

Risk-Based Remediation

Pursuant to Part 8 of Article 9 of Chapter 130A of the General Statutes

Fee Calculation Instructions

Instructions: Determine the number of aerial acres affected by the current and predicted contamination in all media (*for partial acres round up to next whole acre*). Prepare a map showing the extent of contamination with sample data points, a distance scale, and identifying owners and usage of affected property. Complete the fee worksheet on the following page.

Application Fee (*due upon submittal of remedial action plan to NC DEQ and not to exceed \$100,000*)

Per-acre base fee: \$5,000

This fee is used to support staff resources needed to review risk-based remedies, including risk assessments, proposed institutional controls, and, as necessary, groundwater modeling, ecological assessments, and financial assurance documents.

This base fee can be reduced if the following criteria are met (see worksheet for details):

- Data demonstrate that contamination does not, and will not, affect neighboring properties.
- No further remediation is needed with the reliance on land-use controls.
- The risk-based cleanup is conducted through the Registered Environmental Consultant (REC) Program.

In these cases, the REC Program fee will be credited toward the application fee as follows:

- If the areal extent of contamination is two (2) acres or less: subtract the REC Program fee
 - Agreements executed prior to July 1, 2017 = \$2,500
 - Agreements executed on or after July 1, 2017 = \$3,000
- If the areal extent of contamination is greater than two (2) acres: subtract 25% of the total cost.

Oversight Fee (*due upon NC DEQ approval of remedial action plan and not to exceed \$25,000*)

Per-acre fee: \$500

This fee is used to support staff resources needed to track annual certification of land use controls, to audit adherence to the restrictions, to provide for periodic inspections of engineering controls and to maintain a publically available GIS-based map viewer showing the location of restricted properties statewide with links to electronic site records.

Example: *Two acres of contamination which comprise the current extent and where it is expected to migrate. All contamination is and will remain on the source property. No further remediation is needed with implementation of institutional controls. Began cleanup in the REC Program in 2018.*

Total Application Fee: 2 acres x (\$5,000 - \$500 deduction - \$500 deduction) = \$8,000 - \$3,000 = **\$5,000**

Total Oversight Fee: 2 acres x \$500 = **\$1,000**

Total Combined Fee: \$5,000 + \$1,000 = **\$6,000**

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Fee Calculation Worksheet

Date: _____

DEQ Site Name: _____

Regulatory Site ID No.: _____

City/County: _____, _____ County

Application Fee	
Per-Acre Base Fee:	\$5,000
Contamination will not migrate off the Source Property: [If true, enter \$500 deduction; otherwise enter \$0]	-
Remedy consists of institutional controls only: [If true, enter \$500 deduction; otherwise enter \$0]	-
Total Fee Per Acre: [Subtract allowed deductions from per acre base fee]	=
Acres Contaminated*: [Rounded up to the nearest whole acre]	x
Total Fee: [Multiply Total Fee Per Acre by Acreage]	=
REC Program Administrative Agreement Fee Credit (\$2,500 or \$3,000): [Enter Agreement fee if contamination is ≤ 2 acres; enter 25% of Total Fee if contam. > 2 acres]	-
Final Application Fee (not to exceed \$100,000):	=

Oversight Fee	
Per-Acre Fee:	\$500
Acres Contaminated*: [rounded up to the nearest whole acre]	x
Final Oversight Fee (not to exceed \$25,000):	

* Acres contaminated is defined as the spatial area of soil, sediment and groundwater affected by the site's contamination plus the area where contamination is predicted to migrate in whole acres.

Fees should be made payable to the appropriate DEQ Division with "Risk-Based Remediation Fund" printed in the memo line. The check should be mailed with attention to the appropriate remediation program contact. (Notifying the appropriate remediation program contact ahead of time is helpful).