



July 15, 2021

Dear Chairman Larry Martin and SHaPE SC task force members:

As requested, please see attached for a summary overview of fee structure information from the South Carolina Department of Health and Environmental Control (DHEC). This includes:

- An annual report of DHEC fees and fines for State Fiscal Year 2020. A copy of the report is also available [here](#).
- Summary overviews from Environmental Affairs programs which provide further details about specific fees, the date the fees were first implemented and last adjusted, and any identified current needs for future fee adjustments.

Environmental Protection Fees

All environmental protection fees, with the exception of asbestos, expedited review fees, food, onsite wastewater, mining, and hazardous waste generator and incinerator fees, fall under Regulation (R.) 61-30. Additional information about R. 61-30 can be found [here](#).

The first attached overview provides a summary of all fees by program area with the date of the last update. An appendix of fees in R. 61-30 is also provided with the last date each fee was updated per the *State Register*.

DHEC Fees and Fines for State Fiscal Year 2020

SFY20 DHEC Fees & Fines

Subfund	Subfund Title	Enabling Statute or Proviso	Fee/Fine Title	Program or Activity Supported by Revenue	Fee/Fine Description	Purpose Expended	Amount Collected	Transferred to Another Entity?
2837	General Fund	Section 44-32-120; 40-25-190; 44-7-2950; R61-3; R61-111; R61-109; Proviso 34.24	Body Piercing/Tattoo Penalty	General Fund	Civil penalties for violation of Body Piercing, Tattoo or Hearing Aid program or violation of laws governing criminal background check for direct caregivers.	Deposited to the General Fund	-	Yes
2837	General Fund	Section 44-7-150 (5); SC Reg: 61-15 Sections 301,303,309 44-7-180; 44-7-180; Section 44-7-200	Certificate of Need Fees	General Fund	Fees are collected for processing/filing Certificate of Need (CON) applications and issuing CONs	Deposited to the General Fund	662,972	Yes
2837	General Fund	Sec. 44-56-170; 48-2-10	Environmental Fees	General Fund	See attachment 1 Regulation 61-30 for Details	Deposited to the General Fund	2,900	Yes
2837	General Fund	Sec. 44-56-170	Hazardous Waste Incineration Fees	General Fund	\$10/ton per ton of Hazardous Waste Incinerated. 1/2 fee remitted to County and 1/2 remitted to General Fund. See Attachment 1	Deposited to the General Fund	768,799	Yes
2837	General Fund	Sec. 44-56-170	Hazardous Waste Violation Penalty	General Fund	See Attachment 1 Regulation 61-30 for details	Deposited to the General Fund	308,311	Yes
2837	General Fund	Section 44-7-150 (5); SC Reg: 61-15 Sections 301,303,309 44-7-180; 44-7-200; Section 44-7-260; Section 44-7-270; Section 44-69-30; R61-16; R61-17; R61-103; R61-13; R61-84; R61-77; R61-91	Health Regulation License/Inspection Fees	General Fund	Fees are based upon facility type and the number of beds or stations. Late Fees of \$75 or 25% of the licensing fee, whichever is greater, are charged for failure to submit license applications or fees prior to the license expiration date. See Attachment 3	Deposited to the General Fund	157,975	Yes
2837	General Fund	Section 44-7-270; 44-7-320; 44-7-2460; 44-7-3460; R61-16; R61-17; Proviso 34.24	Hospital & Nursing Home Penalties	General Fund	Fees are based upon facility type and the number of beds or stations. Late Fees of \$75 or 25% of the licensing fee, whichever is greater, are charged for failure to submit license applications or fees prior to the license expiration date. See Attachment 3.	Deposited to the General Fund	33,402	Yes
2837	General Fund	Section 13-7-45(A)(1); 44-1-215; 48-2-10; Reg 61-64	Ionizing Radiation Fees	Radiological Monitoring	See Attachment 5 and Regulation 61-64 for details	Deposited to the General Fund	434,306	Yes
2837	General Fund	Section 48-20-100; Reg 89-340	Mining and Reclamation Fees	Land and Waste Management	Fees are based upon facility type as outlined in § 89-340. Mining permit application fee \$600. Mining permit conversion fee \$600. Mining permit substantial modification fee \$600. Mining permit transfer fee \$600. Certificate of Exploration fee \$300.	This is the portion of the fee distributed to General Fund in accordance with Section 48-20-240.	102,025	Yes
2837	General Fund	Section 13-7-45(A)(3); Reg 61-106	Nonionizing Radiation Fee	Radiological Monitoring	\$50 per bed or tanning device; \$50 per new facility registration	Deposited to the General Fund	71,389	Yes
2837	General Fund	All Regulations promulgated pursuant to Section 44-1-150	Penalty for Violating Department Rules	General Fund, Counties	Based on terms of Settlement	Deposited to the General Fund	609,675	Yes



Environmental Affairs

Fee Structure Information

AIR QUALITY

AIR EMISSION FEES:

All Air Program fees can be found in Regulation (R.) 61-30 Environmental Protection Fees, except for asbestos fees and expedited review fees. The air emissions fees in R. 61-30 are explained below.

DHEC bases annual air quality fees on the tons of air emissions generated by a facility. Note that fees are not assessed for air permit applications, renewals, or revisions, except for fees assessed for the voluntary expedited permitting program.

Determining Annual Emission Fees

To determine a facility's annual fee, **DHEC multiplies the billable emissions generated by a facility by the yearly fee rate** (see the table below). As specified in federal and state regulations, the fee rate is adjusted each year based on the **Consumer Price Index**. Facilities with emissions less than one ton are assessed a minimum fee based on one ton of emissions.

Air Fee Rate	
Fiscal Year (July 1 – June 30)	Fee Rate (cost/ ton billable emissions)
2022	\$52.79
2021	\$52.03
2020	\$51.06
2019	\$49.85

In South Carolina, the State Fiscal Year (FY) begins on July 1 and runs through June 30 of the following year. For example, FY21 represents July 1, 2020, through June 30, 2021.

