

RULE 302. SCHEDULE OF FEES (Adopted 8/2/76; Last revision 7/27/2011)

- 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 \$195.00.
- 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 \$195.00. 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 AND DISTRICT HOURLY LABOR RATE.
1. 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 the District hourly labor rate and any other 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.
 2. The District hourly labor rate (r) is \$115 per hour.
- D. PERMIT TO OPERATE FEE
1. Initial Issuance Fee: 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. Penalty Fee: 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 and up to the sum of the Permit Renewal Fees that would have been due if a Permit to Operate would have been obtained when required . Payment of this penalty fee shall not automatically relieve the applicant of additional enforcement action.
 3. Initial Periodic Permit to Operate Fee: 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 emission unit by multiplying the permit renewal factor “x” by the renewal fee formula shown below. The current permit renewal factor “x” is \$80.00.

<u>Permit Category</u>	<u>Renewal Fee Formula</u>
1. Air monitoring and data handling oversight - per station	132.2x
2. Asphaltic concrete batch plants	32.3x
3. Bakery facility with a total heat input rating of all combustion devices that is >3.0 million British thermal units per hour (mmBtu/hr)	58.5x
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. less than 5 mmBtu/hr and limited to 90,000 therms per year or less	10.3x
b. 5.0 million British thermal units per hour (mmBtu/hr) or less	24.4x
c. greater than 5.0 mmBtu/hr but less than or equal to 10.0 mmBtu/hr	34.1x
d. greater than 10.0 mmBtu/hr	39.5x
5. Brick or concrete block manufacturing facilities (in terms of the annual production rate)	
a. 0.50 million blocks per year or less	4.9x
b. greater than 0.50 but less than or equal to 1.0 million blocks per year	9.8x
c. greater than 1.0 million blocks per year	20.7x
6. Cement handling equipment	17.1x
7. Chemical manufacturing process unit	10.3x
8. Coffee roasting (in terms of the annual production rate)	
a. 50.0 tons per year (tpy) or less with emission controls	5.1x
b. 50.0 tpy or less without emission controls	10.3x
c. greater than 50.0 tpy with emission controls	13.6x
d. greater than 50.0 tpy without emission controls	27.1x
9. Concrete batch plants (in terms of the annual production rate)	
a. 10,000.0 yards per year or less	4.9x
b. greater than 10,000.0 but less than or equal to 25,000.0 yards per year	9.8x
c. greater than 25,000.0 yards per year	20.7x
10. Crematory incinerators	8.5x
11. Crude oil and distillate oil storage facilities (basic)	29.3x
12. Crude oil and distillate oil pump station (basic)	24.3x
13. Degreasers	10.3x

<u>Permit Category</u>	<u>Renewal Fee Formula</u>
14. Driers or kilns	15.2x
15. Dry Cleaning Operations	
a. Perchloroethylene based	10.3x
b. Other solvent based	6.0x
16. Electrolytic plating operation	34.1x
17. Ethylene Oxide Sterilizers	37.7x
18. Feed and grain mills	
a. any cyclone vented to atmosphere	13.7x
b. no cyclone vented to atmosphere	6.8x
19. Fiberglass products manufacturing	37.7x
20. Fixed or internal floating roof petroleum storage tank	19.4x
21. Floating roof petroleum storage tank	28.5x
22. Fossil fuel fired power plant >100 mmBtu/hr (basic)	
a. total for all boilers at a facility with total oxides of nitrogen emissions of more than 100 tons per year in the previous calendar year	4,218.6x
b. total for all boilers at a facility with total oxides of nitrogen emissions of less than 100 tons per year in the previous calendar year	3,461.6x
c. each gas turbine and any associated duct burner per mmBtu/hr of heat input capacity	0.70x
23. Gasoline dispensing facility and associated vapor recovery system (basic)	2.2x
24. Gasoline dispensing (only one applied to any given nozzle)	
a. vapor recovery nozzle	0.63x
b. multi-product, single nozzle fueling point	1.9x
25. Gasoline storage facility, loading rack, and associated vapor recovery system(s) – bulk	18.4x
26. Gasoline storage facility and associated vapor recovery system - retail and consumer account	2.87x
27. Gasoline vapor recovery, annual testing	3.80x
28. Internal combustion engine	
a. first prime use engine per facility	12.0x
b. each additional prime use engine per facility	5.6x
c. additional fee for any engine $\geq 3,000$ bhp	112.8x
d. each emergency standby use engine	4.9x
e. each portable diesel engine used for construction or maintenance	4.9x
f. each portable non-diesel engine used for construction or maintenance	3.0x
g. each engine <50 hp that is part of a process that requires a permit	3.0x
29. Landfill gas collection	62.1x
30. Marine loading terminal	79.2x
31. Marine unloading terminal	40.2x
32. Miscellaneous	10.3x
33. Motor vehicle and mobile equipment coating (in terms of the volatile organic compound (VOC) content of materials used)	

