



Enhanced Regulatory Outreach Program
Maricopa County Air Quality Department
Notice of Stakeholder Workshop
AQ-2016-003-Rule 280 (Fees)

Date/Time: Thursday, June 23, 2016 at 9 a.m.

Location: 1001 North Central Ave, Floor 9 Classroom*

The Maricopa County Air Quality Department (department) will conduct a Stakeholder Workshop to discuss proposed rule revisions to Rule 280 (Fees). The draft rule that will be discussed during this workshop is attached to this announcement.

The following proposed revisions will be discussed during the workshop:

- Reduced fee amounts for two dust control permit categories
- Accelerated permit processing option for dust control permit applications
- Refund option for asbestos notification and plan review filing fees
- Reduced fees for facilities that meet the definition of an “Infrequent Operation” under Rule 316
 - Concrete Batch Plants
 - Crushing Facilities
- Expanded general permit options
 - Crematories
 - Wastewater Treatment Plants
 - Asphalt Day Tankers/Tar Kettles

Additional information is available on the Enhanced Regulatory Outreach Program (EROP) website (www.maricopa.gov/regulations). The Stakeholder Workshop is an informal meeting for all interested parties, is free of charge and no advance registration or RSVP is required.

*Please check-in in Suite #125 when you arrive at 1001 North Central Avenue. Thank you for participating in the rulemaking process.



The following is a summary of revisions to draft Rule 280 (Fees) dated June 23, 2016:

PROPOSE in Section 100 (General):

- To revise the language in Section 101 “Purpose” and Section 102 “Applicability” to be more consistent with the language in Rule 100
- To add Section 103 “Annual Fee Adjustments” to clarify the fees listed in the rule may not reflect the current fee schedule and to provide the location of the most current fee schedule

PROPOSE in Section 200 (Definitions):

- To add a definition of “Consumer Price Index” for clarification purposes; definition taken from the United States Department of Labor Bureau of Labor Statistics website
- To remove the definitions of “Existing Source” and “Regulated Air Pollutant” because both of the definitions are defined in Rule 100
- To remove the definition of “Sources Required To Have A Title V Permit” because this term is not used in the rule language and because Rule 200, Section 302 already identifies sources required to have a Title V permit

PROPOSE in Section 300 (Standards):

- To add a reference to Rule 200 in Section 301 to provide a connection between Rule 280 and Rule 200
- To add a table number and a title to all of the tables in the rule
- To revise the language referencing the tables in the rule to reference the newly proposed table numbers
- To update all of the Title V, Non-Title V and General Permit fees to the current fee schedule; these fees will be adjusted in draft Rule 280 after August 31, 2016 to reflect the 2017 Air Quality Fee Schedule
- To change rule section number 304 referencing the annual adjustment of fees to the newly proposed rule section number of 313
- To revise the language in Section 301.1(c) to match the language in 302.1(c)
- To remove the “Air Curtain Destructors” category from the Title V Source Category fee table under Section 301.2 and add it to the proposed General Permit fee table under Section 303
- To remove “Cement Plants”, “Lime Plants”, “Copper and Nickel Mines”, “Gold Mines” and “Copper Smelters” from the Title V Source Category fee table under Section 301.2
- To add the term “Sources” to the last two categories in the Title V Source Category fee table
- To change rule section number 305 referenced in Section 301.2(b) to match the newly proposed rule section number of 304
- To remove the language “Section 303” from the Rule 200 reference in Section 302 to be a more general rule reference
- To combine the fee table and rule language under Section 302.2 with the fee tables and rule language under Section 403 for clarity purposes
- To add “Biofuel Manufacturing Operations Greater than 1,000,000 Gallons per Year” to Fee Table A
- To add “Paper Mills” to Fee Table A
- To add “(Active)” at the end-of “Solid Waste Landfill” in Fee Table A
- To add “(Subject to Source Testing)” as the end-of “Bakery with Oven of Greater than or Equal to 25 Tons per Year of Potential Uncontrolled VOC Emissions or Facility With Controls” in Fee Table B
- To add “Concrete Batch Plant That Meets the Definition of an ‘Infrequent Operation’ under Rule 316 of These Rules” to Fee Table B to create a lower fee for smaller concrete batch plant operations
- To add “Crushing Facility That Meets the Definition of an ‘Infrequent Operation’ under Rule 316 of These Rules” to Fee Table B to create a lower fee for smaller crushing facility operations
- To revise “Solvent Degreasing/Cleaning System, Solvent Use Greater than 3 Gallons per Day” to “Solvent Degreasing/Cleaning System, Solvent Use Greater than or Equal to 2 Tons per Year Potential Uncontrolled VOC Emissions” in Fee Table B
- To revise “Stage I Vapor Recovery, Bulk Plants with Loading Racks” to “Petroleum Bulk Plants and Organic Liquid Bulk Plants (Non-Petroleum)” in Fee Table B
- To add “Sources Not Otherwise Classified with Potential Uncontrolled Emissions of All Regulated Pollutants Greater than 5, but Less than 25, Tons per Year” to Fee Table B to provide a general category for Fee Table B



- To revise “Bulk Plant Loading Facilities as Defined by Rule 351, Section 305.1” to “Petroleum Bulk Plants and Organic Liquid Bulk Plants (Non-Petroleum) Less Than 120,000 Gallons per Month Built Before 1978” in Fee Table C
- To revise “Non-Halogenated Solvent Cleaning, Less than 3 Gallons per Day” to “Non-Halogenated Solvent Cleaning Less than 2 Tons per Year Potential Uncontrolled VOC Emissions” in Fee Table C
- To add “Sources Not Otherwise Classified with Potential Uncontrolled Emissions of All Regulated Pollutants Less than or Equal to 5 Tons per Year” to Fee Table C to provide a general category for Fee Table C
- To include a list of dust-generating activities to Fee Table D
- To add a reference to Rule 200 in Section 303 to provide a connection between Rule 280 and Rule 200
- To combine the General Permit application fee table under Section 303.1 and the General Permit annual administrative fee table under Section 303.2 into one table and remove references to the fee tables in Section 403
- To remove several rows in the newly combined General Permit fee table and to insert the nine General Permit types currently offered by the department into the table along with three newly proposed General Permit types “Crematories”, “Wastewater Treatment Plants”, and “Asphalt Day Tankers/Tar Kettles”
- To add “Crematories” and “Wastewater Treatment Plants” to Table 280-4 (General Permit Fees); they were originally in Fee Table B; the fee will be less – it was \$3,250 and it now will be \$1,400
- To add Section 303.3 to clarify the Control Officer may issue other General Permits not listed in the General Permit fee table and to provide the location of fees
- To add Section 303.4 to clarify which dust-generating activities qualify for coverage under the Stationary Dust-Generating Sources General Permit
- To move Section 304 “Annual Adjustment of Fees” to Section 313 and revise it to provide the option of adjusting Non-Title V Annual Administrative Fees, General Permit Application Fees, General Permit Annual Administrative Fees, Burn Permit Fees, Dust Control Permit Fees and Asbestos Notification and Plan Review Filing Fees annually
- To change rule section number 305 referenced in Sections 305.1(b) and (c) to match the newly proposed rule section number of 304
- To change the title of Section 308 from “Gasoline Delivery Vessel Decal Fee” to “Maricopa County Vapor Tightness Certification Decal Fee” and to change the term “delivery vessel” to “cargo tank” in Section 308 so the section title and language more closely correspond to the proposed language in Rule 352 which is currently in the rulemaking process
- To add two new categories, “Watershed Rehabilitation” and “Indigenous Scrub Vegetation”, to the Burn Permit fee schedule under Section 309.1 to correspond more closely with the fire categories listed in Rule 314
- To alphabetize the fire categories in the Burn Permit fee schedule
- To add a reference in Section 310 to Rule 310 to provide a connection between Rule 280 and Rule 310
- To decrease the annual fee amount for a dust control permit in the category of “0.1 to less than one acre” from \$795 to \$530
- To decrease the annual fee amount for a dust control permit in the category of “One acre to less than 10 acres” from \$1,325 to \$1,060
- To add Section 309.3 “Accelerated Dust Control Permit Processing Fee” for dust control permit applications
- To add a dust control training class fee table under Section 311 for clarity
- To change the minimum number of class participants required for a request for dust control training under Section 311.3 to 50 participants and to remove the requirement of a maximum number of class participants required for the training
- To remove the language under Section 311.3 addressing a discounted fee for the issuance of training cards at third party provider dust control training classes
- To add refund policy language
- To remove Section 311.4 “Train the Trainer Class Fee”
- To remove the language “Section 306” from the Rule 200 reference in Section 312 to be a more general rule reference
- To add Section 312.9 to clarify any person removing less than 260 linear feet, 160 square feet or 35 cubic feet of regulated asbestos containing material is not required to file a notification
- To add Sections 312.2, 312.4 and 312.6 providing for partial refunds of asbestos notification and plan review filing fees under Section 313



- To revise the delinquency fee language under Section 315 to provide for the possibility of higher delinquency fees for those applicants or permittees who fail to pay required fees on time
- To remove Section 316 because they can be found on the department’s website and records
- To remove the language “Section 313” from the Rule 200 reference in Section 317.1 to be a more general rule reference
- To add Section 316.5 to clarify accelerated permit processing for dust control permits can be found in Section 309.3
- To remove Section 320 “Hazardous Air Pollutants Tier 4 Risk Management Analysis Fee”
- To remove Section 321 “Air Quality Awareness Flag Program Fee”

