



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS' REGULAR MEETING

June 2, 2004

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:45 a.m. in the 7th floor Board room at the Air District headquarters, 939 Ellis Street, San Francisco, California.

Questions About an Agenda Item

The name, telephone number and e-mail of the appropriate staff person to contact for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:45 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

BOARD OF DIRECTORS' REGULAR MEETING A G E N D A

**WEDNESDAY
JUNE 2, 2004
9:45 A.M.**

**BOARD ROOM
7TH FLOOR**

CALL TO ORDER

Opening Comments
Roll Call
Pledge of Allegiance
Commendation/Proclamations

Scott Haggerty, Chairperson
Clerk of the Boards

PUBLIC COMMENT PERIOD

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3
Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Board's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.

CONSENT CALENDAR (ITEMS 1 – 4)

Staff/Phone (415) 749-

1. Minutes of May 19, 2004

M. Romaidis/4965
mromaidis@baaqmd.gov
2. Communications
Information only

J. Broadbent/5052
jbroadbent@baaqmd.gov
3. Report of the Advisory Council

E. Blake/4962
eblake@igc.org
4. Set Public Hearing for July 7, 2004, to Consider Approval of Proposed Amendments to District Regulation 8, Rule 8: Wastewater (Oil - Water) Separators, and Proposed Amendment to Section 101 of Regulation 8, Rule 18: Equipment Leaks

Jean Roggenkamp/4646
jroggenkamp@baaqmd.gov

The proposed amendments to Regulation 8, Rule 8: Wastewater (Oil - Water) Separators are the result of Further Study Measure FS- 9 in the 2001 Ozone Attainment Plan. The amendments will reduce volatile organic compound (VOC) emissions from wastewater collection systems at refineries by requiring controls on process drains, manholes, junction boxes, sumps and lift stations that leak in excess of 500 ppm concentration. The amendments would also require an inspection and maintenance program to maintain controls. An amendment to Section 101 of Regulation 8, Rule 18: Equipment Leaks would make this rule consistent with the new requirements in Regulation 8, Rule 8.

COMMITTEE REPORTS AND RECOMMENDATIONS

5. Report of the **Mobile Source Committee** Meeting of May 20, 2004

CHAIR: S. YOUNG

J. Broadbent/5052

jbroadbent@baaqmd.gov

Action(s): The Committee recommends Board approval of the following:

- A) Ad Mail as the contractor for the FY 2003/2004 Vehicle Buy Back Program direct mail service provider and authorize the Executive Officer/APCO to execute a contract for up to \$90,000 with Ad Mail to provide direct mail services for the program with the option to renew the contract for an additional year at the Air District's discretion and;*
- B) Staff comments regarding proposed modifications to the Air Resources Board's fleet rule for transit agencies, with the inclusion of additional comments provided by Committee members on the need for consideration by the Air Resources Board of: the potential health effect of NO₂ emissions, and the certification of bio-diesel engines.*

6. Report of the **Regional Agency Coordinating Committee** Meeting of May 21, 2004

CHAIR: M. DeSAULNIER

J. Broadbent/5052

jbroadbent@baaqmd.gov

7. Report of the **Stationary Source Committee** Meeting of May 24, 2004

CHAIR: M. DeSAULNIER

J. Broadbent/5052

jbroadbent@baaqmd.gov

PUBLIC HEARINGS

8. Continued Public Hearing and Adoption of Proposed Amendments to District Regulation 3: Fees

B. Bateman/4653

bbateman@baaqmd.gov

The Board will continue the public hearing from its April 21, 2004, meeting to adopt proposed amendments to District Regulation 3: Fees, and authorization of a CEQA Notice of Exemption.

9. First of Two Public Hearings to Consider Proposed District Budget for FY 2004/2005

J. Broadbent/5052

jbroadbent@baaqmd.gov

Pursuant to Health and Safety Code Section 40131, Jack P. Broadbent, Executive Officer/APCO and Wayne Tanaka, Director of Administrative Services, will present the Fiscal Year 2004/2005 Proposed Budget to the Board of Directors for public review and comment only. Final action will be taken at the conclusion of the second public hearing on this matter scheduled for June 16, 2004.

OTHER BUSINESS

10. Report of the Executive Officer/APCO
11. Chairperson's Report

CLOSED SESSION

12. Conference with Legal Counsel

A. Existing Litigation:

Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following cases:

1. ***New United Motors Manufacturing Inc. v. Bay Area AQMD, et al., Alameda County Superior Court, Case No. RGO 04-140445***
2. ***City of Morgan Hill, Santa Teresa Citizen Action Group, Inc., Demand Clean Air, Inc. and Californians for Renewable Energy, Inc. v. Hearing Board of the Bay Area AQMD, et al., California Court of Appeals, First Appellate District, Division 4, Case No. A102518 (on Appeal from Judgment following Demurrer in San Francisco County Superior Court, Case No. CPF-02-501624)***
3. ***Alvin J. Greenberg, Ph.D. v. Bay Area AQMD, et al., United States district Court, N.D. Cal., Case No. C 02 1501 VRW***

OPEN SESSION

13. Board Members' Comments

Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

14. Place of Next Meeting - 9:45 a.m., Wednesday, June 16, 2004 -939 Ellis Street, San Francisco, CA 94109
15. Adjournment

JPB:mag

CONTACT CLERK OF THE BOARD - 939 ELLIS STREET SF, CA 94109

(415) 749-4965

FAX: (415) 928-8560

BAAQMD homepage:

www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities notification to the Clerk's Office should be given at least 3 working days prior to the date of the meeting, so that arrangements can be made accordingly.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: May 26, 2004

Re: Board of Directors' Draft Meeting Minutes

RECOMMENDED ACTION:

Approve attached draft minutes of the Board of Directors meeting of May 19, 2004.

DISCUSSION

Attached for your review and approval are the draft minutes of the May 19, 2004 Board of Directors' meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET – SAN FRANCISCO, CA 94109

Draft Minutes: Board of Directors Regular Meeting – May 19, 2004

Call To Order

Opening Comments: Chairperson Haggerty called the meeting to order at 9:561 a.m.

Roll Call: Present: Scott Haggerty, Chair, Roberta Cooper, Chris Daly, Jerry Hill, Liz Kniss (10:15 a.m.), Patrick Kwok, Jake McGoldrick (10:10 a.m.), Nate Miley, Julia Miller, Mark Ross, Pam Torliatt, Marland Townsend, Gayle Uilkema, Brad Wagenknecht, Shelia Young.

Absent: Harold Brown, Mark DeSaulnier, Erin Garner, John Silva, Tim Smith.

Pledge of Allegiance: Director Daly led the Board in the Pledge of Allegiance.

Commendations/Proclamations: There were none.

Public Comment Period: There were none.

Consent Calendar (Items 1 – 9)

Director Miller requested Item 9 be removed from the Consent Calendar for discussion and Chairperson Haggerty so ordered.

1. Minutes of April 21, 2004
2. Communications. Correspondence addressed to the Board of Directors
3. Report of the Advisory Council
4. Monthly Activity Report – *Activities for the month of April 2004*
5. District Personnel on Out-of-State Business Travel
6. Approval of Refund in Excess of \$10,000 to Equillon Enterprises, LLC

In accordance with Section 3.6 (c) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board of Directors authorized a refund payment in the amount of \$84,368 be paid to Equillon Enterprises, LLC (Plant # 51) of Houston, Texas due to overpayment of permit application fees.

7. Approval of Refund in Excess of \$10,000 to Owens Corning

In accordance with Section 3.6 (c) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board of Directors authorized a refund payment in the amount of \$30,382 be paid to Owens Corning due to a miscalculation in emission fees.

8. Approve Resolution to Clarify Role of Existing Non-Board Administrative Committee

The Board considered approving a clarification to the authority of the existing non-board Administrative Committee.

Board Action: Director Townsend moved approval of Consent Calendar Items 1 through 8; seconded by Director Young; carried unanimously without objection with the following Board members voting:

AYES: Cooper, Daly, Hill, Kwok, Miley, Miller, Ross, Torliatt, Townsend, Uilkema, Wagenknecht, Young, Haggerty.

NOES: None.

ABSENT: Brown, DeSaulnier, Garner, Kniss, McGoldrick, Silva, Smith.

Adopted Resolution No. 2004-07: A Resolution of the Bay Area Air Quality Management District Board of Directors Clarifying Authority of the Non-Board of Directors Administrative Committee to Include Modification and/or Expansion of Investment Options Provided Through Employee Benefit Plans

9. Consider Approval of Purchase Order in Excess of \$70,000 for Professional Services

The Board considered authorizing the Executive Officer/APCO to execute a purchase order with J.D. Edwards for 2000 hours of professional services to cover the conversion of the Mitchell Humphrey system into the new J.D. Edwards Enterprise Resource Planning System. The purchase order is not to exceed \$300,000 from the approved 2003/2004 budget.

In response to Director Miller's question regarding the above item, Jack Broadbent, Executive Officer/APCO, stated that past practice has been to bring items like this to the full Board without going to the Budget & Finance Committee. Mr. Broadbent noted this is a budgeted item from last year's budget.

Board Action: Director Townsend moved approval of Consent Calendar Item 9; seconded by Director Young.

Director Miller requested staff bring all non-budgeted items over \$50,000 to the Budget and Finance Committee. The motion then passed unanimously without objection.

