

SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT

RULE 2:11 - FEES

(Amended 7-22-86, 7-28-87, 4-10-90, 1-5-93, 4-12-94, and 7-17-01)

a. Device or Facility

1. General Permit Information

Pursuant to Rules 2:1 and 2:1A, every application for or modification to an Authority to Construct or Permit to Operate shall be accompanied by a non-refundable filing fee of \$75.

In the event that a source is constructed or modified without first obtaining an Authority to Construct as stated in Rule 2:1A, the filing fee shall be \$150.

All applicants for an Authority to Construct shall pay to the Air Quality Management District (AQMD) an amount equal to that specified in Rule 2:11.a.(3)(e) for each hour of staff time expended in excess of two (2) hours to cover the costs of all aspects of the preparation and issuance of the Authority to Construct.

Any applicant who has an Authority to Construct application pending before the Air Pollution Control Officer (APCO) on the date of this rule adoption shall pay the aforementioned fee beginning as of the date of rule adoption.

Every application submitted pursuant to Rule 2:21 shall pay a non-refundable transfer fee of \$15. (Amended 4-10-90)

2. Specific Permit Fees

Before a Permit to Operate is issued or renewed as stated in Rule 2:1A.b., a non-refundable permit fee shall be paid to the Shasta County AQMD according to the following permit fee schedule:

<u>Device/Category</u>	<u>Fee</u>
a) Air Conveyance Control Device	
1) Cyclone	
(i) ≤30,000 scfm	\$ 150
(ii) >30,000 scfm	224
2) Baghouse	376

3) Electrostatic Precipitator	376
4) Wet Scrubber	\$ 376
5) Dry Scrubber	376
6) Packed Tower	376
7) Afterburner	376
8) Absorption Device	300
9) Multiclone/Fly Ash Reinject	376
10) Thermal De NOx System	376
b) Asphalt Batch Plant (Maximum Design Rating)	
1) ≤ 100 tons/hour	\$ 826
2) $>100 - \leq 250$ tons/hour	976
3) $>250 - \leq 500$ tons/hour	1,126
4) >500 tons/hour	1,276
c) Asphalt Storage Facility	224
d) Fuel Combustion Devices (Boilers, etc.;	
10 ⁶ BTU/hour, Maximum Design Rating)	
1) 15 or less	\$ 150
2) $>15 - \leq 30$	224
3) $>30 - \leq 45$	500
4) $>45 - \leq 60$	750
5) $>60 - \leq 75$	1,000
6) $>75 - \leq 100$	1,126
7) $>100 - \leq 250$	1,276
8) $>250 - \leq 500$	1,426
9) More than 500	1,576
e) Cement Batch Plant	\$ 376
f) Kilns (10 ⁶ BTU/hour, Maximum Design Rating)	
1) 100 or less	\$ 676
2) $>100 - \leq 200$	826
3) $>200 - \leq 500$	1,126
4) More than 500	1,276
g) Charcoal/Carbon Manufacturing Furnace	\$ 626
h) Dryers	

- 1) Plywood Veneer \$ 250
- 2) All Others 150

i) Gasoline Marketing
(Retail/Wholesale; gallons per year)

	Aboveground	Underground
1) 50,000 gal/yr or fewer	\$ 30	\$ 27
2) >50,000 - ≤100,000 gal/yr	60	54
3) >100,000 - ≤500,000 gal/yr	112	101
4) >500,000 - ≤1,000,000 gal/yr	131	118
5) >1,000,000 - ≤1,500,000 gal/yr	150	135
6) More than 1,500,000 gal/yr	169	152

- 7) Gasoline marketing facilities required to install Phase II Vapor Recovery controls at the dispenser shall be assessed an annual permit fee based upon the number of gasoline dispensing nozzles (per nozzle) \$20 \$18
(Amended 1/5/93)

j) Incinerators/Remelt Furnaces
(Pathological, Cremation Retorts, Burnout Ovens, etc.)
Maximum Horizontal Cross Sectional Area,
Ft.² of Primary Combustion Chamber

- 1) 50 or less \$ 150
- 2) >50 - ≤100 224
- 3) More than 100 300

k) Industrial/Commercial Surface Coating Operations (gallons per year)

- 1) 1,000 gal/yr or fewer \$ 150
- 2) More than 1,000 gal/yr 224

- l) Air Exhausts/Vents \$ 224

m) Volatile Organic Compound Substance Use
(gallons per year)