PROPOSE in Section 400 (Administrative Requirements):

- To update the effective dates of the fees in Section 401
- To change the title of Section 402.2 from “Gasoline Delivery Vessel Decal Fee” to “Maricopa County Vapor Tightness Certification Decal Fee” and to change the term “Gasoline delivery vessel” to “The Maricopa County Vapor Tightness Certification” in Section 402.2 so the section title and language correspond more closely to the proposed language in Rule 352 which is currently in the rulemaking process
- To combine the fee tables and rule language in Section 403 with the fee table and rule language in Section 302.2 for clarity purposes
- To revise “Ethylene Oxide Sterilization” under Fee Table A by creating two new categories “Ethylene Oxide Sterilization, Commercial” and “Ethylene Oxide Sterilization, Medical Facilities” and placing the proposed categories into separate fee tables, Fee Table A and Fee Table C, respectively
- To revise “Insulation Manufacturing” to “Fiberglass Insulation Manufacturing” under Fee Table A to clarify the type of insulation manufacturing
- To remove “Source Subject to a MACT, NESHAP or NSPS Standard under CAA Section 111 or 112 Unless Otherwise Identified in another Fee Table” from Fee Table A
- To revise “Aerospace Products Manufacturing and Rework not Subject to MACT” to “Aerospace Products Manufacturing and Rework not Subject to MACT GG” under Fee Table B to improve specificity
- To revise “Plating Tanks, Electrolytic or Electrowinning (Includes Decorative Chrome and Hard Chrome Operations Less than or Equal to 60 Million Amp/Hrs per Year Subject to Area Source MACT)” to “Plating Tanks (Includes Hard Chrome or Decorative Chrome Plating Operations)” under Fee Table B
- To revise “Soil Treatment/Remediation” to “Soil/Groundwater Remediation” under Fee Table B to include groundwater remediation
- To remove “Soil Solvent Extraction System with Package Thermal/Catalytic Oxidizer/Carbon Adsorption” from Fee Table B to remove redundancy in the fee tables
- To revise “Source with 3 or More Fee Table C Processes” to “Source with 3 or More Fee Table C/D Processes” under Fee Table B
- To combine “Abrasive Blasting” and “Spray Coating” under Fee Table C into one category “Surface Coating and/or Abrasive Blasting Operations” to match the category titles with the associated General Permit title
- To revise “Dry Cleaning (Includes Perchloroethylene Dry Cleaning Facilities Subject to Area Source MACT)” to “Dry Cleaning Facilities” under Fee Table C to match the category title with the associated General Permit title
- To revise “Emergency Internal Combustion Engine” to “Facilities Operating Stationary Emergency Internal Combustion Engines” under Fee Table C to match the category title with the associated General Permit title
- To move “Landscape and Decorative Rock, Gravel, and Sand Distribution” under Fee Table C to Fee Table D
- To revise “Petroleum Storage, Non-Retail Dispensing Operations Exempted from Stage I vapor Recovery by Rule 353” to “Gasoline Dispensing Operations” under Fee Table C to match the category title with the associated General Permit title
- To revise “Plating, Electroless” to “Electroless Plating or Plating Subject to MACT Subpart WWWW” under Fee Table C for clarity purposes
- To revise “Printing Facilities Less than 25 Tons per Year of Potential Uncontrolled VOC Emissions” to “Graphic Arts Operations” under Fee Table C to match the category title with the associated General Permit title
- To remove “Stripping Operation, Liquid Chemical Groundwater/Wastewater Remediation” from Fee Table C to remove redundancy in the fee tables



AQ-2016-003-Rule 280

Draft Rule For Stakeholder Workshop: June 23, 2016

Contact: Greg Verkamp – (602) 506-7141

GregoryVerkamp@mail.maricopa.gov

Maricopa County Air Quality Dept.

Planning & Analysis Division

1001 N. Central Ave. Ste. 125

Phoenix, AZ 85004

-
- To revise “Vehicle Refinishing” to “Vehicle and Mobile Equipment Refinishing Operations” under Fee Table C to match the category title with the associated General Permit title
 - To remove “Water Reclamation” from Fee Table C
 - To revise “Drinking Water Plant” to “Drinking Water Treatment Facility” under Fee Table C for clarity purposes
 - To revise “Wood Furniture/Millwork/Small Sources Less than 10 Tons per Year VOC” to “Wood Furniture, Fixture and Millwork Operations” under Fee Table C to match the category title with the associated General Permit title
 - To incorporate “Yard/Stockpiling” under Fee Table C into “Landscape and Decorative Rock, Gravel and Sand Distribution” and “Bulk Material Handling” and to move it to Fee Table D
 - To revise “Service Station and Non-Resale Dispensing Operations Greater than 120,000 Gallons per Year” under Fee Table D to “Gasoline Dispensing Operations” to match the category title with the associated General Permit title and to move it to Fee Table C
 - To revise “Fuel Burning Equipment” to “Fuel Burning Operations” under Fee Table E to match the category title with the associated General Permit title



REGULATION II – PERMITS AND FEES

RULE 280 FEES

INDEX

SECTION 100 – GENERAL

- 101 PURPOSE
- 102 APPLICABILITY
- 103 ANNUAL FEE ADJUSTMENTS

SECTION 200 – DEFINITIONS

- 201 ANNUAL ADMINISTRATIVE FEE
- 202 BILLABLE PERMIT ACTION
- 203 CONSUMER PRICE INDEX
- 203 ~~EXISTING SOURCE~~
- 204 ITEMIZED INVOICE
- 205 NON-MAJOR TITLE V SOURCE
- 206 ~~REGULATED AIR POLLUTANT~~
- 207 ~~SOURCES REQUIRED TO HAVE A TITLE V PERMIT~~

SECTION 300 – STANDARDS

- 301 TITLE V PERMIT FEES
- 302 NON-TITLE V PERMIT FEES
- 303 GENERAL PERMIT FEES
- 304 ~~ANNUAL ADJUSTMENT OF FEES~~
- 305 304 CALCULATION AND PAYMENT OF EMISSIONS-BASED FEES
- 306 305 HEARING BOARD FILING FEE
- 307 306 CONDITIONAL ORDER FEE
- 308 ~~GASOLINE DELIVERY VESSEL DECAL FEE~~
- 307 307 MARICOPA COUNTY VAPOR TIGHTNESS CERTIFICATION DECAL FEE
- 309 308 OPEN BURN FEE
- 340 309 DUST CONTROL PERMIT FEE
- 344 310 DUST CONTROL TRAINING CLASS FEE
- 342 311 SUBCONTRACTOR REGISTRATION FEE



-
- 313 312 ASBESTOS NOTIFICATION AND PLAN REVIEW FILING FEES
 313 ANNUAL ADJUSTMENT OF FEES
314 LATE FEE
315 DELINQUENCY FEE
316 ~~SUBSCRIPTION FEE FOR RULE REVISIONS~~
317 316 ACCELERATED PERMIT PROCESSING FEE
318 317 FAILURE TO PAY REQUIRED FEES
319 318 INFORMAL REVIEW OF PERMIT PROCESSING HOURS
 320 ~~HAZARDOUS AIR POLLUTANTS TIER 4 RISK MANAGEMENT
 ANALYSIS FEE~~

SECTION 400 – ADMINISTRATIVE REQUIREMENTS

- 401 EFFECTIVE DATE OF FEES
402 PAYMENT OF FEES
403 ~~FEE TABLE A, B, C, D, E, F, G, H, AND I SOURCES~~

SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)



~~Revised 07/13/88~~
~~Revised 08/05/91~~
~~Revised 11/15/93~~
~~Revised 08/19/98~~
~~Revised 03/15/00~~
~~Revised 05/21/03~~
~~Revised 04/07/04~~
~~Revised 05/18/05~~
~~Revised 07/12/06~~
~~Revised 03/26/08~~
~~Revised 05/26/10~~

Revised 07/13/1988; Revised 08/05/1991; Revised 11/15/1993; Revised 08/19/1998; Revised 03/15/2000; Revised 05/21/2003; Revised 04/07/2004; Revised 05/18/2005; Revised 07/12/2006; Revised 03/26/2008; Revised 05/26/2010; Revised xx/xx/xxxx

**MARICOPA COUNTY
 AIR POLLUTION CONTROL REGULATIONS
 REGULATION II – PERMITS AND FEES**

**RULE 280
 FEES**

SECTION 100 – GENERAL

- 101 PURPOSE:** To establish fees to be charged to ~~owners and operators~~ an owner or operator of sources a source of air pollution subject to these rules.
- 102 APPLICABILITY:** Every ~~person owning/operating equipment or~~ owner or operator of a source engaged in activities that may cause or contribute to air pollution is subject to the prescribed fees in this rule.
- 103 ANNUAL FEE ADJUSTMENTS:** All Title V fees and the Non-Title V hourly rate will be adjusted annually on January 1 in accordance with Section 313 of this rule. Non-Title V Annual Administrative Fees, General Permit Application Fees, General Permit Annual Administrative Fees, Burn Permit Fees, Dust Control Permit Fees and Asbestos Notification and Plan Review Filing Fees may be adjusted annually on January 1 in accordance with Section 313 of this rule. The fee schedule can be found on the department’s website at: <http://www.maricopa.gov/aq/>

SECTION 200 – DEFINITIONS: For the purpose of this rule, the following definitions apply, in addition to those definitions found in Rule 100 (General Provisions and Definitions) of these rules. In the event of any inconsistency between any of the Maricopa County air pollution control rules, the definitions in this rule take precedence.

