



Department of Natural Resources & Environmental Control

Fee Program Evaluation



A Biannual Review of Fees Assessed and Collected by the Department to Determine the Revenue Sufficiency and Programs They Support Presented to the Director of the Office of Management and Budget and the Controller General.

~ February 2013 ~



Table of Contents

Table of Contents	I
Executive Summary	II
Agency Mission and Goals	III
Financial Summary of Fee Programs	IV

Environmental Control Program Permit/Fee Analysis

1. Permit Program Evaluations, Resources, and Surrounding States	15-54
1.1 Coastal Zone Permitting	15
1.2 Groundwater Permitting.....	17
1.3 Surface Water Permitting.....	20
1.4 Water Supply Permitting.....	26
1.5 Wetlands, Subaqueous Lands and Marina Permitting	29
1.6 Air – Natural Minor Permitting	36
1.7 Waste & Hazardous Substance Permitting	39
1.8 Boiler Safety Permitting	51
1.9 Accidental Release / Extremely Hazardous Substance Permitting	53

Natural Resources Program License/Fee Analysis

2. Permit Program Evaluations, Resources, and Surrounding States	55-77
2.1 Parks.....	55
2.2 Recreational and Fin Fishing	59
2.3 Recreational Hunting	63
2.4 Commercial and Shell Fishing.....	66
2.5 Boating Registration	69
2.6 Sediment and Stormwater	72
2.7 Shoreline and Waterway	75

Appendices

3. Cost Allocation Method.....	78-81
4. Program Efficiencies	82-95
5. Detailed Surveys of Surrounding State/County Fees	96-112

Attachments

6. Supplemental Annual Program Reports	
6.1 SERC 2011 Annual Report.....	
6.2 Title V 2011 Annual Report	
6.3 HSCA 2011 Annual Report	
6.4 Waste End Assessment Report	

Executive Summary

This report represents the first comprehensive assessment of the fee programs operated by the Delaware Department of Natural Resources and Environmental Control. The assessment is in response to language in the 2012-13 Budget Act (SB 260) as follows:

“The General Assembly herein acknowledges that certain programs within the Department are funded all or in part by fee-based revenues. Every two years the Secretary shall perform a review of fees assessed and collected by the Department to determine the revenue sufficiency of the fees and programs they support and a report shall be submitted to the Director of the Office of Management and Budget and the Controller General by October 1, 2012. The review shall identify program elements that are funded through fees and other sources and shall include an evaluation of effectiveness and efficiency. The review may include but is not limited to, identification of operational changes that improve efficiency and effectiveness of operations and reduce costs. The Secretary shall appoint a peer review team consisting of individuals familiar with the program under review and provide them an opportunity for comment on the Department’s findings. Any changes in fees that require the approval of the General Assembly shall be submitted by the Department as part of the annual budgetary process.”

The Department of Natural Resources and Environmental Control is responsible for preserving and managing Delaware’s natural resources and assuring that Delawareans have clean air, soils and water for drinking, swimming and to support diverse aquatic life. The agency is the steward of nearly 100,000 acres of state-owned lands that are among the most ecologically diverse in the state and 275,000 acres of public streams, rivers, bays, ocean and associated underwater lands that support commerce and offer many recreational opportunities such as biking, birding, boating, hunting and fishing.

State and Federal legislation authorizes DNREC to implement various programs and to collect fees from those who use or impact our natural resources. This includes anglers and hunters who purchase licenses and pay federal taxes on outdoor recreational supplies and equipment. These State license revenues are used to leverage federal funds (\$1 of state funds = \$3 of federal funds) supporting fisheries, wildlife and habitat management activities. Delaware’s State Park system depends on user fees to provide premier outdoor recreational opportunities that also enhance our quality of life. Others, from homeowners to large industry, are required to obtain permits for activities that affect our air, land and water. Examples include building a dock on public waters, discharging air emissions or wastewater disposal. Fees collected help pay the costs of permitting, monitoring and enforcement when necessary.

In Fiscal 2011 DNREC utilized a total of \$209.4 million (table 1.0) in funding for all natural resource and environment control activities from State general funds, federal funds, fees, and other enterprise sources (i.e. park concessions, facility rentals, etc.). The total Fiscal 2011 funding was 27% greater than Fiscal 2010 primarily resulting from non-recurring American Recovery Reinvestment Act or federal ARRA grants. In Fiscal 2011, DNREC revenues from

fees accounted for approximately 5% (\$10.1M) of the agency's total funding. A portion of the fee revenue was used to leverage additional federal funds that accounted for another 4% (\$8.8M) of the agency's total funding. (financial data provided in Section IV).

Using the State fiscal year 2011 as the reporting period, administrative and management staff for each of the 23 programs participated in extensive research and analysis to identify specific costs and revenues and also evaluated each fee program through a number of performance metrics such as permit turnaround times. Most permit programs are meeting or exceeding Governor Markell's targets for review. Other measures included in the program evaluations were volume of activity such as numbers of permits issued, facilities inspected or numbers of park visitors.

As a part of the review process notable efforts to improve program efficiencies were recognized. These improvements produced significant results some of which include:

- The Division of Air Quality (DAQ) began work in 2005 with several industry representatives to implement the Value Stream Mapping process to the Natural Minor Air Permitting Process. The process has served to identify and eliminate areas of waste and create a well-defined predictable process. Working through a list of achievable action items DAQ can guarantee applications are issued in less than 90 days, has reduced the permitting backlog by 66% from 2005 levels, and has reduced waste/rework for the future with internal and customer quality goals of 80%-100%.
- Most programs are meeting or exceeding the permit application review targets of 15 and 60 days as established by Governor Markell. Programs which are not consistently meeting the review periods have been identified in this report as not sustainable under current fees.
- The Division of Water (DW), through the development an integrated database within the Delaware Environmental Navigator (DEN), has improved Groundwater Discharge turnaround time by 50% for residential septic system permits.
- Through an internal program audit performed in 2011, the Water Pollution Control Construction (WPCC) permitting process was improved to reduce permit backlogs by 100% and reduce permit turnaround times by 62%.
- In an effort to save cost and meet the goals of the Governor's Executive Order Eighteen (EO18: Leading by Example Towards a Clean Energy Economy Sustainable Natural Environment), DW also reduced the number of section vehicles by 60% and created a 'fleet pool' for Division-wide use.
- The Division of Waste and Hazardous Substances (DWHS) under the Emergency Planning and Community Right to Know Act (EPCRA) Program has implemented the Web-based Tier II Manager™ system. Resultant streamlining of report processing efforts and reduction in data distribution and maintenance activities and the reduction of staff by one full-time equivalent (FTE). The system allows for 1,800 facilities to report online, increases quality control, and reduces federal reporting efforts through electronic exchange of data.
- With implementation of eGovernment Licensing Services and the Fishing Information Network (FIN), the Division of Fish and Wildlife (DFW) saved in excess of \$200,000 annually. The automation of these public services has recognized efficiencies in revenue collections and control, administrative time and efforts, compliance deficiencies,

customer service, protection of confidential information, and tangible savings for retail licensing agents.

- The Division of Parks and Recreation (DPR) and DFW, continue to grow their volunteer corps providing valuable program services to state park and wildlife systems (e.g. maintenance, research, surveys). These programs receive an average of 139,308 volunteer hours per year (or an equivalent of 71 full time personnel) which generate over \$175,000 in volunteer in-kind match that is used in lieu of state license fees to leverage federal funding.

Report findings include:

- Only one program, the Title V permitting program for the state's largest industrial sources of air emissions, sustains itself completely through fees.
- Our state parks system relies on about 65 percent of its operating revenues from user fees. Current fees are not adequate to sustain service and infrastructure at current levels. Some parks are not able to accommodate more visitors and increase revenues. Without enhancements such as parking and other infrastructure, revenues are likely to remain static and inadequate to support ongoing operation and maintenance needs.
- Wildlife, habitat management and hunting-related programs have been temporarily subsidized by revenues from fishing licenses. Commercial fisheries management programs are subsidized from recreational license revenues.
- Many of the state's environmental programs in the areas of air, waste and water are delegated by the federal government and funded in part through grants, which can be negatively impacted by changes in funding to reduce federal deficits.
- Some sectors in the water permitting programs for ground water withdraws (irrigation), subaqueous lands and surface water discharges that require significant investment of time and oversight, pay reduced or no fees which means the program must be heavily subsidized by other users and through general funds. (table 3.0)
- Several major federal water programs that regulate the application of aquatic pesticides, runoff from agricultural animal operations and stormwater in local jurisdictions are delegated to DNREC but do not come with federal funding and require the diversion of other funds to subsidize their operations. (table 3.0)
- Some program costs, such as advertising permit applications, are higher than the fees collected. Certain programs have the statutory authority to recover these costs while others do not.
- The evaluations reviewed comparable fees from surrounding states and found that, in many cases, Delaware fees were lower. For example, a permit for a standard gravity septic system in Delaware is \$50, from \$150-\$900 in MD and \$250-\$260 in VA.
- Most of the Department's fees have not been increased for more than 20 years. During that time program costs have risen, in part due to inflation which has increased more than 57% over the same period, meaning that fee funded programs have increasingly had to rely on subsidies from general funds or grants. (table 4.0)

The report concludes that the programs can be categorized in the following four areas:

- Fee is not adequate to sustain program at current levels
 - State Parks
 - Water – Surface Water Discharges
 - Fish and Wildlife -- Hunting
- Could move to 100 percent cost recovery and eliminate GF subsidy with fee increases
 - Waste and Hazardous Substances -- Boiler Safety
 - Fish and Wildlife -- Commercial Finfish and Shellfish Licenses
- Could provide some reinvestment of GF with fee increases
 - Watershed Stewardship – Sediment and Stormwater management
 - Water – Water Supply
 - Water – Groundwater Discharges
 - Water – Subaqueous Lands
 - Water – Wetlands
 - Waste and Hazardous Substances – Hazardous Waste Facilities
 - Fish and Wildlife – Boating Registration
 - Air – Natural Minor emissions
- No change in fees necessary at this time
 - Water – Marinas
 - Waste and Hazardous Substances – Solid Waste Facility
 - Waste and Hazardous Substances – Transporters
 - Waste and Hazardous Substances – Underground Storage Tanks
 - Waste and Hazardous Substances – Aboveground Storage Tanks
 - Waste and Hazardous Substances – Vapor Recovery Systems
 - Waste and Hazardous Substances – Accidental Releases Prevention
 - Watershed Stewardship – Beach Protection
 - Fish and Wildlife – Recreational Fishing and Finfish
 - Office of the Secretary – Coastal Zone Act

The evaluation shows that with modest fee increases in 13 of the 23 programs nearly \$800,000 could be realized in general fund savings. In addition, approximately \$1 million in general fund and \$1 million in ASF and NSF could be reinvested in existing programs to improve programmatic and permitting efficiencies along with environmental, public health and recreational outcomes.

The epilogue requires that the findings of this report be shared with a peer review group familiar with the programs. DNREC plans to convene stakeholders early 2013 to gather comments.

Table 1.0

DNREC Funding for Fiscal Years 2010-2012

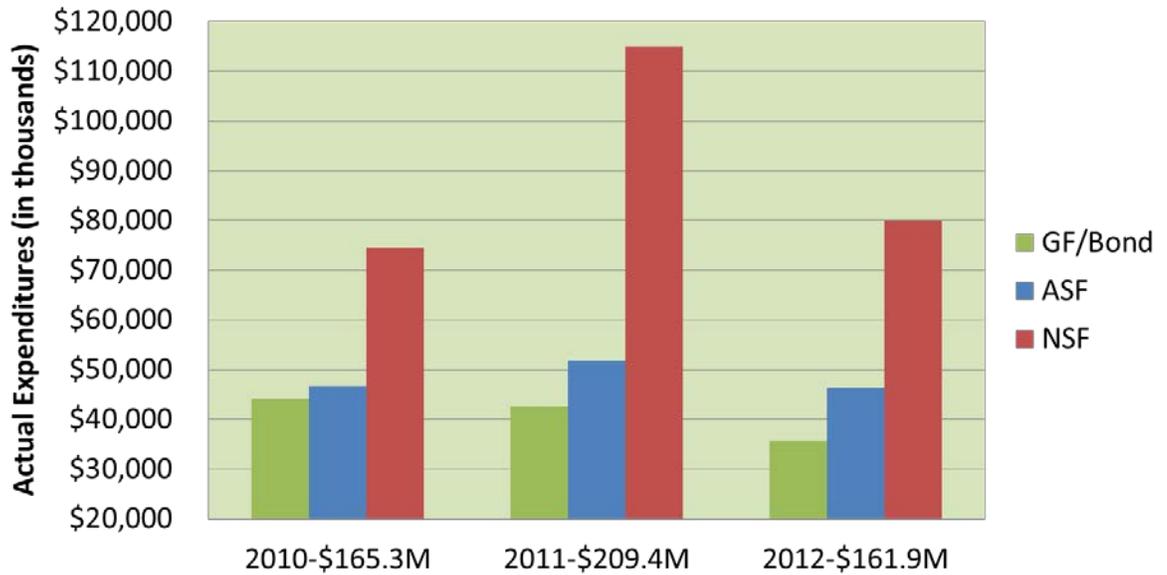
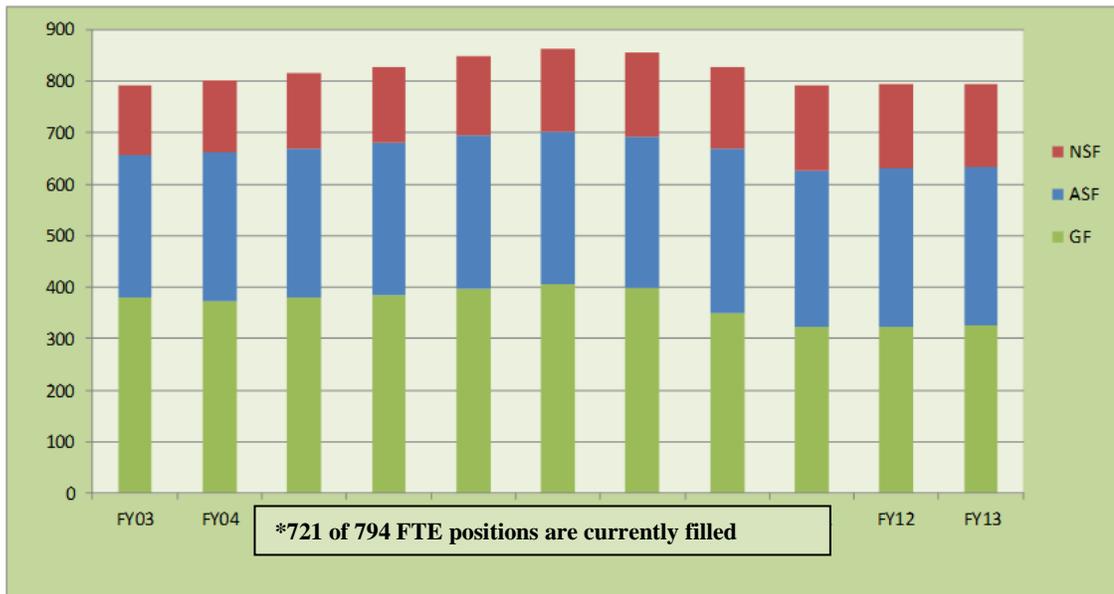


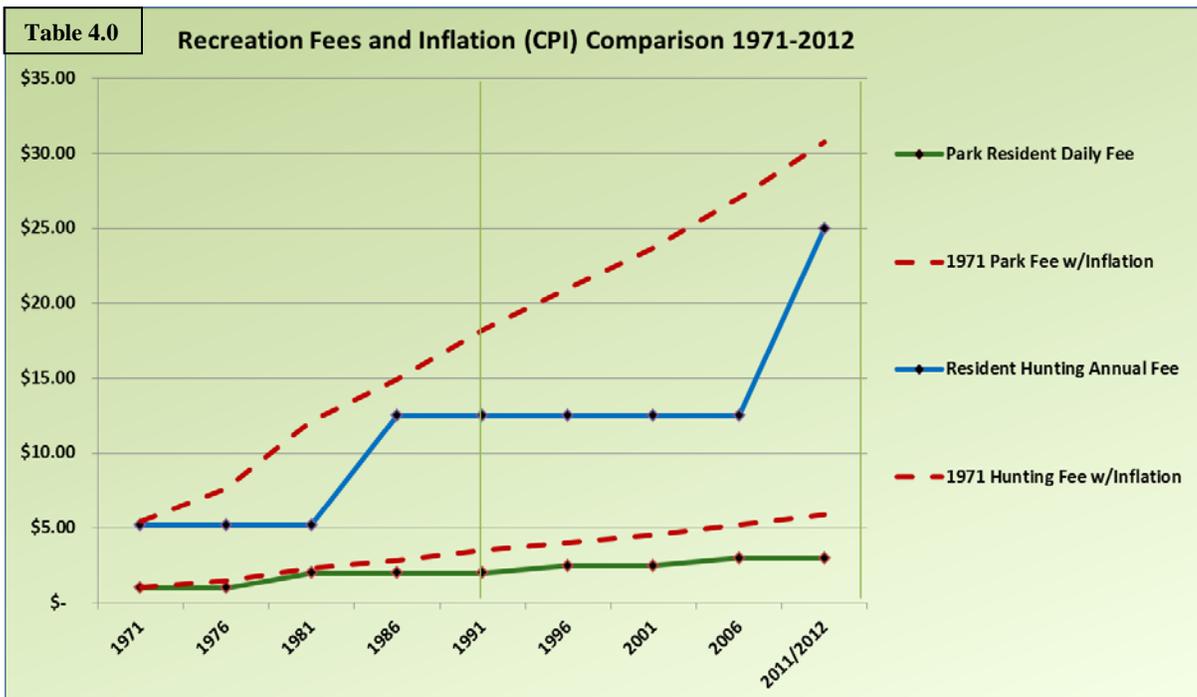
Table 2.0

DNREC Position History



The following are examples of permits, approvals, or licenses issued by DNREC by currently EXEMPT from all fees under law:

Table 3.0
Wastewater
Major and Minor Municipal/County Discharges Municipal/County Separate Storm Sewer System Major and Minor Municipal/County Biosolid Application Concentrated Animal Feeding Operations Aquatic Pesticide Application Subaqueous Lands Leases for Commercial Industrial Users
Water Supply (Wells)
Irrigation Dewatering Geothermal Closed Loop Systems Agricultural Fire Protection Construction ASR (Aquifer Storage and Recovery) Construction
Groundwater
Municipal/County Irrigation Systems Permits Community Systems and Annual Operating Permits Annual Large (Industrial/Commercial/Government) Systems
Parks
Surf Fishing tags for Volunteer Firefighters, Life Members or Emergency Medical Technicians Park pass for Military Veterans and Delaware National Guard (serving in OIF/OEF)
Fish and Wildlife
Hunting/Fishing license for Military Veterans and Delaware National Guard (serving in OIF/OEF)



Delaware Department of Natural Resources and Environmental Control (DNREC)

The mission of DNREC is to protect and manage the state's vital natural resources, protect public health and safety, provide quality outdoor recreation and to serve and educate the citizens of the First State about the wise use, conservation and enhancement of Delaware's environment.

The Divisions / Programs within this report encompass:

The **Coastal Zone Act** adopted in 1971 to control the location, extent, and type of industrial development in Delaware's environmentally sensitive Coastal Zone. The Act is administered through regulations and a rigorous permitting process.

The **Division of Air Quality** issues construction and operating permits for air contaminant sources; maintains emission inventories of business and industry; inspects air contaminant sources and asbestos removal sites; monitors air quality; develops state plans required by the Clean Air Act; adopts and enforces regulations and permits; and implements the Small Business Technical Assistance Program.

The **Division of Water** monitors, manages and protects Delaware's ground and surface waters, tidal wetlands and underwater lands; serves as a link to the Delaware Estuary and Inland Bays Estuary programs and Delaware River Basin Commission; provides centralized geographic information system services and public education and outreach programs; and coordinates citizen volunteer monitoring programs.

The **Division of Waste and Hazardous Substances** oversees the handling, transfer, storage, disposal and management of solid waste and hazardous materials through regulations, monitoring, inspections, emergency response and environmental regulation enforcement. The Division regulates emissions of air contaminants, operating permits for industrial facilities and emission testing for vehicles; manages boiler safety, underground and above ground storage tank sites and hazardous waste sites; carries out cost recovery procedures in the cleanup of environmental violations and emergency incidents.

The **Division of Fish and Wildlife** protects, manages and promotes conservation of Delaware's fish and wildlife habitats and resources. The Division is the largest land manager in the state, with 62,674, acres under its administration, including 31 freshwater ponds and 26 tidal water access areas. The Division conducts biological surveys and studies of living resources, and operates public shooting facilities, wildlife management areas, public boat launching and fishing facilities.

The **Division of Parks and Recreation** operates and maintains 16 state parks, 13 preserves & 9 other areas; administers land protection programs; provides and plans recreational opportunities and educational and interpretive programs for the public; acquires and develops recreational lands and facilities, and protects natural areas. Parks-managed lands total 26,405 with over 300 miles of trails and pathways to be enjoyed by an average of 4.4 million visitors annually.

The **Division of Watershed Stewardship** preserves and protects the state's soil, water and coastal resources by managing the state's shoreline, coastal zone and navigable waterways; regulates coastal and urban land use and construction activities; develops and implements innovative wetland and stream restoration techniques and concepts; and promotes wise agricultural, urban land and water management practices to preserve local agricultural interests, protect urban communities and provide for public safety.

The following table, provides a detailed summary on DNREC's use of permit/license fees, federal funds, and general fund support for FY2011.

Table 1.1 - Fee/Permit Analysis Summary Based on Actual Costs and Revenues for Fiscal Year 2011

(\$ thousands)	Coastal Zone	Groundwater	Surface Water	Water Supply	Wetlands
PROGRAM COSTS¹					
Direct	\$90.7	\$1,249.3	\$688.7	\$1,078.2	\$78.2
Indirect	51.6	462.0	442.2	475.1	29.8
Total Costs	\$142.3	\$1,711.3	\$1,130.9	\$1,553.3	\$108.0
FEE & FEDERAL REVENUE RESOURCES:					
Permit/License Fee Collections	18.0	365.6	323.4	127.2	4.9
Federal Collections	0.0	264.7	145.8	683.8	0.0
Other Program Revenues	0.0	150.8	443.7	0.0	0.0
TOTAL ANNUAL PROGRAM REVENUES	\$18.0	\$781.1	\$912.9	\$811.0	\$4.9
Percent of Program Revenues / Total Cost	13%	46%	81%	52%	5%
ASF FUND BALANCE CONTRIBUTION	\$0.0	\$0.0	\$0.0	\$105.2	\$2.7
GENERAL FUNDS	\$124.3	\$930.2	\$408.6	\$742.4	\$100.4

¹ See Appendix Section 3.0 for Cost Allocation Method

The following table, provides a detailed summary on DNREC's use of permit/license fees, federal funds, and general fund support for FY2011.

Table 1.1 - Fee/Permit Analysis Summary Based on Actual Costs and Revenues for Fiscal Year 2011

(\$ thousands)	Subaqueous	Marina	Natural Minor	Solid Waste	Hazardous Waste
PROGRAM COSTS ¹					
Direct	\$417.9	\$22.3	\$412.6	\$366.4	\$316.3
Indirect	159.4	8.5	414.4	135.7	93.6
Total Costs	\$577.3	\$30.8	\$827.0	\$502.1	\$409.9
FEE & FEDERAL REVENUE RESOURCES:					
Permit/License Fee Collections	389.5	1.2	140.8	157.5	77.5
Federal Collections	0.0	0.0	710.2	0.0	269.7
Other Program Revenues	0.0	0.0	17.1	0.0	1.5
TOTAL ANNUAL PROGRAM REVENUES	\$389.5	\$1.2	\$868.1	\$157.5	\$348.7
Percent of Program Revenues / Total Cost	67%	4%	105%	31%	85%
ASF FUND BALANCE CONTRIBUTION	\$14.8	\$0.7	\$0.0	\$29.0	\$16.0
GENERAL FUNDS	\$173.0	\$28.9	\$2.2	\$436.4	\$45.2

¹ See Appendix Section 3.0 for Cost Allocation Method

The following table, provides a detailed summary on DNREC's use of permit/license fees, federal funds, and general fund support for FY2011.

Table 1.1 - Fee/Permit Analysis Summary Based on Actual Costs and Revenues for Fiscal Year 2011

(\$ thousands)	Aboveground Storage	Underground Storage	Vapor Recovery	Transporters	Boiler Safety
PROGRAM COSTS ¹					
Direct	\$173.6	\$327.0	\$16.2	\$111.5	\$222.6
Indirect	76.4	265.7	27.1	32.1	98.5
Total Costs	\$250.0	\$592.7	\$43.3	\$143.6	\$321.1
FEE & FEDERAL REVENUE RESOURCES:					
Permit/License Fee Collections	247.1	139.3	50.7	168.5	105.3
Federal Collections	0.0	370.6	0.0	0.0	0.0
Other Program Revenues	0.0	0.0	2.2	0.0	5.0
TOTAL ANNUAL PROGRAM REVENUES	\$247.1	\$509.9	\$52.9	\$168.5	\$110.3
Percent of Program Revenues / Total Cost	99%	86%	122%	117%	34%
ASF FUND BALANCE CONTRIBUTION	\$2.9	\$85.1	\$0.0	\$0.0	\$0.0
GENERAL FUNDS	\$0.0	\$13.5	\$0.0	\$23.8	\$210.8

¹ See Appendix Section 3.0 for Cost Allocation Method

The following table, provides a detailed summary on DNREC's use of permit/license fees, federal funds, and general fund support for FY2011.

Table 1.1 - Fee/Permit Analysis Summary Based on Actual Costs and Revenues for Fiscal Year 2011

(\$ thousands)	Accidental Release	Parks	Recreational Fish & Fin Fish	Recreational Hunt	Commerical and Shellfish
PROGRAM COSTS¹					
Direct	\$67.5	\$14,601.7	\$1,874.8	\$2,842.1	\$0.4
Indirect	116.6	9,708.3	2,335.4	2,462.2	216.0
Total Costs	\$184.1	\$24,310.0	\$4,210.2	\$5,304.3	\$216.4
FEE & FEDERAL REVENUE RESOURCES:					
Permit/License Fee Collections	104.9	3,947.3	1,499.9	987.0	28.6
Federal Collections	0.0	0.0	3,366.6	2,730.6	0.0
Other Program Revenues	0.0	12,197.5	205.3	617.6	10.6
TOTAL ANNUAL PROGRAM REVENUES	\$104.9	\$16,144.8	\$5,071.8	\$4,335.2	\$39.2
Percent of Program Revenues / Total Cost	57%	66%	120%	82%	18%
ASF FUND BALANCE CONTRIBUTION	\$1.8	\$0.0	\$0.0	\$138.6	\$0.0
GENERAL FUNDS	\$77.4	\$8,165.2	\$279.0	\$830.5	\$177.2

¹ See Appendix Section 3.0 for Cost Allocation Method

The following table, provides a detailed summary on DNREC's use of permit/license fees, federal funds, and general fund support for FY2011.

Table 1.1 - Fee/Permit Analysis Summary Based on Actual Costs and Revenues for Fiscal Year 2011

(\$ thousands)	Boating	Sediment & Stormwater	Shoreline & Waterway
PROGRAM COSTS ¹			
Direct	\$1,510.7	\$823.5	\$178.4
Indirect	\$306.7	\$315.9	\$0.5
Total Costs	\$1,817.4	\$1,139.4	\$178.9
FEE & FEDERAL REVENUE RESOURCES:			
Permit/License Fee Collections	1,176.9	64.7	1.5
Federal Collections	303.9	0.0	0.0
Other Program Revenues	27.0	39.4	0.0
TOTAL ANNUAL PROGRAM REVENUES	\$1,507.8	\$104.1	\$1.5
Percent of Program Revenues / Total Cost	83%	9%	1%
ASF FUND BALANCE CONTRIBUTION	\$156.6	\$0.0	\$0.0
GENERAL FUNDS	\$520.2	\$1,035.3	\$177.4

¹ See Appendix Section 3.0 for Cost Allocation Method

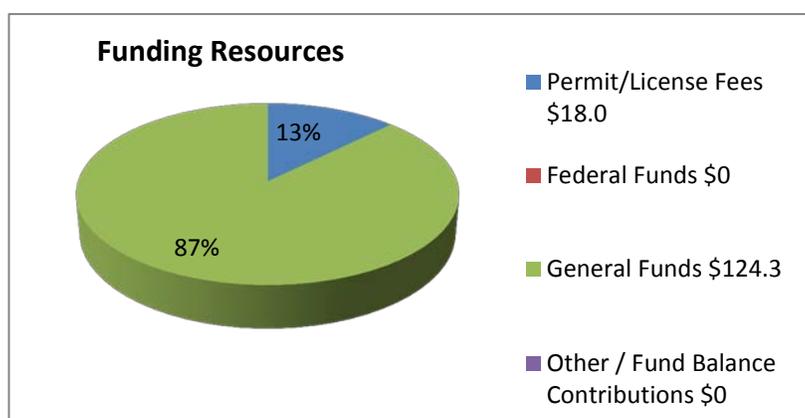
**Department of Natural Resources and Environmental Control
Office of the Secretary**

Fee Program: Coastal Zone Act Permit Program

Authority	Title 7 Chapter 70 Regulations Governing Delaware's Coastal Zone
Purpose	This chapter prohibits the construction of new heavy industry in its coastal areas. The regulations prescribe a permitting process and specific timelines for manufacturing and some other uses, as well as a process (status decision) for determining whether a specific use is allowed or prohibited by the Coastal Zone Act.
Date of Last Change	October 1, 2001

Fiscal 2011 Program Costs and Resources:

Program/Permit Costs	\$ (thousands)
Direct	\$90.7
Indirect	\$51.6
Total	\$142.3
Staff Funding	FTE
General Fund	0.5
Federal Fund	0.0
Fee/Other Funds	0.0
Total	0.5



Performance:

Measure	2010	2011
Status decisions rendered within 25 days	0/2	0/2
Applications determined to be administratively complete within 30 days	0/3	0/3
Permit decision rendered w/in 90 days of completeness determination	67%	67%

Total

Source: Review of permit and status decisions by Coastal Zone Act program

Program Evaluation:

The Sustainable Planning section allocates approximately .4 FTEs annually on administering the Coastal Zone Program with an additional .1 FTE from the Deputy Attorney General who is involved in status decisions and appeals to the Coastal Zone Industrial Control Board and the courts. This estimate does not take into account the review work by various Division programs.

Also, a significant amount of legal time is also invested by the hearing officers, who conduct public hearings and then preparing hearing officers' reports and Secretary's Orders.

Adequacy of service. The Coastal Zone Act regulations carry specific timelines for status decisions and permit decisions. Status decisions require a review of the request and forward a recommendation to the Secretary within 10 business days; the Secretary then has 15 additional business days to determine if a Coastal Zone permit will be required. A status

decision requires technical and legal input from other programs and the Department of Justice. Ten days for review is an unrealistic expectation and this target has been difficult to meet.

The Coastal Zone program and the Secretary have 30 days to determine the sufficiency of an offset proposal and the administrative completeness of a permit application. The Secretary then has 90 days from the completeness determination to make a permit decision. That total turnaround time, while still unique in the department, is more attainable but still out of the program's control to some degree as we wait for responses from applicants and their consultants.

We cannot anticipate how many Coastal Zone status decisions or permitting applications we will see in a fiscal year; many straddle two or more fiscal years. Each application is different, and it helps if the program has spent time with the would-be applicant before the clock starts running. Applicants range from one-person mulching operations to industrial complexes, with varying degrees of sophistication and familiarity with the Coastal Zone Act and its requirements.

The Coastal Zone program at this time has little capacity for monitoring or ensuring enforcement of Coastal Zone permit conditions.

Adequacy of fees. The fees do not come close to covering the cost of the program in terms of salaries and legal services; however, the fees do more than cover other costs of administering the Coastal Zone Act program (court stenography, room rental, public notices, etc.) There is no basis for comparison with other states, because the Coastal Zone Act is unique. Because of its uniqueness and importance to the state, the percentage of three salaries devoted to this process during fiscal 2011 (30% of principal planner, 10% of Chief of Planning, 10% Deputy AG) – along with the review efforts provided by other programs throughout the department – was supported by \$124,300 in general funds and \$18,000 in fees in order to provide the current service level.

