

# **REGULATION IV**

## **FEEES**

**REGULATION IV  
FEES**

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**RULE 400:**  
**STATIONARY SOURCE PERMIT FEES**

- 1.0 GENERAL:** These fees are based on the estimated cost of issuance, services rendered, surveillance, evaluation and inspections pertaining to such permits.
- 2.0 FILING FEE (FF):** Every application for an Authority to Construct permit and a Permit to Operate shall be accompanied with a \$50.00 filing fee. No application shall be deemed complete without payment of the required Filing Fee.
- 3.0 AUTHORITY TO CONSTRUCT (ATC):** Before any person builds, erects, alters, or replaces any article, machine, equipment, or other contrivance which may cause the issuance of air contaminants, except as otherwise exempted in California Health and Safety Code Section 42310, that person must first obtain an Authority to Construct permit from the Air Pollution Control Officer (APCO). Each applicant for an Authority to Construct permit shall pay the Filing Fee required in Section 2 above. An application shall not be deemed complete without payment of the Filing Fee. In addition, Initial Permit Evaluation Fees as specified in Section 7, Schedule 1.A, which shall include an Initial Permit Evaluation Fee and an Initial Toxic Evaluation Fee shall be due and payable at the time the Authority to Construct permit is issued and to be determined by these Rules and Regulations. All fees collected shall be deposited in the AQMD's Account.
- 3.1 Limitation to Authority to Construct Fees:**
- 3.1.1** Notwithstanding the fees specified in Section 7, Schedule 1.A, if the actual costs of processing an Authority to Construct permit application substantially differ from the Initial Permit Evaluation Fees assessed pursuant to this Section, the applicant may be assessed the actual costs, as determined by the Air Pollution Control Officer.
- 3.1.2** If the permit holder certifies in writing that the permitted equipment does not result in the release of a toxic air contaminant, as determined by CARB or the Air Pollution Control Officer, or a hazardous air pollutant, as determined by EPA or the Air Pollution Control Officer, the Initial Toxic Evaluation Fee from Section 7, Schedule 1.A, shall not be assessed.
- 4.0 PERMIT TO OPERATE (PTO):** Before any person operates, or uses, any article, machine, equipment, or other contrivance which may cause the issuance of air contaminants, except as otherwise exempted in California Health And Safety Code Section 42310, that person must first obtain a Permit to Operate from the from the Air Pollution Control Officer (APCO). Each applicant for a Permit to Operate shall pay the Filing Fee required in Section 2 above. An application shall not be deemed complete without payment of the Filing Fee. Each applicant for a permit required by Regulation I of these Rules and Regulations shall also pay Initial Permit Evaluation Fees, which shall include an Initial Permit Evaluation Fee and an Initial Toxic Evaluation Fee, as specified in Section 7, Schedule 1.A, at the time the Permit to Operate is issued, AND, on an annual basis shall pay Annual Permit Renewal Fees due on or before the permit anniversary date for each Permit to Operate issued as specified in Section 8, Schedule 1.B. All fees collected shall be deposited in the North Coast Unified Air Quality Management District's (AQMD) Account.

**4.1 Limitation to Permit to Operate Fees:**

- 4.1.1** Except for sources subject to USEPA Clean Air Act Title V, if the permit holder certifies in writing that the permitted equipment was not operated during the previous calendar year, the Air Toxic Emission Fees from Section 8, Schedule 1.B, herein shall not be assessed.
- 4.1.2** If the permit holder certifies in writing that the permitted equipment does not result in the release of a toxic air contaminant, as determined by the California Air Resources Board (CARB) and the APCO, or a hazardous air pollutant, as determined by the United States Environmental Protection Agency (EPA), the Annual Toxic Evaluation Fee from Section 8, Schedule 1.B, herein shall not be assessed.

**5.0 TRANSFER OF OWNERSHIP:**

- 5.1** Each owner and/or operator/applicant for a permit Transfer of Ownership shall pay a fee of \$50.00 to cover the administrative costs of transferring the first permit to the new owner. Each subsequent permit transfer shall be \$25.00. A Transfer of Ownership for AQMD permits shall be submitted prior to of the transfer of Ownership of any equipment operation under AQMD permit. Failure to do so constitutes a separate and independent violation of these Rules and Regulations. This section applies only when the transfer of ownership does not involve any modification or revision to the permitted equipment or operations.
- 5.2** The burden of applying & submittal for a transfer of ownership is on the new owner and, or operator.
- 5.3** The Seller shall notify the AQMD in writing of the transfer of ownership prior to the transfer and shall identify the name of the new owner, and/or operator and a mailing address & phone number.

**6.0 PERMIT ISSUED BY HEARING BOARD:** A Permit to Operate or Authority to Construct permit issued by the AQMD Hearing Board is subject to the fees established pursuant to this Regulation.

**7.0 SCHEDULE 1.A INITIAL PERMIT EVALUATION FEES:** The following Initial Permit Evaluation Fees established in Schedule 1.A shall apply, and the value of "x" shall be assigned by the District Board of Directors each budget year through resolution. The APCO shall calculate the value of "x" each year during the budget process with calculations based on operations.

\$57.50 is established as the 2005 base year.

\$66.13 is established as the 2006 value.

- 7.1 ELECTRIC MOTOR HORSEPOWER SCHEDULE:** Any stationary source of air contaminant emissions for which an Authority to Construct or Permit to Operate is required, where an electric motor or equivalent drive unit is used as the power supply, shall be assessed an Initial Permit Evaluation Fee, and an Initial Toxic Evaluation Fee based on the total rated horsepower of all such drive units, or their horsepower equivalent in kilovolt amperes (1 KVA=1.34 HP), included in such stationary source in accordance with the following schedule.

*TABLE 7.1*

HORSEPOWER	INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE (FEE/UNIT)
Less than 25	1x	0.5x
25 or greater but less than 50	2x	1x
50 or greater but less than 100	6x	2x
100 or greater but less than 300	11x	2x
300 or greater but less than 1,000	17x	2x
1,000 to 1,500	22x	3x
1,500 or greater	(see 7.1.1)	3x

- 7.1.1** Sources 1,500 horsepower or greater shall be assessed an Initial Permit Evaluation Fee set at 22x, and may be assessed additional fees to meet the actual costs as determined by the Air Pollution Control Officer pursuant to Section 3.1.1, above.

- 7.2 FUEL BURNING AND POWER GENERATION EQUIPMENT SCHEDULE:** Any stationary source of air contaminant emissions, for which a Authority to Construct or Permit to Operate is required, in which fuel may at any time be burned or in which power may be generated, with the exception of incinerators or refuse burners which are covered in Section 7.3, shall be assessed an Initial Permit Evaluation Fee, and an Initial Toxic Evaluation Fee based upon its rated design capacity of heat input expressed in millions of British Thermal Units (BTU) per hour, using gross heating value of the fuel or its equivalent, in accordance with the following schedule:

*TABLE 7.2*

MILLION BRITISH THERMAL UNITS PER HOUR	INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE (FEE/UNIT)
Less than 1	2x	0.5x
1 or greater but less than 5	6x	1x
5 or greater but less than 20	11x	2x
20 or greater but less than 50	22x	2x
50 or greater but less than 100	34x	3x
100 or greater but less than 250	45x	3x
250 or greater but less than 500	112x	3x
500 or greater but less than 1,000	169x	3x
1,000 or greater but less than 1,500	225x	3x
1,500 or greater	(see 7.2.1)	3x



**7.2.1** Sources 1,500 Million BTU per hour or greater shall be assessed an Initial Permit Evaluation Fee set at 225x, and may be assessed additional fees to meet the actual costs as determined by the Air Pollution Control Officer pursuant to Section 3.1.1, above.

**7.3 INCINERATOR AND REFUSE BURNER SCHEDULE:** Any stationary source of air contaminant emissions, for which an Authority to Construct or Permit to Operate is required, for the disposal of approved combustibles by burning, shall be assessed an Initial Permit Evaluation Fee, and an Initial Toxic Evaluation Fee based on the maximum horizontal inside cross sectional area of the primary combustion chamber, in accordance with the following schedule:

*TABLE 7.3*

AREA, SQUARE FEET	INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE (FEE/UNIT)
Less than 12	1x	0.5x
12 or greater but less than 100	2x	0.5x
100 or greater but less than 400	6x	1x
400 or greater but less than 1,000	17x	1x
1,000 or greater but less than 3,000	34x	2x
3,000 or greater but less than 5,000	56x	3x
5,000 or greater	(see 7.3.1)	3x

**7.3.1** Sources 5,000 square feet or greater shall be assessed an Initial Permit Evaluation Fee set at 56x, and may be assessed additional fees to meet the actual costs as determined by the Air Pollution Control Officer pursuant to Section 3.1.1, above.

**7.4 STATIONARY CONTAINER SCHEDULE:** Any stationary tank, reservoir, or other container for which an Authority to Construct or Permit to Operate is required, shall be assessed an Initial Permit Evaluation Fee, and an Initial Toxic Evaluation Fee based on capacities in gallons or cubic equivalent, in accordance with the following schedule. An annual renewal fee shall not be assessed for this equipment category, except for sources which are subject to compliance with federal new source performance standards:

*TABLE 7.4*

GALLONS	INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE (FEE/UNIT)
250 or greater but less than 4,000	1x	—
4,000 or greater but less than 40,000	2x	—
40,00 or greater but less than 400,000	6x	1x
400,000 or greater but less than 500,000	11x	2x
500,000 or greater	(see 7.4.1)	2x

**7.4.1** Sources 500,000 gallons or greater shall be assessed an Initial Permit Evaluation Fee set at 11x, and may be assessed additional fees to meet the actual costs as determined by the Air Pollution Control Officer pursuant to Section 3.1.1, above.

