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REGULATORY PROGRAM FEE SCHEDULE

Proposed Effective January 1, 2027

Resolution 2026-XX

A. Introduction

1. Authority – The Susquehanna River Basin Commission (Commission) requires payment of fees established under Section 3.9 of the Susquehanna River Basin Compact (Compact) and 18 CFR § 806.35 for the regulatory services that it provides pursuant to 18 CFR Parts 801, 806, and 808. This fee schedule contains exemptions and discounts that are supported by member contributions and intended for applications submitted by jurisdictional agencies and municipalities.

2. Consumptive Use Mitigation – The Commission also sets the rate for Consumptive Use Mitigation fees that project sponsors may propose to pay in lieu of providing their own mitigation for water consumptively used under a Commission approval as their method of compliance with 18 CFR § 806.22(b). *See also* Commission Policy No. 95-02 and Resolution No. 2008-07.

B. Regulatory Fees

3. Project Review Fees:
   a. Date – Fees are based upon the fee schedule in effect on the date the application is submitted to the Commission.
   b. Quantity – For project categories with quantity-based subcategories:
      1) New and renewal application fees are based on the maximum requested quantity (peak day or 30-day average basis, as appropriate).
      2) Modification applications are based on the increase in the requested quantity. When a requested modification does not include an increase in quantities, the lowest fee for the applicable project category shall apply.
   c. Certain applications are also subject to additional fees as noted in Table 1.

4. Annual Monitoring, Compliance and Assistance to Projects (AMCAP) Fee– All facilities newly approved by the Commission, including modifications, renewals, transfers and reissuances of approvals, and Commission orders, unless otherwise exempt, are subject to an AMCAP Fee (see Table 2).

   AMCAP Fees will be invoiced on or after July 1 of each year. During the first year, fees will be prorated. By May 31 of each year, project sponsors with 25 or more facilities subject to the fee can request to pay their total annual amount in quarterly installments for the upcoming year.

5. Multiple Categories/Withdrawals – A separate fee is required for each category and/or each withdrawal location.

6. Groundwater Remediation Systems – Groundwater remediation systems approved by a member jurisdiction agency shall pay a single application fee provided under General Permit-01 Groundwater Remediation and a single AMCAP Fee.

7. Tracking Costs – If fees calculated in accordance with this schedule are projected to be materially different from the expected level of effort required to complete the review, or where technical assistance is otherwise provided at the request of the project sponsor, the Commission may elect to track the actual cost of the review versus assessing the standard fee(s). When this election is made, costs for actual hours worked by staff will include an allocation for fringe benefits and overhead costs using established fringe benefit and overhead rates. Projects may include, but are not limited to: hydroelectric facilities, withdrawals for power plants, out-of-basin diversions, and applications presenting unusual and unique environmental or technical complexities. The project sponsor will be notified in advance if additional or reduced fees are anticipated.

C. Fee Reductions

8. Municipal Fees – This fee schedule includes discounts for municipalities and municipal-owned public water supplies. Municipalities are defined as:
   a. Political subdivisions of the member states, including counties, townships, towns, boroughs, villages, cities, authorities, boards, or any other organizations; or
   b. Public benefit corporations created by the member jurisdictions and not having jurisdiction-wide authority.

   When a municipality engages in traditionally commercial or private enterprise activities, fees associated with such activities will be subject to the standard fee.

9. Fee Waivers – The Commission may, for good cause shown, waive or partially waive any of the project review fees set forth herein for situations that include, but are not limited to: (a) applications that have previously undergone substantive analysis through member jurisdiction reviews or other previous and/or concurrent Commission reviews; and (b) certain technical considerations that reduce review requirements. The Executive Director may grant project review fee waivers or partial waivers of $15,000 or less per facility. Waiver of project review fees in amounts that exceed $15,000 may be considered and approved by the Commissioners.