Program Conclusions:

- 1) Consider lengthening the 10-day turnaround for a status decision review;
- 2) Consider a fast-track process or waiver for proposals with no environmental impact or a net environmental benefit;
- 3) Build in capacity for monitoring/enforcing Coastal Zone Act permit conditions, including offsets;
- 4) Consider a sliding-scale fee that would distinguish between applications that clearly have no environmental impact or even a net environmental benefit and those applications more industrial and complex in nature that require more intensive review and negotiation.

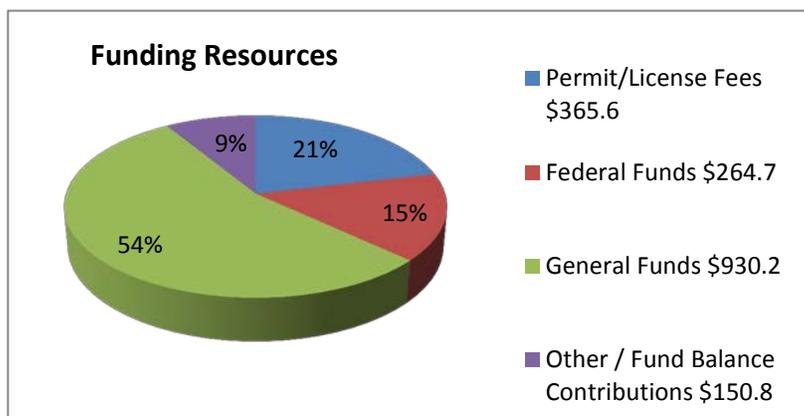
**Office of Environmental Control
Division of Water**

Fee Program: Ground Water Discharge Section

Authority	7 Del. C., Ch. 60, §6026 / #7101-7103 Laws and Regulations Governing The Design Installation and Operation of On-Site Wastewater Treatment and Disposal Systems Regulations Governing Underground Injection Control Guidance and Regulations Governing Land Treatment of Wastes
Purpose	The Ground Water Discharges Section (GWDS) is responsible for overseeing all aspects of the siting, design, and installation of on-site wastewater treatment and disposal systems (AKA septic systems). The section also issues waste transporter permits and licenses to percolation testers, designers, soil scientists, system contractors, liquid waste haulers, and system inspectors.
Date of Last Fee Change	1991

Fiscal 2011 Program Costs and Resources:

Program/Permit Costs	\$ (thousands)
Direct	\$1,249.2
Indirect	\$462.0
Total	\$1,711.3
Staff Funding	FTE
General Fund	10.0
Federal Fund	4.0
Fee/Other Funds	10.0
Total	24.0



Performance:

Measure – Large Systems Branch	2010	2011
Review applications for administrative completeness within 15 days of receipt	100%	100%
Review applications for technical completeness within 60 days of receipt	85%	92%
Perform construction inspections for all large On-site Wastewater and Disposal Systems (OWTDS) and Spray Irrigation (SI) facilities under construction	95%	100%
Perform quarterly inspection for all large OWTDS and SI facilities that have a design capacity >20,000 gpd	90%	95%
Perform comprehensive annual inspection for all large OWTDS and SI facilities	100%	100%
Perform at least 20 UIC recon inspections annually	80%	100%
Measure – Small Systems Branch	2010	2011
Percentage of alternative OWTS inspected for operation less than 2,500 gpd	100%	100%
Percentage of conventional OWTS inspected for operation less than 2,500 gpd	65%	60%
Percentage of statewide compliance inspections on holding tanks	100%	100%

Program Evaluation:

The Ground Water Discharges Section (GWDS) is comprised of two branches: the Large Systems Branch and the Small Systems Branch. The Ground Water Discharges Section as a whole is also responsible for regulating over 500 licensees, 70,000 existing OSWTDS, and provides customer service for the regulated community, municipalities, and the residents of the State of Delaware. The GWDS has four streams of revenue: GF, ASF (fees), two grants, and other (Fed Admin from the SRF). Fees collected from site evaluations, permitting, compliance inspections, licensing, and annual spray irrigation activities are not sufficient to cover the cost of managing the programs. Currently, the section is operating adequately; however, program costs have resulted in the elimination of two FTEs, one in the Georgetown office and one in the Dover office. It should be noted that current fees as approved by the General Assembly in 1991 have not been increased to take into account the costs of providing these services. Many permits and activities performed by the section have not been added to the fee schedule as program requirements have expanded.

The Small Systems Branch consists of two branch offices: one in Kent County (Dover) and the other in Sussex County (Georgetown). Together, the two offices annually review/approve/deny approximately 1400 private site evaluations and 1250 permit applications per fiscal year. Of the 1250 permit applications reviewed and approved, approximately 450 (36%) do not require a permit fee. Examples are repair permits, authorization of existing systems permits, component replacement permits, and inspection reports for the resale of a property. In addition, the Small Systems program is responsible for construction inspections of new septic systems and field checks for site evaluations. In FY11, 60% of construction inspections and 40% of field inspections were completed. Compliance inspections of new and existing systems are performed as well, which often result in more than one inspection of a site. This branch is also charged with additional responsibilities such as collecting and maintaining a data base for Class H Inspections (home inspections of onsite systems at the resale of a home) and a statewide holding tank inspection program. Other primary goals for the last several years include building upon a new data base, working on revisions to the existing regulations, and digitizing existing statewide documents. Due to changing technology, technical reviews of permits are typically more detailed and take longer to approve. Mandatory maintenance contracts, along with mandatory inspections, have been implemented for advanced (alternative) treatment units; therefore, a database must be built and maintained by staff.

The Large Systems Branch is located in Kent County (Dover). This Branch is responsible for permitting and compliance oversight of all large On-Site Wastewater Treatment and Disposal Systems (OWTDS), spray irrigation wastewater systems, on-site wastewater treatment and disposal systems with daily flows greater than 2,500 gallons per day, Innovative/Alternative Technologies, product approvals, underground injection wells, and other activities associated with land application of treated wastewater. There are 125 existing large/community systems and 23 wastewater spray irrigation facilities in Delaware that require compliance inspections. On average, 15 hours are spent annually, per facility conducting facility inspections. Large Systems Branch staff routinely updates the Delaware Environmental Navigator to incorporate monitoring data, document compliance activities, and track enforcement issues. Facility data is submitted electronically to the EPA on a quarterly basis. It should be noted that construction application review times vary from 100 to over 400 hours, depending on the size and complexity of the system. Currently, there are no fees for Underground Injection Control (UIC) permits, annual large system operation fees, Site Investigation Reports (SIR), product approvals, modification permits, and spray irrigation construction permits.

Program Conclusions:

A 32% increase in existing fees would generate an additional \$110,435 annually and the creation of new fees would generate an additional \$132,275 annually for the following: repair permits, authorization of existing systems permits, component replacement permits, site investigation report, spray irrigation construction permit, annual operation permit for systems that discharge 50,000 gallons per day and greater, product approvals, annual UIC permits, system and product

modification permits, and inspection reports for the resale of a property. Eliminating the current exemption for municipalities would generate an additional \$45,600 annually. This change should maintain the current level of service for the next three to five years without having general fund subsidies above and beyond the general funded positions. It should be noted that fees can be eliminated provided General Funds are increased, as noted above in the graph.

With the increase of existing fees and the establishment of new fees or cost recovery measures, the GWDS would generate \$288,310 in new revenue which would result in a savings of GF (15% or \$137,510) and other funding (State Revolving Fund (SRF) federal 100% or \$150,800) currently supplementing fee revenues.

Leaving the current fee structure in place will ensure the GWDS will continue to be reliant on GF and SRF subsidies. Any cuts in grant monies will also cause an increased need in GF/SRF support. It should be noted that any reduction to current subsidies without new fee revenues will lead to reduced staffing, increased turnaround times on permitting, and have a negative effect on our ability to handle compliance on existing systems and enforcement. This will result in customer dissatisfaction and added expenses to construction cost (time is money).

Survey of Surrounding States Small Systems Fees:

Note: In surveying surrounding States for Small Systems it should be noted that we used County fee schedules of two states for the small systems as most states delegate individual systems to the Counties.

Site Evaluations/Permits:

<i>State</i>	<i>Gravity Permit</i>	<i>Engineered Permit</i>	<i>Site Evaluation</i>	<i>Frequency</i>
<i>Delaware</i>	\$50	\$115	\$75	One Time
<i>Maryland</i>	\$150-\$900	\$200-\$900	\$225-\$520	One Time
<i>Pennsylvania</i>	\$250-\$260	\$250-\$600	\$825	One Time

Survey of Surrounding States Large Systems Fees:

Note: Numbers were from State internet sites.

Large System Construction Permit Fees:

<i>State</i>	<i>Current Fee</i>	<i>Frequency</i>
<i>Delaware</i>	\$750	One Time
<i>Maryland</i>	\$450-\$2000	One Time
<i>Pennsylvania</i>	\$1500	One Time
<i>New Jersey</i>	N/A	N/A

Large System Operating Fee:

<i>State</i>	<i>Current Fee</i>	<i>Frequency</i>
<i>Delaware</i>	\$70	Annual
<i>Maryland</i>	N/A	N/A
<i>Pennsylvania</i>	\$250-\$2500	Annual
<i>New Jersey</i>	\$500 per 10,000 gallon of design capacity	Annual

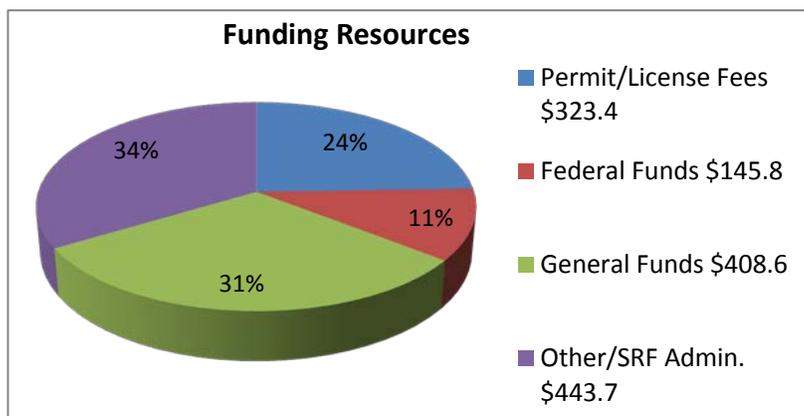
**Office of Environmental Control
Division of Water**

Fee Program: Surface Water Discharges

Authority	7 Del. C., Ch. 60 / #7103 Laws and Regulations Governing the Land Treatment of Wastes
Purpose	Land Treatment of Wastes (Biosolids and Residuals)
Date of Last Change	October 1999
Authority	7 Del. C., Ch. 60 / #7201 Laws and Regulations Governing the Control of Water Pollution and the Federal Clean Water Act
Purpose	Section 6.0 The National Pollutant Discharge Elimination System (NPDES) Program
Date of Last Change	June 23, 1983
Purpose	Section 9.1 Storm Water Discharges Associated with Industrial Activities and 9.1.1.1.1 Authorizes discharges of storm water associated with industrial activities from regulated facilities to waters of the State or to municipal separate storm sewer systems (MS4).
Date of Last Change	Sept. 15, 1998
Purpose	Section 9.5 Concentrated Animal Feeding Operation (CAFO)
Date of Last Change	November 11, 2011
Purpose	Section 9.8 Discharges from the Application of Pesticides to Waters of the State
Date of Last Change	September 1, 2012
Authority	7 Del. C., Ch. 60 §6023 / #7204 & 7302 Laws and Regulations Governing the Licensing of water well contractors, pump installer contractors, drillers, drivers, pump installers, septic tank installers, liquid waste treatment plant operators and liquid waste haulers
Purpose	Licensing Operators of Wastewater Facilities
Date of Last Change	June 9, 2000
Authority	7 Del. C., Ch. 60 , Subchapter II, §6003 and 7 Del. C., Ch. 60 / #7201 Laws and Regulations Governing the Control of Water Pollution and the Federal Clean Water Act
Purpose	Section 4.0 Pollution Control Facilities Construction and Operation Permits
Date of Last Change	June 23, 1983

Fiscal 2011 Program Costs and Resources:

Program Costs	\$ (thousands)
Direct	\$688.7
Indirect	442.2
Total	\$1,130.9
Staff Resources	FTE
General Fund	4.0
Federal Fund	2.0
Fee/Other Funds	7.0
Total	13.0



Performance:

* Turn Around Time			
Based on applications received between 07/01/10 and 06/30/11			
Program	Apps Rcvd	Permits Issued	Avg Turn Around Time (Days)
Biosolids	7	6	166
MS4	0	0	0
NPDES ¹	10	5	N/A
Stormwater	198	198	35
WPCC	74	57	59

¹ Of the five (5) permits issued, all the applications were received prior to the time frame indicated.

* Administratively Complete Letter									
Based on applications received between 07/01/10 and 06/30/11									
Program	Apps Rcvd	Issued 0-15 Days		Issued 16+ Days		No Letter Issued (permitted w/in 15 days)		No Letter Issued	
Biosolids	7	3	43%	3	43%	0	0%	1	14%
MS4	0	N/A		N/A		N/A		N/A	
NPDES	10	2	20%	6	60%	0	0%	2	20%
Stormwater	198	0	0%	1	1%	34	17%	163	82%
WPCC	74	59	80%	12	16%	2	3%	1	1%

* Technically Complete Letter									
Based on applications received between 07/01/10 and 06/30/11									
Program	Apps Rcvd	Issued w/in 60 Days of Admin Complete Letter		Issued 61+ Days of Admin Complete Letter		No Letter Issued (permit issued w/in 60 days)		No Letter Issued	
Biosolids	7	1	14%	3	43%	0	0%	3	43%
MS4	0	N/A		N/A		N/A		N/A	
NPDES	10	1	10%	4	40%	0	0%	5	50%
WPCC	74	62	84%	4	5%	2	3%	6	8%

Note: The Storm Water program does not send out Technically Complete letters average turnaround time is 35 days.

*** Please Note: The Aquatic Pesticides and the CAFO program were not issuing permits during FY 2011**

** Inspections Conducted & Enforcement Actions										
Based on inspections and enforcement actions between 07/01/10 and 06/30/11										
Program	# of Permitted Facilities	# of Inspections	Inspections Conducted				Enforcement Action			
			Compliant	% Compliant	Non-Compliant	% Non-Compliant	Verbal Warning	Manager's Warning	NOV	Penalty Assess.
Biosolids	20	67	43	64%	24	36%	8	0	0	0
MS4 (Audits)	4	1	0	0%	1	100%	1	0	0	0

NPDES										
Major	20	42	35	83%	7	17%	3	5	3	0
Minor	26	29	19	66%	10	34%	2	7	0	2
Stormwater	361	70	55	79%	15	21%	5	9	0	0

**** Please Note: The programs listed above are the only ones within the Surface Water Discharges Section that have an inspection/compliance component.**

Board of Certification for Wastewater Operators Between 07/01/10 and 06/30/11			
Average Number of Licensees	Exams Semi-Annually	Certs. Processed	Renewals Processed
471	81	103	140

Program Evaluation:

The Surface Water Discharges Section (SWDS) administers eight (8) programs for a total direct/indirect program cost of \$1,130,900; 31% (\$408,600) is supported by the General Fund. Of the eight (8) programs that the SWDS administers, three (3) programs (Aquatic Pesticides, Concentrated Animal Feeding Operations (CAFO) and Municipal Separate Storm Sewer System MS4) are federally delegated programs that receive no direct grant funding or charge any permit fees. The remaining five (5) programs generate 24% (\$323,400) in permit/license fee revenue. The SWDS receives 34% (\$443,700) in Other/State Revolving Fund support and 11% (\$145,800) in Federal Funds. However, it must be noted that these funds are received through two grants and are not guaranteed revenue resources. One grant is awarded on an annual basis and the other is awarded on a biennial basis.

The three (3) unfunded federally delegated programs that the SWDS administers are:

- The Aquatic Pesticides program utilized 0.9 full time employees (FTE) in FY2011 and cost approximately \$62,297 in salary and \$10,599 in direct/indirect costs to operate. Due to a June 9, 2009 Sixth Circuit Court ruling on the interpretation of the Clean Water Act, the court mandated the creation of new regulations on aquatic pesticide use. This ruling mandated that all states provide permit coverage by October 31, 2011. Delaware’s Emergency Regulations went through the regulatory development process and became effective March 1, 2012, with the final regulations effective September 1, 2012. Management of this program will involve review and data entry of Notice of Intents (currently 29) and Terminations, permit issuance (for five (5) years), review of Pesticide Discharge Management Plans and annual reports, EPA reporting requirements, compliance/enforcement actions and response to Adverse Incidents.
- The Concentrated Animal Feeding Operation (CAFO) utilized 0.5 FTE in FY2011 and cost approximately \$37,921 in salary and \$15,651 in direct/indirect costs to operate. In December 2010 a Memorandum of Agreement was signed between the Delaware Department of Agriculture (DOA) and the Delaware Department of Natural Resources and Environmental Control regarding management of this program. In November 2011 revisions were made through the regulatory development process to Section 9.5 Concentrated Animal Feeding Operations of the Regulations Governing the Control of Water Pollution. Management of this program will involve coordination and combined inspections with DOA, review and data entry of Notice of Intents (approximately 400), permit issuance (for five (5) years), EPA reporting requirements, compliance/enforcement actions and response to Emergency Notifications.
- The Municipal Separate Storm Sewer System (MS4) program utilized 0.5 FTE in FY2011 and cost approximately \$33,738 in salary and \$5,143 in direct/indirect costs to operate. The program currently has four (4) permitted facilities, permitted in the early 1990’s, all have been administratively extended. The average turnaround time for a MS4 permit is estimated between three (3) to four (4) years with extensive negotiations, meetings and legal research. Management of this program involves negotiations, meetings, research, permit issuance, review/comment of annual reports, audits, and compliance/enforcement.

The permitted universe for the MS4 program may increase substantially based on:

- President Obama's Chesapeake Bay Protection and Restoration Executive Order (May 2009) which identified four (4) towns within the Chesapeake Bay Watershed that may require MS4 permit coverage.
- The 2012 census identified population increases within three (3) to four (4) communities that may require MS4 permit coverage.

Program Conclusions:

The SWDS provides a reduced level of service for the eight (8) programs it administers due to funding and staff shortages. The Biosolids, MS4, NPDES and Storm Water programs manage approximately 431 permitted facilities, with the addition of the Aquatic Pesticides (approx. 29), CAFO facilities (approx. 400) and the possible expansion of the MS4 program (up to an additional 8) the permitted universe will increase to approximately 868 permitted facilities. The Water Pollution Control Construction (WPCC) program issues approximately 60 permits per year and the licensed wastewater operator certification program administers approximately 465 licenses. The average turnaround time for the National Pollutant Discharge Elimination Systems (NPDES) and the MS4 programs is between three (3) and four (4) years due to the extensive negotiations, research and meetings. The current backlog for these programs is 50% (26 permits) out of 52, with the oldest permit expiring ten (10) years ago. Permits issued under these three programs are among the most complex and time consuming to administer and none require applicant fees including local governments which have been exempt from fees since the creation of the programs.

A program review indicates there are no additional program expenses or fees that can be eliminated, taking into account the implementation of the efficiencies over the past three (3) years. With the current program costs of \$1,130,900 and only 24% (\$323,400) received in permit/license fee revenues, the SWDS is confronted with the challenge of three (3) federally mandated unfunded programs, no fee revenue received from the NPDES and Biosolids major and minor municipalities and staffing vacancies. There are no carryover funds available to sustain the eight (8) programs the SWDS administers.

Monies generated by the increased fees would be used to improve customer service in the form of timelier permit issuance, elimination of permit back-log, and decreased turnaround time for our CAFO, Pesticide, MS4 and NPDES permits. Based on the latest census statistics, the number of MS4 systems will be increased by seven (7), and would take our total MS4 universe to twelve (12). The introduction of the new MS4's and the addition of the CAFO and Pesticide programs, has created a need for two (2) new FTE's to handle the increase in permitting, inspection, and compliance activities and to improve our customer service.

Funding would also be used to upgrade classes and exams for the state's wastewater license program. The SWDS is responsible for the wastewater operator licensing program, and licensing of wastewater operators requires the operators to take and pass a State Wastewater Operators exam. This licensing and testing program needs to be upgraded to meet current treatment methodologies and state requirements, to be consistent with surrounding states, and will require the SWDS (and Board of Certification) to contract the upgrade of courses and state exam that are administered by Delaware Technical Community College. Several surrounding states have denied reciprocity to Delaware Wastewater Licensees because our training and exam requirements do not include current treatment methodologies, and many of our requirements are outdated. It is estimated that approximately \$40,000 would be needed to upgrade the classes and exams for the licensing program (this includes all wastewater operators in the entire State of Delaware for all treatment facilities). It is also estimated that approximately \$12,000 would be needed to upgrade our operator outreach in the form of training opportunities for the higher level licensees (who currently have very limited training opportunities and minimal direction for licensing).

Survey of Surrounding States Fees:

STATE FEE COMPARISON - SURFACE WATER DISCHARGES SECTION

Delaware fees shown below are both application and annual fees (the application fee is the same as the annual fee) unless otherwise indicated.

Maryland fees shown below are application fees; annual fees are not shown below, they vary.

New Jersey fees shown below are application fees.

Pennsylvania fees shown below are application fees; annual fees are not shown below, they vary.

Virginia fees shown below are "issuance" fees; "modification" fees are not shown here, they are about half of "issuance" fees.

PERMIT NAME	DELAWARE FEE	MARYLAND FEE	NEW JERSEY FEE	PENNSYLVANIA FEE	VIRGINIA FEE
Bulk Storage					
Bulk Storage / Transfer / Pipeline (one-time fee)	\$3,750	---	---	---	---

PERMIT NAME	DELAWARE FEE	MARYLAND FEE	NEW JERSEY FEE	PENNSYLVANIA FEE	VIRGINIA FEE
Bulk Storage of Liquid Animal Waste (one-time fee)	100	---	---	---	---
Sludge Permit					
Agricultural Utilization (Generated)					
In State >200 dry tons/year	\$6,000	---	\$10,600	\$5,100	\$15,000
In State <200 dry tons/year	\$3,750	\$175	\$4,000	\$5,100	\$10,500
Out of State >200 dry tons/year	\$12,000	---	---	--	---
Out of State <200 dry tons/year	\$7,500	---	---	--	---
Distribution and Marketing (Generated)					
In State	\$3,000	\$750	\$2,050	\$5,200	---
Out of State	\$5,000	---	---	--	---
Land Disposal (Generated)					
In State	\$5,000	---	\$800	\$5,200	\$7,500
Out of State	\$10,000	---	---	--	---
Land Reclamation (Generated)					
In State	\$2,000	\$350		\$5,100	---
Out of State	\$5,000	---	---	---	---
Land Reclamation Landfill	\$2,000	\$350	\$6,900	\$5,100	---
Research Projects					
Generated In State	\$1,000	---	---	---	---
Generated Out of State	\$2,000	---	---	---	---
Septage					
Major >50,000 gallons per year	\$500	---	\$500	\$200	\$750
Minor <50,000 gallons per year	\$200	---	---	\$200	---
Industrial Storm Water Permit					
Individual Industrial	\$2,500	\$0 to \$5,000	\$4,100	\$2,000	\$7,200
General Industrial	\$200	\$500	\$2,300	\$1,000	\$500
No Exposure	\$40	---	\$800	\$0	---
NPDES					
Major Industrial	\$9,000	\$20,000	\$9,950	\$10,000	\$24,000

Minor Industrial	\$2,250	\$2,000	\$4,200	\$3,000	\$10,200
* Minor Municipal	\$3,000	\$0	\$4,200	\$1,500	\$7,500
Wastewater Treatment Plant Operator					
Application for Certification (per app.)	\$50	\$75	\$70	\$150	---
Application for Certification – Emergency (per app.)	\$375	---	---	---	---
Application for Renewal (per app.)	\$50	\$75	\$50	\$60	---
Application for Renewal Late Fee (per app.)	\$15	---	---	---	---
Exam Registration (each)	\$100	\$75	\$70	\$35	---
Wastewater Collection and Conveyance Facility Construction Permit					
Per Application	\$825	\$525 to \$3,200	---	--	---
Individual Connection	\$230	\$400	---	--	---
Wastewater Treatment Facility Construction					
<15 points (one time)	\$1,125	\$900	---	--	---
<30 points (one time)	\$2,250	\$1,200	---	--	---
<55 points (one time)	\$4,500	\$1,625	---	---	---
>56 points (one time)	\$6,000	\$2,000	---	---	---
Concentrated Animal Feeding Operation (CAFO)	\$0	\$1,200	\$2,300	\$1,500	\$0
Aquatic Pesticides	\$0	---	\$75	---	\$0
Municipal Separate Storm Sewer Systems (MS4)	\$0	\$0	\$9,800	\$5,000	---

* Minor municipals are facilities that are defined as not being industrial. The minor municipals are broken down even further into two categories, municipalities and privately owned publicly accessed facilities (i.e. museums, mobile home parks, etc.). The SWDS currently has six (6) minor municipalities (do not collect the \$3,000 annual permit fee) and five (5) privately owned publicly accessed facilities.

**Office of Environmental Control
Division of Water**

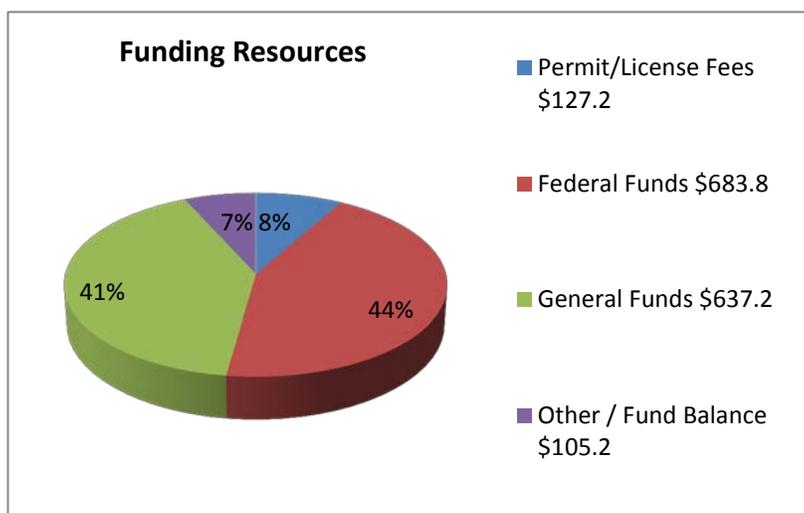
Fee Program: Water Supply Program

Authority	7 Del. C., Ch.60 / 7301-7303 Regulations Governing Water Supply
Purpose	To assure water supply facilities are constructed and operated safely and equitably
Date of Last Fee Change	July 1, 1991

Fiscal 2011 Program Costs and Resources:

Program Costs	\$ (thousands)
Direct	\$1,078.2
Indirect	475.1
Total	\$1,553.3

Staff Resources	FTE
General Fund	4.8
Federal Fund	4.3
Fee/Other Funds	1.0
Total	10.1



Performance:

Measure	FY10	FY11
% of permit applications meeting Department review-time target	100	100
# of water allocation permits issued to reduce backlog of unpermitted projects	31	49
% of well permit data entered within five days of receipt of information	95	100
% of well permit applicants applying on-line	15	30
% of water allocation permittees submitting data online	0	20
# of potable wells requiring review due to groundwater contamination problems	129	130
# completed of hydrogeological reviews of non-hazardous waste sites within 30-60 day turn-around time	49	59

Program Evaluation:

The Water Supply Section (WSS) issues between 3000 and 5000 new well construction permits annually and regulates 400 water allocation permittees. Allocations are issued to the largest public, agricultural and industrial users. WSS also issues well contractor licenses to 150 companies and 450 individual contractors. In fiscal year 2011, approximately 8 percent of the operating cost of the WSS programs was funded by collected fees. Most of the remaining operating costs were supported by an even mix of General and Federal Funds, however only one-third of the Federal portion contributed toward the permitting programs.

Well Permitting - The fee for a typical well is \$35 to obtain a permit for domestic use. Domestic wells constitute 50 percent of all permits issued. Permits require review, consulting with the contractor, occasional site visits averaging

several hours of travel time, and permit processing all-consuming hours of the well technician's time per permit. In addition to the cost of the technician, there is a cost for administrative assistance, database maintenance and support, and costs for vehicle usage and field and office supplies. This assumes a simple application that is administratively and technically complete and without controversy or compliance issues. Costs increase substantially for all public well permits that incur multiple staff reviews, and multiple mandatory inspections to confirm the facility was built in compliance with the permit. Some permits, around 500 per year, are major production wells that require another layer of review by hydrologists. Some require a public hearing process. It is important to note that a large percentage of wells are fee exempt. Most exempt wells demand much less effort to process, while some require substantial review. Based on the level of effort required to issue and inspect wells the fee collected does not come close to the cost of processing the permitting for any application.

Well Construction Violations – Compliance action is time consuming and administratively costly, requiring coordination of the permitting managers with multiple staff of the Environmental Protection Office, Division Director's Office, and the Department of Justice. Resolution typically spans several months.

Well Contractor Licensing – WSS administers the licensing program to ensure well contractors have liability coverage, and, most important, adequate experience to safely and properly construct supply wells, particularly those used for drinking water to protect homeowners and the public at large. The level of effort is not substantial to administer this program, needing the work of two support personnel for a total of several weeks over a two-month period each year. Fee income is adequate to cover these costs.

Water Allocation Permits – A separate permit is required in addition to a well permit to use more than 50,000 gallons per day of water for any purpose. All permits have a 30 year duration. The fee for a public or industrial permit is \$375 regardless of the type of use or the volume of the withdrawal. The permits issued for wells used for cropland irrigation are fee-exempt. Water allocation permits for irrigation are also fee-exempt. These permits currently constitute almost half of the total number of active allocation permits. The program scientist and manager have a combined salary and fringe of \$115 a hour. Reviewing and issuing a water allocation permit requires one full working week on average. Working time on complicated permits can range to a month of effort for a permit writer due to technical and regulatory issues, and interactions with applicant's consultants. For the simplest permits with no fee, all labor is paid for by General Funds at a cost that is 12 times higher than the permit fee. Even for fee-permits the fee does not cover the cost of work for one day. Aside from the cost/revenue disparity, the program is chronically and acutely short-staffed which hinders turn-around times and generates a constant backlog of applications to process. Estimates are that between 150 to 200 major water users lack an allocation permit. As a result, DNREC lacks adequate resources for management of the state's water resources.

Permit Related Services – As a member state Delaware coordinates with the Delaware River Basin Commission (DRBC) on local projects that are part of DRBC's Comprehensive Plan. The end result is a separate approval (permit) from DRBC. WSS provides assistance during the application phase and assists permittees with additional regulatory elements under DRBC jurisdiction. This activity adds another 50 percent to the permitting effort but does not receive any compensation.

Other Services - The WSS provides community services in the form of educational events at the State Fair, for the Delaware Rural Water Association, and at schools and colleges, and other entities. Currently there is no fee associated with this activity. Technical assistance is also provided to hundreds of homeowners and realtors each year seeking information for wells on their properties.

Program Conclusions:

As noted above no adjustment is needed to cover operating expenses associated with the licensing program and the fees are comparable to those charged in other jurisdictions.

However, elimination of the exemptions and setting fees at \$150 which is commensurate with processing costs and comparable to neighboring states for a routine well permit could allow reinvestment of General Funds to improve program efficiencies and other programs. New well permit fees could be established for well classes that are currently exempt. Exempted are irrigation, dewatering, GT closed loop, agricultural, fire protection, construction, ASR, and miscellaneous wells, all of which should be set at the new fee level (\$150). It should be noted that many of the aforementioned well classes were uncommon or non-existent and the time of the last fee change in 1991. The priority for establishing the new fees for those currently exempt is in the order presented.

