

**RULE 42. HEARING BOARD FEES** (Adopted ~~April 10, 2019~~ *(date of adoption)* & Effective ~~July 1, 2019~~ ~~December 1, 2021~~ January 1, 2022)

(a) This rule shall not apply to petitions filed by the Air Pollution Control Officer.

(b) Every petitioner in a proceeding before the Hearing Board shall pay to the Clerk of the Hearing Board, on filing, a filing fee for each petition, including each petition for rehearing, in the amount shown below:

- (1) For each petition for Regular Variance.....~~\$1197~~ 1496
- (2) For each petition for an Interim & Regular Variance.....~~\$1459~~ 1824
- (3) For each petition for 90-Day Variance.....~~\$1259~~ 1574
- (4) For each petition for an Emergency Variance pursuant to the provisions of Rule 97 – Emergency Variance or Rule 98 – Breakdown Conditions-Emergency Variance .....~~\$977~~ 1221
- (5) For each petition filed pursuant to Rule 25 – Appeals.....~~\$1544~~ 1930
- (6) For each petition to modify an existing variance or abatement order ~~\$888~~ 1110

(c) In the event that a petition is withdrawn or a hearing is not held for any reason, the petitioner shall be entitled to a refund of the filing fee, less the actual costs incurred.

(d) The Hearing Board may waive all or part of the fees specified in Subsection (b)(5) if it determines that circumstances warrant that waiver. Any request for such a waiver shall be submitted with the petition, which may be submitted without the required fees. If the waiver request is denied by the Hearing Board, the required fees shall be submitted by the end of business day following the hearing on the waiver request.