



## Ohio Administrative Code

### Rule 3745-300-03 Voluntary action program fees.

Effective: February 16, 2025

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(A) Applicability. Fees are to be derived from the estimated actual costs associated with performing all of the tasks, duties, and services related to the relevant application or voluntary action program activity. Fees are to be primarily based upon the following:

- (1) The estimated typical time to complete each task, duty, or service.
- (2) The person or persons performing each task, duty, or service.
- (3) The applicable hourly rate plus fringe benefits for the person or persons performing the task, duty, or service.
- (4) The estimated frequency of each task, duty, or service.

(B) The voluntary action program fees for the activities are as follows:

- (1) Initial certification of professionals: two thousand five hundred dollars.
- (2) Annual fee for certified professionals: two thousand dollars.
- (3) No further action letter submitted for a covenant not to sue with no environmental covenant: twenty thousand four hundred ten dollars.
- (4) No further action letter submitted for a covenant not to sue that includes an environmental covenant: twenty-three thousand six hundred sixty dollars.
- (5) No further action letter submitted for a covenant not to sue after having completed the voluntary action program memorandum of agreement track: thirteen thousand dollars.



(6) No further action letter submitted for a covenant not to sue after having completed the voluntary action program memorandum of agreement track that includes an environmental covenant: sixteen thousand two hundred fifty dollars.

(7) The director may impose a review fee of two thousand dollars for any no further action letter whose review exceeds one hundred eighty-five hours.

(C) For all activities not addressed by paragraph (B) of this rule, the actual costs incurred by Ohio EPA will be charged to and paid by the beneficiary or subject, as applicable, of the activity. These activities may include, but are not limited to, the following:

(1) Providing site-specific technical assistance.

(2) Reviewing demonstrations of sufficient evidence of entry into the voluntary action program.

(3) Reviewing urban setting designation requests.

(4) Reviewing a variance request or a case-by-case ground water demonstration.

(5) Enforcing or administering compliance schedule agreements.

(6) Monitoring compliance with operation and maintenance agreements, risk mitigation plans, or institutional controls.

(7) Reviewing remedy changes.

(8) Any other activities necessary for the enforcement or administration of this chapter and Chapter 3746. of the Revised Code.

(D) In addition to any applicable existing permit fees, any person requesting a consolidated standards permit shall pay the actual direct and indirect costs related to obtaining and administering the consolidated standards permit.



(E) Full payment of fees shall accompany any application or form and be made using a form prescribed by Ohio EPA. Payment by check or money order shall be made payable to "Treasurer, State of Ohio" and indicate in the memo field the applicable fees being paid. Payment by use of an Ohio EPA-prescribed electronic system shall be completed in compliance with terms for system use. Fees are not refundable, unless specifically provided for in this chapter.

(F) Any certification, permit, covenant, renewal, or other action by the director under this chapter or Chapter 3746. of the Revised Code which requires payment of a fee or cost will not be made effective until full payment of all applicable fees or costs is received by Ohio EPA.