Any facility that holds a valid air permit on July 1 is subject to annual fees. If a facility is permanently closed (ceased all operations) and no longer requires an air permit, the facility must inform DHEC of the closure prior to July 1. Otherwise, the facility will be assessed air quality fees for the entire fiscal year period (July 1 - June 30). A facility that has idled but chooses to maintain its permit is still subject to fees.

Maintenance Fees

The air emissions fees in R. 61-30 were last changed in 2014 to add a maintenance fee for Title V facilities. This maintenance fee is paid in addition to the \$/ton rate above. The maintenance fees are outlined below.

Total Billable Emissions	Maintenance Fee
< 10 tons	\$500.00
10 - 50 tons	\$1,000.00
> 50 - 100 tons	\$2,000.00
> 100 - 250 tons	\$3,500.00

Total Billable Emissions	Maintenance Fee
> 250 - 1000 tons	\$6,500.00
> 1000 tons	\$10,000.00

ASBESTOS FEES:

The Asbestos fees can be found in R. 61-86.1 and are outlined below. **The fees were last adjusted in May 2011.**

Personnel Licensing Fee Schedule:

Individual license fees are assessed on a per person per discipline basis.

- a. Contractor - \$100.00
- b. Building Inspector - \$100.00
- c. Air Sampler - \$100.00
- d. Supervisor (Any type) - \$50.00
- e. Worker (Any type) - \$10.00

Facility Operation & Maintenance (O&M) Worker Group License Fee Schedule:

- a. The minimum fee for an O&M Worker Group License is \$25.00 and the maximum is \$500.00.
- b. Fee Schedule: (1) Up to 10 people - \$25.00 minimum fee (2) 11 to 20 people - \$2.50 per person (3) 21 to 50 people - \$5.00 per person (4) 51 to 90 people - \$7.50 per person (5) 91 or more persons - \$500.00 minimum fee.

Renovation Project Fees:

1. Abatement project fees for regulated asbestos-containing materials (RACM) are calculated at 10 cents per linear, square, or cubic foot, with a minimum fee of \$25.00 and a maximum fee of \$1,000.00.
- 2.

Demolition Project Fees:

1. The department shall charge a fee of \$50.00 to issue a project license for demolition projects.

EXPEDITED REVIEW FEES:

The Expedited Review Program is a voluntary permitting program that allows facilities to obtain air permits quicker by paying an application fee that is authorized by S.C. Code of Laws, Section 44-1-165. The expedited review program fees are assessed in addition to the annual air emission fees above. The fees are as follows:

- Minor Source Construction Permit - \$3,000
- Synthetic Minor Construction Permit - \$4,000
- Prevention of Significant Deterioration (PSD) Not impacting a Class I Area - \$20,000
- Prevention of Significant Deterioration (PSD) Impacting a Class I Area - \$25,000
- Concrete Minor Source Construction Permit Relocation Request - \$1,500
- Asphalt Synthetic Minor Construction Permit Relocation Request - \$3,500

Land and Waste Management

HAZARDOUS WASTE PERMITTING (RCRA):

Permitting for Hazardous and Mixed Waste facilities is covered under the Resource Conservation and Recovery (RCRA) program. The RCRA fees can be found in R. 61-30. **The fees were last adjusted in June 26, 1992.**

When were the fees last adjusted?

The 1992 Schedule of Fees (R. 61-30.G (8)) established the Annual Operating Fee for Hazardous and Mixed Waste facilities at \$600. The fee has never been adjusted.

Why fees adjustment would be necessary?

The RCRA regulations have become increasingly more complex since the fee was initially established in 1992. Owners/operators pay a single fee of \$600 annually regardless of the number of permitted units or units requiring corrective action for releases of hazardous waste. There are currently 56 facilities that pay the \$600 annual fee which generates approximately \$34,000 per year. Meanwhile, DHEC continues to receive less funding under the State and Tribal Assistance Grant (STAG) from USEPA to cover costs for administering the RCRA program.

Due to continuous reduction in federal grant funds, increases in annual operating cost, and increase in cost of living expenses the overall cost to manage and administer the program has risen since the fee was first established. Other Southeastern states charge fees for permit applications, renewals, modifications, oversight for corrective action for hazardous waste releases. The revenues generated from the fees are then utilized to help administer the state's RCRA regulatory program.

What actions has DHEC taken to address ongoing needs?

Budget requests were made in FY2021 and again in FY2022 for General Fund appropriations for the RCRA program. These requests were not included in the state budget in either year. The request was for an annual recurring amount of \$560,000.

HAZARDOUS WASTE GENERATOR FEES:

The hazardous waste generator fees are included under the Hazardous Waste Management Act 44-56-215. **The fees became effective on July 1, 2008.**

When were the fees last adjusted?

The fees have not been adjusted since being enacted. The current fee schedule is:

- Large Quantity Generator - \$1,000 annually + \$1.50/ton annually for each ton over 100 tons/year not to exceed \$15,000 annually
- Small Quantity Generator - \$500 annually

The revenue collected from these fees funds the Hazardous Waste Contingency Fund (HWCF) Uncontrolled Sites Fund (USF).

Why fees adjustment would be necessary?

The Uncontrolled Sites Fund (USF) is used to pay activities associated with uncontrolled hazardous waste sites including emergency response, removal and remediation actions; sampling and analysis; technical reviews and oversight, project management; public participation and outreach; potentially responsible party searches (PRP); cost recovery; negotiation of voluntary cleanup contracts and other settlements; and support for the investigation and cleanup of contaminated sites.

Historically the fees have provided about \$1,100,000 in revenue to the fund. The fund also accrues interest and any cost recovery for funds expended from the USF accrue to the fund. For FY2020, the opening balance of the fund was \$4,381,918. Total revenues were \$1,704,186 and expenditures were \$2,374,664.

What actions has DHEC taken to address ongoing needs?

Additional funding is needed since the annual cost is exceeding the annual revenue. Budget requests were made in FY2021 and again in FY2022 for General Fund appropriations for the HWCF. These requests were not included in the state budget in either year. The request was for \$1,051,072 which was the amount needed to fund the 12 Bureau staff currently funded by the HWCF.

