

## Section 26a Application Cost Recovery Acknowledgment

TVA's Administrative Cost Recovery Regulations (Part 1310 of Title 18 of the Code of Federal Regulations) require that applicants pay TVA fees for its review of Section 26a permit applications. These fees ensure TVA recovers the costs from the direct beneficiaries of services provided. These services include, but are not limited to, general project management, programmatic review such as navigation and floodplains, and required environmental reviews including under the National Environmental Policy Act, the Endangered Species Act and the National Historic Preservation Act.

In accordance with section 1304.2(c) of TVA's Section 26a Regulations (Part 1304 of Title 18 of the Code of Federal Regulations), TVA shall determine whether a proposed facility is minor or major and disclose the associated fee. Major projects require an initial application-processing fee of \$1,000. After the initial fee is expended, all further costs incurred resulting from the project's review will be billed to the applicant monthly.

Every project is unique, and the cost is generally dictated by its complexity and the resources present at the site. The average range for major projects completed within a baseline level of environmental review is \$3000 to \$5000. Costs for projects requiring a higher level of environmental review, such as an Environmental Assessment (EA) or Environmental Impact Statement (EIS), could be much higher. If it becomes apparent that costs are likely to exceed the average range, TVA will provide a cost estimate to the applicants and request acceptance to continue the review.

By signing below, you are agreeing to pay all processing costs associated with TVA's review of your application. You understand that the costs may vary from the average range, or any estimates provided during the review process. You reserve the right to stop review and withdraw your application at any time. You understand that charges will be billed to you monthly after the \$1000 pre-payment is expended and are due within 30 days from the date of the invoice. Payment of any fee does not guarantee TVA approval of the Section 26a application and payment of TVA's administrative cost is required regardless of the final decision. You understand and agree that TVA will not issue the Section 26a permit until all invoices have been paid in full. On any overdue payment, TVA shall charge interest at the rate payable to TVA under the Prompt Payment Act (31 U.S.C. §§ 3901-3906) from the date payment is due until the date that TVA receives payment. Payment of any interest shall be due within 30 days after TVA's invoice for such interest is dated. You agree to pay invoices when billed, even if you already possess the permit. Failure to timely pay all invoices may result in TVA canceling your request or revocation of the permit.

Please sign and return this form with your application package. Your application cannot be processed without receipt of this signed form. By signing this form, you consent to this Cost Recovery Acknowledgment being made available to the public in response to an appropriate request, including, without limitation, a request made under the Freedom of Information Act.

\_\_\_\_\_  
Name of Applicant (Printed)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of The United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

### Privacy Act Statement

This information is being requested in accordance with Section 26a of the TVA Act; 18 C.F.R. § 1304, and/or 18 C.F.R § 1310. Disclosure of the information requested is voluntary; however, failure to provide any required information or documents may result in a delay in processing your application or in your being denied a Section 26a permit. An application that is not complete will be returned for additional information. TVA uses this information to assess the impact of the proposed project on TVA programs and the environment and to determine if the project can be approved. Information in the application is made a matter of public record through issuance of a public notice if warranted. Routine uses of this information include providing to federal, state, or local agencies, and to consultants, contractors, etc., for use in program evaluations, studies, or other matters involving support services to the program; to respond to a congressional inquiry concerning the application or Section 26a program; and for oversight or similar purposes, corrective action, litigation or law enforcement.

The information requested in this form becomes part of the Section 26a Permit Application Records Privacy Act System of Records (TVA-36). Authority for maintenance of this system of records is provided by the Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831ee.

The information solicited on this form may be made available as a "routine use." A complete list of the routine uses can be found in the system of records notice associated with this form, "Section 26a Permit Application Records, TVA-36." TVA's system of records notices can be found on the TVA website at <https://www.tva.com/information/about-the-tva-privacy-program>.