- 7.5 PROCESS WEIGHT SCHEDULE:** Any stationary source of air contaminant emissions, for which an Authority to Construct or Permit to Operate is required, shall be assessed an Initial Permit Evaluation Fee, and an Initial Toxic Evaluation Fee established in the Permit to Operate based upon 75% of the maximum process weight rate calculated in pounds per hour.

TABLE 7.5

AVERAGE POUNDS PER HOUR	INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE (FEE/UNIT)
Less than 5,000	2x	0.5x
5,000 or greater but less than 20,000	6x	1x
20,000 or greater but less than 50,000	11x	1x
50,000 or greater but less than 100,000	17x	1x
100,000 or greater but less than 200,000	27x	2x
200,000 or greater but less than 400,000	39x	2x
400,000 or greater but less than 500,000	56x	2x
500,000 or greater	(see 7.5.1)	2x

- 7.5.1** Sources 500,000 pounds per hour or greater shall be assessed an Initial Permit Evaluation Fee set at 56x, and may be assessed additional fees to meet the actual costs as determined by the Air Pollution Control Officer pursuant to Section 3.1.1, above.

- 7.6 MISCELLANEOUS SCHEDULE:** Any stationary source of air contaminant emissions, for which an Authority to Construct or Permit to Operate is required, shall be assessed an Initial Permit Evaluation Fee, and an Initial Toxic Evaluation Fee based upon the volumetric exhaust rate from the source, expressed in actual cubic feet per minute.

TABLE 7.6

VOLUME EXHAUSTED (CFM)	INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE (FEE/UNIT)
Up to and included 2,000	1x	0.5x
2,000 or greater but less than 5,000	2x	0.5x
5,000 or greater but less than 20,000	6x	1x
20,000 or greater but less than 50,000	11x	1x
50,000 or greater but less than 100,000	23x	2x
100,000 or greater but less than 200,000	45x	3x
200,000 or greater but less than 250,000	67x	3x
250,000 or greater	(see 7.6.1)	3x

- 7.6.1** Sources 250,000 CFM or greater: shall be assessed an Initial Permit Evaluation Fee set at 67x, and may be assessed additional fees to meet the actual costs as determined by the Air Pollution Control Officer pursuant to Section 3.1.1, above.

- 7.6.2 Quarries:** Quarries, including gravel extraction sites, which are subject to the State Air Borne Toxic Control Measure for Naturally Occurring Asbestos shall be assessed an Initial Permit Evaluation Fee, and an Initial Toxic Evaluation Fee for each Permit to Operate based on the following:

TABLE 7.6.2

ACTIVE QUARRY EXTRACTION AREA (ACRES)	INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE
Up to and included 10 Acres	1x	2x
10 Acres or greater but less than 50 Acres	2x	4x
Greater than 50 Acres	3x	8x

- 7.7 GEOTHERMAL DEVELOPMENT SCHEDULE:** Any stationary source of air contaminant emissions related to the production or utilization of geothermal steam, for which an Authority to Construct or Permit to Operate is required, shall be assessed an Initial Permit Evaluation Fee, and an Initial Toxic Evaluation Fee in accordance with the following schedule:

TABLE 7.7

GEOTHERMAL SOURCES	INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE (FEE/UNIT)
Geothermal Well	17x	1x
Geothermal Well Air Pollution Control Device	2x	--
Power Plant Unit	--	--
Power Plant Unit Air Pollution Control Device	14x	2x

**7.8 SUPPLEMENTAL FEE SCHEDULE:**

**7.8.1 Reserved-intentionally Left Blank.**

- 7.8.2 HSC 42301.6 Notification Fee:** Applies to every permit unit subject to Health & Safety Code Section HSC 42301.6 (Public notice for possible source of air hazardous emissions near school prior to approving permit) and which requires special notice to parents and area residents.

TABLE 7.8.2

INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE
(see Section 7.8.2.1)	2X

**7.8.2.1** Sources subject to Health & Safety Code Section HSC 42301.6 and which requires special notice to parents and area residents shall be assessed an Initial Toxic Evaluation Fee set at 2x, and may be assessed additional fees to meet the actual costs in providing as notice determined necessary by the Air Pollution Control Officer pursuant to Section 3.1.1, above.

**7.8.3** Health Risk Assessments:

TABLE 7.8.3

INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE
(see Section 7.8.3.1)	2X

**7.8.3.1** Sources requiring Health Risk Assessments shall be assessed an Initial Toxic Evaluation Fee set at 2x, and may be assessed additional fees to meet the actual costs as determined necessary by the Air Pollution Control Officer pursuant to Section 7.1.1, above.

**7.8.4** Standby Facilities:

TABLE 7.8.4

INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE
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**7.8.5** Expedited Permit: Applies to every permit unit which the applicant request be processed on an expedited basis.

TABLE 7.8.5

INITIAL PERMIT EVALUATION FEE	INITIAL TOXIC EVALUATION FEE
(See 7.8.5.1)	---

**7.8.5.1** Sources in which the applicant requests that a permit unit be processed on an expedited basis will be assessed an ADDITIONAL 25% Initial Permit Evaluation Fee, or 4x per permit unit, whichever is greater, and may be assessed additional fees to meet the actual costs as determined necessary by the Air Pollution Control Officer pursuant to Section 3.1.1, above.

**8.0** **SCHEDULE 1.B ANNUAL PERMIT RENEWAL FEES:** Each holder of a Permit to Operate required by these Rules and Regulations shall on an annual basis pay Annual Permit Renewal Fees due on or before the permit anniversary date for each Permit to Operate issued. The Annual Permit Renewal Fees shall include an Air Toxic Emission Fee and a Permit Renewal Fee. All fees collected shall be deposited in the North Coast Unified Air Quality Management District’s (AQMD) Account. The following Annual Permit Renewal Fees established in Schedule 1.B shall apply, and x shall be \$66.13.

- 8.1 ELECTRIC MOTOR HORSEPOWER SCHEDULE:** Any stationary source of air contaminant emissions for which a Permit to Operate is required, where an electric motor or equivalent drive unit is used as the power supply, shall be assessed Annual Permit Renewal Fees based on the total rated horsepower of all such drive units, or their horsepower equivalent in kilovolt amperes (1 KVA=1.34 HP), included in such stationary source in accordance with the following schedule.

TABLE 8.1

HORSEPOWER	PERMIT RENEWAL FEE (FEE/UNIT)	AIR TOXIC EMISSION FEE (FEE/UNIT)
Less than 25	0.5x	0.5x
25 or greater but less than 50	1x	1x
50 or greater but less than 100	3x	2x
100 or greater but less than 300	6x	2x
300 or greater but less than 1,000	8x	2x
1,000 or greater	11x	3x

- 8.2 FUEL BURNING AND POWER GENERATION EQUIPMENT SCHEDULE:** Any stationary source or air contaminant emissions, for which an Permit to Operate is required, in which fuel may at any time be burned or in which power may be generated, with the exception of incinerators or refuse burners which are covered in Schedule 3, shall be assessed Annual Permit Renewal Fees based upon its rated design capacity of heat input expressed in millions of British Thermal Units (BTU) per hour, using gross heating value of the fuel or its equivalent, in accordance with the following schedule:

TABLE 8.2

MILLION BRITISH THERMAL UNITS PER HOUR	PERMIT RENEWAL FEE (FEE/UNIT)	AIR TOXIC EMISSION FEE (FEE/UNIT)
Less than 1	1x	0.5x
1 or greater but less than 5	3x	1x
5 or greater but less than 20	6x	2x
20 or greater but less than 50	11x	2x
50 or greater but less than 100	17x	3x
100 or greater but less than 250	22x	3x
250 or greater but less than 500	56x	3x
500 or greater but less than 1,000	84x	3x
1,000 or greater	113x	3x

- 8.3 INCINERATOR AND REFUSE BURNER SCHEDULE:** Any stationary source of air contaminant emissions, for which a Permit to Operate is required, for the disposal of approved combustibles by burning, shall be assessed Annual Permit Renewal Fees based on the maximum horizontal inside cross sectional area of the primary combustion chamber, in accordance with the following schedule:

TABLE 8.3

AREA, SQUARE FEET	PERMIT RENEWAL FEE (FEE/UNIT)	AIR TOXIC EMISSION FEE (FEE/UNIT)
Less than 12	0.5x	0.5x
12 or greater but less than 100	1x	0.5x
100 or greater but less than 400	3x	1x
400 or greater but less than 1,000	8x	1x
1,000 or greater but less than 3,000	17x	2x
3,000 or greater	28x	3x

- 8.4 STATIONARY CONTAINER SCHEDULE:** Any stationary tank, reservoir, or other container for which a Permit to Operate is required, shall be assessed Annual Permit Renewal Fees based on capacities in gallons or cubic equivalent, in accordance with the following schedule. An annual renewal fee shall not be assessed for this equipment category, except for sources which are subject to compliance with federal new source performance standards:

TABLE 8.4

GALLONS	PERMIT RENEWAL FEE (FEE/UNIT)	AIR TOXIC EMISSION FEE (FEE/UNIT)
250 or greater but less than 4,000	None	—
4,000 or greater but less than 40,000	None	—
40,000 or greater but less than 400,000	3x	1x
400,000 or greater	6x	2x

**8.5 PROCESS WEIGHT SCHEDULE:** Any stationary source of air contaminant emissions, for which a Permit to Operate is required, shall be assessed Annual Permit Renewal Fees based upon the annual process weight calculated in tons per year. The calculated fee shall be based upon the process weight of material generated by the permitted source equipment from the previous year as provided in the following table.

TABLE 8.5

AVERAGE TONS PER YEAR	PERMIT RENEWAL FEE (FEE/UNIT)	AIR TOXIC EMISSION FEE (FEE/UNIT)
Less than 7,500	1x	0.5x
7,500 or greater but less than 22,500	2x	1x
22,500 or greater but less than 35,000	4x	1x
35,000 or greater but less than 75,000	6x	1x
75,000 or greater but less than 150,000	10x	2x
150,000 or greater but less than 250,000	15x	2x
250,000 or greater but less than 400,000	20x	2x
400,000 and greater	25x	3x

**8.6 MISCELLANEOUS SCHEDULE:** Any stationary source of air contaminant emissions, for which a Permit to Operate is required, shall be assessed Annual Permit Renewal Fees based upon the volumetric exhaust rate from the source, expressed in actual cubic feet per minute.

