

**SUMMARY OF REASONS/CHANGES
PROPOSED FOR DIVISION 1, GENERAL ADMINISTRATION DIVISION,
ADEM ADMINISTRATIVE CODE**

RULE	COMMENTS/REASONS FOR CHANGE
335-1-6-.04, Fee Schedule J	Adding Fee Schedule J, Environmental Covenant Fees. The Alabama Uniform Environmental Covenants Act, enacted in June 2007, allows the Department to charge fees to administer the Uniform Environmental Covenants Program.

335-1-6-.04 Permit Application Fees.

(1) Except as provided in paragraph (2) of this rule, any person making application to the Department for the issuance, reissuance or modification of a permit shall be subject to a three-part application fee consisting of the following:

(a) a fee of \$750 per application relating to a greenfield site. This fee shall not apply to General permits or applications subject to Schedule B and F or to AFO/CAFO registration if continuing education certification is submitted with initial registration and each annual registration request as required by rule 335-6-7-.18;

(b) a fee which shall be the sum of the fees for each applicable type of permit application, and each action deemed necessary to complete evaluation of the application, as specified in Fee Schedules A through ~~I~~J; and

(c) a public hearing fee of \$3,945 if a public hearing relating to the permit application is held.

(2) Any person making application to the Department for modification of a permit to change the name of the permittee only or to transfer the permit only shall be subject to a \$375 fee per application.

(3) Fees required by AFO/CAFO registration may be suspended by category by the Director to reflect the budgetary circumstances of the AFO/CAFO program.

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Statutory Authority: Code of Alabama 1975, § 22-22A-5.

History: February 13, 1985.

Amended: October 30, 1990; January 16, 1997; March 31, 1999; January 9, 2002; January 10, 2006; November 14, 2006; January 22, 2008, ~~XXXXX~~, 2009.

**Fee Schedule J
Environmental Covenants Fees**

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Modification</u>
Processing and Review Fee		
Institutional Controls	\$2,000	\$500
Engineering Controls	\$3,000	\$750
Registry Recording Fee		
For Class 1 controls*	\$6,400	\$300
For Class 2 controls*	\$4,400	\$300
For Class 3 controls*	\$2,450	\$300

* - For classification of institutional and engineering controls, see ADEM Admin. Code 335-5-1-.03(i).

Registry Recording Fee also includes costs of performing inspections for a 30-year period.