- 201 ANNUAL ADMINISTRATIVE FEE:** ~~Paid~~ A fee paid annually by a source to recover the average cost of services required to administer the permit and conduct inspections. For a Non-Title V permitted source, the annual administrative fee also covers the cost of



renewing the Non-Title V permit. For a General permitted source, the annual administrative fee also covers the cost of reapplying for authorization to operate under a General Permit.

- 202 BILLABLE PERMIT ACTION:** The review, issuance or denial of a new permit, significant permit revision, or minor permit revision, or the renewal of an existing permit.
- 203 CONSUMER PRICE INDEX (CPI):** A measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services.
- ~~203 EXISTING SOURCE:~~ ~~source that has commenced construction and has been issued a permit pursuant to A.R.S. § 49-480 after September 1, 1993.~~
- 204 ITEMIZED INVOICE:** A breakdown of the permit processing time into the categories of pre-application activities, completeness review, substantive (technical) review, and public involvement activities, and within each category, a further breakdown by employee name.
- 205 NON-MAJOR TITLE V SOURCE:** A source required to obtain a Non-Title V permit under Rule 200 to which both of the following apply:
- 205.1** The source is classified as a Synthetic Minor Source, and
- 205.2** The source has a permit that contains allowable emissions greater than or equal to 50% of the major source threshold.
- ~~206 REGULATED AIR POLLUTANT:~~ ~~For the purposes of Section 305 of this rule, regulated air pollutant consists of the following air pollutants:~~
- ~~206.1 Any conventional air pollutant as defined in A.R.S. § 49-401.01, which means any pollutant for which the Administrator of EPA has promulgated a primary or a secondary National Ambient Air Quality Standard (NAAQS) except carbon monoxide (i.e., for nitrogen oxides [NO_x], lead, sulfur oxides [SO_x] measured as sulfur dioxide [SO₂], ozone, and particulates).~~
- ~~206.2 Nitrogen oxides (NO_x) and volatile organic compounds (VOCs).~~
- ~~206.3 Any air contaminant that is subject to a standard contained in Rule 360 (New Source Performance Standards) of these rules or promulgated under Section 111 (Standards of Performance for New Stationary Sources) of the Act.~~
- ~~206.4 Any hazardous air pollutant (HAP) as defined in A.R.S. § 49-401.01 or listed in Section 112(b) (Hazardous Air Pollutants; List of Pollutants) of the Act.~~
- ~~206.5 Any Class I or II substance listed in Section 602 (Stratospheric Ozone Protection; Listing of Class I and Class II Substances) of the Act.~~



~~207 SOURCES REQUIRED TO HAVE A TITLE V PERMIT: The following sources shall be considered sources required to have a Title V permit:~~

~~207.1 Any source required to have a Title V permit under Rule 200, Section 302 of these rules;~~

~~207.2 Any source that qualifies for a Non-Title V permit but that elects to have a Title V permit under Rule 200, Section 302 of these rules.~~

SECTION 300 – STANDARDS

301 TITLE V PERMIT FEES: The owner or operator of a source required to have a Title V permit under Rule 200 of these rules shall pay fees according to the following provisions:

301.1 Fees for Billable Permit Actions: The owner or operator of a Title V source shall pay to the Control Officer ~~\$133.50~~ \$150.00 per hour, adjusted annually under Section ~~304~~ 313 of this rule, for all permit processing time required for a billable permit action. The owner or operator of a Title V source shall also pay the Control Officer the actual costs incurred by the Control Officer to meet the public participation requirements of Rule 210 of these rules. Costs incurred to meet the public participation requirements of Rule 210 of these rules may include, but are not limited to, costs incurred by the Control Officer to publish public notice of a public hearing or draft permit, to hire a hearing officer, to hire transcription or court reporting services, to rent meeting room space, and to perform permit processing activities associated with a public hearing, such as time spent by a permit engineer(s) to participate in the public hearing and to prepare responses to comments. Permit processing activities associated with a public hearing shall be charged at the rate of ~~\$133.50~~ \$150.00 per hour, adjusted annually under Section ~~304~~ 313 of this rule. The fees shall be paid as follows:

- a. An application shall be submitted with the applicable fee from ~~the table below~~ Table 280-1:

TABLE 280-1

<u>TITLE V PERMIT APPLICATION FEES</u>	
Type of Application	Application Fee
New permit application	\$7,000
Significant permit revision application that is a result of a major modification	\$7,000
Other significant permit revision applications	\$1,000
Minor permit revision application	\$150
Permit renewal application	\$3,500

- b. At any time after submittal of the application, the Control Officer may request additional application fees based on the cost to date of reviewing and acting on the application, minus all fees previously submitted for the application.



- c. When permit processing is completed ~~for a facility~~ and final costs are greater than the fee submitted with the application under Section 301.1(a) of this rule, the Control Officer shall send an itemized invoice. The invoice shall indicate the total actual cost of reviewing and acting upon the application, the actual costs incurred by the Control Officer to meet the public participation requirements of Rule 210 of these rules, minus all fees previously submitted, and the balance due.
- d. The Control Officer shall not issue a permit, permit revision, or permit renewal until the balance due on the itemized invoice is paid in full. The Control Officer may deny a permit, a permit revision, or a permit renewal in accordance with Rule 200 of these rules if the applicant does not pay fees required for billable permit actions within 90 days of the invoice date.

301.2 Annual Fees: The owner or operator of a Title V source shall pay an annual administrative fee plus an emissions-based fee as follows:

- a. The applicable annual administrative fee from ~~the table below~~ Table 280-2, as adjusted annually under Section ~~304~~ 313 of this rule. The fee is due on the first anniversary date of the initial permit covering construction and startup of operations and annually thereafter on that date.

TABLE 280-2

<u>TITLE V PERMIT ANNUAL ADMINISTRATIVE FEES</u>	
<u>Title V Source Category</u>	<u>Annual Administrative Fee</u>
Aerospace	\$18,320 \$20,300
Air Curtain Destructors	\$840
Cement Plants	\$68,590
Combustion/Boilers	\$16,680 \$18,490
Compressor Stations	\$13,630 \$15,110
Expandable Foam	\$14,800 \$16,400
Landfills	\$18,140 \$20,110
Lime Plants	\$64,790
Copper and Nickel Mines	\$16,150
Gold Mines	\$16,150
Paper Mills	\$22,060 \$24,450
Petroleum Products Terminal Facilities	\$25,800 \$28,600
Polymeric Fabric Coaters	\$18,140 \$20,110
Reinforced Plastics	\$13,630 \$15,110
Semiconductor Fabrication	\$29,010 \$32,150
Copper Smelters	\$68,590
Utilities-Primary Fuel Natural Gas	\$9,500 \$10,530+ \$16,480 \$18,270 per turbine installed/modified after May 10, 1996 and subject to



	annual source testing or CEM RATA* certifications
Utilities-Fossil Fuel Except Natural Gas	\$35,080 <u>\$38,880</u>
Vitamin/Pharmaceutical Manufacturing	\$17,020 <u>\$18,860</u>
Wood Furniture	\$15,010 <u>\$16,640</u>
Others <u>Other Sources</u>	\$18,130 <u>\$20,090</u>
Others <u>Other Sources</u> with Continuous Emissions Monitoring	\$22,070 <u>\$24,460</u>

* ~~Continuous emissions monitoring relative accuracy test audit (CEM RATA)~~

Continuous Emissions Monitoring Relative Accuracy Test Audit (CEM RATA)

- b. An emissions-based fee of ~~\$38.25~~ \$42.39 per ton of actual emissions of all regulated pollutants emitted during the previous calendar year as determined by Section ~~305~~ 304 of this rule. The fee ~~is~~ shall be adjusted annually under Section ~~304~~ 313 of this rule.

302 NON-TITLE V PERMIT FEES: The owner or operator of a source required to have a Non-Title V permit under Rule 200, ~~Section 303~~ of these rules shall pay fees according to the following provisions:

302.1 Fees for Billable Permit Actions: The owner or operator of a Non-Title V source shall pay to the Control Officer ~~\$133.50~~ \$150.00 per hour, adjusted annually under Section ~~304~~ 313 of this rule, for all permit processing time required for a billable permit action, except for the renewal of an existing permit. In addition, the owner or operator of a Non-Title V source shall pay the Control Officer the actual costs incurred by the Control Officer to meet the public participation requirements of Rule 220 of these rules, including costs incurred to meet the public participation requirements for the renewal of an existing permit. Costs incurred to meet the public participation requirements of Rule 220 of these rules may include, but are not limited to, costs incurred by the Control Officer to publish public notice of a public hearing or draft permit, to hire a hearing officer, to hire transcription or court reporting services, to rent meeting room space, and to perform permit processing activities associated with a public hearing, such as time spent by a permit engineer(s) to participate in the public hearing and to prepare responses to comments. Permit processing activities associated with a public hearing shall be charged at the rate of ~~\$133.50~~ \$150.00 per hour, adjusted annually under Section ~~304~~ 313 of this rule. The minimum fee due shall be \$200.00. The fees shall be paid as follows:

- a. An application shall be submitted with an application fee of \$200.00.
- b. At any time after the submittal of an application the Control Officer may request an additional application fee based on the cost to date of reviewing and acting on the application, minus all fees previously submitted for the application.