Committee Reports and Recommendations

10. Report of the Public Outreach Committee Meeting of April 26, 2004

Director Ross presented the report and stated that the Committee met on Monday, April 26, 2004 and O'Rourke, Inc. presented the updated concepts for the Spare the Air and Smoking

Vehicle campaigns. The Committee listened to a rough version of the radio promotion (60 second spot) and provided O'Rorke with comments.

O'Rorke, Inc. also presented the storyboards for the television spots (30 second spots), which are a continuation of the story from the radio spots. They will also be posted on the Air District's web site. O'Rorke received comments from the Committee and will work to implement them in the final campaign.

Staff presented a report on the public outreach programs for the 2004 Ozone Strategy, which include the Ozone Working Group, community meetings, training meetings, information on the District website, informational materials, *Air Currents*, and coordination with the Metropolitan Transportation Commission (MTC). Staff updated the Committee on the activities of each of the programs. The next steps include:

- Continue with the Ozone Working Group; its next meeting is May 20th.
- On April 20th there is a CEQA scoping meeting.
- During the summer of 2004, there will be public review and comment on the draft 2004 Ozone Strategy.
- Additional community meetings will be held.
- Update information on the website and in *Air Currents*.

The next meeting of the Committee is scheduled for 9:45 a.m., Monday, June 14, 2004.

Board Action: Director Ross moved the Board approve the report of the Public Outreach Committee; seconded by Director Wagenknecht; carried unanimously without objection.

11. Report of the Budget and Finance Committee Meetings of April 28 and May 17, 2004

Action(s): The Committee recommended the Board of Directors approve the following:

- A) Creation of a Self-Insured Workers' Compensation Program, authorizing the Executive Officer/APCO to execute necessary documents to establish a self-insured Workers' Compensation Program and approval of a transfer of funds in the amount of \$1,000,000 from the General Reserve to establish a Reserve for Workers' Compensation; and*
- B) Referred the proposed FY 2004/2005 budget to the Board of Director's at its June 2, 2004 meeting for the first of two public hearings. Final action will be taken at the conclusion of the second public hearing on this matter scheduled for June 16, 2004.*

Director Miller presented the report and stated that the Committee met on Wednesday, April 28 and Monday, May 17, 2004.

April 28, 2004:

The District Financial Audit Report for fiscal year 2002/2003 was presented and Bob Izabal of Izabal, Bernaciak & Company indicated there were no reportable conditions that were out of compliance and the overall conclusion is that the District is in good financial condition.

This was the first year that the Air District implemented Government Accounting Standards (GASB) 34.

Staff presented a report on the creation of a self-insured Workers' Compensation Program and reviewed the costs of the current program and the savings the District would achieve by converting to the self-insurance option. The estimated cost of the self-insured program is \$296,000 per year with an annual savings anticipated to be \$380,000. The Committee recommends the Board approve the creation of a Self-Insured Workers' Compensation Program and approve the transfer of funds in the amount of \$1,000,000 from the General Reserve to establish a Reserve for Workers' Compensation.

Staff presented the fiscal year 2004/2005 proposed budget and noted a deal has been cut between the Governor's office and the California State Association of Counties (CSAC) that would take about \$1.3 billion away from cities, counties, and special districts for two years. Staff reviewed the Consolidated Revenue and Expenses.

Staff also reported on funding for retiree benefits and noted there are 81 retirees, of which 74 are fully paid. Staff reviewed the budget for the Transportation Fund for Clean Air. The Committee provided direction to staff on several items in the budget and further discussion took place at the May 17th meeting.

May 17, 2004:

Staff presented a report on the Governor's May revisions of the State budget for fiscal year 2004/2005 and the budget will most likely change before a final budget is passed.

Staff presented additional information on the fiscal year 2004/2005 proposed budget with respect to proposed increases in FTE positions, Title V fees, travel expenses, and training and education expenses. The Committee recommended referral of the proposed fiscal year 2004/2005 budget to the Board of Director's for the first of two public hearings. The Committee requested staff to look at areas in the proposed budget that could be cut prior to the first public hearing on the proposed budget on June 2, 2004. The final hearing and adoption of the proposed budget is June 16, 2004.

Staff reviewed the Third Quarter Financial Report. The June 23, 2004 meeting is cancelled. The next meeting of the Committee is scheduled for 9:45 a.m., Wednesday, July 28, 2004.

Board Action: Director Miller moved the Board approve the report and recommendations of the Budget and Finance Committee; seconded by Director Daly; carried unanimously without objection with the following Board members voting:

AYES: Cooper, Daly, Hill, Kwok, Miley, Miller, Ross, Torliatt, Townsend, Uilkema, Wagenknecht, Young, Haggerty.

NOES: None.

ABSENT: Brown, DeSaulnier, Garner, Kniss, McGoldrick, Silva, Smith.

Adopted Resolution No. 2004-08: A Resolution of the Bay Area Air Quality Management District Board of Directors Authorizing Application to the Director of Industrial Relations, State of California for a Certificate of Consent to Self Insure Workers' Compensation Liabilities

Adopted Resolution No. 2004-09: A Resolution of the Bay Area Air Quality Management District Board of Directors Establishing a Reserve for Workers' Compensation and Authorizing a Transfer from the General Reserve to Fund the Reserve for Workers' Compensation

12. Report of the Legislative Committee Meeting of April 28, 2004

Action(s): The consensus of the Committee is that the Board approve the following positions on recently introduced bills:

Bill	Brief Description	Committee Recommendation
AB 2128 (Jackson)	<i>USES SB 1614 FUEL FEE FOR LIGHT-DUTY SCRAPPAGE AND RETROFIT PROGRAMS</i>	Support in Concept
AB 2541(Fromer)	<i>ESTABLISHES LOW EMISSION CONTRACTOR INCENTIVE PROGRAM</i>	Support
AB 3104 (Firebaugh)	<i>ENVIRONMENTAL HEALTH AND AIR QUALITY FUNDING ACT OF 2004</i>	Support

Director Wagenknecht presented the report and stated that the Committee met Wednesday, April 28, 2004. A quorum was not present. The Committee reviewed three new bills and, after discussion, the consensus of the Committee was to recommend that the Board support these bills.

Staff also presented the Committee information on local air districts' ability to adopt fleet rules, and discussed the potential for a Bay Area rule. The Engine Manufacturers Association has challenged the South Coast's fleet rules, and this case is now before the U.S. Supreme Court. After discussion, the consensus of the Committee members was that the District wait for the U.S. Supreme Court ruling, and then revisit the issue. Additionally, staff will consider including fleet rule provisions as a Transportation Control Measure in the District's upcoming plan.

The Committee discussed AB 2628 (Pavley) and the impact of the bill on bridge toll revenues in the Bay Area. Staff provided an update on the bill's recent developments and, after discussion, the consensus of the Committee was to not recommend further amendments to the bill.

Staff distributed an updated list of all air quality bills and their current status, and highlighted the current status of several bills. The next Committee meeting will be at the Call of the Chair.

Board Action: Director Wagenknecht moved the Board approve the report of the Legislative Committee; seconded by Director Kwok; carried unanimously without objection.

Chairperson Haggerty discussed SB 849 (Torlakson) which would authorize a Joint Policy Committee made up of the Association of Bay Area Governments (ABAG), the Metropolitan Transportation Commission (MTC) and the Air District. Both MTC and ABAG would have

seven members on the Committee, but the bill does not specify how many members the Air District would have on the Committee. Pursuant to Government Code §54954.2(b), Chairperson Haggerty requested this item be put on the agenda as an emergency item, and so moved; seconded by Director Hill; carried unanimously without objection.

Board Action: Chairperson Haggerty requested the Board take a “support” position on the bill with an amendment that the Air District have the same number of members on the Committee as MTC and ABAG, and he so moved; seconded by Director Torliatt; carried without objection with one abstention by Director Uilkema.

13. Report of the Executive Committee Meeting of April 30, 2004

Chairperson Haggerty presented the report and stated that the Committee met on Friday, April 30, 2004 and staff presented a report on the Environmental Protection Agency’s (EPAs) recently designation of attainment and non-attainment areas and implementation for the national 8-hour ozone standard rule.

The Committee directed staff to work with the Sacramento and San Joaquin Valley radio stations when a Spare the Air day is called in this District. The Committee also discussed working on a five-day forecast for Spare the Air. The Sacramento and San Joaquin districts do not call a Spare the Air day on the same level as this District; this Air District calls it at a lower standard. There was discussion on the lack of mass transit in these corridors and that this Air District should be encouraging transit agencies to put transit in these corridors.

The Committee requested that this presentation be given to the Metropolitan Transportation Commission (MTC), the Association of Bay Area Governments (ABAG), and the Regional Agency Coordinating Committee (RACC). The Committee also recommended that staff work on an outreach program to go to as many of the Congestion Management Agencies (CMAs) as possible.

The Committee met in Closed Session with Mr. Broadbent to continue discussions regarding salary adjustments for management employees for fiscal year 2004-2005. General direction was given to the Executive Officer on the matter. The next meeting of the Executive Committee is scheduled for 9:30 a.m., Wednesday, June 30, 2004.

Board Action: Director Haggerty moved that the Board accept the report and recommendations of the Executive Committee; seconded by Director Wagenknecht.

Director Torliatt noted that the Air District had made a presentation to MTC on the national 8-hour ozone standard rule and the Commission appreciated the report. The motion then carried unanimously without objection.

Other Business

14. Report of the Executive Officer/APCO – Mr. Broadbent reported on the following:

1. Peter Hess, Deputy APCO has been nominated to serve as President of the Air & Waste Management Association and his term will begin in 2006.

