

**MONTEREY BAY AIR RESOURCES DISTRICT  
REGULATION III  
FEES**

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**RULE 301. FEE SCHEDULES**

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*(Adopted 9-1-74; Revised 9-16-76, 5-31-78, 5-20-81, 8-18-82, 6-13-83, 7-19-84, 12-13-84, 7-17-85, 6-11-86, 12-17-86, 6-10-87, 9-16-87, 6-20-88, 12-14-88, 6-14-89, 6-13-90, 6-26-91, 5-17-95, 6-21-95 ; 6-18-97; 6-17-98; 6-16-99; 6-21-00; 6-20-01; 6-19-02; 6-18-03; 6-16-04; 6-15-05; 6-21-06; 6-20-07; 6-18-08; 6-17-09; 6-30-10; 6-15-11; 6-18-14; 6-17-15; 6-15-16.)*

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Table 1. Fee Schedule

**Effective Dates**

This Rule, as most recently revised, is effective on July 1, 2016.

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Table 1 District Fee Schedule included at the end of this rule identifies the current fees for this rule, Rule 300, Rule 302, Rule 303, Rule 305, Rule 306, Rule 307, Rule 308, Rule 309, and Rule 310.

Schedule 1  
General Permit Fees

Any article, machine, equipment or other contrivance for which a permit is required and which is not Equipment Which Has Lost Permit Exemption (Schedule 2) or Gasoline Dispensing Equipment (Schedule 3) shall be assessed a permit fee as set forth in Table 1 Schedule 1. However, if the Air Pollution Control Officer determines that the revenue provided by this Rule does not fairly represent the District's costs in processing the subject permit application, the Air Pollution Control Officer shall assess a permit fee based on the actual costs incurred by the District in processing the application in accordance with the District hourly staff rate, which shall be rounded to the nearest whole hour.

Schedule 2  
Administrative Amendment

Any permit that requires an administrative amendment shall be assessed a permit fee as set forth in Table 1 Fee Schedule. However, if the Air Pollution Control Officer determines that the revenue provided by this Rule does not fairly represent the District's costs in processing the subject permit application, the Air Pollution Control Officer shall assess a permit fee based on the actual costs incurred by the District in processing the application in accordance with the District hourly staff rate, which shall be rounded to the nearest whole hour.

Schedule 3  
Equipment Which Has Lost Permit Exemption

Any article, machine, equipment or other contrivance for which a permit exemption has been lost due to revision to District Rule 201 (Sources not Requiring Permits) shall be assessed a permit fee as set forth in Table 1 Schedule 3. However, if the Air Pollution Control Officer determines that the revenue provided by this Rule does not fairly represent the District's costs in processing the subject permit application, the Air Pollution Control Officer shall assess a permit fee based on the actual costs incurred by the District in processing the application in accordance with the District hourly staff rate, which shall be rounded to the nearest whole hour.

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Schedule 4  
Gasoline Dispensing Facilities

The fee shall be determined as follows:

Phase I

Any new gasoline dispensing facility which is installing Phase I vapor recovery equipment or any gasoline dispensing facility which is proposing modifications to the Phase I vapor recovery equipment shall be assessed a permit fee as set forth in Table 1 Schedule 4.

Phase II

Any gasoline dispensing facility which is proposing the disconnection without modification of Phase II vapor recovery equipment shall be assessed a permit fee as set forth in Table 1 Schedule 4.

Any new gasoline dispensing facility which is installing Phase II vapor recovery equipment or any gasoline dispensing facility which is proposing the modification or addition of Phase II vapor recovery equipment shall be assessed a permit fee plus a fee for each nozzle as set forth in Table 1 Schedule 4.

Phase I and Phase II

Any new gasoline dispensing facility which is installing Phase I and Phase II vapor recovery equipment or any gasoline dispensing facility which is proposing modifications to the Phase I vapor recovery equipment and disconnection or addition of Phase II vapor recovery equipment shall be assessed a permit fee plus a fee for each nozzle as set forth in Table 1 Schedule 4.

