

**Air Pollution Control Board**

Greg Cox	District 1
Dianne Jacob	District 2
Pam Slater	District 3
Ron Roberts	District 4
Bill Horn	District 5

DATE: August 13, 2003

TO: San Diego County Air Pollution Control Board

SUBJECT: REVISIONS TO RULE 40 – PERMIT AND OTHER FEES (District: All)

SUMMARY:

Overview

State law authorizes air pollution control districts to adopt a schedule of fees to recover permitted stationary source program costs not otherwise funded. These proposed amendments to Rule 40 are in accordance with Board direction of June 17, 1998 (APCB #3), adopting recommendations of a Fee Review Group made up of large and small local business representatives.

The last amendments to Rule 40 were approved by the Board on June 20, 2001 (APCB #1), and allowed a one-time discount of 10% for the fiscal year 2001-02. The Air Pollution Control District (District) used prior year salary savings on permit-related programs to offset the revenue reduction resulting from the discount. The District did not propose fee increases in fiscal year 2002-03 and absorbed cost increases by implementing cost containment measures, using revenue generated from the expiration of the 10% discount, and utilizing salary savings resulting from implementing a partial freeze in filling vacancies.

District costs increased significantly for fiscal year 2003-04, primarily due to salary and benefit increases. This was compounded by a one-third reduction in state subvention funds. The District offset the majority of these increases by permanently deleting staff positions, reducing services and supplies expenditures, deferring vehicle replacements, and deferring monies planned for relocating District offices. The District also used salary savings to help offset the increases. However, a fee revenue increase of approximately 5.4% (\$365,000) is needed. The proposed amendments to Rule 40 accomplish this, but do not fully recover the increased District costs of operating permit-related programs.

Using the approved methodology developed by the Fee Review Group for determining the average actual labor hours expended and for calculating hourly labor rates, approximately 58% of permit renewal fees are being reduced, 38% are being increased, and 4% are either remaining the same or being deleted. Approximately 90% of permit application fees are being increased. The stationary source emission fee rate is being increased from \$82 to \$92 per ton; however, with decreasing emissions resulting from effective air pollution control programs, overall emission fee

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revenues are decreasing.

The District will reconvene the Fee Review Group and collaborate with customers to evaluate further cost-containment strategies, additional funding sources, and appropriate revisions to the Operational Plan and permit fees for fiscal year 2004-05. These measures will be necessary to achieve full cost recovery for the District's permit program.

Recommendation(s)

AIR POLLUTION CONTROL OFFICER

Waive Board Policy B-29; Fees, Grants, Revenue Contracts-Department Responsibility for Cost Recovery and make appropriate findings, as required by Section 40727 of the Health and Safety Code, and adopt the Resolution entitled Amending Rule 40 of Regulation III of the Rules and Regulations of the San Diego County Air Pollution Control District, to be effective upon adoption, with the exception of section (e) and renewal fees and fixed source test fees to be effective July 1, 2003. This would amend Rule 40, revising permit application, renewal, and emission fees.

Fiscal Impact

This request is included in the fiscal year 2003-05 District Operational Plan. If approved, this request will result in an increase of approximately \$365,000 in fiscal year 2003-04 revenues, consistent with the Operational Plan. It will not require additional staff years.

Business Impact Statement

Under this recommendation, overall permit-related fee revenues will increase by approximately \$365,000 (5.4%). Fees charged to some District business customers will increase, fees for other customers will decrease. The proposed amendments to Rule 40 were discussed with District business customers at a public workshop held on July 2, 2003.

Advisory Board Statement

The Air Pollution Control District Advisory Committee considered the proposed Rule 40 revisions at its July 17, 2003, meeting. The Advisory Committee recommended approval.

BACKGROUND:

State law authorizes the District to adopt a schedule of fees to recover the full cost of District programs related to permitted stationary sources not otherwise funded. Permit-related programs account for 77% of total District costs, while permit-related business fees account for 54% of District revenue. State and federal grants, and asbestos program fees fund the remaining District permit program costs.

The District operates a permit program to ensure local business and government facilities comply with federal, state, and local air pollution control laws. The District reviews plans for

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new and expanding sources, conducts periodic compliance inspections, performs and witnesses emissions testing, and provides compliance information outreach to assist businesses in compliance efforts. Currently, there are 4,115 sources maintaining 12,593 permits.

A methodology recommended by the Board-appointed Fee Review Group consisting of large and small businesses having District permits and adopted by the Air Pollution Control Board in 1998 is used to calculate fees for initial permit applications and annual permit renewals. The methodology applies a uniform hourly rate for each job classification (e.g., engineer, inspector, chemist). This hourly rate is intended to recover directly billable labor costs as well as permit-related costs not directly billable to permitted sources such as supervision, training, records maintenance, accounting, labor tracking, permit streamlining efforts, and fee development.

District fees were last revised on June 20, 2001 (APCB #1). At that time, the Board approved a one-year 10% discount applied to fiscal year (FY) 2001-02 permit fees which saved District business customers approximately \$639,000. The revenue reduction from this discount was offset by the use of salary savings in FY 2000-01. The District did not propose a fee increase for FY 2002-03 and absorbed cost increases and used revenue generated from the expiration of the 10% discount, as well as salary savings to offset cost increases.

For FY 2003-04, District operating costs are expected to increase \$4.1 million primarily due to increases in salaries and benefits (\$2.6 million), information technology costs (\$0.3 million), building lease (\$0.1 million), and other services and supplies (\$1.1 million). The District reduced the increase by \$1.5 million by reducing staff, cutting operating expenses, deferring expenditures for relocating District offices, and deferring replacement of vehicles. In addition, a higher allocation rate from the motor vehicle registration fund approved by the Board as part of the 2003-04 operating budget will cover increases in costs for motor vehicle-related programs. The amendments to Rule 40 will increase permit revenues by approximately \$365,000 (5.4%) to help recover increasing permit-related costs. District salary savings will be used to offset the remaining cost increases to mitigate the need for a higher level of fee increases. As a result, the additional fee revenues do not fully recover the cost of operating permit-related programs.

Permit Renewal Fees

Permit renewal fees are calculated to recover costs related to permit inspections and permit system maintenance. Fixed permit renewal fees are based on the average actual labor hours for each specific type of equipment and the Rule 40, Fee Schedule 94, labor rates. Average renewal hours for each fee schedule are based on data for the last five years. Over 94% of permitted equipment is charged fixed renewal fees and the remaining 5% is charged time-and-materials (T+M) based fees. Under the amendments to Rule 40, 105 (58%) of the fixed fee schedules will decrease an average of \$83 while 69 (38%) will increase an average of \$98 due to more stringent emission standards, increased compliance issues, and implementation of Air Resources Board audit recommendations to increase inspection frequency. For example, the permit renewal fee for small surface coating operations [Schedule 27(d)] is being decreased \$37 (13%), while the renewal fee for perchloroethylene dry cleaners [Schedule 31(a)] is being increased \$35 (10%), the latter due to increased compliance issues associated with toxic air contaminant requirements.

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The District incurs more labor hours for some facilities requiring assistance and oversight to bring them into compliance. District regulations require separate fee schedules for facilities with higher associated costs that would otherwise cause the renewal fees for other facilities in the same equipment category to increase by more than 10%. Five new fee schedules will be established for such facilities whose costs significantly exceeded the 10% threshold.

Application Fees

Application fees recover costs related to evaluating applications for Authority to Construct and Permit to Operate equipment subject to District regulations. Fixed application fees are based on the average hours over the last five years to evaluate an initial permit application or modification for each type of equipment, and are established for equipment requiring relatively consistent labor hours. T+M fees are used for equipment or processes where labor hours vary significantly from one application to another or when there is a lack of historic data for estimating the hours to complete an application evaluation.

Of the 194 application fee schedules, 66 are fixed and 128 are T+M. Fifty-five of the fixed fee schedules (83%) will increase an average of \$65 ranging from \$2 to \$550. For example, the permit application fee for gasoline service stations [Schedule 26(a)] will increase \$88 (6%) to recover increased labor costs. Ten fixed fee schedules (15%) will decrease an average of \$21 ranging from \$4 to \$46. One fixed fee schedule will not change.

Emissions Fees

Emission fees recover the costs associated with stationary source-related rule development, emissions inventory programs, certain Hearing Board-related activities and citizen complaint investigations. The Emissions Fee will increase from \$82 to \$92 per ton. The emissions fee rate has been held at \$82 per ton of emissions for five years, since the FY 1998-99 Rule 40 revisions, with a one-year 10% discount in FY 2001-02. The proposed increase means a \$10 per year emission fee increase for the majority of businesses paying an emissions fee based on an average one ton per year emissions. Overall emissions of air contaminants from stationary sources are decreasing (due to several factors including significant reductions associated with air contaminant control regulations) so that, despite the proposed increase in the emission fee rate, overall revenues from emission fees are expected to decline by approximately \$159,000.

Emissions Source Testing Fees

The emissions source testing and test witnessing fee schedules recover costs associated with testing or witnessing testing of equipment at sources to determine compliance. They consist of seven schedules with fixed fees and 17 schedules with T+M-based fees. Three fixed fee schedules are increasing by 24 percent, four fixed fee schedules are decreasing from 2 to 33 percent. Two new fee schedules are being added: schedule 92(d) will specify an annual fixed fee for each biennial cycle emissions source test (oxides of nitrogen and carbon monoxide tests); and, schedule 92(e) will specify a T+M-based fee for each ethylene oxide source test day. Fee schedule 92(l) is being reserved.

Labor Rates

Labor Rates in Fee Schedule 94 are being increased 5 percent to partially recover labor rate increases. While this does not reflect full-cost recovery, it provides sufficient permit fee revenue

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increases to meet the District's approved Operational Plan without imposing a significant overall business fee increase during current economic conditions. Pursuant to the Fee Review Group's fee development methodology, department-wide costs, including materials and supplies, not billable to a specific project are included in these hourly labor rates.

Linkage to the County of San Diego's Strategic Plan

The recommended changes to Rule 40 will provide increased permit-related revenues to partially offset District permit program costs. This program ensures compliance with federal, state, and local air pollution control laws, helps to protect children's health, promotes the health and well being of adults and seniors, and provides a safe and livable community by improving the environment for all residents of San Diego County.

Respectfully submitted,

A handwritten signature in black ink that reads "Richard J. Smith". The signature is written in a cursive style with a large, stylized "R" and "S".

ROBERT R. COPPER
Deputy Chief Administrative Officer

RICHARD J. SMITH
Air Pollution Control Officer

ATTACHMENTS

- A. Fee Schedules
- B. Resolution Amending Rule 40 of the District's Rules and Regulations
- C. Change Copy of Rule 40
- D. Workshop Report

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AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW

Written disclosure per County Charter
Section 1000.1 required

[X] Yes

12 7/29/05

☐ Yes

[X] No

GROUP/AGENCY FINANCE DIRECTOR

[X] Yes

R. Fernandez

☐ N/A

CHIEF FINANCIAL OFFICER

Requires Four Votes



[X] Yes

Hayes, R. A.

☐ N/A

☐ Yes

[X] No

**GROUP/AGENCY INFORMATION
TECHNOLOGY DIRECTOR**

☐ Yes

[X] N/A

CHIEF TECHNOLOGY OFFICER

☐ Yes

[X] N/A

DEPARTMENT OF HUMAN RESOURCES

☐ Yes

[X] N/A

Other Concurrence(s): N/A

ORIGINATING DEPARTMENT: Air Pollution Control District County of San Diego

CONTACT PERSON(S):

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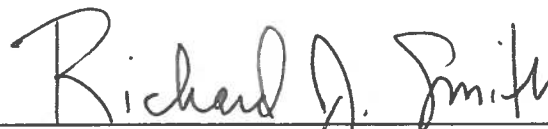
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AUTHORIZED REPRESENTATIVE:


Richard J. Smith, Air Pollution Control Officer

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AGENDA ITEM INFORMATION SHEET
(continued)

PREVIOUS RELEVANT BOARD ACTIONS:

June 20, 2001 (APCB #1), Revisions to Rule 40 – Permit and Other Fees; June 21, 2000 (APCB #1), Adopt Amendments To Rule 40 - Permit And Other Fees And Rule 42 – Hearing Board Fees; June 17, 1998 (APCB #3), Adopt Amendments To Rule 40 - Permit And Other Fees.

BOARD POLICIES APPLICABLE:

Policy B-29; Fees, Grants, Revenue Contracts-Department Responsibility for Cost Recovery

BOARD POLICY STATEMENTS:

N/A

CONTRACT NUMBER(S):

N/A

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DEPARTMENT: Air Pollution Control District

PROGRAM: Air Quality Control

PROPOSAL: Revision to Rule 40- Permit and Other Fees

	FUTURE YEARS ESTIMATED BUDGET OF PROPOSAL IF ADOPTED				
	(a)	(b)	(c)	(d)	(e)
	Budgeted Amount For Proposal	Proposed Change in Budgeted Amount	Proposed Revised Current Year Budget (a+b)	1st Subsequent Year	2nd Subsequent Year
Direct Cost	\$7,596,726	\$0	\$7,596,726	\$7,596,726	\$7,596,726
Revenue/Other Offset	\$7,596,726	\$0	\$7,596,726	\$7,596,726	\$7,596,726
NET GENERAL FUND COST	\$0	\$0	\$0	\$0	\$0
Staff Years	114.5	0.00	114.5	114.5	114.5

Sources of Revenue/Other Offset for Proposed Change and Subsequent Years:

Space-Related Impacts: Will this proposal result in any additional space requirements? ☐ Yes ☒ N/A

Support/Other Departmental Impacts: ☒ Yes ☐ N/A

The District is requesting approval to waive B-29 because the proposed fee amendments are not full cost recovery. The District is offsetting FY 2003-04 fee revenue with fund balance and other miscellaneous revenues.

Remarks: ☒ Yes ☐ N/A

This request is included in the FY 03-05 District Operational Plan. This request will generate revenues from fees, licenses and permits of approximately \$6,900,971. Other sources of revenues are other miscellaneous revenues (\$20,500) and fund balance (\$675,255).

