

NEBRASKA ADMINISTRATIVE CODE

Title 122 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 12 - FEES

001 Permit Processing and Issuance Fees

001.01 A fee shall be assessed to the permit applicants to, issue, modify or reissue permits. A permit shall not be issued to any applicant until the fees, assessed by the Department, have been paid.

001.01A The fees will be used for the direct costs associated with permit evaluation, processing, and monitoring, including application review, meetings and correspondence with the permit applicant, permit research and drafting time, necessary travel, technical and administrative review of the drafted permit, clerical preparation of the permit and related tasks, advertising costs for public notice, review of public comments on the draft permit, hearing costs, if applicable, permit processing fee billing, and final permit issuance.

001.02 Permit processing fees shall apply without regard to whether a permit is issued, denied or requested to be inactivated, prior to issuance or thereafter.

001.03 Each application for a new or reissued permit shall be accompanied by the appropriate filing fee as set forth below:

001.03A \$25,000 - Class I or III well(s);

001.03B \$500.00 - Class V well(s) that have been required to obtain a permit as outlined in Chapter 6 of this Title.

001.03C There is no fee for Class V wells obtaining an authorization.

001.04 All permit application fees shall be made payable to the State of Nebraska and shall accompany the submittal of the application, or in the case of a Class V well, after it has been determined a permit is required as determined in Chapter 6 of this Title.

002 Permit Administration Fees

002.01 A permit administration fee may be assessed to permittees based upon direct and indirect costs.

002.02 In determining the fees, the Department shall calculate the cost of monitoring the permitted facility, inspections of the facility or other site visits, reviewing the compliance of facilities with the associated permit conditions, general legal costs incurred by the Department, permit modification or other tasks related to administering the permit program.

002.03 The Department shall maintain itemized records of staff time and costs incurred in the administration of a permit.

002.04 Permittees shall be billed quarterly. All fees shall be made payable to the State of Nebraska and shall be paid within thirty days of receipt of the Department's billing statement. Fees not received on the due date shall be subject to a late charge of \$25.00 and an additional ten percent per month. All fees shall be collected by the Department. Failure of a permittee to pay the fee by the end of the fiscal year (June 30) is a violation of the permit and may result in the revocation of such permit.

003 The fees subject to this Chapter shall be applicable upon the effective date of these regulations.

Enabling Legislation: Neb. Rev. Stat. §§ 81-1505(9)(b); 81-1505.01

Legal Citation: Title 122, Ch.12, Nebraska Department of Environmental Quality