Domestic wells are presently charged a disproportionately low fee in comparison to other wells. A nominal three-fold increase is recommended to raise the fee from \$35 to \$100.

A rationale and equitable fee structure should be established for water allocation permits which are being supported almost entirely by General Funds at a cost of at least 12 times the current fee and in many cases, for complicated projects, multiples of that. A fee for the allocation permit in the irrigation category due could be justified due to its consumption of the majority of program effort. Fees also need to account for 2 additional staff in the scientist and hydrologist series to tackle permit backlogs and un-permitted projects to adequately manage the surging growth in irrigation being heavily promoted and sponsored by the DDA and DEDO. As with domestic wells, this permit fee is not commensurate with the fees charged in other jurisdictions. Moreover, the permit has an unusually long duration of 30 years meaning its annualized cost is that much lower still. A three-fold increase to \$1200 would be justified.

This could potentially offset up to \$306,000 of General Funds. Reinvestment of General Funds could be considered to help address the rapid growth in the installation of agricultural irrigation systems in the state. DDA provides a combination of grants and loans for these systems and requires, as a condition of its program, that an irrigator obtain a water allocation permit. An increased level of service is therefore warranted in additional staff in order to issue permits in support of DDA's goal to expand irrigated acreage in Delaware. In addition, fee increases would help sustain the level of service in the well permitting program.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware River Basin Commission	Water Allocation Permit	\$500 - \$1000* or a percentage not to exceed \$75,000**	Resolution by Commissioners * projects < \$250,000 **projects > \$250,000
New Jersey	Water Allocation Permit	\$3,500 - \$22,000	NJ Code – Volume of withdrawal
Maryland	Water Appropriation Permit	None	
Virginia	Water Withdrawal Permit	\$1,200-\$6,000	VA Code – Volume of withdrawal
Delaware	Water Allocation Permit	\$375	DE Code – Any volume > 50,000 gal/day

**Office of Environmental Control
Division of Water**

Fee Program: WSLS – Wetlands Program

Authority	Title 7 Chapter 66 / 7 Del. Admin. C. §7502 Wetlands Regulations
Purpose	To preserve and protect the productive public and private wetlands and to prevent their despoliation and destruction consistent with the historic right of private ownership of lands.
Date of Last Change	July 1, 1991

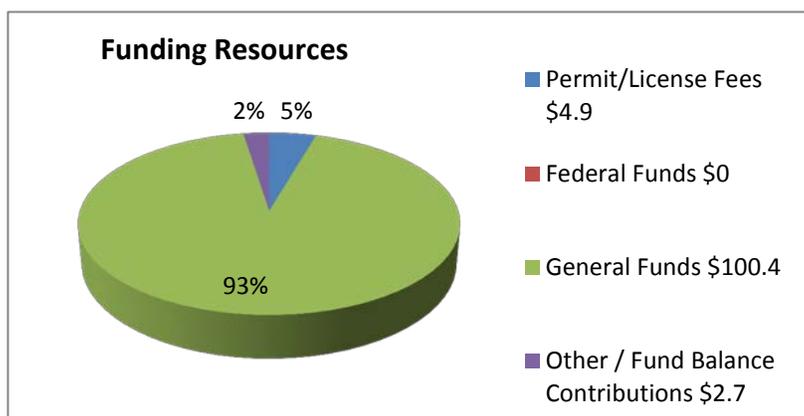
Fiscal 2011 Program Costs and Resources:

Program/Permit Costs \$ (thousands)

Direct	\$78.2
Indirect	29.8
Total	\$108.0

Staff Funding FTE

General Fund	1.2
Federal Fund	0.0
Fee/Other Funds	0.0
Total	1.2



Performance:

Measure	2010	2011
Review applications for administrative completeness within 15 days	100%	100%
Review applications for technical completeness within 60 days	95%	97.5%
Percent of new projects reviewed for compliance with permit conditions	25%	25%

Program Evaluation:

The Wetlands and Subaqueous Lands Section (WSLS) typically issues from 350 to 450 new authorizations per fiscal year of these authorizations approximately 20 are Wetland Permits in most years. In fiscal year 2011, approximately 5 percent (\$4,900) of the operating cost of the WSLS Wetlands Program was funded by collected fees. Most of the remaining 96 percent was funded by General Funds which is typical in recent history.

Permitting – The fee for most wetland permits is \$450. The average per hour salary and benefits cost of a WSLS environmental scientist is \$40. Most projects require at a minimum that the scientist review the application, consult with the contractor, make a site visit including up to two hours of travel time and four hours on site, review a wetland mitigation plan and prepare a permit. In addition to the cost of the scientist, there is a cost for the administrative review, placing the application on public notice, program manager’s review and overhead costs for an automobile and field and office supplies. Further costs are incurred when a follow-up inspection is conducted to confirm that best management practices are employed and that the installed mitigation is consistent with the mitigation plan. Most projects require a public hearing with a few becoming the subject of an Environmental Appeals Board hearing. The WSLS requires annually an approximately 0.25 full-time equivalent environmental scientist supported by fees and General Funds to review and issue wetland permits. Based on the level of effort required to issue and inspect permitted projects, the

application fee collected does not cover the basic cost of processing the permit for the majority of applications. This program deficit is supported by General Funds.

Wetland Violations – Violations are typically the most time consuming and administratively costly tasks faced by the WSLs. Violations routinely take from months to years to resolve and require the involvement of one or more environmental scientists, administrative staff and the program manager. Multiple site visits and meetings are commonplace. Violations regularly require the involvement of the Department of Justice and some are resolved through litigation. The WSLs requires annually an approximately 0.25 full-time equivalent environmental scientist supported by General Funds to investigate and resolve wetland violations. Permit fees are not sufficient to pay for this activity. This program deficit is supported by General Funds.

State, Federal and Municipal Projects – The WSLs requires annually an approximately 0.5 full-time equivalent environmental scientist supported by General Funds to review and permit state, federal, and municipal projects. Commonly reviewed state, federal, and municipal projects include roadway repairs and construction, construction of trails and access structures, utility construction, shoreline stabilization, and mosquito control projects. These types of projects are exempt from permit fees and the program deficit is supported by General Funds.

Permit Related Services – The WSLs provides project review services to governments, NGO’s and the general public including on-site jurisdictional determinations; investigations of complaints of possible violations; reviews of development plans via PLUS, RAS, county review services, and Joint Permit Processing Meetings; and public outreach and education. The WSLs requires annually an approximately 0.20 full-time equivalent environmental scientist supported by General Funds to provide project review services. This program deficit is supported by General Funds.

Program Conclusions:

Because of the small number of wetland permits issued each year, increasing the permit fee would not significantly impact the program resources and its reliance on general funding. At this time, many of the wetland reviews are conducted for projects being completed by government agencies and for developments that are proposed where only freshwater wetlands will be impacted. Freshwater wetlands are not regulated by the State. Instituting an administrative penalty program to recover the cost of investigating and resolving violations would decrease the need for General Fund support by approximately \$20,000 annually. This \$20,000 could be applied toward other projects. A change to the Statute would be required to allow for administrative penalties.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
New Jersey	Wetland Permit	\$ 600	Minimum Permit Fee
Maryland	Wetland Permit	\$ 750	Minimum Permit Fee
Virginia	Wetland Permit	\$2,400	Minimum Permit Fee
Delaware	Wetland Permit	\$ 450	Minimum Permit Fee

**Office of Environmental Control
Division of Water**

Fee Program: WSLS - Subaqueous Lands Program

Authority	Title 7 Chapter 72 / 7 Del. Admin. C.§7504 Regulations Governing the Use of Subaqueous Lands
Purpose	Subaqueous lands within the boundaries of Delaware constitute an important resource of the State and require protection against uses or changes which may impair the public interest in the use of tidal or non-tidal waters.
Date of Last Change	July 1, 1991

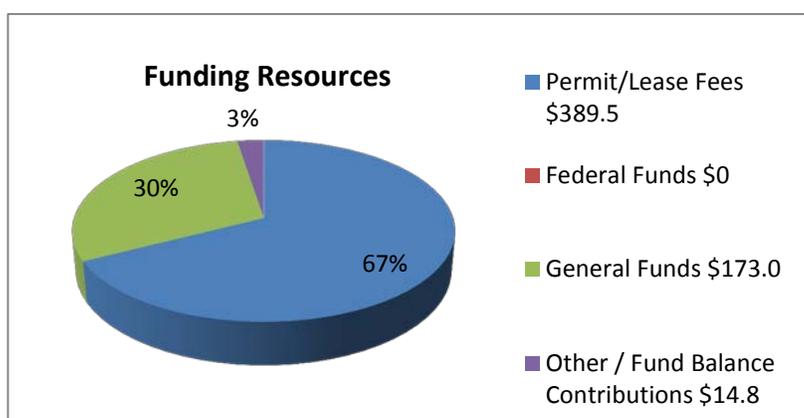
Fiscal 2011 Program Costs and Resources:

Program/Permit Costs \$ (thousands)

Direct	\$417.9
Indirect	159.4
Total	\$577.3

Staff Resources FTE

General Fund	2.2
Federal Fund	0.0
Fee/Other Funds	4.5
Total	6.7



Performance:

<u>Measure</u>	<u>2010</u>	<u>2011</u>
Review applications for administrative completeness within 15 days	100%	100%
Review applications for technical completeness within 60 days	95%	97.5%
Percent of new projects reviewed for compliance with permit conditions	25%	25%
Issue Statewide Activity Approvals within 60 days		

Program Evaluation:

The Wetlands and Subaqueous Lands Section (WSLS) typically issues from 350 to 450 new authorizations per fiscal year and manages more than 2000 existing renewable leases for structures within public subaqueous lands. In fiscal year 2011, approximately 67 percent (\$389,500) of the operating cost of the WSLS Subaqueous Lands Program was funded by collected fees and annual lease payments with the majority (\$338,000) coming from annual lease payments. The remaining 33 percent (\$173,000) was funded by General Funds. A routine annual expense not incurred in 2011 was a vacant Program Manager position resulting in temporary fee savings and a short-term reduction in program costs.

Permitting/Leasing - Fees for a dock, pier or shoreline stabilization project range from \$150 to \$225. The WSLS requires annually approximately 4.5 full-time equivalent environmental scientists supported primarily by fees and annual lease payments to review and issue subaqueous lands permit and leases. The average per hour salary and benefits cost of a WSLS environmental scientist is \$40. Most projects require at a minimum that the scientist review the application, consult with the contractor, make a site visit including up to two hours of travel time and one hour on site, and prepare a permit. In addition to the cost of the scientist, there is a cost for the administrative review, placing the application on

public notice, program manager's review and overhead costs for an automobile and field and office supplies. Further costs are incurred when a follow-up inspection is conducted to confirm the structure was built in compliance with the permit. This analysis assumes a simple project that is administratively and technically complete and without controversy or compliance issues. Many projects are much more complex and often require scientists to request additional information, conduct meetings and multiple site visits, and respond to public and government inquiries. Some projects require a public hearing with a few becoming the subject of an Environmental Appeals Board hearing. Based on the level of effort required to issue and inspect permitted projects, the application fee collected does not cover the basic cost of processing the permit for the majority of applications. However, this apparent program deficit is being supported by the collection of annual lease payments as described above.

Subaqueous Land Violations – Violations are typically the most time consuming and administratively costly tasks faced by the WSLs. Violations routinely take from months to years to resolve and require the involvement of one or more environmental scientists, administrative staff and the program manager. Multiple site visits and meetings are commonplace. Violations regularly require the involvement of the Department of Justice and some are resolved through litigation. The WSLs requires annually an approximately 0.5 full-time equivalent environmental scientist supported by General Funds to investigate and resolve wetland violations.

Section 401 Water Quality Certifications – The WSLs administers the Section 401 Water Quality Certification Program which principally is the issuance of a State's determination that coincides with the issuance by the Army Corps of Engineers of a Section 10 or 404 permit. This certification process allows the State an opportunity to review projects that are to receive Federal permits and determine if the proposed action will meet the State's water quality standards. The State can either affirm or deny water quality certification. If the State fails to render a decision within one year, State rights are considered waived. These authorizations typically require the significant involvement of an environmental scientist to review the project, meet with the applicant and other stakeholders, conduct site visits, place the project on public notice and issue the authorization. The WSLs requires annually an approximately 0.5 full-time equivalent environmental scientist to review and issue Water Quality Certifications. Currently there is no fee associated with this activity. This program deficit is supported by General Funds.

State, Federal and Municipal Projects – The WSLs requires annually a minimum of 1.0 full-time equivalent environmental scientist supported by General Funds to review and permit state, federal, and municipal projects. Commonly reviewed state, federal, and municipal projects include roadway repairs and construction, construction of trails and access structures, utility construction, shoreline stabilization, and dredging projects. Currently there is no fee associated with this activity. This program deficit is supported by the collection of annual lease payments and General Funds as described above.

Permit Related Services – The WSLs provides project review services to governments, NGO's and the general public including on-site jurisdictional determinations, investigations of complaints of possible violations, reviews of development plans via PLUS, RAS, county review services, and Joint Permit Processing Meetings and public outreach and education. The WSLs requires annually an approximately 0.20 full-time equivalent environmental scientist supported by General Funds to provide project review services. Currently there is no fee associated with this activity. This program deficit is supported by General Funds.

Program Conclusions:

Although permit fees and annual lease fees provide a significant portion of the support for this program, there remains a significant contribution from General Funds. Increasing the permit fees to \$450 to be consistent with the fee for a wetland permit in Delaware would generate approximately \$80,000 in additional fee income and would decrease the need for General fund support. Instituting an administrative penalty program to recover the cost of investigating and resolving violations would decrease the need for General fund support by approximately \$40,000. Of this \$120,000 savings,

\$50,000 could be applied towards enhancing services by providing education and outreach to consultants, contractors and the public and enhancing services by developing better project tracking tools and more efficient permit processes. The remaining \$70,000 could be reinvested in other programs. A change to the Statute would be required to allow for administrative penalties.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
New Jersey	Subaqueous Lands Permit	\$ 600	Minimum Permit Fee
Maryland	Subaqueous Lands Permit	\$ 750	Minimum Permit Fee
Virginia	Subaqueous Lands Permit	\$2,400	Minimum Permit Fee
Delaware	Subaqueous Lands Permit	\$150-\$225	Minimum Permit Fee

**Office of Environmental Control
Division of Water**

Fee Program: WSLS - Marina Program

Authority	Title 7 Chapter 72 / 7 Del. Admin. C. § 7501 Marina Regulations
Purpose	To establish minimum requirements for the siting, design, construction, and operation of marinas to serve the needs of boaters, while properly managing the State's natural resources, and protecting public health.
Date of Last Change	July 1, 1991

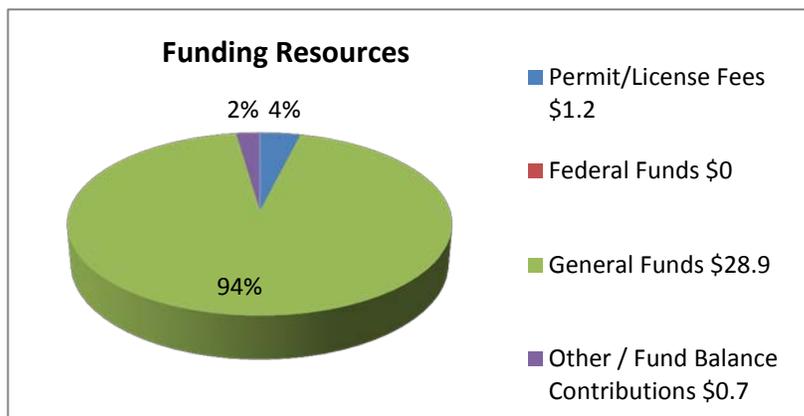
Fiscal 2011 Program Costs and Resources:

Program/Permit Costs \$ (thousands)

Direct	\$22.3
Indirect	8.5
Total	\$30.8

Staff Resources FTE

General Fund	0.3
Federal Fund	0.0
Fee/Other Funds	0.0
Total	0.3



Performance:

Measure	2010	2011
Review applications for administrative completeness within 15 days	100%	100%
Review applications for technical completeness within 60 days	100%	97.5%
Percent of marinas with current operations and maintenance plans	10%	10%

Program Evaluation:

The Wetlands and Subaqueous Lands Section (WSLS) typically issues from 350 to 450 new authorizations per fiscal year. Of these authorizations, fewer than 10 are Marina Permits in most years. In fiscal year 2011, approximately 4 percent (\$1,200) of the operating cost of the WSLS Marina Program was funded by collected fees. Most of the remaining 96 percent was funded by General Funds which is typical in recent history.

Permitting – The fee for marina permits ranges from \$200 for an operations and maintenance plan to \$5,000 for a marina permit for 25 or more slips. The WSLS requires annually an approximately 0.1 full-time equivalent environmental scientist supported by fees and General Funds to review and issue wetland permits. Based on the level of effort required to issue and inspect permitted projects, the application fee collected does cover the basic cost of processing the permit for the majority of applications.

Marina Violations – Violations of the marina regulations although time consuming and administratively costly are infrequent. The WSLS requires annually an approximately 0.1 full-time equivalent environmental scientist supported by General Funds to investigate and resolve marina violations. Enforcement activity is subsidized by General Funds.

State, Federal and Municipal Projects – The WSLs requires annually an approximately 0.1 full-time equivalent environmental scientist supported by General Funds to review and permit state, federal, and municipal projects. Currently there is no fee associated with this activity. This program deficit is supported by General Funds.

Program Conclusions:

The permit fees established for the review and issuing of marina permits is adequate in most years to support that portion of the program. Instituting an administrative penalty program to recover the cost of investigating and resolving violations would decrease the need for General Fund support by approximately \$10,000 annually. A change to the Statute would be required to allow for administrative penalties.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
New Jersey	Marina Permit (New)	\$3,500	Minimum Fee (up to \$30,000 maximum)
Maryland	Marina Permit (New)	\$ 750	Minimum Fee (up to \$ 7,500 maximum)
Virginia	Marina Permit (New)	\$2,400	Minimum Fee (up to \$60,000 maximum)
Delaware	Marina Permit (New)	\$2,000	Minimum Fee (up to \$ 5,000 maximum)

**Office of Environmental Control
Division of Air Quality**

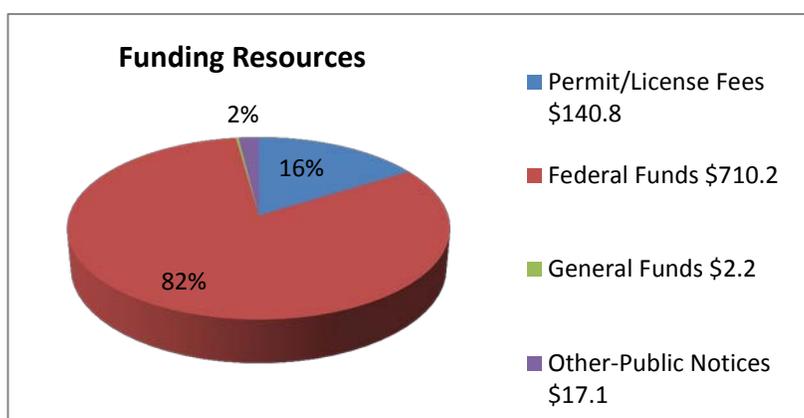
Fee Program: Natural Minor Program

Authority	7 Del. C., Ch. 60, § / 1001-1149 Regulations Governing Air Quality
Purpose	The goals of the natural minor permitting program are to protect public health, welfare and the environment by quantifying facility emissions, encouraging and tracking pollution reductions, collecting data for public education, and to recoup the costs for the process of permit evaluation, issuance, public notice, and regular compliance of natural minor permitted sources.
Date of Last Change	July 1, 2003

Fiscal 2011 Program Costs and Resources:

Program Costs	\$ (thousands)
Direct	\$412.6
Indirect	414.4
Total	\$827.0

Staff Resources	FTE
General Fund	0.16
Federal Fund	2.78
Fee/Other Funds	2.31
Total	5.25



Performance:

Measure	2010	2011
Percent of Administratively Complete Applications	61%	70%
Percent of Technically Complete Applications	45%	65%
Days to issue permit from receipt	77	73
Days to issue permit from Technical Complete date	52	46

Source: Division of Air Quality Permit Tracking System and Division of Air Quality records

Program Evaluation:

The Division of Air Quality (DAQ) began issuing permits before 1970 under the authority of 7 Del. C. Chapter 60. Fee collection began in 1983. The Clean Air Act Amendments of 1990 mandated significant increases in permitting activities which included splitting the Air Permitting Program into Title V and Non-Title V permitting programs. The Non-Title V program covers construction permits for all new equipment and operating permits for equipment with a potential to emit air contaminants below the major source threshold. This is a very large and diverse universe that includes dry cleaners, auto body repair shops, gasoline delivery vessels, and installations at small and large commercial and industrial operations. The DAQ receives an average 135 new applications per year for the Non-Title V program (not including gasoline delivery vessels), and issues an average of 213 construction and operation permits per year. There are approximately 670 permitted installations in the program. The DAQ attempts to inspect all of these installations at least once every three years.

The Non-Title V Fee Program currently collects fees based upon HB 360, As amended by HA No.1; 68 Del. Laws c. 86 (1991 Fee Bill). The 1991 Fee Bill places no restrictions on how the collected revenues may be spent. In fiscal year 2011 the DAQ collected \$140,761 from this fee schedule. An additional \$17,070 was collected as part of cost recovery for required legal notices bringing the total program revenue to \$157,831.

In Fiscal Year 2011 a timesheet analysis indicated that the program required the equivalent of 5.25 FTEs to conduct all of the required activities and provide an appropriate level of service. The revenue generated by the fee schedule covered the cost of 2.31 FTEs. The additional FTE costs were supported largely by the DAQ's Federal 105 Grant (2.78 FTEs). The remaining 0.16 FTE was covered by General Funds.

In Fiscal Year 2011 the Non-Title V Program had a total cost of \$827,033. The majority of these costs were employee related (\$524,199 or 63%). The remaining costs were related to energy, contractual costs, travel, and supplies. The total program revenue including 105 Grant contributions was \$868,060. Please note that it appears that the program generated more revenue than it spent. This is not the case. The \$41,027 excess revenue is actually required carryover into the next fiscal year and is drawn down in the first quarter before fee revenue is collected.

In 2005, the Department of Natural Resources and Environmental Control's Secretary's Office, the Delaware Economic Development Office, and several representatives from industry met to learn about the Value Stream Mapping process and to Value Stream Map the Non-Title V Permitting Process. After identifying waste (including rework) the DAQ created a process in which applications are issued within about 88 days from receipt and 51 days from technical completeness with a goal of permit issuance within 90 days of receipt of a technically complete application. This updated process was embraced by the regulated community and became a model for future efficiency programs within DNREC. These efficiencies are still being followed today. No additional program efficiencies or expenses have been identified to date to reduce the cost of the Non-Title V Program. The Non-Title V program is currently operating at 1991 fee levels and only 19% of the program costs are covered through fee revenue. The remaining costs are supplemented through the Federal Air Pollution Control Grant (105 Grant) consistent with EPA guidelines along with deferral of other expenses or continuation of certain unmet needs. However, in the long term, continued operations at 1991 fee levels combined with increasing program costs, growing supplemental requirements and unpredictable 105 Grant funding, create unstable and unsustainable program funding. While the DAQ is currently conducting all of the necessary work to support the program, a future decrease in the 105 Grant funding will reduce the Non-Title V program supplement funding proportionally. Any significant decrease in supplemental funding will impact the level of service resulting in longer permit turnaround times and a reduction in the number of compliance evaluations conducted each year.

Program Conclusions:

The program currently costs approximately \$830,000 per year and collects approximately \$160,000 in fee revenue. In order for the program to be self-supporting, approximately \$670,000 per year in additional fee revenue must be generated. If this increase were applied to all natural minor permits, it would result in a 425% fee increase. The increase would realign the current 1991 fee structure with 2013 program costs. Increasing these fees would bring the fees more in line with surrounding states. For example, under the current fee schedule, process equipment with emissions less than 10 tons per year is charged a new application fee of \$215 and an annual fee of \$125. Applying the increase would result in an application fee of \$910 and an annual fee of \$525 which is more consistent with neighboring states. Phasing in the increase over a two- to three- year period would lessen the impact of this fee increase on the regulated community.

If fully implemented, current subsidies can be used for other necessary programs that are currently unfunded. Aligned to DAQ's strategic objectives, this revenue would: establish and support a mobile source program, update and maintain air monitoring instrumentation, perform advanced data analysis, conduct air pollution research, support modeling efforts, and support other unmet needs. DAQ believes that a majority of these tasks can be accomplished by additional contractual support that will supplement existing resources.

Currently, approximately 80% of the Division of Air Quality's General Fund allocation is required to meet 105 Grant match requirements. Should fee revenue generated from the Natural Minor permitting program exceed program expenditures, surplus revenue can be used to meet grant match obligations, possibly resulting in some General Fund savings.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	\$165 - \$215 for Process Equipment, \$1,290 for Very Large Power Plants	Fees are charged per piece of equipment and are based upon the type of equipment being installed. Please note that the standard range is between \$165 and \$215 and the \$1,290 fee is only for very large power plants and is almost never charged.
Pennsylvania	\$1,000 - \$22,000	Fees are based upon the complexity of the Regulation the equipment is subject to.
Maryland	\$200 - \$5,000	Fees are based upon the complexity of the Regulation the equipment is subject to. Most construction permits appear to cost at least \$500.
Virginia	\$1,500	Flat rate
New Jersey	\$1,755	Flat rate

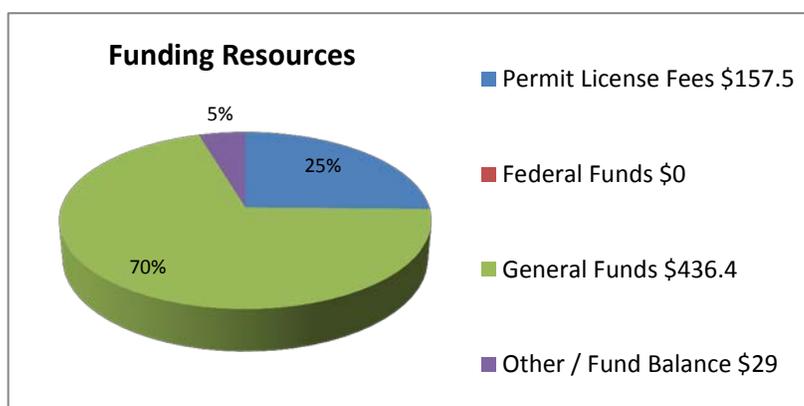
**Office of Environmental Control
Division of Waste & Hazardous Substance**

Fee Program: Solid Waste Facility

Authority	7 Del. C., Ch. 60 / 1301 Regulations Governing Solid Waste
Purpose	Overseeing all solid waste transfer, disposal, or resource recovery facilities in the in the State of Delaware.
Date of Last Change	July 1, 1991

Fiscal 2011 Program Costs and Resources:

Program Costs	\$ (thousands)
Direct	\$366.4
Indirect	\$135.7
Total	\$502.1



Staff Resources	FTE
General Fund	4.1
Federal Fund	0.0
Fee/Other Funds	2.6
Total	6.7

Performance:

Measure	2010	2011
Permitted Solid Waste Facilities Inspected	100%	100%
Landfills Undergoing Construction – Needing Additional Monitoring	40%	70%

Program Evaluation:

All Delaware residents generate solid waste, waste that needs to be properly managed to ensure that it does not contaminate the environment. The Solid Waste Facility program works to ensure that solid waste is properly disposed of in the state by regulating all solid waste landfills, transfer stations and resource recovery facilities.

Transfer/Disposal – Landfills are the ultimate disposal location for much of the waste we generate. Landfill construction and operation is a complex process that needs constant scrutiny. If a liner is damaged during construction, it could leak contamination into the groundwater. If landfill gas is not properly managed it can cause odors for the surrounding community. The program issues these facilities detailed permits, and regularly monitor their compliance with their permit and the state’s regulations to ensure that those operating the landfill operate effectively and with minimal impact to their surroundings. Transfer stations are an important part of efficiency in a waste management system. They help to consolidate waste materials, allowing collection trucks to drive a shorter distance to off-load the waste they have collected. This leads to efficiencies such as: fewer vehicle miles traveled, fewer collection trucks required, and less congestion at the landfill. A large portion of our permitted disposal and transfer facilities are run for the benefit of the general public by either local government, or the statutorily established Delaware Solid Waste Authority.

Resource Recovery – Much of the material thrown away every day could be recovered from the waste stream and reused in some way. Resources Recovery facilities seek to take what many would consider waste and turn it into a product, reuse it, or have the material used in place of virgin materials. Their operations conserve valuable landfill space and return to the market a resource which would otherwise be lost.

Other Activities – In addition to our main focuses this program conducts a variety of other activities for which it does not collect a permit fee. These activities vary from evaluating new technologies which never come to fruition in Delaware to investigating illegal dumping complaints.

Funding – Funding for this program is largely from General Funds. Unlike many permits which benefit an individual or a corporation, much of what we do benefits the general public. As such use of general funds for this program may be considered an appropriate use. In order to fully fund program costs from fees we would have to increase them to 400% of current cost: from \$7,000 to \$28,000. At this time carry over funds are helping to offset some of the general fund requirement, but this account is not be a sustainable source of funding in the long term.

Surrounding State – Our fees are relatively low compared to surrounding states, with the exception of Maryland. Maryland’s solid waste program is entirely general funded. It does not require a permit fee, or charge a per ton waste disposal fee. The program is funded by the public, for the benefit of the public. Whereas other states charge their facilities significantly, either through sizable permit fees such as New Jersey, or through a high per ton charge for disposal such as Pennsylvania.

Program Conclusion:

Given the nature of our program, at this time no change is needed to the current fee structure.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>
Delaware	Landfill Permit Fee	\$7000 Annually
	Per ton fee on waste disposed	\$0
New Jersey	Landfill Permit Fee	\$12,096-19,701 Annually \$78,566-157,131 Initial Permit \$40,156-\$101,262 Permit Renewal Additional cost for each modification
	Per ton fee on waste disposed	\$1.50
Maryland	Landfill Permit Fee	\$0
	Per ton fee on waste disposed	\$0
Virginia	Landfill Permit Fee	\$22,860 Initial and renewal of permit
	Per ton fee on waste disposed	Varies
Pennsylvania	Landfill Permit Fee	\$1,000-2,000 Initial Permit \$300 permit Renewal
	Per ton fee on waste disposed	\$6.25

**Office of Environmental Control
Division of Waste & Hazardous Substance**

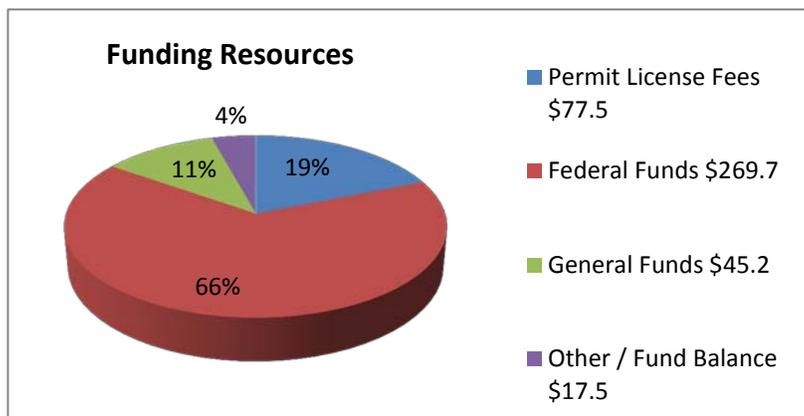
Fee Program: Hazardous Waste Facility

Authority	7 Del. C., Ch. 63 / 1302 Regulations Governing Hazardous Waste
Purpose	Overseeing all hazardous waste treatment, storage, or disposal facilities in the in the State of Delaware and perform site wide corrective action at each facility under federal Resource Conservation Recovery Act (RCRA) Corrective Action.
Date of Last Change	July 1, 1991

Fiscal 2011 Program Costs and Resources:

Program Costs	\$ (thousands)
Direct	\$316.3
Indirect	\$93.6
Total	\$409.9

Staff Resources	FTE
General Fund	0.6
Federal Fund	2.8
Fee/Other Funds	0.8
Total	4.2



Performance:

Measure	2010	2011
Percent of All Groundwater Environmental Indicator Completed	62.5%	68.75%
Percent of All Human Health Environmental Indicators Completed	81.3%	87.5%
Permitted Hazardous Waste Facilities Inspected	100%	100%

Program Evaluation:

DNREC’s Solid and Hazardous Waste Management Section is authorized by the US EPA to permit facilities that treat, store or dispose (TSD) of hazardous waste in the State of Delaware and require that they undergo site wide RCRA Corrective Action.