FEE SCHEDULES

ATTACHMENT A

Fee Sched.	Description	Application Fee			Renewal Fee		
		Old	New	Inc (Dec)	Old	New	Inc (Dec)
	Schedule 1: Abrasive Blasting Equipment Excluding Rooms and Booths						
01 A	Each Pot 100 pounds capacity or larger with no Peripheral Equipment	\$429	\$441	\$12	\$60	\$53	(\$7)
01 B	Each Pot 100 pounds capacity or larger loaded Pneumatically or from Storage Hoppers	\$774	\$815	\$41	\$52	\$54	\$2
01 C	Each Bulk Abrasive Blasting Material Storage System	\$1,061	\$1,116	\$55	\$52	\$55	\$3
01 D	Each Spent Abrasive Handling System	\$946	\$988	\$42	\$70	\$64	(\$6)
01 X	Each Portable Abrasive Blasting Unit, Registered Under Rule 12.1	\$358	\$385	\$27	\$131	\$146	\$15
	Schedule 2: Abrasive Blasting Cabinets, Rooms and Booths						
02 A	Each Abrasive Blasting Cabinet, Room or Booth	\$1,715	\$1,812	\$97	\$88	\$96	\$8
02 B	Each Cabinet, Room, or Booth with an Abrasive Transfer or Recycle System	\$1,564	\$1,635	\$71	\$106	\$98	(\$8)
	Schedule 3: Asphalt Roofing Kettles and Tankers used to Store, Heat, Transport, and Transfer Hot Asphalt						
03 A	Each Kettle or Tanker with capacity greater than 85 gallons	\$697	\$704	\$7	\$77	\$53	(\$24)
03 B	Each Kettle or Tanker with capacity greater than 85 gallons and requiring emission control equipment	T+RN	T+RN		\$242	\$226	(\$16)
03 W	Each Kettle or Tanker, Registered Under Rule 12	\$264	\$240	(\$24)	\$79	\$45	(\$34)
	Schedule 4: Hot-Mix Asphalt Paving Batch Plant						
04 A	Each Hot-Mix Asphalt Paving Batch Plant	T+RN	T+RN		\$969	\$1,120	\$151
	Schedule 5: Rock Drills						
05 A	Each Drill with water controls	\$777	\$836	\$59	\$43	\$64	\$21
05 B	Each Drill with controls other than water	T+RN	T+RN		\$35	\$43	\$8
05 W	Each Drill, Registered Under Rule 12	\$270	\$285	\$15	\$19	\$20	\$1
	Schedule 6: Sand, Rock, Aggregate Screens, and Other Screening Operations, when not used in Conjunction with other Permit Items in these Schedules						
06 A	Each Screen Set	\$1,511	\$1,535	\$24	\$171	\$123	(\$48)
06 X	Each Portable Sand and Gravel Screen Set, Registered Under Rule 12.1	\$331	\$307	(\$24)	\$138	\$104	(\$34)
	Schedule 7: Sand, Rock, and Aggregate Plants						
07 A	Each Crusher System (involves one or more primary crushers forming a primary crushing system or, one or more secondary crushers forming a secondary crusher system and each serving a single process line)	T+RN	T+RN		\$270	\$231	(\$39)
07 B	Each Screening System (involves all screens serving a given primary or secondary crusher system)	T+RN	T+RN		\$26	\$27	\$1
07 C	Each Loadout System (a loadout system is a set of conveyors chutes and hoppers used to load any single rail or road delivery container at any one time)	T+RN	T+RN		\$24	\$32	\$8
07 X	Each Portable Rock Crushing System, Registered Under Rule 12.1	\$475	\$537	\$62	\$130	\$174	\$44
	Schedule 8: Concrete Batch Plants, Concrete Mixers over One Cubic Yard Capacity and Separate Cement Silo Systems						
08 A	Each Concrete Batch Plant (including Cement-Treated Base Plants)	T+RN	T+RN		\$284	\$243	(\$41)
08 B	Each Mixer over one cubic yard capacity	T+RN	T+RN		\$85	\$80	(\$5)
08 C	Each Cement or Fly Ash Silo System not part of another system requiring a Permit	T+RN	T+RN		\$96	\$111	\$15
08 X	Each Portable Concrete Batch Plant, Registered Under Rule 12.1	\$313	\$352	\$39	\$132	\$161	\$29
	Schedule 9: Concrete Product Manufacturing Plants						
09 A	Each Plant	T+RN	T+RN		\$220	\$209	(\$11)
	Schedule 11: Tire Buffers						
11 A	Each Buffer	T+RN	T+RN		\$238	\$161	(\$77)
	Schedule 12: Smoke Houses						
12 H	Each Smoke House	T+RN	T+RN		\$147	\$166	\$19
	Schedule 13: Boilers and Heaters						
13 A	Each 1 MM BTU/HR up to but not including 50 MM BTU/HR input	\$1,632	\$1,709	\$77	\$191	\$193	\$2
13 B	Each 50 MM BTU/HR up to but not including 250 MM BTU/HR	T+RN	T+RN		\$344	\$333	(\$11)

Fee Sched.	Description	Application Fee			Renewal Fee		
		Old	New	Inc (Dec)	Old	New	Inc (Dec)
13 C	Each 250 MM BTU/HR up to 1050 MM BTU/HR input, or up to but not including 100 Megawatt gross output, whichever is greater (based on an average boiler efficiency of 32.5%)	T+RN	T+RN		T+RN	T+M	
13 D	Each 100 Megawatt output or greater (based on an average boiler efficiency of 32.5%)	T+RN	T+RN		\$2,402	\$3,718	\$1,316
13 F	Each 1 MM BTU/HR up to but not including 50 MM BTU/HR input at a single site where more than 5 such units are located	\$1,443	\$1,495	\$52	\$76	\$55	(\$21)
13 G	Each 250 MM BTU/HR up to 1050 MM BTU/HR input or up to but not including 100 Megawatt gross output, whichever is greater, where a Notice of Intention has been filed with the California Energy Commission	T+RN	T+RN		T+RN	T+M	
13 H	Each 100 Megawatt gross output or greater where a Notice of Intention has been filed with the California Energy Commission Schedule 14: Non-Municipal Incinerators	T+RN	T+RN		T+RN	T+M	
14 A	Waste burning capacity up to and including 100 lbs/hr	T+RN	T+RN		\$359	\$269	(\$90)
14 B	Waste burning capacity greater than 100 lbs/hr	T+RN	T+RN		\$569	\$399	(\$170)
14 C	Burning capacity up to and including 50 lbs/hr used exclusively for the incineration or cremation of animals	T+RN	T+RN		\$426	\$279	(\$147)
14 D	Emission Controls or Modification for ATCM Schedule 15: Burn-Out Ovens	T+RN	T+RN				
15 A	Each Electric Motor/Armature Refurbishing Oven	T+RN	T+RN		\$115	\$105	(\$10)
15 C	Each IC Engine Parts Refurbishing Unit	T+RN	T+RN		\$150	\$122	(\$28)
15 D	USN SIMA (4845C) - New FY 03/04 Schedule 18: Metal Melting Devices	T+RN	T+RN		\$150	\$364	\$214
18 C	Each Pit or Stationary Crucible	T+RN	T+RN		\$404	\$489	\$85
18 D	Each Pot Furnace	\$1,869	\$1,965	\$96	\$161	\$164	\$3
18 E	Each Induction Furnace Schedule 19: Oil Quenching and Salt Baths	T+RN	T+RN		\$152	\$107	(\$45)
19 A	Each Tank Schedule 20: Gas Turbine Engines, Test Cells and Test Stands	T+RN	T+RN		\$115	\$100	(\$15)
20 A	Each Aircraft Propulsion Turbine, Turboshift, Turbojet or Turbofan Engine Test Cell or Stand	T+RN	T+RN		\$234	\$205	(\$29)
20 B	Each Aircraft Propulsion Test Cell or Stand at a facility where more than one such unit is located	T+RN	T+RN		\$173	\$133	(\$40)
20 C	Each Non-Aircraft Turbine Test Cell or Stand	T+RN	T+RN		\$53	\$44	(\$9)
20 D	Each Non-Aircraft Turbine Engine 1 MM BTU/HR up to but not including 50 MM BTU/HR input	T+RN	T+RN		\$383	\$445	\$62
20 E	Each Non-Aircraft Turbine Engine 1 MM BTU/HR up to but not including 50 MM BTU/HR input	T+RN	T+RN		\$1,934	\$3,555	\$1,621
20 F	Each Non-Aircraft Turbine Engine 250 MM BTU/HR or greater input	T+RN	T+RN		\$1,583	\$2,059	\$476
20 G	Each Unit used solely for Peak Load Electric Generation	T+RN	T+RN		\$164	\$277	\$113
20 H	Each Standby Gas Turbine used for Emergency Power Generation Schedule 21: Waste Disposal and Reclamation Units	T+RN	T+RN		\$52	\$33	(\$19)
21 A	Each Paper or Wood Shredder or Hammermill Grinder Schedule 22: Feed and Grain Mills and Kelp Processing Plants	T+RN	T+RN		\$301	\$205	(\$96)
22 A	Each Receiving System (includes Silos)	T+RN	T+RN		\$709	\$481	(\$228)
22 B	Each Grinder, Cracker, or Roll Mill	T+RN	T+RN		\$138	\$85	(\$53)
22 C	Each Shaker Stack, Screen Set, Pelletizer System, Grain Cleaner, or Hammermill	T+RN	T+RN		\$26	\$47	\$21
22 D	Each Mixer System	T+RN	T+RN		\$113	\$85	(\$28)
22 E	Each Truck or Rail Loading System	T+RN	T+RN		\$70	\$85	\$15
22 F	CP Kelco: Shaker, Screen, Pelletizer, Cleaner, Hammermill (ID #203A)* Schedule 23: Bulk Terminal Grain and Dry Chemical Transfer and Storage Facility Equipment	T+RN	T+RN		\$435	\$479	\$44
23 A	Each Receiving System (Railroad, Ship and Truck Unloading)	T+RN	T+RN		\$366	\$158	(\$208)
23 B	Each Storage Silo System	\$1,014	\$992	(\$22)	\$173	\$107	(\$66)
23 C	Each Loadout Station System	T+RN	T+RN		\$69	\$55	(\$14)
23 D	Each Belt Transfer Station	T+RN	T+RN		\$27	\$10	(\$17)
23 E	North American Terminal (258A) New FY 03/04	T+RN	T+RN		\$366	\$676	\$310

Fee Sched.	Description	Application Fee			Renewal Fee		
		Old	New	Inc (Dec)	Old	New	Inc (Dec)
	Schedule 24: Dry Chemical Mixing						
24 A	Each Grain Mixing System (includes receiving, transfer, mixing or blending, storage, and loadout bagging)	T+RN	T+RN		\$242	\$139	(\$103)
24 C	Each Dry Chemical Mixer with capacity over one-half cubic yard	T+RN	T+RN		\$181	\$193	\$12
	Schedule 25: Volatile Organic Compound Terminals, Bulk Plants and Intermediate Refueler Facilities						
	Bulk Plants and Bulk Terminals equipped with or proposed to be equipped with a vapor processor						
25 A	Per Tank	T+RN	T+RN		\$412	\$534	\$122
25 B	Tank Rim Seal Replacement	T+RN	T+RN		n/a	n/a	
25 C	Per Truck Loading Head	T+RN	T+RN		\$89	\$91	\$2
25 D	Per Vapor Processor	T+RN	T+RN		\$1,340	\$1,308	(\$32)
	Bulk Plants not equipped with or not proposed to be equipped with a vapor processor						
25 E	Per Tank	T+RN	T+RN		\$43	\$35	(\$8)
25 F	Per Truck Loading Head	T+RN	T+RN		\$30	\$26	(\$4)
	Facilities fueling intermediate refuelers (IR's) for subsequent fueling of motor vehicles, boats, or aircraft:						
25 H	Per IR Loading Connector	T+RN	T+RN		\$74	\$60	(\$14)
	Schedule 26: Non-Bulk Volatile Organic Compound Dispensing Facilities. Subject to District Rules 61.0 through 61.6						
26 A	Initial installations and total renovations where Phase I and Phase II controls are required (includes Phase I fee), except where Fee Schedule 26(f) applies	\$1,549	\$1,637	\$88	\$42	\$52	\$10
26 C	Facilities where only Phase I controls are required (includes tank replacement)	\$816	\$840	\$24	\$116	\$104	(\$12)
26 E	Non-retail facilities with 260-550 gallon tanks and no other non-bulk gasoline dispensing permits	\$464	\$457	(\$7)	\$102	\$78	(\$24)
26 F	Phase II Bootless or Mini-Booted Nozzle Vacuum Assist System facility	\$1,949	\$2,064	\$115	\$81	\$99	\$18
	Schedule 27: Application of Materials Containing Organic Solvents (includes coatings, adhesives, and other materials containing volatile organic compounds (VOC))						
27 A	First Permit to Operate for Marine Coating application at facilities emitting ≤10 tons/year of VOC from Marine Coating Operations	\$1,940	\$2,058	\$118	\$274	\$306	\$32
27 B	First Permit to Operate for Marine Coating application at facilities emitting > 10 tons/year of VOC from Marine Coating Operations	\$2,921	\$2,921	\$0	\$744	\$926	\$182
27 C	Each additional Permit Unit for Marine Coating application at existing permitted facilities	T+RN	T+RN		\$112	\$186	\$74
27 D	Each Surface Coating Application Station w/o control equipment and not covered by other fee schedules at facilities using > 1 gallon/day of surface coatings and emitting ≤5 tons/year of VOC from equipment in this fee schedule	\$1,240	\$1,254	\$14	\$288	\$251	(\$37)
27 E	Each Surface Coating Application Station w/o control equipment and not covered by other fee schedules at facilities emitting > 5 tons/year of VOC from equipment in this fee schedule	T+RN	T+RN		\$488	\$384	(\$104)
27 F	Each Fiberglass, Plastic or Foam Product Process Line at facilities emitting ≤10 tons/year of VOC from fiberglass, plastic or foam products operations	\$1,859	\$1,870	\$11	\$343	\$274	(\$69)
27 G	Each Fiberglass, Plastic or Foam Product Process Line at facilities emitting > 10 tons/year of VOC from fiberglass, plastic or foam products operations	\$2,262	\$2,309	\$47	\$266	\$211	(\$55)
27 I	Each Surface Coating Application Station requiring Control Equipment	T+RN	T+RN		\$2,566	\$1,643	(\$923)
27 J	Each Surface Coating Application Station subject to Rule 67.3 or 67.9 w/o Control Equipment at facilities emitting ≤5 tons/year of VOC from equipment in this fee schedule	\$1,944	\$2,019	\$75	\$302	\$290	(\$12)
27 K	Each Surface Coating Application Station subject to Rule 67.3 or 67.9 w/o Control Equipment at facilities emitting > 5 tons/year of VOC from equipment in this fee schedule	T+RN	T+RN		\$215	\$222	\$7

Fee Sched.	Description	Application Fee			Renewal Fee		
		Old	New	Inc (Dec)	Old	New	Inc (Dec)
27 L	Each Wood Products Coating Application Station w/o Control Equipment at facilities using > 500 gallons/year of wood products coatings and emitting ≤5 tons/year of VOC from Wood Products Coating Operations	\$1,337	\$1,391	\$54	\$374	\$377	\$3
27 M	Each Wood Products Coating Application Station w/o Control Equipment at facilities emitting > 5 tons/ year of VOC from Wood Products Coating Operations	\$1,435	\$1,417	(\$18)	\$270	\$192	(\$78)
27 N	Each Press or Operation at a Printing or Graphic Arts facility subject to Rule 67.16	\$925	\$950	\$25	\$141	\$123	(\$18)
27 P	Each Surface Coating Application Station w/o control equipment (except automotive painting) where combined coating, and cleaning solvent usage is < 1 gallon/day or < 50 gallons/year	\$1,228	\$1,195	(\$33)	\$330	\$249	(\$81)
27 Q	Each Wood Products Coating Application Station of coatings and stripper w/o control equipment at a facility using < 500 gallons/year for Wood Products Coating Operations	\$1,144	\$1,141	(\$3)	\$314	\$266	(\$48)
27 R	Each facility applying < 5 gallons/day of Coating Materials subject to Rule 67.20 (as applied or sprayed)	\$1,690	\$1,811	\$121	\$371	\$424	\$53
27 S	Each facility applying > 5 gallons/day of Coating Materials subject to Rule 67.20 (as applied or sprayed)	\$1,397	\$1,481	\$84	\$345	\$373	\$28
27 T	First Permit to Operate for Marine Coating application at facilities where combined coating and cleaning solvent usage is < 3 gallons/day and <100 gallons/year	\$875	\$880	\$5	\$218	\$187	(\$31)
27 U	Each Adhesive Materials Application Station w/o control equipment at facilities emitting ≤5 tons/year of VOC from equipment in this fee schedule	\$1,174	\$1,198	\$24	\$225	\$198	(\$27)
27 V	Each Adhesive Materials Application Station w/o control equipment at facilities emitting > 5 tons/year of VOC from equipment in this fee schedule	\$1,352	\$1,435	\$83	\$261	\$288	\$27
27 W	Each Adhesive Materials Application Station w/o control equipment where adhesive materials usage is < 55 gallons/year	\$1,032	\$1,068	\$36	\$207	\$198	(\$9)
27 X	US Navy Shipyard Pt. Loma – (ID #2643D*)	T+RN	T+RN		\$606	\$600	(\$6)
27 Z	NASSCO - (ID #253A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$744	\$1,512	\$768
	Schedule 28: Vapor and Cold Solvent Cleaning Operations and Metal Inspection Tanks						
28 A	Each Vapor Degreaser with an Air Vapor Interfacial area > 5 square feet	T+RN	T+RN		\$208	\$206	(\$2)
28 B	Each Cold Solvent Degreaser with liquid surface area > 5 square feet	\$935	\$963	\$28	\$63	\$45	(\$18)
28 C	Each Corrosion Control Cart	T+RN	T+RN		\$342	\$290	(\$52)
28 D	Each Paint Stripping Tank	\$1,327	\$1,397	\$70	\$160	\$170	\$10
28 F	Remote Reservoir Cleaners	\$338	\$341	\$3	\$69	\$58	(\$11)
28 H	Vapor Degreaser with an Air-Vapor Interfacial area ≤5 square feet	\$459	\$489	\$30	\$88	\$98	\$10
28 I	Cold Solvent Degreaser with a liquid surface area ≤5 square feet	\$386	\$388	\$2	\$80	\$65	(\$15)
28 J	Metal Inspection Tanks	\$751	\$781	\$30	\$77	\$70	(\$7)
28 K	Contract Service Remote Reservoir Cleaners with > 100 units	T+RN	T+RN		\$8	\$10	\$2
28 L	Contract Service Cold Degreasers with a liquid surface area of ≤5 square feet	T+RN	T+RN		\$8	\$12	\$4
28 M	Each facility-wide Solvent Application Operation	T+RN	T+RN		T+RN	T+M	
	Schedule 29: Automated Soldering Equipment						
29 A	Each Solder Leveler	\$1,818	\$1,877	\$59	\$165	\$134	(\$31)
	Schedule 30: Solvent and Extract Dryers						
30 A	Kelp and Biogum Products Solvent Dryer	T+RN	T+RN		\$1,587	\$1,505	(\$82)
	Schedule 31: Dry Cleaning Facilities						
31 A	Each Facility using Halogenated Hydrocarbon Solvents required to install Control Equipment	\$1,127	\$1,205	\$78	\$335	\$370	\$35
31 B	Each Facility using Petroleum Based Solvents	T+RN	T+RN		\$274	\$271	(\$3)
31 C	Each Facility using Solvents not required to install Control Equipment	T+RN	T+RN		\$178	\$107	(\$71)
	Schedule 32: Acid Chemical Milling, Copper Etching and Hot Dip Galvanizing						
32 A	Each Copper Etching Tank	T+RN	T+RN		\$233	\$309	\$76
32 B	Each Acid Chemical Milling Tank	T+RN	T+RN		\$358	\$160	(\$198)

