

SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 302 - SCHEDULE OF FEES

(Adopted 8/2/76; Revised 12/6/76, 9/26/77, 9/24/79, 6/24/81, 6/21/82, 11/21/83, 5/13/86, 5/24/88, 1/2/90, 6/18/91, 9/15/92, 6/7/95, 4/10/96, 6/5/96, 6/18/97, 7/26/00, and 9/22/04)

- A. FEE UNITS. Fees assessed for the issuance of a Permit to Operate a new or modified source shall not exceed the total costs to the District for processing nor shall be less than \$100.00.
- B. FILING FEES. Except for any State or Local Government or Public District, every applicant for an Authority to Construct or a Permit to Operate any new, modified, or relocated article, machine, equipment, or other contrivance, shall pay a filing fee of \$100.00. The filing fee shall be applied to the fee prescribed for the issuance of an Authority to Construct or a Permit to Operate.
- C. AUTHORITY TO CONSTRUCT FEE. Every applicant for an Authority to Construct shall pay a fee for the issuance of an Authority to Construct based upon actual hours spent by District staff at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District in evaluating the application. The applicant may be billed periodically for actual costs of evaluating an application over an extended time.
- D. PERMIT TO OPERATE FEE
1. Every applicant for a Permit to Operate or a Permit to Sell or Rent shall pay a fee for the issuance of the permit based upon actual hours spent by the District staff at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District in evaluating the application.
 2. In addition to the fees required under Section D.1, a person seeking a Permit to Operate or a Permit to Sell or Rent for an article, machine, equipment or other contrivance for which an Authority to Construct was required but not obtained, or for which the 90-day grace period of Rule 202.A.8 has expired, shall pay a penalty fee of up to one and one-half times the amount required by Section D.1. Payment of this penalty fee shall not automatically relieve the applicant of additional enforcement action. (Added 11/21/83)
 3. In addition to all other fees required under this Section, every applicant for a Permit to Operate or a Permit to Sell or Rent shall, upon issuance of the permit, pay an initial operating period fee equivalent to those fees required under Section E.
 - a. The Air Pollution Control Officer may waive the first renewal period's operating fee for applicants who qualify. To seek this waiver, an Application for Initial Operating Fee Waiver must be submitted during the permit application process.

E. PERMIT RENEWAL FEE SCHEDULE. Any article, machine, equipment or other contrivance in the categories listed below for which a Permit to Operate or a Permit to Sell or Rent is issued, shall be re-evaluated and the permit renewed periodically and renewal fees assessed in accordance with the schedule below. The renewal fees for a Permit to Sell or Rent shall be one-half of that amount indicated in that schedule. Total renewal fees shall be determined for each unit by adding the fee calculated in Column A with the fee calculated in Column B.

<u>Permit Category</u>	<u>Column A</u> Formula for Renewal Fee Unit	<u>Column B</u> Formula for Toxic Air Contaminant Renewal Fee/Unit
1. Air monitoring and data handling oversight - per station	132.2x	0
2. Asphaltic concrete batch plants	26.1x	2.6x
3. Bakery facility with a total heat input rating of all combustion devices that is >3.0 mmBtuh	50.0x	5.2x
4. Boilers, steam generators, heaters, or other gaseous, liquid, or solid fuel fired combustion equipment, except fossil fuel fired power plants (in terms of the design heat input rating)		
a. 5.0 million British thermal units per hour (mmBTU/hr) or less	19.5x	3.5x
b. greater than 5.0 mmBTU/hr but less than or equal to 10.0 mmBTU/hr	27.7x	4.5x
c. greater than 10.0 mmBTU/hr	31.2x	6.1x
5. Brick or concrete block manufacturing facilities (in terms of the annual production rate)		
a. 0.50 million blocks per year or less	4.0x	0.6x
b. greater than 0.50 but less than or equal to 1.0 million blocks per year	8.0x	1.2x
c. greater than 1.0 million blocks per year	16.0x	3.5x
6. Cement handling equipment	12.6x	3.5x
7. Chemical manufacturing process unit	8.8x	0.9x
8. Coffee roasting (in terms of the annual production rate)		
a. 50.0 tons per year (tpy) or less with emission controls	4.4x	0.4x
b. 50.0 tpy or less without emission controls	8.8x	0.9x
c. greater than 50.0 tpy with emission controls	11.6x	1.2x
d. greater than 50.0 tpy without emission controls	23.2x	2.4x
9. Concrete batch plants (in terms of the annual production rate)		
a. 10,000.0 yards per year or less	4.0x	0.6x
b. greater than 10,000.0 but less than or equal to 25,000.0 yards per year	8.0x	1.2x
c. greater than 25,000.0 yards per year	16.0x	3.5x
10. Crematory incinerators	8.5x	0