10. Wellfields – Groundwater wells in close proximity to each other, with similar construction and aquifer response, determined by Commission staff to entail a reduced combined level of review effort, may be subject to discounted fees. Fees for aquifer testing plans or Alternative Hydrogeologic Evaluations and groundwater withdrawal applications are eligible for fee discounts as follows: a 50% discount will be applied to all fees for the second well, and a 75% discount will be applied to all fees for additional wells in the determined wellfield.

    Wellfield fee reduction requests must be submitted, with justification, in writing, to the Commission. Project sponsors should consult with Commission staff prior to preparing a request. Nothing in the determination restricts the Commission's authority to establish appropriate withdrawal limits or conditions on an individual well or group of wells for those groundwater sources included in the fee determination. Determinations on level of review effort and fee reductions will be made and issued by the Executive Director.

11. Abandoned Mine Drainage and Treated Wastewater – Waivers for fees related to projects proposing to use abandoned mine degraded water or treated wastewater shall be considered in accordance with Commission Policy No. 2021-04.

D. Fee Exemptions

12. Member Agencies – Agencies of the member jurisdictions to the Compact with applicable member jurisdiction-wide authority are exempt from project review fees and the AMCAP Fee. Political subdivisions of the member jurisdictions are subject to all appropriate fees.

13. Agricultural Projects – Agricultural projects, as defined in 18 CFR § 806.3, are exempt from the fees set forth in this schedule.

14. Administrative Agreements – Projects approved through concurrence with a member jurisdiction review, consistent with 18 CFR § 806.7, are exempt from related project review and AMCAP fees.

15. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) – Systems developed under CERCLA, 42 U.S.C. Chapter 103, are exempt from project review fees and the AMCAP Fee pursuant to federal law.

E. Fee Payments and Refunds

16. Terms – Fees are due within 30 days of invoice issuance. Failure to submit timely payment of the full fee may result in the submittal being returned or terminated. The Commission will not take action on a project application until the appropriate fees are paid, unless an installment payment agreement has been executed.

17. Installment Payments – If fees exceed $25,000 for any single application, $50,000 for a set of applications, or $15,000 in total for municipal projects, the project sponsor may opt to make installment payments. Each installment will incur an administrative fee of $250. The project sponsor should indicate their intention to use this option when making application, and must submit an agreement for terms of payment in a form and manner prescribed by the Commission. The maximum number of payments is four, spread over up to 3 years. The first installment and the applicable administrative fee are due upon submission of the application.

18. Refunds – Project review fees paid in accordance with this schedule are nonrefundable, except as allowed for in Paragraph 9 and this paragraph. Application fees are not reduced nor any amount credited to the project sponsor if the Commission's approval authorizes a rate of withdrawal or quantity of water less than that initially requested by the project sponsor, or if deficiencies cause termination of review. A portion of the application fee will be refunded, based upon staff effort expended, if the project sponsor voluntarily withdraws an application prior to the commencement of technical review.

19. Unpaid Invoices – Project sponsors that are routinely delinquent in payment may be subject to accrued interest for any amount unpaid after 30 days from the invoice date. If the delinquency becomes substantial, the project sponsor may be subject to enforcement action up to and including the imposition of civil penalties.

