

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

RULE 301. FEE SCHEDULES

(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; 6-21-17; and 6-25-18.)

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Table 1. Fee Schedule

Effective Dates

This Rule, as most recently revised, is effective on July 1, 2018.

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.

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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.

Schedule 4
Gasoline Dispensing Facilities

The fee shall be determined as follows for 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.

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The fee shall be determined as follows for 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.

**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.

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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.

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)

Permit Fees	Rule 300 (FY 2018-2019)
Section 3.1 Filing Fee	\$ 208
Section 3.4.1 Synthetic Minor Permit Filing Fee	\$ 305
Section 3.4.2 Synthetic Minor Permit Evaluation Fee	\$ 1,218

Rule 300 (Annual Renewal Fees for Source Specific Categories, Section 4.3)

Source Category	Rule 300 (FY 2018-2019)
Dry Cleaner	\$326
Emergency Diesel Fueled Internal Combustion Engine (fee code 202)	\$357
Emergency Diesel Fueled Internal Combustion Engine (historical fee code 501)	\$242
Emergency Non-Diesel Fueled Internal Combustion Engine	\$242
Fume Hood	\$221
Fossil Fueled Power Plant Gas Turbine Maximum Rated Heat Input	\$53 per MMBtu/hr
Fossil Fueled Power Plant Boiler	\$26 per MMBtu/hr
Lime Processing Facility (3-year average kiln annual production rates):	
-Kiln production rate < 100,000 short tons per year	\$0.53 per short ton
-Kiln production rate > 100,000 short tons per year	\$0.74 per short ton
Cannabis Cultivation/Manufacturing/Processing Operations	\$473
Cannabis Cultivation/Manufacturing/Processing Odors	\$105
Synthetic Minor Permit	\$42 per ton

Table 1. Fee Schedule

Rule 300 (Annual Renewal Fees , Section 4.4)

Billable Emission per Permit; Tons per Year	Rule 300 (FY 2018-2019)
0 - < 0.1	\$ 207
0.1 - < 1	\$ 310
1 - < 2	\$ 387
2 - < 5	\$ 552
5 - < 8	\$ 759
8 - < 10	\$ 1,453
10 - < 20	\$ 2,145
20 - < 30	\$ 3,721
30 - < 45	\$ 5,295
45 - < 60	\$ 6,474
60 - < 80	\$ 7,655
80 - < 100	\$ 8,429
100 - < 150	\$ 9,190
150 - < 200	\$ 11,129
200 - < 250	\$ 13,068
> 250	\$ 16,232

Rule 300 (Annual Renewal Fee Determination, Section 4.5)

Fees	Rule 300 (FY 2018-2019)
Section 4.5.1	\$ 1,007
Section 4.5.2	\$ 504
Section 4.5.3	\$ 504

Rule 300 (Gasoline Throughput Fees, Section 4.6)

Gasoline Throughput; Gallons per Year	Rule 300 (FY 2018-2019)
Section 4.6 Per Nozzle Fee	\$ 53
Throughput "b" 0 - < 100,000	\$ 258
100,000 - < 400,000	\$ 413
400,000 - < 800,000	\$ 610
800,000 - < 1,200,000	\$ 812
1,200,000 - < 1,600,000	\$ 1,011
1,600,000 - < 2,000,000	\$ 1,307
2,000,000 - < 3,000,000	\$ 1,983
3,000,000 and greater	\$1,983 + \$659 for each additional million gallons

Table 1. Fee Schedule

Rule 300 (Wastewater Treatment Facilities Fees, Section 4.7)

Average Flow; Gallons per Day	Rule 300 (FY 2018-2019)
0- < 9,999,999	\$ 200
10,000,000 - 20,000,000	\$ 2,500
>20,000,000	\$ 6,500

Rule 300 (Other Annual Renewal Fee Determination)

	Fees	Rule 300 (FY 2018-2019)
Section 4.8	Annual Renewal Fee for NESHAP Sources	\$ 16,232
Section 4.9	Methyl Bromide Fumigation Chambers	\$ 185
Section 4.10	Authorities to Construct	\$ 185
Section 4.11	Toxic Program Sources	\$ 97
Section 6.1	ERC Registry Fee	\$ 612
Section 6.1.2	Annual Regsitry Fee	\$ 205

Rule 300 (Delinquency Penalties)

	Fees	Rule 300 (FY 2018-2019)
Section 5.1.7.2	Revocation Initiation	\$ 522
Section 5.1.7.3	Reinstatement	\$ 788

Table 1. Fee Schedule

Rule 301 (Permit Fee Schedules)

