

**Inactive Hazardous Sites Program
No Further Action Fees
23 September 2020**

Any person may submit a written request to the Inactive Hazardous Sites Branch for a determination of whether a contaminated site has been restored to **unrestricted use** standards. State law requires the Branch charge a fee to cover the cost of the review. The fees set out below are based on the typical review time and average administrative costs to conduct the No Further Action (NFA) review.

NFA reviews are subject to the following:

- **Fees must be received by the Branch prior to a NFA determination.**
- **The program does not conduct reviews of properties never known to have a documented release of contaminants.**
- **The program covers only hazardous substance and non-petroleum contamination unrelated to permitted discharges.**
- **Parties making the request should consult on-line Branch guidance regarding approved averaging techniques, natural background data, area anthropogenic data for certain compounds and the DEQ risk calculator to determine if contaminants currently meet and/or have always met, unrestricted use levels.**

Type of Remedial Action	Fee
<p>Sites with Detectable Contaminants Never Exceeding Unrestricted Use Levels <i>If contaminants are detected at a property and a proper assessment to investigate sources and nature and extent reveals contamination has never exceeded natural or anthropogenic background levels, no fee will be charged for the review. Refer to Branch guidance on averaging techniques and use of the DEQ risk calculator.</i></p>	\$0
<p>NFA Review for Sites Meeting Restricted Use Standards <i>The law does not provide for charging fees for NFA reviews at restricted use sites. In any case, NFA reviews at sites with restricted use would be part of risk-based remedial actions covered as (1) state staff supervised priority cases, (2) REC Program cases or (3) Pre-Regulatory Landfill site remedial actions conducted by the Branch. In each case the Branch is either initiating the review or the REC fee covers the review.</i></p>	\$0
<p>REC-Supervised Sites Meeting Unrestricted Use Levels <i>The Registered Environmental Consultant (REC) Program already collects fees to support staff time.</i></p>	\$0
<p>Staff-Supervised Priority Sites Meeting Unrestricted Use Levels <i>Staff resources are focused on addressing the highest risk sites first. Priority sites are cases where risk of exposure to contaminants is higher relative to other sites cataloged. Being priorities, the Branch is going to conduct the review of the assessment and remedial action regardless. The fee would cover the time typically spent for the final review and preparation of a letter to the party requesting the NFA review.</i></p>	\$250
<p>Independent Actions – Groundwater Contamination Meeting Unrestricted Use Levels in ≤ 5 Years, Soil Remedies Involving No Active Remediation, or the Removal of < Five Drums or 1 Cubic Yard of Soils or Waste <i>This fee applies in 3 circumstances: (1) where the total time from when a particular contaminant is discovered in groundwater (valid laboratory data) to when the party makes a request of DEQ for a NFA determination is less than or equal to five years [remedial goals may have been attained through active remediation or monitored or un-monitored natural attenuation], (2) sites with soil only contamination achieving remediation standards passively, or (3) where remedial action was limited to removal of less than or equal to 5 drums or 1 cubic yard (whichever is greater) of soils or waste with no other media affected.</i></p>	\$1,000
<p>Independent Actions – All Other Contaminant Conditions <i>This fee applies to sites not meeting the criteria in the preceding row.</i></p>	\$6,500