<u>Permit Category</u>	<u>Column A</u> Formula for Renewal Fee Unit	<u>Column B</u> Formula for Toxic Air Contaminant Renewal Fee/Unit
11. Crude oil and distillate oil storage facilities (basic)	24.1x	3.5x
12. Crude oil and distillate oil pump station (basic)	21.0x	3.0x
13. Degreasers	8.8x	0.9x
14. Driers or kilns	12.9x	1.4x
15. Dry cleaning operations	8.8x	0.9x
16. Electrolytic plating operation	25.3x	6.9x
17. Ethylene Oxide Sterilizers	31.1x	4.5x
18. Feed and grain mills		
a. any cyclone vented to atmosphere	12.9x	0
b. no cyclone vented to atmosphere	6.4x	0
19. Fiberglass products manufacturing	31.1x	4.5x
20. Fixed or internal floating roof petroleum storage tank	13.7x	3.5x
21. Floating roof petroleum storage tank	21.8x	3.5x
22. Fossil fuel fired power plant >100 mmBtuh (basic)		
a. each boiler	0.49x	0.005x
b. each gas turbine (including any associated duct burner)	0.66x	0.01x
23. Gasoline dispensing facility and associated vapor recovery system (basic)	1.1x	0.9x
24. Gasoline dispensing (only one applied to any given nozzle)		
a. vapor recovery nozzle	0.35x	0.22x
b. multi-product, single nozzle fueling point	1.0x	0.7x
25. Gasoline storage facility, loading rack, and associated vapor recovery system(s) - bulk	14.8x	1.5x
26. Gasoline storage facility and associated vapor recovery system - retail and consumer account	2.2x	0.3x
27. Gasoline vapor recovery, annual testing	3.38x	0
28. Internal combustion engine		
a. first emissions unit	8.8x	0.9x
b. each additional emissions unit	4.1x	0.5x
c. additional fee for each emission unit $\geq 3,000$ bhp	0	100.0x
29. Landfill gas collection	54.1x	4.5x
30. Marine loading terminal	57.4x	17.3x
31. Marine unloading terminal	29.3x	8.6x
32. Miscellaneous	8.8x	0.9x
33. Motor vehicle and mobile equipment coating (in terms of the volatile organic compound (VOC) content of materials used)		
a. 100.0 gallons per year or less	4.0x	0.6x

<u>Permit Category</u>	<u>Column A</u> Formula for Renewal Fee Unit	<u>Column B</u> Formula for Toxic Air Contaminant Renewal Fee/Unit
b. greater than 100.0 but less than or equal to 700.0 gallons per year	7.0x	1.7x
c. Greater than 700.0 gallons per year	12.0x	3.5x
34. Multiple chambered incinerators, including pathological incinerators	25.3x	12.0x
35. Onshore dewatering process units associated with offshore oil and gas production	85.5x	10.5x
36. Oil and gas production and processing facilities (basic)	356.0x	40.2x
37. Oil and gas production and processing facilities (basic for producers of 300.0 bbl per day or less)	50.7x	4.3x
38. Oil production vapor recovery systems	49.5x	10.5x
39. Oily water treatment systems	36.3x	12.0x
40. Paint bake oven	8.8x	0.9x
41. Petroleum coke calcining facilities (basic)	2,270.1x	69.0x
42. Petroleum loading rack - Note: gasoline bulk plants are covered by the Gasoline Storage (bulk) category above	25.3x	6.9x
43. Petroleum processing sulfur recovery and tail gas units	90.3x	12.0x
44. Petroleum refinery production line (basic)	280.4x	26.0x
45. Petroleum refining process units	114.5x	12.0x
46. Printing operation (in terms of the VOC content of materials used)		
a. 100.0 gallons per year or less	2.1x	0.5x
b. greater than 100.0 but less than or equal to 700.0 gallons per year	7.7x	0.9x
c. greater than 700.0 gallons per year	31.0x	3.5x
47. Public and private waste water treatment works		
a. basic operation	7.8x	4.6x
b. anaerobic digester	2.5x	0.5x
48. Rock crushing, screening, sizing, and storage operations (in terms of the annual production rate)		
a. 10,000.0 tpy or less	4.0x	0.6x
b. greater than 10,000.0 but less than or equal to 100,000.0 tpy	8.0x	1.2x
c. greater than 100,000.0 tpy	16.0x	3.5x
49. Sand and gravel screening, sizing, handling, and storage operations (in terms of the annual production rate)		
a. 10,000.0 tpy or less	4.0x	0.6x
b. greater than 10,000.0 but less than or equal to 100,000.0 tpy	8.0x	1.2x
c. greater than 100,000.0 tpy	16.0x	3.5x
50. Sandblasting equipment	5.1x	0.6x