Fee Sched.	Description	Application Fee			Renewal Fee		
		Old	New	Inc (Dec)	Old	New	Inc (Dec)
32 C	Each Hot Dip Galvanizing Tank	T+RN	T+RN		\$191	\$85	(\$106)
32 D	Rohr (ID #301A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$1,037	\$1,687	\$650
	Schedule 33: Can and Coil Manufacturing and Coating Operations						
33 A	Each Process Line	T+RN	T+RN		\$296	\$238	(\$58)
	Schedule 34: Piston Type Internal Combustion Engines						
34 A	Each Cogeneration Engine with in-stack Emission Controls	T+RN	T+RN		\$296	\$276	(\$20)
34 B	Each Cogeneration Engine with Engine Design Emission Controls	T+RN	T+RN		\$254	\$324	\$70
34 C	Each Emergency Standby Engine (for electrical or fuel interruptions beyond control of Permittee)	\$1,535	\$1,607	\$72	\$104	\$100	(\$4)
34 D	Each Engine for Non-Emergency and Non-Cogeneration Operation	\$1,380	\$1,510	\$130	\$171	\$237	\$66
34 E	Each Grouping of Engines for Dredging or Crane Operation with total engine horsepower > 200 HP	T+RN	T+RN		\$168	\$133	(\$35)
34 F	Each Diesel Pile-Driving Hammer	T+RN	T+RN		\$105	\$105	\$0
34 G	Each Engine for Non-Emergency and Non-Cogeneration Operation < 200 horsepower	\$1,407	\$1,483	\$76	\$77	\$83	\$6
34 H	Each California Certified Emergency Standby Engine (for electrical or fuel interruptions beyond control of Permittee)	\$1,300	\$1,353	\$53	\$252	\$97	(\$155)
34 I	Each Internal Combustion Engine Test Cell and Test Stand	T+RN	T+RN		n/a	\$220	
34 J	SDG&E (ID # 96062A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$171	\$2,896	\$2,725
34 W	Each Specified Eligible Engine, Registered Under Rule 12	\$308	\$313	\$5	\$70	\$62	(\$8)
34 X	Each Specified Eligible Portable Engine, Registered Under Rule 12.1	\$363	\$352	(\$11)	\$125	\$101	(\$24)
34 Z	Each Specified Eligible Engine, Registered Under Rule 12, Conversion from Valid Permit	\$227	\$239	\$12	n/a	n/a	
	Schedule 35: Bulk Flour, Powdered Sugar and Dry Chemical Storage Systems						
35 A	Each System	T+RN	T+RN		\$142	\$144	\$2
	Schedule 36: Grinding Booths and Rooms						
36 A	Each Booth or Room	\$1,571	\$1,637	\$66	\$125	\$115	(\$10)
	Schedule 37: Plasma Electric and Ceramic Deposition Spray Booths						
37 A	Each Application Station	T+RN	T+RN		\$274	\$246	(\$28)
37 B	GKN Aerospace Chemtronics (ID # 72A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$639	\$619	(\$20)
37 C	Flame Spray (ID#507A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$274	\$325	\$51
	Schedule 38: Paint, Adhesive, Stain, Ink, Solder Paste, and Dielectric Paste Manufacturing						
38 A	Each Process Line for Paint, Adhesive, Stain, or Ink Manufacturing at facilities producing > 10,000 gallons per year	T+RN	T+RN		\$185	\$222	\$37
38 B	Each Can Filling Line	T+RN	T+RN		\$107	\$187	\$80
38 C	Each Process Line for Solder Paste or Dielectric Paste Manufacturing	T+RN	T+RN		\$108	\$103	(\$5)
38 D	Each Paint, Adhesive, Stain or Ink Manufacturing facility producing <10,000 gallons per year	T+RN	T+RN		\$84	\$153	\$69
38 E	Frazee Paint - (ID # 935A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$287	\$229	(\$58)
	Schedule 39: Precious Metals Refining						
39 A	Each Process Line	T+RN	T+RN		\$144	\$138	(\$6)
	Schedule 40: Asphalt Pavement Heaters/Recyclers						
40 A	Each Processor	\$1,193	\$1,260	\$67	\$79	\$85	\$6
40 X	Each Portable Unheated Pavement Crushing and Recycling System, Registration Under Rule 12.1	\$444	\$427	(\$17)	\$122	\$89	(\$33)
	Schedule 41: Perlite Processing						
41 A	Each Process Line	T+RN	T+RN		\$1,239	\$562	(\$677)
41 B	Aztec Perlite - (ID # 2700A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$1,975	\$1,753	(\$222)
	Schedule 42: Electronic Component Manufacturing						
42 A	Each Process Line	T+RN	T+RN		\$364	\$318	(\$46)
42 B	Each Screen Printing Operation	T+RN	T+RN		\$191	\$193	\$2
42 C	Each Coating/Maskant Application Operation, excluding Conformal Operation	T+RN	T+RN		\$447	\$502	\$55
42 D	Each Conformal Coating Operation	T+RN	T+RN		\$138	\$155	\$17
42 F	Applied Micro Circuits - (ID # 6129A(Each operation)*)	T+RN	T+RN		\$1,014	\$861	(\$153)
42 G	Herco: Screen Printing Operation - (ID # 89211A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$526	\$525	(\$1)

Fee Sched.	Description	Application Fee			Renewal Fee		
		Old	New	Inc (Dec)	Old	New	Inc (Dec)
	Schedule 43: Ceramic Slip Casting						
43 A	Each Process Line	T+RN	T+RN		\$338	\$267	(\$71)
	Schedule 44: Evaporators, Dryers, & Stills Processing Organic Materials						
44 A	Evaporators and Dryers [other than those referenced in Fee Schedule 30 (a)] processing materials containing volatile organic compounds	T+RN	T+RN		\$301	\$238	(\$63)
44 B	Solvent Recovery Stills with a rated capacity equal to or greater than 7.5 gallons	\$1,295	\$1,334	\$39	\$79	\$54	(\$25)
	Schedule 45: Rubber Mixers						
45 A	Each Rubber Mixer	T+RN	T+RN		\$61	\$82	\$21
	Schedule 46: Filtration Membrane Manufacturing						
46 A	Each Process Line	T+RN	T+RN		\$697	\$609	(\$88)
46 B	Osmonics/Desalination Systems – (ID #5940B*)	T+RN	T+RN		\$1,130	\$1,008	(\$122)
46 C	Osmonics/Desalination Systems – (ID #85133A*)	T+RN	T+RN		\$1,324	\$1,423	\$99
46 E	Hydranautics - (ID #6236A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$1,293	\$958	(\$335)
	Schedule 47: Organic Gas Sterilizers						
47 A	Each Organic Gas Sterilizer requiring control	T+RN	T+RN		\$705	\$568	(\$137)
47 B	Each Stand Alone Organic Gas Aerator requiring control	T+RN	T+RN		T+RN	T+M	
47 C	Each Organic Gas Sterilizer not requiring control	T+RN	T+RN		\$155	\$172	\$17
	Schedule 48: Municipal Waste Storage and Processing						
48 A	Each Waste Disposal Site not equipped with Emission Collection & Control System	T+RN	T+RN		\$1,855	\$2,036	\$181
48 B	Each Temporary Storage and/or Transfer Station	T+RN	T+RN		T+RN	T+M	
48 C	Each Waste Disposal Site/Landfill equipped with Emission Collection & Control System(s)	T+RN	T+RN		\$1,696	\$936	(\$760)
	Schedule 49: Non-Operational Status Equipment						
49 A	Non-Operational Status Equipment	\$75	\$90	\$15	\$30	\$20	(\$10)
49 B	Activating Non-Operational Status Equipment	\$124	\$130	\$6	n/a	n/a	
	Schedule 50: Coffee Roasters						
50 A	Each Coffee Roaster	\$2,017	\$1,971	(\$46)	\$392	\$265	(\$127)
	Schedule 51: Industrial Waste Water Treatment						
51 A	Each On-site Processing Line	\$1,148	\$1,697	\$549	\$249	\$181	(\$68)
51 B	Each Offsite Processing Line	T+RN	T+RN		T+RN	T+M	
	Schedule 52: Air Stripping & Soil Remediation Equipment						
52 A	Air Stripping Equipment	T+RN	T+RN		\$145	\$163	\$18
52 B	Soil Remediation Equipment - On-site (In situ Only)	\$3,060	\$3,130	\$70	\$319	\$242	(\$77)
52 C	Soil Remediation Equipment - Offsite & On-site (ex situ)	T+RN	T+RN		\$555	\$526	(\$29)
52 D	Contaminated Soil Excavation	T+RN	T+RN		T+RN	T+M	
52 E	Chevron USA – (ID # 90352A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$683	\$391	(\$292)
	Schedule 53: Lens Casting Equipment						
53 A	Each Lens Casting Line	T+RN	T+RN		\$407	\$341	(\$66)
53 B	Each Lens Coating Line	T+RN	T+RN		\$64	\$24	(\$40)
	Schedule 54: Pharmaceutical Manufacturing						
54 A	Each Pharmaceutical Manufacturing Process Line	T+RN	T+RN		\$355	\$261	(\$94)
54 C	J & D Laboratories (ID # 97022A) Pursuant to Subsection (c)(4)	T+RN	T+RN		\$1,272	\$1,341	\$69
	Schedule 55: Hexavalent Chromium Plating and Anodizing Tanks						
55 A	Each Hard or Decorative Chrome plating and/or Anodizing Tank or Group of Tanks Served by an Emission Control System	T+RN	T+RN		\$1,002	\$982	(\$20)
55 B	Each Decorative Plating Tank without Add-on Emission Controls	T+RN	T+RN		\$890	\$921	\$31
55 C	Each Hard Chrome Plating or Anodizing Tank without Add-on Emission Controls	T+RN	T+RN		\$1,429	\$1,543	\$114
	Schedule 56: Sewage Treatment Facilities						
56 A	Each Sewage Treatment Facility	T+RN	T+RN		\$2,848	\$2,526	(\$322)
56 B	Each Wastewater Odor Treatment System that is not part of a Permitted Sewage Treatment Facility	T+RN	T+RN		T+RN	T+M	
	Schedule 58: Bakeries						
58 A	Bakery Ovens at Facilities with Emission Controls Pursuant to Rule 67.24	T+RN	T+RN		T+RN	T+M	
58 B	Bakery Ovens at Other Facilities	T+RN	T+RN		\$260	\$167	(\$93)

Fee Sched.	Description	Application Fee			Renewal Fee		
		Old	New	Inc (Dec)	Old	New	Inc (Dec)
	Schedule 59: Asbestos Control Equipment						
59 B	Portable Asbestos Bead Blast Machine	\$1,192	\$1,203	\$11	\$252	\$263	\$11
59 C	Portable Asbestos Mastic Removal Application Station	\$1,041	\$1,423	\$382	\$252	\$263	\$11

	Schedule 92: Source Testing Performed by the District			
92 A	Each Particulate Matter Source Test	\$2,990	\$3,709	\$719
92 B	Annual Fee for each 5-year Cycle for Incinerator Particulate Matter Source Test with Waste Burning Capacity of <100 lbs Per Hour	\$738	\$916	\$178
92 C	Each Oxides of Sulfur Source Test	T+M	T+M	
92 D	Annual Fee for each Biennial Cycle Test (NOx & CO)	n/a	\$660	\$660
92 E	Each Ethylene Oxide Source Test Day (1/2 cost of one test)	\$2,021	T+M	
92 F	Each Carbon Monoxide and Oxides of Nitrogen Source Test	\$1,775	\$1,319	(\$456)
92 G	Each Oxides of Nitrogen Source Test	\$1,420	\$953	(\$467)
92 H	Each Incinerator Particulate Matter Source Test with Waste Burning Capacity of >100 lbs Per Hour	T+M	T+M	
92 I	Each Ammonia Slippage Source Test	\$650	\$636	(\$14)
92 J	Continuous Emission Monitor Evaluation	T+M	T+M	
92 M	Each Mass Emissions Source Test	T+M	T+M	
92 O	Each Multiple Metals Source Test	T+M	T+M	
92 P	Each Chromium Source Test	T+M	T+M	
92 Q	Each VOC Onsite Analysis	T+M	T+M	
92 R	Each VOC Offsite Analysis	T+M	T+M	
92 S	Each Hydrogen Sulfide Source Test	T+M	T+M	
92 T	Each Acid Gases Source Test	T+M	T+M	
92 U	Annual Fee for each 5-year Test Cycle for Particulate Matter Source Testing at Perlite Plants (1/5 the cost of one test)	\$598	\$742	\$144
92 V	Annual Fee for Optional Source Test Pilot Study (1/2 the cost of one test)	T+M	T+M	
92 Z	Miscellaneous Source Test (Special Tests not listed)	T+M	T+M	
	Schedule 93: Witness of Source Tests Performed by Independent Contractors			
93 A	Observations	T+M	T+M	
93 B	Source Test Reports	T+M	T+M	
93 C	Test Procedure Review	T+M	T+M	
93 D	Each VOC Bulk Terminal Test Witness	T+M	T+M	
93 E	Each Ethylene Oxide Test Witness Day	\$2,005	\$1,568	(\$437)

Re Rules and Regulations of the)
 Air Pollution Control District)
 of San Diego County)

**RESOLUTION AMENDING RULE 40 OF REGULATION III
 OF THE RULES AND REGULATIONS OF THE
 SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT**

On motion of Member Jacob, seconded by Member Slater, the following resolution is adopted:

WHEREAS, the San Diego County Air Pollution Control Board, pursuant to Section 40702 of the Health and Safety Code, adopted Rules and Regulations of the Air Pollution Control District of San Diego County; and

WHEREAS, said Board now desires to amend said Rules and Regulations; and

WHEREAS, notice has been given and a public hearing has been had relating to the amendment of said Rules and Regulations pursuant to Section 40725 of the Health and Safety Code.