<u>Permit Category</u>	<u>Renewal Fee Formula</u>
a. 100.0 gallons per year or less	4.9x
b. greater than 100.0 but less than or equal to 700.0 gallons per year	9.2x
c. Greater than 700.0 gallons per year	16.4x
34. Multiple chambered incinerators, including pathological incinerators	39.5x
35. Onshore dewatering process units associated with offshore oil and gas production	96.0x
36. Oil and gas production and processing facilities (basic)	402.2x
37. Oil and gas production and processing facilities (basic for producers of 300.0 bbl per day or less)	55.8x
38. Oil production vapor recovery systems	67.6x
39. Oily water treatment systems	54.5x
40. Paint bake oven	10.3x
41. Petroleum coke production (basic)	2,036.5x
42. Petroleum loading rack - Note: gasoline bulk plants are covered by the Gasoline Storage (bulk) category above	36.3x
43. Petroleum processing sulfur recovery and tail gas units	97.9x
44. Petroleum refineries (basic)	
a. refineries with authorized capacities of 16.22 million barrels per year (mmbbl/yr) or less	805.0x
b. refineries with authorized capacities from 16.22 mmbbl/yr to 18.00 mmbbl/yr	971.0x
c. refineries with authorized capacities above 18.00 mmbbl/yr	1,311.0x
45. Petroleum refining process units	121.3x
46. Printing operation (in terms of the VOC content of materials used)	
a. 100.0 gallons per year or less	2.8x
b. greater than 100.0 but less than or equal to 700.0 gallons per year	9.1x
c. greater than 700.0 gallons per year	36.6x
47. Public and private waste water treatment works	
a. basic operation	13.1x
b. anaerobic digester	3.2x
48. Rock crushing, screening, sizing, and storage operations (in terms of the annual production rate)	
a. 10,000.0 tpy or less	4.9x
b. greater than 10,000.0 but less than or equal to 100,000.0 tpy	9.8x
c. greater than 100,000.0 tpy	20.7x
49. Sand and gravel screening, sizing, handling, and storage operations (in terms of the annual production rate)	
a. 10,000.0 tpy or less	4.9x
b. greater than 10,000.0 but less than or equal to 100,000.0 tpy	9.8x
c. greater than 100,000.0 tpy	20.7x
50. Sandblasting equipment	6.0x
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	53.0x
b. greater than 5,000.0 yards per year	106.0x
52. Soil decontamination process unit	10.3x

<u>Permit Category</u>	<u>Renewal Fee Formula</u>
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	2.8x
b. greater than 100.0 but less than or equal to 700.0 gallons per year	9.1x
c. greater than 700.0 gallons per year	36.6x
54. Wine Fermentation and Storage	
Fermentation and wine barrel storage amounts shall be based on a three calendar year historical average. Calendar year barrel storage is the highest amount in storage at any one time for the calendar year. If there are less than three years of historical data, the amount shall be based on the higher of: 50% of the permitted capacity or the average annual amounts for the available years.	
a. Base fee all facilities	5.3x
b. White wine fermentation fee per 1,000 gallons per year	0.006x
c. Red wine fermentation fee per 1,000 gallons per year.	0.015x
d. Wine barrel storage fee per 1,000 gallons	0.045x
55. Wood working operation	9.3x

* Where x is the permit renewal factor 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 or Registration 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 \$95.00.

