, any waterbody assigned the Outstanding Alabama Water use classification in accordance with ADEM Admin. Code r. 335-6-10-.09, and any waterbody assigned a special designation in accordance with ADEM Admin. Code r. 335-6-10-.10/6/17. The Priority Site Fee shall be assessed for each initial Notice of Intent

(NOI). The Priority Site Fee for equal to or greater than 5-acre projects will apply to the total acreage of the project and the Priority Site Fee will be assessed for a permit modification for each additional acre not included in the initial permit coverage.

—

**FEE SCHEDULE G  
VARIANCES, CERTIFICATIONS AND LICENSES**

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Modification</u>	<u>Reissuance</u>
Well Driller's License	\$200	<u>----</u>	\$200
<b>Water and Wastewater Operator Certification</b>			
Examination Fee	\$325	<u>----</u>	<u>----</u>
Water and Wastewater Operator Certification Issuance Fee	<del>\$125</del> <u>\$155</u>	<u>----</u>	<u>----</u>
Water and Wastewater Operator Certification Renewal via Internet	<u>----</u>	<del>\$70</del> <u>----</u>	<u>\$90</u>
Water and Wastewater Operator Certification Renewal via Mail	<u>----</u>	<del>\$95</del> <u>----</u>	<u>\$120</u>
Water and Wastewater Operator Certification Renewal Late Fee	<u>----</u>	<del>\$215</del> <u>[2]----</u>	<u>\$270 (2)</u>
Water and Wastewater Operator Reciprocal Certification	<del>\$180</del> <u>\$225</u>	<u>----</u>	<u>----</u>
<b><del>Microbiological lab certification</del></b>			
<del>Chemical Laboratory</del> <u>Microbiological lab</u>	<u>\$450</u>	<u>\$150</u>	<u>\$450</u>
<u>Chemistry Lab Certification</u> <u>Modification</u>	<u>----</u>	<u>\$150</u>	<u>----</u>
<b>—</b>			
Metals	<del>\$360</del> <u>\$450</u>	<u>----</u>	<u>----</u>
Pesticides	<del>\$360</del> <u>\$450</u>	<u>----</u>	<u>----</u>

**FEE SCHEDULE G  
VARIANCES, CERTIFICATIONS AND LICENSES**

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Modification</u>	<u>Reissuance</u>
Herbicides	<del>\$360</del> <u>\$450</u>	<del>-----</del> -----	<del>-----</del> -----
Volatile Organic Chemicals	<del>\$360</del> <u>\$450</u>	<del>-----</del> -----	<del>-----</del> -----
Synthetic Organic Chemicals	<del>\$540</del> <u>\$675</u>	<del>-----</del> -----	<del>-----</del> -----
Disinfection Byproducts	<del>\$540</del> <u>\$675</u>	<del>-----</del> -----	<del>-----</del> -----
Inorganics	<del>\$360</del> <u>\$450</u>	<del>-----</del> -----	<del>-----</del> -----
Radiologicals	<del>\$360</del> <u>\$450</u>	<del>-----</del> -----	<del>-----</del> -----
Asbestos	<del>\$360</del> <u>\$450</u>	<del>-----</del> -----	<del>-----</del> -----
Dioxin	<del>\$360</del> <u>\$450</u>	<del>-----</del> -----	<del>-----</del> -----
Maximum annual chemical lab certification fee	<del>\$1,460</del> <u>\$1,825</u>	<del>-----</del> -----	<del>-----</del> -----

**Coastal Variance See Schedule B**

~~[(2)]~~ (2) See ADEM Admin. Code r. 335-10-1-.11(3)

~~FEE SCHEDULE G~~  
~~VARIANCES, CERTIFICATIONS AND LICENSES~~  
Hazardous Waste

