

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

**RULE 280
FEES
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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 01/04/2017**

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 an owner or operator of a source of air pollution subject to these rules.
- 102 APPLICABILITY:** Every 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:** 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.
- 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.

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 \$149.20 per hour, adjusted annually under Section 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 \$149.20 per hour, adjusted annually under Section 313 of this rule. The fees shall be paid as follows:

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

TABLE 280-1

TITLE V PERMIT APPLICATION FEES	
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 application	\$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 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 Table 280-2, as adjusted annually under Section 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

TITLE V PERMIT ANNUAL ADMINISTRATIVE FEES	
Title V Source Category	Annual Administrative Fee
Aerospace	\$20,470
Combustion/Boilers	\$18,640
Compressor Stations	\$15,230
Expandable Foam	\$16,540
Landfills	\$20,270
Paper Mills	\$24,650
Petroleum Products Terminal Facilities	\$28,830
Polymeric Fabric Coaters	\$20,270
Reinforced Plastics	\$15,230

TITLE V PERMIT ANNUAL ADMINISTRATIVE FEES	
Title V Source Category	Annual Administrative Fee
Semiconductor Fabrication	\$32,410
Utilities-Primary Fuel Natural Gas	\$10,610+ \$18,410 per turbine installed/modified after May 10, 1996 and subject to annual source testing or CEM RATA* certifications
Utilities-Fossil Fuel Except Natural Gas	\$39,190
Vitamin/Pharmaceutical Manufacturing	\$19,020
Wood Furniture	\$16,770
Other Sources	\$20,260
Other Sources with Continuous Emissions Monitoring	\$24,660

* Continuous Emissions Monitoring Relative Accuracy Test Audit (CEM RATA)

- b. An emissions-based fee of \$42.74 per ton of actual emissions of all regulated pollutants emitted during the previous calendar year as determined by Section 304 of this rule. The fee shall be adjusted annually under Section 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 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 \$149.20 per hour, adjusted annually under Section 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 \$149.20 per hour, adjusted annually under Section 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 Table 280-3, as adjusted annually under Section 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

NON-TITLE V PERMIT ANNUAL ADMINISTRATIVE FEES		
Non-Title V Source Category		Annual Administrative Fee
Fee Table A		
Aircraft Manufacturing	Pharmaceutical Manufacturing	\$6,680
Biofuel Manufacturing Operations Greater than 1,000,000 Gallons per Year	Polymeric Foam Products Greater than or Equal to 25 Tons per Year Potential Uncontrolled VOC Emissions or Facility with Controls Subject to Source Testing	
Chemical Manufacturing, Dry	Power Plant Greater than or Equal to 25 Tons per Year Potential Uncontrolled NO _x Emissions	
Chemical Manufacturing, Liquid Circuit Board Manufacturing Greater than or Equal to 5 Tons per Year Potential Uncontrolled VOC	Printing Facilities Greater than or Equal to 25 Tons per Year Potential Uncontrolled VOC Emissions or Facility with Controls Subject to Source Testing	
Coating Line, Can/Coil/Fabric/Film/Glass/Paper	Rendering	
Ethylene Oxide Sterilization, Commercial	Rubber Products Manufacturing	
Fiberglass Insulation Manufacturing	Semiconductor Manufacturing Less than 25 Tons per Year of Potential Uncontrolled VOC Emissions	
Gypsum, Calcining	Solid Waste Landfill (Active) Source Subject to BACT Determination	
Incinerator, Hazardous Material	Source with 3 or More Fee Table B Processes	
Incinerator, Medical Waste	Vegetable Oil Extraction	
Jet or Auxiliary Engine Manufacturing		
Non-Major Title V Source		
Paper Mills		
Pesticide/Herbicide Production		
Petroleum Loading Racks and Storage Tanks at Bulk Terminals		

Fee Table B		
Aerospace Products Manufacturing and Rework	Polymeric Foam Products Less than 25 Tons per Year Potential Uncontrolled VOC Emissions	
Aggregate Screening		
Animal Feed Processing	Power Plant Less than 25 Tons per Year Potential Uncontrolled NO _x Emissions	
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 (Subject To Source Testing)	Reinforced Plastics	
Boiler, Gas-Fired or with Emergency Fuel Capabilities (Each Unit Greater than or Equal to 10 MMBtu/hr)	Rubber Products Manufacturing with Only Molding	
Cement Terminal	Soil/Groundwater Remediation	
Chemical/Fertilizer Storage, Mixing, Packaging and Handling	Solvent Degreasing/Cleaning System, Solvent Use Greater Than or Equal To 2 Tons Per Year Potential Uncontrolled VOC Emissions	
Concrete Batch Plant That Meets the Definition of an 'Infrequent Operation' under Rule 316 of these Rules	Solvent Reclaiming	
Concrete Product Manufacturing	Source with 3 or More Fee Table C/D Processes	
Cotton Gin	Sources Not Otherwise Classified with Potential Uncontrolled Emissions of All Regulated Pollutants Greater than 5, but Less than 25, Tons per Year	
Cotton Seed Processing		
Crematory	Stripping Operation, Equipment or Furniture Refurbishment	
Crushing Facility That Meets the Definition of an 'Infrequent Operation' under Rule 316 of these Rules	Tire Shredding/Retreading	\$1,730
Cultured Marble	Wastewater Treatment Plant	
Fiberglass Product Manufacturing	Wood Coating Operation Subject to RACT Including Furniture/Millwork Sources Larger than 10 Tons per Year Potential Uncontrolled VOC Emissions	
Flour Milling		
Foundry		
Furnace, Burn-Off	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 PM ₁₀ Emissions	
Furnace, Electric Arc		
Furnace, Metals		
Furnace, Other		
Gas Turbine, Non-Utility (Utility in Fee Table A)		
Grain Cleaning/Processing		
Grain Storage	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	
Incinerator, Non-Hazardous Material		
Internal Combustion Engine, Other than Emergency		
Metal Recovery/Reclamation		
Petroleum Bulk Plants and Organic Liquid Bulk Plants (Non-Petroleum)		
Pipeline Transmission Facility		
Plating Tanks (Includes Hard Chrome or Decorative Chrome Plating Operations)		