2. The summer Spare the Air campaign begins on June 1, 2004. The Air District has been working with BART to wrap some of the trains on the Pleasanton/Dublin and Pittsburg/Bay Point lines. In addition, the Air District is working with MTC and BART to have free days on BART when a Spare the Air day is called.

Director Uilkema requested staff provide the Board with the message that will be on the wraps for BART.

15. Chairperson's Report - Chairperson Haggerty reminded the Board members about the Air and Waste Management Conference in June 2004.

Closed Session (The Board adjourned to Closed Session at 10:15 a.m.)

16. Conference with Legal Counsel

A. Existing Litigation:

Pursuant to Government Code Section 54956.9(a), a need existed to meet in Closed Session with legal counsel to consider the following cases:

1. **Stonelight Tile, Inc. and David Anson v. Bay Area AQMD**, United States District Court, N.D. Cal., San Jose Division, Case No. CV 98-21060 (JW) (PVT) (on remand from the United States Court of Appeals for the Ninth Circuit, Case No. 03-15402)
2. **Alvin J. Greenberg, Ph.D. v. Bay Area AQMD, et al.**, United States District Court, N.D. Cal., Case No. C 02 1501 VRW
3. **New United Motors Manufacturing, Inc. v. Bay Area AQMD, et al.**, Alameda County Superior Court, Case No. RGO 04-140445

B. Significant Exposure to Litigation

Pursuant to Government Code Section 54956.9(b), a need existed to meet in Closed Session to discuss one potential litigation matter against the District.

Open Session (The Board reconvened to Open Session at 10:37 a.m.)

Mr. Bunger reported that the Board met in Closed Session to discuss items 1, 2 and 3 under Agenda Item 16 and were provided status reports and gave general direction to Counsel.

Mr. Bunger stated that the Board also met in Closed Session on Item 16B and were provided a status report and provided direction back to management staff on the item.

17. Board Members' Comments – Director Ross stated that he met the Executive Officer of the Regional Water Quality Control Board for the Bay Area and recommended the Air District collaborate on a higher level with the Water Board due to some common interests.

Director Hill provided a memo to the Board members on budgetary observations he has made over the last seven years.

Draft Minutes of May 19, 2004 Regular Board Meeting

18. Time and Place of Next Meeting - 9:45 a.m., Wednesday, June 2, 2004, 939 Ellis Street, San Francisco, California.
19. Adjournment: The meeting was adjourned at 10:39 a.m.

Mary Romaidis
Clerk of the Boards

mr

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: May 26, 2004

Re: Set Public Hearing on Proposed Amendments to Regulation 8, Rule 8:
Wastewater (Oil – Water) Separators and Regulation 8, Rule 18:
Equipment Leaks

RECOMMENDED ACTION:

Set public hearing for July 7, 2004 to consider proposed amendments to Regulation 8, Rule 8: Wastewater (Oil – Water) Separators and Regulation 8, Rule 18: Equipment Leaks.

DISCUSSION

In the Bay Area 2001 Ozone Attainment Plan, Further Study Measure 9 commits to study emissions from refinery wastewater systems. The study has been completed, and the proposed amendments are the result of that analysis. They impose VOC concentration leak standards on wastewater collection system components to reduce evaporation of organic compounds from drains, manholes, junction boxes, sumps, and lift stations. Staff has worked cooperatively in numerous workgroup meetings with industry, environmental groups, and the Air Resources Board to develop the proposed amendments. Two public workshops were held in the evenings to solicit community input, in Martinez on April 27 and in Richmond on May 18, 2004.

The proposed amendments to Regulation 8, Rule 8 will:

- Expand Regulation 8, Rule 8 to include refinery wastewater collection systems.
- Impose a 500 ppm leak standard on wastewater collection components.
- Require refineries to control equipment found leaking in excess of the 500 ppm standard.
- Require refineries to perform inspection and maintenance on wastewater components under the regulation.
- Require documentation of maintenance performed at facilities to ensure compliance with the 500 ppm leak standard.

The proposed amendment to Regulation 8, Rule 18 will make this rule consistent with the new requirements in Regulation 8, Rule 8.

The proposed amendments will reduce emissions of organic compounds, including toxic compounds, by approximately 65%, or 2.1 tons/day. The cost effectiveness of the proposed amendments is between \$1900 to \$4200 per ton of emissions reduced.

The proposed amendments, a staff report, and the CEQA document will be available on the web at <http://www.baaqmd.gov/pln/ruledev/regpublichearings.asp> approximately 30 days before the hearing.

BUDGET CONSIDERATION/FINANCIAL IMPACTS

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer / Air Pollution Control Officer

Prepared by: Daniel Belik
Approved by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: May 26, 2004

Re: Report of the Mobile Source Committee Meeting of May 20, 2004

RECOMMENDED ACTIONS

The Committee recommends Board approval of the following:

- A) Selection of Ad Mail as the contractor for the FY 2003/2004 Vehicle Buy-Back Program direct mail service provider and authorization to the Executive Officer to execute a contract for up to \$90,000 to provide such service; and
- B) Staff comments on proposed modifications to the Air Resources Board's fleet rule for transit agencies, with the inclusion of additional comments provided by Committee members on the need for the consideration by the California Air Resources Board of: the potential health effect of NO₂ emissions, and the certification of bio-diesel engines.

DISCUSSION

The Mobile Source Committee met Thursday, May 20, 2004. Chairperson Shelia Young will give a summary of the meeting. The attached staff reports were presented to the Committee.

BUDGET CONSIDERATION/FINANCIAL IMPACTS

Funding for the continuation of the direct mail campaign is included in the approved FY 03/04 budget under Program 612.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Juan Ortellado

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: May 26, 2004

Re: Report of the Regional Agency Coordinating Committee Meeting of May 21, 2004

RECOMMENDED ACTION:

Receive and file.

DISCUSSION

The Committee met on Friday, May 21, 2004. The Committee received reports on hydrogen and fuel cell technologies and recent policy initiatives; the national 8-hour ozone standard designations, classifications, and implementation rule; and the regional agencies' smart growth implementation program.

Chairperson Mark DeSaulnier will give an oral report.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: May 26, 2004

Re: Report of the Stationary Source Committee Meeting of May 24, 2004

RECOMMENDED ACTIONS

Receive and File.

DISCUSSION

The Stationary Source Committee met on Monday, May 24, 2004. The Committee heard two status reports, Report on Proposed Amendments to Regulation 8, Rule 8: Wastewater (Oil – Water) Separators, and Summary of Supplemental Environmental Project (SEP) Distribution. The attached staff reports were presented to the Committee.

Acting Chairperson Jerry Hill will give a summary of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACTS

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Dan Belik

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Haggerty and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: May 26, 2004

Re: Public Hearing to Consider Proposed Amendments to Regulation 3: Fees

RECOMMENDED ACTION

Staff recommends that the Board of Directors adopt the proposed amendments to District Regulation 3: Fees and authorize filing of a CEQA Notice of Exemption on June 2, 2004, following the second public hearing on the proposed amendments.

SUMMARY OF REVISIONS TO STAFF PROPOSAL

The Board held the first of two scheduled Public Hearings on the proposed amendments to the District's fee regulation on April 21, 2004. Based on Board input and public comments, staff have revised the proposed amendments with regard to Title V fees specified in Regulation 3, Schedule P, Major Facility Review Fees. All other aspects of the District's proposal are unchanged from what was presented to the Board on April 21.

The revised proposal will generate the same revenue from Title V fees as the April 21 proposal, but will collect a greater percentage of this revenue from application fees versus annual fees. This revised approach will provide greater equity in that facilities that submit more frequent applications that require the District to revise their Major Facility Review permits will pay higher fees relative to less active facilities. The revised proposal also includes a new Major Facility Review Public Hearing Fee, which is intended to cover the District's costs of holding any Public Hearings held on draft Major Facility Review permits.

Staff have also recently completed a Supplemental Analysis of Title V Program Costs, which is included as Appendix B of the attached Staff Report. This analysis provides projected costs of Title V permit activities, for FY 2004-2005 and the next four upcoming fiscal years, based on a bottom-up "task-based" approach rather than the previous approach that was based on historical timesheet data. The results of this analysis indicate that the District's Title V program costs are likely to remain at recent high levels due primarily to the need to revise and renew Major Facility Review permits on an ongoing basis due to changes at the facilities and changes in regulatory requirements. The analysis was also used to establish fees for Major Facility Review permits that are proportional to the District resources required for each type of permit action.

A Request for Comments notice on the revised proposal to amend Title V fees was issued on May 12, 2004, and was mailed to all facilities that currently pay fees under Schedule P. No comments on the revised proposal have been received to date.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Brian Bateman
Reviewed by: Peter Hess

Attachment:

1. Staff Report: Proposed Amendments to Regulation 3: Fees, including:
 - a. Appendix A: Proposed Rule Language
 - b. Appendix B: Supplemental Analysis of Title V Program Costs

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

STAFF REPORT

**PROPOSED AMENDMENTS TO
BAAQMD REGULATION 3: FEES**

May 26, 2004

Prepared by:

Brian Bateman
Director of Engineering Division

Reviewed by:

Peter Hess
Deputy Air Pollution Control Officer

1. EXECUTIVE SUMMARY

The Bay Area Air Quality Management District (“the District”) is continuing an annual process of realigning fees more closely with the District’s costs of the related program activities as recommended in the Cost Recovery Study prepared by KPMG for the District in 1999. In accordance with the recommendations of this study, District staff is proposing that all fees, with the exception of Title V fees, be increased by 1.9 percent, which corresponds to the increase in the Consumer Price Index (CPI) that occurred in the Bay Area from 2002 to 2003.