TABLE 8.6

VOLUME EXHAUSTED (CFM)	PERMIT RENEWAL FEE (FEE/UNIT)	AIR TOXIC EMISSION FEE (FEE/UNIT)
Up to and included 2,000	0.5x	0.5x
2,000 or greater but less than 5,000	1x	0.5x
5,000 or greater but less than 20,000	3x	1x
20,000 or greater but less than 50,000	6x	1x
50,000 or greater but less than 100,000	11x	2x
100,000 or greater but less than 200,000	23x	3x
200,000 or greater	34x	3x

**8.7 GEOTHERMAL DEVELOPMENT SCHEDULE:** Any stationary source of air contaminant emissions relative to the production or utilization of geothermal steam, for which a Permit to Operate is required, shall be assessed Annual Permit Renewal Fees in accordance with the following schedule:

TABLE 8.7

GEOTHERMAL SOURCES	PERMIT RENEWAL FEE (FEE/UNIT)	AIR TOXIC EMISSION FEE (FEE/UNIT)
Geothermal Well	8x	1x
Geothermal Well Air Pollution Control Device	---	--
Power Plant Unit	132x	--
Power Plant Unit Air Pollution Control Device	---	2x

## 8.8 SUPPLEMENTAL FEE SCHEDULE:

### **8.8.1 Supplemental Air Monitoring Permit Fee:**

**8.8.1.1 Air Monitoring Program Fee:** The North Coast Unified AQMD implements an ambient air monitoring program as part of the AQMD's program to regulate stationary sources of air pollution. The ambient air monitoring program is a necessary tool in the evaluation, issuance, and renewal of stationary source permit(s). The ambient air monitoring program provides data to determine and monitor the potential impact on the public of permitted stationary source emissions, regular source inspections, responding to public complaints and related investigations, criteria and toxic emissions inventory collection and evaluation, air quality planning, and related rule development activities. The ambient air monitoring program may include, but is not limited to, monitoring for criteria pollutants, selected toxic pollutants and meteorological parameters, data acquisition system(s), ambient air data reduction and reporting.

**8.8.1.2 Budget Line Item:** Proposed annual budgetary costs of the AQMD's ambient air monitoring program shall be identified in the annual budget as special line item(s). While the AQMD Board may supplement the ambient air monitoring program budget with other funds, no stationary source permit fees collected to fund, in part or in whole, this ambient air monitoring program shall be used for any purpose or program other than the ambient air monitoring program.

**8.8.1.3 Air Monitoring Permit Fee:** In addition to any other fee permit fee(s) required by these Rules and Regulations, each facility under permit shall pay the following annual air monitoring fee(s):

**8.8.1.3.1 Title V Permitted Facilities:** \$8,500 per year, billed on February 1<sup>st</sup> 2006 and due no later than 30 days from the date of billing, AND \$12,000 per year billed on February 1<sup>st</sup> of each subsequent year thereafter and due no later than 30 days from the date of billing.

**8.8.1.3.2 Non-Title V Permitted Sources without Vapor Recovery Permits subject to Schedule 9.1:** \$40.00 per permit billed on the anniversary date of the Permit to Operate and due no later than 30 days from the date of billing.

**8.8.1.4 Accountability of Air Monitoring Fees:** The fees assessed under this Fee Schedule shall not exceed the actual costs of the air monitoring program. Any revenues received by the AQMD pursuant to these fees which exceed the cost the air monitoring program, shall be carried over for expenditure in the subsequent fiscal year and applied toward the air monitoring program costs.

**8.8.2 Quarries:** Every quarry, including gravel extraction sites, which are subject to the State Air Borne Toxic Control Measure for Naturally Occurring Asbestos, and for which AQMD Permit(s) to Operate have been issued, shall be assessed an Annual Permit Renewal Fee based on the following:



TABLE 8.8.2

ACTIVE QUARRY EXTRACTION AREA (ACRES)	ANNUAL TOXIC EVALUATION FEE
Up to and included 10 Acres	2x
10 Acres or greater but less than 50 Acres	4x
Greater than 50 Acres	6x

**9.0 SCHEDULE 2 PERMIT FEES:** Schedule 2 Fees apply to the following sources, and x shall be \$66.13:

**9.1 RETAIL SERVICE STATIONS:**

**9.1.1 Initial Fees:**

**9.1.1.1** Every applicant for an Authority to Construct at any existing retail service station as required by this regulation shall submit an application and plans to the AQMD prior to April 1, 1990. The initial fee required with this application shall be 2x per retail service station plus 0.4x per gasoline dispensing nozzle.

**9.1.1.2** Every applicant for an Authority to Construct a new retail service station or to make modifications at an existing retail service station shall submit an application and plans to the AQMD prior to the start of construction of the new station or modifications. The initial fee required with this application shall be 2x per retail service station plus 0.4x per gasoline dispensing nozzle.

**9.1.1.3 Supplemental Initial Air Monitoring Fee:** In addition to other fees required by Section 9.1.1, every applicant for an Authority to Construct at any existing retail service station as required by this regulation shall pay a Supplemental Air Monitoring Fee of \$20.00 per permit.

**9.1.2 Annual Renewal Fee:**

**9.1.2.1** Each permit holder of a Permit to Operate shall pay an annual renewal permit fee, in addition to other fees provided herein, of 2x per retail service station plus 0.2x per gasoline dispensing nozzle.

**9.1.2.2** The permittee shall pay such annual renewal fee to the AQMD Office in person or by mail postmarked no later than March 31 of that year. If the renewal fee is not paid by March 31, the fee shall be increased by one-half the amount thereof, and the AQMD shall thereupon promptly notify the permittee by mail of the increased fee. If the increased fee is not paid within 60 days after such notice, the permit shall be immediately suspended and the AQMD shall so notify the permittee by mail. Any suspended permit may be reinstated only upon payment in full of all accrued fees and penalties.

**9.1.2.3** It is hereby determined that the cost of reviewing permit applications, issuing authorizations, and of inspections, testing and monitoring pertaining to such issuance, exceeds the fees prescribed herein.

**9.1.2.4 Supplemental Annual Air Monitoring Fee:** In addition to other fees required by Section 9.1.2, every permit holder of a Permit to Operate at any existing retail service station as required by this regulation shall pay a Supplemental Annual Air Monitoring Fee of \$20.00 per permit.

- 9.1.3 Transfer of Owner:** Where an application is filed for a Permit to Operate any retail service station by reason of transfer of owner, and where a Permit to Operate had previously been granted and no modifications to the station have been made the applicant shall pay a \$50 transfer fee.
- 9.1.4 Alteration of Equipment:** Where an application is filed for an Authority to Construct or a Permit to Operate exclusively involving revisions to the conditions of an existing Authority to Construct or Permit to Operate or involving alterations or additions resulting in a change to any existing retail service station holding a permit under the provisions of this Regulation, the permit fee shall be recalculated to show any rating changes and pro-rated for the balance of the annual permit period.
- 9.1.5 Duplicate Permit:** A request for a duplicate Permit to Operate shall be made in writing to the AQMD within 10 days after the destruction, loss or defacement of a Permit to Operate and shall contain the reason a duplicate permit is being requested. A fee of \$10 shall be paid for a duplicate Permit to Operate.
- 9.1.6 Late Fee Penalty:** If any retail service station is constructed, modified, or operated without the owner or operator obtaining an Authority to Construct in accordance with Regulation III, the applicant shall be assessed a late fee penalty which is one and one-half times the applicable initial fee. The assessment of a late fee penalty shall not limit the AQMD's right to pursue any other remedy provided for by law.

## **9.2 Chrome Plating and Chromic Acid Anodizing Facilities:**

### **9.2.1 Initial Fees:**

- 9.2.1.1** Every applicant for an Authority to Construct at any existing chrome plating or chromic acid anodizing facility as required by this regulation shall pay an initial application fee of 4x at the time of the filing of the application.
- 9.2.1.2** Every applicant for an Authority to Construct a new chrome plating or chromic acid anodizing facility as required by this regulation shall pay an initial application fee of 4x at the time of the filing of the application.

- 9.2.2 Annual Renewal Fee:** Each permit holder of permits for chrome plating or chromic acid anodizing facilities shall pay an annual renewal permit fee, in addition to other fees provided herein, of 2x per chrome plating or chromic acid anodizing facility pursuant to this Regulation.
- 9.2.3 Transfer of Owner:** Where an application is filed for a Permit to Operate any chrome plating or chromic acid anodizing facility by reason of transfer of owner, and where a Permit to Operate has been previously been granted and no modifications to the facility have been made, the applicant shall pay a \$50 transfer fee.
- 9.2.4 Alteration of Equipment:** Where an application is filed for an Authority to Construct or a Permit to Operate exclusively involving revisions to the conditions of an existing Authority to Construct or Permit to Operate or involving alterations or additions resulting in a change to any existing chrome plating or chromic acid anodizing facility holding a permit under the provisions of this regulation, the permit fee shall be recalculated to show any rating changes and pro-rated for the balance of the annual permit period.
- 9.2.5 Duplicate Permit:** A request for a duplicate Permit to Operate shall be made in writing to the District within 10 days after the destruction, loss or defacement of a

Permit to Operate and shall contain the reason a duplicate is being requested. A fee of \$10 shall be paid for a duplicate Permit to Operate.

**9.2.6 Late Fee Penalty:** If any chrome plating or chromic acid anodizing facility is constructed or operated without the owner or operator obtaining an Authority to Construct in accordance with Regulation III, the applicant shall be assessed a late fee penalty which is one and one-half times the applicable initial fee. The assessment of a late fee penalty shall not limit the District's right to pursue any other remedy provided for by law.

