



## Final Revised Fee Guidance Doc, Fee Form and Instructions

Reprint of the June 5, 2012 listserv posting by NJDEP

The DEP has updated its guidance on fees associated with the recent finalization of the ARRCs rule on May 7, 2012. In addition, the DEP has also revised the Annual Fee Remediation Reporting Form and its associated instructions. The form has been updated to include a section for the prorating of annual remediation fees (when applicable). See web links below.

In addition, a DEPOnline service has been released that allows the Fee Form to be filed electronically, and allows for the initial remediation fee to be paid online also. The Service must be certified online by an LSRP, but can be set up and paid by another person. Registration with DEPOnline is required to submit. The service will determine the fee and any proration. Instructions are here:

[http://www.nj.gov/dep/srp/srra/forms/online\\_annual\\_remediation\\_fee\\_reporting\\_ins.pdf](http://www.nj.gov/dep/srp/srra/forms/online_annual_remediation_fee_reporting_ins.pdf)

Finally, there is a brief summary at the end of this email that lists applicable dates regarding annual remediation fees, and whether or not you are subject to prorated fees.

### Web links:

The revised "Fees/Oversight Cost Guidance Document" can be found in the Financial Guidance section under the link at: <http://www.state.nj.us/dep/srp/guidance/index.html>

A revised Annual Remediation Fee Reporting Form and instructions are listed under the link at: <http://www.nj.gov/dep/srp/srra/forms/>

### Summary of Annual Remediation Fee due Dates:

1. 270 day clock (i.e., first fees submitted with first report or no later than 270 days from trigger date into LSRP program) applies to persons that initiated remediation between November 2009 and May 7, 2012, or opted-in to the LSRP program on or before May 7, 2012.
2. 45 day clock (i.e., after the date the person responsible for conducting the remediation is required to notify the Department of the name and contact information of the LSRP hired to conduct the remediation) applies to persons that initiated remediation after May 7, 2012, or did not opt-in to the LSRP program by May 7, 2012 (i.e., were forced into the LSRP program because of statutory mandate).
3. For persons who began conducting remediation before May 7, 2012, the first annual remediation fee is due on June 20, 2012, the date that falls 45 days from the May 7, 2012 deadline for those persons to hire an LSRP.
4. Anniversary dates for future annual remediation fees are described at N.J.A.C. 7:26C-4.3(a)5:
  - a. (a)5i = in LSRP program on or before May 7, 2012, anniversary date is one year after first annual remediation fee was submitted.

**ATTORNEYS**

BRUCE S. KATCHER

JONATHAN H. SPERGEL

RODD W. BENDER

MICHAEL C. GROSS

CHRISTOPHER BALL

**TECHNICAL**

**CONSULTANT**

DARRYL D. BORRELLI

MICHAEL C. NINES, PE,  
LEED-AP



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b. (a)5ii = in LSRP program after May 7, 2012, anniversary date is dictated by Table 4-1, and depends upon county in which site is located.

5. Prorating ONLY applies to existing cases that initiated remediation before November 4, 2009 and chose not to opt-in to the LSRP program by May 7, 2012. These cases have now been converted to LSRP cases pursuant to the statute and owe their first fees by June 20, 2012.

6. Prorating does NOT apply to new cases that initiated remediation after November 4, 2009, or to persons who opted in to the LSRP program on or before May 7, 2012 and have already been billed their first annual remediation fee (or will be billed based on timeframe in #1).



\* NJDEP released additional information on June 13 to further clarify the LSRP annual dues announced in their June 5, 2012 listserv posting.