HAZARDOUS WASTE INCINERATION FEE:

Hazardous waste incineration fees are covered under the Hazardous Waste Management Act 44-56-170(F), which become effective in 1980.

When were the fees last adjusted?

The statute was revised in July 1, 2000. This includes \$10 dollars per ton for hazardous waste incinerated in South Carolina. Funds are placed in the state general fund in the "Hazardous Waste Fund County Account". This includes 50 percent to the state general fund, 50 percent to the host county.

Because these fees are not used by the agency, we have not identified any need to make any adjustment.

COMMERCIAL FACILITY INSPECTION FEES:

Commercial facility inspection fees are covered under the Hazardous Waste Management Act 44-56-210, which became effective in 1983.

When were the fees last adjusted?

The statute was last revised in 1991. Under the current statute, a fee schedule is developed by DHEC based on the generator quarterly reports. There are currently 4 facilities that pay these fees.

Why fees adjustment would be necessary?

These facilities are limited in number in the state and are unique in that hazardous waste generated from outside customers is treated using a variety of methods, including combustion.

Waste is brought in, held, and treated on a continuous basis. As a result, there are potential public health impacts to groundwater and air if material is not managed appropriately.

DHEC is currently meeting only the minimum commitments under state and federal standards. The Agency is currently evaluating the need to increase oversight and presence at the 4 facilities in South Carolina. This assessment will reveal the need for additional resources.

RADIOACTIVE WASTE FEES:

The 1992 Schedule of Fees (R. 61-30.G (5 & 6)) established the Radioactive Material License and Waste Transportation Annual Operating Fees. **The fees became effective on June 23, 1992.**

When were the fees last adjusted?

The fees were increased in 1995 and again in 2008.

Fees for Radioactive Material licenses and Waste Transportation were increased in 2008 as a result of the restricted access to the Barnwell Low-Level Waste Disposal Facility to include only generators in the Atlantic Compact Commission (SC, CT, NJ) which decreased funding to operate the program. Since the volumes have maintained this amount since the last increase in fees, additional adjustment of license and permit fees does not seem justified at this time.

The current license fees collected annually include the disposal site at \$600,000, eight (8) radioactive material licenses of various scope at \$138,650, ten (10) NORM licenses at \$7,500. The transportation fees generated include 36 permittees for a total of \$51,800. **The current total funding generated by the program is \$790,450.**

DHEC is not recommending a fee adjustment at this time.

INFECTIOUS WASTE FEES:

The 1992 Schedule of Fees (R. 61-30.G (12)) established the Annual Operating Fee for Infectious Waste permits. **The fee became effective on June 26, 1992.**

When were the fees last adjusted?

The fee has never been adjusted.

Why fees adjustment would be necessary?

Permitting for the Infectious Waste program is covered under the provisions of the South Carolina Infectious Waste Management Act, Act Number 134 of 1989, Chapter 93 of Title 44 of the 1976 Code of Laws. Permittees pay a single annual fee consisting of three (3) categories of generators: Extra Large (> 1000 pounds /month) at \$600, Large (999-50 pounds/month) at \$150, and Small (< 50 pounds/month) at \$0. There is a total of 9,491 permittees of which 231 are extra-large generators, 1,130 are large generators, and 8,130 are small generators. Fees from Extra Large and Large quantity generators generate approximately \$308,100 per year. Additionally, there are 31 waste transporters which generate \$15,500 for a total program funding of \$323,600.

As mentioned above, small quantity generators do not pay a fee. **It is recommended that a nominal fee be incurred for the small quantity generators because they are the largest volume of permittees (currently 8,130) and represent a significant cost to receive, review and issuance of permit applications and renewals.**

MINING FEES:

Mining fees were established by S.C. Code Section 48-20-100 and 48-20-120 in 1990.

When were the fees last adjusted?

The fee schedule is included in R. 89-340. The fees were last adjusted in 2003. The fees are:

- Mining permit application fee - \$600
- Mining permit conversion fee - \$600 (In lieu of Permit Renewal)
- Mining permit substantial modification fee - \$600
- Mining permit transfer fee - \$600
- Certificate of Exploration fee - \$300.
- Mining Annual Operating Fee Per Mine - \$375 (Included as part of Annual Reclamation Report)
- Mining Annual Operating Fee Late Penalty - \$50 per month.

DHEC has not identified a need to adjust the mining fees at this time due to support of state appropriations.

TIRE FEE:

What Statute and when the fees were first enacted?

The tire fee was enacted in 1991 under the S.C. Code Section 44-96-170(N).

When were the fees last adjusted?

The fees have not been adjusted since being enacted. The fees are:

- \$2 per tire sold at retail.

Of the \$2 fee, \$.50 is allocated to DHEC, the remainder is split between tire retailers as a tax credit or allocated directly to the counties.

Why fees adjustment would be necessary?

This fee is used by DHEC to administer the waste tire program, and for grants to local governments for waste tire recycling programs and for waste tire stockpile cleanup projects. Tire recycling costs have increased dramatically since 1991, but the tire fee remains the same. At the same time, grant funding for local government tire program costs have been reduced to contract costs only.

In years prior, funding was available for other local government tire program costs, such as equipment purchases, facility improvements, and market development. An external stakeholder work group has been formed to identify options for providing funding to local governments for program management.

LEAD-ACID BATTERY FEE:

The lead-acid battery fee was enacted in 1991 under the S.C. Code Section 44-96-180(F).

When were the fees last adjusted?

The fees have not been adjusted since being enacted and include \$2 for each lead-acid battery sold at retail.

These funds are used for the activities associated with administering the 1991 Solid Waste Policy and Management Act, including Solid Waste Planning, Regulation Development Compliance, Permitting, Hydrogeology, Enforcement, Inspections, Office of Solid Waste Reduction and Recycling, and the South Carolina Department of Commerce Recycling Market Development activities. Funds are also used for the Solid Waste Grant Program, used by local governments to develop and/or expand recycling and waste reduction programs. **No adjustment to this fee is being considered at this time.**

**Note: In addition to the lead-acid battery fee, there is also a \$5 refundable deposit, known as a "core charge" collected by the retailer and refunded to the purchaser, as appropriate. None of this deposit is remitted to DHEC.*

WHITE GOODS FEE:

The white goods fee was enacted in 1991 under the S.C. Code Section 44-96-200(D).