Installation of In Station Diagnosis System

Any gasoline dispensing facility which is installing an In Station Diagnosis (ISD) system or is replacing an ISD system with a system certified under a different executive order shall be assessed a permit fee as set forth in Table 1 Schedule 4.

Throughput Fees

In addition to the fees above, new gasoline dispensing facilities shall pay a throughput fee when submitting a permit application based on the number of nozzles as set forth in Table 1 Schedule 4.

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Schedule 5 Emission Fees

In addition to other fees required, any article, machine, equipment or other contrivance which does not hold a valid District Authority to Construct or Permit to Operate shall be assessed an emissions fee as set forth in Table 1 Schedule 5.

Schedule 6  
Toxic Air Contaminants

In addition to other fees required, each permit application for any equipment/operation which may emit or has the potential to emit any toxic air contaminant(s) (TACs), as defined in Rule 1000, shall be assessed an emission fee as set forth in Table 1 Schedule 6.

Schedule 7  
Public Notification

In addition to other fees required, projects for which permits are issued following public notice published in newspapers shall pay a public notification fee as set forth in Table 1 Schedule 7 for the project.

Schedule 8  
Public Record Requests

Requests for paper photocopies of District records will be assessed a photocopy fee as set forth in Table 1 Schedule 8.

The transfer of gathered electronic records onto CD, USB drive, or other similar type media will be assessed an electronic media fee as set forth in Table 1 Schedule 8.

Fees for programming and computer services will be based on the actual cost of the staff time needed to perform the work based on the District hourly staff rate as set forth in Table 1 Hourly Staff Rate. The level of staff needed to fulfill the request for electronic information could vary depending on the intricacies and complexity of the request. For significant efforts, the requestor may be required to pay a portion or all of the costs in advance of commencing the work. The requestor may submit a request for a waiver or a reduction of fees incurred, which will be considered by the District.

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Requestors who wish to receive records via mail (regular mail, express, etc.) must pay mailing charges in accordance with the current postage rates.

Schedule 9  
Mutual Settlement Program

The gravity based penalty calculation shall be multiplied by the base rate minimum penalty value as set forth in Table 1 Schedule 9.

**Table 1. Fee Schedule****Rule 300 (Part 3, Permit Fees)**

	<b>Permit Fees</b>	<b>Rule 300 (FY 2016-2017)</b>
Section 3.1	Filing Fee	\$ 189

**Rule 300 (Annual Renewal Fees for Sources Greater Than 300 Tons)**

	<b>Billable Emission per Permit; Tons per Year</b>	<b>Rule 300 (FY 2016-2017)</b>
Section 4.3.1	> 300	\$167 per ton

**Rule 300 (Annual Renewal Fees for Sources Less Than 300 Tons, Section 4.5)**

	<b>Billable Emission per Permit; Tons per Year</b>	<b>Rule 300 (FY 2016-2017)</b>
	0 - < 0.1	\$ 188
	0.1 - < 1	\$ 281
	1 - < 2	\$ 351
	2 - < 5	\$ 501
	5 - < 8	\$ 689
	8 - < 10	\$ 1,318
	10 - < 20	\$ 1,946
	20 - < 30	\$ 3,376
	30 - < 45	\$ 4,803
	45 - < 60	\$ 5,873
	60 - < 80	\$ 6,943
	80 - < 100	\$ 7,646
	100 - < 150	\$ 8,335
	150 - < 200	\$ 10,094
	200 - < 250	\$ 11,854
	250 - < 300	\$ 14,723

**Rule 300 (Annual Renewal Fee Determination, Section 4.6)**

	<b>Fees</b>	<b>Rule 300 (FY 2016-2017)</b>
	Section 4.6.1	\$ 914
	Section 4.6.2	\$ 457
	Section 4.6.3	\$ 457