Permitting – In the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments of 1984, EPA wrote detailed regulations to ensure that hazardous waste facilities operate safely and protect people and the environment. Delaware adopted its own Regulations Governing Hazardous Waste which are very similar and at least as stringent the EPA’s regulations. After certifying the adequacy of Delaware’s regulations, EPA has delegated the authority to implement this program to the State of Delaware.

All facilities that treat, store for a long period of time, or dispose of hazardous wastes must obtain a permit. The permit establishes the waste management activities that a facility can conduct and the conditions under which it can conduct them. The permit outlines facility design and operation and describes activities that the facility must perform, such as monitoring and reporting. Permits typically require facilities to do such things as: develop emergency plans, demonstrate financial assurance, train employees to handle hazards, and institute groundwater monitoring if applicable.

RCRA Corrective Action – The Hazardous and Solid Waste Act of 1984 (HSWA) established statutory provisions to RCRA that gave EPA and its delegated states substantial authority to require and implement a Corrective Action Program. The RCRA Corrective Action Program requires investigation and cleanup of releases of hazardous wastes and hazardous

constituents that pose an unacceptable risk at RCRA hazardous waste treatment, storage and disposal facilities. Facility evaluations are based on human health and environmental risks posed by actual or potential releases to the environment. After an extensive facility wide investigation, remediation of any areas found to have unacceptable risk is required.

Funding – Both Hazardous Waste TSD permitting and RCRA Corrective Action are delegated to the states by the US EPA. Along with the program the state is supplied with federal grants to aid in enacting these programs. These federal grant dollars are at risk given the current uncertainty in the federal budget. In recent years of tight budgets, EPA has strived to keep this grant as fully funded as possible given the importance of the program. However, if a budget for this fiscal year is not passed, sequestration is likely to cut grant funding by approximately 7.8%. This would result in a shortfall of over \$25,000 a year. If mandatory sequestration program cuts could still occur. Other than federal funding the remaining sources of funding are permit fees, state general funds, and carry over funds.

Surrounding States – Many surrounding states not only have higher annual fees, but also charge additional fees when additional work is done such as when renewing or modifying a permit.

Program Conclusions:

Although proper management hazardous waste is of significant environmental importance, permitted hazardous waste facilities deal mainly with industrial generated hazardous waste. As such, it is recommended that the fee be increased by at least 81% (from \$7,000 to \$12,700) to eliminate the subsidy of the Hazardous Waste Facility Permitting Program from carry over funds and the General Fund (approximately \$60,000 annually). This General Fund savings could be invested into the unfunded Infectious Waste Program assuming stable federal funding for the program. The Infectious Waste Program is authorized under 7 Del Code Chapter 60 Regulations Governing Solid Waste Section 11. No general funds were provided and no fee is established for this program which is designed to ensure proper packaging, tracking, treatment and disposal of Delaware's infectious waste stream.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>
Delaware	Permit Fee	\$7000 Annually
New Jersey	Permit Fee	Annual fee changed each year to cover cost of program \$32,764-137,955 Initial and Renewal Permits
Maryland	Permit Fee	\$12,000-\$65,000 Annually
Virginia	Permit Fee	\$2,800 Annually \$16,900 Initial and Renewal Permits
Pennsylvania	Permit Fee	\$14,000-125,000 Annually

**Office of Environmental Control
Division of Waste and Hazardous Substance**

Fee Program: Aboveground Storage Tank Program

Authority	Title 7 Chapter 74 / 1352 Regulations Governing Aboveground Storage Tanks
Purpose	To regulate and monitor the installation, operation, maintenance, and corrective action for aboveground storage tanks in Delaware.
Date of Last Change	July 8, 2002

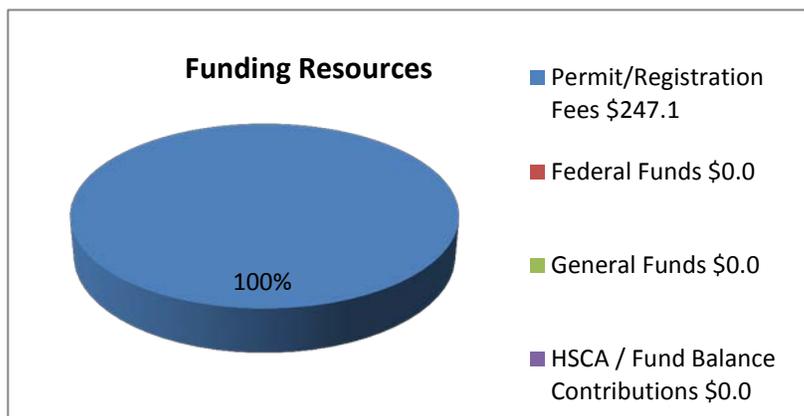
Fiscal 2011 Program Costs and Resources:

Program/Permit Costs \$ (thousands)

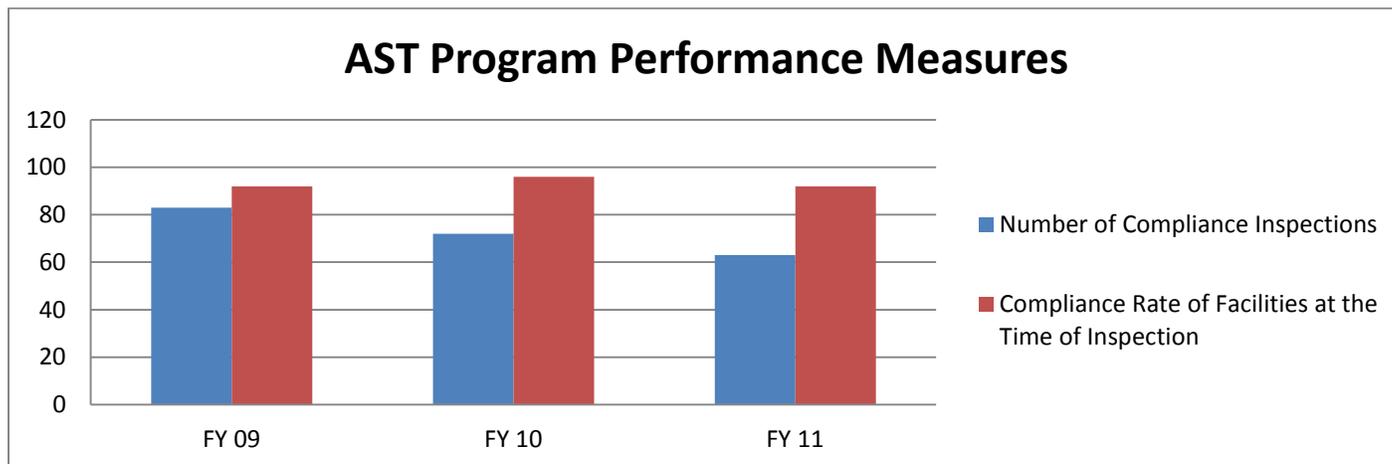
Direct	\$173.6
Indirect	76.4
Total	\$250.0

Staff Resources FTE

General Fund	0.0
Federal Fund	0.0
Fee/Other Funds	2.85
Total	2.85



Performance:



Program Evaluation:

Delaware is one of 26 states that have an aboveground storage tank program. Delaware's Aboveground Storage Tank program was created when the Jeffrey Davis Aboveground Storage Tank (AST) Act was signed into law on July 8, 2002. The Department has established regulations that govern the installation, operation, maintenance, and corrective action for ASTs. To date, 817 facilities have been registered with the Department totaling over 3,400 ASTs. The technical standards have been phased in over time and this past year, tank owners have had to demonstrate that larger storage tank systems have met corrosion protection requirements for existing tank systems. The program has one dedicated Environmental Scientist who reviews tank registration and other operation related paperwork records, conducts compliance inspections and issues enforcement actions as needed to ensure compliance with State regulations. The program approves the construction of new

aboveground tank systems , ensures that ASTs are built, inspected, and repaired during their operational life, ensures that owners maintain financial assurance to pay for the cleanup or damages associated with a release from the tank, and oversees closure activities when owners no longer use the tank or shut down their operations. The program works jointly with the Tank Management Section Corrective Action Group when a release has been identified resulting from an AST to ensure that soil and groundwater cleanup standards are met and any releases are cleaned up to the satisfaction of the Department.

Program Conclusion:

In FY 11 operating costs slightly exceeded revenues from aboveground storage tank fees; however, there exists sufficient funds in a dedicated holding account resulting from fees collected in past years to balance this shortfall. Since there remains sufficient program funding in this account for greater than three years, a fee increase is not warranted at this time.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	Aboveground Storage Tank Registration Fee	\$300 per year \$750 per year	For each tank between 12,500-40,000 gallons, does not apply to heating fuel or diesel. For each tank greater than 40,000 gallons includes heating fuel and diesel.
Pennsylvania	Aboveground Storage Tank Registration Fee	\$50 per year \$125 per year \$300 per year	For tanks less than 5,000 gallons For tanks greater than 5,000 gallons and less than 50,000. For tanks greater than 50,000 gallons
New Jersey	Aboveground Storage Tank Registration Fee	\$25 per year Up to \$1,000 per year	For Tanks less than 250,000 gallons For Tanks greater than 250,000 gallons based on an additional charge of \$1 for every 10,000 gallons above 250,000.
Maryland	Petroleum Transfer Tax	.06 Cents per Barrel	MD Does not charge a tank registration fee but rather funds its program via taxing each gallon of petroleum product transferred and sold in MD.
Virginia	Aboveground Storage Tank Registration Fee	\$25.00 per Tank	For tanks greater than 10,000 gallons, max of \$100 per year if multiple tanks are present at one location.

**Office of Environmental Control
Division of Waste and Hazardous Substance**

Fee Program: Underground Storage Tank Program

Authority	Title 7 Chapter 74 / 1351 Regulations Governing Underground Storage Tanks
Purpose	To prevent releases to the environment by ensuring that owners and operators of underground storage tanks install, operate, and maintain their systems pursuant to State regulations.
Date of Last Change	July 12, 1985 (§7418) and September 30, 1995 (§7425)

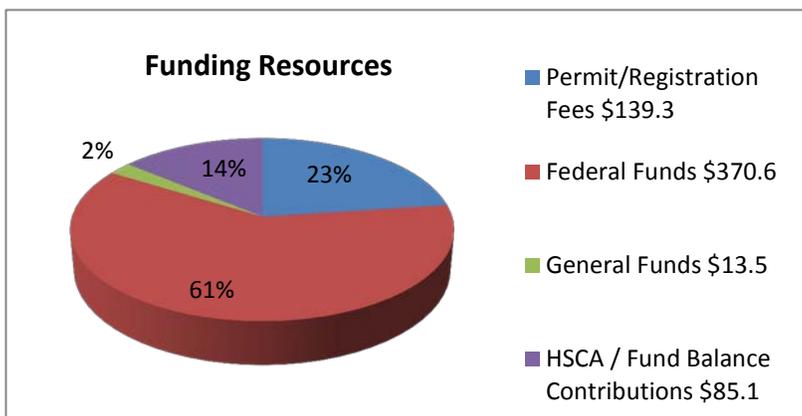
Fiscal 2011 Program Costs and Resources:

Program/Permit Costs \$ (thousands)

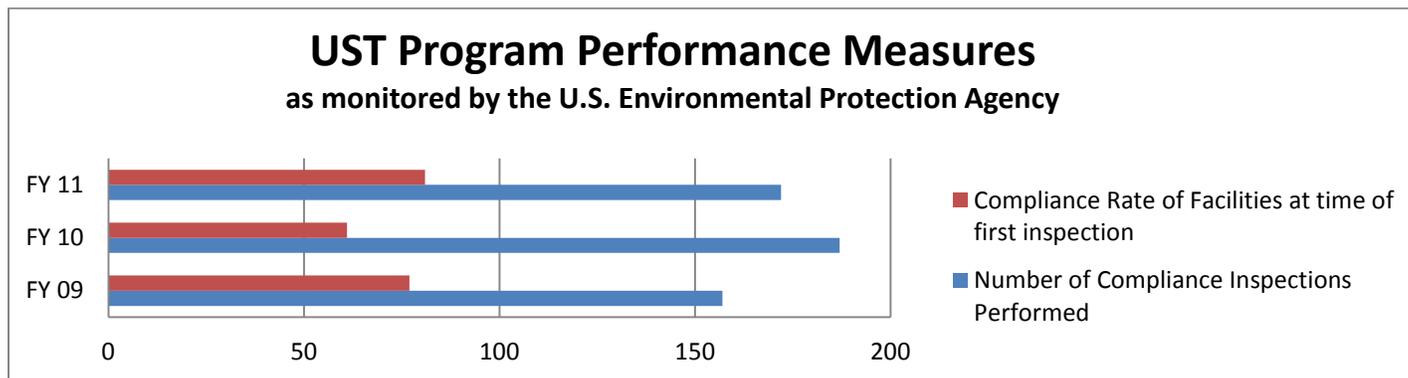
Direct	\$327.0
Indirect	265.7
Total	\$592.7

Staff Resources FTE

General Fund	0.0
Federal Fund	4.0
Fee/Other Funds	3.0
Total	7.0



Performance:



Program Evaluation:

Delaware’s Underground Storage Tank (UST) program is responsible for preventing releases to the environment by ensuring that owners and operators of underground storage tanks in Delaware install, operate, and maintain their underground storage tank systems pursuant to state regulations. Delaware has approximately 560 active UST facilities including gas stations, manufacturing facilities, churches and apartments buildings and inspects them once every 3 years. Following an inspection, Delaware’s UST Program notifies owners and operators of the results of the inspection, offers compliance assistance, and uses enforcement tools as needed to correct violations. To assist owners and operators in meeting new training requirements in 2012, the Department has partnered with Delaware Technical and Community College to offer a required six hour operator training course to owners and operators of UST systems. Over two hundred owners and operators have taken the course over the last year. Delaware’s UST Program also inspects and approves the construction of new gas stations, inspecting the construction activities three different times when new gas stations are built. Also when operators are ready to remove their UST systems, Delaware’s UST Program observes removal activities

at regulated facilities, reviews tank closure reports, and issues no further action letters when soil and groundwater cleanup standards have been met. Delaware's UST Program also works jointly with our Leaking Underground Storage Tank Cleanup Program to ensure that properties contaminated resulting from a release from a UST get cleaned up to state standards.

Program Conclusions:

Since the majority of the operating costs for this program are funded by a federal grant and there is sufficient annual revenue and funds in a dedicated holding account resulting from fees collected in past years, a fee increase is not warranted at this time. It's important to note that this program is heavily dependent on Federal Funds and if the amount of EPA funding that this program receives is substantially decreased, a fee increase may be required in future years. The current grant supporting this program expires on September 30, 2013 and EPA has decreased the funding for this program by 6.9% in Federal Fiscal Year (FFY) 2012, and has proposed a similar cut for FFY 2013.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	UST Registration	\$50 per year	Per each tank containing gasoline or hazardous substances greater than 1100 gallons (Ag, Farm Tanks excluded, also tanks containing heating fuel less than 2000 gallons are excluded)
Pennsylvania	UST Registration	\$50 per year	Per each tank greater than 1100 gallons.
West Virginia	UST Registration	\$90 per year	Per each tank greater than 1100 gallons.
Washington DC	UST Registration	\$390 per year	Per each tank less than 10,000 gallons.
Maryland	Petroleum Transfer Tax	.06 Cents per Barrel	MD Does not charge a tank registration fee but rather funds its program via taxing each gallon of petroleum product transferred and sold in MD. Virginia has a similar tax.

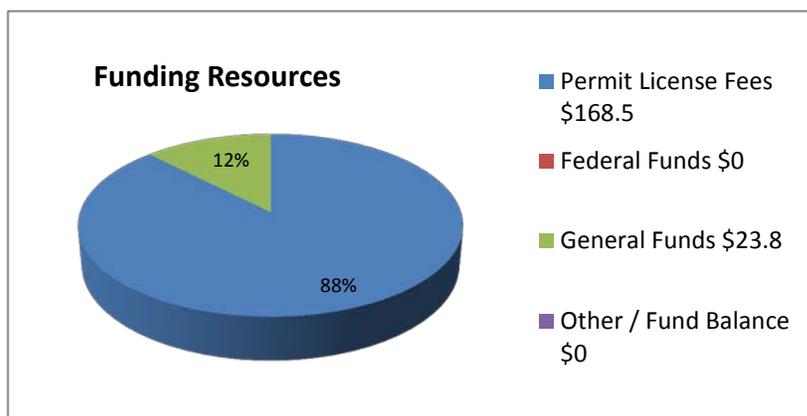
**Office of Environmental Control
Division of Waste & Hazardous Substance**

Fee Program: Transporters

Authority	7 Del. C., Ch. 60 & 63 / 1301 & 1302 Regulations Governing Solid and Hazardous Waste (Transporters)
Purpose	Protection of human health and the environment by ensuring through a permitting program that those transporting waste in the state have the appropriate training, emergency procedures, identified lawful disposal facilities and sound environmental records so as to prevent releases of waste.
Date of Last Change	July 1, 1991

Fiscal 2011 Program Costs and Resources:

Program Costs	\$ (thousands)
Direct	\$111.5
Indirect	32.1
Total	\$143.6



Staff Resources	FTE
General Fund	0.2
Federal Fund	0.0
Fee/Other Funds	1.5
Total	1.7

Performance:

Measure	2010	2011
Number of calendar days required from permit application receipt to issuance of final permit	60	45

Program Evaluation:

This program regulates parties transporting hazardous and solid waste in the state to assure that material is handled in a manner that protects public health and the environment. The permitting process has been streamlined through use of a reformatted permit application, review checklist, and template deficiency letter to speed permit application review and permit issuance. A newly implemented database makes it possible to include the ability to issue multi-year permits, decreasing the necessity to renew permits annually.

Program Conclusion:

The combination of permit fees and General funds is currently sufficient to operate the program. The carry over funding in this program was earmarked to assist school districts in the removal of outdated chemicals from school chemistry, physics and biological laboratories. The initiative originated with USEPA, but remained unfunded on the federal level. Given many school districts are unaware of the requirements for managing outdated hazardous chemicals and the logistics in arranging for lawful waste disposal and are unprepared to pay the high cost of disposal, the state hazardous waste program remains interested in pursuing an offering of education and assistance. Due to staff vacancies, the Department has been unable to implement this initiative.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Virginia	HW Transportation	Per company Instate \$140 Out of State \$210	
Pennsylvania	HW Transportation	\$250 for up to ten vehicles/trailers + \$10 for each additional vehicle/trailer over ten	
Pennsylvania	Tire Waste Transportation	\$50 per vehicle	
New Jersey	SW Transportation Permit	\$40 per truck \$60 per trailer \$22 per public container \$60 per nonpublic container	
Delaware	SW or HW transporter	\$300 per company	

**Office of Environmental Control
Division of Waste and Hazardous Substance**

Fee Program: Vapor Recovery Program

Authority	Title 7 Chapter 60 / 1124 Regulations Governing the Control of Volatile Organic Compound Emissions
Purpose	To ensure the safe operation of Stage I and Stage II vapor recovery systems at gasoline dispensing facilities
Date of Last Change	July 1, 1991

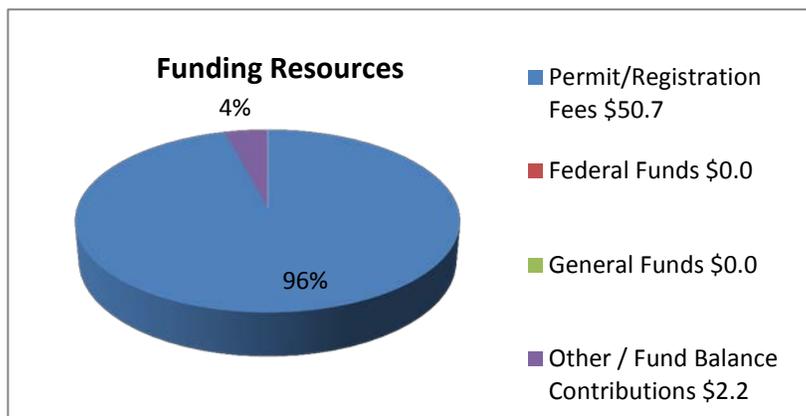
Fiscal 2011 Program Costs and Resources:

Program/Permit Costs \$ (thousands)

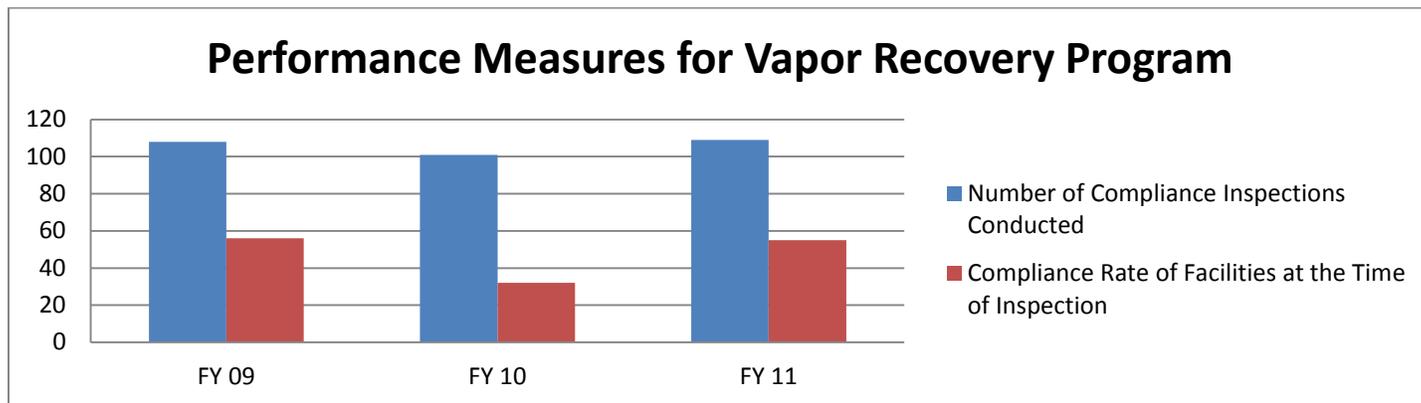
Direct	\$16.2
Indirect	27.1
Total	\$43.3

Staff Resources FTE

General Fund	0.0
Federal Fund	0.0
Fee/Other Funds	0.5
Total	0.5



Performance:



Note: The relatively low compliance rate is due to facilities not maintaining permits and test records on-site as required.

Program Evaluation:

The DNREC Tank Management Section partners with the Division of Air Quality to implement the Vapor Recovery (VR) Program. The VR Program is responsible for ensuring the safe operation of Stage I and Stage II vapor recovery systems at gasoline dispensing facilities. Stage I systems ensure that vapors are not released when gas stations receive deliveries of fuel from tanker trucks to their tank systems, and Stage II equipment prevents releases when customers pump gas into their cars. The Tank Management Section issues permits to construct and operate Stage I and Stage II vapor recovery systems and the systems are integrated into the overall design of the tank systems located at a gas station. In Delaware there are 380 facilities that have to comply with vapor recovery requirements. Most are gas stations, but there are a few aboveground storage tank facilities that require vapor recovery controls as well.

The Tank Management Section inspects the Vapor Recovery System at the same time the underground or aboveground storage tanks located at the facility are inspected. During the inspection the Tank Management Section assists owners and operators with understanding the regulatory requirements associated with the program, follows up with enforcement as needed to correct violations that are found. The Tank Management Section also tracks and reminds owners in writing to conduct their annual vapor recovery testing. The EPA has recently passed rules that allow states to no longer require Stage II controls since most cars are now equipped with onboard carbon canisters that prevent vapors being released when people pump gas. Delaware’s Air Quality Division plans to keep our Stage II controls in place through 2017 until Delaware sees a net benefit to air quality from cars that have this type of equipment.

Program Conclusion:

In FY 11 revenue collected slightly exceeded operating costs for the Stage I and Stage II vapor recovery program and there is additional funding in a program specific holding account to operate the program for greater than three years; therefore a fee increase is not warranted at this time.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	Stage I and Stage II Vapor Recovery Permit Fees	\$75.00 per year	Per facility per permit, most require both a Stage I and Stage II permit totaling \$150.00 per year.
Maryland	Stage I and Stage II Vapor Recovery Permit Fee	\$200 one-time fee	Per facility that requires a permit.
Pennsylvania	Stage I and Stage II Vapor Recovery Permit Fee	\$315 per year	Per facility for both permits
New Jersey	Stage I and Stage II Vapor Recovery Permit Fee	\$410 per year	Per facility for both permits.

**Office of Environmental Control
Division of Waste and Hazardous Substance**

Fee Program: Boiler Safety Program

Authority	Title 7 Chapter 74 / 1353 Regulations Governing Boiler Safety
Purpose	Overseeing the construction, installation and repair of over 15,000 boilers and pressure vessels located in the State of Delaware
Date of Last Change	September 1, 1989

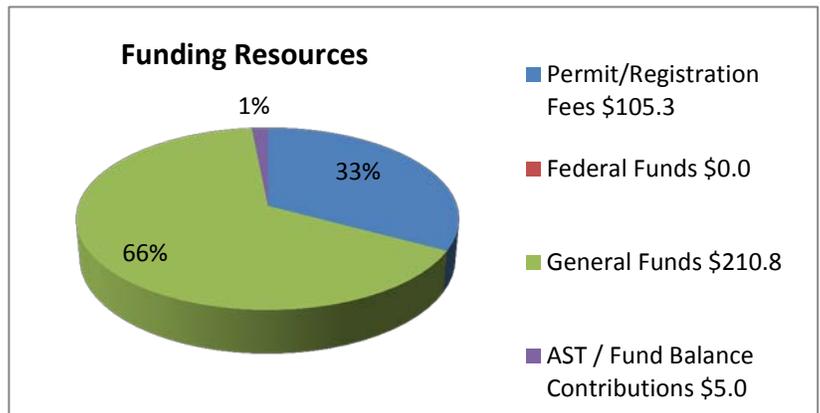
Fiscal 2011 Program Costs and Resources:

Program/Permit Costs \$ (thousands)

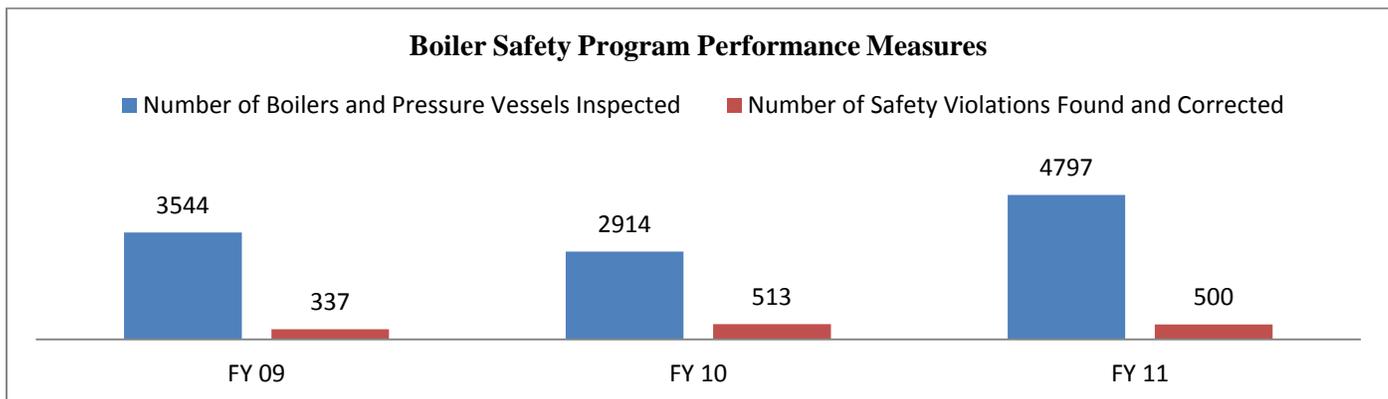
Direct	\$222.6
Indirect	98.5
Total	\$321.1

Staff Resources FTE

General Fund	4.0
Federal Fund	0.0
Fee/Other Funds	.25
Total	4.25



Performance:



Program Evaluation:

Delaware’s Boiler Safety Program has the responsibility of overseeing the construction, installation and repair of over 15,000 boilers and pressure vessels located in the State of Delaware. Two thirds of the facilities are inspected regularly by insurance companies and 5,000 facilities are inspected every two years by state inspectors. The program tracks the findings of each inspection and issues notices of code violations when safety violations are found at a facility. The program then issues certificates of inspection when violations are corrected and all associated fees are paid. The program also certifies the competency of inspectors that work for insurance companies and investigates incidents involving boiler and pressure vessel failures. The program is primarily funded by General Funds, with \$5,000 per year of administrative support paid for from Aboveground Storage Tank Registration Fees.

Program Conclusions:

The Boiler Safety Program has reduced its operating costs by 15% in recent years by not filling the Director of Boiler Safety Position and reducing supply and contractual spending. The administrative duties of the Director position have been absorbed by the Environmental Program Manager II of the Tank Management Section. Despite these significant reductions, which totaled \$60,527 in FY11, program revenues (derived primarily from certificate of inspection fees) were \$215,800 less than the program's operating costs in FY11. Revenues from Boiler Safety Program fees are deposited into the General Funds and over 95% of the General funds that the program receives are dedicated to salaries. Certificate of inspection fees would need to be raised 160%, from \$7.50 per regulated object, to \$19.50 per regulated object per year to make this program General Fund neutral. If this increase is enacted, Delaware's Boiler Safety Fees would still be lower than surrounding states. Boiler Safety Program requirements do not apply to individual homeowners, but rather commercial facilities and facilities that are accessible to the public such as hospitals, churches, and schools. The Department believes that the regulated community could bear the costs of operating the program and relieve the annual General Fund subsidy that currently exists.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	Boiler/ Pressure Vessel Certificate of Inspection Fee	\$7.50 per year	Per regulated object payment required every two years for boilers, some pressure vessels payment is required every 4 years.
Pennsylvania	Boiler Certificate of Inspection	\$22.00 per year	Per regulated object
	Pressure Vessel Certificate of Inspection	\$44.00 per year	Per regulated object
Maryland	Boiler/Pressure Vessel Certificate of Inspection	\$50.00 per year	Per regulated object
New Jersey	Boiler/Pressure Vessel Certificate of Inspection	\$50.00 per year	Per regulated object

**Office of Environmental Control
Division of Waste & Hazardous Substance**

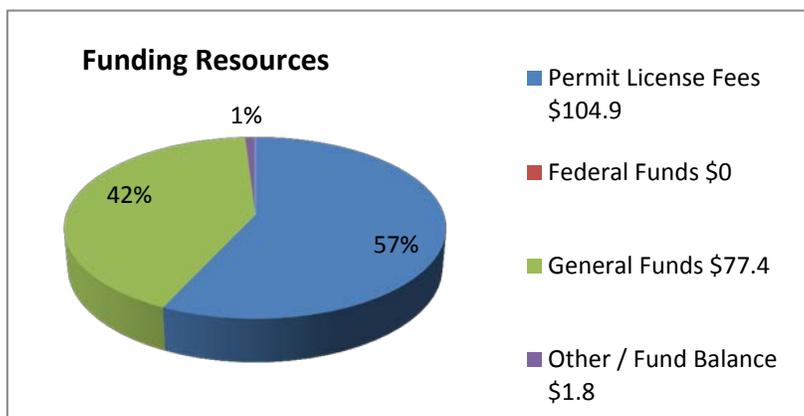
Fee Program: Accidental Release Prevention Program

Authority	7 Del. C., Ch. 77, §7713 / 1201 Accidental Release Prevention Regulation
Purpose	To protect the lives and health of citizens of the State living and working in the vicinity of facilities with extremely hazardous substances.
Date of Last Change	July 1, 1991

Fiscal 2011 Program Costs and Resources:

Program Costs	\$ (thousands)
Direct	\$67.5
Indirect	116.6
Total	\$184.1

Staff Resources	FTE
General Fund	1.0
Federal Fund	0.0
Fee/Other Funds	1.0
Total	2.0



Performance:

Measure	2010	2011
Number of Accidental Release Prevention Program inspections	25	28

Program Evaluation:

From 1988 through 1999 this was a unique state-initiated program established by Delaware statute to protect the public from accidental releases of extremely hazardous substances. In New Castle County 100% of the public could be impacted in a worst case release scenario from a regulated facility due to the locations of numerous facilities and their proximity to people.