- c. When permit processing is completed and final costs are greater than the fee submitted with the application under Section 302.1(a) of this rule, the Control Officer shall send an itemized invoice. The invoice shall indicate the total cost of reviewing and acting upon the application, the actual costs incurred by the Control Officer to meet the public participation requirements of Rule 220 of these rules, minus all fees previously submitted, and the balance due.
- d. The maximum fee for processing permit applications listed in Section 302.1 of this rule is \$25,000.00.
- e. The Control Officer shall not issue a permit or permit revision until the balance due on the itemized invoice is paid in full. The Control Officer may deny a permit or a permit revision in accordance with Rule 200 of these rules if the applicant does not pay fees required for billable permit actions within 90 days of the invoice date.

302.2 Annual Administrative Fees: The owner or operator of an existing Non-Title V source shall pay the applicable annual administrative fee from ~~the table below~~ Table 280-3, as adjusted annually under Section ~~304~~ 313 of this rule. The fee is due on the first anniversary date of the initial permit covering construction and startup of operations and annually thereafter on that date. Sources reclassified to a higher fee table due to the receipt of three complaints on different dates during a one-year period from different individuals resulting in violations resolved by an order of abatement by consent or judicial action shall remain in that fee table until two calendar years pass without complaints against the facility resulting in violations resolved by an order of abatement by consent or judicial action.

TABLE 280-3

<u>NON-TITLE V PERMIT ANNUAL ADMINISTRATIVE FEES</u>	
<u>Fee Table Non-Title V Source Category</u> Source categories designated as Fee Tables A-I are listed in Sections 403.1-403.9 of this rule	<u>Annual Administrative Fee</u>
Sources listed in Fee Table A (see Section 403.1) <u>Fee Table A</u> <u>Aircraft Manufacturing</u> <u>Biofuel Manufacturing Operations Greater than 1,000,000 Gallons per Year</u> <u>Chemical Manufacturing, Dry</u> <u>Chemical Manufacturing, Liquid</u> <u>Circuit Board Manufacturing Greater than or Equal to 5 Tons per Year</u> <u>Potential Uncontrolled VOC</u> <u>Coating Line, Can/Coil/Fabric/Film/Glass/Paper</u> <u>Ethylene Oxide Sterilization, Commercial</u> <u>Fiberglass Insulation Manufacturing</u>	\$5,980 \$6,630



<p><u>Gypsum, Calcining</u> <u>Incinerator, Hazardous Material</u> <u>Incinerator, Medical Waste</u> <u>Jet or Auxiliary Engine Manufacturing</u> <u>Non-Major Title V Source</u> <u>Paper Mills</u> <u>Pesticide/Herbicide Production</u> <u>Petroleum Loading Racks and Storage Tanks at Bulk Terminals</u> <u>Pharmaceutical Manufacturing</u> <u>Polymeric Foam Products Greater than or Equal to 25 Tons per Year Potential</u> <u>Uncontrolled VOC Emissions or Facility with Controls Subject to Source Testing</u> <u>Power Plant Greater than or Equal to 25 Tons per Year Potential Uncontrolled NO_x Emissions</u> <u>Printing Facilities Greater than or Equal to 25 Tons per Year Potential</u> <u>Uncontrolled VOC Emissions or Facility with Controls Subject to Source Testing</u> <u>Rendering</u> <u>Rubber Products Manufacturing</u> <u>Semiconductor Manufacturing Less than 25 Tons per Year of Potential</u> <u>Uncontrolled VOC Emissions</u> <u>Solid Waste Landfill (Active)</u> <u>Source Subject to BACT Determination</u> <u>Source with 3 or More Fee Table B Processes</u> <u>Vegetable Oil Extraction</u></p>	<p>\$5,980 \$6,630</p>
<p>Sources listed in Fee Table B (see Section 403.2) <u>Fee Table B</u> <u>Aerospace Products Manufacturing and Rework not Subject to MACT GG</u> <u>Aggregate Screening</u> <u>Animal Feed Processing</u> <u>Auto Body Shredding</u> <u>Bakery with Oven of Greater than or Equal to 25 Tons per Year of Potential</u> <u>Uncontrolled VOC Emissions or Facility with Controls (Subject To Source Testing)</u> <u>Boiler, Gas-Fired or with Emergency Fuel Capabilities (Each Unit Greater than or Equal to 10 MMbtu/hr)</u> <u>Cement Terminal</u> <u>Chemical/Fertilizer Storage, Mixing, Packaging and Handling</u> <u>Concrete Batch Plant That Meets the Definition of an ‘Infrequent Operation’ under Rule 316 of these Rules</u> <u>Concrete Product Manufacturing</u> <u>Cotton Gin</u> <u>Cotton Seed Processing</u> <u>Crematory</u></p>	<p>\$1,550 \$1,720</p>



<p><u>Crushing Facility That Meets the Definition of an ‘Infrequent Operation’ under Rule 316 of these Rules</u></p> <p><u>Cultured Marble</u></p> <p><u>Fiberglass Product Manufacturing</u></p> <p><u>Flour Milling</u></p> <p><u>Foundry</u></p> <p><u>Furnace, Burn-Off</u></p> <p><u>Furnace, Electric Arc</u></p> <p><u>Furnace, Metals</u></p> <p><u>Furnace, Other</u></p> <p><u>Gas Turbine, Non-Utility (Utility in Fee Table A)</u></p> <p><u>Grain Cleaning/Processing</u></p> <p><u>Grain Storage</u></p> <p><u>Incinerator, Non-Hazardous Material</u></p> <p><u>Internal Combustion Engine, Other than Emergency</u></p> <p><u>Metal Recovery/Reclamation</u></p> <p><u>Petroleum Bulk Plants and Organic Liquid Bulk Plants (Non-Petroleum)</u></p> <p><u>Pipeline Transmission Facility</u></p> <p><u>Plating Tanks (Includes Hard Chrome or Decorative Chrome Plating Operations)</u></p> <p><u>Polymeric Foam Products Less than 25 Tons per Year Potential Uncontrolled VOC Emissions</u></p> <p><u>Power Plant Less than 25 Tons per Year Potential Uncontrolled NO_x Emissions</u></p> <p><u>Reinforced Plastics</u></p> <p><u>Rubber Products Manufacturing with Only Molding</u></p> <p><u>Soil/Groundwater Remediation</u></p> <p><u>Solvent Degreasing/Cleaning System, Solvent Use Greater Than or Equal To 2 Tons Per Year Potential Uncontrolled VOC Emissions</u></p> <p><u>Solvent Reclaiming</u></p> <p><u>Source with 3 or More Fee Table C/D Processes</u></p> <p><u>Sources Not Otherwise Classified with Potential Uncontrolled Emissions of All Regulated Pollutants Greater than 5, but Less than 25, Tons per Year</u></p> <p><u>Stripping Operation, Equipment or Furniture Refurbishment</u></p> <p><u>Tire Shredding/Retreading</u></p> <p><u>Wastewater Treatment Plant</u></p> <p><u>Wood Coating Operation Subject to RACT Including Furniture/Millwork Sources Larger than 10 Tons per Year Potential Uncontrolled VOC Emissions</u></p> <p><u>Any Fee Table A, F, or G Source whose Aggregate of All Equipment, Processes or Production Lines Has Enforceable Permit Limits of Less than 2.0 Tons per Year Potential Uncontrolled VOC or NO_x Emissions, and Less than 1.0 Ton per Year Potential Uncontrolled PM₁₀ Emissions</u></p> <p><u>Any Fee Table C Source that Receives 3 Complaints on Different Dates During a One-Year Period from Different Individuals Resulting in Violations Resolved by an Order of Abatement by Consent or Judicial Action</u></p> <p><u>Sources listed in Fee Tables Fee Table C–D (see Sections 403.3 and 403.4)</u></p>	<p>\$1,550 \$1,720</p>
--	------------------------



<u>Fee Table C</u>	
<p><u>Asphalt Day Tanker/Tar Kettle</u> <u>Cement Products Packaging/Distribution</u> <u>Circuit Board Assembly</u> <u>Circuit Board Manufacturing Less than 5 Tons per Year of Potential Uncontrolled VOC</u> <u>Drinking Water Treatment Facility</u> <u>Dry Cleaning Facilities</u> <u>Electroless Plating or Plating Subject to MACT Subpart WWWW</u> <u>Engine Testing</u> <u>Ethylene Oxide Sterilization, Medical Facilities</u> <u>Facilities Operating Stationary Emergency Internal Combustion Engines</u> <u>Food Processing</u> <u>Gasoline Dispensing Operations</u> <u>Graphic Arts Operations</u> <u>Incinerator, Paper and Cardboard Products</u> <u>Injection Molding</u> <u>Laundry, Other than Dry Cleaning</u> <u>Miscellaneous Acid/Solvent Use</u> <u>Non-Halogenated Solvent Cleaning, Less than 2 Tons per Year Potential Uncontrolled VOC Emissions</u> <u>Packaging, Mixing and Handling, Granular or Powdered Material Other than Cement or Grain</u> <u>Petroleum Bulk Plants and Organic Liquid Bulk Plants (Non-Petroleum) Less than 120,000 Gallons per Month and Built Before 1978</u> <u>Plastic or Metal Extrusion</u> <u>Powder Coating</u> <u>Semiconductor Lab/Testing/Services</u> <u>Sewage Lift Pump Station</u> <u>Solvent Storage/Handling</u> <u>Sources Not Otherwise Classified with Potential Uncontrolled Emissions of All Regulated Pollutants Less than or Equal to 5 Tons per Year</u> <u>Storage Tank, Non-Petroleum Volatile Organic Compounds</u> <u>Surface Coating and/or Abrasive Blasting Operations</u> <u>Vehicle and Mobile Equipment Refinishing Operations</u> <u>Waste Transfer Facility</u> <u>Wood Furniture, Fixture and Millwork Operations</u></p>	<p>\$610\$680</p>
<u>Fee Table D</u>	
<p><u>Bulk Material Handling (Not Related to Construction Projects with Finite Timeframes)</u> <u>Hauling, Transporting, Stacking, Loading Operations, Unloading Operations and Storage Piles</u> <u>Composting, Mulching, Green Waste</u> <u>Inert Landfill</u> <u>Landfill (Closed) General Maintenance</u> <u>Landscape and Decorative Rock, Gravel and Sand Distribution</u></p>	<p>\$610\$680</p>