In addition, a new processing fee for the renewal of permits to operate is proposed. For facilities with only a single District-permitted source (currently about 76 percent of all District-permitted facilities), the processing fee would be \$50 per year. For facilities with more than one permitted source, the processing fee would range from \$100 to \$500 per year based on the number of permitted sources at the facility.

Proposed changes in Title V fees, which apply to about 100 facilities with Major Facility Review (MFR) or Synthetic Minor permits, would increase overall Title V fee revenue by about 50 percent. This relatively large increase in Title V fees is being proposed because the estimated costs of this program significantly exceed the revenue currently generated. Sixty percent of the increased revenue will be generated from increased MFR application fees, with the remaining forty percent coming from annual fees paid by all subject facilities. This approach will provide greater equity in that facilities that submit more frequent applications that require the District to revise their MFR permits will pay higher fees relative to less active facilities.

Collectively, the proposed increases in permit fees will close the gap between permit fee revenue and the District’s costs related to permitted sources from an estimated 79 percent to 86 percent of full cost recovery. The proposed fee amendments are expected to increase the District’s total fee revenue by about 8.5 percent, or \$1.55 million, for FY 2004-2005 as compared to the prior fiscal year.

The District is also proposing several additional miscellaneous amendments to the District’s fee regulation that are believed to be appropriate. The proposed effective date of the amendments to the District’s fee regulation is July 1, 2004.

2. BACKGROUND

The District collects fees to help pay for the costs of implementing and enforcing air pollution programs, as delineated in District Regulation 3: Fees. The six general categories of fees collected are: (1) Operating/New & Modified Permit Fees, (2) Title V Fees, (3) AB 2588 Fees, (4) Asbestos Fees, (5) Soil Excavation and Landfill Fees, and (6) Hearing Board Fees. Projected fee revenue for the District’s current fiscal year, FY 2003-2004 (i.e., July 1, 2003 through June 30, 2004), is given in Table 1.

Table 1. Projected Fee Revenue for FY 2003-2004

Permit Fees	
Operating/New & Modified Permit Fees	\$15,296,000
Title V Fees	\$1,040,000
Other Fees	
AB 2588 Fees	\$630,000
Asbestos Fees	\$1,270,000
Soil Excavation and Landfill Fees	\$6,000
Hearing Board Fees	\$35,000
Total	\$18,277,000

A study of fee revenue, and program activity costs, was completed for the District in 1999 by KPMG (*Bay Area Air Quality Management District Cost Recovery Study, Final Report; Phase One – Evaluation of Fee Revenues and Activity Costs*, KPMG, February 16, 1999). Prior to this study, the District made adjustments to fees irregularly, and in a manner that did not keep pace with inflation. The 1999 KPMG Cost Recovery Study concluded that this practice, in part, had caused District fee revenue to fall well below actual program costs and also contributed to the depletion of the District's reserve accounts. The study recommended that the District begin to review fee revenue and program costs on an annual basis and, at a minimum, adjust fees every year as necessary to account for inflation.

For the past five years, the District has followed the recommendations of the 1999 KPMG Cost Recovery Study by making regular annual increases to fees at the start of each fiscal year. In the first of those years, FY 1999-2000, fees were increased by 15 percent (12 percent general fee increase plus a 3 percent CPI adjustment) in order to bring fee revenue closer to actual program costs. In each of the following four years, fees were increased using a CPI adjustment to keep pace with inflation. Table 2 shows the history of District permit fee increases for the period FY 1991-1992 through FY 2003-2004.

2. PROPOSED FEE AMENDMENTS FOR FY 2004-2005

2.1 OVERVIEW OF PROPOSED AMENDMENTS

For the upcoming fiscal year, FY 2004-2005, the District is proposing to continue implementing the recommendations of the 1999 KPMG Cost Recovery Study to align

District fee revenue more closely with the costs of the related programs. The District is proposing to increase all fees for FY 2004-2005, with the exception of Title V fees, using a CPI adjustment of 1.9 percent. The 1.9 percent figure corresponds to the increase in the annual CPI that occurred for the California Bay Area (San Francisco, Oakland and San Jose) from calendar year 2002 to 2003, as reported by the California Department of Industrial Relations, Division on Labor Statistics and Research. This CPI adjustment would generate an additional estimated \$327,500 in fee revenue.

Table 2. District Fee Revenue Increase History

FISCAL YEAR	CPI INCREASE (%)	FEE INCREASE (%)
FY 1991-1992	4.0	10.0
FY 1992-1993	3.2	0.0
FY 1993-1994	2.6	0.0
FY 1994-1995	1.4	1.25
FY 1995-1996	2.1	0.0
FY 1996-1997	2.2	0.0
FY 1997-1998	3.1	0.0
FY 1998-1999	2.7	3.1
FY 1999-2000	3.0	15.0*
FY 2000-2001	4.3	4.3
FY 2001-2002	4.4	4.4
FY 2002-2003	5.3	5.3
FY 2003-2004	1.6	1.6

* Included a 12% general fee increase plus a 3% CPI increase.

The District is also proposing to create a new processing fee for renewal of permits to operate. The processing fee would apply to each facility for the renewal of all permits to operate, and would be in addition to the permit to operate fees for each permitted source listed in Schedules B, C, D, E, F, H, I and K of District Regulation 3. The new processing fee would be applied as follows:

- a. \$50 for facilities with 1 permitted source, including gasoline dispensing facilities.
- b. \$100 for facilities with 2 to 5 permitted sources.
- c. \$200 for facilities with 6 to 10 permitted sources.

- d. \$300 for facilities with 11 to 15 permitted sources.
- e. \$400 for facilities with 16 to 20 permitted sources.
- f. \$500 for facilities with more than 20 permitted sources.

Currently, 76 percent of District-permitted facilities have only one permitted source. For most of these facilities, permits are renewed annually (although some are renewed every other year) and the processing fee for these facilities would be \$50 per year. Another 17 percent of facilities have 2 to 5 permitted sources and would have a processing fee of \$100 per year. The remaining seven percent of facilities have 6 or more permitted sources, and would have processing fees ranging from \$200 to \$500 per year. The processing fee would apply to nearly 9000 facilities in the Bay Area, and would generate approximately \$673,000 in additional permit fee revenue for the District for the upcoming fiscal year.

The District is proposing to increase Title V fees by a significant margin because the costs of the District's Title V program activities currently exceed Title V fee revenue by a wide margin. For example, the District's costs of Title V program activities for FY 2002-2003, including program overhead costs, were about \$2.3 million, while Title V fee revenue for that period was \$1.0 million. In order to align fee revenue more closely with the costs of the program, the District is proposing to increase annual Title V fees for FY 2004-2005 by 20 percent.

The District is also proposing to increase permit fees for applications filed for MFR and Synthetic Minor permits. The proposed fees are more representative of the District's actual costs of evaluating and processing these permit applications. The proposed application fees will also provide greater equity by collecting more fees from facility's that require more frequent permit revisions.

The proposed increases in annual Title V fees, and MFR and Synthetic Minor permit application fees, are expected to generate additional fee revenue of approximately \$550,000 for FY 2004-2005. About one half of the increased Title V fee revenue would come from five large petroleum refineries, which currently pay Title V fees which average about \$100,000 per facility.

The following additional amendments to the District's fee regulation are also proposed:

- a. Eliminate fees for transferring permits to operate due to owner/operator changes.
- b. Raise the minimum up-front fee for Waters Bill public notifications from \$914 to \$2000 per application. Add a provision to refund any portion of this fee that exceeds the actual costs to prepare and distribute the public notice.
- c. Require that the appellants of third party Hearing Board appeals pay court reporter fees of \$114 or the cost per day if the hearing is solely dedicated to one Docket. The cost for the Hearing Board to have a court reporter present at the hearings is currently \$200 for a half day and \$300 for a full day.

- d. Change the fees for decorative chrome plating operations that have a permitted capacity of 500,000 amp-hours per year or less from Schedule G-1 to Schedule F, thereby reducing permit to operate fees for affected sources from \$543 to \$130.
- e. Add a specific fee of \$179 for mechanical floor mastic removal operations that have now become subject to District Regulation 11, Rule 2: Asbestos Demolition, Renovation, and Manufacturing.
- f. Set the fees for identical source replacements to be the same as the fees required for installing a new source. Clarify that the fee for source alterations that do not increase emissions is only a filing fee.
- g. Clarify that sources that are modified without a required authority to construct are subject to late fees.

In total, the proposed amendments to Regulation 3: Fees would generate an additional estimated \$1.55 million in District fee revenue for FY 2004-2005. This represents an 8.5 percent increase in overall projected fee revenue relative to the current fiscal year.

2.2 PROPOSED RULE AMENDMENTS

The complete text of the proposed changes to District Regulation 3: Fees has been prepared in strikethrough (old) and underline (new) format and included as Appendix A of this Staff Report.