### **9.3 Chromate Treated Cooling Towers:**

**9.3.1 Initial Fees:** Every applicant for an Authority to Construct at any new or existing chromate treated cooling tower as required by this regulation shall pay an initial application fee of 4x at the time of the filing of the application.

**9.3.2 Annual Renewal Fee:** Each permit holder of permits for a chromate treated cooling tower shall pay an annual renewal permit fee, in addition to other fees provided in this regulation, of 2x per chromate treated cooling tower pursuant to this Regulation.

**9.3.3 Transfer of Owner:** Where an application is filed for a Permit to Operate any cooling tower by reason of transfer of owner, and where a Permit to Operate has been previously granted, and no modifications to the facility have been made, the applicant shall pay a \$10.00 transfer fee.

**9.3.4 Alteration of Equipment:** Where an application is filed for an Authority to Construct or a Permit to Operate exclusively involving revisions to the conditions of an existing Authority to Construct or Permit to Operate or involving alterations or additions resulting in a change to any existing cooling tower holding a permit under the provisions of this regulation, the permit fee shall be recalculated to show any rating changes and pro-rated for the balance of the annual permit period.

**9.3.5 Duplicate Permit:** A request for a duplicate Permit to Operate shall be made in writing to the District within 10 days after the destruction, loss or defacement of a Permit to Operate and shall contain the reason a duplicate is being requested. A fee of \$10.00 shall be paid for a duplicate Permit to Operate.

**9.3.6 Late Fee Penalty:** If any cooling tower is constructed or operated without the owner or operator obtaining an Authority to Construct in accordance with Rule Regulation III, the applicant shall be assessed a late fee penalty which is one and one-half times the applicable initial fee. The assessment of a late fee penalty shall not limit the District's right to pursue any other remedy provided for by law.

### **9.4 Medical Waste Incinerators:**

**9.4.1 Initial Fees:** Every Applicant for an Authority to Construct at any new or existing Medical Waste Incinerator as required by this regulation shall pay an initial application fee of 6x for Category I, 12x for Category II, and 40x for Category III, at the time of the filing of the application.

**9.4.2 Annual Renewal Fee:** Every holder of a Permit to Operate for a medical waste incinerator in addition to other fees provided herein, shall pay an annual renewal fee of 3x per Category I Medical Waste Incinerator, 6x per Category II Medical

Waste Incinerator, and 20x per Category III Medical Waste Incinerator pursuant to this Regulation.

- 9.4.3 Transfer of Owner:** Where an application is filed for a Permit to Operate any Medical Waste Incinerator by reason of transfer of owner, and where a Permit to Operate has been previously granted, and no modifications to the facility have been made, the applicant shall pay a \$50.00 transfer fee.
- 9.4.4 Alteration of Equipment:** Where an application is filed for an Authority to Construct or a Permit to Operate exclusively involving revisions to the conditions of an existing Authority to Construct or Permit to Operate or involving alterations or additions resulting in a change to any existing Medical Waste Incinerator holding a permit under the provisions of this regulation, the permit fee shall be recalculated to show any rating changes and pro-rated for the balance of the annual permit period.
- 9.4.5 Duplicate Permit:** A request for a duplicate Permit to Operate shall be made in writing to the District within 10 days after the destruction, loss or defacement of a Permit to Operate and shall contain the reason a duplicate is being requested. A fee of \$10.00 shall be paid for a duplicate Permit to Operate.
- 9.4.6 Late Fee Penalty:** If any Medical Waste Incinerator is constructed or operated without the owner or operator obtaining an Authority to Construct in accordance with Regulation III, the applicant shall be assessed a late fee penalty which is one and one-half times the applicable initial fee. The assessment of a late fee penalty shall not limit the District's right to pursue any other remedy provided for by law.

## 9.5 Sterilizers/Aerators:

- 9.5.1 Initial Fees:** Every Applicant for an Authority to Construct at any new or existing sterilizer/aerator as required by this regulation shall pay an initial application fee of 8x at the time of the filing of the application.
- 9.5.2 Annual Renewal Fee:** Every holder of a Permit to Operate for a sterilizer/aerator, in addition to other fees provided for in this regulation, shall pay an annual renewal permit fee of 4x per sterilizer/aerator.
- 9.5.3 Transfer of Owner:** Where an application is filed for a Permit to Operate any sterilizer/aerator by reason of transfer of owner, and where a Permit to Operate has been previously granted, and no modifications to the facility have been made, the applicant shall pay a \$50.00 transfer fee.
- 9.5.4 Alteration of Equipment:** Where an application is filed for an Authority to Construct or a Permit to Operate exclusively involving revisions to the conditions of an existing Authority to Construct or Permit to Operate or involving alterations or additions resulting in a change to any existing sterilizer/aerator holding a permit under the provisions of this regulation, the permit fee shall be recalculated to show any rating changes and pro-rated for the balance of the annual permit period.
- 9.5.5 Duplicate Permit:** A request for a duplicate Permit to Operate shall be made in writing to the District within 10 days after the destruction, loss or defacement of a Permit to Operate and shall contain the reason a duplicate is being requested. A fee of \$10.00 shall be paid for a duplicate Permit to Operate.

- 9.5.6 Late Fee Penalty:** If any sterilizer/aerator is constructed or operated without the owner or operator obtaining an Authority to Construct in accordance with Regulation III, the applicant shall be assessed a late fee penalty which is one and one-half times the applicable initial fee. The assessment of a late fee penalty shall not limit the District's right to pursue any other remedy provided for by law.
- 9.6 Intentionally left blank.**
- 9.7 Dry Cleaning Equipment:**
- 9.7.1 Initial Fees:** Every Applicant for an Authority to Construct for any new or existing perchloroethylene dry cleaning facility as required by this regulation shall pay an initial application fee of 4x at the time of the filing of the application for the perchloroethylene dry cleaning facility.
- 9.7.2 Annual Renewal Fee:** Every holder of a Permit to Operate for any perchloroethylene dry cleaning facility as required by this Regulation shall pay an annual renewal permit fee of 2x per perchloroethylene dry cleaning facility.
- 9.7.3 Transfer of Owner:** Where an application is filed for a Permit to Operate any perchloroethylene dry cleaning facility by reason of transfer of owner, and where a Permit to Operate has been previously granted, and no modifications to the facility have been made, the applicant shall pay a \$50.00 transfer fee.
- 9.7.4 Alteration of Equipment:** Where an application is filed for an Authority to Construct or a Permit to Operate exclusively involving revisions to the conditions of an existing Authority to Construct or Permit to Operate or involving alterations or additions resulting in a change to any existing perchloroethylene dry cleaning equipment holding a permit under the provisions of this regulation, the permit fee shall be recalculated to show any rating changes and pro-rated for the balance of the annual permit period.
- 9.7.5 Duplicate Permit:** A request for a duplicate Permit to Operate shall be made in writing to the District within 10 days after the destruction, loss or defacement of a Permit to Operate and shall contain the reason a duplicate is being requested. A fee of \$10.00 shall be paid for a duplicate Permit to Operate.
- 9.7.6 Late Fee Penalty:** If any perchloroethylene dry cleaning equipment is constructed or operated without the owner or operator obtaining an Authority to Construct in accordance with Regulation III, the applicant shall be assessed a late fee penalty which is one and one-half times the applicable initial fee. The assessment of a late fee penalty shall not limit the District's right to pursue any other remedy provided for by law.
- 10.0 Advanced Deposit of Evaluation Costs:** Where the APCO determines that either the Authority to Construct Permit application or the Permit to Operate application evaluation will require special handling and analyses due to the quantity or quality of emissions, or due to the proximity of sensitive receptor(s), or the applicants history, or, the complexity of the equipment, activity, or operation being permitted, the APCO may require the applicant to pay a deposit toward the actual costs of the evaluation up to 100% of the estimated permit application evaluation actual costs. The APCO shall maintain a record of costs incurred and on written request from the applicant submitted within 6 months of the evaluation shall refund to the applicant any unused evaluation costs.

- 11.0 New Source Review Fee:** Every applicant, including any federal, state or local government agency or public district, for an Authority to Construct permit or a Permit to Operate any stationary source of air contaminant emissions for which the additional new source review procedures of Rule 110 are required, shall pay an additional fee to the District in an amount determined by the Air Pollution Control Officer (APCO) Said review fee shall not exceed the actual cost of administration of the new source review requirements.
- 12.0 Cancellation or Denial of Permit Applications:** If an application for an Authority to Construct or a Permit to Operate is canceled, or if an Authority to Construct or a Permit to Operate is denied and such denial becomes final, the initial application fee required herein shall not be refunded nor applied to any subsequent application.
- 13.0 Alteration of Equipment:** Where an application is filed for an Authority to Construct or a Permit to Operate exclusively involving revisions to the conditions of an existing Authority to Construct or Permit to Operate or involving alterations or additions resulting in a change to any existing stationary source holding a permit under the provisions of these Rules and Regulations, or under Regulation V, the permit fee shall be calculated on the basis of the weighted labor rate and time involved in processing the requested revisions and the request shall be submitted with the Filing Fee provided for in Section 2 herein.
- 14.0 Multiple Locations:** When permits have been issued to operate movable equipment at two or more locations, only one annual fee shall be due and payable.
- 15.0 Duplicate Permit:** A request for a duplicate Permit to Operate shall be made in writing to the District within 10 days after the destruction, loss or defacement of a Permit to Operate and shall contain the reason a duplicate permit is being requested. A fee of \$10.00 shall be paid for a duplicate Permit to Operate.
- 16.0 Multiple Fee Schedules Apply:** In determining the fees to be charged, identical or like equipment within each process unit that requires a permit may be totaled for each schedule. In the event that more than one fee schedule is applicable to an Authority to Construct or Permit to Operate, the governing schedule shall be that which results in the highest fee, except where the fee schedule specifically references the permitted equipment.