	Fee Schedules	Rule 301 (FY 2018-2019)
	Hourly Staff Rate	\$ 149
Schedule 1	General Permit Fee	\$926 plus the hourly staff rate
Schedule 2	Administrative Amendment	\$300 plus the hourly staff rate
Schedule 3	Equipment that Lost Permit Exemption	\$300 plus the hourly staff rate
Schedule 4	Gasoline Dispensing Facilities	
	Phase I	\$ 956
	Phase II	\$ 956
	Phase II per nozzle fee	\$ 53
	Phase I + Phase II	\$1274 + \$113 for each nozzle
	Installation of In Station Diagnosis System	\$ 1,361
	Throughput Fees (gallons per year)	
	1 Nozzle (0 - < 100,000)	\$ 258
	2 Nozzles (100,000 - < 400,000)	\$ 413
	3 Nozzles (400,000 - < 800,000)	\$ 610
	4 Nozzles (800,000 - < 1,200,000)	\$ 812
	5 Nozzles (1,200,000-< 1,600,000)	\$ 1,011
	6 Nozzles (1,600,000 -<2,000,000)	\$ 1,307
	More than 7 Nozzles (2,000,000 or greater)	\$ 1,983
Schedule 5	Emission Fees	\$ 207
Schedule 6	Toxic Air Contaminants	\$ 208
Schedule 7	Public Notification	\$ 629
Schedule 8	Public Record Request	
	Electronic Media	\$ 5
	Photocopies	\$0.10 per page
Schedule 9	Mutual Settlement Program Base Rate	\$ 195

Table 1. Fee Schedule

Rule 302 (Source Testing and Analyses)

Type of Test		Rule 302 (FY 2018-2019)
Section 4.1.2	Visible emission evaluation test or observation of source testing	\$149 + \$149 per hour for every staff hour in excess of 20 staff hours

Rule 305 (AB2588 Implementation Fees)

Fee Determination		Rule 305 (FY 2018-2019)
Hourly Staff Rate for:		
Section 3.1.2-3.1.3	Emission Inventory, Public Notification, Audit and Plan, Supplemental Risk Assessment	\$ 149
Section 3.3.5.1	Revocation Initiation	\$ 522
Section 3.3.5.2	Reinstatement	\$ 788

Table 1. Fee Schedule

Rule 306 (Asbestos NESHAP Fees)

	Fee	Rule 306 (FY 2018-2019)
Section 4.2	Demolition (cost per structure) (Including Where No Asbestos Present)	\$ 422
Schedule of Fees for Removal of Asbestos-Containing Materials		
Section 4.5.1	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	\$ 733
Section 4.5.2	Demolition or Renovation involving; between 1,000 and 1,499 sq. ft. RACM, or between 500 and 749 linear ft. RACM	\$ 945
Section 4.5.3	Demolition or Renovation involving; between 1,500 and 1,999 sq. ft. RACM, or between 750 and 999 linear ft. RACM	\$ 1,156
Section 4.5.4	Demolition or Renovation involving; between 2,000 and 3,999 sq. ft. RACM, or between 1,000 and 1,999 linear ft. RACM	\$ 1,362
Section 4.5.5	Demolition or Renovation involving; between 4,000 and 9,999 sq. ft. RACM, or between 2,000 and 2,999 linear ft. RACM	\$ 1,560
Section 4.5.6	Demolition or Renovation involving; greater than 10,000 sq. ft. RACM, or greater than 3,000 linear ft. RACM	\$1,708 + \$422 per each additional 10,000 sq. ft. or each additional 2,000 linear ft. RACM not to exceed \$3,000
Section 4.5.7	Cancellation Fee	\$ 149

Table 1. Fee Schedule**Rule 308 (Title V Fees)**

	Title V Fees		Rule 308 (FY 2018-2019)
	Filing Fee for an initial Federal Operating Permit, renewal, or modification	\$	422
	Filing Fee for Change of Ownership	\$	149
Section 3.3	Evaluation Fee	\$	149
Section 4.1.1	Minimum Annual Federal Operating Permit Fee (AFOPF)	\$	1,007
Section 4.1.2.1	AFPOF for landfill gas emissions per ton	\$	3.07

Rule 309 (Hearing Board Fees)

	Hearing Board Fees		Rule 309 (FY 2018-2019)
Section 3.1.1-3.1.10	Fee for Each Additional Hearing	\$	490
Application Fees:			
	Length of variance exceeds 90 days	\$	977
Section 3.1.1			
	Length of variance does not exceed 90 days	\$	684
Section 3.1.2			
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	\$	490
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)	\$	0.66
Section 3.3.1	Excess Visible Emission	\$	1.88
Section 3.4	Minimum Fees	\$	490

Table 1. Fee Schedule

Rule 310 (Agricultural Diesel Engine Registration Fees)

	Ag Engine Fees	Rule 310 (FY 2018-2019)
<hr/> Application Fees: <hr/>		
	In-use diesel engine	\$417 + \$208 for each additional engine
<hr/> Section 3.1.1.1 <hr/>		
	New Diesel Engine within 90 days of purchase	\$208 + \$104 for each additional engine
<hr/> Section 3.1.2.1 <hr/>		
	New Diesel Engine after 90 days of purchase	\$417 + \$208 for each additional engine
<hr/> Section 3.1.2.2 <hr/>		
Section 3.2	Operational Annual Registration Fees	\$ 77
	Non-Operational Annual Registration Fees	\$ 39
<hr/> Section 3.3 <hr/>		
Section 3.3	Transfer of Owner/Change of Location	\$ 208