- 1) 1500 gal/yr or fewer \$ 300
- 2) More than 1500 gal/yr 450

n) Fiberglass Resin Usage (tons per year)

- 1) 50 tons/year or fewer \$ 300
- 2) More than 50 tons/year 450

o) Mineral Processing - Rock Crushing / Screening (Maximum Design Rating)

1) 100,000 tons/year or fewer	\$ 376
2) >100,000 - ≤500,000 tons/year	526
3) More than 500,000 tons/year	676

p) Miscellaneous

1) Minimum Charge (5 tons/year or fewer emitted)	\$ 150
2) Other (E = tons/year emitted)	30(E)

q) Insignificant Source/Emission Inventory Tracking Fee \$ 20

(Amended 4-10-90)

3. General Rules Applicable to Permit Fee Schedules

a) The permit fee of a multi-component system shall be the sum of those fee schedules for each individual device in the multi-component system.

b) If more than one fee schedule is applicable to an individual device, the schedule with the higher fee shall be used exclusively.

c) If the Air Pollution Control Officer (APCO) ascertains that tests will be required that are not routinely performed, then the APCO is authorized to charge additional fees not to exceed the estimated cost of making such test, provided that:

! The applicant shall be advised of such additional permit fee prior to the making of such test, and

! The applicant shall be given the option to have such test made by an independent laboratory approved by the APCO at the applicant's cost.

All fees estimated and collected by the APCO for special tests that are later found to exceed the actual test costs will be refunded.

- d) For devices that the APCO ascertains are inherently seasonally operational due to location or nature of raw materials processed (as defined in Rule 2:1, Section 223), the permit fee shall be seventy-five percent (75%) of the regular fee. (Amended 7-22-86)

- e) Any person who requests that the District undertake or perform any of the following activities shall pay for the full cost of such activity as incurred by the District. Such costs shall include staff time, materials, mileage, etc. Staff time shall be charged at a rate of \$37.50 per hour.
 - 1. Source testing
 - 2. Ambient monitoring
 - 3. Source specific modeling
 - 4. Ambient modeling
 - 5. Air quality impact analysis
 - 6. Technical evaluations and/or pre-permit
 - 7. Any other activity not routinely performed by the Air Quality Management District.

The minimum charge for pre-permit evaluations shall be \$100.

- f) Any new, existing, or modified stationary facility that, after construction or modification, emits any pollutant shall be required to test such facility of emissions according to the following schedule.

<u>Emissions (tons/year)</u>	<u>Test Schedule</u>
Less than 25 tons/yr	Voluntary, or at request of District for enforcement purposes
25 or more, but less than 50	Once every 3 years
50 or more, but less than 100	Once every 2 years
100 or more	Once every year

Any affected facility shall have the option of contracting with the District or an approved testing firm, or submitting its own test data, to fulfill this requirement.

Should the facility choose to contract with an approved firm or submit its own test data, the District will assess a fee of \$250 to cover the costs

of District observation and compliance analysis of such tests.

Any facility that chooses to submit emission data from continuous monitors in lieu of testing shall pay a fee of \$500 to the District to cover the costs of compliance analysis.

The following schedule outlines the current charges for District testing activities:

1. High Volume Particulate Test (non-combustion sources)	\$ 350
2. Low-Volume Particulate Test (combustion/non-combustion sources)	2,000
3. Low-Volume SO ₂ Test	1,000
4. Combustion Source Orsat Test	75
5. Combustion Source TRS Test	1,000
6. Particle/Sizing Analysis	1,000
7. NOx or CO Test	200

(Amended 4-10-90)

b. Air Quality Management Burning Permits

1. To insure compliance with all applicable Air Quality Management District (AQMD) burning regulations, the holder of, or applicant for, any open burning permit shall pay the required Basin Control Council Fee, as well as any applicable Burn Permit and/or Acreage Fee as outlined below:

The following schedule outlines the current charges for District open burning permits:

- a. Agricultural Burning (for the growing of crops or raising of fowls or animals):

1) Basin Control Council Fee (H&SC 41866)	\$ 5
2) Agricultural Burn Permit	\$ 30
3) Acreage Fee (Field Crop)	\$0.50/acre
4) Acreage Fee (Ag Waste/Other)	\$0.50/acre

