

**Rule 400 Stationary Source Permit Fees**

*(Adopted November 3, 1982; Revised on October 12, 1983, March 14, 1984, August 10, 1984, March 13, 1986, January 19, 1989, December 7, 1989, June 28, 1990, August 30, 1990, February 27, 1991, August 29, 1991, March 5, 1992, May 6, 1993, December 10, 1993, September 26, 1997, September 25, 1998, Proposed for Revision December 16, 2004, Revised May 19, 2005 Revised on January 19, 2006 and September 21, 2006. Revised on December 9, 2010).*

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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.

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:

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 burning 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:

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:

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 the maximum process weight rate calculated in pounds per hour.

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.

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 Airborne 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 including 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:

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.

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:

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

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.

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

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:

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 Burning 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:

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:

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 maximum process weight rate calculated in pounds per hour established in the Permit to Operate.

AVERAGE POUNDS PER HOUR	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.

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:

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 including 10 Acres	2x
10 Acres or greater but less than 50 Acres	4x
Greater than 50 Acres	6x

**9.0 SCHEDULE 2 PERMIT FEES:** The following Permit Fees shall apply to the source categories Retail Service Stations, Chrome Plating and Chromic Acid Anodizing Facilities, Chromate Treated Cooling Towers, Medical Waste Incinerators, Sterilizers / Aerators, Dry Cleaning Equipment.

**9.0.1 Purpose:** The purpose of the fees charged under Section 9.0 is to allow the District to fully recover all costs associated with implementation, inspection, and enforcement of programs directly associated with the gasoline dispensing facility program. The methodology listed herein is to be used to adjust the fees on an annual basis in accordance with California Health & Safety Code Section 42311 and 41512.7(b).

**9.0.2 The X Factor:** As part of the annual budgeting process, the District shall estimate the cost of operation on a per hour basis. This ratio shall be referred to as the “X” or the “X Factor”.

**9.0.3:** The number 133,333 is a constant used in the equation that represents the total number of gallons of retail gasoline sales divided by the District gasoline dispensing facility program costs. This number is used as a ratio to normalize the value of X on a per gallon basis.

## **9.1 Retail Service Stations:**

**9.1.0 The X Factor:** The value of “X” shall be assigned by the District Governing Board each budget year through resolution, based on two components: 1) The actual program costs for the immediately preceding fiscal year; and 2) an adjustment in amount not greater than the change in the Consumer Price Index, as determined pursuant to Section 2212 of the Revenue and Taxation Code.

### **9.1.1 Initial Fees:**

**9.1.1.1** The initial fee required for an Authority to Construct Permit shall be  $3X$  per retail service station plus  $0.7X$  per gasoline dispensing nozzle.

### **9.1.1.2 Reserved.**

**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 Permit shall pay a Supplemental Air Monitoring Fee of \$20.00 per retail service station.

### **9.1.2 Annual Renewal Fee:**

**9.1.2.1** Each holder of a Permit to Operate shall be assessed a fee of  $2X + (Z*(X/133,333))$  where Z is equal to the number of gallons of gasoline dispensed at the retail service station during the preceding calendar year. The combined fee shall be assessed annually in accordance with Section 9.1.2.2 of this Rule. The fee calculations provided in the Section shall be phased in as follows. For a period of six years beginning on the date of adoption of this Section, the annual fee for a Permit to Operate shall be calculated as  $2X + (Y*(Z*(X/133,333)))$  where “Y” is equal to the value listed in the table below for the appropriate year.

Year	1	2	3	4	5	6
Value of "Y"	0.34	0.44	0.55	0.69	0.83	1.00

**9.1.2.2** The Permit to Operate annual renewal fee shall be due and payable on the date the invoice is issued by the District. If payment is not received within 30 days from the invoice issue date, the fee shall be considered delinquent. Delinquent fees shall be processed in accordance with Rule 411.

**9.1.2.3** Reserved.

**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 shall pay a Supplemental Annual Air Monitoring Fee of \$20.00 per retail service station.

**9.1.3 Transfer of Owner:** Applications for the transfer of ownership shall be assessed fees in accordance with Section 5.0 of Rule 400.

**9.1.4** Reserved.

**9.1.5 Duplicate Permit:** Reserved.

**9.1.6** Reserved.

## **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 Asbestos Containing Serpentine Material:**

- 9.6.1 Initial Fees:** Every applicant for an Authority to Construct and or a Permit to Operate shall pay Initial Permit Evaluation Fees as required by Regulation 4, Section 7, Schedule 1.A, and Section 7.8.1, if applicable. Where only the sale of serpentine material is involved, the initial fee shall be 6x.
- 9.6.2 Annual Renewal Fee:** Every holder of a Permit to Operate for Asbestos Containing Serpentine Material equipment or operations, in addition to other fees provided for in this regulation, shall pay an annual renewal permit fee which shall be 3x.
- 9.6.3 Transfer of Owner:** Where an application is filed for a Permit to Operate any applicable operation by reason of transfer of owner and where a Permit to Operate has been previously granted and no modifications to the facility or operation have been made, the applicant shall pay a \$10.00 transfer fee.
- 9.6.4 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 facility or operation 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.
- 9.6.5 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.
- 9.6.6 Late Fee Penalty:** If any applicable facility or operation 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 Districts right to pursue any other remedy provided for by law.

**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 Control Officer. 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 5, 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.