In 1999 the US EPA established a program similar to Delaware’s program as authorized by the Clean Air Act of 1990. State law was amended in 1999 in order to receive EPA delegation and avoid dual oversight of Delaware regulated facilities under federal and state law. The Accidental Release Prevention (ARP) Regulations establish threshold quantities of extremely hazardous substances for federally covered facilities and smaller threshold quantities for facilities that are subject to Delaware only requirements.

Today, there are 109 facilities currently subject to the ARP Regulations with 27 facilities subject to federal program requirements as delegated to Delaware and 82 facilities subject only to the Delaware rule. This program began with 3 engineers (1 GF and 2 ASF FTE positions). Today, the program consists of 2 engineers (1 GF and 1 ASF FTE positions). Title 7, Del. C., Ch. 77, §7710 requires each facility be inspected at least once every 3 years. Historically, this inspection frequency has not been possible to achieve with two employees. The Program conducts inspections based on risk,

incidents and time with the goal of each federally regulated facility being inspected at least every three years and each Delaware only facility inspected every five years.

There are no federal grant funds available to this program. Chapter 77 established a fee structure for all facilities subject to the program that has been in place since 1992, with additional general funds historically provided as an annual supplement. Program costs are primarily salaries. Fees collected are used to fund one engineer and all program operating costs. General funds support the second engineer. Current fee collections, carryover funds and annual general fund support, allow the ARP to be sustainable at the current level. If the GF FTE were to be switched to ASF, then the carryover funds could support the ARP at its current level for four years. Additional funds could be needed to support program succession and knowledge transfer as current staff transfer or retire. Future fee sustainability depends on: (1) the ARP fee revenue base remaining steady which is dependent on the economic viability of the state’s industrial base, (2) the GF support continuing for 1 FTE, and (3) whether the ARP program at its current level of 2-FTEs continues to maintain an adequate level of service.

Program Conclusions:

No fee increase is needed given current fee funding and performance levels. If conditions change, such that, (1) a third FTE is needed for the program, (2) the number of facilities paying fees decrease due to plant closures, or (3) the 1 FTE GF position is switched to ARP fees, a fee increase may be needed at that time to sustain the program.

Survey of Surrounding States Fees:

Delaware and New Jersey are the only regional states with an Accidental Release Prevention program necessitating a nationwide fee comparison in the table below.

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee*</i>	<i>Base Fee</i>	<i>Basis of Fee*</i>
Delaware	Accidental Release Prevention	\$1,725	\$500	State statute
New Jersey	Accidental Release Prevention	\$13,540	\$3,215	State statute
Nevada	Accidental Release Prevention	\$5, 638	\$5,600	State statute
Florida	Accidental Release Prevention	\$1,000	\$1,000	State statute
Louisiana	Accidental Release Prevention	\$3,300	\$3,300	State statute
Ohio	Accidental Release Prevention	\$250	\$200	State statute

* Based on each state’s Accidental Release Program fee for a facility with 2 regulated processes and 2 regulated chemicals plus the base fee.

**Office of Natural Resources
Division of Parks and Recreation**

Fee Program: Parks

Authority	Title 7 Chapter 47 / 9201 Regulations Governing State Parks
Purpose	To provide funding for the state park system in Delaware
Date of Last Change	July 1, 2005

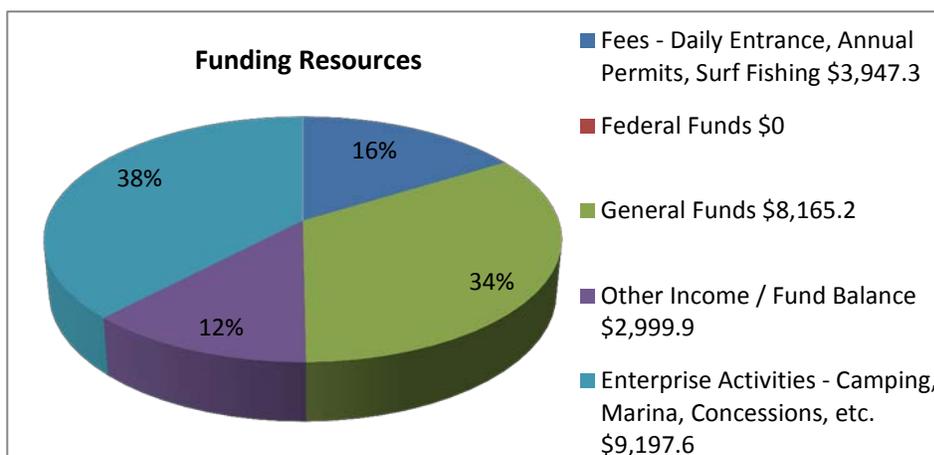
Fiscal 2011 Program Costs and Resources:

Program/Permit Costs \$ (thousands)

Direct	\$14,601.7
Indirect	9,708.3
Total	\$24,310.0

Staff Resources FTE

General Fund	92.0
Federal Fund	0.0
Fee/Other Funds	62.0
Total	154.0



Performance:

Measure	FY2010	FY2011
# of state park visitors	4,789,780	4,436,936
% increase in park self-generated revenue to support park operating budget	.03%	.09%
# of camping nights	61,025	69,206
# of volunteer hours (FTE's)	152,751 (78)	118,000 (60.5)
# of acres protected through the Open Space Program	448	983
Miles of recreational trail on state lands	149	151
Conservation easements held by DNREC	66	78
# of people participating in park programs	244,611	251,949
# of teacher trainings to support Children in Nature initiative	7	13
# of visitors to Brandywine Zoo	74,538	68,653
% occupancy of wet slips @ Indian River Marina	70	70
% occupancy of dry storage @ Indian River Marina	97	90

Program Evaluation:

The Division of Parks and Recreation has 11 field offices statewide that oversee the operation of 25,878 acres in 16 state parks, Brandywine Zoo, Baynard Stadium and the Indian River Marina. Additional land management responsibilities include 10 nature preserves, 12 other sites outside of the parks and monitoring of 78 conservation easements which protect an additional 3,644 acres.

These state parks contain a variety of landscape and natural resource features from rolling terrain in the uppermost regions of New Castle County to coastal beaches in Sussex County. Cultural and historic resources are protected while a wide variety of recreational facilities are provided for Delaware residents and out-of-state visitors. The state park system averaged more than 4.6 million visitors annually during the review period.

The Division is 65% self-supporting derived from visitor user fees, which include but are not limited to the following revenue sources: Annual permits, daily entrance fees, surf fishing, recreational camping, cabins and cottages, boat rentals, pavilions, contracts, concession and leases, vending machines, agricultural leases, special use facility rentals, Killens Pond Water Park, Indian River Marina, environmental education programs, special events, summer concert series and retail sales. User fees that require Delaware General Assembly approval including daily entrance, surf fishing, annual and lifetime permits were last increased nominally in 2005.

The Division's three management sections are responsible for administration and management of the Division's diverse natural, cultural, historical and fiscal resources.

Administration and Support

- Budget and fiscal management, legislation, volunteer program including Friends, AmeriCorps and internship programs.
- Administer the 21st Century Park Endowment and the private State Park Endowment funds invested with the Delaware Community Foundation.
- Marketing, publication and information services, including research, editing and digital design for all commercially and in-house printed state park publications, wayside exhibit development, and Delaware State Parks website promotion.
- Manage the retail sales program including gift shops, campground stores, vending and food concession operations and contracts.
- Diverse special use facilities for weddings, conferences, etc.
- Central reservation system for camping and other visitor services.
- 19 concession operations including food service, two golf courses (Deerfield and Garrisons Lake), two equestrian centers, a tennis center, boat / kayak rentals, and bait and tackle).
- Volunteer Program Administration that engages over 5,000 volunteers annually in service throughout all state parks, 12 non-profit Friends Organizations and Internship Program.

Operations, Maintenance and Programming

- Day-to-day operation and maintenance of all state parks, preserves and facilities, including more than 598 state park buildings on nearly 26,000 acres.
- Enforcement of rules and regulations, park safety and security including an ocean rescue program, visitor assistance and revenue collection.
- Interpretive, nature and art centers and programs on the natural and cultural resources of the parks, environmental education and special events.
- Cultural resources, including archaeology, history, historical architecture, the Delaware Folklife Program, The First State Heritage Park and the Brandywine Zoo.
- Indian River Marina, including 274 wet slips, 24 transient slips, a 156-unit dry stack storage building, full service marine fuel dock, ships store and winter storage services. Marina includes a 12-unit cottage complex; each duplex offers 900-square feet of living space with full amenities overlooking the Indian River Inlet. Marina concession operations, including a full service bait and tackle, fish cleaning, head boat operation and retail convenience store/café.
- 600 family camping sites and other overnight facilities (cabins, cottages, yurts, youth camps, etc.).

Planning, Preservation and Development

- Land acquisition and protection programs, including the Office of Nature Preserves including administration of the Land and Water Conservation Trust Fund grant program, the statewide Greenways and Trails Program and the Coastal Heritage Greenway program. In addition, the section is responsible for planning, designing and constructing new facilities. Delaware's State Comprehensive Outdoor Recreation Plan (SCORP) is also developed by this section.

- Use protection methods including fee simple acquisition and conservation easements to permanently protect statewide priority projects through the use of open space criteria, leveraging of non-state funds and the ranking system adopted by the department.
- Administer and coordinate conservation easement protection efforts on private lands.
- Administer and coordinate all real estate issues, including utility easements, use agreements and agriculture easements.
- Administer the Natural Areas program through the Land Preservation Office as defined by law.
- Plan, design, engineer and construct facilities and infrastructure within the park system.
- Administer state and federal grants and provide technical assistance to county and local governments for land acquisition, outdoor recreation facilities and trail development.
- Plan and develop a premier statewide network of pathways and trails for Delaware's citizens and visitors, to promote biking, hiking, walking and active living.
- Coordinate and oversee the Council on Greenways and Trails, Natural Areas Advisory Council and Open Space Council.

Current Fee Structure

The Division's primarily self-funded model (65%) is unique within State government. It requires the Division to project and manage a budget of fixed expenses with a revenue stream that is dependent on many variables and unforeseen factors including: weather (i.e. hurricanes, rainy, hot, etc. can have a severe detrimental impact), travel patterns affected by high fuel costs, economic downturns that effect the amount of discretionary money available for vacationers, competition for seasonal staffing particularly at the beach resorts (increased salary costs for lifeguards) and unfunded legislative mandates that impact revenue (i.e. CAP for enforcement, lifetime annual permits, free surf fishing permits for volunteer fireman, half price annual permits for veterans).

The current fee structure was established in 1971 and does not provide adequate funding for the state park system. There are annual increases in operating costs or unfunded mandates that must be covered from the existing fee structure and revenue. Since the daily entrance fees were last increased in 2005, there have been dramatic increases in operating expenses including the transition of Division-owned, high-mileage, fully depreciated vehicles (96,000 average miles) to annual fleet leases (56 remaining to transfer), seasonal and legislative mandated merit salary increases, increased fuel costs for vehicles and equipment, day-to-day maintenance and capital repairs for aging infrastructure, most of which was built in the 1960s and 1970s paid from ASF because no capital or rehabilitation funding was received for three consecutive years.

New open space property acquisitions have protected key parcels of valuable lands; however, the historical practice of making capital investments to develop new lands for active recreation that generates ASF revenue hasn't been available in many years. The Division must use existing revenue sources to offset the operational costs associated with acquisitions without additional revenue.

This unique funding model requires the Division to routinely hold critical ASF merit positions vacant and self-imposed operating budget reductions commensurate with ASF revenue throughout the fiscal year. In FY 08, the Division implemented a 9% across the board reduction in ASF expenditures.

The Division's fiscal management is done on a daily, weekly and monthly basis with detailed internal analysis and the use of a budget committee to evaluate opportunities for costs savings and revenue generating projects, and maximizing volunteer support to ensure fiscal responsibility. The Division uses a fiscal management system modeled after the Delaware Economic and Financial Advisory Council's (DEFAC) that projects the revenue and expenditure forecasts upon which the Division's annual operating budget is constructed.

The Division is a recognized leader in state government with the use of volunteers, Friends organizations and non-paid staff such as AmeriCorps and internship programs. During FY 10 and FY 11, the Division averaged 135,375 volunteer hours annually or the equivalent of 69 Full Time Equivalents (FTE's). In addition other cost saving initiatives have included meadow management, carry-in carry-out trash management, reduction in seasonal staff, resident curatorship

program, bulk purchasing and increased emphasis on partnership and endowment development. Some of the initiatives such as carry-in carry-out leave no room for any further efficiency or cost savings.

One of the most significant challenges facing the current fee structure is the carrying capacity of the Division’s major revenue generating parks. In their current state, these venues aren’t able to accommodate additional visitors (i.e. beach parks, camping) and increase revenue without significant capital and infrastructure improvements and/or expansions. The Division has currently deferred capital improvement, maintenance and repair projects totaling more than \$40M. The same challenge is found with the surf fishing permits that require the Division to manage the carrying capacity on the beaches to ensure the protection of these precious natural resources.

The Division has maximized its revenue generating capacity within the current fee structure. The Division maximizes every opportunity to market and promote all of the parks, programs and services. Even with these efforts, during FY 10 – FY 11, the Division’s revenue stream was static (.06%) while fixed operating costs increased at approximately 10% annually. This resulted in the Division eroding the fund balance (carryover) that provides operational funding throughout the reduced revenue generating months of the year (October – March). Without an increase in fees, the Division will be forced to reduce services or limit access to the public.

From FY 07 – FY 11, the Division’s self-imposed budget restrictions resulted in reductions of \$735K in ASF operating budgets. For FY 13, the Division is being forced to reduce operating budgets by \$631K. These reductions in addition to the unfunded mandates (salaries & OEC’s), increased routine operational costs and required conversions (i.e. fleet lease conversion \$510K, computer replacements - \$70K) puts the Division’s current operating short fall at \$1.2M. A revenue enhancement package of daily entrance, annual and surf fishing permits could eliminate the current funding shortfall. The Division needs to have the flexibility to periodically increase these basic entrance fee charges as the cost of providing essential services increases. This need would be reduced if one-time funding were available for computers and General Fund support was increased for fleet.

Program Conclusions:

When state park user fees were established in 1971, the daily entrance at the time was \$1 per vehicle; 41 years later the fee is \$3 for a Delaware resident. Adjusting for inflation, the cost for entering a park has declined dramatically.

The Division annually reviews and adjusts all non-entrance program charges. Those adjustments for 2013 will result in only \$110K in additional revenue. Without additional General Fund subsidy, daily entrance, annual, and surf fishing permits must be increased to address operating shortfalls and to assist in maintenance and infrastructure improvements. Increases of \$3 for daily entrance, \$5 for annual passes, \$15 for surf fishing permits and \$25 for lifetime permits is projected to raise approximately \$1.4M. Other options for raising additional fee revenues include year round daily entrance fee collection, per-person versus per-vehicle daily entrance fee, specialty or affinity license plates, capital investment funding appropriated for new or expanded revenue generating facilities (i.e. Fenwick Island parking lot & bathhouse), corporate sponsorships for capital projects, vehicles, etc.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	Annual Permit	\$27	Resident
Maryland	Annual Permit	\$75	Resident
New Jersey	Annual Permit	\$50	Resident
Pennsylvania	Annual Permit	N/A	No user fees charged
Virginia	Annual Permit	\$66 - \$167	Resident
Delaware	Surf Fishing Permit	\$65	Resident
Maryland	Surf Fishing Permit	N/A	Resident
New Jersey	Surf Fishing Permit	\$195	Resident
Virginia – Assateague Island National Seashore – National Park Service	Surf Fishing Permit	\$70 - \$150	Resident

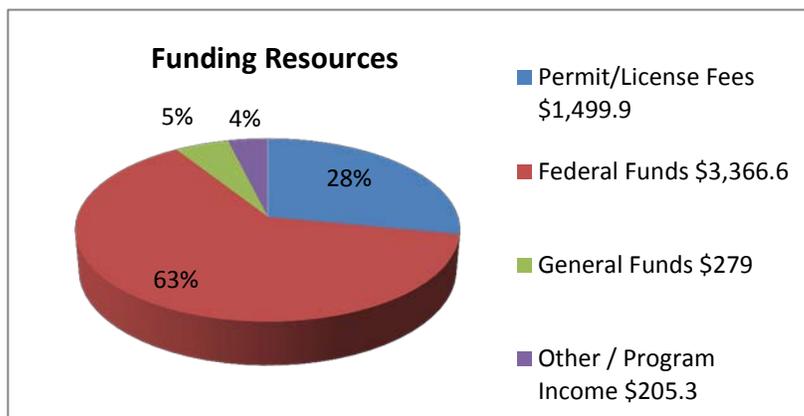
**Office of Natural Resources
Division of Fish and Wildlife**

Fee Program: Recreational Fishing and Fin Fish

Authority	Title 7 Chapter 5 Section 529 / #3300, 3500, and 3700 Laws and Regulations Governing Recreational Fishing and Fin Fish.
Purpose	To participate in fishing, crabbing, or clamming in Delaware’s tidal and non-tidal waters every angler is required to obtain a fishing license. Fishing license revenues are dedicated (under Title 7 Ch. 1 §108) to Wildlife and Fish Restoration and Management and earmarked to secure funding allotted to Delaware under these Acts of Congress (16 U.S.C. §669 et seq. and 16 U.S.C. §777 et seq.). Any remaining funds can be used in accordance with state and federal guidelines to manage fish and wildlife resources.
Date of Last Change	07/2007

Fiscal 2011 Program Costs and Resources:

Program/Permit Costs	\$
Direct	\$1,874.8
Indirect	\$2,335.4
Total	\$4,230.2
Staff Funding	FTE
General Fund	8.71
Federal Fund	10.41
Fee/Other Funds	17.95
Total	37.07



Performance:

Measure	2010	2011
# of fisheries management plans complied with.	25	25
Maintain access and facilities (ramps and piers) at # locations.	53	53

Program Evaluation:

Recreational fishing license revenue is used for the purpose of conducting and establishing cooperative fish restoration and management projects and constructing and enhancing fishing access facilities. Once fully matched to federal fisheries programs (U.S. Fish and Wildlife Service, Sport Fish Restoration Grants), any remaining funds with approval from the State and in accordance with federal guidelines may be used to manage fish and wildlife resources.

Current Fee Structure

The Recreational Fishing Program is based on a user pay-user benefit model where angler fees (combined with a slight general fund supplement) provide funding for managing this public trust resource.

In FY11, the Recreational Fishing Program received \$5,071,825.63 in funding from all sources (ASF/NSF/GF). Of this, \$1,499,879 was generated through license fees and trout stamps and \$205,342.63 came from other program income (boat ramp certificates, facility rentals, cost recoveries).

In FY11 state fishing revenues were used to leverage (\$3 federal:\$1 state) a total of \$3,366,604 in federal funding to manage acquisition, construction and maintenance of fishing access areas, and conduct fisheries research. In addition, this funding is used to ensure that Delaware remains in compliance with 25 fishery management plans administered by the Atlantic States Marine Fisheries Commission, as well as federal fishery management plans. An “out-of-compliance” determination can result in a federally-administered closing of a fishery.

In 2011, the Recreational Fishing Program spent 69% of fees on development projects, which includes developing and maintaining fishing access areas (ramps, parking lots, piers). In addition, 15% was spent on research. Research projects and programs enable the state to monitor population trends, gather key biological information, and enable the state to remain in compliance with numerous fisheries management plans. Another 11% was spent on aquatic education, 3% on technical assistance to private landowners for aquatic weed control and pond maintenance and 2% on the coordination of the program.

The funds remaining (after fully matching the annual federal apportionment) can be expended on management of fisheries resources according to federal guidelines and are typically used to support activities that are not eligible for federal assistance including regulation development, federal registry development, revenue collection and licensing activities/audits, shellfish research, and partial support to the Director’s Office.

	USFWS Funds Allotted to Delaware	Required State Match	State License Revenues	Potential License Revenues Remaining After Matching Federal Funds
2009	\$4,044,499	\$1,348,166	\$1,505,597	\$157,431
2010	\$3,895,530	\$1,298,510	\$1,460,222	\$161,712
2011	\$3,646,948	\$1,215,649	\$1,499,879	\$284,230

The Fisheries Section often must carryover Recreational Fishing License funds for several years to accumulate enough state funds to match large construction projects, such as the recently completed \$3.2 million Cedar Creek boat ramp. These are critical fees for the Fisheries Section. If Recreational Fishing License fees were cut, the Fisheries Section could not adequately function to provide public services/facilities and fisheries research/management.

In addition to license fees and program income the Recreational Licensing Program receives approximately \$278,989.48 in general fund salaries. This general fund supplement is used to match some of the non-U.S. Fish and Wildlife Service Grants (e.g. National Oceanic and Atmospheric Administration grants) and is used to support those activities that are not eligible to receive federal funding.

The Fisheries Section currently receives sufficient funds from the Recreational Fishing License fund to cover the expenses it charges to the Recreational Fishing License fund. The carryover in the Recreational Fishing License fund is sufficient to buffer the Fisheries Section from income shortfalls resulting from the many expenses funded by Recreational Fishing License fees. Instances occur that require the agency to utilize carryover from recreational fishing revenues to temporarily cover shortfalls in other fish and wildlife programs until sufficient revenue is generated and then restored.

Program Conclusions:

While the Fisheries Section currently receives sufficient funds from the recreational fishing license sales to support the program, Delaware’s recreational license fees are significantly lower than surrounding states. An increased license fee would allow for program enhancements; for example a fee increase of 200%, yielding approximately \$3,000,000 (Resident Fishing \$17, Non-resident \$40, Resident Commercial Fin \$20, Resident Commercial Gill \$20/100 yds) in additional income, would allow the fisheries section to improve fisheries management and enhance fisheries access in a

more timely manner (e.g. instead of saving carryover for several years to build up enough match to pay for large construction projects the Fisheries Section could generate enough revenue to build a new boat ramp or repave additional parking lots on a yearly basis) and would still be lower than fees in surrounding states. It is recommended that any fee adjustment be applied over a 4 year period distributing the increase by \$2.12 annually.

Summary of Surrounding States Fees:

Resident Fishing

<i>Fee Type</i>	<i>Delaware *Annual Fee</i>	<i>Maryland *Annual Fee</i>	<i>Pennsylvania *Annual Fee</i>	<i>New Jersey *Annual Fee</i>	<i>Virginia Annual *Fee</i>
Resident Annual Fishing License (varies for saltwater and freshwater)	\$8.50	\$20.50 - \$40.50	\$22.70	\$22.50 - \$24.50	\$40.00
Resident Boat Fishing (varies depending on vessel size)	\$40.00-\$50.00				\$48.00 - \$126.00
Resident Charter/Head Boat Guide License	\$150.00 - \$300.00	\$50.00			
Resident Commercial Fin Fish Bag Net (fees vary based on equipment used & volume of operation)	\$10.00/net	\$37.50 - \$137.50			\$9.00-\$996.00
Resident Commercial Food Fishing (fees vary based on equipment used and volume of operation)	\$150.00 – varies				
Resident Commercial Fish Pot or Fish Trap Permit	\$1.00/pot or trap				
Unlimited Tidal Fish Licenses		\$300.00			

***See appendix for an expanded list of all license types within this fee range.**

Non-resident Fishing

<i>Fee Type</i>	<i>Delaware *Annual Fee</i>	<i>Maryland *Annual Fee</i>	<i>Pennsylvania *Annual Fee</i>	<i>New Jersey *Annual Fee</i>	<i>Virginia *Annual Fee</i>
Non-resident Annual Fishing License (varies for saltwater and freshwater)	\$20.00	\$30.50 -63.00	\$52.70	\$34.00 - \$36.00	\$40.00
Non-resident Boat Fishing (varies depending on vessel size)	\$40.00-\$50.00				\$76.00- \$201.00
Non-resident Charter/Head Boat Guide License	\$300.00 - \$600.00	\$50.00-\$100.00			
Non-resident Fin Fish (fees vary based on equipment used & volume of operation)	\$100.00/Net	\$37.50 -\$137.50			\$9.00-\$996.00
Non-resident Commercial Food Fishing (fees vary based on equipment used & volume of operation)	\$1,500.00 - varies				
Non-resident Commercial Fish Pot or Fish Trap Permit	\$10.00/pot or trap				
Unlimited Tidal Fish Licenses		\$300.00			

***See appendix for an expanded list of all license types within this fee range.**

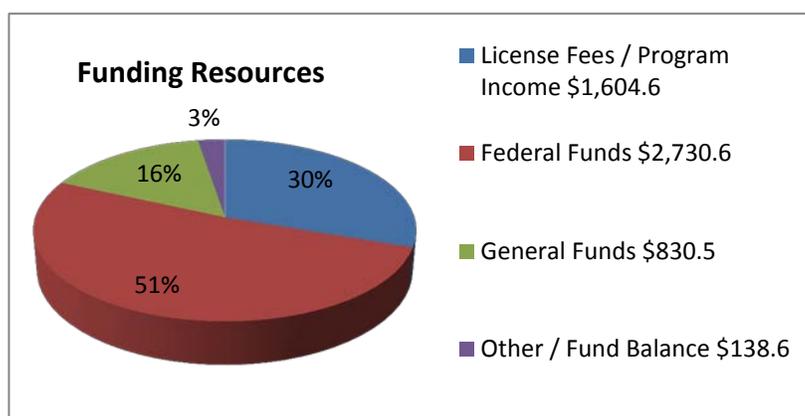
**Office of Natural Resources
Division of Fish and Wildlife**

Fee Program: Recreational Hunting

Authority	Title 7 Chapter 5 §501 / #3900 Laws and Regulations Governing Recreational Hunting and Trapping
Purpose	To participate in hunting or trapping in Delaware every resident and non-resident is required to obtain a state hunting or trapping license. License revenues are dedicated (under Title 7 Ch. 1 §105) to Wildlife and Fish Restoration and Management and earmarked to secure funding allotted to Delaware under these Acts of Congress (16 U.S.C. §669 et seq. and 16 U.S.C. §777 et seq.). Any remaining funds can be used in accordance with state and federal guidelines to manage wildlife and fish resources.
Date of Last Change	07/2007

Fiscal 2011 Program Costs and Resources:

Program/Permit Costs	\$ (thousands)
Direct	\$2,842.1
Indirect	\$2,462.2
Total	\$5,304.3
Staff Funding	FTE
General Fund	8.5
Federal Fund	17.1
Fee/Other Funds	13.1
Total	38.7



Performance:

Measure	2010	2011
# of acres of actively managed wildlife habitats on public lands.	9,136	8,500
# of hunter education certifications.	1,423	1,386
Education/Outreach to # of individuals	15,025	9,001
Technical assistance provided to # of individuals	91	83
Work with # of Volunteers to assist with programming, habitat management, and research.	1,161	766
Maintain access and facilities at # wildlife areas.	19	19
# acres of invasive species controlled	6,907	6,465
# of Blind fees sold	1,816	2,546

Program Evaluation:

The Recreational Hunting Program is based on a user pay-user benefit model. All recreational hunting license revenue is used for conservation of wildlife and the administration of primarily the Wildlife Section. Once these revenues fully

match the federal aid to the states in wildlife restoration (U.S. Fish and Wildlife Service, Wildlife Restoration Grants), any remaining balance with approval from the State and in accordance with federal guidelines may be used to manage wildlife resources.

The Recreational Hunting Program supports the Wildlife Section within the Division of Fish and Wildlife. In FY2011 the Wildlife Section received a total of \$4,335,198 in ASF/NSF revenue from the sale of licenses, stamps, permits and blind fees; federal grants; and program income which includes land leases, fees from the Ommelanden Range and other rents/rights. As a user pay-user benefit model, hunters (with a supplement from general funds) provide funding to the Wildlife Section for managing this public trust resource. Of the \$4.3 million in ASF/NSF revenue, \$986,997 was generated through license fees, ducks stamps and blind fees and \$617,573 was revenue associated with program income. In addition, the Wildlife Section utilized \$830,450 in general funds (GF) for operations and one-time support. The FY2011 GF combined with fees and program income was used to leverage (\$3 federal: \$1 state) federal funding of \$2,730,628 from the U.S. Fish and Wildlife Service in fiscal 2011 (this includes annual apportionment and federal share of program income).

In 2011, the Wildlife Section spent 59% of their fees on Wildlife Area Operations which includes maintenance on 19 wildlife, habitat management (invasive species management, habitat plantings, controlled burns), monitoring wildlife nests boxes, establishing and maintaining deer stands and duck blinds, and managing water control structures. The Wildlife Section spent 16% of its fees on research and surveys, including but not limited to monitoring waterfowl, wild turkey and deer populations. Another 20% percent was spent on hunter and trapper education, 1% on technical assistance to private landowners and 4% on administration of the program which includes activities which are not eligible for federal funding.

In addition to providing match to federal grants, GF support supplements other Wildlife Section services that are not eligible by the U.S. Fish and Wildlife Service Wildlife Restoration Program to include regulation development, nuisance wildlife management, public outreach, land acquisition, injured wildlife and permitting, wildlife damage, wildlife diseases, and revenue collection activities. This funding is also used to support non-game and endangered species grant programs.

Since 2009, the recreational hunting program has experienced cuts of over \$430,000 in GF, with license sales remaining relatively consistent 2009-2011. At the same time the apportionment from the USFWS has not decreased and has been variably higher. See table below:

	USFWS Funds Allotted to Delaware	Required State Match	State License Revenues	License Revenues Remaining
2009	\$2,004,425	\$668,142	\$981,005	\$312,863
2010	\$2,795,702	\$931,900	\$963,805	\$31,905
2011	\$2,316,511	\$772,170	\$986,997	\$214,827

Again as a result of program eligibility and compliance requirements, not all the state funding is available for matching federal programs. As such, the state has had to rely on alternative resources for meeting state matching requirements such as volunteer in-kind services (equivalent to 10 FTEs), private donations and third-party contributions (i.e. NGO and University partnerships) to leverage federal funds. Collectively, the current fees, GF and alternative funding support needed to match federal grants are not sufficient to sustain the program. To offset cuts to general funds the recreational hunting program had to switch fund 1.5 positions to fees or federal funding and has used seasonal/contractual employees in lieu of filling vacancies to keep up with the demand for services. This shift from general funded positions to fee or federally-funded positions and reduction in general fund spending has eliminated any margin of safety in license account funds and has resulted in insufficient revenues to meet cash flow needs.

Beginning in 2007, the recreational hunting program began making cuts to non-essential program activities during the recession budget and has continued to reduce some of its more essential services and will continue to do so in the future to

maintain solvency. To avoid funding shortfalls initiatives were left unfunded, vacancies were not filled and resource response times were reduced.

The revenue associated with fees and program income combined with GF revenues and federal dollars was insufficient to meet the program needs for FY2011. In 2011, the Wildlife Section had an end of the year deficit of \$138,600 with an additional \$85,000 provided from one-time carryover resources (Stewardship) giving a total program deficit of \$223,600 in FY2012. This deficit was temporarily covered by Fisheries license fees and repaid at the beginning of the next fiscal year once wildlife license revenue seasonally increased. Unfortunately, this was not a one-time problem. The Wildlife Section has experienced program shortfalls over the last four years and has had to use other funding sources including Open Space to leverage federal funds in 2009 and 2010; recreational fishing licenses in 2011; and Stewardship funding where eligible and a one-time Department Contingency funding in 2012 to ensure that federal funds did not revert due to inadequate match.