Sources listed in Fee Table E (see Section 403.5) <u>Fee Table E</u> <u>Fuel Burning Operations</u>	\$320 \$350
Sources listed in Fee Table F (see Section 403.6) <u>Fee Table F</u> <u>Aggregate Production/Crushing Subject to an NSPS under CAA Section 111</u> <u>Hot Mix Asphalt Plants</u>	\$7,940 \$8,800
Sources listed in Fee Table G (see Section 403.7) <u>Fee Table G</u> <u>Aggregate Production/Crushing not Subject to NSPS under CAA Section 111</u> <u>Concrete Batch Plant</u>	\$4,790 \$5,310
Sources listed in Fee Table H (see Section 403.8) <u>Fee Table H</u> <u>Semiconductor Manufacturing Greater than or Equal to 25 Tons per Year</u> <u>Potential Uncontrolled VOC Emissions or Facility with Controls Subject to</u> <u>Source Testing</u> <u>Any Fee Table A or G Source that Receives 3 Complaints on Different Dates</u> <u>During a One-Year Period from Different Individuals Resulting in Violations</u> <u>Resolved by an Order of Abatement by Consent or Judicial Action</u>	\$7,940 \$8,800
Sources listed in Fee Table I (see Section 403.9) <u>Fee Table I</u> <u>Any Fee Table B Source that Receives 3 Complaints on Different Dates During</u> <u>a One-Year Period from Different Individuals Resulting in Violations</u> <u>Resolved by an Order of Abatement by Consent or Judicial Action</u>	\$4,790 \$5,310

303 GENERAL PERMIT FEES: The owner or operator of a source required to obtain a permit pursuant to these rules who elects to be covered by a General Permit under Rule 200 of these rules shall pay fees according to the following provisions:

303.1 Fees Due with an Application Fee: The owner or operator of a source initially applying for authorization to operate under a General Permit shall pay the applicable application fee from the table below Table 280-4 with the submittal of the application as adjusted annually under Section 313 of this rule.

303.2 Annual Administrative Fee: The owner or operator of a source with an authorization to operate under a General Permit shall pay the applicable annual administrative fee from Table 280-4, as adjusted annually under Section 313 of this rule. The fee is due on the first anniversary date of the initial approval to operate under a General Permit and annually thereafter on that date.

TABLE 280-4

<u>GENERAL PERMIT FEES</u>	
<u>Fee Table General Permit Source Category</u> Source categories designated as Fee Tables A – I are listed in Sections 403.1–403.9 of this rule	<u>Application Fee And Annual Administrative Fee</u>
Title V General Permits except Air Curtain Destructors	Fee from Section



	301.1(a) table for Title V source category
Air Curtain Destructors	\$840\$930
Sources listed in Fee Table A (see Section 403.1)	\$4,870
Sources listed in Fee Table B (see Section 403.2)	
Crematories	\$3,250\$1,400
Wastewater Treatment Plants	
Sources listed in Fee Tables C–D (see Sections 403.3 and 403.4)	
Asphalt Day Tankers/Tar Kettles	
Dry Cleaning Facilities	
Gasoline Dispensing Operations	
Graphics Arts Operations	
Facilities Operating Stationary Emergency Internal Combustion Engines	
Stationary Dust-Generating Sources \geq 0.10 Acre	
Bulk Material Handling	
Hauling, Transporting, Stacking, Loading Operations, Unloading Operations and Storage Piles	\$320\$350
Composting, Mulching, Green Waste	
Inert Landfill	
Land Clearing Using Mechanized Equipment	
Landfill (Closed) General Maintenance	
Landscape and Decorative Rock, Gravel and Sand Distribution	
Weed Abatement By Discing or Blading	
Surface Coating and/or Abrasive Blasting Operations	
Vehicle and Mobile Equipment Refinishing Operations	
Wood Furniture, Fixture and Millwork Operations	
Sources listed in Fee Table E (see Section 403.5)	\$240\$270
Fuel Burning Operations	
Sources listed in Fee Table F (see Section 403.6)	\$6,970
Sources listed in Fee Table G (see Section 403.7)	\$4,170
Sources listed in Fee Table H (see Section 403.8)	\$6,970
Sources listed in Fee Table I (see Section 403.9)	\$4,170

303.3 The Control Officer may issue a General Permit that is not listed in Table 280-4 on his or her own initiative or in response to a petition. The application and annual administrative fees for any General Permit category not listed in Table 280-4 will be listed in the fee schedule on the department’s website at: www.maricopa.gov/aq/

303.4 The Stationary Dust-Generating Source General Permit covers sources subject to Rule 310 of these rules (disturbing greater than or equal to 0.10 acre) that are not engaged in construction projects with finite timeframes including, but not limited to, the following:



- a. Businesses with routine dust-generating activities that are not engaged in any other regulated activities.
- b. Residential property with dust-generating activities disturbing up to 10 acres, excluding construction projects.

303.2 Annual Administrative Fee: The owner or operator of a source with an authorization to operate under a General Permit shall pay the applicable annual administrative fee from the table below, as adjusted annually under Section 304 of this rule. The fee is due on the first anniversary date of the initial approval to operate under a General Permit and annually thereafter on that date.

Fee Table Source categories designated as Fee Tables A-I are listed in Sections 403.1-403.9 of this rule	Annual Administrative Fee
Title V General Permits	Fee from Section 301.2(a) table for Title V source category
Sources listed in Fee Table A (see Section 403.1)	\$4,870
Sources listed in Fee Table B (see Section 403.2)	\$3,250
Sources listed in Fee Tables C-D (see Sections 403.3 and 403.4)	\$320
Sources listed in Fee Table E (see Section 403.5)	\$240
Sources listed in Fee Table F (see Section 403.6)	\$6,970
Sources listed in Fee Table G (see Section 403.7)	\$4,170
Sources listed in Fee Table H (see Section 403.8)	\$6,970
Sources listed in Fee Table I (see Section 403.9)	\$4,170

304 ANNUAL ADJUSTMENT OF FEES: Fees shall be increased yearly by the percentage, if any, by which the Consumer Price Index for the most recent year exceeds the base year Consumer Price Index as set forth in the following manner:

- 304.1 The Control Officer shall adjust the hourly rate every January 1, to the nearest 10 cents per hour, beginning on January 1, 2009. The Control Officer will multiply \$133.50 by the Consumer Price Index (CPI) for the most recent year as described in Section 304.4 of this rule, and then divide by the CPI for the year 2008.
- 304.2 The Control Officer shall adjust the administrative or permit processing fees listed in Sections 301-303 of this rule every January 1, to the nearest \$10, beginning on January 1, 2009. The Control Officer will multiply the administrative or permit processing fee by the Consumer Price Index (CPI) for the most recent year as described in Section 304.4 of this rule, and then divide by the CPI for the year 2008.
- 304.3 The Control Officer shall adjust the rate for emissions-based fees every January 1, beginning on January 1, 2009. The Control Officer will multiply \$38.25 by the



~~Consumer Price Index (CPI) for the most recent year as described in Section 304.4, and then divide by the CPI for the year 2008.~~

~~304.4 The Consumer Price Index (CPI) for any year is the average of the monthly CPI for all urban consumers published by the United States Department of Labor, as of the close of the 12-month period ending on August 31 of that year.~~

305 **304** **CALCULATION AND PAYMENT OF EMISSIONS-BASED FEES:**

- ~~305.1~~ **304.1** For purposes of this section, actual emissions means the actual quantity of regulated air pollutants emitted over the preceding calendar year or any other period determined by the Control Officer to be representative of normal source operations, determined as follows:
- a. Emissions quantities, including fugitive emissions, reported under Rule 100, Section 500 of these rules shall be used for purposes of calculating the emissions-based fee.
 - b. Actual emissions quantities calculated under Rule 100, Section 500 of these rules shall be determined using the following methods:
 - (1) Whenever available, emissions estimates shall be calculated from continuous emissions monitors certified under 40 CFR Part 75, Subpart C and referenced appendices, or data quality-assured pursuant to Appendix F of 40 CFR, Part 60 which are incorporated by reference in Appendix G of these rules.
 - (2) When sufficient data obtained using the methods described in Section ~~305~~ 304.1(b)(1) of this rule is not available, emissions estimates shall be calculated from source performance tests conducted pursuant to Rule 270 of these rules.
 - (3) When sufficient data obtained using the methods described in Sections ~~305~~ 304.1(b)(1) or (2) of this rule is not available, emissions estimates shall be calculated from material balance using engineering knowledge of process.
 - (4) When sufficient data obtained using the methods described in Sections ~~305~~ 304.1(b)(1) through (3) of this rule is not available, emissions estimates shall be calculated using emissions factors from EPA Publication No. AP-42 "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, which is incorporated by reference in Appendix G of these rules.
 - (5) When sufficient data obtained using the methods described in Sections ~~305~~ 304.1(b)(1) through (4) of this rule is not available, emissions estimates shall be calculated by equivalent methods approved by the



Control Officer. The Control Officer shall only approve methods that are demonstrated as accurate and reliable as the applicable methods in Sections ~~305~~ 304.1(b)(1) through (4) of this rule.