**Rule 300 (Gasoline Throughput Fees, Section 4.7)**

	<b>Gasoline Throughput; Gallons per Year</b>	<b>Rule 300 (FY 2016-2017)</b>
Section 4.7	Per Nozzle Fee	\$ 48
Throughput "b"	0 - < 100,000	\$ 234
	100,00 - < 400,000	\$ 374
	400,00 - < 800,000	\$ 553
	800,00 - < 1,200,000	\$ 736
	1,200,000 - < 1,600,000	\$ 918
	1,600,000 - < 2,000,000	\$ 1,186
	2,000,000 - < 3,000,000	\$ 1,799
	3,000,000 and greater	\$1799 + \$599 for each additional million gallons

**Table 1. Fee Schedule**

**Rule 300 ( Wastewater Treatment Facilities Fees, Section 4.8)**

Average Flow; Gallons per Day	Rule 300 (FY 2016-2017)
0 - < 500,000	\$ 167
500,000 - < 1,000,000	\$ 280
1,000,000 - < 2,000,000	\$ 497
2,000,000 - < 3,000,000	\$ 713
3,000,000 - < 4,000,000	\$ 1,104
4,000,000 - < 5,000,000	\$ 1,418
5,000,000 - < 6,000,000	\$ 1,733
6,000,000 - < 7,000,000	\$ 2,049
7,000,000 - < 8,000,000	\$ 2,365
8,000,000 and greater	\$2364 + \$316 for each additional million gallons

**Rule 300 ( Other Annual Renewal Fee Determination)**

	Fees	Rule 300 (FY 2016-2017)
Section 4.9	Annual Renewal Fee for NESHAP Sources	\$ 14,723
Section 4.10	Methyl Bromide Fumigation Chambers	\$ 167
Section 4.11	Authorities to Construct	\$ 167
Section 4.12	Toxic Program Sources	\$ 88
Section 6.1	ERC Registry Fee	\$ 555
Section 6.1.2	Annual Regsitry Fee	\$ 185

**Rule 300 (Delinquency Penalties)**

	Fees	Rule 300 (FY 2016-2017)
Section 5.1.7.2	Revocation Initiation	\$ 474
Section 5.1.7.3	Reinstatement	\$ 714

**Table 1. Fee Schedule**

Rule 301 ( Permit Fee Schedules)

	Fee Schedules	Rule 301 (FY 2016-2017)
	Hourly Staff Rate	\$ 138
Schedule 1	General Permit Fee	\$840 plus the hourly staff rate
Schedule 2	Administrative Amendment	\$272 plus the
Schedule 3	Equipment that Lost Permit Exemption	hourly staff rate
Schedule 4	Gasoline Dispensing Facilities	
	Phase I	\$ 867
	Phase II	\$ 867
	Phase II per nozzle fee	\$ 53
	Phase I + Phase II	\$1155 + \$103 for each nozzle
	Installation of In Station Diagnosis System	\$ 1,235
	Throughput Fees (gallons per year)	
	1 Nozzle (0 - < 100,000)	\$ 234
	2 Nozzles (100,00 - < 400,000)	\$ 375
	3 Nozzles (400,00 - < 800,000)	\$ 553
	4 Nozzles (800,00 - < 1,200,000)	\$ 736
	5 Nozzles (1,200,000-< 1,600,000)	\$ 917
	6 Nozzles (1,600,000 -<2,000,000)	\$ 1,186
	More than 7 Nozzles (2,000,000 or greater)	\$ 1,799
Schedule 5	Emission Fees	\$ 188
Schedule 6	Toxic Air Contaminants	\$ 189
Schedule 7	Public Notification	\$ 570
Schedule 8	Public Record Request	
	Electronic Media	\$ 5
	Photocopies	\$0.10 per page
Schedule 9	Mutual Settlement Program Base Rate	\$ 178

**Table 1. Fee Schedule**

**Rule 302 ( Source Testing and Analyses)**

<b>Type of Test</b>		<b>Rule 302 (FY 2016-2017)</b>
Section 4.1.2	Visible emission evaluation test or observation of source testing	\$138 + \$138 per hour for every staff hour in excess of 20 staff hours

**Rule 305 ( Fees for Risk Assessments, Risk Notifications & Risk Reduction Plans and Rep**

<b>Fee Determination</b>		<b>Rule 305 (FY 2016-2017)</b>
Hourly Staff Rate for:		
Section 3.1.2-3.1.3	Public Notification, Audit and Plan, Supplemental Risk Assessment	\$ 138
Section 3.3.5.1	Revocation Initiation	\$ 474
Section 3.3.5.2	Reinstatement	\$ 714