**Rule 401 Asbestos Demolition and Renovation Project Fees**

*(Proposed for Revision December 16, 2004, Revised May 19, 2005 and September 21, 2006).*

**RULE 401 CONTENTS**

- 1.0 DEMOLITION AND RENOVATION
- 2.0 NATURALLY OCCURRING ASBESTOS
  - 2.1 Application Fee

**RULE 401  
ASBESTOS DEMOLITION AND RENOVATION PROJECT FEES**

**1.0 DEMOLITION AND RENOVATION:**

**1.1** Any owner or operator of a demolition or renovation project which is subject to 40 CFR-61, Subpart M (NESHAPS) for asbestos and is required to submit a written notification of the demolition/renovation to the District. Each demolition or renovation project is defined as a separate demolition or renovation activity occurring on the same property under common ownership and performed within a 90 day corrective period.

DEMOLITIONS AND ALL RENOVATION PROJECTS . . . . . \$200

**1.1.1 Refunds:** If a person cancels a notification, he/she may request a fee refund provided:

- 1.1.1.1** The person paid the fee for the notification;
- 1.1.1.2** The District has not performed an inspection;
- 1.1.1.3** The request is in writing; AND,
- 1.1.1.4** The person requests the refund within ten (10) days following cancellation.

**1.1.2** Where a demolition project includes the removal of Regulated Asbestos Containing Material from a facility prior to the wrecking of the structure, the removal is treated as a separate renovation project for the purposes of fees, although they may be included in a single notification.

**1.1.3** The appropriate fees listed above shall accompany the notification form. If the fees do not accompany the project notification form, the notification will be considered as a failure to notify, which could subject the owner or operator to significant penalties.

**1.1.4** If a Fire Department receives a fee or donation from the property owner of a structure that's to be used for fire training purposes the demolition/renovation fees noted above shall be paid. Otherwise, Fire Department training burns shall be exempt from fees noted above.

**2.0 NATURALLY OCCURRING ASBESTOS FEES:** Any owner or operator of a Surfacing Application operation, Quarrying operation, Surfacing Mining operation, Construction operation, or Grading operation which contains Naturally Occurring Asbestos is subject to Title 17 Sec 93105 & 93106 California Code of Regulations, and is subject to the following fee regulations:

**2.1 Application Fees:**

**2.1.1 Forms:**—Exemption, Notification, and Road Grading Notice.....\$75.00

**2.1.2 Sampling Fees:**

**2.1.2.1** Quality Control/Quality Assurance sampling by AQMD which verifies valid non-contested sampling and testing results submitted by Source, are not assumable by the Source.

**2.1.2.2** Source request for sampling by the AQMD will accrue costs of AQMD Staff time at \$75.00 per hour plus actual costs for testing and sample shipping.

**2.1.2.3** Source default of sampling and testing requirement defers action to the AQMD; costs accrued by the AQMD of Staff time at \$75.00 per hour plus actual costs for testing and sample shipping.

In addition, Quarries and aggregate plants require AQMD permits and fees according to Rule 400, Schedule 1.



**Rule 402 Technical Evaluation Fee**

*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

- 1.0 TECHNICAL EVALUATION FEE:** Any person requesting a North Coast Unified Air Quality Management District technical evaluation prior to submittal of permit applications or a consultation or evaluation for any other reason shall pay a technical evaluation fee of \$75.00 per hour. A minimum Technical Evaluation Fee of \$75.00 shall be charged.

**Rule 403 Source Testing Fee**

*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

- 1.0 SOURCE TESTING FEE:** Any person requesting the North Coast Unified Air Quality Management District (AQMD) to perform source testing activities, or where the Air Pollution Control Officer (APCO) determines that a source test(s) is required in order to determine compliance, shall pay for such requested activities at a rate of \$75.00 per hour per staff member. The source testing fee minimum charge is \$75.00. Notwithstanding this fee, the APCO may assess the actual costs.

**Rule 404 Emission Reduction Credit (ERC) Fees**  
*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

- 1.0 EMISSION REDUCTION CREDIT (ERC) FEES:** Fees shall be required for the application, analysis, transfer and replacement of an ERC certificate. A fee shall be assessed based on the actual time expended by the North Coast Unified Air Quality Management District (AQMD) staff for each transaction requested. Fees will be calculated using a rate of \$75.00 per hour. The minimum fee charged for each transaction will be \$75.00.

**Rule 405 Hearing Board Petition Fees**  
(Proposed for Revision December 16, 2004, Revised May 19, 2005).

RULE 405 CONTENTS

- 1.0 FILING FEE
- 2.0 ADDITIONAL HEARING BOARD FEES
- 3.0 REFUND FOR SPECIFIED APPEALS
- 4.0 COSTS OF HEARING TRANSCRIPTS AND RECORDINGS.
- 5.0 EXCESS EMISSION FEES
  - 5.1 Excess Emissions Fee
  - 5.2 Excess Visible Emission Fee
  - 5.3 Minimum Fees
  - 5.4 Applicability
  - 5.5 Fee Determinations
  - 5.6 Adjustment of Fees
  - 5.7 Emission Fee Assessment
  - 5.8 Fee Payment
  - 5.9 Discretionary Powers
  - 5.10 Schedule of Excess Emissions Fees

**RULE 405  
HEARING BOARD PETITION FEES**

- 1.0 HEARING BOARD FILING FEES:** Every applicant or petitioner for variance, or for the extension, revocation or modification of a variance, or for an appeal from a denial or conditional approval of an Authority to Construct or Permit to Operate or appeal of Hearing Board decision, or request for rehearing including any federal, state or local governmental agency or public district, except for the Air Pollution Control Officer filing on behalf of the AQMD, shall pay to the Clerk of the Hearing Board, on filing, a Hearing Board petition filing fee of \$200.00 for each hearings held by the Chairman of the Hearing Board and \$500.00 for a petition for a hearing involving the entire Hearing Board. Where two or more petitions are heard during the same hearing board meeting, then 50% of each petition check be returned to the petitioner.
- 2.0 ADDITIONAL HEARING BOARD FEES:** Additional Hearing Board fees and costs may be assessed by the District Hearing Board and District Board as a direct result of the action which the applicant or petitioner has brought before the Hearing Board.
- 3.0 REFUND FOR SPECIFIED APPEALS/ FEE WAIVER:**
  - 3.1** Third party appeals and rehearing that lead to the overturning of a previous decision by the Hearing Board or the Air Pollution Control Officer shall be refunded 75% of the filing fee.

**3.2** Pursuant to HSC Section 42311.2, notwithstanding Rule 405 fee requirements, the Hearing Board may waive all or part of these fees if it determines that circumstances warrant that waiver.

**4.0 COSTS OF HEARING TRANSCRIPTS AND RECORDINGS:** Any person requesting a written transcript or tape recording of the hearing shall pay the cost of such transcript or recording. The parties to Hearing Board proceedings may be directed by the Hearing Board to pay the cost of transcripts necessary for the Hearing Board's determination of the matter, in such proportion as the Hearing Board may order.

**5.0 EXCESS EMISSION FEES:**

**5.1 Excess Emissions Fee:** Each applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk of the Hearing Board, in addition to the filing fees required in Rule 405, Section 1.0 above, an emissions fee based on the total weight of emissions discharged, other than those described in section 5.2, during the variance period in excess of that allowed by these rules in accordance with the schedule set forth in Table I, or the amount set forth in paragraph 5.3, whichever is greater.

In the event that more than one rule limiting the discharge of the same contaminant is violated, the excess emission fee shall consist of the fee for violation which will result in the payment of the greatest sum. For the purposes of this paragraph, opacity rules and particulate mass emission rules shall not be considered rules limiting the discharge of the same contaminant.

**5.2. Excess Visible Emission Fee:** Each applicant or petitioner for a variance from Rule 104, permit limitation or Health and Safety Code Section 41701 shall pay to the Clerk of the Hearing Board, in addition to the filing fees required in Rule 405, Section 1.0 above, and the excess emission fees required in 5.1 . above (if any), an emission fee based on the difference between the opacity allowed by Rule 404 or permit limitation and the opacity of the emissions allowed from the source or sources operating under the variance, in accordance with the schedule set forth in Table 1, Schedule 5.10.6.

**5.3. Minimum Fees:** When a variance is granted from a rule or rules which limit the discharge of air contaminants, such that an excess emission fee is due, a fee of at least \$15.00 per day shall be imposed and remitted.

**5.4. Applicability:** The provisions of Rule 405, Section 5.1 shall apply only to those rules that specify quantitative emission limits.

**5.5. Fee Determination:**

**5.5.1** The excess emission fees shall be calculated by the petitioner based upon the requested number of days of operation under variance multiplied by the expected excess emissions as set forth in paragraphs 5.1 and 5.2 above. The calculations and proposed fees shall be set forth in the petition.

- 5.5.2** The Hearing Board may adjust the excess emission fee required by paragraphs 5.1 and 5.2 of this rule based on evidence regarding emissions presented at the time of the hearing.
- 5.6. Adjustment of Fees:** If after the term of a variance for which emissions fees have been paid, petitioner can establish, to the satisfaction of the Executive Officer, that emissions were actually less than those upon which the fee was based, a pro rata refund shall be made. If excess emissions during the term of the variance are greater than calculated under subsection 5.5, the Executive Officer shall recalculate the excess emission fees and assess an additional fee.
- 5.7 Emission Fee Assessment:** The actual assessment of an excess emissions fee shall occur once the Hearing Board grants a variance.
- 5.8. Fee Payment:** Failure to pay the excess emission fees required by Sections 5.1, 5.2 and 5.3 of this rule within fifteen (15) days of the effective date of the variance shall invalidate the variance.
- 5.9. Discretionary Powers:** Any person may allege that payment of any of the foregoing excess emission fee provisions will cause an unreasonable hardship and may be excused from payment of such fees or a portion of such fees by order of the Hearing Board if the Board in its discretion determines after hearing evidence thereon that payment of such fees would cause financial hardship to the petitioner with no corresponding benefit to the public.
- 5.10 Schedule of Excess Emissions Fees:**

**Table I**

<b>Air Contaminant</b>	<b>Dollar Per Ton</b>
<b>5.10.1</b> Organic gases, except methane and those containing sulfur:	\$200.00
<b>5.10.2</b> Oxides of nitrogen (expressed as nitrogen dioxide)	\$100.00
<b>5.10.3</b> Oxides of sulfur (expressed as sulfur dioxide)	\$100.00
<b>5.10.4</b> Total reduced sulfur compounds (expressed as hydrogen sulfide)	\$200.00
<b>5.10.5</b> Particulate matter	\$200.00
<b>5.10.6</b> Opacity Emissions	

For each source within excess of the limits of Rule 104 Visible Emissions or of a permit limitation the fee is calculated as follows:

Fee = (Actual Opacity - Allowed Opacity) x (\$3.50/day x number of days allowed under the variance) x 100.

