

**Navajo Nation EPA Storage Tank Program
Program Guidance No. 5
Annual Tank Fees and Monitoring Fees**

I. Introduction

This policy clarifies the Navajo Nation Storage Tank Program (“NNSTP”) procedures for assessment and payment of annual tank fees and monitoring fees for underground and aboveground storage tanks subject to the Navajo Nation Underground and Aboveground Storage Tank Act (“NNSTA”), 4 N.N.C. § 1501-1577. These fees are assessed pursuant to NNSTA §§ 1572 and 1574. Interest on late payment of the fees is assessed pursuant to NNSTA § 1577.

II. Annual Tank Fees

Each owner or operator of a regulated storage tank is required to pay an annual tank fee of \$150.00 per tank (or other amount if increased by regulation), pursuant to 4 N.N.C. § 1572. The NNSTP treats separate compartments in storage tanks as separate tanks for purposes of assessing annual tank fees, for the reasons explained in prior guidance issued by the NSNTP. The total amount of tank fees due is based on the number of operating and temporarily closed storage tanks owned or operated within a calendar year.

An invoice reflecting the total amount of tank fees due for the current year will be mailed to each owner or operator of a regulated storage tank on or before January 20 of that year. Annual tank fees must be received by the NNSTP by March 1 of that year. If March 1 falls on a Saturday or Sunday, payment of annual tank fees will be considered timely if it is received by the NNSTP by the following Monday.

III. Monitoring Fees

Pursuant to 4 N.N.C. § 1574, an owner or operator of a regulated storage tank is required to pay monitoring fees of \$150.00 per tank per day for tank installation, removal, or other activities requiring field monitoring by the NNSTP. The amount of these fees may be increased as necessary by regulation. The NNSTP will mail the owner or operator an invoice reflecting the amount of monitoring fees due after the conclusion of the activities requiring field monitoring. Payment must be received by the NNSTP within 30 days of the date of the invoice.

IV. Procedures for Payment

The invoice will specify the amount due, due date, facility (NAV) number, and address to which payment must be remitted. An owner or operator must remit payment on or before the due date. Payments should be in the form of a check or money order made payable to the NNSTP and must be mailed, along with the top portion of the invoice, to:

**NAVAJO NATION ENVIRONMENTAL PROTECTION AGENCY
WRCD – Storage Tank Program
P.O. Box 3089
Window Rock, AZ 86515**

The facility (NAV) number and invoice number should be written on the check. **If payment is mailed to the wrong department and is not received by NNSTP by the due date, the owner or operator will be responsible for payment of a late fee.**

All fees collected under 4 N.N.C. §§ 1572 & 1574, including any interest imposed for late payment, will be deposited in the Storage Tank Fund, in accordance with 4 N.N.C. § 1576, and will be used for the administration and implementation of the NNSTP.

V. Late Payment

An owner or operator will be charged interest on any late payments, pursuant to 4 N.N.C. § 1577. If payment is not received by the NNSTP by the due date the owner or operator will be assessed interest at a rate equal to the federal short term rate on the date of assessment, plus 3%. NNSTP will calculate the interest due as of the date the late payment is received and will send an invoice to the owner or operator reflecting the additional amount due.