The Wildlife Section's goal is to maintain \$150,000 in carryover funding. This carryover is essential to ensure that the Recreational Hunting Program can continue to meet its federal match obligations at certain times of the year when revenue from hunting license sales are low (i.e. a cash flow need). This is typically at the beginning of a fiscal year when the hunting season is just beginning and the end of the fiscal year (as most licenses are purchased by the April turkey hunting season). In the past, the carry-over has helped to sustain the program, however, in 2011 there was insufficient carry-over to offset end of the year short falls. When carry over funds are available they can sustain program activities for a month.

Program Conclusions:

It is increasingly difficult for the Recreational Hunting Program to manage current programs and maintain the current level of service given increasing pressure to manage wildlife and wildlife areas for different user groups, increasing demand for services not eligible under our federal funding sources, inter-divisional cooperative projects, the need to continue to acquire new land for conservation and public use, further declining license revenue, and increasing operating costs and/or unfunded mandates (e.g. legislatively mandated salary increases).

Additional funds are needed to sustain the program and could be achieved through a fee increase of 38% (Resident Hunting \$34.50) which would generate approximately \$375,059 in additional revenue, a general fund increase, or new alternative source of income such as a conservation stamp for non-consumptive wildlife related activities on wildlife areas. To fully restore the program to historic service levels, a fee increase of 55% (Resident Hunting \$38.75) would be needed. Under any of these scenarios, General Fund dollars could not be reduced or redirected as the program needs all current revenue sources plus any additional new revenues to remain solvent. The base hunting fee of surrounding states may be similar to Delaware; however in surrounding states, the hunter has to pay additional fees for muzzleloaders, archery, deer tags, turkey, and furbears (as indicated below by the fee ranges in surrounding states).

Note: Any increase in resident fees would also include a non-resident fee increase but due to the complexities of calculating the non-resident license reciprocity costs, revenue projections of any such non-resident license fee increase are not included.

Summary of Surrounding State Fees:

<i>Fee Type</i>	<i>Delaware Annual Fee</i>	<i>Maryland *Annual Fee</i>	<i>Pennsylvania *Annual Fee</i>	<i>New Jersey *Annual Fee</i>	<i>Virginia *Annual Fee</i>
Resident Annual Hunting License	\$25.00	\$24.50-\$51.50	\$20.70-\$52.80	\$27.50-\$104.50	\$23.00-\$77.00
Non-Resident Annual Hunting License	Reciprocal	\$130.00 - \$215.00	\$101.70 -\$188.50	\$135.50-\$212.50	\$111.00-\$290.00

*See appendix for an expanded list of all license types within this fee range.

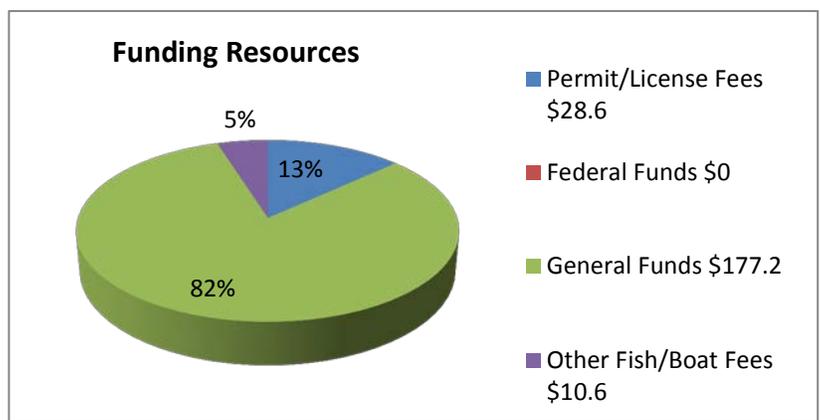
**Office of Natural Resources
Division of Fish and Wildlife**

Fee Program: Commercial and Shellfish License Program

Authority	Title 7 Chapters 18, 21, 23-26, and 28; 68 Del. Laws c. 22, Sec 2. / #3200, 3300, 3500, and 3700 – Laws and Regulations Governing Commercial Finfish and Shellfish
Purpose	To provide for the conservation and management of the commercial fishery and shellfish and to ensure that the state of Delaware is in compliance with state and federal fisheries management plans.
Date of Last Change	07/1990

Fiscal 2011 Program Costs and Resources:

Program/Permit Costs	\$ (thousands)
Direct	.4
Indirect	216.0
Total	216.4
Staff Funding	FTE
General Fund	1.85
Federal Fund	0.00
Fee/Other Funds	0.50
Total	2.35



Performance:

Measure	2010	2011
# of fisheries management plans complied with.	25	25
Maintain access and facilities at # locations.	53	53

Program Evaluation:

In fiscal year 2011, program funding totaled \$299,818 for use by the Commercial and Shellfish License Program through a combination of \$42,648 from oyster licensing fees; a \$43,500 a donation from the Partners for Delaware Estuary (PDE) for oyster bed restoration¹; \$177,200 in general funds supporting facility energy cost and research/management salaries; and \$36,470 from commercial foodfish, recreational fish, and boating fees. Commercial licensing fees collected for crab, clam, conch, lobster and eel are deposited directly to the general funds and totaled \$51,410 in Fiscal 2011 making the net general fund subsidy \$125,790.

The revenue made available to the Commercial and Shellfish Program is used to monitor and manage Delaware’s commercial and shellfish stocks to ensure that the Division is in compliance with state and interstate fisheries management plans. It is also used to conduct research on species of commercial interest including horseshoe crab and blue crabs. In order to monitor and manage these fisheries to ensure compliance with the plans, the state expended \$216,400 in fiscal 2011. The \$79,118 generated from fees and donations are currently supplemented by general funds and, to a lesser degree, recreational license and boater registration revenues. A portion of finfish and shellfish monitoring

¹ Oyster funds are dedicated by Code, and expended bi-annually as funds accumulate, to development and research on natural oyster beds. As such, \$83,401 of the Oyster funds generated in Fiscal 2011 was carried forward to Fiscal 2012 and committed to project expenditures for Delaware Bay Oyster Revitalization (in partnership with PDE).

and management is currently supported by recreational fishing license fees since the species managed for recreational and commercial are the same and there are thousands of recreational fisherman using the resource versus few commercial fisherman; however, on a cost/unit basis the commercial fisheries accounts for a greater percentage of landings. A portion of the commercial species monitoring and management is appropriately supported by commercial foodfish license fees. And a portion of the boater registration funds are used to support administration and launching facilities utilized by commercial boats.

Program Conclusions:

The Commercial Fisheries and Shellfish program could serve as total cost recovery program whereby the Commercial Fisheries/Shellfish industry is paying for the full administration of this license program and an appropriate portion of commercial fish species research and management.

The Fisheries Section currently does not receive sufficient funds from the Commercial Finfish and Shellfish License fees to cover the full expense incurred to monitor and manage Delaware’s commercial fisheries. Today, the Fisheries Section must use other funding sources to perform all necessary monitoring and management of the commercial fisheries and ensure compliance with state and interstate fisheries management plans.

Most of the commercial fish and shellfish license fees were last updated in the early 2000. Fees for collecting horseshoe crabs and surf clams have not been updated since 1991 and 1984, respectively. The current fees would need to be increased by 236% (\$135.7 - \$2,631.40 depending on license type) to generate approximately \$187,000 in additional revenues and could reduce the general fund program subsidy by \$125,759.

Summary of Surrounding State Fees:

Resident

<i>Fee Type</i>	<i>Delaware *Annual Fee</i>	<i>Maryland *Annual Fee</i>	<i>Pennsylvania *Annual Fee</i>	<i>New Jersey *Annual Fee</i>	<i>Virginia *Annual Fee</i>
Commercial Oyster Harvest, Assoc. Fees, & Equipment	\$57.50 (\$1.25/bushel)	\$50.00-\$250.00		Fee Varies based on Volume of Operation	\$10.00-\$225.00
Commercial Clam permits & Equipment Fees	\$57.50-\$165.00	\$100.00		Fee Varies based on Volume of Operation	\$24.00-\$276.00
Commercial Lobster permits & Equipment Fees	\$57.50	Conch, Lobster and Turtle \$50.00		Fee Varies based on Volume of Operation	\$41.00-\$166.00
Commercial Eel Pot permits & Equipment Fees	\$115.00			Fee Varies based on Volume of Operation	
Commercial Conch Pot permits & Equipment Fees	\$57.50 - \$115.00	Conch, Lobster and Turtle \$50.00		Fee Varies based on Volume of Operation	
Commercial Crab permits & Equipment Fees	28.75-143.75	\$50.00-\$260.00		Fee Varies based on Volume of Operation	\$13.00-\$230.00
Commercial Horseshoe Crab permits	28.75-143.75			Fee Varies based on Volume of Operation	\$16.00
Fillet Permit for Party Boats				2.00	
Commercial Registration					\$190.00

Menhaden Bait Permit				Fee Varies	
Commercial Shellfish License				\$50.00	
Shucking House					\$12.00-456.00

*See appendix for an expanded list of all license types within this fee range.

Non-resident

<i>Fee Type</i>	<i>Delaware *Annual Fee</i>	<i>Maryland *Annual Fee</i>	<i>Pennsylvania *Annual Fee</i>	<i>New Jersey *Annual Fee</i>	<i>Virginia *Annual Fee</i>
Commercial Oyster Harvest. Fees vary based on type & volume of operation.	\$575.00 (\$12.50/bushel)	\$50.00-\$250.00		Fee Varies	
Commercial Clam. Fees vary based on type & volume of operation.	\$575.00 - \$1,650.00	\$100.00		Fee Varies	
Commercial Lobster. Fees vary based on type & volume of operation.	\$575.00	Conch, Lobster and Turtle \$50.00		Fee Varies	
Commercial Eel Pot. Fees vary based on type & volume of operation.	\$1,115.00			Fee Varies	
Commercial Conch. Fees vary based on type & volume of operation.	\$575.00-\$1,150.00	Conch, Lobster and Turtle \$50.00		Fee Varies	
Commercial Crab. Fees vary based on type & volume of operation.	\$287.50 - \$1,150.00	\$50.00-\$190.00		Fee Varies	
Commercial Horseshoe Crab permits	\$1,000.00-\$2,000.00			Fee Varies	
Fillet Permit for Party Boats				\$2.00	
Commercial Registration					\$444.00
Menhaden Bait Permit				Fee Varies	
Commercial Shellfish License				\$250.00	

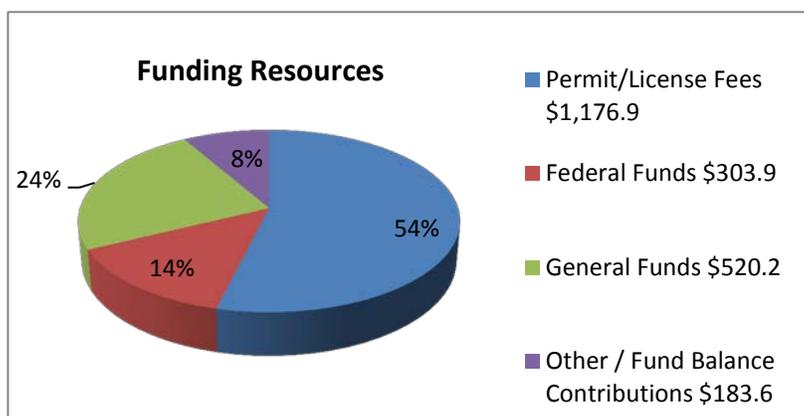
**Office of Natural Resources
Division of Fish and Wildlife**

Fee Program: Boat Registration

Authority	Title 23, Chapter 21 Section 2113; Section 233 of the Budget Epilogue / #3100 Laws and Regulations Governing boating safety and development, use and enjoyment of all the waters of the State.
Purpose	To support the State's Recreational Boating Safety Program, which includes marine law enforcement, boating safety education, vessel registration, accident investigation, program administration, maintenance and improvements of public launching facilities, and fisheries research.
Date of Last Change	07/1990

Fiscal 2011 Program Costs and Resources:

Program/Permit Costs	\$(thousands)
Direct	1,510.7
Indirect	306.7
Total	1,817.4
Staff Funding	FTE
General Fund	17.6
Federal Fund	6.6
Fee/Other Funds	7.8
Total	32.0



Performance:

Measure	2010	2011
# of Recreational Boating Accidents	26	11
# of boating safety presentations delivered to the public	70	40
# of fisheries management plans complied with	25	25
Maintain access and facilities at # locations	53	53

Program Evaluation:

The Boater Registration Program is based on a user pay – user benefit structure funded by the registration of vessels in the State of Delaware, along with Boating Safety Financial Assistance funding derived from the tax on fuel used in motorboats which are annually apportioned to the States from the federal Aquatic Resources Trust Fund. Boater registration fees support boating education, marine enforcement, administration, accident investigation, public launching facilities and fisheries management in Delaware as per Title 23 and Section 233 of the Budget Act. Any person born on or after January 1, 1978, may not operate on the waters of this State a vessel required to be registered in this State or any other state, or documented by the United States Coast Guard, without first successfully completing a course of instruction prescribed by the Department and obtaining from the Department a certificate of boating safety education. Also required by Title 23 Section 2119 (a), funds need to be appropriated annually to allow for 1 Fish and Wildlife Agent plus equipment and operating expenses for each 2,000 boats registered as of July 1 of the preceding year.

In FY11, boat registration fees were allocated 91% to Enforcement Boating and 9% to Fisheries programs within the Division of Fish and Wildlife. The Boater Registration Program collected \$1,293,711 from the registration of 57,687 boats during Fiscal 2011. The Enforcement Section received \$1,176,930 of these registrations fees and recognized

\$303,881 in boating safety federal funds to support recreational boating safety administration, education, registration and marine enforcement during Fiscal 2011. The Boating Program also received \$520,200 in general fund support for marine enforcement salaries and facility energy costs as part of the annual state match to the federal Boating Safety grant program.

In FY11 the Boating Enforcement Program received a total of \$1,734,782 (ASF/NSF/GF) in funding and expended nearly \$1,817,400 on boating related enforcement, education, and administration. At the end of the FY11, the Enforcement ASF (fee program) had a sufficient fund balance to accommodate (but not sustain long-term) the year's deficit. A fund balance carryover is essential to ensure that the Boating Enforcement Program can continue to meet its federal match obligations and sustain marine enforcement, education, and administration activities during non-peak boating months (i.e. a cash flow need). Any carryover of boat registration fees must be used for fisheries management and marine law enforcement as per Section 233 of the Budget Act and Title 23. Additionally in 2011, the enforcement section had a total of 27 enforcement agents and three vacancies.

Boat Registration funds also support the Fisheries Section. In FY 11, the Fisheries Section received \$116,781 from boat registration fees. Boat registration fees are used to support fisheries research (including commercial/shell fisheries administration and research) and maintain public launching facilities that are not otherwise eligible activities under other Fisheries fee sources due to the restrictions on how the dedicated revenues from other sources - such as the Recreational Fishing License fund or Oyster Recovery fund - must be expended. For example, the Fisheries Section is funding some of its critical conch research with Boat Registration funds.

The Fisheries Section currently receives sufficient funds from the Boat Registration to cover research, administration and facility expenses. The fund balance/carryover in the Boat Registration is sufficient to buffer the Fisheries Section from incidental income shortfalls in the projects that Fisheries Section supports with Boat Registration funds. The Fisheries Section does depend on a portion of the Boat Registration funds and important research and species management would go unfunded if this fee support were cut.

Program Conclusions:

The Boater Registration Program has sufficient funding to maintain its current level of service. However, it is projected that boat registrations will rise to 60,000 within the next 3 years anticipating the need for 30 officers as per the Delaware Code. To make the Boater Registration Program a full user pay-user benefit model and to provide savings to the general fund, registration fees would need to be increased by 40% (\$14 - \$84) at a minimum to offset general funds. An increase of 55% (\$15.50 - \$93) would ensure adequate public service and sufficient funding. This fee increase would still be comparable to the rates of surrounding states. The General Fund savings of \$520,200 could be reinvested to meet critical shortfalls in enforcement of wildlife and fisheries activities (i.e. land, public safety, species hunting seasons, bag limits and creel and size limits for all fish species) throughout the state and could be used to partially fund key Enforcement Officer positions needed for adequate law enforcement presence on the newly dedicated C&D Canal Trail.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	<16'	\$10.00	1 Year
Maryland	16'	\$10.00 decals	2 year
Pennsylvania	<16'	\$26.00	2 years
New Jersey	<16'	\$12.00	1 Year
Virginia	<16'	\$27.00	3 years
Delaware	16'-26'	\$20.00	1 Year
Maryland	>16'	5% excise and \$36 registration and decals	Registration fee and decals valid for two years.
Pennsylvania	16'-20'	\$39.00	2 years
New Jersey	16'-26'	\$28.00	1 Year
Virginia	16'-40'	\$31.00	3 years
Delaware	26'-40'	\$30.00	1 Year

Pennsylvania	>20	\$52.00	2 years
New Jersey	26'-40'	\$52.00	1 Year
Virginia	>40	\$45.00	3 years
Delaware	40'-65'	\$50.00	1 Year
New Jersey	40'-65'	\$80.00	1 Year
Delaware	>65'	\$60.00	1 Year
New Jersey	>65'	\$250.00	1 Year

**Office of Environmental Control
Division of Watershed Stewardship**

Fee Program: Sediment and Stormwater

Authority	Title 7 Chapter 40 & 60 / 5101 Regulations Governing Sediment and Stormwater Regulations & 7201 Regulations Governing the Control of Water Pollution and the Federal Clean Water Act.
Purpose	To oversee stormwater management and discharges associated with construction activity that disturbs greater than 5000 square feet through the issuance of Sediment and Stormwater Plan Approva0101011 and NPDES General Permit coverage.
Date of Last Change	June 1, 1990 and July 1, 1991

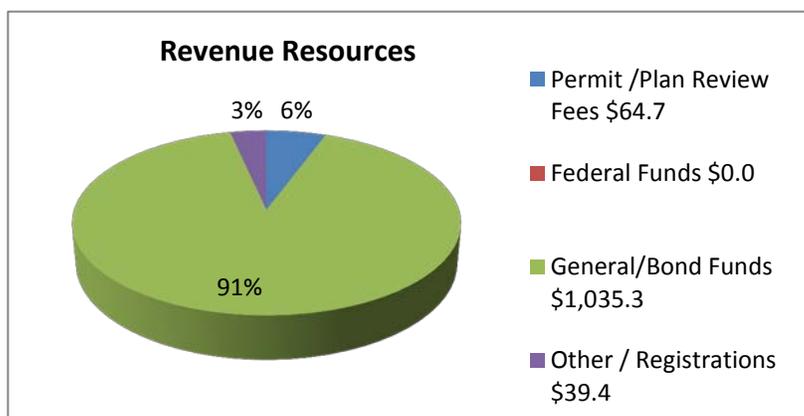
Fiscal 2011 Program Costs and Resources:

Program/Permit Costs \$ (thousands)

Direct	\$823.5
Indirect	315.9
Total	\$1,139.4

Staff Resources FTE

General Fund	4.0
Federal Fund	0.0
Fee/Other Funds	2.0
Total	6.0



Performance:

	FY10	FY11
# of NPDES General Permits issued	256	267
# of NPDES General Permits tracked for compliance	2,618	2,885
# of New Certified Construction Reviewers certified	68	80
# of CCR's recertified	138	225
# of Contractor Certifications (Blue Card)	114	220
# of NOV issued	5	3
# of Administrative Penalties		1

Program Evaluation:

Delaware’s Sediment and Stormwater Program (S&SP) is responsible for the statewide implementation and supervision of the Delaware Sediment and Stormwater Law and Regulations as well as implementation of the Federal National Pollutant Discharge Elimination System (NPDES) general permitting program for stormwater discharges associated with construction activities.

The Delaware S&SP implements all aspects of the Sediment and Stormwater Law and Regulations on State and Federal project sites. Local implementation of the S&SP for privately-owned projects is carried out by local agencies known as Delegated Agencies such as conservation districts, counties, and municipalities. The S&SP provides technical guidance and oversight of program implementation to the Delegated Agencies as well as compliance assistance. The S&SP provides education/training/certification to the regulated public, contractors, developers and delegated agencies in

stormwater management and erosion and sediment controls. The S&SP maintains all current information regarding implementation of the Delaware S&SP on the program's website. Additionally, the program keeps a monthly list serve to distribute emerging information and training dates to those that subscribe.

NPDES Construction General Permit - The U.S. EPA construction storm water program relies on NPDES permit coverage to address stormwater runoff from land disturbing activities. Land disturbing activities within the State of Delaware obtain NPDES permit coverage through compliance with the Delaware Sediment and Stormwater Law and Regulations and Construction General Permit Coverage obtained by notification to the Department in the form of a Notice of Intent (NOI). In fiscal year 2011, the Delaware S&SP issued 267 NPDES Construction General Permits and managed approximately 3,756 existing NPDES Construction General Permits.

In September 2001, the S&SP instituted the current NOI process and one-time fee of \$195. In March 2003, Phase II of the NPDES stormwater program became effective, requiring a significantly greater number of projects to obtain permit coverage by lowering the threshold disturbance from five (5) acres to one (1) acre. In February of 2006, the Transfer of Authorization, Co-Permittee, and Notice of Termination requirements became effective and the one-time fee of \$195 remained. The Federal NPDES Stormwater Program requires information throughout the life of the permit to be tracked and reported. It also requires that permit coverage be terminated at the end of the project. The one-time fee of \$195. does not cover the basic cost of processing the initial permit, modifications, and termination.

Plan Review and Approval/Construction Review/ Maintenance Review – Fees for the S&SP sediment and stormwater management plan approval, construction review and maintenance review of state and federal projects are dictated by Title 7 Chapter 40 which states “That fee shall not exceed \$80 per disturbed acre per project.” In comparison, the Delegated Agencies can implement a fee system to fund their program implementation. This fee varies but most have a separate fee for plan review and approval (*1.0 acre = \$650.00), construction review (*residential-1.0 acre = \$1250.00, commercial-1.0 = \$1450.00), and maintenance review (*\$750.00). The statutory mandated fee of \$80 per disturbed acre does not cover the S&SP FTE costs associated with these activities. These activities are supported by General Funds.

*This number reflects the Kent Conservation District fee schedule effective 7/1/09

Training/Certification - The Delaware Sediment and Stormwater Law and Regulations requires that at least one individual, usually a foreman or superintendent who is in charge of on-site clearing and land disturbing activities for sediment and stormwater control associated with a construction project obtain a Contractor's Training Certification (also known as the Blue Card). This five-hour workshop gives an overview of the sediment and stormwater program, its regulations, and required erosion and sediment control measures. The Blue Card Class is taught by 2 FTEs (class prep and actual teaching = 7.5 hours) and an administrative specialist (coordination of location, pre-registration, collection of class fees, printed material, processing of certification cards) and offered four (4) times a year at \$60.00/participant.

The Delaware Sediment and Stormwater Law and Regulations requires a Certified Construction Reviewer (CCR) on all projects 50 acres or greater. Additionally, the S&SP and the Delegated Agencies may require a CCR on any project regardless of size on a case by case basis. A Certified Construction Reviewer (CCR) is a private reviewer of sediment and stormwater controls who is hired by an owner/developer. The primary role of a CCR is to determine conformance with Delaware's Sediment and Stormwater Regulations and the approved Sediment and Stormwater Plan. The CCR reviews the on-site construction activities, completes a report which contains their observations and submits it to the owner/developer and the appropriate Delegated Agency.

To become a CCR an individual must attend a 3 ½-day CCR course offered by the S&SP and pass a written comprehensive exam. This course is offered once a year. The CCR certification is valid for five (5) years. To maintain certification a one-day re-certification class is offered by the S&SP to CCRs whom want to maintain continuous certification for a subsequent five (5) year period. The CCR Course and Re-Certification Class is taught by 6 FTE's and 1 contractual FTE and outside guest speaker, and is \$225.00/participant and \$90.00/participant, respectively.

The fees associated with the training/certification are kept at a minimum to cover costs associated with location, materials, and FTE time. At this time, the fees taken in for the CCR class do not cover the costs of course. This fee deficit is of \$5,000.00 in personnel cost is being supported by general funds.

Compliance Assistance/Enforcement – Compliance assistance with the Delegated Agencies and the regulated public is very time consuming. Many FTE hours are spent on site visits, coordination, phone conversations with the public, and data entry into the drainage complaint database. Enforcement activities are also time consuming. The S&SP can spend many FTE hours along with the cost of a Deputy Attorney General through litigation to obtain compliance. This activity is fully support by general funds.

Program Conclusions:

Charging an annual fee rather than the current one-time fee of \$195 for the life of the project (average of three years) would allow the reinvestment of General Funds. The existing law already allows the fee to be issued annually which would be consistent with fees collected annually by the Department for other NPDES permit coverage. Also, by charging an annual fee it would assist with the collection of data needed for the life of the permit and will provide assurance that the Notice of Termination form has been submitted and coverage is terminated once the project is completed.

An on-line NPDES Construction General Permit has been developed and can be submitted electronically through a web application. However, the e-signature tool has not yet been fully developed and therefore hinders a truly “paperless” process. It is recommended that the e-signature tool be developed to aid in the efficiency of resources inputting permit data.

Charging an annual fee would bring in a revenue of \$140, 400.00. This is based on the following assumptions: Approximately 240 projects/yr. at \$195.00 = \$46,800.00/yr. for 3 years (approx. life of a project) = \$140,400.00

This revenue of \$140,400.00 would be used to implement the e-signature permit technology and then be reinvested with Delegated Agencies for program implementation cost control measures.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	NPDES General Permit	\$195	One-time fee, not dependent on acres disturbed.
Pennsylvania	NPDES General Permit	\$500 adm. filing fee plus a \$100 for each disturbed acre.	Base administrative fee plus \$100 for each disturbed acre.
Maryland	NPDES General Permit	1-10acres=\$100 10-15=\$500 15-<20=\$1500 20 or >=\$2500	Based on disturbed acres. State and local government projects are exempt from application fee.
Virginia	NPDES General Permit	<1 acre=\$200 1-5 acres=\$300 >5 acres=\$500	Legislation was passed during the last General Assembly that raises the fees accordingly once they go through the exempt regulatory process this fall: 1 to <5 acres=\$450 / 5+ acres= \$750 These fees will significantly change in 2014 (ie 1-5 acres=\$2700)
West Virginia	NPDES General Permit	1-3 acres=\$300 3-64 acres or more = \$700 - \$1750	Application fee has been calculated by acreage of disturbed area in each precipitation zone. Fee varies according to zone.

** This chart only reflects the NPDES Construction General Permit as the plan review/approval, and construction and maintenance review fees are broken down by conservation districts, counties, etc. and vary greatly.

**Office of Natural Resources
Division of Watershed Stewardship**

Fee Program: Shoreline and Waterway

Authority	Title 7 Chapter 68 §6803 / 5102 Regulations Governing Beach Protection and the Use of Beaches
Purpose	To enhance, protect, and preserve public and private beaches of the State through a permit and letter of approval process.
Date of Last Change	May 1974

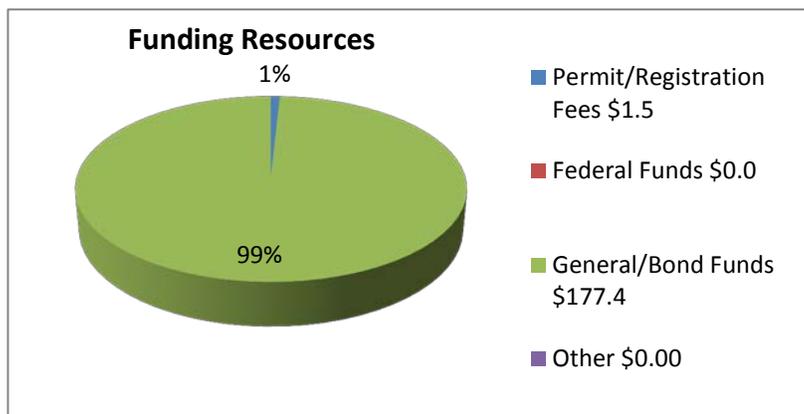
Fiscal 2011 Program Costs and Resources:

Program/Permit Costs \$ (thousands)

Direct	\$178.4
Indirect	0.5
Total	\$178.9

Staff Resources FTE

General Fund	2.0
Federal Fund	0.0
Fee/Other Funds	0.0*
Total	2.0



*Two full time employees are funded by ASF through contract

Performance:

	FY10	FY11
# of Letters of Approval issued total	169	125
% of Letters of Approval issued within 15 days of receipt	86%	88%
# of Permits issued total	4	8
% of Permits issued within 60 days of receipt	75%	87%
Linear miles of coastline protected through regulations	60	60
# of Violations	22	28
% of violations remedied	95%	92%
# of denials	0	1
# of withdrawals	2	5

- Coastal Construction Permit applications require a 20 day advertisement period prior to the issuance of an approval. If comments are received during the advertisement period, depending on the nature of the comments, issuance of the Permit could be delayed.
- Letter of Approval applications do not require a public comment period.

Program Evaluation:

The Shoreline and Waterway Management Section regulates coastal construction along with dune and beach protection and conservation practices. The section also works to protect and enhance eroded beaches, bolstering the state's capability for enduring coastal storms.

Specifically, the Shoreline and Waterway Management Section:

- Regulates coastal construction through programs and permit requirements for construction in beach areas. To successfully run the program, two full time employees and 2 employees who give some of their time to the program are required. In order to carry out inspections and enforcement, vehicles and the maintenance of vehicles is required. Other equipment that is necessary for operating the beach regulatory program include cameras, phones, computers and office supplies. Permits are required by regulation to be advertised in a daily newspaper of state-wide circulation and in a newspaper of general circulation in the county in which the activity is proposed. Today it costs more to advertise a Permit application (typically \$180-\$190) than the fee that we charge for a permit (\$150).
- Protects and enhances Delaware's beaches using science-based dune and beach management practices that include: nourishing eroding beaches, planting beach grass to promote dune growth and fencing dunes to protect them from pedestrian traffic.
- Partners with the Corps of Engineers to conduct beach nourishment projects at ocean front beach communities and Lewes
- Conducts beach nourishment projects at Delaware Bay beaches north
- Provides help using floodplain maps and compliance with National Flood Insurance Program Regulations for floodplain development.
- Updates and improves federal floodplain maps.
- Improves the state's ability to endure severe coastal storms with minimal damage to public and private property as well as infrastructure.
- Oversees state dredging operations, including the operation of the Indian River Sand Bypass System - designed to provide an on-going source of sand nourishment to the north side of Indian River Inlet.
- Provides aids to navigation including channel marking, macroalgae management/harvesting and tax lagoons.
- Administers the Adopt-A-Beach Program.

Currently, there is sufficient revenue to properly manage the program, but 99.99% of it is funded by a combination of General Funds and Bond Bill funding and State Accommodations Tax (hotel tax) funds. Other aspects of the program could easily use these funds considering there is a growing demand for work in the coastal area that does not currently have a consistent funding source. The fees associated with the Beach Regulatory Program pay for only 1% of the cost to run the program.

With the support of the General Funds, Bond Bill and hotel tax, this program is able to adequately provide the services needed with 2 full time contractual employees and 2 full time merit employees who dedicate some of their time to the program. General Funds and Bond Bill funding also provide funds for supplies, vehicles, vehicle maintenance and equipment needs to help support the Beach Regulatory Program. There are no grants or Federal funds that support this program. Most projects require, at a minimum, that the scientist review the application, consult with the contractor, applicant or agent, make a site visit including up to two hours of travel time, review of associated plans and prepare a permit or letter of approval. In addition to the cost of the scientist, there is a cost for the administrative review, placing the application on public notice if required, management review and overhead costs for an automobile and field and office supplies. Further costs are incurred when a follow-up inspection is conducted to confirm compliance.

Violations routinely take from months to years to resolve and require the involvement of one or more environmental scientists, administrative staff and the program manager. Multiple site visits and meetings are commonplace. Violations sometimes require the involvement of the Department of Justice and some are resolved through litigation. Those that are resolved in house rarely acquire fines; therefore, violations have little way of supplementing their costs.