Amendments are proposed for the following sections and schedules of Regulation 3 that would increase applicable fees by the target 1.9 percent CPI adjustment (note that, due to rounding, the proposed change in any particular fee might be slightly higher than, or slightly lower than, 1.9 percent):

- Section 3-302: Fees for New and Modified Sources
- Section 3-309: Duplicate Permit
- Section 3-311: Banking
- Section 3-312: Emission Caps And Alternate Compliance Plans
- Section 3-320: Toxic Inventory Fees
- Schedule A: Hearing Board (Including Excess Emissions Fees)
- Schedule B: Combustion of Fuel
- Schedule C: Stationary Containers for the Storage of Organic Liquids
- Schedule D: Gasoline Transfer at Gasoline Dispensing Facilities, Bulk Plants and Terminals
- Schedule E: Solvent Evaporating Sources
- Schedule F: Miscellaneous Sources (Including Schedules G-1, G-2, G-3, and G-4)

- Schedule H: Semiconductor and Related Operations
- Schedule I: Dry Cleaners
- Schedule K: Solid Waste Disposal Sites
- Schedule L: Asbestos Operations
- Schedule M: Major Stationary Source Fees
- Schedule Q: Excavation of Contaminated Soil and Removal of Underground Storage Tanks

In addition, the District portion of variable F_T , the total amount of fees to be collected, used to calculate fees for Schedule N: Toxic Inventory Fees, is proposed to be increased using the 1.9 percent CPI adjustment. This change does not require any modifications to the language of Schedule N. (The smaller State portion of F_T established by the California Air Resources Board is expected to be unchanged in FY 2004-2005).

Additional amendments are proposed for the following sections and schedules of Regulation 3:

- Section 3-327: Permit to Operate, Renewal Fees

The proposed processing fee that would apply to each facility for renewal of permits to operate is included in Section 3-327. The language has also been amended to be consistent with Section 3-408, which indicates that a permit to operate is valid for a period of one year or other time period as approved by the Air Pollution Control Officer (APCO). Although most permits to operate are valid for a period of one year, the APCO has approved some permits to operate to be valid for a period of two years. In instances where a facility has only two-year permits to operate, the processing fee would be applied every other year.

- Section 3-307: Transfers

The District is proposing to eliminate fees for transferring permits to operate to a new owner/operator of record. This administrative function can now be accomplished at a minimal cost to the District. These transfer fees have also historically not been collected by the District due to potential delays that may result in the permit renewal process, so the proposed amendments would not decrease fee revenue.

- Section 3-318: Public Notice Fee, Schools

The District is authorized, under Section 42301.6(b) of the California Health and Safety Code, to collect fees from permit applicants to recover the cost of preparing and distributing public notices required under the "Waters Bill" provisions of State law. The

District is proposing to increase the “up-front” fee required for permit applicants subject to these requirements from \$914 to \$2000. The costs of preparing and distributing these public notices have increased significantly in the last year due to the adoption of more complex notification procedures (e.g., which now include posting of information on the District web-site, and language translations of public notices when appropriate), and the outsourcing of mailing functions. The \$2000 figure represents an average cost of completing a typical public notice of this type.

Collecting a larger portion of the Waters Bill public notice costs up-front will reduce the number of applications that have to be invoiced a second time to recover costs. This will in turn reduce delays in issuing permits, because permits cannot be issued until all applicable permit fees are paid. The District is also proposing to add a provision (subsection 3-318.3) that would require the District to refund any portion of the \$2000 up-front fee that is not needed to recover costs. With this provision, the proposed amendments will not result in an increase in fees when compared to the existing fee language.

- Schedule A: Hearing Board Fees, Item 18: Court Reporter Fee

Pursuant to Health and Safety Code Sections 42311(h) and 42364(a), the District Board of Directors may adopt a schedule of fees for Hearing Board services provided the fees do not exceed the estimated cost of operating the program. The current fees do not fully recover the costs of running the Hearing Board program. Over the last several years, the court reporter fees charged to the Hearing Board have risen significantly. Currently, small businesses and third parties are exempt from paying the court reporter fee as stated in Item 18 of Regulation 3, Schedule A.

To provide for greater equity, the District recommends that the appellants in third party appeals, which could take several days of hearings to complete, pay the same court reporter fee as companies that are not small businesses. These companies and third parties would then pay \$114 or the cost per day if the hearing were solely dedicated to one Docket. The cost for the Hearing Board to have a court reporter present at the hearings is currently \$200 for a half day and \$300 for a full day. This amendment does not provide for full compensation for the work of the Hearing Board, but it is moving more toward the concept that the “user of the service pays for the service.” Small businesses would continue to be exempt from payment of the court reporter fees. In addition, the Hearing Board has the authority to excuse a fee for any person who certifies under penalty of perjury that payment of the fees would cause an unreasonable hardship.

- Schedule G-1, Electroplating Equipment

There are two different general types of chrome plating: hard chrome plating (also sometimes called "engineering chrome plating") and decorative chrome plating. Hard chrome plating involves applying a fairly heavy coating of chromium, usually measured

in thousandths of an inch, for wear resistance, lubricity, oil retention, and other purposes. In decorative chrome plating, an exceptionally thin layer of chromium, measured in millionths of an inch rather than in thousandths, is applied over a layer of plated nickel. The emissions of hexavalent chromium generated from a hard chrome plating operation are much greater than the emissions generated from a similarly sized decorative chrome plating operation. Multiple scrubbers or filters therefore must control the emissions from hard chrome operations, while decorative chrome plating operations generally use process emission controls.

Permit fees for both decorative and hard chrome plating operations are currently based on Schedule G-1. The permit to operate fee for Schedule G-1 sources is currently \$533. The District is proposing to add a cutoff in Schedule G-1 for decorative chrome plating operations at 500,000 amp-hours per year of permitted capacity. Decorative plating operations at or below this cutoff level would be subject to lower Schedule F permit fees, which are more representative of the costs of District permitting and enforcement activities for these sources. The permit renewal fees for these smaller decorative plating operations would be reduced to \$130 per source. Making this change would not have a significant impact on fee revenue due to the small number of sources involved.

- Schedule L: Asbestos Fees, Item 7: Asbestos Mastic Removal

In July 2003, the District began regulating mechanical floor mastic removal under District Regulation 11, Rule 2: Asbestos Demolition, Renovation, and Manufacturing, after EPA clarified that this was a regulated activity. These operations typically involve the use of solvent with a rotating mechanical buffing device equipped with abrasive pads, and have minimal potential for asbestos emissions.

The existing asbestos operation fees are based on the quantity of material removed. Most floor mastic removal jobs involve large quantities of removed material that, under the existing fee structure, would result in fees that are excessive in relation to the District's costs of processing the notifications and conducting inspections. The District therefore decided to temporarily waive the existing fee for floor mastic removal, until a new fee could be established that would better reflect the District resources required. The District is now proposing to add a fee of \$179 that is specific to asbestos mastic removal (Schedule L, Item 7) that is representative of the costs associated with processing the notification and performing inspections.

- Schedule P: Major Facility Review Fees

The District estimates the costs of various program activities using biweekly tracking of staff employee time charges against specific programs. These time-allocation data indicate that the costs of the District's Title V program activities far exceed Title V fee revenue. For example, the District's costs of Title V program activities for FY 2002-2003 (including program overhead costs) were about \$2.3 million, while Title V fee

revenue was only \$1.0 million. District staff have also completed an analysis of the District's projected costs of implementing and enforcing the Title V program over the next five years using a bottom-up task-based approach (see Appendix B of this Staff Report). This analysis yielded cost estimates that meet or exceed the figures derived from the historical time-allocation data. The most significant factor contributing to these relatively high Title V program costs is the need to revise MFR permits on an on-going basis based on changes that occur at the facilities and changes that occur in regulatory requirements.

Under federal law (40 CFR Section 70.9), the fees collected by the District to support its Title V program must be sufficient to cover program costs. These fees are provided for in Schedule P and are collected in addition to the annual renewal fees paid by each Title V facility. Because fees are currently insufficient to cover costs, the District is proposing to increase Title V fees to bring overall Title V revenue closer to the actual program costs.

The proposed amendments to Schedule P include a reorganization of the schedule into four sections as follows: Item 1: MFR/Synthetic Minor Annual Fees, Item 2: Synthetic Minor Application Fees, Item 3: MFR Application Fees, Item 4: MFR Public Notice Fees, and Item 5: MFR Public Hearing Fees. The MFR/Synthetic Minor Annual Fees currently account for about 95 percent of the District's total Title V fee revenue. These fees include MFR Source Fees, MFR Emissions Fees, and MFR/Synthetic Minor Monitoring Fees. The District is proposing to increase these annual fees as follows:

- a. MFR/Synthetic Minor Monitoring Fee: 20% increase (to \$1858 per monitor per pollutant)
- b. MFR Emissions Fee: 20% increase (to \$7.32 per ton of regulated air pollutants emitted)
- c. MFR Source Fee: 20% increase (to \$186 per source)

The District is proposing further increases to permit fees that are applicable to applications filed for a new MFR permit or Synthetic Minor permit, and applications filed to revise an existing MFR permit or Synthetic Minor permit. The proposed fees are more representative of the District's actual costs of evaluating and processing these permit applications. The proposed application fees will also provide greater equity by collecting more fees from facility's that require more frequent permit revisions. The fees cover all types of Title V permits that may be required under District Regulation 2, Rule 6: Major Facility Review.

The proposed amendments include a new filing fee for each application for an MFR permit or Synthetic Minor permit, or an application to revise these permits. The proposed filing fee is \$259, which is the same as the filing fee for applications for authorities to construct and permits to operate.