When were the fees last adjusted?

The fees have not been adjusted since being enacted and include \$2 per white good delivered to a retailer/wholesale.

These fees are used to fund the activities associated with administering the 1991 Solid Waste Policy and Management Act, including Solid Waste Planning, Regulation Development Compliance, Permitting, Hydrogeology, Enforcement, Inspections, Office of Solid Waste Reduction and Recycling, and the South Carolina Department of Commerce Recycling Market Development activities. The fees also fund the Solid Waste Grant Program, used by local governments to develop and/or expand recycling and waste reduction programs. **No adjustment to this fee is being considered at this time.**

MOTOR OIL FEE:

The motor oil fee was established by S.C. Code Section 44-96-160(W), which was enacted 1991.

When were the fees last adjusted?

The fees have not been adjusted since being enacted and includes \$.08 per gallon of motor oil or similar lubricant sold at wholesale or imported into South Carolina for sale.

This fee is used by DHEC to oversee the motor oil recycling program, and for education/outreach programs related to solid waste reduction and recycling. Also funds the Used Oil Grant program, used by local governments to establish programs to encourage the collection and recycling or reuse of used motor oil that is generated by do-it-yourself oil changers. **No adjustment to this fee is being considered at this time.**

ELECTRONICS MANUFACTURER ANNUAL REGISTRATION FEE:

The electronics manufacturer annual registration fee was established S.C. Code Section 48-60-160(A) in 2014.

When were the fees last adjusted?

The fees have not been adjusted since being enacted and include \$3,500 per manufacturer of a covered device (television, computer, monitor, printer) that sells devices into the state. The fees are collected annually.

Why fees adjustment would be necessary?

This funding sunsets Dec. 31, 2023. An external stakeholder work group has been formed to identify options for providing alternative funding when this statute sunsets.

ELECTRONICS MANUFACTURER SHORTFALL FEE:

The electronics manufacturer shortfall fee was established S.C. Code Section 48-60-160(E)3 in 2014.

When were the fees last adjusted?

The fees have not been adjusted since being enacted.

Why fees adjustment would be necessary?

This fee varies, as a function of the shortfall between how much an electronics manufacturer was required to recycle, compared to how much they actually recycled. The fee ranges from \$.30 per pound of recycling shortfall, to \$.50 per pound. The statute that provides this funding sunsets December 31, 2023.

**Note: To date no shortfall fees have been assessed, as manufacturers may make up shortfalls the following year. The use of shortfall fees is restricted to grant funding for local government electronics recycling programs. An external stakeholder work group has been formed to identify options for providing alternative funding for local governments for program management.*

STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE BANK (SUPERB) ACT:

Since the start of the SUPERB Act in 1988, owners or operators were required to pay to DHEC an initial registration fee and an annual renewal fee per tank (UST). Specifics about the fee can be found in S.C. Code Section 44-2-60, registration of underground storage tanks (USTs).

When were the fees last adjusted?

1. 1988 - Both the initial registration fees and annual renewal fees were \$60 per tank.
2. 1990 - Both the initial registration fees and annual renewal fees were adjusted to \$100 per tank.
3. In January 2009, Bill H. 3270 was introduced through industry-led efforts to address SUPERB solvency by amending Section 44-2-60 Code of Laws of South Carolina, relating to the

registration of underground storage tanks so as to establish new annual renewal fees and to require that the additional revenue generated from the tank fee increases be deposited into the SUPERB account. Bill H.3270 was signed by the Governor and made effective on May 19, 2010. Beginning Jan. 1, 2012, the amended SUPERB Act (44-2-60(A)) increased annual tank fees by \$100 each year over four years, ultimately reaching \$500 per tank, and maintains the fee at this level until an additional \$36 million is generated and deposited into the SUPERB account. When the SUPERB account is credited with the additional \$36 million, the annual tank fee will revert to \$100 per tank the following January. Collection of the additional tank fee monies began following the June 1, 2012 billing cycle for tank fees. The last additional tank fee monies were collected in the calendar year 2019. All additional tank fee monies were statutorily required for site rehabilitation activities and not for administrative purposes. The annual renewal fee returned to \$100 per tank in 2020.

Why fees adjustment would be necessary?

Currently, there are less tanks due to the large sizes and multiple compartments in one tank. Installations of large multi-compartmental USTs have increased in recent years. Owners only pay a single tank fee of \$100 per tank annually but store a variety of petroleum fuels in different compartments.

Due to continuous reduction in federal grant funds, increases in annual operating cost, and increase in cost of living expenses the overall cost to manage and administer the program has risen since the last time (in 1990) tank fees were adjusted. A fee increase is not necessary at this time but to address sustainable funding, as with other DHEC Environmental programs, program funding will need to be continually evaluated.

Environmental Health Services

FOOD, GROUP HOME INSPECTION, AND OSWW FEE INFORMATION:

Under S.C. Code Section 44-1-140, DHEC may promulgate regulations for OSWW and Retail Food Establishments. Fees for Septic Tanks (OSWW) and Retail Food Service were initially enacted by proviso 35.39. By proviso, the food fees were initially set at a flat \$60 per facility, but in 1991 they were increased to a 3-tiered scale of \$60, \$70, and \$80. The fee assessed was based on gross food sales.

In 1992, R. 61-29 was promulgated enabling DHEC to charge fees to support the inspections required by various state laws and regulations to conduct environmental health inspections at facilities licensed, regulated, or registered by other state agencies. This fee was set at \$60 and has not been revised since the promulgation. This fee is assessed for our group home inspections. DHEC is required to inspect group homes for the licensing agencies (Department of Social Services and Department of Disabilities and Special Needs) under their respective statutes.