- b. Prescribed Burning (for Forest Management, Rangeland Improvement, and Wildland Vegetation Management Burning)
 - 1) Basin Control Council Fee (H&SC 41866) \$ 5
 - 2) Agricultural Burn Permit \$ 30
 - 3) Acreage Fee (Forest Management) \$0.50/acre
 - 4) Acreage Fee (Rangeland Improvement) \$0.50/acre
 - 5) Acreage Fee (Wildland Vegetation Management) \$0.50/acre
- c. Land Clearing Burning (for commercial or residential development)
 - 1) Basin Control Council Fee (H&SC 41866) \$ 5
 - 2) Land Clearing Burn Permit \$ 30
- d. Fire Hazard Reduction Burning (for brush clearance)
 - 1) Basin Control Council Fee (H&SC 41866) \$ 5
 - 2) Fire Hazard Burn Permit (10 acres or less) \$ 10
 - 3) Fire Hazard Burn Permit (More than 10 acres) \$ 30
- e. Mechanized Burner Use (Mechanized Burners shall obtain permits as stated in Rules 2:1A, 2:6, and 2:11)
 - 1) Basin Control Council Fee (H&SC 41866) \$ 5
 - 2) Mechanized Burner Burn Permit \$ 30

(Amended 4-10-90)(Amended 7-17-01)

f. Residential Burning

No fee is required for residential burning that is conducted in accordance with District Rules 2:6 and 2:7, provided that the burning project is not associated with property being developed for commercial or residential purposes or fire hazard reduction.
(Added 7-17-01)

- c. A fee shall be paid for services rendered by the AQMD for photocopies and transcription of tapes to reimburse the District for actual costs incurred. (Amended 7-28-87)
- d. All fees collected pursuant to Rule 2:11 and 4:4 will be deposited in the AQMD fund and shall be used solely to defray the expenses in administering the services required in the operation of the AQMD.
(Amended 7-28-87)
- e. If payment of any required fee as stated in Rule 2:1 or 4:4 is not received within thirty (30) days of notice of assessment by the Air Pollution Control Officer (APCO), the fee shall be increased by one-half the amount due. The owner or operator shall thereupon be notified by mail of the increased fee.
- f. Fees For California Air Resources Board (CARB) Atmospheric Acidity Protection Program

1. Purpose

This fee regulation is to implement the Atmospheric Acidity Protection Act of 1988 (*Health and Safety Code* Sections 39900-39911). This Act authorized the CARB to require local air pollution control districts to impose additional variance and permit fees on major non-vehicular sources which emit 500 tons per year or more of either sulfur or nitrogen oxides to partially fund the Atmospheric Acidity Protection Program.

The fees collected shall be in addition to permit and other fees already authorized to be collected from such sources.

2. Transfer of Fees Collected

The APCO shall transfer the fees required by the rule, less an amount equal to the District's administrative costs of establishing the program and collecting and transmitting the fees, to the CARB for deposit into the Air Pollution Control Fund no later than 180 days after the effective date of the fee schedule adopted by the Board in each fiscal year of the program.

3. Administrative Costs

The administrative costs of collecting the fees required by this Rule shall be determined by the total number of staff hours expended in establishing and implementing the fee regulation in each fiscal year, calculated directly in accordance with District Rule 2:11a.3(e).

4. Definitions: For the purpose of this rule:

Major non-vehicular source: Any plant, building, structure, stationary facility or group of facilities under the same ownership that in the base calendar year emitted to the atmosphere oxides of nitrogen or oxides of sulfur, expressed as nitrogen dioxide and sulfur dioxide respectively, in an amount equal to or exceeding 500 tons.

Base year emissions (BYE): The calendar year accumulative emissions of oxides of nitrogen and oxides of sulfur that have been listed in an emission inventory used by the Air Resources Board to calculate fees for a particular year.

CARB assessment: The assessed value for the Shasta County AQMD in Section 90621 of the *California Administrative Code*, or any subsequent Section applicable in future fiscal years.

5. Fee Schedule

The owner or operator of each major non-vehicular source is hereby assessed an Atmospheric Acidity Protection Program fee payable to the Shasta County AQMD and due within thirty (30) days of notice of assessment by the APCO. This fee rate and major source fee shall be calculated by the following formulae:

$$\text{Fee Rate} = \frac{\text{CARB Assessment}}{\text{Total Major Source Emissions of NOx and SOx (Tons/Year)}}$$

$$\text{Major Source Fee} = (\text{Fee Rate}) \times (\text{BYE}) + \text{Admin. Costs}$$

g. Fees for California Air Resources Board Implementation of the California Clean Air

Act

1. Purpose

The purpose of this fee regulation is to implement the California Clean Air Act of 1988 (*Health and Safety Code*, Section 39612).