TABLE 1. PROJECT REVIEW FEES

Project Category	Requested Quantities/Capacities	Standard Fee	Municipal Fee
Consumptive Use[1]	20,000 gallons per day (gpd) – 99,999 gpd	$ 3,650	$ 2,920
	100,000 gpd – 249,999 gpd	5,475	4,380
	250,000 gpd – 499,999 gpd	7,360	5,885
	500,000 gpd – 999,999 gpd	14,595	11,675
	Over 999,999 gpd	17,660	14,125
Approval by Rule Consumptive Use; 18 CFR § 806.22(e)	20,000 gpd – 99,999 gpd	$ 2,920	$ 2,335
	100,000 gpd – 249,999 gpd	4,380	3,505
	250,000 gpd – 499,999 gpd	5,885	4,710
	500,000 gpd – 999,999 gpd	11,675	9,340
	Over 999,999 gpd	14,125	11,300
Approval by Rule Consumptive Use; 18 CFR § 806.22(f)	New	$ 9,510	Not Applicable
	Renewal	2,445	
	Modification	1,325	
Surface Water Withdrawals	Less than 100,000 gpd	$ 6,360	$ 5,085
	100,000 gpd – 249,999 gpd	9,535	7,630
	250,000 gpd – 499,999 gpd	12,715	10,170
	500,000 gpd – 999,999 gpd	15,895	12,715
	1 million gpd (mgd) – 5 mgd	18,985	15,190
	Over 5 mgd	41,425	33,140
Groundwater Withdrawals	Less than 100,000 gpd	$ 9,890	$ 5,935
	100,000 gpd – 199,999 gpd	13,795	8,275
	200,000 gpd – 499,999 gpd	19,870	11,920
	500,000 gpd – 999,999 gpd	24,815	14,890
	1 mgd – 5 mgd	29,755	17,855
	Over 5 mgd	41,425	24,855
Diversion Into Basin	All quantities	$ 12,180	$ 9,725
Diversion Out of Basin	Less than 250,000 gpd	12,180	9,725
	250,000 gpd or greater	25,000	20,000
Hydroelectric Projects (New or Re-licensing)	Greater than 10 megawatts (anything less subject to "all other projects" category below)	$ 225,000	Not Applicable
All other projects requiring review and approval and not otherwise specified, including groundwater remediation systems[1]	All quantities or capacities	$ 6,065	$ 4,850
Minor Modifications		$ 2,140	$ 1,715
Pre-Drill Well Site Review[2]		$ 2,740	$ 2,190
Aquifer Testing Plan and Alternative Hydrogeologic Evaluation[3]		$ 6,155	$ 4,925
Emergency Certificate[4]		$ 6,065	$ 4,850
General Permit-01 Groundwater Remediation		$ 2,140	$ 1,710
General Permit-02 Groundwater Withdrawals for Emergency Uses or Maintenance Activities		$ 3,210	$ 2,570
General Permit-03 Cooperative Fish Nursery		$ 1,070	Not Applicable
General Permit-04 Into-Basin Diversion of Water		$ 5,350	$ 4,275

[1] Consumptive use application fees will be discounted by 50% when submitted in combination with a withdrawal or diversion application.
[2] Fifty percent (50%) of the fee paid for a pre-drilling evaluation will be applied towards the aquifer testing plan fee for a well that was completed at the same borehole location identified in and evaluated with the pre-drilling well site review.
[3] If an Alternative Hydrogeologic Evaluation is requested and reviewed to completion by Commission staff and denied, the project sponsor will be required to develop an aquifer testing plan and pay an additional fee if the project sponsor continues to seek approval of that source.
[4] Emergency certificate fees will be discounted by 50% for facilities paying the AMCAP Fee.

TABLE 2. ANNUAL MONITORING, COMPLIANCE AND ASSISTANCE TO PROJECTS (AMCAP) FEE[1]

Facility Category	Standard Fee	Municipal Fee
Hydroelectric: Less than 10 megawatts 10 megawatts – 40 megawatts Over 40 megawatts	 $ 1,115 5,300 10,950	Not Applicable
Withdrawal, Consumptive Use, Diversion, Commission Orders	$ 1,125	$ 900
Approval by Rule/General Permit[2]	$ 1,000	$ 800

[1] See Paragraph 4.
[2] General Permit-02 is exempt.

TABLE 3. CONSUMPTIVE USE MITIGATION FEE

Fee	Rate
Consumptive Use Mitigation Fee[1]	$0.33 per 1,000 gallons consumed

[1] See Commission Policy No. 95-02 and Resolution No. 2008-07.