In 2000, the existing fees associated with our retail food establishments were replaced by the promulgation and approval of R. 61-37, Retail Food Establishment Inspection Fees. This regulation established a sliding scale of fees based on gross food sales with the initial base fee set at \$60, increasing by \$30 per every \$250,000 in sales to a maximum fee of \$270. A regulation change was made in 2002 to lower the fee charged for the reinstatement of a permit suspended for non-payment of fees.

In 2019, R. 61-37 was combined with R. 61-25, Retail Food Establishments. When that regulation was revised, the fee tiers were revised to increase the fees as shown in the table below.

1. \$0 - \$250k – (\$60) \$100
2. \$250k - \$500k – (\$90) \$150
3. \$500k - \$750k - (\$120) \$200
4. \$750k - \$1m – (\$150) \$250
5. \$1m - 1.25m – (\$180) \$300
6. \$1.25m - 1.5m – (\$210) \$350
7. \$1.5m - 1.75m – (\$240) \$400
8. \$1.75m+ - (\$270) \$450

In addition, this regulation added a new fee Pre-Operational Inspection Fee: \$100.00. It also increased the failure to pay penalty: \$50 after 30 days, additional \$50 each 30 days late until 90 days at which time permit is suspended.

R. 61-55, Septic Tank Site Evaluation Fees, became effective in June of 2007. This regulation increased fees for Permits to Construct Septic Systems from \$100 to \$150. This fee includes a site visit, soils evaluation, system layout, drafting the permit, travel time, and performing a final inspection.

R. 61-56.1, License to Construct or Clean Onsite Sewage Treatment and Disposal Systems and Self-Contained Toilets, was promulgated in May of 1994. This regulation established the fees for septic installers and pumpers. The initial fee and annual renewal fee for an installer's license and a pumper's license is \$100 each. If a contractor holds both licenses, then the initial and renewal fee is \$150 for both. These fees have not changed.

R. 61-56.2, Licensing of Onsite Wastewater Systems Master Contractors, became effective in June of 2009. This regulation established the class of Master Contractor. The requirements to become a Master Contractor were established and the licensing fees were put into place. The licensing fees for the Master Contractor license are \$75 for an application fee and \$200 for a licensing fee. These fees have not changed.

It should be noted that there are not enough financial resources to support the OSWW program for the amount of work performed. Sustainable funding for these services is being discussed with the General Assembly currently.

State Environmental Laboratory Certification Program:

The South Carolina Environmental Laboratory Certification Program fees are established in R. 61-30, South Carolina Environmental Protection Fees, S.C. Code Sections 48-2-10 et seq. and 48-39-10 et seq.

History of Updates and Changes to the Fees:

See Appendix A.

Uses of the fees:

These fees are used to provide provides the mechanism to assure the validity and quality of data being generated for compliance with State regulations. South Carolina has primacy for the federal Safe Drinking Water Act which means that EPA has delegated primary enforcement authority (i.e. primacy) for public drinking water systems to South Carolina. As part of primacy, South Carolina must maintain a program to certify laboratories that analyze drinking water samples. Additionally, the ACT requires facilities to have their drinking water analyzed to ensure that it meets the standards established under the Act. The laboratories that analyze those samples must be certified. The State Environmental Laboratory Certification Program operates under R. 61-81. This regulation applies to any laboratory performing analyses to determine the quality of air, drinking water, hazardous waste, solid waste, or wastewater; performing bioassays; or performing any other analyses related to environmental quality evaluations required by the Department or which will be officially submitted to the department.

When were the fees last adjusted?

The Laboratory Certification program became a fee supported program in 1993. Authorized by legislative annual proviso until the fees were promulgated into R. 61-30 in 1995-Environmental Protection Fund Act.

Fees were last increased in 2001. **The last attempt to increase fees was made in 2009, which was unsuccessful.** In the last 28 years since becoming a fee supported program there has been only one fee increase in FY01. The reduction in fees generated by the program has been enhanced over the years due to consolidation of commercial labs nationally. Even though the decrease in the number laboratories has occurred over the years, more time is required for maintenance of certification for in- and out-of-state laboratories due to the complexity of the environmental regulations and methodology. Without sufficient funding to continue the required actions according to R. 61.81, the Department will no longer be able to ensure the validity of the data submitted for regulatory compliance. Although the Department is not currently requesting an increase in these fees, we are currently evaluating lab cert fees and the Bureau of Water's drinking water fees to ensure equitable and sustainable funding to maintain federal primacy.

Current Fee Structure:

FEE	COST
Application Fee	125.00
Min. Annual Fee	125.00
*CWA Inorganics (per parameter)	20.00
*SDWA Inorganics (per parameter)	20.00
SDWA Inorganics secondary (per parameter)	20.00
CWA Organics	
PCBs and Pesticides	350.00
Herbicides	350.00
Volatiles	350.00
Semi-Volatiles	350.00
Dioxins and Furans	350.00
CWA Organics	
Trihalomethanes	350.00
Synthetic Organic Compounds	350.00
Volatiles	350.00
Semi-Volatiles	350.00
Dioxins and Furans	350.00
SDWA Organics	
Trihalomethanes	350.00
Synthetic Organic Compounds	350.00
Volatiles	350.00
Microbiology	
Total Coliform	75.00
Fecal Coliform	75.00

Fecal Streptococci	75.00
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Biology

Toxicity Testing	500.00/Species
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Taxonomy	250.00
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****Solid & Hazardous Wastes (SW-846 Methods)**

Inorganics (per parameter)	20.00
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Organics (per parameter)	350.00
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Air Quality Analyses

Inorganic (per parameter)	20.00
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Organic (per parameter group)	350.00
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* CWA - Clean Water Act

* SDWA - Safe Drinking Water Act

***Currently SW846 and Air Quality certification fees are capped at \$1500.00 for those laboratories which have paid applicable per parameter fees for CWA tests.*

Ocean and Coastal Resource Management

Critical Area Permitting:

What Statute and when the fees were first enacted?

The Office of Ocean and Coastal Resource Management's (OCRM's) fee authority was established under S.C. Code Section 48-39-145 of the Coastal Tidelands and Wetlands Act.