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Reissuance</u>	<u>Modification</u>	<u>Reissuance After Expiration</u>
<u>Hazardous Waste</u>	<u>Initial Issuance</u>	<u>Modification</u>	<u>Reissuance</u>	
Disposal Certification of Waste at a Commercial Hazardous Waste Landfill	\$360 <u>\$450</u>	\$360 <u>\$450</u>		\$360 <u>\$450</u>
Variance from Classification as a Solid Waste Pursuant to ADEM Admin. Code r. 335-14-1-.03(10)	\$16,310 <u>\$20,390</u>	-----		\$16,310 <u>\$20,390</u>
Delisting Certification Pursuant to ADEM Admin. Code r. 335-14-1-.03(2)	\$16,310 <u>\$20,390</u>	-----		-----
Variance from a Hazardous Waste Treatment Standard Pursuant to ADEM Admin. Code r. 335-14-9-.04(5)	\$4,375 <u>\$5,470</u>	-----		\$4,375 <u>\$5,470</u>
Notification of Regulated Waste Activity	\$180 <u>\$225</u>	-----		\$180 <u>\$225</u>
Variance to be classified as a boiler pursuant to ADEM Admin. Code r. 335-14-1-.03(12)	\$4,375 <u>\$5,470</u>	-----		\$4,375 <u>\$5,470</u>
Variance to extend the effective date of a LDR on a case-by-case basis	\$4,375 <u>\$5,470</u>	-----		\$4,375 <u>\$5,470</u>

~~FEE SCHEDULE G~~  
~~VARIANCES, CERTIFICATIONS AND LICENSES~~  
Hazardous Waste

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Reissuance</u>	<u>Modification</u>	<u>Reissuance After Expiration</u>
Variance to allow land disposal of a prohibited waste	<del>\$4,375</del> <u>\$5,470</u>	-----		<del>\$4,375</del> <u>\$5,470</u>
Hazardous Waste Generator Closure Certification	<del>\$4,375</del> <u>\$5,470</u>	-----		<del>\$4,375</del> <u>\$5,470</u>

-

-

**Solid Waste Landfill Operator Certification**

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Reissuance</u>	<u>Reissuance after Expiration</u>
Landfill Operator Certification Issuance Fee	<del>\$125</del> <u>\$155</u>	-----	-----
Landfill Operator Certification Renewal Fee	-----	<del>\$95</del> <u>\$120</u>	-----
Landfill Operator Certification Late Renewal Fee	-----	-----	<del>\$310</del> <u>\$390</u>
Landfill Operator Reciprocal Certification Fee	<del>\$180</del> <u>\$225</u>	-----	-----

~~FEE SCHEDULE G~~  
VISIBLE EMISSIONS CERTIFICATIONS

<u>Type of Activity</u>	<u>Fee</u>
Lecture Certification Fee (initially and every 3 years)	\$70
Field Certification Fee (every 6 months)	\$290
Late Fee (after registration closes)	\$100
On-Site Registration Fee (fee assessed in addition to the late fee when registering on the day of the field certification test)	\$50

—

—

**FEE SCHEDULE H**

**BROWNFIELD REDEVELOPMENT AND VOLUNTARY CLEANUP PROGRAM**

**Non-Responsible Person Applicant**

<u>TYPE OF ACTIVITY</u>	<u>REVIEW FEE</u>	<u>MINOR MODIFICATION</u>	<u>MAJOR MODIFICATION</u>
<b>Application<sup>(1)</sup></b>	\$5,060	\$250	\$500
With Variance	\$16,855	NA	NA
<b>Assessment Review<sup>(2)</sup></b>	\$6,740	\$1,680	\$2,570
<b>Assessment Report</b>	\$4,260		
<b>Cleanup Review<sup>(2)</sup></b>	\$12,470	\$1,680	\$2,570
<b>Cleanup Report</b>	\$7,720		
<b>Letter of Concurrence</b>			
Unconditional	\$1,680	NA	NA
Conditional	\$4,210	NA	NA
<b>Property Eligibility Determination<sup>(3)</sup></b>	\$670	NA	NA

**Responsible Person Applicant**

<b>Application<sup>(1)</sup></b>	\$5,060	\$250	\$500
With Variance	\$16,855	NA	NA
<b>Assessment Review<sup>(2)</sup></b>	\$24,470	\$2,770	\$9,840
<b>Assessment Report</b>	\$10,520		
<b>Cleanup Review</b>	\$43,065	\$2,770	\$9,840
<b>Cleanup Report</b>	\$17,635		