- c. Actual emissions quantities calculated under Section ~~305~~ 304.1(b) of this rule shall be determined for each source on the basis of actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.

~~305.2~~ 304.2 The following emissions of regulated air pollutants shall be excluded from a source's actual emissions for purposes of this section:

- a. Emissions of a regulated air pollutant from the source in excess of 4,000 tons per year.
- b. Emissions of any regulated air pollutants that are already included in the fee calculation for the source, such as a federally listed hazardous air pollutant that is already accounted for as a VOC or as PM₁₀.
- c. Emissions from insignificant activities excluded from the permit for the source under Rule 210 of these rules.
- d. Fugitive emissions of PM₁₀ from activities other than crushing, belt transfers, screening, or stacking.
- e. Fugitive emissions of VOC from solution-extraction units.

~~305.3~~ 304.3 A notice to pay the fee specified in Section 301.2(b) of this rule, a declaration of emissions form and the annual emission inventory questionnaire will be mailed annually to the owner or operator of a source to which this applies. The emission fee is due and payable by April 30 each year or no later than 90 days following the date of notice, whichever is later.

~~306~~ 305 **HEARING BOARD FILING FEE:** A person filing a petition with the Hearing Board under Rule 400 of these rules shall pay a fee of \$100.00. This fee may be refunded by a majority vote of the Hearing Board upon a showing of undue hardship.

~~307~~ 306 **CONDITIONAL ORDER FEE:** Any person applying for a conditional order pursuant to Rule 120 of these rules shall pay a conditional order fee. The amount of a conditional order fee shall be equal to the amount of the applicable permit fee as specified in this rule.

~~308~~ 307 **~~GASOLINE DELIVERY VESSEL~~ MARICOPA COUNTY VAPOR TIGHTNESS CERTIFICATION DECAL FEE:** A person ~~wishing to obtain~~ obtaining a decal for each gasoline ~~delivery vessel~~ cargo tank that passes the required annual test under Rule 352 of these rules shall pay a fee of \$280.00. A person ~~wishing to obtain~~ obtaining a replacement decal shall pay a fee of \$80.00.



309 **308 OPEN BURN FEE:**

309.1 **308.1 Burn Permit Fee:** A person applying for a Burn Permit shall pay a fee as set forth in the following fee schedule Table 280-5.

TABLE 280-5

<u>BURN PERMIT FEES</u>		
Fire Category	Permit Period	Fee
Disease/Pest Prevention	30 days	\$100.00
Ditch Bank/Fence Row	1 year	\$100.00
Fire Fighting Instruction	1 year	\$100.00
Fire Hazard	30 days	\$100.00
<u>Indigenous Scrub Vegetation</u>	<u>30 days</u>	<u>\$100.00</u>
Land Clearance Less than 5.0 Acres	30 days	\$150.00
Land Clearance 5.0 Acres or Greater	30 days	\$350.00
Tumbleweeds	30 days	\$100.00
<u>Watershed Rehabilitation</u>	<u>30 days</u>	<u>\$100.00</u>

309.2 **308.2 Air Curtain Destructor Burn Plan Review and Inspection Fee:** Any person required to file an air curtain destructor Burn Plan under the provisions of Rule 314 of these rules shall pay a fee of \$350.00.

310 **309 DUST CONTROL PERMIT FEE:**

310.1 **309.1** A person applying for a Dust Control Permit under the provisions of Rule 310 of these rules shall pay an annual fee as set forth in the following fee schedule Table 280-6, based on the total surface area that is disturbed.

TABLE 280-6

<u>DUST CONTROL PERMIT FEES</u>	
Total Surface Area Disturbed	Fee
Annual Block Permit	\$2,000
0.1 to less than one acre	\$795 <u>\$530</u>
One acre to less than 10 acres	\$1,325 <u>\$1,060</u>
10 acres to less than 50 acres	\$3,855
50 acres to less than 100 acres	\$6,425
100 acres to less than 500 acres	\$9,635
500 acres or greater	\$15,415

310.2 **309.2 Dust Control Permit Fee Refunds:**

- a. **Refunds Prior to Project Start Date and Prior to Commencement of Dust-Generating Operations:** If a Dust Control Permit is cancelled by the permittee prior to the project start date and before commencing any dust-



generating operations, the Control Officer shall refund the Dust Control Permit fee, less a \$150.00 nonrefundable processing fee.

- b. Refunds after Project Start Date and Prior to Commencement of Dust-Generating Operations:** If a Dust Control Permit is cancelled by the permittee after the project start date and before commencing any dust-generating operations, the Control Officer shall refund the Dust Control Permit fee, less a \$350.00 nonrefundable processing and initial inspection fee.
- c.** No Dust Control Permit refund shall be given for a Dust Control Permit cancelled by the permittee after commencing any dust-generating operations.

309.3 Accelerated Dust Control Permit Processing Fee: An applicant for a dust control permit may request accelerated permit processing of a dust control permit application. The applicant shall pay the Control Officer a fee two times the fee amount listed in Table 280-6 for accelerated permit processing. Applications submitted with an accelerated permit fee will be processed by the end of the next business day.

~~311~~ **310 DUST CONTROL TRAINING CLASS FEE:**

310.1 A person required to complete a dust control training class shall pay a training class fee as set forth in Table 280-7.

TABLE 280-7

<u>DUST CONTROL TRAINING CLASS FEES</u>	
<u>Training Class Fee Type</u>	<u>Amount</u>
<u>Basic Dust Control Training Class Fee</u>	<u>\$50.00</u>
<u>Comprehensive Dust Control Training Class Fee</u>	<u>\$125.00</u>

~~311.1~~ **Basic Dust Control Training Class Fee:** ~~A person required to complete basic dust control training shall pay a training class fee of \$50.00.~~

~~311.2~~ **Comprehensive Dust Control Training Class Fee:** ~~A person required to complete comprehensive dust control training shall pay a training class fee of \$125.00.~~

~~311.3~~ **310.2 Requests for Dust Control Training:** A person may request that the Control Officer conduct a dust control training class within Maricopa County. A minimum of ~~10~~ 50 and a ~~maximum of 30~~ class participants shall be required and meeting room space shall be provided by the person making the request. The fee for such a training class shall be \$35.00 per person for basic dust control training or \$100.00 per person for comprehensive dust control training. ~~A discounted fee of \$30.00 per person shall be required for issuance of training cards at third party provider dust control training classes.~~ No refunds will be issued if less than 50 participants attend the training.



311.4 ~~“Train the Trainer” Class Fee:~~ A person taking a “train the trainer” class offered by the Control Officer shall pay a training class fee of \$125.00.

312 **311 SUBCONTRACTOR REGISTRATION FEE:** A person required to register with the Control Officer under Rule 200 ~~Section 306~~ of these rules ~~and wishing to obtain a registration number~~ shall pay an annual fee of \$50.00 to obtain a registration number.

313 **312 ASBESTOS NOTIFICATION AND PLAN REVIEW FILING FEES:** Any person required to file notification under the provisions of Rule 370 of these rules shall pay fees according to the provisions in Sections ~~313.1 through 313.5~~ 312.1, 312.3, 312.5, 312.7 and 312.8 below.

~~313.1~~ **312.1 Renovation:** Any person filing notification of a project to renovate regulated asbestos-containing materials (RACM) shall pay a ~~nonrefundable~~ notification and plan review filing fee based on the amount of regulated asbestos-containing materials removed as shown in ~~the table below~~ Table 280-8:

TABLE 280-8

<u>ASBESTOS RENOVATION FEES</u>			
<u>Amount of Regulated Asbestos-Containing Materials (RACM) Removed</u>			
<u>Linear Feet</u>	<u>Square Feet</u>	<u>Cubic Feet</u>	<u>Fee*</u>
0-259	0-159	0-34	\$0
260-499	160-499	35-109	\$600
500 or more	500 or more	110 or more	\$1,770

* If materials are reported on the notification in more than one category, the higher fee will apply.

312.2 Renovation Fee Refund: If a renovation notification is cancelled by the person who filed the notification prior to commencing renovation operations and no revisions to the notification were made from the date it was initially submitted, the Control Officer shall refund the notification and plan review filing fee, less a \$350.00 nonrefundable fee.

~~313.2~~ **312.3 Demolition:** Any person filing notification of a project to demolish a facility (as defined in 40 CFR 61, Subpart M) shall pay a ~~nonrefundable~~ notification and plan review filing fee of \$600.00.