Program Conclusions:

The Regulations Governing Beach Protection and the Use of Beaches require two types of approval based on the proposed construction activity. Letters of Approval in general are required for construction that is proposed completely landward of the DNREC Building Line; however, there are some exceptions made for work proposed seaward of the DNREC Building Line. Permits are required for most types of work conducted seaward of the DNREC Building Line. Currently, no fee is required for the Letter of Approval application. The average of the Permit fees required by other regional states is \$768. The current Permit fee of \$150 does not cover the cost to advertise the Permit application. Recovering advertising costs, similar to other DNREC regulatory programs, would reduce those minor subsidies. Beyond recovering the costs of advertising for permit applications, no additional fees are needed at this time, providing General Fund, Bond Bill and accommodations tax revenues continue at current or higher levels.

Survey of Surrounding States Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	Coastal Construction Permit	\$150	Application for mechanical restoration/construction in coastal areas
New York	Coastal Erosion Control Permit	\$25-\$50	To determine if proposed construction and other activities on specified coastal areas meet certain standards
New Jersey	Coastal General Permit	\$600	Covers most types of construction
Maryland	N/A	N/A	N/A
Virginia	Coastal Primary Sand Dune Ordinance	\$100-\$350	Depends on County and proposed work
North Carolina	Coastal Area Management Act (CAMA) Permit	\$100-\$400	For reconstruction of houses after a storm
South Carolina	Coastal Tidelands and Wetlands Act Permit	\$0-\$1,000	For construction in Coastal Areas
Georgia	Shore Protection Act Permit	\$1,000	For construction activities for structures or changes in topography.
Florida	Coastal Construction Control Line Permit	\$150-\$,4000	For major and minor construction activities

**Environmental Control
Cost Allocation by Activity
2011 Epilogue Fee Report**

- Permitting (Direct Costs)
 - Reviewing applications
 - Preparing public notices
 - Drafting and issuing construction permits
 - Drafting and issuing operating permits
 - Drafting and issuing permit amendments
 - Attend/hold public meetings
 - Attend/hold public hearings
 - Conduct PLUS project reviews
 - Hold joint permit processing meetings
 - Conduct on-site jurisdictional determinations
 - Update permitting databases/records
- Technical Assistance (Direct Costs)
 - Determining permitting applicability
 - Assist applicants in completing permit applications in-house
 - Assist applicants in completing permit applications on-site
 - Helping facilities achieve compliance
 - Coordinate with other Departments (public health, etc.) & governments (local municipalities)
- Compliance & Monitoring (Direct Costs)
 - Review compliance/monitoring reports
 - Risk Management Plans (ARP)
 - General Duty Activities (ARP)
 - Incident/Complaint Investigations
 - Conduct compliance inspections/investigations
 - Vapor recovery system testing
 - Stack testing
 - Sampling
 - Writing inspection reports
 - Maintain records of permitted activities
 - Update monitoring databases/records
- Enforcement (Direct Costs)
 - Requests for information to verify compliance or determine responsible parties
 - Notices of violation development
 - Administrative order development
 - Stipulated penalty development
 - Consent decree development
 - Complaint investigation
 - Civil Enforcement
 - DOJ reviews
- Planning/Development (Indirect Costs)
 - State implementation plan activities
 - Policy, guidance, and regulatory development
 - Coordination with EPA and NGOs
 - Planning related modeling
 - Planning for program activities/priorities
- Education/Outreach (Indirect Costs)
 - Coordinate and conduct outreach to the public (booths at state fair, partner events, websites etc.)
 - Attending public meetings and conferences
 - Develop/hold training sessions for regulated community
 - Develop/hold training session for staff and other departments
 - Review regulations proposed by other department/agencies
 - Training and related travel for staff
 - Responding to questions from the public and legislators
 - Press releases
 - Prepare reports
- Administrative (Indirect Costs)
 - Timekeeping
 - Personnel issues (hiring, performance, etc.)

- File/Database management
- Budget, grant, and fee management
- Define and implement strategic plans for department/division/section
- Process improvement initiatives
- General Staff Meetings
- Management/Employee training
- Respond to FOIA requests
- Billing of registration and permit fees
- Certifying contractors to perform program related work
- Issuing commissions to boiler and pressure vessel inspectors
- Facilitating advisory committees
- Maintaining Financial Assistance Programs for Regulated entities that do not have the ability to pay.
- General Administration (fleet, supplies, correspondence etc.)

**Natural Resource
Cost Allocation by Activity
2011 Epilogue Fee Report**

Operation and Maintenance – Lands & Facilities (Direct Costs)

- Manage and maintain land, access sites (including ramps, docks, piers and boardwalks), roads, shoreline, and channel markers on State and Federal waterways.
- Maintenance of buildings and structures including historic and revenue generating facilities
- Equipment purchases, maintenance and repair

Outreach/Education Activities (Indirect Costs)

- Provide opportunities for public use of, understanding, and awareness of natural, historical and cultural resources
- Market and communicate information
- Develop and distribute publication materials
- Develop displays, wayside exhibits, signs, interactive kiosks, social media, newsletters, press releases etc. and provide public outreach during events (i.e. State Fair, Coast Days)
- Evaluate current level of awareness, understanding and opinions about programs offered
- Develop plans, strategies, and training opportunities that address community awareness
- Develop skills, knowledge, and attitudes necessary to be responsible stewards
- Develop cooperative programs with industry and other partners
- Develop and maintain facilities and staffing needed for training and education (i.e. ARE, Nature Centers, etc.)
- Development of volunteer programs that support day-to-day operations (i.e. Individual volunteers, Friends Organizations, internships, etc.)
- Respond to questions from the general public and legislators.
- Prepare permitting and data reports for the regulated and non-regulated communities.
- Attend public meetings.
- Provide training for staff, regulated community and non-regulated community.

Fee/Permit Program Administration (Direct Costs)

- Review permit applications/plans
- Prepare public notices for permit applications
- Attend/hold public meetings and hearings regarding permits
- Draft and issue construction permits
- Draft and issue permit amendments
- DNREC customer service center at Richardson & Robbins
- Delegate/assign Agents to sell and/or issue permits, permit coverage, plan approvals and licenses.
- Conduct plan/application review and approvals.
- Process and issue NPDES General Permit Coverage for Construction Activities
- Fee collection at day use areas – DNREC point of sales
- Retail sales program through internet sales (e gov), nature center stores.
- Central Reservation system for camping.

Research and Surveys (Indirect Costs)

- Research:
 - Results are useful for a long time period and over a broad geographical area
 - Develop solutions to problems involving recreational use and/or natural and cultural resource management.
 - Determine factors affecting the demands or needs of natural, historical and cultural resources and/or the use of these resources including carrying capacity.
- Surveys
 - Trace trends of populations, habitats, users or other associated variables.
 - Determine abundance, characteristics, or condition of fish and wildlife populations, habitat, and cultural resources.
 - Determine current use or demand for natural, cultural and recreational resources and information about resource users.

Resource Management and Protection (Direct Costs)

- Land acquisition and protection (i.e. fee simple acquisition, conservation easements, etc.)
- Select, restore, rehabilitate, and improve areas of protected land or water (i.e. invasive species management, habitat restoration).
- Education programs for endangered species.
- Maintain or enhance fish populations that have insufficient natural reproduction.

- Maintain fish and wildlife populations at levels consistent with habitat conditions or other limiting factors.
- Alter populations by restoring or establishing populations in suitable habitats.
- Provide sport fishing opportunities by propagation and/or release of catchable sized fish species
- Protect and restore cultural and historical resources (i.e. resident curatorship).

Compliance and Monitoring (Direct Costs)

- Perform construction inspections
- Conduct compliance inspections
- Perform complaint investigations

Enforcement (Direct Costs)

- Notices of violations development
- Requests for information to verify compliance
- Administrative order development
- Stipulated penalty development
- DOJ reviews
- Enforce all Division rules and regulations and state laws to minimize impacts and disturbances

Public Recreation (Direct Costs)

- Includes hunting and fishing, wildlife observation and photography, such projects as construction or restoration of wildlife viewing areas, observation towers, blinds, platforms, land and water trails, water access, field trialing, trail heads, and access for such projects.
- Non-wildlife-associated recreation which includes state beaches and waterways, statewide trail system for hiking, biking and horses, camping, guarded ocean beaches, public swimming at Killens Pond Water Park, athletic facilities, boat rentals, surf fishing access, disc golf courses, summer concert series, Indian River Marina, etc.

Planning (Indirect Costs)

- State implementation plan activities
- Policy, guidance, and regulatory development
- Coordination with USFWS, NPS, EPA and NGOs
- Planning related to modeling.

Technical Assistance (Indirect Costs)

- Provide technical assistance to other state agencies, local governments, communities and private landowners (i.e. site visits, phone calls)
- Coordinate with other departments, government and local communities.
- Determine permitting applicability for activities and/or facilities.
- Assist public in achieving compliance.
- Administering grant opportunities for local governments, non-profits, communities and private landowners.

Administrative (Indirect Costs)

- Timekeeping
- Personnel (hiring, performance, etc.)
- Filing
- Database management
- Budget, grant, and fee management
- Strategic planning
- Management/employee training
- Process improvement initiatives
- General Staff Meetings and staff training
- Oversee delegation of program elements to local jurisdictions
- Respond to FOIA requests
- Certify individuals to perform program related work (i.e. volunteers, districts, etc.)
- Budget development and management

Division of Air Quality Natural Minor Permitting Program Programmatic Changes to Improve Efficiencies

The Division of Air issues construction and operating permits for air contaminant sources; maintains emission inventories of business and industry; inspects air contaminant sources and asbestos removal sites; monitors air quality; develops state plans required by the Clean Air Act; adopts and enforces regulations and permits; and implements the Small Business Technical Assistance Program. The Division's programs took the following actions to improve efficiencies and create savings:

- The Secretary's Office, the Air Quality Management Section, the Delaware Economic Development Office, and several representatives from industry met from August 15th through the 18th 2005 to learn about the Value Stream Mapping process and to Value Stream Map the Natural Minor Air Permitting Process. The session was facilitated by the Delaware Manufacturing Extension Partnership.
- The purpose of the session was to identify areas of waste in the Natural Minor Permitting Process and eliminate them and to create a well-defined predictable Natural Minor Permitting Process.
- In order to facilitate the discussion, the group created a list of in-scope and out-of-scope items to consider. Out-of-scope items included changing regulatory requirements including public notice requirements and adding new resources. In-scope items included changing internal process timing, updating the permit applications, and changing internal organizational structure.
- After mapping the current process we discovered that it takes about 104.5 days to issue a construction permit, with 10 days of value added work, and that less than 1% of the permit applications make it through the permitting process without rework.
- After identifying waste (including rework) we created a process in which applications are issued within about 88 days from receipt and 51 days from technical completeness (we can guarantee less than 90 days).
- We reduced the permitting backlog from 199 permits on 8/24/2005 to 44 on 4/15/2006 to 18 on 8/9/2006. Our current backlog is 68 permits on 7/9/12
- We set several goals to reduce rework for the future state including:
 - Internal first pass quality of 80%
 - Customer information quality 80%
 - Administrative completeness 100%
 - Technical completeness 80%
- We created a list of action items to achieve these goals and have completed them.
- The VSM team received the Speed Demon Award from General Motors Corporation in October 2006 for the initiative. This is the first time a group outside of the company has received this award.

Division of Water Programmatic Changes to Improve Efficiencies

The Division of Water Resources monitors, manages and protects Delaware's ground and surface waters, tidal wetlands and underwater lands; serves as a link to the Delaware Estuary and Inland Bays Estuary programs and Delaware River Basin Commission; provides centralized geographic information system services and public education and outreach programs; and coordinates citizen volunteer monitoring programs. The Division has demonstrated efficiencies and created saving over the past 3 years through the following efforts:

1. Division of Water:

- **FOIA Requests:** One person has been designated to coordinate all FOIA requests submitted to the Division of Water. This has saved staff time by eliminating redundant reviews; and provides an electronic tracking mechanism, ensuring all FOIA requests receive a timely response. Since implementing this policy, FOIA response times have been reduce to less than 5 days on average.

2. Groundwater Discharges:

- **Database:**
 - Developed an integrated database within the Delaware Environmental Navigator (DEN) to track all permitting activities, improving permit turnaround by 50% for residential septic system permits
 - Conserved staff research time by utilizing a single electronic system for all facility-related documents, permit requirements, inspections, and compliance issues/violations
 - Increased follow-up on compliance issues/violations as a result of automated status reports sent from DEN to GWDS staff on any compliance issue not resolved by a designated date
 - Improved efficiency in allowing staff to perform queries and develop graphs showing long term trends by entering monitoring well data of large systems into DEN
 - Improved section transparency by allowing public access to DEN in regards to compliance related issues
- **Reporting to Environmental Protection Agency:**
 - Increased submission from bi-annual reports to quarterly reports to the Environmental Protection Agency's (EPA) Ground Water Protection Program for all Large On-Site Wastewater Treatment and Disposal Systems (OWTDSs) and Underground Injection Control (UIC) injection wells in Delaware in compliance with EPA requirements through EPAs Exchange Network (EN) data base
 - Eliminated the need to perform detailed queries or to submit paper reports by developing and implementing the EN in conjunction with the EPA and Delaware's Office of Technology, that sends the required information to the EPA electronically
- **Travel:**
 - Increased attendance of teleconferences and webinars to offset travel costs while increasing training opportunities
 - Consolidated field inspections within a specific geographic area to reduce travel time and costs
 - Increased grant funded travel as a result of an increase of approximately 120% in funds received through the Drinking Water Grant
 - Decreased spending of ASF funds for travel by approximately 67% through the use of grant funding.
- **Fleet Services:**
 - Reduced the number of vehicles dedicated to the Section by 60%, resulting in a decrease in funds necessary for fuel and maintenance

- Remaining vehicles used to create a “pool” for Division-wide use

3. Surface Water Discharges:

- The program changes and measures listed below illustrate the actions the SWDS has implemented to increase efficiencies, reduce costs, improve environmental outcomes, improve communication and heighten outreach/educational opportunities.
 - Permitting/Inspection database (developed in Microsoft Access) utilized by seven (7) permitting programs.
 - The database tracks:
 - ✓ Inspection details, status and compliance measures.
 - ✓ Site specific details (to include county, watershed and tax map number).
 - ✓ Permitting/facility/contact details.
 - The deliverables are:
 - ✓ Standardized form letters (i.e. administratively complete and technically complete in accordance with the Governor’s Initiative).
 - ✓ Inspection forms and reports.
 - ✓ Detailed reports (to include program specific FOIA reports).
 - ✓ Ability to query and extract information for immediate results.
 - ✓ Compatibility with other State and Federal programs and databases.
 - **Program Specific**
 - Board of Certification for Wastewater Operators (BOC)

Program overhaul to include:

 - Databases for licensing, continuing education training and testing.
 - Improved testing software.
 - Redesign of forms and form letters.
 - Development of education materials to include brochures, newsletters, updated website and trade show display.
 - Utilization of mass email notifications.
 - Municipal Separate Storm Sewer Systems (MS4)
 - Creation of a standardized auditing survey to assist with the evaluation of compliance.
 - National Pollutant Discharge Elimination System (NPDES)
 - Development of an electronic Discharge Monitoring Report (eDMR). Allows facilities to submit monthly reports on-line versus current system of mailing and manual data entry by SWDS staff.
 - Participated in Value Stream Mapping.
 - Conducted a Statewide Wastewater needs assessment. This study assessed Delaware’s wastewater treatment facilities at the statewide and county levels to determine their current status from technical and economic perspectives.
 - Initiated a Program Officer to assign NPDES permitted facilities to a permit writer.
 - Industrial Stormwater
 - A program audit was completed in 2011 and as a result:

- ✓ Field inspectors utilize GPS units to populate the GIS layer and laptops in the field for inspections.
 - ✓ Updated forms, form letters and website.
- Received funding through the Chesapeake Bay Regulatory and Accountability Program Grant (CBRAP) which allowed for the creation and funding of an Environmental Scientist position.
- WPCC
 - A program audit was completed in 2011 and as a result:
 - ✓ A checklist was developed to detail submittal requirements.
 - ✓ An Application Form was created.
 - ✓ Updated form letters and website.
 - The permit backlog was reduced by 100%
 - The Turnaround time was reduced by 62%

4. Water Supply:

- **Database:** The Water Supply Section maintains a resolute commitment to continuous improvement of all of its programs via implementation of advanced data processing systems and enable the Section to operate at the highest level of efficiency in service to Delaware.
- **Source Water Assessment and Protection Program (SWAPP).** SWAPP contains detailed information for all 500+ public water supply systems (consisting of over 1000 individual supply wells) in the state, including extensive information on the distribution system, treatment systems, source aquifers, demand, the vulnerability and susceptibility of each public water system and identifiable or potential source of contamination, and linked with databases throughout the Department. An external link was made to integrate the water quality data generated by the Division of Public Health under the Drinking Water program. And allowed us to meet the very aggressive completion schedule under our grant commitment with EPA, substantially complete all assessments in only three years, and gained a special recognition award from EPA.
- **The well permitting system, called TEPP,** is on routine upgrade cycles including the current migration to an upgraded document archiving system. The recently launched project is to systematically archive all the old permits issued before the new system. At some point Water Supply's well permitting will be a true paperless operation.
 - More field presence by well permitting staff has resulted in a doubling of enforcement activity over the past two years as previously undetected violations are being uncovered. This greatly improves our ability to protect Delaware's residents and its water resources.
 - Another permitting evolution enabled by TEPP; well drilling contractors are prohibited from obtaining a new well permit if they are negligent in submitting required construction reports on time. Previously, the failure rate for filing these construction reports numbered in the thousands, and we could never verify a large number of well installations, or how they were constructed. This led to large and critical gaps in our well records; and the chronic problem is now 100% permanently cured.
 - In 2009 launched on-line well permitting, with a use share of nearly 40%. The system is most heavily used by drillers in environmental consulting field for the installation of monitoring wells, and less so by water supply well drillers.
 - Monitoring wells are typically repetitive installations of identical wells on multiple locations across a project site. Processing them by paper is burdensome due to the large

number issued (>1500/yr). With applications submitted electronically the permits can be greatly expedited, thus freeing the technician's attention for important functions.

- In 2009 launched an on-line water use reporting for the large water users holding water allocation permits. These are the users typically in the millions of gallons per day range including utilities, irrigators, and industrial companies. It is fully and reliably operational.
- The number of on-line reporters is now approaching 100 which has cut the number of paper reports we receive by nearly 30% and it is expected the majority will be reporting on-line in a few more years, without entering the literally thousands of lines of data that we use to do every year, and eliminating storage of large amounts of hardcopy documents. We gained a higher level of data quality, and the reporters now maintain responsibility for assuring the accuracy of their reports.

5. Wetlands & Subaqueous Lands program changes over the last 3 years:

The Wetlands and Subaqueous Lands Section administers four programs including the Subaqueous Lands, Wetlands, Section 401 and Marina programs. To reduce program costs, duplication of effort, and inefficiency the WSLs implemented the following:

- Increased staff efficiency by standardizing permit application forms and conditions
 - Established a bi-weekly format for public notices
 - Increased compliance with permit conditions by increasing site inspections
 - Created a new violation enforcement database
 - Developed and held workshops for contractors/consultants
 - Reduced permit complexity and processing time by implementing SAA's
- **Subaqueous Lands**
The subaqueous lands program issues a variety of authorizations ranging in complexity from the repair and replacement of damaged serviceable structures to the leasing of State land for the construction of new structures. To reduce program costs and improve efficiency a streamlined review procedure was developed and implemented for projects with minor impacts. These authorizations are called Statewide Activity Approvals (SAA's) and are identified as follows.
 - Developed/implemented a SAA for minor sediment removal
 - Developed/implemented a SAA for activities in lagoons
 - Developed/implemented a SAA for repair/replace projects

Impacts to the State's water resources were reduced by implementing BMP's as follows.

- Reduced impacts from shoreline stabilization projects by promoting living shoreline technology and providing cost share incentives in conjunction with Sussex County Conservation District
 - Reduced impacts from pier and dock projects by promoting the use of preferred construction material and environmentally sensitive designs
- **Section 401**
Issued Section 401 water quality decisions/certifications for new Federal Nationwide Permits which promotes one-stop permitting for most projects with minor impacts.

Division of Waste and Hazardous Substances Programmatic Changes to Improve Efficiencies

The Division of Waste and Hazardous Substances oversees the handling, transfer, storage, disposal and management of solid waste and hazardous materials through regulations, monitoring, inspections, emergency response and environmental regulation enforcement. The Division regulates emissions of air contaminants, operating permits for industrial facilities and emission testing for vehicles; manages boiler safety, underground and above ground storage tank sites and hazardous waste sites; carries out cost recovery procedures in the cleanup of environmental violations and emergency incidents.

1. EPCRA program changes over the last 3 years:

- Implementation of Web-based Tier II Manager™ system. Resultant streamlining of report processing efforts and reduction in data distribution and maintenance activities have allowed us to reduce staff by one GF FTE. Reporting facilities enter and submit Annual Hazardous Chemical Inventory (Tier II) reports, calculate annual reporting fees and pay fees on-line. Over 1800 facilities report under this program each year. Approximately 99% now report on-line through the system.
 - i. System allows facilities to edit and update previous data already in the system, saving them time and effort in reporting. Built in quality control features reduce reporting errors.
 - ii. Emergency planning and response organizations can access the facility information directly through the Internet, reducing previous efforts required to distribute and maintain data in multiple standalone data systems statewide, and eliminating delays associated with distributing updated data.
- Toxics Release Inventory (TRI) online reporting by Central Data Exchange (CDX). Just over 60 Delaware facilities report under TRI annually. Rather than submitting separate reports to EPA and the State, this approach allows facilities to report on-line to EPA. Through the CDX, the appropriate data is then forwarded electronically to Delaware for loading into our State database. This initiative reduces duplicate report submissions by facilities. In addition, it has streamlined our efforts to compile our annual State TRI data for evaluation and analysis. This has allowed the incorporation of additional analysis within the publicly-released annual Delaware TRI report, while still publishing the report earlier than in previous years. It has also allowed allocation of staff resources to conducting additional TRI site visits, as well as special projects including archiving of paper files, participation in safety program development, and creation of GIS layers for EPCRA facilities.

2. ARP program changes over the last 3 years:

- Reduced the Accidental Release Prevention (ARP) program compliment of 2 ASF Engineers and 1 GF Engineer to 1 ASF Engineer and 1 GF Engineer in 2011. This change resulted in a 50% ARP-Extremely Hazardous Substance (EHS) fee cost savings. Currently annual ARP-EHS fees cover the one ASF Engineer.
- Maintained the 25 to 30 inspections per year schedule with 2 ARP Engineers based on implementation of risk evaluation and expedited inspection procedures for propane distributors. Propane distributors make up 60 % of the stakeholder sites. Evaluation of risk consisted of a review of accident history, off-site consequences in a worst case scenario of an accidental release and potential risk to public and environment for propane tanks and propane

distributors. The expedited inspections included evaluation of process complexity and National Fire Protection Association 58 Code.

3. Boiler Safety program changes over the last 3 years:

- Reclassified and reassigned the vacant Director of Boiler Safety Position to assist in the Department's Reorganization.
- Changed the statutory authority for the Boiler Safety Program from Title 29 to Title 7 re-authorizing the program from a Division to a program within the Department of Natural Resources and Environmental Control.
- The Boiler Safety Program is funded 100% by General Funds. In FY 2011 all of the supply funds for the program were cut, and Chapter 74A was changed to allow DNREC to supplement the program by allowing Aboveground Storage Tank Fees to pay a portion of the administrative costs of the Boiler Safety Program. In FY 2011, \$1500.00 was used for this purpose.
- Currently modifying regulations relating to maintaining program requirements with national codes and standards.

4. Underground Storage Tank program changes over the last 3 years:

- Implemented Value Stream Mapping of UST installation approval and vapor recovery permitting processes that has allowed the Section to meet Department permitting timelines.
- Implemented the use of PDA devices during UST Compliance Inspections to lessen the time it takes to send out request for information letter that documents the findings of the inspection. This included contracting for software that allows the download of this information into our Environmental Navigator database.
- Requiring annual assessment of financial responsibility documentation to ensure owners and operators have the proper amount of insurance to address a release or third party damages from an underground storage tank.
- Implemented new regulations relating to required training for UST operators. Partnered with Delaware Technical and Community College to develop a curriculum and course schedule to ensure that each facility have an operator trained on their UST system by August 8, 2012.
- Implemented new regulatory authority to issue delivery prohibition tags to UST facilities that are found out of compliance with state regulations.
- The Tank Management Section is 50% complete scanning our closed files and making the information available to the public via the web.

5. Solid and Hazardous Waste Permit Program Improvements

- Improved permit application completeness by 60%
 - Pre-application meetings are a requirement now for all facility permitting activities.
 - Revisions/Updates to permit applicant checklist occur on an annual basis based on applicant comments for improvements, regulatory changes and improvement in the permitting process. We believe these improvements have increased the completeness of permit applications as well.
- Outreach requirement for new facilities or major modifications to existing facilities has resulted in 30% reduction in request for public hearings

- Creation and usage of public interest list for all our major facilities has helped educate the interested public about facility permitting activities.
- Requirement for public workshops prior to public hearings on highly complex facilities has resulted in a better educated public.
- Creation of a new transportation database for use by the SHWMS, as well as the ECU and DelDOT results in 18% reduction in staff workload
 - provides fields of additional information, as well as the ability to add comments which assists the ECU, reducing the need to telephone the SHWMS for additional information
 - has the capability to electronically prepare both solid waste and hazardous waste transporter permits, where only solid waste permits were prepared using the previous database. This results in an approximate 5% time savings for permitting and administrative staff
 - allows for electronic tracking of information, streamlining the need to maintain separate spreadsheets to track the receipt of annual payments, renewal applications, and certificates of insurance, a 3% time savings.
 - provides the capability to prepare mass mailings, for example, letters indicating lack of receipt of a permit renewal application. Such mailings were previously prepared outside of the database. This results in an approximate 10% time savings for permitting and administrative staff.
- Transporter permit holders get to choose length of permit and have prepayment option resulting in quicker permit issuance timeframe. (still calculating the direct impact)
 - Permits are now issued for periods of one year up to five years via a pre-payment system. The transporter has the ability to select the length of permit term and pre-pay. This avoids the previous need to issue annual invoices, track receipt of payments and implement a revocation process for those who do not remit annual payment.
 - This results in an approximate 15% time savings for permitting and administrative staff.

Division of Parks and Recreation Programmatic Changes to Improve Efficiencies

The Division of Parks and Recreation operates and maintains 16 state parks, 13 preserves & 9 other areas; administers land protection programs; provides and plans recreational opportunities and educational and interpretive programs for the public; acquires and develops recreational lands and facilities, and protects natural areas. Parks-managed lands total 26,405 with over 300 miles of trails and pathways to be enjoyed by an average of 4.4 million visitors annually.

- An analysis and restructuring of allocated staff was initiated in 2007 to ensure maximum efficiency within management sections.
 - Management of field operations was consolidated from six regions to four, eliminating two Park Administrator I positions (PG 17 – \$95,560 + OECs).
 - The Operations and Management and Cultural and Recreational Services Sections were consolidated into one management section, eliminating one Environmental Program Administrator position (PG 21 - \$62,630 + OEC's) and two Cultural Conservation Program Managers (PG 15 - \$85,602 + OECs). During this period, the Division also took the initiative to implement a 9% reduction in the ASF operating budget in order to ensure long term sustainability.
- In addition to these self-imposed cost-cutting measures, the Division lost 20 full-time merit positions through complement reduction efforts during FY 09 and FY 10. The reclamation of positions resulted in a 10% reduction in the Division's total allocated positions, which was the most of any Division within the Department of Natural Resources and Environmental Control.
- The Division's current merit position allocation is now 165, down from a high of 194.
 - The Division continues to maintain an 8.5% vacancy rate (14 positions).
 - The Division's self-initiated internal reorganization and restructuring following the dramatic loss of full-time merit positions has resulted in increased efficiency and significant cost savings.
- The Division continues to utilize volunteers in support of day-to-day operations in nearly every aspect of the state park system. The Division's volunteer program is a leader in state government and annually recruits, trains and deploys thousands of individuals and groups in the parks. In the past three fiscal years (FY 09 – FY 11), the Division has averaged 124,608 volunteer hours per year or an equivalent of 64 full time equivalents (FTE's).
- The Division has taken proactive steps to ensure that all budgets are managed in a systematic, comprehensive and fiscally sound fashion. Several initiatives include but are not limited to:
 - Establishment of a budget committee made up of employees from every section and the department's fiscal office. The committee meets monthly to evaluate all revenue and expenditures

by budget line and makes recommendations and develops policy to ensure effective fiscal management of all Division resources.

- Establishment of an entrepreneurial committee that evaluates employee-recommended projects that have the potential to increase ASF revenue and have a clearly defined amortized repayment schedule. The Division allocated discretionary ASF revenue into a budget line that provides funding for any projects that are approved. All revenue generated from the entrepreneurial projects is returned to the entrepreneurial fund and reinvested into new revenue-generating projects creating a perpetual funding source for projects that would not otherwise receive funding. The most recent projects include a new picnic pavilion at Lums Pond State Park and six camping cabins at Cape Henlopen State Park. In the first six weeks, the camping cabins have generated more than \$25K and the pavilion is well ahead of the anticipated full repayment in three years.
- The Division continues to evaluate and partner with groups to promote and market the state park system while reducing costs.
 - The use of social media as well as a new mobile app have significantly changed marketing. The Division is actively using Facebook and Twitter and now has more than 7,000 followers. The free mobile app “The Pocket Ranger” allows visitors to access the most up-to-date park information, such as upcoming events, weather conditions and safety alert communications. The app offers users increased performance and activation speed with multi-tasking capabilities, enhanced user navigation, detailed park maps and interactive GPS mapping guide for areas with little to no mobile reception.
 - The second marketing partnership is with the Good Solutions Group (GSG) that produced a park visitor welcome map and guide that covers all state parks and a detailed description of the activities offered at each location. GSG pays all of the production and distribution costs for nearly 100,000 maps through national sponsorships. This new marketing material has allowed the Division to discontinue the printing of individual rack cards for each park, saving thousands of dollars annually.
- The Division invested significant resources to develop an internal Information Management System (IMS) that manages all electronic (scanned) records for land acquisitions, capital projects, contracts, concessions and leases, park facilities structures and supporting infrastructure, payment tracking and all owned and fleet-leased vehicles. This has resulted in a dramatic increase in efficiency with both field and central office staff having access to scanned electronic records.

Division of Fish and Wildlife

Programmatic Changes to Improve Efficiencies

The Division of Fish and Wildlife protects, manages and promotes conservation of Delaware's fish and wildlife habitats and resources. The Division is the largest land manager in the state, with 62,674 acres under its administration, including 31 freshwater ponds and 26 tidal water access areas. The Division conducts biological surveys and studies of living resources, and operates public shooting facilities, wildlife management areas, public boat launching and fishing facilities.