R. 61-30 Environmental Protection Fees was enacted on June 26, 1992.

G(13) Coastal Zone Management Program

(a) General.

(i) The fees assessed are those fees sufficient to cover a portion of the reasonable costs associated with the development, processing, and administration of the Coastal Zone Management Program.

(ii) Fees collected shall be placed in a separate non-reverting account within the Department to be used exclusively for the expenses in G(13)(a)(i), except for the amounts dedicated to the Coastal Resources Access Fund (CRAF). DHEC-OCRM shall make matching grants from the fund on a 50/50 basis to local governments in the South Carolina Coastal Zone for projects which enhance the public's use and enjoyment of coastal resources. A portion of the funds collected as per G(13)(b) shall be dedicated to the CRAF.

(iii) Local governments will only be charged the fee for a minor activity and State agencies will not be charged.

(b) **Critical Area Permit Application Fees.**

(i) Minor activity: \$250, except docks 100 feet or less in length for which the fee will be \$150 **(last adjusted in 2004)**

(ii) Major activity: \$1000 **(added in 2002)**

(iii) Extensions or transfers of minor permits: \$25 **(added in 2002)**

(iv) Extensions or transfers of major permits: \$100 **(added in 2002)**

(v) Amendments for minor permits which must be placed on public notice: \$100 **(added in 2004)**

(vi) Amendments for major permits which must be placed on public notice: \$1000 **(added in 2004)**

Why fees adjustment would be necessary?

The average annual Critical Area Permitting fee revenue (S296) for the past 5 years is \$181,584. However, this is insufficient to fully support regulatory staff responsible for reviewing permit applications in the Critical Areas of coastal South Carolina. Permit reviews are becoming more complex and time intensive, as competing demands on waterfront property increase. Critical Area fees have not been adjusted since 2002 to account for increased review time and the increased cost for personnel and operating expenses necessary to manage and administer the program. In addition, OCRM receives approximately 1,000 requests or more each year to delineate the Critical Area Line (**CAL**) on a property or verify the line set by another party. OCRM

does not charge a fee for this type of service request, although CALs require significant staff time for site visits and the review of plats and other supporting documentation. To better serve the needs of our customers in a timelier fashion, OCRM is considering a nominal fee be incurred for CAL requests.

Water

All fees administered by DHEC's Bureau of Water are promulgated in R. 61-30, S.C. Code Sections 48-2-50 and 48-39-145. Programs are administered pursuant to federal and state laws and regulations.

History of Updates and Changes to the Fees:

See Appendix A.

Uses of the fees:

To protect and preserve state water resource for drinking, swimming, fishing, and other uses to benefit present and future South Carolinians. Fees are utilized to conduct monitoring, perform modeling, and issue a variety of permits to protect water quality.

Current Fee Structure:

(1) Water Pollution Control.

(a) Annual Fees for NPDES and State Construction Permits and State Land Application Permits. Annual operating fees for facilities with five or less pipes must be calculated based on the previous year's actual flow except for municipal separate storm sewer system (MS4) permits and coverage under a general permit. Annual operating fees for facilities with more than five pipes must be calculated based on the number of pipes except for municipal separate storm sewer system (MS4) permits and coverage under a general permit.

(i) Facilities with five or less discharge pipes:

1. Flow greater than 4,999,000 gal/day \$2,660
2. Flow 2,000,000 - 4,999,999 gal/day \$2,130
3. Flow 1,000,000-1,999,999 gal/day \$1,600
4. Flow 500,000-999,999 gal/day \$1,330
5. Flow 100,000-499,999 gal/day \$1,065
6. Flow 50,000-99,000 gal/day \$800
7. Flow 0-49,999 gal/day \$530

(ii) For six (6) or more discharge pipes \$1,600 plus \$800/discharge for each discharge pipe over five. (\$2,400 minimum charge)

(iii) Coverage under General Permit \$100 except for NPDES Storm Water General Permits)

(iv) Municipal Separate Storm Sewer Systems

1. Individual Permits

- a. Large MS4 (population equal to or greater than 250,000) \$25,000
- b. Medium MS4 (population equal to or greater than 100,000 and less than 250,000) \$15,000
- c. Small MS4 (population less than 100,000) \$10,000

2. Coverage under a MS4 General Permit \$2,000

(v) Agricultural Facilities

Annual Fee will be based on maximum permitted capacity.

1. Swine Facilities

- a. Facilities with a capacity of 1,000,000 pounds or more

- of normal production animal live weight at any one time \$500
- b. Facilities with a capacity between 500,000 pounds and 1,000,000 pounds of normal production animal live weight at any one time \$300
- c. Facilities with a capacity of less than 500,000 pounds normal production animal live weight at any one time \$150

2. Other Animal Operations

- a. Dry Manure/Litter Operations \$75
- b. Wet Manure/Litter Operations \$150

(vi) Industrial NPDES Storm Water General Permit Coverage \$75

(b) Water Quality Certification Application Fees.

- (i) Certification of major activities requiring federal or state permits \$1,000
- (ii) Certification of minor activities requiring federal or state permits \$100

(c) Construction Permit Fees.

(i) Pretreatment Systems

- 1. For simple systems, such as one-component systems (e.g. oil/water separators, air strippers, pH control, etc.) \$200
- 2. Complex (such as Multi-Component) systems \$600

(ii) Collection Systems

- 1. Non-Delegated Program
 - a. 1000 ft. or less \$100
 - b. 1,001 to 9,999 ft. \$200
 - c. 10,000 ft. or greater \$350
 - d. Pump stations with or without sewer lines \$350
(Fee exempt for individual, residential pumps)
- 2. Delegated Project Review Program \$75

(iii) Wastewater Treatment Facilities. Fees for modifications without expansions will be assessed by the department only for those modifications, which require the actual submission of plans and specifications to the department for review.