Note: For purposes of this rule, actual opacity shall be defined as the highest 3 minute average in any one hour. For sources subject to New Source Performance Standards, actual opacity shall be defined as the highest 6 minute average opacity during a 24 hour period. The actual and allowed opacity shall be expressed in a percent opacity x100

## **Rule 406 Title V Fees**

*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

### RULE 406 CONTENTS

- 1.0 CLEAN AIR ACT TITLE V FEES
- 2.0 PAYMENT OF SUPPLEMENTAL FEE
  - 2.1 Fee-Based Emissions
  - 2.2 Fee Pollutant
- 3.0 NO SUPPLEMENTAL FEE
- 4.0 DETERMINATION OF SUPPLEMENTAL FEE
- 5.0 SUBMITTAL OF INFORMATION

### **RULE 406 TITLE V FEES**

The fees collected pursuant to this Rule for stationary sources subject to Regulation V of these Rules and Regulations *Title V - Federal Operating Permits*, shall supplement the fee requirements in Rule 400 of this Regulation *Stationary Source Permit Fees* and Rule 414 of this Regulation *Air Toxics "Hot Spots" Fees* (AB2588), if applicable.

- 1.0 CLEAN AIR ACT TITLE V FEES:** In addition to the permit fee, specified in Rule 400 and Rule 407 of this Regulation, each major source as defined in Regulation 5, shall pay a Clean Air Act Title V fee equal in amount to one and one-half times the permit fee.

The permittee shall pay the permit fee and Clean Air Act Title V fee to the AQMD Office in person or by mail postmarked no later than August 30 of that year. If the fees (permit and Clean Air Act Title V) are not paid by August 30, the fee shall be increased by one-half the amount thereof, and the AQMD shall thereupon promptly notify the permittee by mail of the increased fee. If the increased fees are not paid within 60 days after such notice, the permit shall be immediately suspended and the AQMD shall so notify the permittee by mail. Any suspended permit may be reinstated only upon payment in full of all accrued fees and penalties or by filing a new application complete with initial fee. Fees will continue to be required until such time as the Authority to Construct and/or Permit to Operate cancellation or denial becomes final and all operations involving the stationary source have ceased. Fees for less than a one-year period will be prorated for the balance of the annual permit period.

- 2.0 PAYMENT OF SUPPLEMENTAL FEE:** [Reference: 40 CFR Part 70.9 (b) (2) (i)] The owner/operator, or his or her delegee, shall pay an annual supplemental fee for a Permit to Operate pursuant to this Rule as determined by the calculation method in Section 4 of this Rule to meet an overall fee rate of \$x per ton where x is \$57.50 of fee-based emissions unless Section 3 below applies.



**2.1 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)]

**2.2 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 North Coast Unified Air Quality Management (AQMD) 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)]

**3.0 NO SUPPLEMENTAL FEE:** [Reference: 40 CFR Part 70.9(b) (1)] There shall not be a supplemental annual fee if the total annual fee rate paid by the source under Rule 400 and Rule 406 equals or exceeds \$x per ton of fee-based emissions. Only those AB 2588 Toxic Hot Spots fees that fund direct and indirect costs associated with activities related to the operating permits program as specified in section 502(b) (3) (A) of the CAA are to be used to meet the overall fee rate of \$x per ton of fee-based emissions.

**4.0 DETERMINATION OF SUPPLEMENTAL FEE:** The supplemental annual fee shall be determined by completing the following steps:

Step 1: Calculation of Supplemental Annual Fee

$$s = [\$x \text{ per ton} \times e] - f$$

where:

s = supplemental annual fee in dollars

e = fee-based emissions in tons per year

f = sum (in dollars) of annual fee under Rule 400 and that portion of Rule 406 fees that funds direct and indirect costs associated with activities related to the operating permits program as specified in section 502(b) (3) (A) of the CAA.

Step 2: When the Supplemental Annual Fee is Zero

If "f" is equal to or greater than "\$x per ton x e," then "s" shall be zero and Section 2, above, applies. If "f" is less than "\$x per ton x e," then "s" shall be as calculated in Step 1.

**5.0 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 supplemental fee.

**Rule 407 Air Toxics “Hot Spots” (AB 2588) Fees**  
(Proposed for Adoption/Revision December 16, 2004; Adopted May 19, 2005)

RULE 407 CONTENTS

- 1.0 APPLICABILITY
- 2.0 ASSESSMENT OF FEES
  - 2.1 Assessment of State Fees
  - 2.2 Assessment of AQMD Fees
  - 2.3 Assessment of AQMD Fees
- 3.0 EXEMPTIONS
- 4.0 BILLING
- 5.0 PENALTIES
- 6.0 ANNUAL ADOPTION OF FEES

**RULE 407**  
**AIR TOXICS “HOT SPOTS” (AB 2588) FEES**

- 1.0 APPLICABILITY:** This Rule shall apply to any stationary source facility which commenced operation prior to January 1 of the year in which the fees are assessed pursuant to this Rule, and which:
- 1.1** Manufactures, formulates, uses, or releases any of the substances listed pursuant to California Health & Safety Code (HSC) Section 44321, or any other substance which reacts to form a substance so listed, and which releases 10 tons per year or greater of total organic gases, particulate matter, sulfur oxides or nitrogen oxides from the most recent base year inventory selected by the North Coast Unified Air Quality Management District (AQMD); or,
  - 1.2** Manufactures, formulates, uses, or releases any of the substances listed pursuant to HSC Section 44321, or any other substance which reacts to form a substance so listed, and which releases less than 10 tons per year of total organic gases, particulate matter, sulfur oxides or nitrogen oxides from the most recent base year inventory selected by the AQMD, and is included in any class listed in Appendix E of the Criteria and Guidelines Report incorporated by reference in Section 93300.5 of Title 17 of the California Code of Regulations.
- 2.0 ASSESSMENT OF FEES:** The AQMD shall assess and collect the following fees for performing the State mandated Air Toxics “Hot Spots” Information and Assessment Act of 1987. The AQMD costs shall include but not be limited to review of inventory plans and reports, review of risk assessments, review of source test data, review of quadrennial updates, calculation of relevant exposure rates, charges from the AQMD’s use of consultants to supplement AQMD staff, and costs associated with collecting the State’s portion of the mandated fees. The State costs shall include the reasonable anticipated costs which are incurred by the California State Air Resources Board

(CARB) and the Office of Environmental Health Hazard Assessment.

- 2.1 Assessment of State Fees:** A fee covering State costs will be assessed to each facility subject to the provisions of this Rule as determined for the facility program category in the Air Toxics “Hot Spots” Fee Regulation adopted by CARB pursuant to HSC Section 44380 as set forth in Sections 90700 through 90705 of Title 17 of the California Code of Regulations, except that the total of AQMD and State fees for a facility shall not exceed \$100.00 for facilities subject to Section 1.2 of this Rule. Notwithstanding this limitation, if State costs significantly exceed \$100.00, as determined by the Air Pollution Control Officer (APCO), the facility operator shall pay the actual State costs.
- 2.2 Assessment of AQMD Fees (Facilities which meet Section 1.1 of this Rule):** The operator of each stationary source facility which meets the criteria of Section 1.1 of this Rule shall pay an annual air toxic assessment fee calculated according to the formula:

$$\text{AQMD Air Toxic Assessment} = (A)(m)$$

where A = Dollar per Ton value of pollutant for facilities meeting Section 1.1 criteria. The dollar per ton value equals the total AQMD costs for these facilities only, divided by their total yearly emissions (in tons) of total organic gases, particulate matter, sulfur oxides, and nitrogen oxides. Notwithstanding this Section, subject facilities shall pay a minimum \$50.00 annual AQMD fee.

where m = Mass of facility’s total air emissions, determined by adding the emissions values for each pollutant -- total organic gases, particulate matter, sulfur oxides, and nitrogen oxides -- having an emission value equal to or greater than 10 tons per calendar base year as calculated by the APCO from source tests or estimated emissions data.

- 2.3 Assessment of AQMD Fees (Facilities which meet Section 1.2 of this Rule):** The operator of each stationary source facility which meets the criteria of Section 1.2 of this Rule shall pay an AQMD flat fee of \$50.00 per year. Notwithstanding this Section, if AQMD costs significantly exceed \$50.00 for a facility in a year, as determined by the APCO, the facility operator shall pay the actual AQMD costs.

### 3.0 EXEMPTIONS:

- 3.1** Any stationary source for which the prioritization scores for cancer and non cancer health effects are both equal to or less than one (1), based on the results of the most recent emissions inventory or emissions inventory update shall be exempt from payment of fees.
- 3.2** Except as specified in Section 2.1 of this Rule, any stationary source for which the prioritization scores for cancer and non cancer health effects are both equal to or less than 10, based on the results of the most recent emissions inventory or emissions inventory update shall be assessed a AQMD fee of \$125.00 every fourth year to cover AQMD costs of processing the quadrennial emissions inventory update.
- 3.3** Notwithstanding the requirements of Section 2 of this Rule, with the AQMD Governing Board approval, the APCO may waive the assessment of fees pursuant to this Rule for a

fiscal year if the APCO determines it is not cost effective to administer the fee collection based on the amounts due and AQMD fee assessment costs would unnecessarily add to the fees assessed. Any such determination will result in fees waived for all facilities that would otherwise be subject to this Rule for that fiscal year.

