

BUTTE COUNTY AIR QUALITY MANAGEMENT DISTRICT

RULE 505 - TITLE V FEES

*(Adopted November 9, 1993; Amended and Recodified June 24, 1999;
Recodified August 22, 2002; Amended June 23, 2005)*

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RULE 505

The fees collected pursuant to this Rule are for stationary sources subject to Rule 1101 of these Rules and Regulations *Title V - Federal Operating Permits*.

1 PAYMENT OF FEE: [Reference: 40 CFR Part 70.9 (b) (2) (i)] The owner/operator, or his or her delegee, shall pay an annual fee for a Permit to Operate pursuant to this Rule as determined by the calculation method in Section 2 of this Rule to meet an overall fee rate of \$25 per ton of fee-based emissions (CPI (Consumer Price Index) adjusted).

1.1 Fee-based emissions means the actual rate of emissions in tons per year of any fee pollutant, including fugitive emissions, emitted from the stationary source over the preceding year or any other period determined by the Air Pollution Control Officer (APCO) to be representative of normal operation. Fee-based emissions shall be calculated using each emission unit's actual operating hours, production rates, and in-place control equipment; type of material processed, stored, or combusted during the preceding calendar year, or other time period established by the APCO. [Reference: 40 CFR Part 70.9 (b) (2) (iii)]

1.2 Fee Pollutant means oxides of nitrogen, volatile organic compounds, any pollutant for which a national ambient air quality standard has been promulgated by the United States Environmental Protection Agency (EPA) (excluding carbon monoxide), and any other pollutant that is subject to a standard or regulation promulgated by EPA under the federal Clean Air Act (CAA) or adopted by the Butte County Air Quality Management District (DISTRICT) pursuant to section 112(g) and (j) of the CAA. Any air pollutant that is regulated solely because of a standard or regulation under section 112(r) of the CAA for accidental release or under Title VI of the CAA for stratospheric ozone protection shall not be included. [Reference: 40 CFR Part 70.2 Regulated Pollutant (for Presumptive Fee Calculation)]

1.3 (CPI adjusted) means adjusted by the percentage, if any, by which the Consumer Price Index of the year exceeds the Consumer Price Index for calendar year 1989. The value of (CPI adjusted) shall be obtained from EPA. [Reference: 40 CFR Part 70.9(b) (2) (iv)]

2 DETERMINATION OF FEE

Calculation of Annual Fee

$$s = [\$25 \text{ per ton (CPI adjusted)} \times e]$$

where:

s = supplemental annual fee in dollars

e = fee-based emissions in tons per year

- 3 **SUBMITTAL OF INFORMATION:** [Reference: 40 CFR Part 70.6(a) (7)] The owner/operator, or his or her delegee, shall provide the APCO sufficient information to determine the annual fee.