A number of new or revised MFR application fees are proposed that are proportional to

the District resources required to complete each type of permit action. The methodology used to establish the new MFR application fees is provided in Appendix B of this Staff Report. The proposed application fees to revise existing MFR permits have been increased from \$152 per source modified to: (1) \$368 per source modified for minor revisions, and (2) \$686 per source modified for significant revisions. New MFR application fees have been proposed as follows: (1) an MFR Initial Permit Fee of \$250 per source, which would apply only to applications for initial MFR permits, (2) an MFR Administrative Amendment Fee of \$73 per application, (3) an MFR Reopening Fee of \$224 per source, and (4) an MFR Renewal Fee of \$109 per source. The proposed MFR Permit Shield Fee is \$386 per shielded source or group of sources, which is unchanged from the current fee.

The application fees for a new Synthetic Minor permit, and to revise an existing Synthetic Minor permit, are to be increased from \$152 to \$182 per source. The fee for revisions would be assessed for each source that is being modified.

Finally, a new MFR Public Hearing Fee is proposed that would apply when the District holds a Public Hearing for an MFR permit action. The permit applicant would be required to reimburse the District for the costs of holding the Public Hearing up to a limit of \$5000. In addition, the applicant would be required to reimburse the District for the costs of distributing the notice of the public hearing to the local community.

Collectively, the proposed amendments to Title V application fees will generate an estimated \$550,000 in revenue for the District. About 60 percent of this increase in revenue will come from Title V application fees; the remaining 40 percent will come from annual Title V fees paid by all subject facilities.

- Fees for Source Replacements and Alterations

Section 3-304 currently indicates that applicants that are replacing sources with identical equipment must pay only a filing fee. The District is proposing to remove this provision, so that the permit fees for identical source replacements will be the same as for non-identical source replacements, and any other type of new source requiring an authority to construct and permit to operate (i.e., a filing fee plus both the initial fee and permit to operate fee).

An identical source replacement is defined as a “New Source” in District Regulation 2-1-232.4. The scope and complexity of a permit evaluation for an identical replacement is therefore no different from that of a non-identical replacement, or any other type of new source. All replacement sources, both identical and non-identical, are given new source numbers and are potentially subject to New Source Review and toxic risk screening requirements. The filing fee currently required of identical source replacements does not cover the District’s costs of processing these applications.

Making this change should not have a significant impact on fee revenue. Existing

sources are usually replaced with new and improved sources and rarely with entirely identical sources.

The District is also proposing to clarify the fees for source alterations. An application for a replacement of components with non-identical components is considered an alteration as defined in District Regulation 2-1-233. Section 3-304 currently specifies that an application for replacement of components with non-identical components shall pay fees for a change in conditions. If the alteration does not increase emissions, this is considered an administrative condition change subject only to a filing fee. An alteration that results in an increase in emissions, however, is defined as a “modified source” in Regulation 2-1-234, and is subject to Section 3-302: Fees for New and Modified Sources. The proposed language in Section 3-304 has been modified to clarify that alterations that do not increase emissions are subject only to a filing fee.

One specific type of alteration that typically does not result in emission increases is the addition or deletion of gas collection system components at a landfill. Currently, these landfill gas collection system changes are charged a filing fee plus half of the initial fee, in accordance with Schedule K, Part 1c. Per the proposed language of Section 3-304, collection system alterations should be charged only a filing fee when these alterations do not result in emission increases. The District is proposing to delete Part 1c of Schedule K to prevent inconsistencies with Section 3-304.

- Fees for Sources Modified without an Authority to Construct

Section 3-310 indicates that late fees must be paid for sources constructing without a required authority to construct. There is no explicit statement that sources that are modified without a required authority to construct are also subject to late fees. The proposed language in Section 3-310 has been modified to clarify that sources that are modified without an authority to construct are subject to late fees.

3. PROJECTED FEE REVENUE AND COSTS OF PROGRAM ACTIVITIES

With the proposed fee amendments, the District’s total projected fee revenue for FY 2004-2005 will be about \$19.8 million. This figure is an approximation, as an accurate projection of permit fee and other fee revenues is very difficult because of many factors including, the local economy and fluctuations in industrial activities.

The District estimates the costs of various program activities using historical biweekly staff employee time charge data, and by other means when necessary. Table 3 contains a comparison of projected fee revenue (estimated assuming the proposed fee amendments are adopted) and projected program costs for FY 2004-2005.

Collectively, the proposed increases in permit fees will close the gap between permit fee revenue and the District’s costs related to permitted sources from an estimated 79 percent to 86 percent of full cost recovery. The District plans on having an updated cost

recovery study completed in FY 2004-2005 that will allow for more refined estimates of fee revenue and program activity costs.

Table 3. Comparison of Projected Revenue and Costs of Program Activities for FY 2004-2005

Permit Fees	Projected Revenue	Costs of Program Activities
Operating/New & Modified Permit Fees	\$16,260,000	\$18,284,700
Title V Fees	\$1,589,000	\$2,428,700
Other Fees		
AB 2588 Fees	\$640,000	\$640,000
Asbestos Fees	\$1,294,000	\$1,324,000
Soil Excavation and Landfill Fees	\$6,000	\$6,700
Hearing Board Fees	\$37,000	\$175,000
Total	\$19,826,000	\$22,859,100

4. STATUTORY AUTHORITY FOR PROPOSED FEE INCREASES

State law provides authorities for air districts to adopt fee schedules to cover the costs of various air pollution programs. The proposed fee amendments are in accordance with all applicable authorities provided in the Health and Safety Code, which follows.

Health & Safety Code Section 42311(a) provides authority for an air district to collect permit fees to cover the costs of district programs related to permitted stationary sources. These fees may not exceed the actual cost of permit programs in the preceding year with an adjustment for an increase in the CPI. Health & Safety Code Section 41512.7 limits the allowable percentage increase in fees for authorities to construct and permits to operate (i.e., operating/new and modified permit fees) to 15 percent per year.

Health & Safety Code Section 42311(g) authorizes air districts to adopt a schedule of fees to be assessed on areawide or indirect sources of emissions, which are regulated but for which permits are not issued by the district, to recover the costs of district programs related to these sources. This Section provides the authority for the District to collect asbestos, soil excavation and landfill fees.

Health & Safety Code Section 42311(h) authorizes air districts to adopt a schedule of fees to cover the reasonable costs of the Hearing Board incurred as a result of appeals from district decisions on the issuance of permits. Section 42364(a) provides similar authority to collect fees for the filing of applications for variances or to revoke or modify variances.

Health & Safety Code Section 44380(a) authorizes the air district to adopt a fee schedule, which recovers the costs to the district and the State of the Air Toxics Hot Spots Program (AB 2588).

5. ASSOCIATED IMPACTS AND OTHER RULE DEVELOPMENT REQUIREMENTS

5.1 EMISSIONS IMPACTS

There will be no direct air emission increases or decreases as a result of the proposed fee amendments.

5.2 ECONOMIC IMPACTS

The District must, in some cases, consider the socioeconomic impacts and incremental costs of proposed rules or amendments. Section 40728.5(a) of the California Health and Safety Code requires that socioeconomic impacts be analyzed whenever a district proposes the adoption, amendment, or repeal of a rule or regulation that will significantly affect air quality or emissions limitations. The proposed fee amendments will not significantly affect air quality or emissions limitations, and so a socioeconomic impact analysis is not required.

Section 40920.6 of the California Health and Safety Code specifies that a district is required to perform an incremental cost analysis for a proposed rule, if the purpose of the rule is to meet the requirement for best available retrofit control technology or for a feasible measure. The proposed fee amendments are not best available retrofit control technology requirements, nor a feasible measure required under the California Clean Air Act. Therefore, an incremental cost analysis is not required.

The impact of the proposed fee amendments on small businesses is expected to be insignificant. Many small businesses operate only one or two permitted sources, and pay only the minimum permit renewal fees. The minimum permit renewal fee for most sources is currently \$128; under the proposal, this fee would be raised to \$130, plus the processing fee that in most cases will be an additional \$50 (for facilities with one permitted source) or \$100 (for facilities with two to five permitted sources). The initial fee for a new permit will increase from \$179 to \$182 per source.

5.3 ENVIRONMENTAL IMPACTS

The California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the CEQA Guidelines, 14 CCR 15000 et seq., require a government agency that undertakes or approves a discretionary project to prepare documentation addressing the potential impacts of that project on all environmental media. Certain types of agency actions are, however, exempt from CEQA requirements. The proposed fee amendments are exempt from the requirements of the CEQA under Section 15273 of the CEQA Guidelines, which state: "CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, and other charges by public agencies...." (See also Public Resources Code Section 21080(b)(8)).

Section 40727.2 of the Health and Safety Code imposes requirements on the adoption, amendment, or repeal of air district regulations. It requires a district to identify existing federal and district air pollution control requirements for the equipment or source type affected by the proposed change in district rules. The district must then note any differences between these existing requirements and the requirements imposed by the proposed change. This fee proposal does not impose a new standard, make an existing standard more stringent, or impose new or more stringent administrative requirements. Therefore, Section 40727.2 does not apply.

5.4 STATUTORY FINDINGS

Pursuant to Health and Safety Code, Section 40727, regulatory amendments must meet findings of necessity, authority, clarity, consistency, non-duplication, and reference. The proposed amendments to Regulation 3 are:

- Necessary to fund the District's efforts to attain federal and state air quality standards, and to reduce public exposure to toxic air contaminants;
- Authorized by Health and Safety Code Sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9;
- Clear, in that the amendments are written so that the meaning can be understood by the affected parties;
- Consistent with other District rules, and not in conflict with any state or federal law;
- Not duplicative of other statutes, rules or regulation; and
- Implements and references Health and Safety Code Sections 42311, 42311.2, 41512.7, 42364, 44380 and 40 CFR Part 70.9.