- 4.0 BILLING:** The AQMD shall notify and assess the operator of each stationary source facility subject to the requirements of this Rule in writing of the fee due. The operator shall remit the fee to the AQMD within 60 days after the receipt of the toxic assessment fee notice.
- 5.0 PENALTIES:** Air toxic assessment fees not paid by the due date as specified in Section 4 of this Rule shall be assessed a 25% late charge. If an operator fails to pay the fee within 120 days after receipt of the initial fee assessment notice, the AQMD may initiate permit revocation proceedings. If any permit is revoked, it shall be reinstated only upon full payment of the overdue fee plus any late penalty, and a reinstatement fee of \$50.00 to cover administrative costs of reinstating the permit.
- 6.0 ANNUAL ADOPTION OF FEES:** Unless it amends this Rule, the AQMD Governing Board automatically readopts this fee Rule annually by operation of law, in compliance with Title 17, California Code of Regulations, Section 90703.

**Rule 408 Coordinated Burn Authorization Permit Fees**

*(Proposed for Revision December 16, 2004, Revised May 19, 2005 and September 21, 2006).*

*(These fees are exactly as contained in the previously adopted Burn Regulation II)*

**RULE 408 CONTENTS**

- 1.0 APPLICABILITY
- 2.0 GENERAL FEES
  - 2.1 Residential Burning
  - 2.2 Non-Residential Burning, Less than One Acre
  - 2.3 Non-Residential Burning, 1 to 100 Acres
  - 2.4 Non-Residential Burning, More than 100 Acres
  - 2.5 Permit Validity
  - 2.6 Fee Durations
  - 2.7 Public Officer Training of Public Employees
  - 2.8 Field Inspection Fee
  - 2.9 Economic Hardship

**RULE 408  
COORDINATED BURN AUTHORIZATION PERMIT FEES**

- 1.0 APPLICABILITY:** The following charges shall be made by the North Coast Unified Air Quality Management District (AQMD) for burning permits issued pursuant to Regulation II of these Rules and Regulations. Each Air Pollution Control Coordinated Burn Authorization Permit, for which the applicable fees have been paid, shall be valid for twelve (12) months from the effective date of the burn permit, or through the end of the calendar year which ever period is less.
- 2.0 GENERAL FEES.** Every applicant for a Coordinated Burn Authorization Permit shall pay to the AQMD initially, and the annual renewal of, the following Coordinated Burn Authorization Permit fee(s) pursuant to this Regulation:
  - 2.1 Residential Burning:** Every applicant for a Coordinated Burn Authorization Permit for Residential Burning shall pay an annual fee of \$15.00.
  - 2.2 Non-Residential Burning, Less than one acre.** Every applicant for a Coordinated Burn Authorization Permit for Non-Residential Burning involving less than one (1) acre shall pay an annual fee of \$30.00.
  - 2.3 Non-Residential Burning, 1 to 100 acres.** Every applicant for a Coordinated Burn Authorization Permit for Non-Residential Burning involving more than one (1) acres but less than one hundred (100) acres, shall pay an annual fee of \$60.00.
  - 2.4 Non-Residential Burning, more than 100 acres.** Every applicant for a Coordinated Burn Authorization Permit for Non-Residential Burning involving more than one hundred (100) acres shall pay an annual fee of \$1000.00.

- 2.5 Permit Validity:** No Coordinated Burn Authorization Permit is valid until the Annual Fee is paid and in the receipt of the District.
- 2.6 Fee Duration:** Every Coordinated Burn Authorization Permit, for which a fee is paid, shall be valid for twelve (12) consecutive months beginning with the day the permit fee is received, or through the end of the calendar year which ever period is less, unless revoked in writing by the District, or any local, State or federal fire protection agency.
- 2.7 Public Officer Training of Public Employees.** A Coordinated Burn Authorization Permit fee shall not be assessed for burning conducted pursuant to a responsible fire agency for training or emergencies, provided that training burns are not used to circumvent required permits for non-public entities or persons.
- 2.8 Field Inspection Fee.** Notwithstanding provisions set out in Section 6.2, a field inspection fee of \$52 shall be paid for burning any residential or nonresidential structure for which the Air Pollution Control Officer determines a field site asbestos inspection of the structure to be burned is necessary to ensure the absence of asbestos containing materials, and when such on-site asbestos inspection is performed by the District, and the AQMD is notified of the training burn.
- 2.9 Economic Hardship.** Coordinated Burn Authorization Permit fees for residential burning may be waived by the Air Pollution Control Officer upon a showing of economic hardship or during circumstances deemed by the Air Pollution Control Officer as an emergency.

### **Rule 409 Document Copy Fees**

*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

**1.0 DOCUMENT COPIES:** The following fees shall apply: No cost for a single copy of available information shall be charged.

- |            |   |  |
|------------|---|--|
| <b>1.</b>  | Standard Copy Rate .....                      | <i>\$2.00 first page plus 25 cents per page</i>                                |
| <b>2.</b>  | Proposals to the Board of Directors .....     | <i>No charge</i>   |
| <b>3.</b>  | Public Record Information already copied..... | <i>No charge</i>   |
| <b>4.</b>  | AQMD Forms .....                              | <i>No charge</i>   |
| <b>5.</b>  | Special Reports .....                         | <i>Actual costs based on standard copying rate plus multiple copy discount</i> |
| <b>6.</b>  | Outdated and Archived Information .....       | <i>Standard Copy Rate</i>  |
| <b>7.</b>  | Copies of all other information .....         | <i>Standard Copy Rate</i>  |
| <b>8.</b>  | Duplicate Permits.....                        | <i>\$15.00 each</i>  |
| <b>9.</b>  | Tape Copy .....                               | <i>\$6.00 per tape plus Rule 509 hourly rate</i>                               |
| <b>10.</b> | Disk Copy.....                                | <i>\$5.00 per disk plus Rule 509 hourly rate</i>                               |

**Rule 410 Subject Research Fees and Hourly Rate**  
*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

- 1.0 SUBJECT RESEARCH FEES:** Information, circulars, reports of technical work, and other reports prepared and maintained by the North Coast Unified Air Quality Management District (AQMD) when supplied to other governmental agencies or individuals or groups requesting copies of the same may be charged for by the AQMD at a rate of \$ 75.00 per hour, for the cost of preparation and distribution of such information and documents. The minimum charge shall be \$75.00.

Unless otherwise specified in these Rules and Regulations, the hourly rate shall be \$75.00.



**Rule 411**  
**Delinquency Penalties & Late Fees**  
*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

CONTENTS

- 1.0 DELINQUENT FEE
- 2.0 TIMELY PAYMENT OF FEES
- 3.0 DELINQUENCY PENALTY
- 4.0 IMPROPER PAYMENT OF FEES
- 5.0 ADDITIONAL DELINQUENCY PENALTIES
- 6.0 PERMITTEE DEFAULT
- 7.0 DELINQUENT FEES - PERMITS ISSUED BY HEARING BOARD
- 8.0 EXTENSION OF PAYMENT PERIOD BY THE APCO
- 9.0 WAIVER OF PENALTY BY THE APCO

**RULE 411**  
**DELINQUENCY PENALTIES & LATE FEES**

- 1.0 DELINQUENT FEE:** If any fee payment required pursuant to Rules 400, 401, 402, 403, 404, 405 and 406 of this Regulation is not submitted within 30 days of the issuance date of the North Coast Unified Air Quality Management District's (AQMD) billing statement, it shall be considered delinquent, and penalties for the delinquency shall be imposed as set forth below.
- 2.0 TIMELY PAYMENT OF FEES:** For purposes of this Rule, any fee payment shall be considered to be timely if it is postmarked on or before the 30<sup>th</sup> day following the statement issuance date. If the 30<sup>th</sup> day falls on a Saturday, Sunday, or holiday, the fee payment may be postmarked on the next business day with the same effect as if it had been postmarked on the 30<sup>th</sup> day.
- 3.0 DELINQUENCY PENALTY:** If no fee payment is submitted within the time prescribed in Section 2 above, a delinquency penalty of 25 percent of the amount of the billed fee, to a maximum of \$1,000, shall be added to the amount of fee due, and the permittee shall thereupon be notified by mail of the increased fee.
- 4.0 IMPROPER PAYMENT OF FEES:** If a fee payment is timely paid, but the tendered amount is less than the amount due, the payment shall not be accepted, and the time for proper payment continues to run.

- 5.0 ADDITIONAL DELINQUENCY PENALTIES:** If any fee payment is delinquent and the fee plus the delinquency penalty is not received within 30 days of the AQMD's notification pursuant to Section 3 above, the delinquency penalty shall be increased to 50 percent of the original amount due, to a maximum of \$1,000, and the permittee shall thereupon be notified by mail of the increased fee.
- 6.0 PERMITTEE DEFAULT:** If, in the case of a failure to pay permit fees required pursuant to Rule 400 and Rule 405, the delinquent fee plus penalties assessed pursuant to Section 5 above are not received within 30 days of the date of the AQMD's notification, the permittee shall be considered to be in default of its permit fee obligation and in violation of this Rule. In such case the AQMD shall immediately notify the applicant that its Permit to Operate or Authority to Construct is denied and that further operation of the subject equipment without a valid permit is prohibited. Such denial shall not preclude the applicant from submitting another permit application and beginning the process anew, although the delinquent fee and penalty shall become an obligation owing to the AQMD, which may be recovered along with any permit fee from such new application.

In the event the person whose permit has expired applies for a new permit, the unpaid annual renewal fee portion of this delinquent fee shall be prorated from the original permit's annual renewal date to the date of billing for the replacement permit and added to the permit fee for the replacement permit.