- J. MODIFIED PERMIT CONDITIONS. When an application is filed involving, exclusively, modifications 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 \$195.00 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, Permit to Operate, or Registration 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 facsimile, e-mail or other method of receipt (i.e., second notice). A fee of $\frac{1}{4}$ of the District hourly rate shall apply to all notices sent by certified mail. Notifications that must be hand delivered because of refusal to accept other notifications shall be assessed a fee equal to amount of staff time at current District hourly rate or contract server costs necessary to deliver the notification. 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 issue to the applicant a statement which reflects the increased fee and send that statement to said applicant by certified mail or other method of receipt. 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 registration or the suspension of the Permit to Operate.

- a. A Permit to Operate or Registration 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 \$10.00 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 demolition and renovation project, minimum fees shall be determined by multiplying the District hourly labor rate “r” by the fee formula shown below.

Demolition Projects Without Asbestos	3.5r
Demolition or Renovation Projects With Asbestos:	
Less than 260 lineal feet of material; less than 160 square feet of material; or less than 35 cubic feet of material	3.5r
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	5.5r
1,000 lineal, square, or cubic feet or more of material, but less than 10,000 lineal, square, or cubic feet of material	8.0r

10,000 lineal, square, or cubic feet or more of material	13.0r
Any notification revision	1.0r

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 minimum fees shall be determined by multiplying the District hourly labor rate “r” by the fee formula shown below:

- 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 1.4r.
- 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 \$2.8r.
- 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 \$5.6r.
- 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.

Q. AGRICULTURAL AND PRESCRIBED BURNING PERMIT FEE. For each agricultural and prescribed burn permit issued pursuant to Rule 502, the following fee schedule shall apply.

- 1. Up to ten (10) acres or up to 100 tons of stacked or piled material burned
 - a. General agricultural burning projects under Rule 502.C.4: \$50.00
 - b. Smoke Management Plan under Rule 502.C.5.b: \$50.00
- 2. More than 10 and up to 100 acres or more than 100 tons and up to 500 tons of stacked or piled material burned under Rule 502.C.5.c: \$125.00

3. More than 100 and up to 250 acres or more than 500 tons and up to 1,000 tons of stacked or piled material burned under Rule 502.C.5.d: \$185.00
4. More than 250 acres or more than 1,000 tons of stacked or piled material burned under Rule 502.C.5.e: \$250.00

R. GREEN WASTE BURNING PERMIT FEE. For each green waste burn permit issued pursuant to Rule 501, a \$50.00 fee shall apply.

S. NATURALLY OCCURRING ASBESTOS PROJECT REVIEW FEE. For each naturally occurring asbestos plan submitted for the Air Pollution Control Officer’s review to ensure compliance with 17CCR93105, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, minimum fees shall be determined by multiplying the District hourly labor rate “r” by the fee formula shown below:

	Basic fee				Additional Fee	
	Geological Evaluation and Full Exemption	Geological Evaluation and Conditional Exemption	Geological Evaluation and one (1.0) acre or less	Geological Evaluation and more than one (1.0) acre	Dust Control Plan Review and Approval	Dust Control Plan Review and Approval with Monitoring
Construction and Grading	1.5r	2.0r	2.5r	2.5r	1.0r	2.0r
Quarrying and Surface Mining	1.5r	2.0r	2.5r	2.5r	1.0r	2.0r
Road Maintenance	1.5r	2.0r	2.5r	2.5r	1.0r	2.0r

T. AGRICULTURAL DIESEL ENGINE REGISTRATION FEE.

- a. Annual fees for registration of agricultural engines under Rule 250, Agricultural Diesel Engine Registration shall be 2.625 times the permit renewal factor “x” per engine rounded down to the nearest dollar.
- b. For engines that do not have a registration according to the requirements of Rule 250, Registration of Agricultural Diesel Engines, the initial registration fee shall include the sum of all past applicable fees.

U. WINE OPERATIONS REGISTRATION FEE: Fees for registration of wine operations as required by any regulation shall be 2.65 times the District’s permit renewal factor (see section E. above).

V. BURN PERMIT HARDSHIP FEE WAIVER

The APCO may waive a burn permit fee if the applicant can demonstrate their income qualifies for Section 8 rental assistance under the US Department of Housing and Urban Development Guidelines.