1. Automation of Delaware's recreational licensing program.
 - In 2002 DFW transformed the recreational licensing program from a manual to automated licensing program.
 - Cost efficiencies in excess of \$110,000 annually.
 - Automation eliminated the need to print more than 200,000 manual licenses and permits. This resulted in cash savings in terms of time and paper. Prior to electronic licensing monthly reports were printed and mailed to agents for billing, hundreds of thousands of licenses, permits, deer tags and stamps had to be audited (2 times a year), and licenses had to be issued and packaged to licensing agents. Electronic licensing has also improved cash flow and better payment control with electronic licenses and has reduced the amount of errors on reporting and payments.
 - Automation also reduced the amount of time involved with contacting license holders for missing licensing information, tracking license holders, phone time, and the cost of certified letters.
 - Faster turnaround time for Duplicate license requests.
 - In 2011 the DFW began updating the recreational licensing system to work with the Division of Child Support Enforcement tracking system to ensure that licenses are not sold to individuals who are delinquent on child support payments. Prior to this the Division would have to generate reports of all license sales and provide this information to Child Support and Enforcement. Child Support and Enforcement would then send a list of individuals to the DFW who should have their licenses revoked. The updates completed to the electronic system will prevent licenses from being sold to individuals who are delinquent on child support payments.
 - In 2012 the DFW added a feature to its recreational licensing system that allows Duck/Trout Stamp Collectors to purchase stamps electronically. Traditionally this was all completed manually and required staff to keep updated spreadsheets for auditing purposes. This system will create reports of sales that will be used for auditing reducing staff time taken to input and manually audit all stamps.
2. Automation of DFW's Boater Registration Program.
 - In 2008 the DFW began the automation of the Boater Registration Program. This went into effect in 2010. Automation allowed DFW personnel and agents to renew or register boats electronically, transfer registration from one boat to another, purchase duplicates, and track decals.
 - In 2011 the DFW updated the electronic Boater Registration Program to print boat registration cards instead of manually writing them at the front desk.
3. Outsourced DFW's Hunting Guide
 - In 2011 DFW outsourced the production of the Hunting Guide. This resulted in an annual cost saving of \$12-\$14,000 to the Division.
4. Automated Hunter Registration System

- In 2011 the DFW developed an automated hunter registration system (online and phone). This system assigns Deer registration, Hunters License Exempt Number (LEN), Hunter Harvest Information Program (HIP) and Snow Goose Conservation Order Permits. Historically Deer registration was done at a check stations now it can be done online or through the phone. This reduced the number of check stations needed state wide. Snow goose permits were also added into this system which reduced the burden that would have been placed on staff for issuing these permits saving the DFW both time and money.
5. Automated Fisherman Information Network (FIN)
- Since 2009 Delaware Fisherman have been required to get a FIN. Initially the DFW paid a contractor to assign the FIN number to all license holders (license holders would have to call a 1-800 number). In 2010 DFW updated the recreational licensing system to assign a FIN to all individuals who purchased a license. This has reduced the FIN bill from \$120,000 to \$30,000 annually. DFW is currently working on a system that would allow license-exempt anglers to get their FIN numbers through the F&W website. This should reduce the DFW FIN bill to a few thousand dollars per year as the only FIN numbers we will have to pay to assign will be those that are received through our 1-800 numbers.
6. Electronic Trawl Surveys
- In 2011 DFW updated its trawl surveys from paper records to electronic records. This change saved countless hours of data coding by Fisheries staff and thousands of dollars of payments to University of Delaware for entering the trawl data into computer files.
7. Volunteer Services
- The DFW continues has used volunteer's services for years in various capacities. Volunteer in-kind match documented was limited to our education programs. However in 2008 DFW ramped up is use of volunteers for management of Wildlife Habitat and Research and Surveys. In 2011 alone, the DFW generated over \$175,000 in volunteer in-kind match which can be used in lieu of state license fees to leverage federal funding.

Division of Watershed Stewardship Programmatic Changes to Improve Efficiencies

The Division of Watershed Stewardship preserves and protects the state's soil, water and coastal resources by managing the state's shoreline, coastal zone and navigable waterways; regulates coastal and urban land use and construction activities; develops and implements innovative wetland and stream restoration techniques and concepts; and promotes wise agricultural, urban land and water management practices to preserve local agricultural interests, protect urban communities and provide for public safety.

1. Shoreline and Waterway Management Efficiencies and Cost Reductions

- 2007 – Coastal Construction Permit applications and Letter of Approval applications were made available to the public on the DNREC website. These applications are still available and updated each year, reducing copy and mailings costs.
- 2008 – The DNREC Building Line Maps were digitized and made available to the public, reducing copy, mailings and Xerox copier maintenance costs.
- 2009 – We maintain an inventory of photos of each property along the Bayfront and Oceanfront. As approvals are issued and the structures change, these files are updated. Viewing the photos can sometimes eliminate the need for a site visit and may reduce the turnaround time on an approval. This reduces costs in travel, vehicle maintenance and fuel.
- 2011 – A scanner was purchased and is now being used to scan each new approval. This reduces mailing, copying and faxing costs and will save us scanning costs 5+ years from now, when the file are being archived.

2. Sediment and Stormwater Program Efficiencies

- Creation of a new online permit. The Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activities can be submitted electronically through DNREC's web application. This is not a completely "paperless" process, but it is "less paper". All correspondence and notifications from DNREC are in the form of e-mails and therefore can be retained electronically for record retention.
- Creation of the Mud Tracker database (internal project tracking database) shared by DNREC, Kent and Sussex Conservation Districts. It has been developed to replace individual project databases and to collect information on stormwater best management practices (BMPs). Some of the data collected are the dates of when plans are submitted and comments are sent as well as project inspection and maintenance reviews. The database provides the capability to extract data based on certain criteria queried such as, stormwater BMPs for the Chesapeake Bay Watershed.
- Creation of Tax Ditch and Ag Structure Standard Plan Templates. For these activities, submission of a standard plan provides the NPDES stormwater discharge permit coverage needed and is cost effective for the applicant.

- Creation of a 3 step plan approval process; Step 1- pre-application meeting, Step 2 – submission of the preliminary sediment and stormwater management plan, and Step 3 – submission of the sediment and stormwater management plan. This has enabled a more expedited and efficient plan review and approval process.
- During the plan review process we have relied heavily on electronically sending out our comments on plans. This has expedited our reviews significantly.

Ground Water Discharge – Detailed Survey of Surrounding State/County Fees:

State/County/Region	Fee Title	Current Fee	Basis of Fee
MD/Frederick	Well Permit	\$160	County Code
	* Septic System Permit (New) - conventional	\$150	
	* Septic System Permit (New) - alternative/sand mound system	\$250	
	* Septic System Permit for Repair	\$30	
	* Soil Evaluation/Percolation Testing: (per septic reserve area)		
	10,000 sq. ft. or less	\$225	
	>10,000 - 12,500 sq. ft.	\$275	
	>12,500 - 15,000 sq. ft.	\$325	
>15,000 - 17,500 sq. ft.	\$375		
>17,500 - 20,000 sq. ft.	\$425		
	Liquid Waste Hauler Permit (per truck)	\$55	
MD/Montgomery	* Revisions to permit information after submission.	\$135	County Code
	* Minor plan revisions	\$275	
	* Investigation, review, and issuance of a permit to repair an existing sewage-disposal system	\$275	
	* Conventional Percolation Tests Per Lot (each visit) \$ 520	\$520	
	* Percolation Tests Per Lot for Mound Systems (each visit)	\$935	
	* Percolation Tests Per Lot for Alternative and Innovative Systems (each visit)	\$935	
	* Water-Table-Level Check (each visit)	\$410	
	* Individual-Sewage-Disposal-System Permit	\$935	
	* Plans Review for Subdivision and platted Lots and Revisions (Per Lot)	\$500	
	* Minor Plan Review (Including Environmental Health Survey)	\$275	
	* Partial Environmental Health Survey	\$140	
	*Septage-Hauler-Permit Inspection (per truck)	\$210	
	* Permit Extensions	\$135	
	* All fees noted in this regulation are subject to a 10 % Automation Enhancement fee per Executive Regulation 5-98.		
MD/Anne Arundel	* Complete System	\$600	County Code
	* Septic Tank	\$350	
	* Drain Field or Drywell	\$475	
	* Septic Distribution Box	\$225	
	* Piping Only	\$225	
	* Pump Pit	\$225	
	* Holding Tank	\$225	
	* Non-Conventional Nitrogen-Reducing System	\$750	
	* Bay Restoration Advanced Pretreatment Unit	\$600	
	* Commercial System	\$1,500	
	* Commercial System (Each additional 2,000 gal/day flow)	\$1,500	
* Commercial Grease Trap	\$1,000		
* Liquid Waste Hauler Vehicle Inspection	\$150		
MD/Caroline	* Sanitary Contractor's License Application (INSTALLERS)	\$250.00	County Code
	* Sanitary Contractor's License Application (HAULER)	\$250.00	
	* Sanitary System Construction Permit Application - New	\$480.00	
	* Sanitary System Construction Permit Application - Repair/Renovation	\$200.00	

	<ul style="list-style-type: none"> * Sanitary System Construction Permit Application - Tank or grease trap only * Sanitary System Construction Permit-modification/extension * Soil test/lot approval certificate application-also referred to as Property Status Report * Soil/Site Evaluation Application - Soil Test (AKA: Dry perc) * Soil/Site Evaluation Application - Wet Season perc * Soil/Site Evaluation Application - Mound Test perc 	<ul style="list-style-type: none"> \$75.00 \$60.00 \$30.00 \$270.00 \$300.00 \$300.00 	
MD/Kent	<ul style="list-style-type: none"> * On-site Sewage Disposal Permits * Private Water Supply Permit * Combined Fee for Both Well and Septic Permits * Sanitary Facility Evaluation * Vacant Land Evaluation: <ul style="list-style-type: none"> ≤ 4 Sites (includes 1 hour of inspection service) Each Additional Hour ≥ 5 Sites (includes 3 hour of inspection service) Each Additional Hour 	<ul style="list-style-type: none"> \$222 \$145 \$367 \$212 \$258 \$65 \$310 	County Code
PA/Chester	<ul style="list-style-type: none"> * Record / Rider Form (residential or commercial): <ul style="list-style-type: none"> New, Repair, or Modification * New, Major Permits (1 EDU = 400 gpd for community systems or commercial and non-residential properties): <ul style="list-style-type: none"> Residential 1st EDU Commercial 1st EDU (Non-Residential) Additional EDUs (Cost per EDU) With existing, valid testing (Within 6 years) Residential 1st EDU Commercial 1st EDU (Non-Residential) Additional EDUs (cost per EDU) Additional Site Evaluation Testing: Test Pits or Perc Test (per event) Each additional necessary or required inspection (any system) * Repair, Major Permits (Site Evaluation Testing Application Review and Permit): <ul style="list-style-type: none"> Residential 1st EDU Commercial 1st EDU (Non-Residential) Additional EDUs (cost per EDU) Additional Repair Site Evaluation Testing (after a suitable site has been located) Each additional necessary or required inspection (any system) * Redesign Permit Application Review: <ul style="list-style-type: none"> New Residential 1st EDU New Commercial 1st EDU Additional EDUs (cost per EDU) Repair Permit (due to applicant preference) * New, Minor Permit (No existing system, no soil testing required): <ul style="list-style-type: none"> Application Review and Construction Inspection OR Temporary Use of Holding due to Weather * Repair or Modification, Minor Permits (Existing systems, no soil testing required): <ul style="list-style-type: none"> Application Review and Construction Inspection 	<ul style="list-style-type: none"> \$50 \$1700 \$1700 \$200 \$800 \$200 \$250 \$100 \$750 \$750 \$100 \$100 \$100 \$400 \$400 \$50 \$200 \$250 \$50 	County Code

	<p>*Miscellaneous Fees: Evaluation of Existing System for Building Alterations, Additions, Change in Use Release Agreements or Easements * Site Evaluation Testing: Test Pit (included both primary and replacement absorption areas when done at the same time) Perc Test (includes up to 2 tests done on the same day) Additional Site Evaluation Testing: Test Pits or Perc Test (per event)</p>	<p>\$200 \$100 \$400 \$500 \$250</p>	
<p>PA/Bucks</p>	<p>* Site Evaluation, Subdivision Reviews And Repairs: Individual Lot Evaluation Act 537 Subdivision Plan Review Including Lot By Lot Testing (Includes 1 field evaluation of each lot and a written report of findings) Additional field evaluations of a lot will require an additional fee for each evaluation report Act 537 Subdivision Plan Review and general field evaluation Without Lot By Lot Testing Evaluation For A Proposed 4 Year Fill Site (Includes initial & post 4 year evaluation) Evaluation For A Proposed Fill Site (4 year, Repair) Repair Evaluation Request Primary and Replacement Sites/Lot * Application Fees For On-Site Sewage Permits (Permit application fees based upon 1 EDU (400 gpd): Application for a New Individual on-site sewage permit, including alterations for increased flow Application for an Alternate or Experimental on-site sewage system permit Application for a permit to Repair an existing sewage system (ESM, Trenches, Beds and IRSIS) Application for a Repair Permit to replace component(s) of system (not including absorption area) Application for a permit Transfer Application for a Community on-site sewage system permit Revision to a permit for Pressure Dosed Individual on-site sewage system where permit has been issued Application for a Temporary Holding Tank permit when in conjunction with an on-site sewage permit Act 46 On-Site Sewage Extension Verification Fee * Fee for Annual Inspection of On-Lot Sewage Disposal System Where Required * Sewage Waste Hauling Vehicle Operating License * Sewage Waste Hauling Vehicle Missed Inspection Appointment * Homeowner Water Supply Bacteriological Analysis * Well Inspection And Permit: Well Certification (includes 3 field inspections) Each additional field inspection</p>	<p>\$825 \$825 \$270 \$270 \$1360 \$500 \$200 \$1375 \$405 \$600/ED U \$225/ED U \$125 \$175/ED U \$1,675+ \$210/ED U \$225 \$225/ED U \$100 \$255 \$230 \$50</p>	<p>County Code</p>

	Well Abandonments, Hydrofracting and Pitless Adaptor Installation/Replacement Geothermal Well Permit (includes up to 3 holes) Each additional increment of 3 holes (4-6, 7-9, etc.) – (Maximum additional charge \$1,280.00)	\$20 \$290 \$160 \$160 \$300 \$160	
PA/Montgomery	* Site Evaluations-Individual & Community On-Lot Systems/Relocation Of Absorption Areas: Soil Probes Percolation Test Major repairs (includes probes & percolation testing) Additional Site(s) * Site Evaluations-On-Lot Subdivisions: Primary Site (Soil Probes) Primary Site (Percolation Test) Additional or Secondary Site(s) * Permits: Conventional systems Alternate & Experimental systems Retention tanks, et al. Repair/replacement of an existing on-lot system per category: Major Minor Modification Verification For Permit Exemption Transfer Or Duplication Of Permit *Additional permit review fees may be required for re-submittals. * Inspections: Conventional system Alternate system Experimental system Replacement of entire existing on-lot system (major repair only) All non-routine and or individual system components per inspection *Additional fees may be required for re-inspections * Miscellaneous: Fill Registry/Application (Fee Does Not Include Site Evaluation Testing) Re-Use/Change Of Use Of An Existing On-Lot System Application Review Redesign Of On-Lot System Application Review	\$260 \$260 \$260 \$260/lot \$315 \$315 \$315/lot \$260 \$315 \$160 \$105 \$50 \$40 \$25 \$50 \$105 \$315 \$420 \$525 \$160 \$55 \$55 \$210 \$130 \$130	County Code
NJ/Salem	* Septic Plan Review * Septic Plan Revision * Septic Repair Permit * Septic Alteration Permit (Standard Design)	\$250 \$125 \$125 \$250	County Code

	* Septic Alteration Permit (Advanced Tech)	\$375	
	* Septic System Re-inspection	\$95	
	* Septic Permit Renewal– good for 2 years	\$125	
	* Real Estate Inspection Report Review	\$100	
NJ/Gloucester	* Preliminary Review	\$150	County Code
	* New Construction Preliminary Review	\$150	
	* New Construction	\$250	
	* Alteration: No Expansion or Change of Use	\$200	
	* Alteration: Expansion or Change of Use	\$200	
	* Alteration: Malfunctioning System	\$200	
	* Deviation from Standards	\$200	
	* Repairs to Existing System	\$50	
	* Revision After Initial Approval	\$150	
	* New Construction for Alternate Technology	\$300	
	* Alteration for Alternate Technology	\$225	
	* Revision for Alternate Technology	\$200	

Survey of Surrounding States Large Systems Fees:

State/County/Region	Fee Title	Current Fee	Basis of Fee
MD	* Construction Permits: Water Mains And Gravity Sewers/Force Mains (dependent on the length of the mains) Water And Wastewater Pumping Stations (dependent design capacity) Water treatment Plants (dependent design capacity and number of treatment processes) Wastewater Treatment Plants (dependent design capacity number of treatment)	\$125- \$1800 \$400- \$1400 \$250- \$2000 \$450- \$2000	State Code
NJ	* Annual Fee For Discharges To Groundwater Facilities Discharging Only Sanitary Sewage Wastewater: Sanitary Waste Discharge where Q < 1.0 MGD Sanitary Waste Discharge where Q = > 1.0 MGD but < 3.0 MGD Sanitary Waste Discharge where Q = > 3.0 MGD but < 5.0 MGD Sanitary Waste Discharge where Q = > 5.0 MGD	< \$40,200 \$40,000- \$120,019 \$180,020- \$300,099 ≥\$400,100	State Code
PA	* Surface discharges greater than 2000 gpd: Non-Municipal Municipal * Subsurface discharges greater than 10,000 gpd or less than 10,000 gpd with CSL permit: Non-Municipal Municipal * Annual Fees for Wastewater Disposal Permits for Discharges of Treated Sewage: Minor Facility (< 50,000 gpd) Minor Facility (> 50,000 gpd) Major Facility (≥ 1 mgd < 5 mgd) Major Facility (≥ 5 mgd)	\$1500 \$500 \$1500 \$500 \$250 \$500 \$1250 \$2500	State Code

Recreational Fishing and Fin Fish – Detailed Survey of Surrounding State/County Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	2012 Resident Fishing License	\$8.50	Fish, crab or clam in all waters of the State of Delaware (fresh or saltwater).
	Non-Resident	\$20.00	
Delaware	Resident Commercial Fin Fish Bag Net	\$10.00/Net	1 year
Delaware	Nonresident Commercial Fin Fish Bag Net	\$100.00/Net	1 year
Delaware	Resident Commercial Food Fishing License	\$150.00	1 year
Delaware	Nonresident Commercial Food Fishing License	\$1,500.00	1 year
Delaware	Resident Commercial Fish Pot or Fish Trap Permit	\$1.00/pot or trap	1 year
Delaware	Nonresident Commercial Fish Pot or Fish Trap Permit	\$10.00/pot or trap	1 year
Delaware	Resident Commercial Fyke Net Permit	\$5.00 per Fyke; not exceeding 72 inches in diameter and with wings or leaders not exceeding 30 fathoms (180 ft.) in length	1 year
Delaware	Nonresident Commercial Fyke Net Permit	\$50.00 per Fyke; not exceeding 72 inches in diameter and with wings or leaders not exceeding 30 fathoms (180 ft.) in length	1 year
Delaware	Resident	\$5.00 per 100yds	1 year

	Commercial Gill Net License	or any part thereof	
Delaware	Nonresident Commercial Gill Net License	\$50.00 per 200 yds or any part thereof	1 year
Delaware	Resident Commercial Gill Net License	\$5.00 per 100 yds or any part thereof	1 year
Delaware	Resident Boat Fishing (20' Vessel and Below)	\$40.00	1 year
Delaware	Resident Boat Fishing (Over 20')	\$50.00	1 year
Delaware	Non-resident Boat Fishing (20' Vessel and Below)	\$40.00	1 year
Delaware	Non-resident Boat Fishing (Over 20')	\$50.00	1 year
Delaware	Resident Head Boat License	\$300.00	1 year
Delaware	Resident Charter Boat License	\$150.00	1 year
Delaware	Non- resident Head Boat License	\$600.00	1 year
Delaware	Non-resident Charter Boat License	\$300.00	1 year
Pennsylvania	Resident (Annual)	\$22.70	Fish or angle for any species of fish and to take fish bait, baitfish and species of amphibians and reptiles from Commonwealth waters by those legal methods.
	Non-Resident	\$52.70	
Maryland	Annual Non-tidal/Freshwater License	\$20.50	Allows licensee to fish in the fresh waters of Maryland.
	Non-Resident	\$30.50 or	

	Chesapeake Bay & Coastal Sport Fish License	reciprocal \$15.00	Allows individual to fish in the Chesapeake Bay and its tributaries and the state waters of the Atlantic Ocean and the Atlantic Coastal Bays. (does not include crabs).
	Non-Resident	\$22.50	
	Resident Crabbing	\$5.00	
	Non-Resident	\$10.00	
Maryland	FINFISH - Hook And Line (HLI)	\$37.50	1 year
Maryland	Finfish Harvester - All Gears (Fin)	\$100.00	1 year
Maryland	Unlimited Tidal Fish License (Tfl)	\$300.00	1 year
Maryland	Resident Fishing Guide (Fgr)	\$50.00	1 year
Maryland	Nonresident Fishing Guide (Fgn)	\$100.00	1 year
Maryland	Master Fishing Guide (Fgv)	\$50.00 per vessel	1 year
Maryland	Consolidated Chesapeake Bay & Coastal Sport Boat License	\$50.00 per vessel	1 year
Virginia	Freshwater and saltwater statewide	\$40.00	Does not include trout.
Virginia	Commercial Finfish		
Virginia	*Pound Net	\$41.00	1 year
Virginia	Stake Net	\$24.00	1 year
Virginia	Gill Net up to 600 Feet	\$16.00	1 year
Virginia	Gill Net Over	\$24.00	1 year

	600 and up to 1200 Feet		
Virginia	Cast Net	\$13.00	1 year
Virginia	Fyke Net	\$13.00	1 year
Virginia	Trot Line	\$19.00	1 year
Virginia	Dip Net	\$9.00	1 year
Virginia	Haul Seine Less than 500 Yards	\$48.00	1 year
Virginia	Haul Seine 500 to 1000 Yards	\$146.00	1 year
Virginia	*Commercial H & L	\$31.00	1 year
Virginia	*Commercial H & L - Striped bass	\$31.00	1 year
Virginia	Purse seine Vessel less than 70 Gross Tons	\$4/ton, \$249.00 max	1 year
Virginia	Purse seine Vessel greater than 70 Gross Tons	\$8/ton, \$996.00 max	1 year
Virginia	Fish/Eel pot up to 100 pots	\$19.00	1 year
Virginia	Fish/Eel pot Over 100 and up to 300 pots	\$24.00	1 year
Virginia	Fish/Eel pot Over 300 pots	\$62.00	1 year
Virginia	Commercial Fish Pier (Mandatory)	\$83.00	1 year
Virginia	Salt Water Recreational Boat, Resident	\$48.00	1 year
Virginia	Salt Water Recreational Boat, Non- resident	\$76.00	1 year
Virginia	Tidal Water Sport Boat, Resident	\$126.00	1 year
Virginia	Tidal Water Sport Boat, Non- resident	\$201.00	1 year
New Jersey	Resident (Ages 16-64 yrs.)	\$22.50	Fish waters of New Jersey with handline,

	Non-commercial Crab Pot License	\$2.00	rod and line or longbow and arrow (does not include crabbing, clamming).
New Jersey	Non-resident (Ages 16-64 yrs.)	\$34.00	Fish waters of New Jersey with handline, rod and line or longbow and arrow (does not include crabbing, clamming).
	Non-commercial Crab Pot License	\$2.00	

Recreational Hunting – Detailed Survey of Surrounding State/County Fees:

<i>State/County/Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	Resident Hunting License	\$25.00	Includes 2 antlerless deer tags and 2 doe tags, as well as waterfowl, turkey, small game.
Delaware	Non-resident Hunting License	Reciprocal	Includes 2 antlerless deer tags and 2 doe tags, as well as waterfowl, turkey, small game.
Pennsylvania	Adult Resident Hunting License	\$20.70	This is a general hunting license that is required for the hunting of all game. An additional license for archery (\$16.70), muzzleloader (\$11.70), and game birds (\$3.70) may also be required.
Pennsylvania	Adult Non-resident Hunting License	\$101.70	This is a general hunting license that is required for the hunting of all game. An additional license for archery (\$26.70), muzzleloader (\$21.70), and game birds (\$6.70) may also be required.
Maryland	Resident Regular Hunting License	\$24.50	Allows Hunter to hunt all legal game birds and mammals in season without the need for additional stamps, except: (1) deer during bow season; (2) deer during muzzleloader season; (3) migratory game birds; and (4) furbearers. A Bonus Antlered Deer Stamp may also be used with these licenses.

	Non-resident Regular Hunting License	\$130.00	Allows Hunter to hunt all legal game birds and mammals in season without the need for additional stamps, except: (1) deer during bow season; (2) deer during muzzleloader season; (3) migratory game birds; and (4) furbearers. A Bonus Antlered Deer Stamp may also be used with these licenses.
Virginia	Resident Hunting Licenses	\$23.00	General hunting license is required for all game. An additional license is required for bear, deer, turkey which is an additional \$23.00 and to hunt with a muzzleloader (\$18.00), Archery (\$18.00), and crossbow (\$18.00).
	Non-resident Hunting Licenses	\$111.00	General hunting license is required for all game. An additional license is required for bear, deer, turkey which is an additional \$86.00 and to hunt with a muzzleloader (\$31.00), Archery (\$31.00), and crossbow (\$31.00).
New Jersey	Resident Firearm Hunting	\$27.50	Resident firearm hunting. Additional permits are required for deer (bow, shotgun or muzzleloader antlerless only) (\$28.00), antlered buck bonus permits (\$28.00), and turkey season (\$21.00).
	Non-resident Firearm Hunting	\$135.50	Non-resident firearm hunting. Additional permits are required for deer (bow, shotgun or muzzleloader antlerless only) (\$28.00), antlered buck bonus permits (\$28.00), and turkey season (\$21.00).

Commercial and Shell Fish License – Detailed Survey of Surrounding State/County Fees:

<i>State/County/ Region</i>	<i>Fee Title</i>	<i>Current Fee</i>	<i>Basis of Fee</i>
Delaware	Resident Commercial Oyster Harvest License	\$57.50	1 year
Delaware	Nonresident Commercial Oyster Harvest License	\$575.00	1 year
Delaware	Resident Oyster Harvest Fee	\$1.25/bushel	1 year
Delaware	Nonresident Oyster Harvest Fee	\$12.50/bushel	1 year
Delaware	Resident Commercial Clam Tonger	\$57.50	1 year
Delaware	Nonresident Commercial Clam Tonger	\$575.00	1 year
Delaware	Resident Commercial Lobster Pot	\$57.50	1 year
Delaware	Nonresident Commercial Lobster Pot	\$575.00	1 year
Delaware	Resident Commercial Eel Pot	\$115.00	1 year
Delaware	Nonresident Commercial Eel Pot	\$1,115.00	1 year
Delaware	Resident Commercial Conch Pot	\$57.50	1 year
Delaware	Nonresident Commercial Conch Pot	\$575.00	1 year
Delaware	Resident Commercial Clam Dredge	\$57.50	1 year
Delaware	Nonresident Commercial Clam Dredge	\$575.00	1 year
Delaware	Resident Commercial Crab Dredge	\$57.50	1 year

Delaware	Nonresident Commercial Crab Dredge	\$575.00	1 year
Delaware	Resident Commercial Conch Dredge	\$57.50	1 year
Delaware	Nonresident Commercial Conch Dredge	\$575.00	1 year
Delaware	Resident Commercial Horseshoe Crab Collector	\$100.00	1 year
Delaware	Nonresident Commercial Horseshoe Crab Collector	\$1,000.00	1 year
Delaware	Resident Commercial Horseshoe Crab Dredge	\$100.00	1 year
Delaware	Nonresident Commercial Horseshoe Crab Dredge	\$1,000.00	1 year
Delaware	Resident Commercial Crab Pot	\$28.75 up to 50 pots, \$57.50 up to 100 pots, \$86.25 up to 150 pots, \$115.00 up to 200 pots	1 year
Delaware	Nonresident Commercial Crab Pot	\$287.50 up to 50 pots, \$575.00 up to 100 pots, \$862.50 up to 150 pots, \$1,150.00 up to 200 pots	1 year
Delaware	Resident Commercial Surf Clam	\$50.00	1 year
Delaware	Nonresident Commercial Surf Clam	\$500.00	1 year
Maryland	Limited Crab Catcher (Lcc)	\$50.00	1 year
Maryland	Crab Harvester-300 Pots (Cb3)	\$150.00	1 year
Maryland	Single Additional Pot Authorization - Up To 600 Pots (Cb6)	\$20.00	1 year
Maryland	Double Additional Pot Authorization - Up To 900 Pots (Cb9)	\$40.00	1 year
Maryland	Clam Harvester (Clm)	\$100.00	1 year

Maryland	Oyster Harvester (Oyh)	\$50.00	1 year
Maryland	Oyster Dredge Boat (Odb)	\$250.00	1 year
Maryland	CONCH, TURTLES And LOBSTER (CTL)	\$50.00	1 year
New Jersey	Commercial Shellfish License	\$50.00	1 year
New Jersey	Non-Resident Commercial Shellfish License	\$250.00	1 year
New Jersey	Fillet Permit for Party Boats	\$2.00	1 year
New Jersey	To Use Fish Nets, Pounds and Pots in Marine & Estuarine Waters within Three Miles of Shore	Fee Varies	1 year
New Jersey	Menhaden Bait Permit	Fee Varies	1 year
New Jersey	Commercial Shellfish License	\$50.00	1 year
New Jersey	Non-Resident Commercial Shellfish License	\$250.00	1 year
New Jersey	Fillet Permit for Party Boats	\$2.00	1 year
New Jersey	To Use Fish Nets, Pounds and Pots in Marine & Estuarine Waters within Three Miles of Shore	Fee Varies	1 year
New Jersey	Menhaden Bait Permit	Fee Varies	1 year
Virginia	Commercial Registration	\$190.00	1 year
Virginia	*Commercial Registration-Senior (Age 70 or Older)	\$90.00	1 year
Virginia	*Commercial Delayed Entry	\$190.00	1 year
Virginia	*Commercial Delayed Entry-Senior (Age 70 or Older)	\$90.00	1 year
Virginia	Commercial Oyster		
Virginia	by Hand	\$10.00	1 year
Virginia	Patent Tong	\$35.00	1 year
Virginia	Dredge	\$50.00	1 year
Virginia	Ordinary tong	\$10.00	1 year
Virginia	Patent tong - double	\$70.00	1 year
Virginia	Hand Scrape	\$50.00	1 year
Virginia	Shucking House		
Virginia	401 - < 1000 gal.	\$12.00	1 year

Virginia	402 - 1000 to 10,000 gal.	\$33.00	1 year
Virginia	403 - 10,000 up to 25,000 gal.	\$74.00	1 year
Virginia	404 - 25,000 up to 50,000 gal.	\$124.00	1 year
Virginia	405 - 50,000 up to 100,000 gal.	\$207.00	1 year
Virginia	406 - 100,000 up to 200,000 gal.	\$290.00	1 year
Virginia	407 - 200,000 gal. or over	\$456.00	1 year
Virginia	Commercial Crab		
Virginia	*Ordinary Trotline	\$13.00	1 year
Virginia	*Patent Trotline	\$51.00	1 year
Virginia	*Scrape	\$26.00	1 year
Virginia	*Double Scrape	\$53.00	1 year
Virginia	*Dip Net	\$13.00	1 year
Virginia	*Crab pot, Up to 85	\$48.00	1 year
Virginia	*Crab pot, 86 to 127	\$79.00	1 year
Virginia	*Crab pot, 128 to 170	\$79.00	1 year
Virginia	*Crab pot, 171 to 255	\$79.00	1 year
Virginia	*Crab pot, 256 to 425	\$127.00	1 year
Virginia	*Crab Peeler Pot - up to 210 peeler pots	\$36.00	1 year
Virginia	Shed Tank - up to 20 tanks or floats	\$9.00	1 year
Virginia	Shed Tank - more than 20 tanks or floats	\$19.00	1 year
Virginia	*Crab Trap	\$8.00	1 year
Virginia	Horseshoe Crab hand	\$16.00	1 year
Virginia	Lobster (< 200 pots)	\$41.00	1 year
Virginia	Lobster (> 200 pots)	\$166.00	1 year
Virginia	Commercial Clam		
Virginia	by Hand - Rake or Ordinary Tongs	\$24.00	1 year
Virginia	Patent Tong - Single-Rigged	\$58.00	1 year
Virginia	Patent Tong - Double-Rigged	\$84.00	1 year
Virginia	Dredge - hand	\$19.00	1 year

Virginia	Dredge - power	\$44.00	1 year
Virginia	Hydraulic Dredge for Soft Shell Clams	\$83.00	1 year
Virginia	Surf Clam	\$124.00	1 year
Virginia	Conch Dredge	\$58.00	1 year
Virginia	*Channeled Whelk (Conch) Pot	\$51.00	1 year
Virginia	Seafood Buyer - Boat or Vehicle	\$63.00	1 year
Virginia	Seafood Buyer - Place of Business	\$126.00	1 year
Virginia	Seafood Landing	\$175.00	1 year
Virginia	Non-Resident Harvester	\$444.00	1 year