<u>TYPE OF ACTIVITY</u>	<u>REVIEW FEE</u>	<u>MINOR MODIFICATION</u>	<u>MAJOR MODIFICATION</u>
<b>Letter of Concurrence</b>			
Unconditional	\$1,680	NA	NA
Conditional	\$4,210	NA	NA
<b>Property Eligibility Determination<sup>(2)</sup></b>	\$670	NA	NA
		<b>Additive Fees<sup>(4)</sup></b>	
<b>Public Notice<sup>(5)</sup></b>		\$800	
<b>Groundwater Monitoring<sup>(6)</sup></b>		\$1,000	
<b>Risk Management RM-1</b>		\$1,700	
<b>Risk Management RM-2</b>		\$4,350	
<b>Operation and Maintenance Plan<sup>(6) (7)</sup></b>		\$1,500	
<b>Brownfield Remediation Reserve Fund Contribution<sup>(8) (*)</sup></b>		\$500	

(1) Submittal of the appropriate application fee is required prior to the review of any plans, reports, and, or certifications.

(2) An Assessment and/or Cleanup Review fee is assessed when review of a plan and report is required as determined by the Department.

(3) Property eligibility determinations are valid for a period of one year from date of issuance.

(4) Additive fees are levied on the assessment or cleanup fees as applicable. Total fees due are a sum of assessment and/or cleanup fees and additive fees applicable to a given applicant.

(5) A Public Notice fee is assessed on any Plan or Report which proposes final cleanup remedy recommendations, such as removal of contaminants and/ or an Environmental Covenant.

(6) These fees are assessed annually until required activities are complete and/or terminated by the Department.

(7) Fee is added to a Cleanup Review and/or Report fee, when an Operation and Maintenance (OAM) is required as a part of the approved remedy. Modification of OAM activities would require a modification of the Cleanup Report and submittal of required fees.

(8) This fee applies only to Responsible Party Applicants and is assessed **per acre** of each qualifying property in addition to the voluntary cleanup program application and oversight fees.

\* This fee is enacted by Act 2023-356 of the 2023 Alabama Legislative Session.

—

**FEE SCHEDULE I**

<b>SCRAP TIRE PROGRAM PERMITS/REGISTRATIONS</b>				
<u>Type of Activity</u>	<u>Initial</u>	<u>Modification</u>	<u>Reissuance</u>	
	<u>Issuance</u>			
Class One Processor Permit	<del>\$3,040</del> <u>\$3,800</u>	<del>\$755</del> <u>\$945</u>	<del>\$1,510</del> <u>\$1,890</u>	
Class Two Processor Permit	<del>\$2,525</del> <u>\$3,155</u>	<del>\$635</del> <u>\$795</u>	<del>\$1,260</del> <u>\$1,575</u>	
Class Three Processor Permit	<del>\$2,525</del> <u>\$3,155</u>	<del>\$635</del> <u>\$795</u>	<del>\$1,260</del> <u>\$1,575</u>	
—	—	—	—	
Scrap Tire Transporter Permit	<del>\$1,015</del> <u>\$1,270</u>	<del>\$260</del> <u>\$325</u>	<del>\$510</del> <u>\$640</u>	
Limited-use Transporter Permit	<del>\$260</del> <u>\$325</u>	-----	<del>\$260</del> <u>\$325</u>	
(see Note 1)				
Registration as an Exempt Processor	<del>\$1,015</del> <u>\$1,270</u>	<del>\$260</del> <u>\$325</u>	<del>\$510</del> <u>\$640</u>	
Registration for Engineered Use of Tire Materials	<del>\$1,015</del> <u>\$1,270</u>	-----	-----	

Note 1: A limited-use transporter permit is available to ~~property owners remediating a~~landowners or their duly authorized representatives engaged in the remediation of scrap tire ~~pile on their own~~piles in accordance with 335-4-1-.02(w), 335-4-2-.01(7) and shall be issued for a limited amount of time and under conditions as prescribed by ADEM335-4-3-.05(3) (b).