6. RULE DEVELOPMENT PROCESS

On February 26, 2004, the District issued a notice for a public workshop to discuss with interested parties an initial proposal to increase District fees. The workshop was held on March 19, 2004. The District staff's initial proposal was to increase all fees, with the

exception of Title V fees, using a CPI adjustment of 1.9 percent. For Title V fees, the initial proposal was for a 20 percent increase in annual Title V fees. Several additional miscellaneous changes in the District's fee regulation were also proposed. Notice of the two public hearings to be held on the fee proposal was issued on March 22, 2004.

Following the March 19, 2004 workshop, District staff provided a summary of the proposed fee amendments to the District's Board of Directors at a meeting of their Stationary Source Committee on March 22, 2004. The Committee expressed concern that the increases in permit fee revenue that would result from the initial proposal would leave a large gap between revenue collected and the District's costs of regulatory activities related to permitted sources. Based on this input, District staff revised the initial proposal to further increase permit fees. The revised proposal included the new processing fees for renewal of permits to operate, and higher annual Title V fees that would increase Title V fee revenue by about 50 percent. On April 2, 2004, a notice for a public workshop on the revised proposal was issued, and a workshop was held on April 23, 2004. The first of two public hearings on the fee proposal was held on April 21, 2004.

Based on comments received at the April 21, 2004 public hearing, and the April 23, 2004 public workshop, District staff proposed further revisions to the Title V fees specified in Schedule P. The goal of this revised proposal was to maintain the same increase in projected revenue for Title V fees as was included in the proposal presented at the April 21, 2004 public hearing, but to collect a greater percentage of this revenue from application fees versus annual fees. A request for comments notice on this revised proposal was issued on May 12, 2004, and was distributed to all facilities that currently pay fees under Schedule P. Comments were requested by May 28, 2004.

The District's Board of Directors are scheduled to consider the adoption of the revised staff proposal on June 2, 2004, following a second public hearing on this matter.

7. PUBLIC COMMENTS

Two comment letters were received during the rule development process prior to the date of this Staff Report. Responses to these comments follow.

Comment: The District should not impose court reporter fees on third parties who participate in Hearing Board proceedings under Regulation 3, Schedule A: Hearing Board Fees, Item 18. Imposing court reporter fees for third parties creates an unfair barrier to members of the public who seek to participate in these proceedings, thereby resulting in significant implications for environmental justice. Furthermore, although the Hearing Board may waive these fees based on "unreasonable hardship", this provision is discretionary and there are no guidelines regarding how unreasonable hardship will be determined, nor any process to appeal a denial of an unreasonable hardship waiver.

Response: The District does not agree that all third parties should be exempt from

court reporter fees. Third party Hearing Board appeals may be filed by any number of parties for which the payment of court reporter fees does not necessarily constitute an unreasonable financial hardship (e.g., labor unions, or other competing facilities). The existing regulation states: "Any person who certifies under penalty of perjury that payment of the foregoing fees will cause an unreasonable hardship, may be excused from the payment of the fees by order of the Hearing Board on that account." The District staff believe that the Hearing Board should be able to determine whether an unreasonable hardship exists on a case-by-case basis. It is not unreasonable to expect that the Hearing Board may require some additional evidence to be presented to substantiate a claim of hardship.

The commenter has cited several cases to support its argument that "due process" requires the District to avoid imposing third party fees. However, the cited cases do not involve third parties. They instead address whether a party facing the loss of a teaching credential or other professional license must pay fees related to the disciplinary procedure. These procedural due process cases only apply where a private interest - such as the loss of a professional license - is at stake. Even if the cases did apply, they suggest that the imposition of fees may be improper only if mandatory in every case.

Comment: The current fee schedule overcharges major facilities to the benefit of smaller facilities. The proposed increase enlarges this inherent inequity.

Response: The District's current fee regulation does contain provisions that benefit smaller facilities relative to major facilities. For example, small businesses are eligible for a 50 percent reduction of filing and initial fees for the review of new and modified source permit applications. Hearing Board fees are also significantly lower for small businesses. Finally, the fees specified in Schedules M and N are based on a facility's emission levels, but these fees apply only to facilities with emissions over specified thresholds thereby resulting in some inherent degree of inequity.

The proposed new permit renewal processing fee, however, works in the other direction as approximately 70 percent of the total revenue from this fee will be paid by facilities that have five or fewer permitted sources. Most of these facilities will have their annual permit renewal fees increased by about 40 percent. The processing fee is the single largest component of the District's proposed fee increase, resulting in estimated annual revenue of \$673,000, as compared to an increase of \$550,000 in Title V fee revenue.

The District plans to have a study completed in FY 2004-2005 that further examines the current fee structure. This study will be completed based on an independent analysis of the District's fee structure as guided by a Steering Committee that will include representatives of various stakeholder groups. The study will include a comparison of costs and revenue for various types of permitted sources. The results and recommendations of this study will be considered in subsequent revisions to the District's fee regulation.

Comment: Title V fees have been historically overcharged with few or no services to the refineries. Fees have been paid for nine years, although the permits were processed and issued in December 2003. The District has performed its analysis for the one-year period in which large amounts of resources were expended to get the permits issued. As the permits are cleaned up, the work should diminish to much lower levels in years to come.

Response: Title V fees paid by the refineries and other subject facilities in the early years of the Title V program were applied to cover program development costs, which were substantial. The District actively worked on the refinery Title V permits for a period of over 3½ years beginning in April 2000. These permits were issued in the last group along with other complex facilities; this was done so that lessons learned from simpler permits could be incorporated into the most complex permits. The annual Title V permit fees are based on measures of facility complexity such as emission-levels, the number of sources, and the number of monitors. The permit issuance date has no bearing on the fees paid.

The District has completed an analysis of the continuing District costs of the Title V program (see Appendix B of this Report). This analysis indicates that large amounts of staff resources will continue to be needed to implement and enforce the Title V program. Most of these resources will be devoted to revising and renewing Title V permits based on changes at the facilities and changes in regulatory requirements.

Comment: The District should have used Title V fees to invest in technologies for automated systems that would allow for efficient administration of complex permits. Instead, the District shifted revenue to other programs. The analysis of program costs results in an overestimate because the issues are administrative in nature, and should be charged to all users.

Response: The preparation of the initial Title V permits involved detailed analysis of applicable requirements including emission limitations and standards, monitoring, recordkeeping, and reporting. The availability of automated systems would not have significantly reduced the resources required to prepare these permits. Title V fee revenue have been used primarily to cover program development and permit issuance tasks. Title V fee revenue were not shifted to other programs.

We agree that Title V permit revision and renewal functions would benefit from increased automation. The District is currently involved in a major database and software conversion project. The District's new financial system is currently nearing completion, and funds have been allocated in the proposed FY 2004-2005 budget to continue work on the District's production systems, which includes permit programs. The goals of the database conversion project include upgrading and enhancing existing systems to increase efficiency.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

STAFF REPORT

**PROPOSED AMENDMENTS TO
BAAQMD REGULATION 3: FEES**

APPENDIX A

PROPOSED RULE LANGUAGE

May 26, 2004

*Underlining indicates additions.
Strikethrough indicates deletions.*

*Double underlining and double strikethrough indicate
changes from staff proposal presented at the April 21, 2004
Public Hearing*

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FEES**

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**REGULATION 3
FEES**

(Adopted June 18, 1980)

3-100 GENERAL

3-101 Description: This regulation establishes fees to be charged for Hearing Board filings, for permits, banking, experimental exemptions, renewal of permits, costs of environmental documentation, asbestos operations, air toxics inventories, and soil excavation and underground tank removals.

(Amended 7/6/83; 11/2/83; 2/21/90; 12/16/92; 8/2/95; 12/2/98; 5/21/03)

3-102 Deleted July 12, 1989

3-103 Exemption, Abatement Devices: Installation, modification, or replacement of abatement devices on existing sources are subject to fees pursuant to Section 3-302.3. All abatement devices are exempt from annual permit renewal fees. However, emissions from abatement devices, including any secondary emissions, shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, and P.

(Amended 6/4/86; 7/1/98; 6/7/00)

3-104 Deleted August 2, 1995

3-105 Exemption, Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees: Fees shall not be required, pursuant to Section 3-322, for operations associated with the excavation of contaminated soil and the removal of underground storage tanks if one of the following is met:

105.1 The tank removal operation is being conducted within a jurisdiction where the APCO has determined that a public authority has a program equivalent to the District program and persons conducting the operations have met all the requirements of the public authority.

105.2 Persons submitting a written notification for a given site have obtained an Authority to Construct or Permit to Operate in accordance with Regulation 2, Rule 1, Section 301 or 302. Evidence of the Authority to Construct or the Permit to Operate must be provided with any notification required by Regulation 8, Rule 40.

(Adopted 1/5/94; Amended 5/21/03)

3-106 Deleted December 2, 1998

3-107 Exemption, Sources Exempt from Permit Requirements: Any source that is exempt from permit requirements pursuant to Regulation 2, Rule 1, Sections 103 through 128 is exempt from permit fees. However, emissions from exempt sources shall be included in facility-wide emissions calculations when determining the applicability of and the fees associated with Schedules M, N, and P.

(Adopted June 7, 2000)

3-200 DEFINITIONS

3-201 Cancelled Application: Any application which has been withdrawn by the applicant or cancelled by the APCO for failure to pay fees or to provide the information requested to make an application complete.