312.4 Demolition Fee Refund: If a demolition notification is cancelled by the person who filed the notification prior to commencing demolition operations and no revisions to the notification were made from the date it was initially submitted, the Control Officer shall refund the notification and plan review filing fee, less a \$350.00 nonrefundable fee.

~~313.3~~ **312.5** For projects involving both renovation and demolition activities in a single notification, separate fees for each activity will apply according to Sections ~~313.1~~ 312.1 and ~~313.2~~ 312.3 of this rule.



312.6 Renovation and Demolition Fee Refund: If a renovation and demolition notification is cancelled by the person who filed the notification prior to commencing renovation and demolition operations and no revisions to the notification were made from the date it was initially submitted, the Control Officer shall refund the notification and plan review filing fee, less a \$350.00 nonrefundable fee.

313.4 **312.7** When a revision to a notification involves an increase in the RACM, the difference between the fee for the original RACM and the revised RACM shall be paid.

313.5 **312.8 Annual Operation and Maintenance:** Any person filing an annual notification of planned renovation operations involving individual nonscheduled operations to renovate ~~regulated asbestos-containing materials~~ RACM shall pay a nonrefundable notification and plan review filing fee of \$1,250.00.

312.9 Any person removing less than 260 linear feet, 160 square feet or 35 cubic feet of RACM is not required to file a notification under the provisions of Rule 370 of these rules.

313 ANNUAL ADJUSTMENT OF FEES:

313.1 Title V Fee Adjustments:

- a.** The Control Officer shall adjust the Title V hourly rate for billable permit actions every January 1, to the nearest 10 cents per hour, beginning on January 1, 2018. The Control Officer will multiply \$150.00 by the CPI for the most recent year and then divide by the CPI for the year 2016.
- b.** The Control Officer shall adjust the Title V annual administrative fees every January 1, to the nearest \$10, beginning on January 1, 2018. The Control Officer will multiply the administrative fee by the CPI for the most recent year and then divide by the CPI for the year 2016.
- c.** The Control Officer shall adjust the rate for emissions-based fees every January 1, beginning on January 1, 2018. The Control Officer will multiply \$42.39 by the CPI for the most recent year and then divide by the CPI for the year 2016.
- d.** The CPI for any year is the average of the monthly CPI for all urban consumers published by the United States Department of Labor, as of the close of the 12-month period ending on August 31 of that year.

313.2 Non-Title V Fee Adjustments:

- a.** The Control Officer shall adjust the Non-Title V hourly rate for billable permit actions every January 1, to the nearest 10 cents per hour, beginning on



January 1, 2018. The Control Officer will multiply \$150.00 by the CPI for the most recent year and then divide by the CPI for the year 2016.

- b.** The Control Officer may adjust the Non-Title V Annual Administrative Fees, General Permit Application Fees, General Permit Annual Administrative Fees, Burn Permit Fees, Dust Control Permit Fees and Asbestos Notification and Plan Review Filing Fees every January 1, to the nearest \$10, beginning on January 1, 2018. The Control Officer will multiply the administrative fee by the CPI for the most recent year and then divide by the CPI for the preceding year. Fees may be increased if the Control Officer determines the fee fund expenditures exceed the fee fund revenue.
- c.** The CPI for any year is the average of the monthly CPI for all urban consumers published by the United States Department of Labor, as of the close of the 12-month period ending on August 31 of that year.

314 LATE FEE: The Control Officer shall assess the following fees in addition to all other applicable fees:

314.1 Title V, Non-Title V, or General Permit: An owner/operator of a source requiring a permit who has received a Notice of Violation for constructing or operating without such permit shall pay a late fee of \$100.00.

314.2 Dust Control Permit: Any person who is engaging in dust-generating operations without a Dust Control Permit and has received a Notice of Violation for engaging in dust-generating operations without a Dust Control Permit shall pay a late fee of \$100.00.

315 DELINQUENCY FEE: An applicant or permittee who fails to pay any required fee(s) by 30 days after the invoice due date shall pay a delinquency fee of \$50.00, or 5% of the amount due, whichever is greater. ~~or a delinquency fee of \$100.00 if delinquent over 60 days from the invoice due date.~~ An applicant or permittee who fails to pay any required fee(s) by 60 days after the invoice date shall pay a delinquency fee of \$100.00, or 10% of the amount due, whichever is greater. Applicants and permittees will be notified by mail of any permit delinquency fees that are due and payable.

~~316 SUBSCRIPTION FEE FOR RULE REVISIONS: A person requesting to be placed on a mailing list to receive copies of new and revised rules shall pay to the Control Officer an annual subscription fee of \$35.00.~~

~~317~~ **316 ACCELERATED PERMIT PROCESSING FEE:** An applicant requesting accelerated permit processing shall pay fees to the Control Officer according to the following provisions:

~~317.1~~ **316.1** Such a request shall be accompanied by an initial fee of \$15,000. The fee is nonrefundable to the extent of the Control Officer's costs for accelerating the processing if the Control Officer undertakes to provide accelerated processing as described in Rule 200, ~~Section 313~~ of these rules.



- 317.2 **316.2** At any time after an applicant has requested accelerated permit processing, the Control Officer may request an additional advance payment fee based on the most recent estimated cost of accelerating the processing of the application.
- 317.3 **316.3** Upon completion of permit processing activities but before issuing or denying a permit or permit revision, the Control Officer shall send notice of the decision to the applicant along with a final invoice. The final invoice shall include all regular permit processing and other fees due, as well as the difference between the actual cost of accelerating the permit application, including any costs incurred by the Control Officer in contracting for, hiring, or supervising the work of outside consultants, and all advance payments submitted for accelerated processing. In the event all payments made exceed actual accelerated permit costs, the Control Officer shall refund the excess advance payments.
- 317.4 **316.4** Any additional costs incurred as a result of accelerated permit processing shall not be applied toward any applicable maximum fee described in this rule.
- 316.5** Accelerated permit processing for dust control permit applicants will be processed in accordance with Section 309.3 of this rule.
- 318 **317** **FAILURE TO PAY REQUIRED FEES:** Nonpayment of fees required by this rule constitutes a violation as provided in A.R.S. §§ 49-502, 49-511 and 49-513.
- 319 **318** **INFORMAL REVIEW OF PERMIT PROCESSING HOURS:**
- 319.1 **318.1** Any person who receives a final itemized invoice from the Control Officer under Section 301.1 or 302.1 of this rule for a billable permit action may request an informal review of the permit processing hours billed and may pay the invoice under protest as provided below. If the invoice is paid under protest, the Control Officer shall issue the permit.
- 319.2 **318.2** The request for an informal review of the permit processing hours billed shall be made in writing, and received by the Control Officer within 30 days of the invoice date. Unless the Control Officer and person agree otherwise, the informal review shall take place within 30 days after the Control Officer's receipt of the request. The Control Officer shall arrange the date and location of the informal review with the person at least 10 business days before the informal review. The Control Officer shall review whether the amounts of time billed are correct and reasonable for the tasks involved. The Control Officer shall mail his or her decision on the informal review to the person within 10 business days after the informal review date. The Control Officer's decision after the informal review shall be final.
- 320 ~~HAZARDOUS AIR POLLUTANTS TIER 4 RISK MANAGEMENT ANALYSIS FEE: If an applicant uses the Tier 4 method for conducting a risk management analysis (RMA) according to Rule 372 of these rules, the applicant shall pay any costs incurred by the Control Officer in contracting for, hiring or supervising work of outside consultants.~~



~~321 AIR QUALITY AWARENESS FLAG PROGRAM FEE: A person who elects to participate in the air quality awareness flag program may obtain program materials from the Control Officer for a fee of \$200.00.~~

SECTION 400 – ADMINISTRATIVE REQUIREMENTS

~~401 EFFECTIVE DATE OF FEES: The fees in this rule became effective May 1, 2008, except for the emissions-based fee, the air curtain destructor application fee, the Dust Control Permit fee, the “train the trainer” class fee, the air quality awareness flag program fee, and the asbestos notification and plan review filing fees. The emissions-based fee became effective January 1, 2009, beginning with the emissions reported for calendar year 2008. The air curtain destructor application fee, the Dust Control Permit fee, the “train the trainer” class fee, the air quality awareness flag program fee, and the asbestos notification and plan review filing fees become effective July 1, 2010.~~

401 EFFECTIVE DATE OF FEES: The fees, except for the emissions-based fee, in this rule become effective [Date of Adoption]. The revised emissions-based fee becomes effective [One Year After the Date of Adoption], beginning with the emissions reported for calendar year 2017.

402 PAYMENT OF FEES: All fees required by this rule are payable to Maricopa County Air Quality Department.

402.1 Annual Administrative Fees:

- a. **Title V and Non-Title V Permits:** The Control Officer shall mail the owner or operator of a Title V or Non-Title V source an invoice for the annual administrative fee due under Sections 301.2 and 302.2 of this rule at least 30 days prior to the anniversary date of the permit.
- b. **General Permits:** The Control Officer shall mail the owner or operator of a source authorized to operate under a General Permit an invoice for the annual administrative fee due under Section 303.2 of this rule at least 30 days prior to the anniversary date of the authorization to operate.

402.2 Gasoline Delivery Vessel Maricopa County Vapor Tightness Certification Decal Fee: Gasoline delivery vessel The Maricopa County Vapor Tightness Certification decal fee shall be paid at the time the application is submitted showing satisfactory test results and prior to the issuance of the decal required in the provisions of Rule 352 of these rules.