See ADEM Admin. Code r. 335-4-3-.03(b) for definitions of processors

—

**Fee Schedule J**

**Environmental Covenants Fees**

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Modification</u>
Processing and Review Fee		
Institutional Controls	\$4,285	\$1,070
Engineering Controls	\$6,425	\$1,610
Registry Recording Fee		
For Class 1 controls*	\$13,705	\$635
For Class 2 controls*	\$9,420	\$635
For Class 3 controls*	\$5,245	\$635

\* - For classification of institutional and engineering controls, see ADEM Admin. Code Rule. 335-5-1-.03(i).

Registry Recording Fee also includes costs of performing inspections for a 30-year period.

For sites utilizing both institutional controls and engineering controls, the processing and review fees shall be the greater of the applicable fees.

For sites with more than one classification of institutional or engineering control, the registry recording fee shall be the greater of the applicable fees.

For a property or site containing multiple individually deeded parcels covered by one or more similar covenants, the owner or operator may pay all applicable fees listed in Fee Schedule J or the owner or operator or other responsible party may include a provision in an order or agreement executed between the owner or operator or other responsible person and the Department to pay fees as provided in 335-5-1-.06(6).

**Fee Schedule K**  
**NPDES SAND AND GRAVEL GENERAL PERMIT AUTHORIZATION**

<u>Type of Activity</u>	<u>Initial Issuance and Reissuance</u>	<u>Modification(2)</u>
<u>Category A: Mining General Permit less than 5 acres (1)</u>	<u>\$1,730</u>	<u>\$1,000</u>
<u>Category B: Mining General Permit 5 acres or greater and less than or equal to 30 acres (1)</u>	<u>\$4,000</u>	<u>\$2,000 + \$2,270 if moving from Category A to Category B</u>
<u>Category C: Mining General Permit greater than 30 acres (1)</u>	<u>\$7,000</u>	<u>\$3,000 + \$5,270 if moving from Category A to Category C or + \$3,000 if moving from Category B to Category C</u>
<b><u>Additive Fees</u></b>	-	-
<u>Category B Wet Preparation</u>	<u>\$700</u>	<u>-----</u>
<u>Category C Wet Preparation</u>	<u>\$700</u>	<u>-----</u>
<u>Category A Priority Site Fee (3)</u>	<u>\$500</u>	<u>\$500</u>
<u>Category B Priority Site Fee (3)</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>Category C Priority Site Fee (3)</u>	<u>\$1,500</u>	<u>\$1,500</u>

(1). Initial Issuance/Reissuance acreage is determined by the total permitted disturbance during the life of the overall project as identified by the permit boundary. Disturbance acreage will not be 'moved around' within the permit boundary.

(2) A Modification Fee is required for a request for modification of an existing Notice of Intent (NOI) when the permitted disturbed area expands, or the permitted area is modified from an existing permitted

category through subsequent category(s) that was not identified on the current NOI upon which existing permit coverage was granted.

(3). A Priority Site Fee, required for all NOIs for projects discharging to a waterbody which is listed on the most recently EPA approved 303(d) list of impaired waters for turbidity, siltation, or sedimentation, any waterbody for which a TMDL has been finalized or approved by EPA for turbidity, siltation, or sedimentation, any waterbody assigned the Outstanding Alabama Water use classification in accordance with ADEM Admin. Code r. 335-6-10-.09, and any waterbody assigned a special designation in accordance with ADEM Admin. Code r. 335-6-10-.10 any waterbody Water, shall be submitted with each NOI request and each modification request.