<u>Permit Category</u>	<u>Column A</u> Formula for Renewal Fee Unit	<u>Column B</u> Formula for Toxic Air Contaminant Renewal Fee/Unit
51. Soil decontamination land treatment, landfarm, or thermal destruction unit (in terms of the volume placed into the decontamination process)		
a. 5,000.0 yards per year or less	40.0x	10.0x
b. greater than 5,000.0 yards per year	80.0x	20.0x
52. Soil decontamination process unit	8.8x	0.9x
53. Surface coating or adhesive application operation (in terms of the VOC content used) - Note: autobody shops are covered by the Motor Vehicle Coating category above		
a. 100.0 gallons per year or less	2.1x	0.5x
b. greater than 100.0 but less than or equal to 700.0 gallons per year	7.7x	0.9x
c. greater than 700.0 gallons per year	31.0x	3.5x
54. Wood working operation	8.8x	0

* Where x is the hourly labor rate set periodically by the Air Pollution Control Board.

F. PERMIT RENEWAL FEES

1. For the purposes of Section E, the permit renewal fee for the facilities designated "basic" shall be for the facility shown. Additional renewal fees shall be charged for other equipment located in the basic facility and included in the Permit Category list.
2. For the purposes of Section E, the yearly production rate, process rate, or VOC material usage rate will be considered that amount processed in the calendar year immediately prior to permit renewal. The rate used for determining the initial operating fee under subsection D.3 above shall be the maximum rate allowed by the applicable permit.
3. Renewal fees shown in Section E do not include fees for compliance source testing, unless specified. Source testing fees shall be designated per Section G.
4. Any necessary additional District staff time or resources dedicated to determining compliance of a stationary source for the purpose of renewing a Permit to Operate shall be charged to the holder of the Permit at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District and added to the renewal fees shown in Section E.

5. For permits to operate issued pursuant to Rule 216, Federal Part 70 Permits, or Rule 217, Federal Part 72 Permits, the renewal fees identified in Section E shall be assessed annually as a compliance evaluation fee.

- G. SOURCE TEST FEES. Before granting or denying an application for a Permit to Operate or in renewing a Permit to Operate, the Air Pollution Control Officer (APCO) may require the sampling and testing of air contaminants discharged into the atmosphere from the article, machine, equipment or other contrivance being evaluated. At the option of the applicant, the applicant may contract with an independent testing laboratory for the testing or may request the District to perform the test. If the former option is selected, the choice of test method and testing laboratory is subject to the approval of the APCO. If the latter option is selected and the District is willing to perform the test, the applicant shall pay a fee for the source testing determined by the District based on direct labor hours used, supplies and services expended, and indirect costs incurred.

- H. APPLICATION FOR AN ALTERATION OR MODIFICATION. Where a Permit to Operate has previously been granted for such equipment under Rule 202 and an alteration or modification is to be made, the applicant shall be assessed a fee based upon actual hours spent and costs incurred by the District for application evaluation.

- I. TRANSFER OF OWNER. Where an application is filed for a Permit to Operate any article, machine, equipment or other contrivance because responsibility will transfer, or has transferred, from one person to another and no alteration, emission increase, or addition has been made, the applicant shall pay \$50.00.

- J. REVISED PERMIT CONDITIONS. When an application is filed involving, exclusively, revisions to the conditions of an existing Permit to Operate, as provided in Rule 206, and there is no change or a decrease in ratings, the applicant shall pay a filing fee of \$50.00 and be assessed a total fee based upon the actual hours spent and costs incurred by the District for application evaluation.

- K. LATE FEE
 1. When an Authority to Construct or Permit to Operate is issued or renewed, it shall be accompanied by a statement of the fee to be paid therefore. If the fee is not paid within thirty calendar days after the statement of the fee has been issued, the APCO shall thereupon promptly notify the applicant of the past due fee by certified mail (i.e., second notice). If the past due fee is not paid within thirty calendar days after the second notice has been issued, the fee shall be increased by one-half the amount thereof and the APCO shall thereupon promptly issue to the applicant a statement which reflects the increased fee and send that statement to said applicant by certified mail. Non-payment of the increased fee within thirty calendar days after the statement of the increased fee has been issued shall result in automatic cancellation of the application or the suspension of the Permit to Operate.
 - a. A Permit to Operate suspended for non-payment of fees shall be reinstated only after payment of the original renewal fee, any late fees, and a charge for all reasonable costs incurred by the District through fee recovery and

enforcement actions resulting from said Permit suspension as determined by the APCO; the Permit holder may appeal assessment of this cost recovery charge by petition to the Hearing Board.