**Table 1. Fee Schedule**

Rule 306 (Asbestos NESHAP Fees)

	Fee	Rule 306 (FY 2016-2017)
Section 4.2	Demolition (cost per structure) Where No Asbestos Present Demolition or Renovation Fee	\$ 383
Section 4.5.1	Demolition of structures involving less than 160 sq. ft. RACM, or less than 260 linear ft. RACM, or less than 35 cubic ft. RACM (including no asbestos present)	\$ 383
Section 4.5.2	Demolition or Renovation involving; between 160 and 999 sq. ft. RACM, or between 260 and 499 linear ft. RACM 35 cubic ft. or greater RACM	\$ 665
Section 4.5.3	Demolition or Renovation involving; between 1000 and 1499 sq. ft. RACM, or between 500 and 749 linear ft. RACM	\$ 858
Section 4.5.4	Demolition or Renovation involving; between 1500 and 1999 sq. ft. RACM, or between 750 and 999 linear ft. RACM	\$ 1,049
Section 4.5.5	Demolition or Renovation involving; between 2000 and 4000 sq. ft. RACM, or between 1000 and 2000 linear ft. RACM	\$ 1,235
Section 4.5.6	Demolition or Renovation involving; greater than 4000 sq. ft. RACM, or greater than 2000 linear ft. RACM	\$ 1,415

**Table 1. Fee Schedule**

Rule 308 ( Title V Fees)		
	<b>Title V Fees</b>	<b>Rule 308 (FY 2016-2017)</b>
	Filing Fee for an initial Federal Operating Permit, renewal, or modification	\$ 383
	Filing Fee for Change of Ownership	\$ 138
Section 3.3	Evaluation Fee	\$ 138
Section 4.1.1	Minimum Annual Federal Operating Permit Fee (AFOPF)	\$ 914
Section 4.1.2.1	AFPOF for landfill gas emissions per ton	\$ 2.78
Rule 309 ( Hearing Board Fees)		
	<b>Hearing Board Fees</b>	<b>Rule 309 (FY 2016-2017)</b>
Section 3.1.1-3.1.10	Fee for Each Additional Hearing	\$ 445
Application Fees:		
Section 3.1.1	Length of variance exceeds 90 days	\$ 886
Section 3.1.2	Length of variance does not exceed 90 days	\$ 620
Section 3.1.3	Modifying a variance	
Section 3.1.4	Modify a Variance's Schedule of Increments of Progress or Final Compliance Date	
Section 3.1.5	Approval of Schedule of Increments of Progress	\$ 445
Section 3.1.6	Emergency Variance	
Section 3.1.7	Permit Denial	
Section 3.1.8	Issuance of Permit	
Section 3.1.9	Suspension of Permit	
Section 3.1.10	Intervention in a Pending Variance	
Section 3.2	Excess Emissions (\$ per pound of excess emissions)	\$ 0.60
Section 3.3.1	Excess Visible Emission	\$ 1.71
Section 3.4	Minimum Fees	\$ 445

**Table 1. Fee Schedule**

**Rule 310 ( Agricultural Diesel Engine Registration Fees)**

<b>Ag Engine Fees</b>		<b>Rule 310 (FY 2016-2017)</b>
<b>Application Fees:</b>		
Section 3.1.1.1	In-use diesel engine	\$378 + \$189 for each additional engine
Section 3.1.2.1	New Diesel Engine within 90 days of purchase	\$189 + \$94 for each additional engine
Section 3.1.2.2	New Diesel Engine after 90 days of purchase	\$378 + \$189 for each additional engine
Section 3.2	Operational Annual Registration Fees	\$ 69
	Non-Operational Annual Registration Fees	\$ 35

CPI = Consumer Price Index as published by the United States Department of Labor, Bureau of Labor Statistics, for All Consumers for the San Francisco-Oakland-San Jose statistical area.