This Act authorized the California Air Resources Board (CARB) to require local air pollution control districts to impose additional permit fees on major non-vehicular sources that emit 500 tons per year or more of nonattainment pollutants, or their precursors, to partially fund the Board's California Clean Air Act Program.

The fees collected shall be in addition to permit and other fees already authorized to be collected from such sources.

2. Transfer of Fees Collected

The Air Pollution Control Officer (APCO) shall transfer the fees required by the rule, less an amount equal to the District's administrative costs of establishing the program and collecting and transmitting the fees, to the CARB for deposit into the Air Pollution Control Fund no later than 180 days after the effective date of the fee schedule adopted by the CARB in each fiscal year of the program.

3. Administrative Costs

The administrative costs of collecting the fees required by this rule shall be determined by the total number of staff-hours expended in establishing and implementing the fee regulation in each fiscal year, calculated directly in accordance with District Rule 2:11.a.3(e).

4. Definitions: For the purpose of this rule:

Major non-vehicular source: Any plant, building, structure, stationary facility or group of facilities under the same ownership, which in the base calendar year, emitted to the atmosphere any non-attainment pollutant or precursors in an amount equal to or exceeding 500 tons.

Base year emissions (BYE): The calendar year accumulative emissions of nonattainment pollutants or their precursors that have been listed in an emission inventory used by the Air Resources Board to calculate fees for a particular year.

CARB assessment: The assessed value for the Shasta County AQMD in Section 90800 of the *California Administrative Code*, or any subsequent Section applicable in future fiscal years.

Nonattainment pollutant: Any substance for which an area is designated in Sections 60200-60209 as not having attained a State ambient air quality standard listed in Section 70200, Title 17, *Health and Safety Code*.

Nonattainment precursor: Any substance that reacts in the atmosphere to contribute to the production of a nonattainment pollutant or pollutants in an area designated in Sections 60200-60209 as not having attained a State ambient air quality standard listed in Section 70200, Title 17, *California Code of Regulations*.

Non-attainment pollutants and precursors shall be defined as follows for the purposes of this Rule:

Substance (As listed in Section 70200, Title 17, CCR)	Nonattainment Pollutant/Precursor
Ozone	Reactive Organic Gases Oxides of Nitrogen
Sulfur Dioxide	Oxides of Sulfur
Sulfates	Oxides of Sulfur
Nitrogen Dioxide	Oxides of Nitrogen
Carbon Monoxide	Carbon Monoxide
Suspended Particulate Matter (PM ₁₀)	Suspended Particulate Matter (PM ₁₀) Oxides of Nitrogen Oxides of Sulfur
Visibility Reducing Particles	Suspended Particulate Matter (PM ₁₀) Oxides of Nitrogen Oxides of Sulfur
Hydrogen Sulfide	Hydrogen Sulfide
Lead	Lead

5. Fee Schedule

The owner or operator of each major non-vehicular source is hereby assessed a California Clean Air Act fee, payable to the Shasta County Air Quality Management District and due within thirty (30) days of notice of assessment by the Air Pollution Control Officer (APCO). This fee rate and major source fee shall be calculated by the following formulae:

$$\text{Fee Rate} = \frac{\text{CARB Assessment}}{\text{Total Major Source Emissions of Nonattainment Pollutants or their Precursors (tons/yr)}}$$

$$\text{Major Source Fee} = (\text{Fee Rate}) \times (\text{BYE}) + \text{Admin. Costs}$$

h. Fees for California Air Resources Board and District Implementation of the Air Toxics "Hot Spots" Act (AB 2588)

1. Purpose

The purpose of this fee regulation is to implement the Air Toxics "Hot Spots" Act of 1987 (*California Health and Safety Code* Sections 44300-44394).

This Act requires that the state's and air district's costs of implementing the Act be recovered from fees paid by facilities subject to the Act.

The fees collected shall be in addition to permit and other fees already authorized to be collected from such facilities.

2. Transfer of Fees Collected

On or before April 1 of each year the Air Pollution Control Officer (APCO) shall transfer to the California Air Resources Board (CARB) the amount the District is required to collect for recovery of state costs as set forth each fiscal year in the Air Toxics "Hot Spots" Fee Regulation adopted by the State Board. The State Board shall forward the revenues to the State Controller for deposit in the Air Toxics Inventory and Assessment Account.