- 1. Facilities with a Flow of 1,000,000 GPD or greater
 - a. New \$1,050
 - b. Expansion \$800
 - c. Modification without Expansion
(Engineering review required) \$550
 - d. Modification without Expansion
(No Engineering review required) No Charge
- 2. Facilities with a Flow of 0-999,999 GPD
 - a. New \$700
 - b. Expansion \$550
 - c. Modification without Expansion
(Engineering review required) \$400
 - d. Modification without Expansion
(No Engineering review required) NC

(iv) Project submittals with both collection and treatment components pay the sum of the

applicable collection and treatment fees under (i), (ii), and (iii) above.

(v) Construction NPDES Storm Water Permit

1. When the Department is the entity responsible for \$125 reviewing the Stormwater Pollution Prevention Plan Plus \$100 per disturbed submitted for review. acre (not to exceed \$2000)
2. When an entity other than the Department is \$125 responsible for review of the Storm Water Pollution Prevention Plan and the entity's approval serves as a notice of intent for coverage under the general permit.

(d) Agricultural Waste Management Plan Application.

(i) New or Expanding Swine Facilities

1. Facilities with a capacity of 1,000,000 pounds or more of normal production animal live weight at any one time \$2,500
2. Facilities with a capacity between 500,000 pounds and 1,000,000 pounds of normal production animal live weight at any one time \$680
3. Facilities with a capacity of less than 500,000 pounds of normal production animal live weight at any one time \$340

(ii) New* or expanding Other Animal Facilities

1. Dry Manure/Litter Operation \$165
2. Wet Manure/Litter Operation \$240

*includes conversion to another type of facility, i.e. poultry to swine.

(e) Industrial Storm Water 'No Exposure' Certification \$350

(2) DHEC: Safe Drinking Water Act.

(i) Community And Non-Transient Non-Community Water Systems

Fee = Program Administration Component + Distribution Monitoring Component + Source Monitoring Component

Program Administration Component:

$\$14.38 \times (\# \text{ Taps Up To } 10) + \$9.60 \times (\# \text{ Taps From } 11 \text{ To } 25) + \$7.76 \times (\# \text{ Taps From } 26 \text{ To } 50)$
 $+ \$5.75 \times (\# \text{ Taps From } 51 \text{ To } 100) + \$3.85 \times (\# \text{ Taps From } 101 \text{ To } 500) + \$2.88 \times (\# \text{ Taps From } 501 \text{ To } 1,000)$
 $+ \$1.96 \times (\# \text{ Taps From } 1,001 \text{ To } 5,000) + \$1.44 \times (\# \text{ Taps From } 5,001 \text{ To } 10,000)$
 $+ \$0.92 \times (\# \text{ Taps From } 10,001 \text{ To } 15,000) + \$0.46 \times (\# \text{ Taps From } 15,001 \text{ To } 25,000)$
 $+ \$0.29 \times (\# \text{ Taps From } 25,001 \text{ To } 50,000) + \$0.17 \times (\# \text{ Taps From } 50,001 \text{ To } 100,000) + \$0.12 \times (\# \text{ Taps Greater Than } 100,000)$

Distribution Monitoring Component:

\$262.50 (Systems Serving Up To 100 Taps) Or,
\$750.00 (Systems Serving 101 To 1,000 Taps); Or,
\$3,750 (Systems Serving 1,001 To 15,000 Taps) Or
\$7,500 (Systems Serving Greater Than 15,000 Taps)

Source Monitoring Component:

$[(\$250 \times (\#GW \text{ Sources})) + (\$500 \times (\#SW \text{ Sources}))]$ (Up To 25 Taps); Or, $[(\$450 \times (\#GW \text{ Sources})) + (\$800 \times (\#SW \text{ Sources}))]$ (From 26 To 100 Taps); Or, $[(\$1,250 \times (\#GW \text{ Sources})) + (\$1,800 \times (\#SW \text{ Sources}))]$ (Greater Than 100 Taps); Or, [Maximum \$7,500]

Program Administration Component of Fee (Base Amount + Rate Per Tap)

System Size Base Amount Rate Per Tap

1 – 10	\$0	\$14.38	First 10 Taps
11 – 25	\$143.80	\$9.60	Taps 11 – 25
26 – 50	\$287.80	\$7.76	Taps 26 – 50
51 – 100	\$481.80	\$5.75	Taps 51 – 100
101 – 500	\$769.30	\$3.85	Taps 101 – 500
501 – 1000	\$2,309.30	\$2.88	Taps 501 – 1,000
1,001 – 5,000	\$3,749.30	\$1.96	Taps 1,001 – 5,000
5,000 – 10,000	\$11,589.30	\$1.44	Taps 5,001 – 10,000
10,001 – 15,000	\$18,789.30	\$0.92	Taps 10,001 – 15,000
15,001 – 25,000	\$23,389.30	\$0.46	Taps 15,001 – 25,000
25,001 – 50,000	\$27,989.30	\$0.29	Taps 25,001 – 50,000
50,001 – 100,000	\$35,239.30	\$0.17	Taps 50,001 – 100,000
100,001 and Above	\$43,739.30	\$0.12	Taps Over 100,000

Distribution and Source Monitoring Components of Fee

System Size Distribution Source Monitoring

Monitoring (Rate per Source)

(Number Of Taps) (Fixed Rate) Ground Water Surface Water

1 – 10	\$262.50	\$250	\$500
11 – 25	\$262.50	\$250	\$500
26 – 50	\$262.50	\$450	\$800
51 – 100	\$262.50	\$450	\$800
101 – 500	\$750	\$1,250	\$1,800
501 – 1000	\$750	\$1,250	\$1,800
1,001 – 5,000	\$3,750	\$1,250	\$1,800
5,000 – 10,000	\$3,750	\$1,250	\$1,800
10,001 – 15,000	\$3,750	\$1,250	\$1,800
15,001 – 25,000	\$7,500	\$1,250	\$1,800
25,001 – 50,000	\$7,500	\$1,250	\$1,800
50,001 – 100,000	\$7,500	\$1,250	\$1,800
100,001 And Above	\$7,500	\$1,250	\$1,800