NOW THEREFORE IT IS RESOLVED AND ORDERED by the San Diego County Air Pollution Control Board that the Rules and Regulations of the Air Pollution Control District of San Diego County be and hereby are revised as follows:

Revisions to Rule 40 are to read as follows:

REGULATION III: FEES

RULE 40. PERMIT AND OTHER FEES (Effective: *(date of adoption)*,
 unless otherwise specified - see Section (e) and Fee Schedules)

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RULE 40. PERMIT AND OTHER FEES

(a) APPLICABILITY

(1) This rule shall be used to determine all fees charged by the District, as authorized by the Air Pollution Control Board, except for those specified in Rule 42 - Hearing Board Fees. These include, but are not limited to, fees for: applications, permits, renewals, source testing, asbestos demolition or renovation operation plans, cooling towers, emergency episode plans, grid searches, technical consultations, new or modified power plants, toxic hot spots, Title V Operating Permits, Synthetic Minor Source Permits, and Certificates of Exemption.

(2) This rule shall be used to determine refunds, forfeitures and insufficient payment of fees, if applicable.

(b) DEFINITIONS

The following definitions shall apply for terms used in this rule:

(1) "Annual Operating Fee" means all fees related to a permit that are paid on an annual basis. These include, but are not limited to the following: Site Identification (ID) Processing and Handling Fee, Permit Processing Fee, Emission Unit Renewal Fee, Air Contaminant Emissions Fee, District and State Air Toxic Hot Spots Fee, and Annual Source Test Fee.

(2) "Applicant" means the owner of the emission unit or operation, or an agent specified by the owner.

(3) "District" means the San Diego County Air Pollution Control District.

(4) "Emission Unit" means any article, machine, equipment, contrivance, process or process line, which emit(s) or reduce(s) or may emit or reduce the emission of any air contaminant.

(5) "Facility" means the same as "Stationary Source."

(6) "Initial Evaluation Fee" means the fee listed in Column (1) of the Fee Schedules, non-refundable processing fee and all other estimated applicable fees such as for Rule 20.2 and Rule 1200 compliance reviews.

(7) "Location" means the same as "Stationary Source."

(8) "Permit to Operate" or "permit" means any District authority to operate such as a Permit to Operate, Certificate of Registration, Certificate of Exemption or Synthetic Minor Source permit, unless otherwise specified.

(9) "Stationary Source" means an emission unit or aggregation of emission units which are located on the same or contiguous properties and which units are under common ownership or entitlement to use.

(10) "T+M" means time and material costs.

(11) "T+RN" means time and material costs plus renewal fees.

(12) "Valid Permit or Valid Authority to Construct" means a Permit or Authority to Construct for which all fees are current.

All other terms mean the same as defined in Rule 2 unless otherwise defined by an applicable rule or regulation.

(c) GENERAL PROVISIONS

(1) No application shall be considered received unless accompanied by the completed application and associated supplemental forms (if available) and the appropriate initial evaluation fees.

(2) All time and material (T+M) and time and renewal (T+RN) costs shall be determined using the labor rates specified in Schedule 94.

(3) A fee of \$11 shall be charged for a duplicate of a Permit to Operate, Certificate of Registration or Certificate of Exemption.

(4) If the Air Pollution Control Officer determines that the activities of any one company would cause an increase of at least 10 percent in any one Emission Unit Fee Schedule, the Air Pollution Control Officer may delete the costs attributed to that company from the cost data used to determine that type of Emission Unit Fee Schedule. The costs from such a company shall be recovered by development of a source-specific Emission Unit Fee Schedule. The specific Emission Unit Fee Schedules shall be submitted to the Air Pollution Control Board for consideration and adoption.

(5) If the Air Pollution Control Officer determines that a person has under-reported material usage, emissions or other information necessary for calculating an emissions inventory, and such under-reporting has led to an Air Contaminant Emissions Fee less than what would have been due if correct usage, emissions or other information had been reported, then the person shall pay the difference between the original and corrected Air Contaminant Emissions Fee plus a charge equal to 30 percent of the difference. Such charge shall not apply if the permittee demonstrates to the Air Pollution Control Officer's satisfaction that the under-reporting was the result of inadvertent error or omission which the permittee took all reasonable steps to avoid. Required fees not paid within 30 days of the due date shall be assessed a late fee in the amount prescribed in Section (g).

(d) AUTHORITY TO CONSTRUCT AND PERMIT TO OPERATE FEES

(1) General Provisions

(i) Every applicant for an Authority to Construct/Permit to Operate for any article, machine, equipment or other contrivance shall pay the applicable fees as specified in Section (d) for each emission unit.

(ii) A \$90 non-refundable processing fee shall be submitted with each application for an Authority to Construct/Permit to Operate, Change of Location, Change to an Existing Permit Unit, or Banking Emission Reduction Credits. This fee does not apply to applications for a Change of Ownership, Identical Replacement or Fee Schedules 49A or 49B.

(iii) When additional evaluation fees are required, the applicant shall deposit the amount estimated to cover the evaluation costs upon receipt of such an invoice. The District may stop work on the application until the invoiced amount is fully paid.

(iv) Initial Evaluation Fees and Emission Unit Renewal Fees shall be determined using the amounts listed in Columns (1) and (2) respectively, of the Fee Schedules provided within this rule.

(v) Credit card payments for fees exceeding \$5,000 will be assessed a surcharge of 3% of the amount paid by credit card. This surcharge covers fees assessed to the District by credit card providers.

(2) Initial Application Fees for an Authority to Construct/Permit to Operate

The Initial Application Fees for an Authority to Construct/Permit to Operate application shall include a Non-refundable Processing Fee, Initial Evaluation Fee, Air Contaminant Emissions Fee, and if applicable, an Additional Engineering Evaluation Fee.

Calculation Worksheet for Initial Application Fees

Non-refundable Processing Fee	\$90
Initial Evaluation Fee ¹	
Air Contaminant Emissions Fee ²	
Additional Engineering Evaluation Fees ³	

Total: \$ _____

Notes:

1. See Fee Schedule. If T+M, or T+RN fee is indicated, call the District for a fee estimate.
2. See Section (d)(4) to determine applicable fee, based on total facility emissions.
3. See Section (d)(5) to determine if additional fees are required, or call the District for a fee estimate.

(3) Initial Evaluation Fee

The Initial Evaluation Fee shall be determined based on the specific type of equipment, process or operation for which an application is submitted, as listed in Column (1) of the Fee Schedules provided within this rule.

(i) Where the fee specified in Column (1) is T+RN, the fee shall be the actual evaluation cost incurred by the District and either the specified Emission Unit Renewal Fee (Column (2)) or an estimated T+M renewal fee for the first year of operation. The applicant shall deposit the amount estimated to cover the actual evaluation cost at the time of application submittal.

(ii) If the equipment, process or operation for which an application is submitted is not listed in the Fee Schedules, the Initial Evaluation Fee shall be on a T+M basis, including the Emission Unit Renewal Fee, as specified in Fee Schedule 91.

(4) Air Contaminant Emissions Fees

The Air Contaminant Emissions Fee is an annual fee based on total air contaminant emissions from the stationary source, as specified below.

(i) For existing facilities, an Air Contaminant Emissions Fee shall not be collected as part of an Initial Application Fee, if the Air Contaminant Emissions Fee was paid as part of the most recent Annual Operating Fees.

(ii) For new facilities, the Air Contaminant Emissions Fee shall be paid with the first permit application filed for the new facility and based upon actual expected air contaminant emissions from the stationary source, as estimated by the District, for the calendar year in which the Permit to Operate is issued, as specified below. This fee shall remain unchanged until revised to reflect the most recent District approved emissions inventory report.

(A) If the actual expected emissions of carbon monoxide (CO), oxides of nitrogen (NOx), oxides of sulfur, particulate matter (PM₁₀) or volatile organic compounds equal or exceed five tons, then the Air Contaminant Emissions Fee shall be based on the total expected emissions of all these contaminants for that calendar year, multiplied by an air contaminant emissions fee rate of \$92 per ton.

(B) Table I – Air Contaminant Emissions Fee

For all other new facilities, a single Air Contaminant Emissions Fee shall be paid based on the following table using the Fee Schedule that is most representative of the nature of the activities at the stationary source:

<u>Fee Schedule</u>	<u>Source Category Description</u>	<u>Annual Emissions Fee</u>
26(a)	VOC dispensing facility - Phase I & Phase II controls required	\$10*
26(f)	VOC dispensing facility - Phase II bootless or mini-booted nozzle vacuum assist system	\$10*
28 (series)	Contract service solvent cleaning units (for contract companies with 100 or more units)	\$6 per cleaning unit
28(f)	Facilities with only remote reservoir units and no other permits at the facility	\$6 per cleaning unit
27(e)	Industrial surface coating applications	\$460
27(k)	Metal parts and aerospace coating applications	\$460
27(m)	Wood product coating applications	\$460
27(s)	Automotive painting operations	\$138
27(v)	Adhesive application operations	\$460
Various	All other stationary sources	\$92

* The total annual Emissions Fee for these units is calculated by multiplying the indicated fee, the number of nozzles and the number of product grades per nozzle. (Emissions Fee = indicated fee x number of nozzles x product grades per nozzle)

If the most representative nature of the activities cannot be determined for facilities with more than one source category description or fee schedule, the highest applicable annual emissions fee shall apply.

(5) Additional Engineering Evaluation Fees for New or Revised Applications

If an application requires the District to evaluate the emission unit for compliance with Rule 51, Rule 1200, Rules 20.1 through 20.8, Rules 26.0 through 26.10, Regulation X, Regulation XI, Regulation XII, a federal NESHAP, or state ATCM, the applicant shall pay the actual cost incurred by the District for the compliance evaluation, and any additional fees specified by this rule. The applicant shall deposit the amount estimated to cover the actual evaluation cost at the time of application submittal.

(6) Fees for Revisions to Valid Permits

The owner of a valid permit, or his agent, may submit an application to propose the types of changes listed below. The evaluation fee for a revision shall be based on the actual evaluation cost incurred by the District, not to exceed the Initial Evaluation Fee minus the Emission Unit Renewal Fee (Column (1) minus (2)), except as provided under Subsections (d)(5), (d)(6)(v), and (d)(6)(vi). The applicant shall deposit the amount estimated to cover the actual cost of evaluating the proposed change at the time of application submittal.

Calculation Worksheet for Modified Equipment Fees

Non-refundable Processing Fee	\$90
Evaluation Fee ¹	
Additional Engineering Evaluation Fees ²	

Total: \$_____

Notes:

1. See Fee Schedules, use Column (1) – (2). If T+M, or T+RN fee is indicated, call the District for a fee estimate.
2. See Section (d)(5) to determine if additional fees are required, or call the District for a fee estimate.

(i) Operational Change: An application which proposes an operational change of a valid permit.

(ii) Condition Change: An application which proposes a condition change of a valid permit.

(iii) Additions, Alterations and Replacement of Equipment: An application which proposes an addition, alteration or replacement of an emission unit described in a valid permit.

(iv) Review for a Change of Location: An application which proposes a change of location for an emission unit with a valid permit. An application is not required for any change of location within a stationary source or for a portable emission unit.

(v) Ownership Change: An application which proposes an ownership change for a valid permit shall pay a fee of \$90. The applicant shall demonstrate to the District's satisfaction proof of entitlement to the Permit to Operate at the time of application submittal.

(vi) Replacement Units per Rule 11 (d)(5)(ii): An application which proposes an emission unit description change to reflect an emission unit replaced pursuant to Rule 11(d)(5)(ii), shall pay a fee of \$90 if only the make or model of the emission unit is changed, or a fee of \$308 for all other eligible replacements.

(7) Fees for Revisions to Valid Authorities to Construct

The owner of a valid Authority to Construct, or his agent, may submit an application to propose the types of changes listed in Subsections (d)(6)(i thru v). The evaluation fee for a revision shall be based on the actual evaluation cost incurred by the District, not to exceed the Initial Evaluation Fee minus the Emission Unit Renewal Fee (Column (1) minus (2)), except as provided under Section (d)(5). The applicant shall deposit the amount estimated to cover the actual cost of evaluating the proposed change at the time of application submittal.

(8) Special Application Processing Provisions

(i) Reduced Fees for Similar Emission Units at a Single Stationary Source

If more than one application for an Authority to Construct/Permit to Operate is submitted at the same time for similar emission units at the same stationary source location, then the first emission unit shall be charged the Initial Application Fee as specified in Section (d)(2). Each additional emission unit shall be charged the Emission Unit Renewal Fee and the actual T+M costs incurred by the District to evaluate the emission unit and act upon the applications. The total cost for each additional emission unit shall not exceed the Initial Evaluation Fee (Column 1), except as provided under Section (d)(5).

This provision only applies to the extent that each emission unit will be operated independently, and the evaluation for an Authority to Construct for the first emission unit can be applied to the additional units because of similarity in design and operation, and each emission unit can be evaluated and inspected for a Permit to Operate at the same time. The provisions of this subsection shall not apply to Fee Schedules 3 and 26.

(ii) Reinspection Fees

If during an inspection for a Permit to Operate, an emission unit cannot be evaluated due to circumstances beyond the control of the District, the applicant shall pay the actual time and material costs of performing a reinspection. An estimated reinspection fee, as determined by the District, shall be deposited with the District prior to reinspection of the emission unit.

(iii) Split Fee Payments for Applications

An applicant may request a split payment of Evaluation Fees due to financial hardship. This request must be made in writing. The first payment, plus an

administrative fee of \$75 must be deposited with the application. The second payment is due no later than 60 days after filing the application.

(e) ANNUAL OPERATING FEES

Effective: July 1, 2003

(1) General Provisions

(i) Annual Operating Fees are due on an annual basis and shall be paid by any person who is required to maintain a Permit to Operate or Temporary Authorization pursuant to Rule 10(b).

(ii) Annual Operating Fees are due on the first day of the renewal month. Permits expire on the last day of the renewal month. Payments received after the permit expiration date are subject to the late fee provisions of Section (g).

(2) Annual Operating Fees

The following applicable fees shall be paid as part of the Annual Operating Fees: Site ID Processing and Handling Fee, Permit Processing Fee, Emission Unit Renewal Fee, Air Contaminant Emissions Fee, and if applicable, District and State Air Toxic Hot Spots Fee and Annual Source Test Fee.

Calculation Worksheet for Annual Operating Fees

Site ID Processing and Handling Fee	\$34
Permit Processing Fee (\$23 x number of permitted units)	
Emission Unit Renewal Fee (See (iii) below)	
Air Contaminant Emissions Fee (See (iv) below)	
District & State Air Toxic Hot Spots Fee (See (v) below)	
Annual Source Test Fee (See (vi) below)	

Total: \$_____

(i) Site ID Processing and Handling Fee: A processing fee of \$34 per stationary source.

(ii) Permit Processing Fee: A permit processing fee of \$23 per Permit to Operate. Permits held in an inactive status are not required to pay this fee.

(iii) Emission Unit Renewal Fee: An annual renewal fee, for each specific type of emission unit, as specified in the Fee Schedules (Column (2)).

(iv) Air Contaminant Emissions Fee: An annual Air Contaminant Emissions Fee based on total emissions from the stationary source, as specified below.

(A) For facilities with annual emissions of either carbon monoxide, oxides of nitrogen, oxides of sulfur, particulate matter (PM₁₀) or volatile organic compounds that equal or exceed five tons, as indicated by the most recent District approved emission inventory report or an initial evaluation made pursuant to Subsection (d)(4)(ii), the Air Contaminant Emissions Fee shall be based on the

total calendar year emissions of all these contaminants, multiplied by an air contaminant emissions fee rate of \$92 per ton.