- b. A Permit to Operate suspended for a time period of one year or more for non-payment of fees may be revoked by the Hearing Board after being petitioned to take such action by the APCO. The permittee shall be notified of the pending hearing no less than 10 calendar days prior to the Hearing Board's review of such a petition.

L. FEE FOR PERMIT GRANTED BY HEARING BOARD. In the event that a Permit to Operate is granted by the Hearing Board after denial by the APCO or after the applicant deems his application denied, the applicant shall pay the fee prescribed in Section D within thirty calendar days after the date of the decision of the Hearing Board. Non-payment of the fee within this period of time shall result in automatic cancellation of the Permit and the application.

M. DUPLICATE PERMIT. A request for a duplicate Permit to Operate shall be made in writing to the APCO within ten calendar 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 \$2.50 shall be paid for issuing each duplicate Permit to Operate.

N. NESHAPS INSPECTIONS

- 1. Any District staff time or resources dedicated to determining compliance with Regulation VII, with the exception of asbestos demolition or renovation, shall be charged to the person responsible for the facility subject to that regulation at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District.
- 2. For each asbestos demolition and renovation project, the following fee schedule shall apply:
 - a. For projects involving the removal or stripping of less than 260 lineal feet of material; less than 160 square feet of material; or less than 35 cubic feet of material, the owner or operator shall pay a plan fee of \$125.00.
 - b. For projects involving the removal or stripping of 260 lineal feet or more of material, but less than 1,000 lineal feet of material; 160 square feet or more of material, but less than 1,000 square feet of material; or 35 cubic feet or more of material, but less than 1,000 cubic feet of material, the owner or operator shall pay a plan fee of \$275.00.
 - c. For projects involving the removal or stripping of 1,000 lineal, square, or cubic feet or more of material, but less than 10,000 lineal, square, or cubic feet of material, the owner or operator shall pay a plan fee of \$500.00.

- d. For projects involving the removal or stripping of 10,000 lineal, square, or cubic feet or more of material, the owner or operator shall pay a plan fee of \$1,000.00.

O. MISCELLANEOUS SERVICES. Any necessary District staff time or resources expended to provide Federal or State regulation compliance determinations to any person, regardless of permit status, may be charged to that person at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District.

P. NON-AGRICULTURAL OPEN BURNING FEES AND INSPECTIONS

1. For each Developmental Burn plan submitted pursuant to Rule 501.E.1, the following fee schedule shall apply:
 - a. For projects involving the burning of wood waste from the removal or pruning of trees, vines, or bushes from an area of one (1) acre or less in size, of up to five (5) tree stumps of any size, or any combination of either, the owner or operator shall pay a plan fee of \$75.00.
 - b. For projects involving the burning of wood waste from the removal or pruning of trees, vines, or bushes from an area of more than one (1) acre in size, but less than 11 acres in size, of more than five (5) tree stumps of any size, but less than 11 stumps of any size, or any combination of either, the owner or operator shall pay a plan fee of \$150.00.
 - c. For projects involving the burning of wood waste from the removal or pruning of trees, vines, or bushes from an area of 11 or more acres in size, of 11 or more tree stumps of any size, or any combination of either, the owner or operator shall pay a plan fee of \$300.00.
 - d. Any District staff time or resources dedicated to determining compliance with Rule 501, in addition to the plan fee, shall be charged to the person responsible for the project subject to that regulation at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District.
2. For each Smoke Sensitive Site plan submitted pursuant to Rule 501.F.1, the following fee schedule shall apply:
 - a. For projects involving the burning of greenwaste from dry weeds and prunings of trees, vines, or bushes from an area less than 11 acres in size, the owner or operator shall pay a plan fee of \$50.00.
 - b. For projects involving the burning of greenwaste from dry weeds and prunings of trees, vines, or bushes from an area of 11 or more acres in size, the owner or operator shall pay a plan fee of \$75.00.

- c. For projects involving the burning of greenwaste from the removal of up to five (5) tree or bush stumps of any size, or any combination of either, the owner or operator shall pay a plan fee of \$75.00.
- d. For projects involving the burning of greenwaste from the removal of more than five (5) tree or bush stumps of any size, but less than 11 stumps of any size, or any combination of either, the owner or operator shall pay a plan fee of \$150.00.
- e. For projects involving the burning of greenwaste from the removal of 11 or more tree or bush stumps of any size, or any combination of either, the owner or operator shall pay a plan fee of \$300.00.