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

Fee Table D		
Bulk Material Handling (Not Related to Construction Projects with Finite Timeframes)	Hauling, Transporting, Stacking, Loading Operations, Unloading Operations and Storage Piles Composting, Mulching, Green Waste Inert Landfill Landfill (Closed) General Maintenance Landscape and Decorative Rock, Gravel and Sand Distribution	\$680
Fee Table E		\$360
Fuel Burning Operations		
Fee Table F		\$8,870
Aggregate Production/Crushing Subject to an NSPS under CAA Section 111		
Hot Mix Asphalt Plants		

Fee Table G	
Aggregate Production/Crushing not Subject to NSPS under CAA Section 111 Concrete Batch Plant	\$5,350

Fee Table H	
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	\$8,870

Fee Table I	
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	\$5,350

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 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 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

GENERAL PERMIT FEES	
General Permit Source Category	Application Fee And Annual Administrative Fee
Air Curtain Destructors	\$940
Crematories Wastewater Treatment Plants	\$1,400

GENERAL PERMIT FEES	
General Permit Source Category	Application Fee And Annual Administrative Fee
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 Composting, Mulching, Green Waste Inert Landfill Land Clearing Using Mechanized Equipment Landfill (Closed) General Maintenance Landscape and Decorative Rock, Gravel and Sand Distribution Landscaping with Mechanized Equipment 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	\$360
Fuel Burning Operations	\$270

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 that are not engaged in construction projects with finite timeframes including, but not limited to, the following:

- a. Businesses with routine dust-generating activities disturbing 0.10 acre or more that are not engaged in any other regulated activities.
- b. Residential property with dust-generating activities disturbing 0.10 acre up to 10 acres, excluding construction projects.

304 CALCULATION AND PAYMENT OF EMISSIONS-BASED FEES:

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 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 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 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 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 304.1(b)(1) through (4) of this rule.

- c. Actual emissions quantities calculated under Section 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.

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.

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.

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.

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.

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

308 OPEN BURN FEE:

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

TABLE 280-5

BURN PERMIT FEES		
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
Indigenous Scrub Vegetation	30 days	\$100.00
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
Watershed Rehabilitation	30 days	\$100.00

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.

309 DUST CONTROL PERMIT FEE:

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 Table 280-6, based on the total surface area that is disturbed.

TABLE 280-6

DUST CONTROL PERMIT FEES	
Total Surface Area Disturbed	Fee
Annual Block Permit	\$2,000
0.1 to less than one acre	\$530
One acre to less than 10 acres	\$1,060
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

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.

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

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

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 50 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. No refunds will be issued if less than 50 participants attend the training.

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

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 312.1, 312.3, 312.5, 312.7 and 312.8 below.

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

TABLE 280-8

ASBESTOS RENOVATION FEES			
Amount of Regulated Asbestos-Containing Materials (RACM) Removed			
Linear Feet	Square Feet	Cubic Feet	Fee*
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.

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 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.

312.5 For projects involving both renovation and demolition activities in a single notification, separate fees for each activity will apply according to Sections 312.1 and 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.

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.

312.8 Annual Operation and Maintenance: Any person filing an annual notification of planned renovation operations involving individual nonscheduled operations to renovate 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 \$149.20 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 \$42.74 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 \$149.20 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 year 2016. 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. 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 ACCELERATED PERMIT PROCESSING FEE: An applicant requesting accelerated permit processing shall pay fees to the Control Officer according to the following provisions:

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 of these rules.

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.

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.

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.

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.

318 INFORMAL REVIEW OF PERMIT PROCESSING HOURS:

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.

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.

SECTION 400 – ADMINISTRATIVE REQUIREMENTS

401 EFFECTIVE DATE OF FEES: The fees, except for the emissions-based fee, in this rule become effective January 4, 2017. The revised emissions-based fee becomes effective January 4, 2018, 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 Maricopa County Vapor Tightness Certification Decal Fee:** 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.

SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)