- 7.0 DELINQUENT FEES - PERMITS ISSUED BY HEARING BOARD:** If, in the case of a failure to pay the permit fee for a permit issued by the AQMD Hearing Board, the delinquent fee plus penalty assessed pursuant to Section 3 of this Rule is not received within 30 days of the date of the AQMD's notification, the delinquency penalty shall be increased to 50 percent of the original amount due, to a maximum of 50 percent of the original amount due, to a maximum of \$1,000, and the permittee shall be thereupon be notified by mail of the increased fee.
- 7.1** If the delinquent permit fee plus penalties assessed pursuant to Sections 3 and 7 of this Rule are not submitted within 30 days of the AQMD's notification, the permittee shall be in default of its fee obligation and in violation of this Rule. In such case, the Air Pollution Control Officer (APCO) shall petition the AQMD Hearing Board to hold a hearing to determine whether any or all of the facility's permits should be revoked pursuant to California Health and Safety Code Section 42307.
- 7.2** After the AQMD has initiated a permit revocation action through the filing of an accusation with the AQMD Hearing Board, but before the revocation hearing is held, the permittee may still cure its default by submitting all outstanding fees, plus delinquency penalties and a \$150 revocation initiation fee.
- 7.3** If any Permit to Operate is revoked by the AQMD Hearing Board on account of such default, it may be reinstated or replaced with a new permit, upon written request of the permittee and upon payment of all outstanding fees, penalties, revocation initiation fee, and a reinstatement fee of \$250.
- 8.0 EXTENSION OF PAYMENT PERIOD BY THE APCO:** The 30-day payment period for fee payment required pursuant to Section 2 of this Rule may be extended by the Air Pollution Control

Officer for extraordinary circumstances and for good cause shown. The adequacy of cause to extend the period shall be decided on a case-by-case basis by the APCO.

- 9.0 WAIVER OF PENALTY BY THE APCO:** The penalty for fee delinquency may be waived by the APCO for extraordinary circumstances and good cause shown. The adequacy of cause to waive the penalty shall be determined on a case-by-case basis, and may include, but is not necessarily limited to: illness, injury, or accident caused to the responsible party.

**Rule 412 Major Source Assessment**

*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

**1.0 MAJOR SOURCE ASSESSMENT:** The North Coast Unified Air Quality Management District (AQMD) Governing Board, after notice and a public hearing, adopts the following schedule of fees based on an assessment of emissions. For the purposes of this rule, such emission assessment shall be described as an assessment of those emissions which total an annual combined stationary source release of 25 tons or more of any air contaminant. This schedule shall apply and the indicated charges shall be assessed by the District prior to November 1 of any fiscal year in which the district revenues do not cover the cost of operation of the program requirements as outlined in Section 42311 of the Health and Safety Code. This emission source assessment shall be based upon combined total stationary source emissions for the previous calendar year. In determining the emission assessment, the district shall use a dollar based program deficiency factor which in no case shall exceed the amounts indicated in the unit fee column of part (b) of this rule.

The total emission assessment upon each stationary source shall be calculated as follows:

Air Contaminant	EMISSIONS Tons/Year	X	UNIT FEE \$/Ton	X	DISTRICT Factor	=	EMISSION Charges
Particulate Matter	_____	X	\$20.00	X	_____	=	_____
Sulfur Oxides as SO2	_____	X	15.00	X	_____	=	_____
Nitrogen Oxides as NO2	_____	X	10.00	X	_____	=	_____
Carbon Monoxide	_____	X	1.00	X	_____	=	_____
Total Organics	_____	X	5.00	X	_____	=	_____
Total Reduced Sulfur	_____	X	90.00	X	_____	=	_____

Total Assessment for Major Emissions: \$\_\_\_\_\_

These charges shall be in addition to any other required fees and shall be considered past due sixty days after notice of the assessment by the AQMD and subject to the penalty and suspension procedures as specified in Rule 411(f). Any revenues received by the AQMD pursuant to this rule which exceed the cost of activities of Section 42311 during any fiscal year shall be carried over for expenditure in the subsequent fiscal year, and such charges shall be changed to reflect the carryover.

**Rule 413 Acid Deposition Research Surcharge**  
*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

- 1.0 ACID DEPOSITION RESEARCH SURCHARGE:** Any stationary source which emits to the atmosphere nitrogen oxides or sulfur oxides, expressed as nitrogen dioxide or sulfur dioxide, respectively, in an amount equal to or exceeding 500 tons in a calendar year selected by the Air Resources Board, shall be assessed an Acid Deposition Research Surcharge pursuant to Section 90620 - 90623 and subsequent amendments of the California Code of Regulations.

This surcharge, in addition to an administrative fee, is assessed to the permittee by the District each year and will be based upon emissions from a base year inventory; a dollar per ton selected by the Air Resources Board, and shall be calculated according to the following formula:

- 1.1** Surcharge = \$/Ton x E, where

E = Mass of emissions, in tons per calendar year, of nitrogen oxides and/or sulfur oxides, expressed as nitrogen dioxide or sulfur dioxide, from the stationary source as determined by the Control Officer. If only one pollutant is emitted in the amount of 500 tons or more per year the mass of emissions shall be determined based only on that one pollutant.

- 1.2** The surcharge shall be past due sixty days after notice of the assessment by the District and subject to the penalty and suspension procedures as specified in Rule 300(f).

**Rule 414 Air Toxics “Hot Spots” Assessment (AB 2588)**

*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

- 1.0 AIR TOXICS “HOT SPOTS” (AB 2588):** Any stationary source facility which manufactures, formulates, uses, or releases any of the substances listed pursuant to Section 44321 of the Health and Safety Code, or any other substance which reacts to form a substance so listed, shall pay, each year a toxic "Hot Spots" fee that is assessed by the District to cover the costs, of both the state and the District, that are associated with the implementation of this mandated statewide program. The fee shall be structured on a workload and toxicity basis and shall follow the methodology adopted by the Air Resources Board. The APCO shall be permitted to make adjustments in cases where the state methodology is altered, a change in workload, change in level of priority, or where a legislative change to the fee assessment program occurs.

Assessed fees shall be past due sixty days after notice of the assessment by the District and subject to the penalty and suspension procedures as specified in Rule 300.

**Rule 415 Fees for Testing, Emission Analysis & Monitoring Services**

*(Proposed for Revision December 16, 2004, Revised May 19, 2005).*

**RULE 415 CONTENTS**

- 1.0 AUTHORITY TO OBTAIN INFORMATION.
- 2.0 SERVICES
- 3.0 FEES
- 4.0 APPEAL RIGHTS

**RULE 415****FEES FOR TESTING, EMISSION ANALYSIS & MONITORING SERVICES**

- 1.0 AUTHORITY TO OBTAIN INFORMATION:** When the Air Pollution Control Officer finds that any inspection, test, or analysis, including any source testing of emissions is necessary to determine the nature, extent, or amount of pollutants being discharged into the atmosphere, or to determine compliance with permit conditions or with any State or local law, order, rule or regulation relating to air pollution, including potential emissions which may endanger the health, comfort or repose of the public or which may have a tendency to cause injury or damage to business or property, the Air Pollution Control Officer may order the inspection of a source or its records, collection of emission samples, or the analysis or evaluation of such samples by qualified personnel of the District, or by an independent contractor selected by the Air Pollution Control Officer if qualified District personnel are not available.

No person shall fail or refuse to comply fully with the terms of any order issued by the Air Pollution Control Officer.

**2.0 SERVICES:**

- 2.1** The Air Pollution Control Officer may undertake or order the collection, testing or analysis of emissions pursuant to this rule, to determine compliance with permit conditions, State or local law, order, rule or regulation relating to air pollution.
- 2.2** The Air Pollution Control Officer may undertake or order the auditing of continuous emission monitoring equipment to determine the accuracy and precision of the instrument(s) used to measure emissions from a source on a continuous basis.
- 2.3** The Air Pollution Control Officer may undertake special studies, i.e., ambient monitoring, collection of meteorological data, to assess a source's emissions impact on air quality.
- 2.4** Nothing in this rule shall be construed to prevent the Air Pollution Control Officer from assessing fees for multiple testing, or for multiple samples and analyses, where the same is necessary to determine compliance with any federal, State or local law, order, rule or

regulation relating to air pollution including potential emissions which may endanger the health, comfort or repose of the public.

- I **2.5** If any of the analyses or tests conducted pursuant herewith indicate that the subject source is not in compliance or raise reasonable doubt of the source complying with all federal, State and local regulations, the Air Pollution Control Officer may require additional analyses and/or testing as he determines necessary and may also include use of an independent tester for such additional tests. In such event, the owner or operator shall pay for each additional test accordingly.
- 3.0 FEES:** The owner or operator of the subject premises shall pay the full costs of such services for which the said sum is not to exceed the actual cost for preparation, sample collection, sample analysis, materials and report preparation.

For the purposes of this rule the associated cost of analysis, emissions testing, CEM audits and special studies performed by the District shall be recovered and calculated at the rate of \$75.00 per hour, plus materials, laboratory analysis and the cost of any needed testing equipment. The staff activities and time involved include, planning and preparation for testing, equipment calibration, testing/sample collection time, sample analysis and preparation of a written report.

Payment for such services shall be made in full by the owner or operator of the premises within 30 days of notification thereof by either the District or the independent contractor conducting the activities.

- 4.0 APPEAL RIGHTS:** Any owner or operator of a source subject to the provisions of this rule, and who is dissatisfied with any requirements of, or determination or finding made by the Air Pollution Control Officer concerning the implementation of any part of this rule, may within 30 days of notification of the respective requirement, determination or finding thereof, petition the District Hearing Board to review the issue at question seeking relief from or modification of the subject requirement, determination or finding made by the Air Pollution Control Officer. In such event the provisions of Chapter VI - Procedure before the Hearing Board shall apply.