(B) For all other facilities, a single Air Contaminant Emissions Fee shall be paid based on the following table using the Fee Schedule that is most representative of the nature of the activities at the stationary source:

<u>Fee Schedule</u>	<u>Source Category Description</u>	<u>Annual Emissions Fee</u>
26(a)	VOC dispensing facility - Phase I & Phase II controls required	\$10*
26(f)	VOC dispensing facility - Phase II bootless or mini-booted nozzle vacuum assist system	\$10*
28 (series)	Contract service solvent cleaning units (for contract companies with 100 or more units)	\$6 per cleaning unit
28(f)	Facilities with only remote reservoir units and no other permits at the facility	\$6 per cleaning unit
27(e)	Industrial surface coating applications	\$460
27(k)	Metal parts and aerospace coating applications	\$460
27(m)	Wood product coating applications	\$460
27(s)	Automotive painting operations	\$138
27(v)	Adhesive application operations	\$460
Various	All other stationary sources	\$92

* The total annual Emissions Fee for these units is calculated by multiplying the indicated fee, the number of nozzles and the number of product grades per nozzle. (Emissions Fee = indicated fee x number of nozzles x product grades per nozzle)

If the most representative nature of the activities cannot be determined for facilities with more than one source category description or fee schedule, the highest applicable annual emissions fee shall apply.

(v) District and State Air Toxic Hot Spots Fee: If applicable, the stationary source-specific fee required under the Air Toxics "Hot Spots" Information and Assessment Act. See Subsection (f)(7).

(vi) Annual Source Test Fee: If an annual source test is required, the applicable source test fee, as specified in Fee Schedules 92 and/or 93.

(3) Staggered Renewal Dates

The District may initiate, or the owner of a Permit to Operate may request in writing, to change the renewal month of all permits located at a single facility. When the established renewal month for a facility is changed to a new renewal month, the amount due for each permit shall be prorated to reflect the new renewal month. Revised permits will be issued after the prorated amount has been paid.

(4) Split Payment of Annual Operating Fees

Owners or operators may request a split payment of the Annual Operating Fees due to financial hardship. This request must be made in writing. The first payment, plus an administrative fee of \$75 must be deposited by the first day of the renewal month. The second payment is due no later than 60 days after the first day of the renewal month. The renewed permit will be issued after the second payment is made.

(f) SPECIFIC PROGRAM FEES

(1) General Provisions

For all of the applicable programs listed below, a late fee as described in Section (g) shall be assessed if the required fees are not paid within 30 days after the due date.

(2) Asbestos Demolition or Renovation Operation Plan

For each asbestos demolition or renovation operation plan subject to Regulation XI Subpart M (NESHAP), the owner or operator shall pay the applicable fees specified below. For projects where one notification is submitted for both renovation and demolition operations, the owner or operator shall pay both applicable renovation and demolition fees. Fees are due at the time a notification is submitted. Plans or revisions thereof will not be considered received unless accompanied with the required fees. The terms used below are defined in Regulation XI Subpart M.

<u>TYPE OF OPERATION</u>	<u>Fee</u>
Renovation Operation (excluding residential buildings having four or fewer dwelling units)	
>160 sq. ft. or >260 linear (ln). ft. to 500 sq. or ln. ft.	\$234
501 to 2,000 sq. or ln. ft.	\$312
2,001 to 5,000 sq. or ln. ft.	\$468
5,001 to 10,000 sq. or ln. ft.	\$780
>10,000 sq. or ln. ft.	\$936
Planned Renovation Operations	
Plan Fee (add to appropriate operation fee listed above)	\$225
Emergency Renovation Operations (add to appropriate renovation operation fee listed above)	\$327
Multiple Building Projects at the Same Facility (>100,000 sq. or ln. ft)	
Plan Fee (add to the operation fee and unit fee listed below.)	\$225
Operation Fee	\$1000
Per Unit Fee	\$45
Demolition Operation	
Regulated Asbestos Containing Material (RACM) sites or Non-RACM sites or sites with no asbestos present	\$309
Emergency Demolition Operations (add to demolition fee listed above)	\$327

TYPE OF OPERATION continued **Fee**

Revised Plan Fee for Renovations, Demolitions, Planned Renovations, and Emergency Operations **\$45**
(NOTE: a revision is defined as a change in the original start date or when the amount of asbestos changes by greater than or equal to 20%.)

Additional fees may be required if the revised amount of asbestos to be removed increases to a higher category. The additional fee will be the difference between the fee paid and the fee required for the new category.

(3) Cooling Towers

The owner or operator of any cooling tower(s) shall submit a compliance plan for the tower(s) to the District with the applicable fees. Circulating water test results shall also be submitted with the compliance plan if required by Rule 1202.

Plan Fee per facility	\$37
Each cooling tower	\$21

(4) Air Pollution Emergency Episode Plan Fee

The owner or operator of a facility for which a plan or a plan update is required by District Regulation VIII shall pay a \$142 evaluation fee for each plan or plan update, at the time the plan is submitted for review.

(5) Grid Search

Any school district, individual, business or agency that submits a request for the District to conduct a grid search to identify all facilities with the potential to emit hazardous air contaminants (pollutants) shall deposit an initial fee of \$350 at the time the grid search is requested. If the actual costs incurred are greater than the amount deposited, the school district, individual, business or agency that made the request shall submit an additional amount as specified by the District to recover the remaining actual costs of performing the grid search.

(6) New or Modified Power Plants

Any source subject to the requirements of Rule 20.5 Power Plants, shall reimburse the District for the actual costs incurred in order to comply with the provisions of Rule 20.5. The applicant shall deposit the amount estimated to cover the actual cost at the time of application submittal.

(7) Toxic Hot Spots

The owner or operator of a facility who has been identified by the District as being subject to the requirements of Health and Safety Code Section 44300 et seq. (the Air Toxics "Hot Spots" Information and Assessment Act), shall pay the applicable fees specified below to the District within 30 days of receipt of an invoice for the required fees.

(i) The owner or operator of a facility identified by the District as subject to any of the site-specific program requirements listed below shall pay an annual site-specific program fee. The amount of the site-specific program fee shall be equal to the actual costs incurred by the District associated with the site-specific program requirements for each affected facility.

(A) Toxic air contaminant emissions source testing when necessary to determine emissions for inclusion in a toxic air contaminant emissions inventory.

(B) Public health risk assessment or updated public health risk assessment pursuant to Health and Safety Code Section 44360 et seq. or Rule 1210 of these Rules and Regulations.

(C) Public notification of public health risks pursuant to Health and Safety Code Section 44362 or Rule 1210 of these Rules and Regulations.

(D) Facility toxic air contaminant risk reduction audit and plan pursuant to Health and Safety Code Section 44390 or Rule 1210 of these Rules and Regulations.

(ii) In addition to the fee specified in Subsection (f)(7)(i), the owner or operator of a facility subject to the requirements of Health and Safety Code Section 44300 et seq. shall pay an annual fee for the recovery of State program costs. The amount of the annual State program fee for each facility shall be that specified by the ARB in accordance with the State Air Toxics "Hot Spots" Fee Regulation contained in Title 17, California Code of Regulations, Section 90700 et. seq.

(8) California Clean Air Act

The owner or operator of a stationary source who is required by Title 17, California Code of Regulations, Section 90800 et seq. to pay a fee adopted by the Air Resources Board shall pay the required fee to the District within 30 days of receipt of an invoice for the required fees.

(9) Title V Operating Permit

The owner or operator of a stationary source subject to the requirements of Regulation XIV of these Rules and Regulations, shall pay the fees specified below to recover the actual costs incurred by the District to review and act upon an application for initial permit, permit modification and/or permit renewal.

Application evaluation fee (new or modified permits)
Title V permit renewal fee

T+M
T+RN

(10) Synthetic Minor Source Permit

The owner or operator of a stationary source that submits an application to obtain a Synthetic Minor Source (SMS) Permit pursuant to Rule 60.2, shall pay the fees specified below to recover the actual costs incurred by the District to review and act upon an application for initial permit, permit modification and/or permit renewal.

Application evaluation fee (new or modified permits)	T+M
SMS permit renewal fee	T+RN

(11) Certificate of Exemption

The owner or operator of any emission unit or process, applying for a Certificate of Exemption (COE) as provided under Rule 11 (d)(19)(xviii), shall pay a \$90 non-refundable processing fee and the fee specified below to recover the actual costs incurred by the District to evaluate the emission unit or process to obtain an initial or modified COE. A COE is exempt from the requirement to pay Annual Operating Fees.

Initial evaluation fee	T+M (initial deposit \$369 plus processing fee)
COE modifications	T+M

(g) LATE FEES

(1) Late fees for Annual Operating Fees due to the District shall apply as follows:

(i) A late fee of 30 percent of the Annual Operating Fees due or \$250, whichever is less, shall be added for fees paid later than the last day of the renewal month.

(ii) An additional late fee of 10 percent of the Annual Operating Fees due shall be added for each additional month or portion thereof that the fees remain unpaid.

(iii) In no case shall the late fees exceed 100 percent of the total Annual Operating Fees.

(2) Late fees for any payments due to the District, except Annual Operating Fees, shall apply as follows:

(i) A late fee of 30 percent of the amount due shall be added for payments made more than 30 days after the due date.

(ii) An additional late fee of 10 percent of the amount due shall be added for each additional month or portion thereof that the payment is not received.

(iii) In no case shall the late fees exceed 100 percent of the amount due.

(h) RENEWAL OF EXPIRED PERMIT(S) & REINSTATEMENT OF RETIRED PERMIT(S)

(1) General Provisions

In addition to the Annual Operating Fees due for renewing an expired permit or reinstating a retired permit, any applicable fees pursuant to Section (d)(6), such as an ownership change, change of location or modification, shall be paid concurrently.

(2) Renewal of Expired Permit(s) to Operate

An expired permit can be renewed within six months of the expiration date by paying the applicable Annual Operating Fees and the late fees as specified in Section (g).

(3) Reinstatement of Retired Permit(s) to Operate

A retired permit can be reinstated within six months of the retirement date by submitting a written request, and paying the applicable Annual Operating Fees, a reinstatement fee of \$75 and the late fees as specified in Section (g).

(i) REFUNDS, INSUFFICIENT PAYMENT OF FEES AND CANCELLATIONS

(1) General Provisions

(i) No refunds shall be issued for amounts of less than \$25.

(ii) If an applicant does not sign, date and return a refund claim form within six months after receipt of the form, all rights to a refund shall be forfeited.

(2) Application Fee Refunds

(i) **Refunds Prior to Evaluation:** If an application for an Authority to Construct/Permit to Operate is withdrawn by the applicant before the engineering evaluation has begun, the District will refund the entire Initial Application Fee, less the \$90 non-refundable processing fee.

(ii) **Refunds After Evaluation:** If an application for an Authority to Construct/Permit to Operate is withdrawn by the applicant after the engineering evaluation has begun or if an Authority to Construct has been denied or canceled, the District will refund the Initial Application Fee, less the \$90 non-refundable processing fee and all costs incurred by the District to evaluate the application.

(iii) **Certificate of Registration Refunds:** If an application for a Certificate of Registration is withdrawn by the applicant after the engineering evaluation has begun, or withdrawn seven days after the date of receipt, or the application is denied or cancelled, the District will only refund the Emission Unit Renewal Fee.

(iv) **Refund Due to Overpayment:** If the total cost incurred by the District to evaluate an application for an Authority to Construct/Permit to Operate is less than the amount deposited by the applicant, the District will refund the amount deposited, less the actual evaluation costs and the \$90 non-refundable processing fee.

(v) **Exempt Equipment Refunds:** If the District determines that the article, machine equipment or other contrivance for which the application was submitted is not within the purview of state law or these Rules and Regulations, a full refund of the fees paid will be issued to the applicant. If an application for a Certificate of Exemption is withdrawn by the applicant before the engineering evaluation has begun, the District will refund the entire deposit and any other fees paid, less the \$90 non-refundable processing fee. If an application for a Certificate of Exemption is withdrawn by the applicant after the engineering evaluation has begun, the District will refund all fees paid, less the initial deposit and the \$90 non-refundable processing fee.

(3) Annual Operating Fee Refunds

A refund of the Annual Operating Fees shall not be issued unless the fees for the upcoming year are paid prior to the Permit to Operate renewal date and the request for a refund of these fees is made prior to the Permit to Operate renewal date.

(4) Air Contaminant Emissions Fee Refunds

(i) **New Facilities:** The Air Contaminant Emissions Fee portion of the Initial Application Fee shall only be refunded if the application is withdrawn or cancelled prior to the issuance of a Startup Authorization or Permit to Operate.

(ii) **Existing Facilities:** Air Contaminant Emissions Fees paid by existing facilities as part of their Annual Operating Fee or an Initial Application Fee shall not be refundable, unless all Permit(s) to Operate at the facility are retired.

(5) Other Fees

Asbestos Notifications: Refunds of asbestos notification fees shall be issued only if a cancellation notice is received by the District prior to the notification start date. A refund will not be issued if the notice of cancellation is received by the District on or after the notification start date.

(6) Cancellation Fees - Source Testing and Test Witnessing

Substitution of another facility for a scheduled test shall be considered a cancellation subject to the provisions listed below.

(i) **Schedule 92(a):** If a source test cancellation notice is not received at least two working days prior to a scheduled source test date a cancellation fee of \$500 shall be charged.

(ii) Schedules 92(b-z) and 93: If a source test or test witnessing cancellation notice is not received at least two working days prior to a scheduled source test date a cancellation fee of \$250 shall be charged.

(iii) Vapor Recovery (Phase I, II): If a VOC vapor recovery system test witness cancellation notice is not received at least two working days prior to a scheduled test date a cancellation fee of \$250 shall be charged.

(7) Insufficient Payment of Fees

(i) If the fees deposited by an applicant to cover the cost of evaluating an application for an Authority to Construct/Permit to Operate or other District evaluation is insufficient to complete the work in progress, the applicant shall deposit an amount deemed sufficient by the District to complete the work.

(ii) The Air Pollution Control Officer shall cancel an application when an applicant fails or refuses to deposit such amount within 30 days of demand or fails or refuses to deposit such amount by the date required by Rule 18 for action to be taken on the application, whichever date is sooner.

(iii) If the applicant fails or refuses to deposit such amount upon demand, the District may recover the same through a collection agency or by action in any court of competent jurisdiction, including small claims court. Until such amount is paid in full, the District shall not further process the application unless the Air Pollution Control Officer determines that it is in the best interest of all parties concerned to proceed.

(iv) Returned Checks: Any person who issues a check to the District, which is returned by the bank upon which it is drawn without payment, shall pay a returned check fee of \$25.

