

Annual Tier II Filing Fee Worksheet

Date of the fee payment: _____

Calendar Year ending December 20 ____

Company Name _____ Address _____ City _____ State _____ Zip Code _____ NAICS _____ County _____ Person completing worksheet: _____ Telephone () _____ - _____ Ext _____	DO NOT WRITE IN THIS BOX
	Amount Paid _____
	Check No _____
	Date of Check _____

- I. Fee Schedule**
- Tier II filing fee (base) \$25
 - Tier II filing fee (additional) \$50 per extremely hazardous substance reported
 - Tier II filing fee (additional) \$10 per hazardous substance reported in excess of five.
 - Tier II filing fee (additional) \$5 per tank in excess of 10 (retail gasoline stations).
 - Tier II filing fee (additional) \$10 per well in excess of 35 (oil and gas extraction storage facilities)
 - **Facility fee cap, not to exceed \$100 per facility.**
 - Fees received after March 31 shall be subject to a 20% late fee charge.

- II. Fee Questions**
- 1) Is your facility required to submit a Tier II report under this program? YES NO (circle one)
If **NO**, your facility **does not** have to pay a fee.
 - 2) Facility has reported _____ extremely hazardous substances; pure or mixed component.
 - 3) Facility has reported _____ hazardous substances (Do not include those already counted in question 2).
 - 4) Facility has reported _____ tanks (retail gasoline ONLY).
 - 5) Facility has reported _____ wells (oil and gas extraction storage facilities ONLY).

<p>III. Fee Calculation</p> <p>Line A: Base Tier II filing fee.</p> <p>Line B: Enter the total number of extremely hazardous substance(s); as identified in Question 2 above.</p> <p>Line C: Multiple number on Line B _____ x \$50.</p> <p>Line D: Number of hazardous substances; as identified in Question 3 above; in excess of five.</p> <p>Line E: Multiply number on Line D _____ x \$10.</p> <p>Line F: Number of tanks; as identified in Question 4 above; in excess of 10. (enter 0 into Line F if not retail gasoline)</p> <p>Line G: Multiply number on Line F _____ x \$5.</p> <p>Line H: Number of wells as identified in Question 5 above; in excess of 35. (enter 0 into Line H if not oil and gas extraction storage facilities)</p> <p>Line I: Multiply number on Line H _____ x \$10.</p> <p>Line J: Add the amount on line A to Line I.</p> <p>Line K: If your payment is post marked after March 31, your facility MUST pay a late fee. If posted marked by March 31, enter 0 into Line K. - Add 20% to Line J total. Multiple Line J _____ x .20.</p> <p>Tier II Total Filing Fee (J + K = total fee due).</p>	<p>A) \$25.00</p> <p>B) _____</p> <p>C) _____</p> <p>D) _____</p> <p>E) _____</p> <p>F) _____</p> <p>G) _____</p> <p>H) _____</p> <p>I) _____</p> <p>J) _____</p> <p>K) _____</p> <p>TOTAL: _____</p>
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This worksheet & calculated fee MUST be submitted with your Tier II information by March 1

If you need assistance, please call (304) 558-5380

Make checks payable to: West Virginia State Emergency Response Commission
 Mail to: WV SERC, 1900 Kanawha Blvd, Bldg 1, Room EB-80 Charleston, WV 25305

TITLE 55

LEGISLATIVE RULE
STATE EMERGENCY RESPONSE COMMISSION

SERIES 1
EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW

'55-1-9. Fees.

9.1. All facilities required to submit hazardous chemical inventory forms or MSDS required by Sections 311 and 312 of Title III, 42 U.S.C. 11021 and 11022, respectively, shall pay the fees set forth in this section. All fees collected shall be deposited into a subaccount of the SERC and may only be used for purposes authorized by W. Va. Code '15-5A-1 et seq.

9.2. A one-time emergency planning notification fee of one hundred (\$100) dollars shall be paid by a facility when it submits the emergency planning notification required under Sections 302 and 303 of Title III, 42 U.S.C. 11002 and 11003.

9.3. Except as provided in Sections 9.6, 9.7, 9.8 and 9.9, an annual inventory fee of twenty-five (\$25) dollars shall be paid by a facility when it submits hazardous chemical inventory forms or MSDS as required under Sections 311 and 312 of Title III, 42 U.S.C. 11021 and 11022.

9.4. An owner or operator of a facility subject to inventory reporting which has present in excess of five hazardous chemicals in an amount equal to or above the threshold quantity shall pay an additional annual inventory filing fee of ten (\$10) dollars per hazardous chemical for each hazardous chemical in excess of five. This fee does not apply if the hazardous chemical reported on the hazardous chemical inventory form is also an extremely hazardous substance to which the additional annual inventory filing fee is imposed by Section 9.5 of this rule.

9.5. An owner or operator of a facility subject to inventory reporting shall pay an additional annual inventory filing fee of fifty (\$50) dollars per extremely hazardous substance for each extremely hazardous substance reported on the hazardous chemical inventory form.

9.6. An owner or operator who is required to submit a hazardous chemical inventory form for not more than thirty-five (35) oil and gas extraction storage facilities shall pay an annual fee of twenty-five (\$25) dollars.

9.7. An owner or operator who is required to submit a hazardous chemical inventory form for more than thirty-five oil and gas extraction storage facilities shall pay a base annual filing fee of twenty-five (\$25) dollars and an additional filing fee of ten (\$10) dollars for each facility in excess of thirty-five facilities.

9.8. An owner or operator of a retail gasoline dispensing facility that contains not more than ten tanks shall pay an annual filing fee of twenty-five (\$25) dollars.

9.9. An owner or operator of a retail gasoline dispensing facility of more than ten tanks shall pay an annual filing fee of twenty-five (\$25) dollars and five (\$5) dollars for each tank in excess of ten tanks.

9.10. An owner or operator of a facility, who is subject to this rule and who fails to submit the annual inventory filing fee by March thirty-first of each year shall pay to the SERC a late fee equal to twenty percent (20%) of the total fees due and owing the SERC.

9.11. All annual fees imposed by this Section 9 of this rule shall be payable to the SERC on or before the first day of March of each year.

9.12. In no event shall the total annual fees imposed on any one facility exceed the fees established under the provisions of W. Va. Code '15-5A-5, exclusive of the late fee imposed by Section 9.10 of this rule.

9.13. A municipal corporation of this state which operates two or more facilities which are subject to the annual inventory filing fees imposed by this Section 9 may aggregate the fees for all such facilities and remit such fees with one reporting form as though all such facilities constituted a single facility.