(ii) Other Public Water Systems

Transient Non-Community Systems Fee = \$275

Systems Serving More Than 1 Tap But Less than 15 Taps and

Serving Less Than 25 People Fee = \$175

Systems Serving 1 Tap and Serving Less than 25 People Fee = \$125

Vending Machines Fee = \$75

(iii) For the purposes of this fee schedule, tap is defined as a service connection, the point at (9) Public Swimming Pool Fees. (a) Construction Permits. (i) Type "A", "B", "C", "D", and "F" Pools - \$ 400 plus \$.50 per square foot of surface area. (ii) Type "E"

Pools - \$1,000 per flume (including minimum required design landing area) or water course, to include water slide. Additional area above minimum required landing area and all other Type "E" pools will be charged according to (i) above. (iii) The Department may collect an additional \$250 from the owner for each repeat final inspection that is required due to incomplete construction or construction that is not in accordance with 16 | R. 61-30 permitted plans and specifications. (b) Annual Operating Permits (i) Type "A", "B", "C", "D" and "F" Pools - \$125 for the first pool on a property plus \$100 for each additional pool on the same property. (ii) Type "E" Pools - \$100 per flume or water course. (10) Individual Residential Wells and Irrigation Wells. In accordance with R. 61-44, Permitting of Individual Residential Wells and Irrigation Wells, the department is authorized to collect a fee for each application to install an individual residential well and irrigation well. The fee collected must be returned to the department for the purposes of developing and implementing the Individual Residential Well and Irrigation Well Program, including proposed well construction review, compliance inspections, technical assistance, enforcement; and for providing bacteriological analytical services for new individual residential wells. The fee shall be as follows: (a) Individual Residential Well \$70 (b) Irrigation Well \$50 (11) Individual Residential Well Monitoring. These fees are to be charged for water samples collected by individuals from their residential well and submitted to the department for analysis. These fees will not be charged if the samples are considered part of a Department groundwater contamination investigation and may be waived or reduced based on the individual's ability to pay. Ambient water samples and samples from public water systems will not be accepted and analyzed. (a) Total or Fecal Coliform \$20 per test (b) Metals and Minerals \$50 per sample (c) Other Inorganic Parameters \$25 per parameter (d) Volatile Organic Chemicals \$50 per sample (e) Herbicides, Pesticides and other Synthetic Organic Parameters \$50 per Parameter which water is delivered to the consumer (building, dwelling, commercial establishment, camping space, industry, etc.) from a distribution system, whether metered or not and regardless of whether there is a user charge for consumption of the water.

(b) Construction General permit (for Distribution Systems) Annual Fee. The annual fee is \$1,000.

(c) Construction Permit Application Fees

(i) distribution systems and related components

1. 1,000 feet or less of line \$150
2. 1,001 feet to 9,999 feet \$400
3. 10,000 feet or greater \$600
4. Distribution storage/pump stations \$600

(ii) Supply/Treatment from Groundwater Sources

1. Well systems (test well) \$500
2. Well systems (follow-up, including well head piping, storage) \$500
3. Well Systems (one step) \$1,000
4. Treatment systems (except for chemical feed systems) \$500
5. Chemical feed systems \$250
6. Small water system permits \$250

(iii)

1. Supply/Treatment from Surface Water Sources

New treatment plants \$2,000

2. Expansion of existing facilities \$1,500

3. Modifications or addition of components \$1,000

4. Plant storage, pumping and piping facilities \$500

5. Chemical feed systems \$250

(iv) Drinking Water Dispensing Stations/Bottled Water Plants

(using distribution water)

\$500

(v) General Permit (which may include Delegated Review Program Approval)

1. Application for permit (not a renewal) \$1,000

2. Delegated review permit \$75

(vi) Permit extensions \$50

(9) Public Swimming Pool Fees.

(a) Construction Permits.

(i) Type "A", "B", "C", "D", and "F" Pools - \$ 400 plus \$.50 per square foot of surface area.

(ii) Type "E" Pools - \$1,000 per flume (including minimum required design landing area) or water course, to include water slide. Additional area above minimum required landing area and all other Type "E" pools will be charged according to (i) above.

(iii) The Department may collect an additional \$250 from the owner for each repeat final inspection that is required due to incomplete construction or construction that is not in accordance with permitted plans and specifications.

(b) Annual Operating Permits

(i) Type "A", "B", "C", "D" and "F" Pools - \$125 for the first pool on a property plus \$100 for each additional pool on the same property.

(ii) Type "E" Pools - \$100 per flume or water course.

(10) Individual Residential Wells and Irrigation Wells.

(a) Individual Residential Well \$70

(b) Irrigation Well \$50

APPENDIX A

Appendix A provides the date of the most recent fee adjustments in the Bureau of Water. The Bureau is currently assessing sustainable funding needs for all water, wastewater, and stormwater programs (fees, state appropriations, federal funding). Assessment results to date has indicated a need to consider adjustments in NPDES and drinking water fees.

Program	Type	Date Amended	Doc. No.
Water Pollution Control	Annual Fees	June 28, 2002	2673
	Water Quality Certification Application Fees	June 28, 2002	2673
	Construction Permit Fees	June 28, 2002	2673
	Agricultural Waste Management Plan Application	June 28, 2002	2673
	Industrial Storm Water "No Exposure" Certification	June 28, 2002	2673
Safe Drinking Water	Community + Non-Transient Non-Community Water Systems	June 28, 2002	2673
	Program Administration Component	February 24, 2012	4139
	Distribution Monitoring Component	February 24, 2012	4139
	Source Monitoring Component	June 28, 2002	2673
	Program Administration Component of Fee	February 24, 2012	4139
	Distribution + Source Monitoring Components of Fee	February 24, 2012	4139
	Other Public Water Systems	February 24, 2012	4139
Construction General Permit	Construction General Permit	March 25, 2005	2800
	Construction Permit Application Fees	March 25, 2005	2800
	Construction Permits	June 23, 2006	3001
Public Swimming Pool Fees	Construction Permits	June 23, 2006	3001
	Annual Operating Permits	June 23, 2006	3001
Wells	Individual Residential	June 25, 1999	2374
	Irrigation	June 25, 1999	2374