ALPHABETICAL LIST OF FEE SCHEDULES BY EMISSION UNIT TYPE

Abrasive Blasting Cabinets, Rooms and Booths	Schedule 2
Abrasive Blasting Equipment - Excluding Rooms and Booths	Schedule 1
Acid Chemical Milling	Schedule 32
Adhesive Manufacturing	Schedule 38
Adhesive Materials Application Operations	Schedule 27
Air Stripping Equipment	Schedule 52
Anodizing Tanks	Schedule 55
Application of Materials Containing Organic Solvents (includes coatings, adhesives, and other materials containing volatile organic compounds (VOC))	Schedule 27
Asbestos Control Equipment	Schedule 59
Asphalt Pavement Heaters/Recyclers	Schedule 40
Asphalt Roofing Kettles and Tankers used to Store, Heat, Transport, and Transfer Hot Asphalt	Schedule 3
Automotive Refinishing Operations	Schedule 27
Bakeries	Schedule 58
Boilers and Heaters	Schedule 13
Bulk Flour, Powdered Sugar Storage System	Schedule 35
Bulk Plants and Terminals (Volatile Organic Compounds)	Schedule 25
Bulk Terminal Grain Transfer and Storage Facility Equipment	Schedule 23
Burn Out Ovens	Schedule 15
Can and Coil Manufacturing and Coating Operations	Schedule 33
Cement Silo System (Separate from Plants)	Schedule 8
Ceramic Deposition Spray Booths	Schedule 37
Ceramic Slip Casting	Schedule 43
Coffee Roasters	Schedule 50
Cold Solvent Cleaning Operations	Schedule 28
Concrete Batch Plants	Schedule 8
Concrete Mixers Over One Cubic Yard Capacity	Schedule 8
Concrete Product Manufacturing Plants	Schedule 9
Copper Etching	Schedule 32
Dielectric Paste Manufacturing	Schedule 38
Dry Chemical Mixing	Schedule 24
Dry Chemical Storage System	Schedule 35
Dry Chemical Transfer and Storage Facility Equipment	Schedule 23
Dry Cleaning Facilities	Schedule 31
Electronic Component Manufacturing	Schedule 42
Electric Deposition Spray Booths	Schedule 37
Engines - Internal Combustion	Schedule 34
Evaporators, Dryers, & Stills Processing Organic Materials	Schedule 44
Feed and Grain Mills and Kelp Processing Plants	Schedule 22
Filtration Membrane Manufacturing	Schedule 46
Gas Turbine Engines, Test Cells and Test Stands	Schedule 20
Gasoline Stations	Schedule 26
Grinding Booths and Rooms	Schedule 36
Hexavalent Chromium Plating	Schedule 55
Hot Dip Galvanizing	Schedule 32
Hot-Mix Asphalt Paving Batch Plants	Schedule 4
Hydro Squeegees	Schedule 29
Industrial Coating Applications	Schedule 27

Alphabetical List Of Fee Schedules By Emission Unit Type - continued

Industrial Waste Water Treatment.....	Schedule 51
Ink Manufacturing.....	Schedule 38
Intermediate Refueler Facilities (Volatile Organic Compounds).....	Schedule 25
Internal Combustion Engines (Piston Type).....	Schedule 34
Internal Combustion Engines, Test Cells and Test Stands.....	Schedule 34
Kelp and Biogum Products Solvent Dryer.....	Schedule 30
Lens Casting/Coating Equipment.....	Schedule 53
Marine Coatings.....	Schedule 27
Metal Inspection Tanks.....	Schedule 28
Metal Melting Devices.....	Schedule 18
Municipal Waste Storage and Processing.....	Schedule 48
Non-Bulk Volatile Organic Compound Dispensing Facilities.....	Schedule 26
Non-Municipal Incinerators.....	Schedule 14
Non-Operational Status Equipment.....	Schedule 49
Oil Quenching.....	Schedule 19
Organic Gas Sterilizers.....	Schedule 47
Paint and Stain Manufacturing.....	Schedule 38
Paper Shredders or Grinders.....	Schedule 21
Perlite Processing.....	Schedule 41
Pharmaceutical Manufacturing.....	Schedule 54
Plasma Deposition Spray Booths.....	Schedule 37
Precious Metals Refining.....	Schedule 39
Rock Drills.....	Schedule 5
Rubber Mixers.....	Schedule 45
Salt Baths.....	Schedule 19
Sand, Rock, Aggregate Screens, and Other Screening Operations, when not used in Conjunction with other Permit Items in these Schedules.....	Schedule 6
Sand, Rock, and Aggregate Plants.....	Schedule 7
Sewage Treatment Facilities.....	Schedule 56
Smoke Houses.....	Schedule 12
Soil Remediation Equipment.....	Schedule 52
Solder Paste Manufacturing.....	Schedule 38
Soldering Equipment (Automated).....	Schedule 29
Solvent Cleaning Operations.....	Schedule 28
Still Processing Organic Materials.....	Schedule 44
Tire Buffers.....	Schedule 11
Turbine Engines, Test Cells and Test Stands.....	Schedule 20
Vapor Solvent Cleaning Operations.....	Schedule 28
Wood Shredders or Grinders.....	Schedule 21

CATEGORIZED LIST OF FEE SCHEDULES BY EMISSION UNIT TYPE

ABRASIVE BLASTING EQUIPMENT

Abrasive Blasting Cabinets, Rooms and Booths	Schedule 2
Abrasive Blasting Equipment - Excluding Rooms and Booths.....	Schedule 1

ASPHALT RELATED OPERATIONS, EQUIPMENT AND PROCESSES

Asphalt Pavement Heaters/Recyclers.....	Schedule 40
Asphalt Roofing Kettles and Tankers used to Store, Heat, Transport, and Transfer Hot Asphalt.....	Schedule 3
Hot-Mix Asphalt Paving Batch Plants	Schedule 4

COATING, ADHESIVE AND INK APPLICATION EQUIPMENT & OPERATIONS

Adhesive Materials Application Operations	Schedule 27
Automotive Refinishing Operations.....	Schedule 27
Can and Coil Coating Operations	Schedule 33
Graphic Arts Operations.....	Schedule 27
Industrial Coating Applications.....	Schedule 27
Lens Coating Equipment	Schedule 53
Miscellaneous Parts Coatings.....	Schedule 27
Wood, Metal, Marine, Aerospace Coatings	Schedule 27

CONCRETE EQUIPMENT

Cement Silo System (Separate from Plants).....	Schedule 8
Concrete Batch Plants	Schedule 8
Concrete Mixers Over One Cubic Yard Capacity	Schedule 8
Concrete Product Manufacturing Plants.....	Schedule 9

COMBUSTION AND HEAT TRANSFER EQUIPMENT

Boilers and Heaters	Schedule 13
Gas Turbine Engines, Test Cells and Test Stands.....	Schedule 20
Internal Combustion Engines (Piston Type)	Schedule 34
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FEE SCHEDULES

Effective: Column 1 fees, T+RN and T+M fees - *(date of adoption)*;
Column 2 fees and fixed source test fees - July 1, 2003

The Fee Schedules shall be used in determining the Initial Evaluation Fees and Emission Unit Renewal Fees using the amounts listed in Columns (1) and (2) respectively for each emission unit. The fees specified below do not include all applicable fees. See Sections (c), (d), (e), (f), (g), (h), and (i) for other required fees.

SCHEDULE 1: Abrasive Blasting Equipment Excluding Rooms and Booths

Any permit unit consisting of air hoses, with or without water lines, with a single pot rated at 100 pounds capacity or more of sand regardless of abrasive used, and a nozzle or nozzles. (Equipment not operated solely in Schedule 2 facilities).

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Pot 100 pounds capacity or larger with no Peripheral Equipment	\$441	\$53
(b) Each Pot 100 pounds capacity or larger loaded Pneumatically or from Storage Hoppers	\$815	\$54
(c) Each Bulk Abrasive Blasting Material Storage System	\$1116	\$55
(d) Each Spent Abrasive Handling System	\$ 988	\$64
(x) Each Portable Abrasive Blasting Unit, Registered Under Rule 12.1	\$385	\$146

SCHEDULE 2: Abrasive Blasting Cabinets, Rooms and Booths

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Abrasive Blasting Cabinet, Room or Booth	\$1812	\$96
(b) Each Cabinet, Room, or Booth with an Abrasive Transfer or Recycle System	\$1635	\$98

SCHEDULE 3: Asphalt Roofing Kettles and Tankers used to Store, Heat, Transport, and Transfer Hot Asphalt

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Kettle or Tanker with capacity greater than 85 gallons	\$704	\$53
(b) Each Kettle or Tanker with capacity greater than 85 gallons and requiring emission control equipment	T+RN	\$226
(w) Each Kettle or Tanker, Registered Under Rule 12	\$240	\$45

SCHEDULE 4: Hot-Mix Asphalt Paving Batch Plant

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Hot-Mix Asphalt Paving Batch Plant	T+RN	\$1120

SCHEDULE 5: Rock Drills

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Drill with water controls	\$836	\$64
(b) Each Drill with controls other than water	T+RN	\$43
(w) Each Drill, Registered Under Rule 12	\$285	\$20

SCHEDULE 6: Sand, Rock, Aggregate Screens, and Other Screening Operations, when not used in Conjunction with other Permit Items in these Schedules

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Screen Set	\$1535	\$123
(x) Each Portable Sand and Gravel Screen Set, Registered Under Rule 12.1	\$307	\$104

SCHEDULE 7: Sand, Rock, and Aggregate Plants

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Crusher System (involves one or more primary crushers forming a primary crushing system or, one or more secondary crushers forming a secondary crusher system and each serving a single process line)	T+RN	\$231
(b) Each Screening System (involves all screens serving a given primary or secondary crusher system)	T+RN	\$27
(c) Each Loadout System (a loadout system is a set of conveyors chutes and hoppers used to load any single rail or road delivery container at any one time)	T+RN	\$32
(d) RESERVED		
(x) Each Portable Rock Crushing System, Registered Under Rule 12.1	\$537	\$174

SCHEDULE 8: Concrete Batch Plants, Concrete Mixers over One Cubic Yard Capacity and Separate Cement Silo Systems

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Concrete Batch Plant (including Cement-Treated Base Plants)	T+RN	\$243
(b) Each Mixer over one cubic yard capacity	T+RN	\$80
(c) Each Cement or Fly Ash Silo System not part of another system requiring a Permit	T+RN	\$111
(x) Each Portable Concrete Batch Plant, Registered Under Rule 12.1	\$352	\$161

SCHEDULE 9: Concrete Product Manufacturing Plants

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Plant	T+RN	\$209

SCHEDULE 10: RESERVED

SCHEDULE 11: Tire Buffers

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Buffer	T+RN	\$161
(b) RESERVED		

SCHEDULE 12: Smoke Houses

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) through (g) RESERVED		
(h) Each Smoke House	T+RN	\$166
(i) RESERVED		

SCHEDULE 13: Boilers and Heaters

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each 1 MM BTU/HR up to but not including 50 MM BTU/HR input	\$1709	\$193
(b) Each 50 MM BTU/HR up to but not including 250 MM BTU/HR	T+RN	\$333
(c) Each 250 MM BTU/HR up to 1050 MM BTU/HR input, or up to but not including 100 Megawatt gross output, whichever is greater (based on an average boiler efficiency of 32.5%)	T+RN	T+M
(d) Each 100 Megawatt output or greater (based on an average boiler efficiency of 32.5%)	T+RN	\$3718
(e) RESERVED		
(f) Each 1 MM BTU/HR up to but not including 50 MM BTU/HR input at a single site where more than 5 such units are located	\$1495	\$55
(g) Each 250 MM BTU/HR up to 1050 MM BTU/HR input or up to but not including 100 Megawatt gross output, whichever is greater, where a Notice of Intention has been filed with the California Energy Commission	T+RN	T+M
(h) Each 100 Megawatt gross output or greater where a Notice of Intention has been filed with the California Energy Commission	T+RN	T+M

SCHEDULE 14: Non-Municipal Incinerators

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Waste burning capacity up to and including 100 lbs/hr*	T+RN	\$269
(b) Waste burning capacity greater than 100 lbs/hr	T+RN	\$399
(c) Burning capacity up to and including 50 lbs/hr used exclusively for the incineration or cremation of animals	T+RN	\$279
(d) Emission Controls or Modification for ATCM	T+RN	N/A

*Excluding incinerators of 50 lbs/hr capacity or less used exclusively for incineration or cremation of animals.

SCHEDULE 15: Burn-Out Ovens

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Electric Motor/Armature Refurbishing Oven	T+RN	\$105
(b) RESERVED		
(c) Each IC Engine Parts Refurbishing Unit	T+RN	\$122
(d) USN SIMA (ID # 4845C)*	T+RN	\$364

*Pursuant to Subsection (c)(4)

SCHEDULE 16: RESERVED**SCHEDULE 17: RESERVED****SCHEDULE 18: Metal Melting Devices**

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) RESERVED		
(b) RESERVED		
(c) Each Pit or Stationary Crucible	T+RN	\$489
(d) Each Pot Furnace	\$1965	\$164
(e) Each Induction Furnace	T+RN	\$107
(f) through (h) RESERVED		

SCHEDULE 19: Oil Quenching and Salt Baths

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Tank	T+RN	\$100

SCHEDULE 20: Gas Turbine Engines, Test Cells and Test Stands

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
GAS TURBINE, TURBOSHAFT, TURBOJET AND TURBOFAN ENGINE TEST CELLS AND STANDS		
(a) Each Aircraft Propulsion Turbine, Turboshift, Turbojet or Turbofan Engine Test Cell or Stand	T+RN	\$205
(b) Each Aircraft Propulsion Test Cell or Stand at a facility where more than one such unit is located	T+RN	\$133
(c) Each Non-Aircraft Turbine Test Cell or Stand	T+RN	\$44
GAS TURBINE ENGINES		
(d) Each Non-Aircraft Turbine Engine 1 MM BTU/HR up to but not including 50 MM BTU/HR input	T+RN	\$445
(e) Each Non-Aircraft Turbine Engine 50 MM BTU/HR up to but not including 250 MM BTU/HR input	T+RN	\$3555
(f) Each Non-Aircraft Turbine Engine 250 MM BTU/HR or greater input	T+RN	\$2059
(g) Each Unit used solely for Peak Load Electric Generation	T+RN	\$277
(h) Each Standby Gas Turbine used for Emergency Power Generation	T+RN	\$33

SCHEDULE 21: Waste Disposal and Reclamation Units

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Paper or Wood Shredder or Hammermill Grinder	T+RN	\$205
(b) through (e) RESERVED		

SCHEDULE 22: Feed and Grain Mills and Kelp Processing Plants

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Receiving System (includes Silos)	T+RN	\$481
(b) Each Grinder, Cracker, or Roll Mill	T+RN	\$85
(c) Each Shaker Stack, Screen Set, Pelletizer System, Grain Cleaner, or Hammermill	T+RN	\$47
(d) Each Mixer System	T+RN	\$85
(e) Each Truck or Rail Loading System	T+RN	\$85
(f) CP Kelco: Shaker, Screen, Pelletizer, Cleaner, Hammermill (ID #203A)*	T+RN	\$479

*Pursuant to Subsection (c)(4)

SCHEDULE 23: Bulk Terminal Grain and Dry Chemical Transfer and Storage Facility Equipment

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Receiving System (Railroad, Ship and Truck Unloading)	T+RN	\$158
(b) Each Storage Silo System	\$ 992	\$107
(c) Each Loadout Station System	T+RN	\$55
(d) Each Belt Transfer Station	T+RN	\$10
(e) North American Terminal (ID # 258A)*	T+RN	\$676

*Pursuant to Subsection (c)(4)

SCHEDULE 24: Dry Chemical Mixing

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Grain Mixing System (includes receiving, transfer, mixing or blending, storage, and loadout bagging)	T+RN	\$139
(b) RESERVED		
(c) Each Dry Chemical Mixer with capacity over one-half cubic yard	T+RN	\$193

SCHEDULE 25: Volatile Organic Compound Terminals, Bulk Plants and Intermediate Refueler Facilities

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
1. Bulk Plants and Bulk Terminals equipped with or proposed to be equipped with a vapor processor:		
(a) Per Tank	T+RN	\$534
(b) Tank Rim Seal Replacement	T+RN	N/A
(c) Per Truck Loading Head	T+RN	\$91
(d) Per Vapor Processor	T+RN	\$1308
2. Bulk Plants not equipped with or not proposed to be equipped with a vapor processor:		
(e) Per Tank	T+RN	\$35
(f) Per Truck Loading Head	T+RN	\$26
(g) RESERVED		

"Vapor Processor" means a device which recovers or transforms volatile organic compounds by condensation, refrigeration, adsorption, absorption, incineration, or any combination thereof.

3. Facilities fueling intermediate refuelers (IR's) for subsequent fueling of motor vehicles, boats, or aircraft:
- | | | |
|------------------------------|------|------|
| (h) Per IR Loading Connector | T+RN | \$60 |
|------------------------------|------|------|

If a facility falls into Parts 1, 2, or 3 above and is equipped with dispensing nozzles for which Phase II vapor controls are required, additional fees equivalent to the "per nozzle" fees for Schedule 26(a) shall be assessed for each dispensing nozzle.

