

Tate, Michele

# 2864

**From:** Callaghan, Thomas  
**Sent:** Tuesday, February 21, 2012 4:20 PM  
**To:** Allen, William (DEP)  
**Subject:** FW: Pending Fee Schedule for noncoal permits and services - comments  
**Attachments:** DEP PROPOSED FEE SCHEDULE 2-12-12.docx

Here is another.

**Thomas Callaghan, P.G.** | Director  
Bureau of Mining Programs  
Department of Environmental Protection  
Rachel Carson State Office Bldg. | Harrisburg, PA 17105  
ph 717.787.5015 | fax 717.783.4675

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**From:** Jamieson, Thomas [<mailto:TJamieson@IAConstruction.com>]  
**Sent:** Tuesday, February 21, 2012 3:27 PM  
**To:** Callaghan, Thomas  
**Subject:** Pending Fee Schedule for noncoal permits and services - comments

Mr. Callaghan: Please find attached comments from IA Construction Corporation regarding the proposed changes to 25 Pa. Code Chapter 77 include a pending fee schedule for noncoal permits and services. Please provide confirmation of receipt for this e-mail. Respectfully;

*Tom Jamieson*  
**Executive Assistant**  
**CPI Facilitator**  
Office Phone: 814-432-3184  
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TO: Thomas Callaghan, Director, Bureau of Mining Programs, Department of Environmental Protection

RE: 25 Pa. Code Chapter 77 – Pending Fee Schedule for Noncoal Permits and Services

## COMMENTS ON THE PROPOSED RULEMAKING

This proposed fee schedule is quite simply too aggressive and will have too great of a shock impact on the mining industry at all levels.

A higher concern should be given to the sudden increase in fees from zero to the large, if not excessive, fee schedule being proposed to all entities in the noncoal mining industry.

Certainly, as the industry struggles to find quantity and quality aggregate sites and reserves, operators of all sizes will struggle to maintain customer satisfaction in that these additional costs will no doubt be passed on to their respective customers.

One of those customers, and perhaps one of the largest, is the government, the State Department of Transportation. Costs for various bridges, highway and other transportation projects will increase substantially. Other forms of government that will be affected are the various forms of municipal entities such as townships, boroughs and cities. This fee schedule simply creates a vicious cycle, a loop passing the additional cost around and around. How would the state, as a whole body, benefit from this proposed increase?

If the intent behind this fee schedule is to generate the revenue necessary to pay for the bureau of mining programs, how does this compare with other bureau's within the various State Departments or is this selective only? This could have a large effect on smaller operators, their ability to stay in business and compete, and the creation of less competition, driving prices up even higher for the customer.

The noncoal mining industry is the foundation for almost everything else. Fewer competitors, fewer sites and more fees will only cut into the poor economy even more.

The difficulty in cost and time in finding new reserves, the cost and time needed to obtain permit approval, the cost and time of preparing a site and installing a processing plant, in addition to paying a new permit fee and the gap between these expenses and the time of generating revenue places an excessive financial burden on this industry.

In exchange for these proposed excessively high fees, what are we guaranteed in terms of expertise, accountability, and timely implementation by the Department?

If a fee schedule is to be imposed on the noncoal mining industry, it should at least reflect some kind of sliding scale that would ease the industry into such fees over a satisfactory time frame.