**Author:** Marilyn Elliott, Russell A. Kelly, Brian C. Espy, Sharon Moses, Pamela W. Luckie, Lynn T. Roper

**Statutory Authority:** Code of Ala. 1975, §22-22A-5.

**History:** Effective February 13, 1985. **Amended:** Filed December 12, 1996; effective January 16, 1997. **Amended:** Filed February 24, 1999; effective March 31, 1999. **Amended:** Filed December 5, 2001; effective January 9, 2002. **Amended (Schedule H only):** Filed April 11, 2002; effective May 16, 2002. **Amended (Schedules B, C, D, E, & F only):** Filed August 29, 2002; effective October 3, 2002. **Amended (Added Schedule I only):** Filed June 30, 2004; effective August 4, 2004. **Amended (Schedules A-H only):** Filed December 6, 2005; effective January 10, 2006. **Amended (Schedules D & G only):** Filed June 6, 2006; effective July 11, 2006. **Amended (Schedules A-I only):** Filed October 10, 2006; effective November 14, 2006. **Amended (Schedules A thru I only):** Filed December 18, 2007; effective January 22, 2008. **Amended (Schedule G only):** Filed December 15, 2009; effective January 19, 2010. **Amended (Text and Schedules A thru J):** Filed October 25, 2011; effective November 29, 2011. **Amended (Schedules A thru J only):** Filed June 25, 2013; effective July 30, 2013. **Amended (Schedules A thru J only):** Filed December 21, 2016, effective January 25, 2017. **Amended (Schedule E only):** Filed April 24, 2018, effective June 8, 2018. **Amended (Schedule E only):** Filed June 25, 2019; effective August 9, 2019. **Amended (Schedules E, H, and J only):** Published February 28, 2020; effective April 13, 2020. **Amended (Schedules C and J only):** Published December 31, 2020; effective February 14, 2021. **Amended (Schedule H only):** Published April 29, 2022; effective June 13, 2022. **Amended (Fee Schedule E only):** Published December 30, 2022; effective February 13, 2023. **Amended:** Published February 29, 2024; effective April 14, 2024. **Amended:** Published December 31, 2025; effective February 14, 2026. Amended: Published ; effective .

**ECONOMIC IMPACT STATEMENT  
FOR APA RULE  
(Section 41-22-23(f))**

Control No: 335

Department or Agency: Alabama Department of Environmental Management  
General Administration

Rule No: 335-1-6-.07

Rule Title: Payment Of Fees

Intended Action: Amend

                     This rule has no economic impact.

          Yes           This rule has an economic impact, as explained below:

**1. NEED/EXPECTED BENEFIT OF RULE:**

To allow the Department to retain sufficient resources in the various programs to provide timely and thorough application review and decisions regarding permits, licenses, certifications, and registrations issuance.

**2. COSTS/BENEFITS OF RULE AND WHY RULES IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:**

Increases in application fees will allow the Department to provide adequate funding to various programs to help maintain sufficient resources to carry out the Department duties and mission. Collection of the additional fees shall be in the same manner as existing fees, and no additional resources will be expended by the Department for collection of the fee increases.

**3. EFFECT OF THIS RULE ON COMPETITION:**

The rule changes should not have any effect on competition. The fee increase is uniformly applied.

**4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:**

The proposed amendments to the existing rules could minimally result in cost-of-living increases and should have very little impact on

**APA-6**

business. By implementing this rule, it should help prevent large fee increases in the future and will make budgeting easier for business.

**5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:**

The fee increases should not have a negative impact on employment in Alabama.

**6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:**

The proposed fee increases will be used to provide adequate resources within the Department.

**7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON EFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:**

The short- and long-term economic impact is minimal. Most fees would be increased by ~25%. However, businesses will benefit by the Department being adequately funded and providing timely and thorough application review and decisions on permits, licenses, certifications, and registrations. This would also allow the Department to maintain primacy over all currently delegated federal programs.

**8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:**

The economic burden to business is minimal as compared to the benefit of receiving permits, licenses, certifications, and registrations decisions necessary for conducting business in a timely manner.

**9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:**

The environment and public health will be positively affected by this rule. The Department will be adequately staffed in the programs thereby providing timely and thorough application reviews and decisions regarding issuance of permits, licenses, certifications, and registrations that are protective of the environment and public health.

**10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:**

If the Department is not adequately staffed, it will potentially create delays that could have a negative impact on the environment and

**APA-6**

public health, through unpermitted discharges, illegal dumping,  
unavailability of public drinking water, etc.

Signature of certifying officer Jeffery W. Kitchens  
Jeffery W. Kitchens

Date Friday, May 15, 2026