**SCHEDULE 26: Non-Bulk Volatile Organic Compound Dispensing Facilities
Subject to District Rules 61.0 through 61.6**

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Initial installations and total renovations where Phase I and Phase II controls are required (includes Phase I fee), except where Fee Schedule 26(f) applies	\$1637 +RN	
Renewal Fee: Fee x nozzles x product grades per nozzle		\$52*
(b) RESERVED		
(c) Facilities where only Phase I controls are required (includes tank replacement)		
Fee Per Facility	\$840	\$104
(d) RESERVED		
(e) Non-retail facilities with 260-550 gallon tanks and no other non-bulk gasoline dispensing permits		
Fee Per Facility	\$457	\$78
(f) Phase II Bootless or Mini-Booted Nozzle Vacuum Assist System facility	\$2064 +RN	
Renewal Fee: Fee x nozzles x product grades per nozzle		\$99*

* The renewal fee is multiplied by the number of nozzles and the number of product grades dispensed per nozzle.

SCHEDULE 27: Application of Materials Containing Organic Solvents (includes coatings, adhesives, and other materials containing volatile organic compounds (VOC))

PART 1 - MARINE COATINGS

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) First Permit to Operate for Marine Coating application at facilities emitting ≤ 10 tons/year of VOC from Marine Coating Operations	\$2058	\$306
(b) First Permit to Operate for Marine Coating application at facilities emitting > 10 tons/year of VOC from Marine Coating Operations	\$2921	\$926
(c) Each additional Permit Unit for Marine Coating application at existing permitted facilities	T+RN	\$186
(t) First Permit to Operate for Marine Coating application at facilities where combined coating and cleaning solvent usage is < 3 gallons/day and < 100 gallons/year	\$880	\$187
(x) US Navy Shipyard Pt. Loma – (ID #2643D*)	T+RN	\$600
(z) NASSCO (ID #253A)*	T+RN	\$1512

*Pursuant to Subsection (c)(4)

PART 2 - INDUSTRIAL MATERIAL APPLICATIONS AND MANUFACTURING

(Includes application stations for coatings such as paint spraying and dip tanks, printing, and manufacturing products with materials which contain VOCs, etc.)

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(d) Each Surface Coating Application Station w/o control equipment and not covered by other fee schedules at facilities using > 1 gallon/day of surface coatings and emitting ≤ 5 tons/year of VOC from equipment in this fee schedule	\$1254	\$251
(e) Each Surface Coating Application Station w/o control equipment and not covered by other fee schedules at facilities emitting > 5 tons/year of VOC from equipment in this fee schedule	T+RN	\$384
(f) Each Fiberglass, Plastic or Foam Product Process Line at facilities emitting ≤ 10 tons/year of VOC from fiberglass, plastic or foam products operations	\$1870	\$274
(g) Each Fiberglass, Plastic or Foam Product Process Line at facilities emitting > 10 tons/year of VOC from fiberglass, plastic or foam products operations	\$2309	\$211
(h) RESERVED		
(i) Each Surface Coating Application Station requiring Control Equipment	T+RN	\$1643
(j) Each Surface Coating Application Station subject to Rule 67.3 or 67.9 w/o Control Equipment at facilities emitting ≤ 5 tons/year of VOC from equipment in this fee schedule	\$2019	\$290
(k) Each Surface Coating Application Station subject to Rule 67.3 or 67.9 w/o Control Equipment at facilities emitting > 5 tons/year of VOC from equipment in this fee schedule	T+RN	\$222

SCHEDULE 27: Application of Materials Containing Organic Solvents (includes coatings, adhesives, and other materials containing volatile organic compounds (VOC)) (continued)

PART 2 - Continued

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(l) Each Wood Products Coating Application Station w/o Control Equipment at facilities using > 500 gallons/year of wood products coatings and emitting ≤ 5 tons/year of VOC from Wood Products Coating Operations	\$1391	\$377
(m) Each Wood Products Coating Application Station w/o Control Equipment at facilities emitting > 5 tons/ year of VOC from Wood Products Coating Operations	\$1417	\$192
(n) Each Press or Operation at a Printing or Graphic Arts facility subject to Rule 67.16	\$950	\$123
(o) RESERVED		
(p) Each Surface Coating Application Station w/o control equipment (except automotive painting) where combined coating, and cleaning solvent usage is < 1 gallon/day or < 50 gallons/year	\$1195	\$249
(q) Each Wood Products Coating Application Station of coatings and stripper w/o control equipment at a facility using < 500 gallons/year for Wood Products Coating Operations	\$1141	\$266
(y) RESERVED		

PART 3 - MOTOR VEHICLE AND MOBILE EQUIPMENT REFINISHING OPERATIONS

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(r) Each facility applying < 5 gallons/day of Coating Materials subject to Rule 67.20 (as applied or sprayed)	\$1811	\$424
(s) Each facility applying > 5 gallons/day of Coating Materials subject to Rule 67.20 (as applied or sprayed)	\$1481	\$373

PART 4 - ADHESIVE MATERIALS APPLICATION OPERATIONS

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(u) Each Adhesive Materials Application Station w/o control equipment at facilities emitting ≤ 5 tons/year of VOC from equipment in this fee schedule	\$1198	\$198
(v) Each Adhesive Materials Application Station w/o control equipment at facilities emitting > 5 tons/year of VOC from equipment in this fee schedule	\$1435	\$288
(w) Each Adhesive Materials Application Station w/o control equipment where adhesive materials usage is < 55 gallons/year	\$1068	\$198

SCHEDULE 28: Vapor and Cold Solvent Cleaning Operations and Metal Inspection Tanks

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Vapor Degreaser with an Air Vapor Interfacial area > 5 square feet	T+RN	\$206
(b) Each Cold Solvent Degreaser with liquid surface area > 5 square feet	\$963	\$45
(c) Each Corrosion Control Cart	T+RN	\$290
(d) Each Paint Stripping Tank	\$1397	\$170
(e) RESERVED		
(f) Remote Reservoir Cleaners	\$341	\$58
(g) RESERVED		
(h) Vapor Degreaser with an Air-Vapor Interfacial area ≤ 5 square feet	\$489	\$98
(i) Cold Solvent Degreaser with a liquid surface area ≤ 5 square feet	\$388	\$65
(j) Metal Inspection Tanks	\$781	\$70
(k) Contract Service Remote Reservoir Cleaners with > 100 units	T+RN	\$10
(l) Contract Service Cold Degreasers with a liquid surface area of ≤ 5 square feet	T+RN	\$12
(m) Each facility-wide Solvent Application Operation	T+RN	T+M
(n) RESERVED		
(o) RESERVED		

SCHEDULE 29: Automated Soldering Equipment

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Solder Leveler	\$1877	\$134

SCHEDULE 30: Solvent and Extract Dryers

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Kelp and Biogum Products Solvent Dryer	T+RN	\$1505

SCHEDULE 31: Dry Cleaning Facilities

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Facility using Halogenated Hydrocarbon Solvents required to install Control Equipment	\$1205	\$370
(b) Each Facility using Petroleum Based Solvents	T+RN	\$271
(c) Each Facility using Solvents not required to install Control Equipmer	T+RN	\$107
(d) RESERVED		

SCHEDULE 32: Acid Chemical Milling, Copper Etching and Hot Dip Galvanizing

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Copper Etching Tank	T+RN	\$309
(b) Each Acid Chemical Milling Tank	T+RN	\$160
(c) Each Hot Dip Galvanizing Tank	T+RN	\$85
(d) Rohr (ID #301A*)	T+RN	\$1687

*Pursuant to Subsection (c)(4)

SCHEDULE 33: Can and Coil Manufacturing and Coating Operations

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Process Line	T+RN	\$238

SCHEDULE 34: Piston Type Internal Combustion Engines

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Cogeneration Engine with in-stack Emission Controls	T+RN	\$276
(b) Each Cogeneration Engine with Engine Design Emission Controls	T+RN	\$324
(c) Each Emergency Standby Engine (for electrical or fuel interruptions beyond control of Permittee)	\$1607	\$100
(d) Each Engine for Non-Emergency and Non-Cogeneration Operation	\$1510	\$237
(e) Each Grouping of Engines for Dredging or Crane Operation with total engine horsepower > 200 HP	T+RN	\$133
(f) Each Diesel Pile-Driving Hammer	T+RN	\$105
(g) Each Engine for Non-Emergency and Non-Cogeneration Operation < 200 horsepower	\$1483	\$83
(h) Each California Certified Emergency Standby Engine (for electrical or fuel interruptions beyond control of Permittee)	\$1353	\$97
(i) Each Internal Combustion Engine Test Cell and Test Stand	T+RN	\$220
(j) SDG&E (ID # 96062A*)	T+RN	\$2896
(w) Each Specified Eligible Engine, Registered Under Rule 12	\$313	\$62
(x) Each Specified Eligible Portable Engine, Registered Under Rule 12.1	\$352	\$101
(z) Each Specified Eligible Engine, Registered Under Rule 12, Conversion from Valid Permit	\$239	N/A

*Pursuant to Subsection (c)(4)

SCHEDULE 35: Bulk Flour, Powdered Sugar and Dry Chemical Storage Systems

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each System	T+RN	\$144

SCHEDULE 36: Grinding Booths and Rooms

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Booth or Room	\$1637	\$115

SCHEDULE 37: Plasma Electric and Ceramic Deposition Spray Booths

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Application Station	T+RN	\$246
(b) GKN Aerospace Chemtronics (ID # 72A*)	T+RN	\$619
(c) Flame Spray (ID#507A*)	T+RN	\$325

*Pursuant to Subsection (c)(4)

SCHEDULE 38: Paint, Adhesive, Stain, Ink, Solder Paste, and Dielectric Paste Manufacturing

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Process Line for Paint, Adhesive, Stain, or Ink Manufacturing at facilities producing > 10,000 gallons per year	T+RN	\$222
(b) Each Can Filling Line	T+RN	\$187
(c) Each Process Line for Solder Paste or Dielectric Paste Manufacturing	T+RN	\$103
(d) Each Paint, Adhesive, Stain or Ink Manufacturing facility producing <10,000 gallons per year	T+RN	\$153
(e) Frazee Paint (ID # 935A*)	T+RN	\$229

*Pursuant to Subsection (c)(4)

SCHEDULE 39: Precious Metals Refining

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Process Line	T+RN	\$138

SCHEDULE 40: Asphalt Pavement Heaters/Recyclers

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Processor	\$1260	\$85
(x) Each Portable Unheated Pavement Crushing and Recycling System, Registration Under Rule 12.1	\$427	\$89

SCHEDULE 41: Perlite Processing

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Process Line	T+RN	\$562
(b) Aztec Perlite (ID # 2700A*)	T+RN	\$1753

*Pursuant to Subsection (c)(4)

SCHEDULE 42: Electronic Component Manufacturing

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Process Line	T+RN	\$318
(b) Each Screen Printing Operation	T+RN	\$193
(c) Each Coating/Maskant Application Operation, excluding Conformal Operation	T+RN	\$502
(d) Each Conformal Coating Operation	T+RN	\$155
(e) RESERVED		
(f) Applied Micro Circuits (ID # 6129A(Each operation)*)	T+RN	\$861
(g) Herco: Screen Printing Operation (ID # 89211A*)	T+RN	\$525

*Pursuant to Subsection (c)(4)

SCHEDULE 43: Ceramic Slip Casting

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Process Line	T+RN	\$267

SCHEDULE 44: Evaporators, Dryers, & Stills Processing Organic Materials

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Evaporators and Dryers [other than those referenced in Fee Schedule 30 (a)] processing materials containing volatile organic compounds	T+RN	\$238
(b) Solvent Recovery Stills with a rated capacity equal to or greater than 7.5 gallons	\$1334	\$54

SCHEDULE 45: Rubber Mixers

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Rubber Mixer	T+RN	\$82

SCHEDULE 46: Filtration Membrane Manufacturing

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Process Line	T+RN	\$609
(b) Osmonics/Desalination Systems (ID #5940B*)	T+RN	\$1008
(c) Osmonics/Desalination Systems (ID #85133A*)	T+RN	\$1423
(d) RESERVED		
(e) Hydranautics (ID #6236A*)	T+RN	\$958

*Pursuant to Subsection (c)(4)

SCHEDULE 47: Organic Gas Sterilizers

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Organic Gas Sterilizer requiring control	T+RN	\$568
(b) Each Stand Alone Organic Gas Aerator requiring control	T+RN	T+M
(c) Each Organic Gas Sterilizer not requiring control	T+RN	\$172
(d) RESERVED		

SCHEDULE 48: Municipal Waste Storage and Processing

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Waste Disposal Site not equipped with Emission Collection & Control System	T+RN	\$2036
(b) Each Temporary Storage and/or Transfer Station	T+RN	T+M
(c) Each Waste Disposal Site/Landfill equipped with Emission Collection & Control System(s)	T+RN	\$936
(d) through (e) RESERVED		

SCHEDULE 49: Non-Operational Status Equipment

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Non-Operational Status Equipment	\$90	\$20
(b) Activating Non-Operational Status Equipment	\$130	N/A

SCHEDULE 50: Coffee Roasters

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Coffee Roaster	\$1971	\$265

SCHEDULE 51: Industrial Waste Water Treatment

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each On-site Processing Line	\$1697	\$181
(b) Each Offsite Processing Line	T+RN	T+M

SCHEDULE 52: Air Stripping & Soil Remediation Equipment

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Air Stripping Equipment	T+RN	\$163
(b) Soil Remediation Equipment - On-site (In situ Only)	\$3130	\$242
(c) Soil Remediation Equipment - Offsite & On-site (ex situ)	T+RN	\$526
(d) Contaminated Soil Excavation	T+RN	T+M
(e) Chevron USA (ID # 90352A*)	T+RN	\$391

*Pursuant to Subsection (c)(4)

SCHEDULE 53: Lens Casting Equipment

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Lens Casting Line	T+RN	\$341
(b) Each Lens Coating Line	T+RN	\$24

SCHEDULE 54: Pharmaceutical Manufacturing

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Pharmaceutical Manufacturing Process Line	T+RN	\$261
(b) RESERVED		
(c) J & D Laboratories (ID # 97022A)*	T+RN	\$1341

*Pursuant to Subsection (c)(4)

SCHEDULE 55: Hexavalent Chromium Plating and Anodizing Tanks

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Hard or Decorative Chrome Plating and/or Anodizing Tank or Group of Tanks Served by an Emission Control System	T+RN	\$982
(b) Each Decorative Plating Tank without Add-on Emission Controls	T+RN	\$921
(c) Each Hard Chrome Plating or Anodizing Tank without Add-on Emission Controls	T+RN	\$1543

SCHEDULE 56: Sewage Treatment Facilities

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Each Sewage Treatment Facility	T+RN	\$2526
(b) Each Wastewater Odor Treatment System that is not part of a Permitted Sewage Treatment Facility	T+RN	T+M
(c) RESERVED		

SCHEDULE 57: RESERVED**SCHEDULE 58: Bakeries**

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) Bakery Ovens at Facilities with Emission Controls Pursuant to Rule 67.24	T+RN	T+M
(b) Bakery Ovens at Other Facilities	T+RN	\$167

SCHEDULE 59: Asbestos Control Equipment

Fee Unit	(1) Initial Evaluation Fee	(2) Emission Unit Renewal Fee
(a) RESERVED		
(b) Portable Asbestos Bead Blast Machine	\$1203	\$263
(c) Portable Asbestos Mastic Removal Application Station	\$1423	\$263

SCHEDULES 60 THROUGH 90 RESERVED

SCHEDULE 91: Miscellaneous - Hourly Rates

The Evaluation Fee for an application for an Authority to Construct/Permit to Operate for equipment/processes not specified in the Fee Schedules shall be based on the actual costs incurred by the District for evaluating the application and an estimated Emission Unit Renewal Fee which will cover the costs related to an annual compliance inspection of the equipment. The applicant shall deposit the amount estimated to cover the actual cost of evaluation and the estimated renewal fee at the time of application submittal.