3. Definitions

Air pollution control district or **district** has the same meaning as defined in Section 39025 of the *Health and Safety Code*.

Facility has the same meaning as defined in Section 44304 of the *Health and Safety Code*.

Industrywide Facility means a facility included in an industrywide emission inventory prepared by an air pollution control district pursuant to *Health and Safety Code* Section 44323, or an individual facility which emits less than 10 tons per year of each criteria pollutant, falls within a class composed of primarily small businesses, as defined by subsection (e) below, and whose emissions inventory report was prepared by the air pollution control district.
Office means the Office of Environmental Health Hazard Assessment.

Small Business means a facility which is independently owned and operated and has met the following criteria in the preceding year: 1) the facility has 10 or fewer employees; and 2) the facility's total annual gross receipts are

less than \$1,000,000; and 3) the total annual gross receipts, for the California operations of the business that the facility is part of, are less than \$5,000,000.

State assessed cost means the reasonable anticipated cost which will be incurred by the State Board and the Office to implement and administer the Act.

Supplemental Fee means the fee charged to cover the costs of the district to review a health risk assessment containing supplemental information which was prepared in accordance with the provisions of Section 44360(b)(3) of the *Health and Safety Code*.

Survey Facility means a facility which emits less than ten tons per year of criteria pollutants, and which falls in any class listed in Appendix E-II to Sections 93300 et seq. of Title 17 of the *California Code of Regulations*.

4. Applicability

a. Except for facilities exempted by *Health and Safety Code* Section 44324, this regulation applies to any facility which:

- 1) manufactures, formulates, uses, or releases any of the substances listed by the State Board pursuant to *Health and Safety Code* Section 44321 and contained in Appendix A to Sections 93300 et seq. of Title 17 of the *California Code of Regulations*, which is incorporated by reference, or any other substance which reacts to form a substance so listed, and releases 10 tons per year or greater of any criteria pollutant, or

- 2) is listed in any current toxics use or toxics air emission survey, inventory, or report released or compiled by an air pollution control district, or
- 3) manufactures, formulates, uses, or releases any listed substance or any other substance which reacts to form any listed substance, and which releases less than 10 tons per year of each criteria pollutant and falls in any class listed in Appendix E to Sections 93300 to 93354 of Title 17 of the *California Code of Regulations*.

5. Fee Schedule

- a. The operator of each stationary source facility which meets the applicability criteria of subsection h.4. shall pay to the District an annual Air Toxics "Hot Spots" fee within 60 days of notice of assessment by the APCO. The fee shall be determined by the following formula:

Air Toxics "Hot Spot" Fee =
CARB Assessment + District Assessment

where,

CARB Assessment =

State assessed cost for the specific facility classification (C) calculated in accordance with Section 90704 of the *California Administrative Code*, or any subsequent Section applicable in future fiscal years. The total CARB Assessment (T) for all facilities shall be the sum of individual facility state cost assessments (C).

District Assessment = $\frac{C \times P}{T}$

where,

P= District estimate of Hot Spots program costs including fee regulation implementation costs for the current fiscal year as provided to CARB, less any anticipated revenues from collection of flat fees specified in subsections 5.b. and 5.c. of this rule, and less any excess revenue obtained by the District in prior fiscal years.

Note:

This estimate may be revised as needed by the District prior to actual fee assessment to reflect actual projected program costs.

- b. A Survey Facility shall be assessed a flat fee of \$100.

- c. An Industrywide Facility shall be assessed a flat fee of \$100.
- d. If a facility was previously assessed, and has paid, a fee pursuant to subsection 5.b. or 5.c. of this rule, subsequent fees in future fiscal years shall be waived by the District if the District determines that there are insignificant costs with respect to said facility under the Act.
- e. Pursuant to the provisions of Section 44380.5 of the *California Health and Safety Code*, the supplemental fee which may be assessed upon the operator of a facility to cover the direct costs to the District to review supplemental information supplied with a health risk assessment shall be \$2,000.
- f. The maximum fee which a small business, as defined in this rule, shall pay will be \$700.

6. Annual Adoption of Fees

- a. Unless it amends this rule, the District Board automatically readopts this fee regulation annually by operation of law, in compliance with Title 17, *California Code of Regulations*, Sections 90703.

This Page Intentionally Left Blank