



# NRAEQ STATUTORILY REQUIRED FEES AND REPORTS

NATURAL RESOURCES, AGRICULTURE, & ENVIRONMENTAL QUALITY APPROPRIATIONS SUBCOMMITTEE  
STAFF: BRIAN WIKLE AND IVAN DJAMBOV

ISSUE BRIEF

Legislative leadership directed appropriations subcommittees to review statutorily required reports and fees during the 2015 interim, and to recommend whether each such report and fee should be removed from statute. Two goals of the review are to allow subcommittees the flexibility to prioritize their assignments and to ensure appropriate legislative oversight of agencies' activities. Removing reports from statute allows subcommittees to focus attention on matters of greater importance or urgency. Removing fees from statute allows subcommittees to review and approve them each year in an appropriations act.

If changes to statute are recommended, a subcommittee could move to have the Fiscal Analyst work with the committee chairs to begin drafting the necessary legislation and to open a bill file with the Office of Legislative Research and General Counsel.

The statutorily required reports and fees for agencies that fall under the purview of the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee (NRAEQ) are summarized below (note that the first three reports are shown for informational purposes and are *not* submitted to NRAEQ). The Fiscal Analyst recommends that the requirement for the Great Salt Lake Advisory Council to report annually to NRAEQ be eliminated due to the subcommittee's limited time to address issues.

Report Description	Statute Reference	Justification
<b>DEQ:</b> Financial assurance adequacy evaluation for commercial hazardous waste disposal facilities and radioactive waste disposal facilities	<a href="#"><u>19-1-307</u></a>	The report is submitted once every five years to the Legislative Management Committee; it informs the Legislature of key long-term financial assurances matters for commercial hazardous waste and radioactive waste disposal facilities
<b>DEQ:</b> New nonhazardous solid or hazardous waste operation plans application suspension report	<a href="#"><u>19-6-108(3)(g)(ii)</u></a>	The division director shall suspend acceptance of applications for a commercial nonhazardous solid or hazardous waste facility upon a finding that the director cannot adequately oversee existing and additional facilities for permit compliance, monitoring, and enforcement; any suspension must be reported to the Natural Resources, Agriculture, and Environment Interim Committee, thereby alerting the Legislature to funding needs
<b>DEQ:</b> Eligible electronic waste recycling programs report	<a href="#"><u>19-6-1203(4)</u></a>	The report is submitted annually to the Natural Resources, Agriculture, and Environment Interim Committee and the Public Utilities and Technology Interim Committee; the department states that the report is of questionable value
<b>DNR:</b> Annual report by the Great Salt Lake Advisory Council	<a href="#"><u>73-30-202(5)</u></a>	The report is submitted annually to the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee

NRAEQ STATUTORILY REQUIRED FEES AND REPORTS

Fee Description	Statute Reference	Justification	Fee Amount
<b>DAF:</b> Beef promotion fee	<a href="#">4-21-3</a>	Funds the Beef Promotion Fund	The department sets the fee between \$0.25 and \$1 per fee brand animal inspected upon change of ownership or slaughter
<b>DAF:</b> Assessment imposed on sale of milk or cream	<a href="#">4-22-7</a>	Paid directly to the Dairy Commission	\$0.10 on each 100 pounds of milk or cream produced and sold or contracted for sale
<b>DAF:</b> Predator control fees	<a href="#">4-23-7(1)</a>	Assists the department in meeting expenses of administering this chapter	The department sets fees as follows: \$0.70 to \$1 per sheep or goat; \$0.15 to \$0.50 per head of cattle; \$0.05 to \$0.10 per turkey
<b>DEQ:</b> Fee for perpetual care and maintenance of commercial radioactive waste disposal facilities	<a href="#">19-3-106.2</a>	Funds the Radioactive Waste Perpetual Care and Maintenance Account	\$400,000 annually per facility
<b>DEQ:</b> High level nuclear waste initial application fee	<a href="#">19-3-308(1)(a)</a>		\$5 million
<b>DEQ:</b> High level nuclear waste application review fee	<a href="#">19-3-308(1)(b)</a>	Funds the costs of application reviews	Unspecified
<b>DEQ:</b> High level nuclear waste incident response fee	<a href="#">19-3-319</a>	Funds the Nuclear Accident and Hazard Compensation Account	75% of the unfunded potential liability
<b>DEQ:</b> Solid waste disposal fees	<a href="#">19-6-119</a>	Funds waste management programs	Various fees
<b>DEQ:</b> Environmental assurance program participant fee	<a href="#">19-6-410.5(4)</a>	Funds the Petroleum Storage Tank (PST) Trust Fund for underground storage tank (UST) release coverage	13/20 cent per gallon on the first sale or use of petroleum products in the state
<b>DEQ:</b> Petroleum storage tank fee for program participants	<a href="#">19-6-411(1)</a>	Funds the PST Trust Fund for UST release coverage	\$150 or \$450 per tank depending on the throughput rate of the facility
	<a href="#">19-6-411(2ai)</a>	Provides annual PST Trust Fund coverage for UST installation companies	\$2,000 or \$4,000 per tank depending on the number of tanks installed by the company within the past 12 months
	<a href="#">19-6-411(2aii)</a>	PST Fund coverage per tank installed by UST installation companies	\$200 per tank installed
<b>DEQ:</b> Used oil recycling fee	<a href="#">19-6-714(1)</a>	Funds used oil program	\$0.04 per quart or \$0.16 per gallon on the first sale of lubricating oil
<b>DEQ:</b> Waste tire recycling fee	<a href="#">19-6-805</a>	Funds waste tire program	\$1 per tire
<b>DNR:</b> Predator control fee	<a href="#">23-19-22(5)</a>	Funds the Predator Control Restricted Account	\$5 added to each big game hunting permit
<b>DNR:</b> Search and Rescue	<a href="#">23-19-42</a>	Funds the Search and Rescue Financials Assistance Program	\$0.25 surcharge for each hunting, fishing, and combination license
<b>DNR:</b> Oil and gas conservation fee	<a href="#">40-6-14</a>	Funds the Oil and Gas Conservation Account	0.2% of the value of oil and gas