SCHEDULE 92: Source Testing Performed by the District

The owner or operator of an emission unit which requires source testing to determine compliance shall pay the applicable source test fee(s) listed below if the source testing is performed by the District or a District contractor to measure emissions for the purpose of quantifying emissions to determine whether a Permit to Operate shall be issued or if the emission unit is in compliance. If the source test requires significantly more on-site time that is provided by the fixed fees specified below (e.g. tall stacks), the additional costs incurred by the District shall be determined using the labor rates specified in Schedule 94 and related material and other costs. The owner or operator shall pay such fees upon notification from the District that such fees are required.

<u>Fee Unit</u>	<u>Fee</u>
(a) Each Particulate Matter Source Test	\$3709
(b) Annual Fee for each 5-Year Test Cycle for Incinerator Particulate Matter Source Test with Waste Burning Capacity of < 100 lbs Per Hour	\$916
(c) Each Oxides of Sulfur Source Test	T+M
(d) Annual Fee for each Biennial Cycle Test (NO _x & CO)	\$660
(e) Each Ethylene Oxide Source Test Day (1/2 cost of one test)	T+M
(f) Each Carbon Monoxide and Oxides of Nitrogen Source Test	\$1319
(g) Each Oxides of Nitrogen Source Test	\$953
(h) Each Incinerator Particulate Matter Source Test with Waste Burning Capacity of > 100 lbs Per Hour	T+M
(i) Each Ammonia Slippage Source Test	\$636
(j) Continuous Emission Monitor Evaluation	T+M
(k) RESERVED	
(l) RESERVED	
(m) Each Mass Emissions Source Test	T+M
(n) RESERVED	
(o) Each Multiple Metals Source Test	T+M
(p) Each Chromium Source Test	T+M
(q) Each VOC Onsite Analysis	T+M
(r) Each VOC Offsite Analysis	T+M
(s) Each Hydrogen Sulfide Source Test	T+M
(t) Each Acid Gases Source Test	T+M
(u) Annual Fee for each 5-Year Test Cycle for Particulate Matter Source Testing at Perlite Plants, (1/5 the cost of one test)	\$742
(v) Annual Fee for Optional Source Test Pilot Study (1/2 the cost of one test)	T+M
(z) Miscellaneous Source Test (Special Tests not Listed)	T+M

SCHEDULE 93: Witness of Source Tests Performed by Independent Contractors

The owner or operator of an emission unit which requires source testing to determine compliance for the purpose of quantifying emissions to determine whether a Permit to Operate shall be issued or if the emission unit is in compliance, and chooses to have the testing performed by an independent contractor, shall pay the actual T+M costs incurred by the District to observe such testing and review the resulting source test report.

Any person, company, agency that requests review of a test procedure shall pay the actual T+M costs incurred by the District to review such test procedures. Such requests shall be accompanied by an amount estimated to cover actual District costs.

<u>Fee Unit</u>	<u>Fee</u>
(a) Observations	T+M
(b) Source Test Reports	T+M
(c) Test Procedure Review	T+M
(d) Each VOC Bulk Terminal Test Witness	T+M
(e) Each Ethylene Oxide Test Witness Day	\$1568

SCHEDULE 94: Time and Material (T+M) Labor Rates

<u>Employee Classification (Fee Unit)</u>	<u>Hourly Rate</u>
Air Pollution Control Aide (94u)	\$72
Air Quality Inspector I (94o)	\$82
Air Quality Inspector II (94e)	\$88
Air Quality Inspector III (94f)	\$105
Assistant Air Resources Specialist (94s)	\$101
Assistant Chemist (94i)	\$66
Assistant Engineer (94b)	\$116
Assistant Meteorologist (94g)	\$69
Associate Air Resources Specialist (94q)	\$108
Associate Chemist (94j)	\$71
Associate Engineer (94c)	\$123
Associate Meteorologist (94r)	\$72
Engineering Technician (94p)	\$102
Instrument Technician I (94l)	\$58
Instrument Technician II (94n)	\$62
Junior Engineer (94a)	\$100
Senior Chemist (94k)	\$86
Senior Engineer (94d)	\$153
Senior Meteorologist (94h)	\$87
Source Test Technician (94m)	\$58
Student Worker II (94v)	\$28
Student Worker III (94w)	\$34
Student Worker V (94x)	\$44
Supervising Instrument Technician (94t)	\$71

SCHEDULE 95: Sampling and Analysis

When the District determines a sample and/or analysis is needed for the purpose of determining potential emissions and/or determining compliance with District Rules and Regulations, the actual T+M costs incurred by the District for collection and analysis of samples, including preparing the reports, shall be paid by the permittee, applicant or other persons for activities for which a Permit is not required.

SCHEDULE 96: Additional Costs Incurred by the District for Sources Not in Compliance

Whenever the District is requested or required to provide consultation, testing or inspection to any person or facility, beyond the consultation testing and inspection covered by the permit fees, or related to a Notice of Violation and/or Notice to Comply, the person or facility shall pay the actual T+M costs incurred by the District for the cost of such services.

SCHEDULE 97: Other Charges

Whenever the District is required to provide consultation, legally required testimony, testing, inspection, engineering or services related to a Notice of Violation and/or Notice to Comply, the cost of such services shall be determined using the labor rates specified in Schedule 94. Persons requesting and/or receiving such services shall be charged the estimated cost of providing such services and shall deposit such amount to the District in advance of the service, unless prior arrangement for payment have been approved by the District.

IT IS FURTHER RESOLVED AND ORDERED that the revisions to Rule 40 shall take effect upon adoption, with the exception of revisions in section (e) and renewal fees and fixed source test fees in the Fee Schedules, which shall be effective as of July 1, 2003.

PASSED AND ADOPTED by the Air Pollution Control Board of the San Diego County Air Pollution Control District, State of California, this 13th day of August, 2003, by the following votes:

AYES: Cox, Jacob, Slater, Roberts, Horn
NOES: None
ABSENT: None

Resolution - Rule 40
Resolution No. 03-206
8/13/03 (APCB-2)

APPROVED AND FORWARDED
COUNTY CLERK
BY W. Outten
SENIOR DEPUTY B-41

STATE OF CALIFORNIA)
County of San Diego)^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of the Air Pollution Control District.

THOMAS J. PASTUSZKA
Clerk of the Board of Directors

By: Evelyn Riddick
Evelyn Riddick, Deputy



No. 03-206
8/13/03 (APCB-1)

**AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO****PROPOSED AMENDMENTS TO
RULE 40 – PERMIT AND OTHER FEES****WORKSHOP REPORT**

The San Diego County Air Pollution Control District (District) held a workshop on proposed changes to Rule 40 - Permit and Other Fees on July 2, 2003. Notices were mailed to all San Diego County businesses and government operations with District air quality permits, all local Chambers of Commerce, all local Economic Development Corporations, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (ARB), and other interested parties. The workshop was attended by five people. The comments and District responses are as follows:

1. WORKSHOP COMMENT

I paid a permit renewal fee of \$187 four years ago and I am now paying about \$3,000. This includes a \$598 charge for a source test pilot study. What is a source test pilot study? It also includes a \$1,975 fee. What is this for? I would like this fee reduced more than the District is proposing to reduce it.

DISTRICT RESPONSE

The total permit renewal fee for this facility for FY 2003-04 is proposed to be reduced from \$2,705 to \$2,644. This includes a \$222 reduction in the equipment renewal fee, which is being partially offset by increases in a particulate matter source testing fee, air contaminant emissions fee, and permit renewal administrative fees.

This facility is a perlite manufacturing facility. Facilities manufacturing perlite emit fine particulate matter to the atmosphere and are subject to the particulate matter emission standards of District Rule 54. To determine compliance, an emissions test must be conducted. A particulate matter emissions test currently costs \$3,709.

In 1998, the Compliance Improvement Team (a District process improvement team consisting primarily of business customers) began a review of emissions testing frequency for various types of equipment. Based on this review, it was determined that perlite manufacturing lines should continue to be tested every five years. Affected sites are billed one-fifth of the cost of a test each year as part of the facility annual permit renewal fee. This facility has been paying one-fifth of the previous \$2,990 cost of a particulate matter emissions test annually. For fiscal year (FY) 2002-03, this annual fee amounted to \$598 and is being proposed to increase to \$742.

The total permit renewal fee for this perlite manufacturing facility for FY 2002-03 was \$2,705. This consisted of an emissions fee of \$82, a site (facility) processing and handling

fee of \$30, a permit processing and handling fee of \$20 (\$20 for each permit unit), the \$598 emissions testing fee (one-fifth of the Fee Schedule 92A fee), and a \$1,975 base renewal fee (based on labor expended to determine compliance). The \$1,975 portion of the renewal fee relates directly to the District's cost of determining ongoing compliance at this specific facility. The total average annual cost to determine compliance, used to set fees for FY 2001-02 (paid in FY 2002-03), was \$1,975.

District staff directly involved in such compliance determinations track labor expended to the nearest tenth of an hour. This labor is then multiplied by the calculated labor rate for each staff person that expended the labor. Over the past five years, an average of 15.2 hours (including travel time) each year have been expended to determine compliance at this facility (compared to an average of 18 hours for the previous five-year period). Labor was expended by District inspectors as part of the routine business inspection process and to investigate a number of public complaints about excessive dust and particulate matter emissions from this facility. Labor was also expended by permit engineers to revise permit conditions specific to this facility.

The determination of the proposed revised fees for this facility was done in strict accordance with the methodology developed in FY 1997-98 by the Fee Review Group (business customers) and approved by the Air Pollution Control Board. The calculations to determine the fees have been double-checked to ensure they are accurate. Because the fees for this facility are based on actual documented costs, it would be inappropriate to arbitrarily further reduce the fees for this facility because any such reduction would have to be compensated by fee increases on other businesses to ensure permit program cost recovery.

The referenced \$187 renewal fee likely dates back to before the approved fee methodology was fully implemented and when actual labor costs were not yet being fully recovered in some cases.

2. WORKSHOP COMMENT

Are there any changes being proposed to the permit renewal base fee for the federal Title V operating permit program? How will Title V permit renewal fees be determined?

DISTRICT RESPONSE

No. The only changes proposed for Title V permit fees is to delete the initial (permit) application base fee, and the Schedule 94 labor rates. There is no change to how Title V permit renewal fees are based.

There are two aspects to the "renewal" of a Title V operating permit (mandated by federal law). The first refers to annual ongoing District costs to review and ensure compliance with the Title V permit terms and conditions, and to administer permit requirements. These annual costs are recovered through an additional yearly fee charged to Title V permitted facilities at the time of their regular District annual permit renewal fees. These additional costs are estimated at the time of Title V permit issuance, then updated as needed to reflect actual

District costs. The District engineer who issued the Title V permit develops this estimate in conjunction with the District's Compliance Division and can provide what the amount is for a specific Title V site.

The second aspect of Title V permit renewal is the review and re-issuance of the Title V permit, which has a term of five years after its initial issuance. The Title V facility must apply to the District for re-evaluation and re-issuance of their Title V permit not less than 12 months and not more than 18 months prior to permit expiration. At that time, the site should request an estimate from the District for the costs of that review and re-issuance.

Rule 40 provides that the actual District costs for the renewal of Title V permits are to be based on the labor hours spent and the applicable labor rates in Rule 40, Schedule 94.

3. **WORKSHOP COMMENT**

Why is the volatile organic compound (VOC) outlet test being deleted?

DISTRICT RESPONSE

Several years ago the District began tracking VOC tests as either onsite analysis (92q) or offsite analysis (92r). All VOC tests are now in one of these two categories. Accordingly, since Schedule 92(l) – Each VOC Outlet Source Test Only will no longer be used, it is being deleted from the fee schedule.

4. **WORKSHOP COMMENT**

How are District labor rates determined?

DISTRICT RESPONSE

The Time and Material (T+M) labor rates in Rule 40, Schedule 94 Labor Rates are used to recover directly billable labor costs and permit-related costs not directly billable to permitted sources. The directly billable labor costs include, for example, time spent preparing for, traveling to, and conducting a site inspection or emissions source test or evaluating an application and issuing permits. The permit-related costs not directly billable to a specific inspection, source test or permit application evaluation include, for example, time spent on supervision, training, accounting, records maintenance, labor tracking, permit streamlining efforts, and fee development activities. The labor rates also include other permit program-related indirect costs such as services and supplies, support staff, management and other overhead costs. The labor rate is established for each position classification that has permit-related activities and is determined using the salary and benefit costs for the classification and an overhead rate multiplier, divided by the average annual billable hours.

5. WORKSHOP COMMENT

Are all of the site (business)-specific fees listed in the proposed revisions to Rule 40?

DISTRICT RESPONSE

Yes, there are five new source-specific fees listed. Rule 40(c)(4) states, "If the Air Pollution Control Officer determines that the activities of any one company would cause an increase of at least 10 percent in any one Emission Unit Fee Schedule, the Air Pollution Control Officer may delete the costs attributed to that company from the cost data used to determine that type of Emission Unit Fee Schedule. The costs from such a company shall be recovered by development of a source-specific Emission Unit Fee Schedule. The specific Emission Unit Fee Schedules shall be submitted to the Air Pollution Control Board for consideration and adoption."

In the proposed Rule 40 amendments, the five (5) new source-specific Emission Unit Fee Schedules being added are to recover significantly higher facility-specific permit renewal costs that would otherwise cause fees for other facilities in those fee schedules to increase by more than 10%. The new source-specific fee schedules are 15(d), 23(e), 27(z), 34(j), and 37(c). The higher costs for these facilities were incurred providing assistance and oversight to bring these facilities into compliance and increased activities associated with the quarterly inspection program.

6. WORKSHOP COMMENT

What is the timeline for adopting the proposed changes to Rule 40, and when will the changes be effective?

DISTRICT RESPONSE

The District will be recommending that the Board approve the proposed changes to Rule 40 at its August 13, 2003, public hearing. The changes will become effective immediately. The revised permit renewal (and emission) fees will apply to all permits that were scheduled for renewal on or after July 1, 2003. Those renewals have been delayed pending these proposed fee changes. The revised permit application fixed fees and the Time and Material fee rates will apply on and after the date the Board approves the amendments to Rule 40.

7. WORKSHOP COMMENT

Where can a company get a list of contractors who can perform emissions testing in lieu of the District conducting the testing?

DISTRICT RESPONSE

The California Air Resources Board (ARB) has a certification process for emissions testing contractors. Under this process, contractors are certified for specific types of emissions tests; for example, tests for oxides of nitrogen, carbon monoxide, or particulate matter. The list of ARB-certified test contractors is updated periodically and is available from the District and ARB.

Several years ago, in conjunction with external customers, the District completed a comprehensive benchmarking study of its emission testing program. Based on this study, the cost of District testing is comparable to the costs of testing performed by certified contractors.

8. WORKSHOP COMMENT

Why doesn't the District outsource testing to reduce costs to businesses? Contractors could be required to have liability insurance in case of errors.

DISTRICT RESPONSE

Several years ago, in collaboration with its external customers, the District completed a comprehensive benchmarking study of its emission testing program. Based on this study, the cost of District testing was found comparable to the costs of testing performed by certified contractors. A facility may choose to have emissions testing performed by a contractor, but the District must witness the testing and recover its costs to ensure the testing is valid.

9. WORKSHOP COMMENT

Why does the District need to witness emissions tests performed by private contractors if the District approves these contractors?

DISTRICT RESPONSE

The District, again in collaboration with its business customers, previously reviewed testing completed by test contractors and observed by the District. This review clearly demonstrated that, even when District staff are present, contractors frequently attempt to deviate from the approved testing protocol. A detailed assessment of historical data demonstrated that this occurred most of the time. District customers indicated they wanted the District to continue test witnessing to assure the quality of results. However, the District will bring this issue to an upcoming regularly scheduled meeting of the Air Pollution Permit Streamlining (APPS) Committee and Compliance Improvement Team (CIT) to discuss with our business customers.

07/07/03
MRL:VA:ls