402.3 Asbestos Removal Notification and Plan Review Filing Fee: The asbestos notification and plan review filing fee shall be paid at the time the notification is submitted. The notification is not considered filed until the appropriate filing fee is paid.

402.4 Other Fees: Other fees shall be paid in the manner and at the time required by the Control Officer.



402.5 Fees in Effect: All fees charged as a result of this rule shall be paid at the rate or in the amount that is in effect on the date the fee is charged.

402.6 Payment Applied to Delinquent Penalties and Fees: All monies paid to the Control Officer shall first be applied to any delinquent penalties and fees owed by the owner or operator of a source before being applied to current charges.

403 ~~FEE TABLE A, B, C, D, E, F, G, H, AND I SOURCES: Fee Tables A–I list processes and equipment subject to the fees outlined in Sections 302.2, 303.1, and 303.2 of this rule. For processes and equipment not listed below, the Control Officer will designate Fee Table A, B, C, D, E, F, G, H or I, as applicable. Sources reclassified to a higher fee table due to the receipt of three complaints on different dates during a one-year period from different individuals resulting in violations resolved by an order of abatement by consent or judicial action shall remain in that fee table until two calendar years pass without complaints against the facility resulting in violations resolved by an order of abatement by consent or judicial action.~~

403.1 ~~Fee Table A Sources:~~

- ~~Aircraft Manufacturing~~
- ~~Chemical Manufacturing, Dry~~
- ~~Chemical Manufacturing, Liquid~~
- ~~Circuit Board Manufacturing Greater than or Equal to 5 Tons per Year VOC~~
- ~~Coating Line, Can/Coil/Fabric/Film/Glass/Paper~~
- ~~Ethylene Oxide Sterilization~~
- ~~Gypsum, Calcining~~
- ~~Incinerator, Medical Waste~~
- ~~Incinerator, Hazardous Material~~
- ~~Insulation Manufacturing~~
- ~~Jet or Auxiliary Engine Manufacturing~~
- ~~Non-Major Title V Source~~
- ~~Pesticide/Herbicide Production~~
- ~~Petroleum Loading Racks and Storage Tanks at Bulk Terminals~~
- ~~Pharmaceutical Manufacturing~~
- ~~Polymeric Foam Products Greater than or Equal to 25 Tons per Year Potential~~
 - ~~Uncontrolled VOC Emissions or Facility with Controls Subject to Source Testing~~
- ~~Power Plant Greater than or Equal to 25 Tons per Year Potential Uncontrolled~~
 - ~~NO_x Emissions~~
- ~~Printing Facilities Greater than or Equal to 25 Tons per Year Potential~~
 - ~~Uncontrolled VOC Emissions or Facility with Controls Subject to Source Testing~~
- ~~Rendering~~
- ~~Rubber Products Manufacturing~~
- ~~Semiconductor Manufacturing Less than 25 Tons per Year of Potential~~
 - ~~Uncontrolled VOC Emissions~~
- ~~Solid Waste Landfill~~
- ~~Source Subject to BACT Determination~~



~~Source Subject to a MACT, NESHAP or NSPS Standard under CAA Section 111 or 112 Unless Otherwise Identified in another Fee Table~~
~~Source with 3 or More Fee Table B Processes~~
~~Vegetable Oil Extraction~~

403.2 Fee Table B Sources:

~~Aerospace Products Manufacturing and Rework not Subject to MACT~~
~~Aggregate Screening~~
~~Animal Feed Processing~~
~~Auto Body Shredding~~
~~Bakery with Oven of Greater than or Equal to 25 Tons per Year of Potential Uncontrolled VOC Emissions or Facility with Controls~~
~~Boiler, Gas Fired or with Emergency Fuel Capabilities (Each Unit Greater than or Equal to 10 MMBtu/hr)~~
~~Chemical/Fertilizer Storage, Mixing, Packaging and Handling~~
~~Concrete Product Manufacturing~~
~~Cement Terminal~~
~~Cotton Gin~~
~~Cotton Seed Processing~~
~~Crematory~~
~~Cultured Marble~~
~~Fiberglass Product Manufacturing~~
~~Flour Milling~~
~~Foundry~~
~~Furnace, Metals~~
~~Furnace, Burn Off~~
~~Furnace, Electric Arc~~
~~Furnace, Other~~
~~Gas Turbine, Non-Utility (Utility in Fee Table A)~~
~~Grain Cleaning/Processing~~
~~Grain Storage~~
~~Incinerator, Non-Hazardous Material~~
~~Internal Combustion Engine, Other than Emergency~~
~~Metal Recovery/Reclamation~~
~~Pipeline Transmission Facility~~
~~Plating Tanks, Electrolytic or Electrowinning (Includes Decorative Chrome and Hard Chrome Operations Less than or Equal to 60 Million Amp/Hrs per Year Subject to Area Source MACT)~~
~~Polymeric Foam Products Less than 25 Tons per Year Potential Uncontrolled VOC Emissions~~
~~Power Plant Less than 25 Tons per Year Potential Uncontrolled NO_x Emissions~~
~~Reinforced Plastics~~
~~Rubber Products Manufacturing with Only Molding~~
~~Soil Treatment/Remediation~~
~~Soil Solvent Extraction System with Package Thermal/Catalytic Oxidizer/Carbon Adsorption~~



~~Solvent Degreasing/Cleaning System, Solvent Use Greater than 3 Gallons per Day~~
~~Solvent Reclaiming~~
~~Source with 3 or More Fee Table C Processes~~
~~Stage I Vapor Recovery, Bulk Plants with Loading Racks~~
~~Stripping Operation, Equipment or Furniture Refurbishment~~
~~Tire Shredding/Retreading~~
~~Wastewater Treatment Plant~~
~~Wood Coating Operation Subject to RACT Including Furniture/Millwork Sources Larger than 10 Tons per Year VOC~~
~~Any Fee Table A, F, or G Source whose Aggregate of All Equipment, Processes or Production Lines Has Enforceable Permit Limits of Less than 2.0 Tons per Year VOC or NO_x, and Less than 1.0 Ton per Year PM₁₀~~
~~Any Fee Table C Source that Receives 3 Complaints on Different Dates During a One-Year Period from Different Individuals Resulting in Violations Resolved by an Order of Abatement by Consent or Judicial Action~~

403.3 Fee Table C Sources:

~~Abrasive Blasting~~
~~Asphalt Day Tanker/Kettle~~
~~Cement Products Packaging/Distribution~~
~~Circuit Board Assembly~~
~~Circuit Board Manufacturing Less than 5 Tons per Year of VOC~~
~~Dry Cleaning (Includes Perchloroethylene Dry Cleaning Facilities Subject to Area Source MACT)~~
~~Emergency Internal Combustion Engine~~
~~Engine Testing~~
~~Food Processing~~
~~Incinerator, Paper and Cardboard Products~~
~~Injection Molding~~
~~Landscape and Decorative Rock, Gravel, and Sand Distribution~~
~~Laundry, Other than Dry Cleaning~~
~~Miscellaneous Acid/Solvent Use~~
~~Packaging, Mixing and Handling, Granular or Powdered Material Other than Cement or Grain~~
~~Petroleum Storage, Non-Retail Dispensing Operations Exempted from Stage I Vapor Recovery by Rule 353~~
~~Plastic or Metal Extrusion~~
~~Plating, Electroless~~
~~Powder Coating~~
~~Printing Facilities Less than 25 Tons per Year of Potential Uncontrolled VOC Emissions~~
~~Semiconductor Lab/Testing/Services~~
~~Non-Halogenated Solvent Cleaning, Less than 3 Gallons per Day~~
~~Solvent Storage/Handling~~
~~Spray Coating~~
~~Bulk Plant Loading Facilities as Defined by Rule 351, Section 305.1~~



~~Storage Tank, Non Petroleum Volatile Organic Compounds
Stripping Operation, Liquid Chemical Groundwater/Wastewater Remediation
Vehicle Refinishing
Waste Transfer Facility
Water Reclamation
Sewage Lift Pump Station
Drinking Water Plant
Wood Furniture/Millwork/Small Source Less than 10 Tons per Year VOC
Yard/Stockpiling~~

- 403.4 ~~Fee Table D Sources:
Service Station and Non-Resale Dispensing Operations Greater than 120,000
Gallons per Year~~
- 403.5 ~~Fee Table E Sources:
Fuel Burning Equipment~~
- 403.6 ~~Fee Table F Sources:
Aggregate Production/Crushing Subject to an NSPS under CAA Section 111
Hot Mix Asphalt Plants~~
- 403.7 ~~Fee Table G Sources:
Aggregate Production/Crushing not Subject to NSPS under CAA Section 111
Concrete Batch Plant~~
- 403.8 ~~Fee Table H Sources:
Semiconductor Manufacturing Greater than or Equal to 25 Tons per Year
Potential Uncontrolled VOC Emissions or Facility with Controls Subject to
Source Testing
Any Fee Table A or G Source that Receives 3 Complaints on Different Dates
During a One Year Period from Different Individuals Resulting in Violations
Resolved by an Order of Abatement by Consent or Judicial Action~~
- 403.9 ~~Fee Table I Sources:
Any Fee Table B Source that Receives 3 Complaints on Different Dates During a
One Year Period from Different Individuals Resulting in Violations Resolved
by an Order of Abatement by Consent or Judicial Action~~

SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)