(Amended 6/4/86; 4/6/88)

3-202 Gasoline Dispensing Facility: Any stationary facility which dispenses gasoline directly into the fuel tanks of vehicles, such as motor vehicles, aircraft or boats. The facility shall be treated as a single source which includes all necessary equipment for the exclusive use of the facility, such as nozzles, dispensers, pumps, vapor return lines, plumbing and storage tanks.

(Amended February 20, 1985)

3-203 Filing Fee: A fixed fee for each source in an authority to construct.

(Amended June 4, 1986)

3-204 Initial Fee: The fee required for each new or modified source based on the type and size of the source. The fee is applicable to new and modified sources seeking to

obtain an authority to construct. Operation of a new or modified source is not allowed until the permit to operate fee is paid.

(Amended June 4, 1986)

3-205 Authority to Construct: Written authorization from the APCO, pursuant to Section 2-1-301, for a source to be constructed or modified or for a source whose emissions will be reduced by the construction or modification of an abatement device.

(Amended June 4, 1986)

3-206 Modification: See Section 1-217 of Regulation 1.

3-207 Permit to Operate Fee: The fee required for the annual renewal of a permit to operate or for the first year of operation (or prorated portion thereof) of a new or modified source which received an authority to construct.

(Amended 6/4/86; 7/15/87; 12/2/98; 6/7/00)

3-208 Deleted June 4, 1986

3-209 Small Business: A business with no more than 10 employees and gross annual income of no more than \$500,000 that is not an affiliate of a non-small business.

(Amended 6/4/86; 6/6/90; 6/7/00)

3-210 Solvent Evaporating Source: Any source utilizing organic solvent, as part of a process in which evaporation of the solvent is a necessary step. Such processes include, but are not limited to, solvent cleaning operations, painting and surface coating, rotogravure coating and printing, flexographic printing, adhesive laminating, etc. Manufacture or mixing of solvents or surface coatings is not included.

(Amended July 3, 1991)

3-211 Source: See Section 1-227 of Regulation 1.

3-212 Deleted August 2, 1995

3-213 Major Stationary Source: For the purpose of Schedule M, a major stationary source shall be any District permitted plant, building, structure, stationary facility or group of facilities under the same ownership, leasehold, or operator which, in the base calendar year, emitted to the atmosphere organic compounds, oxides of nitrogen (expressed as nitrogen dioxide), oxides of sulfur (expressed as sulfur dioxide), or PM₁₀ in an amount calculated by the APCO equal to or exceeding 50 tons per year.

(Adopted 11/2/83; Amended 2/21/90; 6/6/90; 8/2/95; 6/7/00)

3-214 Deleted effective March 1, 2000 *(Amended 10/20/99)*

3-215 Deleted effective March 1, 2000 *(Amended 10/20/99)*

3-216 Deleted effective March 1, 2000 *(Amended 10/20/99)*

3-217 Deleted effective March 1, 2000 *(Amended 10/20/99)*

3-218 Deleted effective March 1, 2000 *(Amended 10/20/99)*

3-219 Deleted effective March 1, 2000 *(Amended 10/20/99)*

3-220 Deleted effective March 1, 2000 *(Amended 10/20/99)*

3-221 Deleted effective March 1, 2000 *(Amended 10/20/99)*

3-222 Deleted effective March 1, 2000 *(Amended 10/20/99)*

3-223 Start-up Date: Date when new or modified equipment under an authority to construct begins operating. The holder of an authority to construct is required to notify the APCO of this date at least 3 days in advance. For new sources, or modified sources whose authorities to construct have expired, operating fees are charged from the startup date.

(Adopted 6/4/86; Amended 6/6/90)

3-224 Permit to Operate: Written authorization from the APCO pursuant to Section 2-1-302.

(Adopted 6/4/86; Amended 6/7/00)

3-225 Minor Modification: Any physical change or alteration to a source listed on Schedules G-3 or G-4 that will not increase emissions of any air contaminant. Such modifications may include alterations to improve energy and operational efficiency and those that reduce emissions. Alterations to increase actual or maximum production capacity shall not be considered minor modifications. Final determination of the applicability of this section shall be made by the APCO.

(Adopted June 6, 1990)

3-226 Air Toxics "Hot Spots" Information and Assessment Act of 1987: The Air Toxics "Hot Spots" Information and Assessment Act of 1987 directs the California Air Resources Board and the Air Quality Management Districts to collect information

from industry on emissions of potentially toxic air pollutants and to inform the public about such emissions and their impact on public health. It also directs the Air Quality Management District to collect fees sufficient to cover the necessary state and District costs of implementing the program.

(Adopted October 21, 1992)

3-227 Toxic Air Pollutant: For the purpose of this fee regulation, a "toxic air pollutant" is any air pollutant that is included in the District's list of Toxic Air Pollutants and Emission Weighting Factors (Schedule N).

(Adopted October 21, 1992)

3-228 Deleted December 2, 1998

3-229 Deleted December 2, 1998

3-230 Deleted December 2, 1998

3-231 Deleted December 2, 1998

3-232 Deleted December 2, 1998

3-233 Deleted December 2, 1998

3-234 Deleted December 2, 1998

3-235 Deleted December 2, 1998

3-236 Deleted December 2, 1998

3-237 PM₁₀: See Section 2-1-229 of Regulation 2, Rule 1.

(Adopted June 7, 2000)

3-300 STANDARDS

3-301 Hearing Board Fees: Applicants for variances or appeals or those seeking to revoke or modify variances or abatement orders or to rehear a Hearing Board decision shall pay the applicable fees, including excess emission fees, set forth in Schedule A.

(Amended June 7, 2000)

3-302 Fees for New and Modified Sources: Applicants for authorities to construct and permits to operate new sources shall pay a filing fee of ~~\$254~~\$259 per source plus the initial fee and the permit to operate fee given in Schedules B, C, D, E, F, H, I or K. Applicants for authorities to construct and permits to operate modified sources shall pay a filing fee of ~~\$254~~\$259 per source plus the initial fee and any incremental increase in permit to operate fees given in Schedules B, C, D, E, F, H, I or K. Where more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. Except for sources covered by Schedules D.1. and H, the size to be used for a source when applying the schedules shall be the maximum size the source will have after the construction or modification.

302.1 An applicant who qualifies as a small business shall pay one half of the filing fee and, if the source falls under schedules B, C, D.3, E, F, H, I or K, one half of the initial fee and the full permit to operate fee. If the source falls under schedule D.1, the applicant shall pay the full filing fee, the full initial fee and the permit to operate fee.

302.2 Deleted July 3, 1991

302.3 Applicants for an authority to construct and permit to operate abatement devices where there is no other modification to the source shall pay a ~~\$254~~\$259 filing fee and an initial fee equivalent to 50% of the initial fee for the source being abated. For abatement devices abating more than one source, the initial fee shall be 50% of the initial fee for the source having the highest initial fee.

302.4 Applicants for a Permit to Operate reactivated, previously permitted equipment shall pay the full filing, initial, and permit fees.

302.5 Applicants for minor modifications to permitted sources subject to Schedules G-3 or G-4 shall pay filing fees and the initial and permit to operate fees specified under Schedule G-2. Permit renewal fees will continue to be charged under Schedules G-3 and G-4.

(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03)

3-303 Back Fees: An applicant required to obtain a permit to operate existing equipment in

accordance with District regulations shall pay back fees equal to the permit to operate fees given in the appropriate Schedule (B, C, D, E, F, H, I or K) prorated from the effective date of permit requirements. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. The maximum back fee shall not exceed five years' permit fees.

(Amended 5/19/82; 7/6/83; 6/4/86; 7/15/87, 6/6/90; 7/3/91; 10/8/97)

3-304 ReplacementAlteration: ~~Applicants who are replacing sources with identical equipment~~An applicant to alter an existing permitted source shall pay only the filing fee, provided that the alteration does not result in an increase in emissions of any regulated air pollutant. ~~An application for replacement of components with non-identical components shall pay fees for a change in conditions. Applicants who are replacing sources or equipment with non-identical equipment will pay the filing fee plus the initial fee and the permit to operate fee.~~

(Amended 6/4/86; 11/15/00)

3-305 Cancellation or Withdrawal: There will be no refund of initial and filing fees if an application is cancelled or withdrawn. However, if an application for identical equipment is submitted within six months of the date of cancellation or withdrawal, the initial fee will be credited in full against the fee for the new application.

(Amended 7/6/83; 4/6/88; 10/8/97)

3-306 Change in Conditions: If an applicant applies to change the conditions on an existing authority to construct or permit to operate, the applicant will pay the following fees. There will be no change in anniversary date.

306.1 Administrative Condition Changes: An applicant applying for an administrative change in permit conditions shall pay a fee equal to the filing fee for a single source, provided the following criteria are met:

- 1.1 The condition change applies to a single source or a group of sources with shared permit conditions.
- 1.2 The condition change does not subject the source(s) to any District Regulations or requirements that were not previously applicable.
- 1.3 The condition change does not result in any increase in emissions of POC, NPOC, NO_x, CO, SO₂, or PM₁₀ at any source or the emission of a toxic air contaminant above the trigger levels identified in Regulation 2, Rule 1, Table 2-1-316.
- 1.4 The condition change does not require a public notice.

306.2 Other Condition Changes: Applicant shall pay the filing and initial fees required for new and modified equipment under Section 3-302. If the condition change will result in higher permit to operate fees, the applicant shall also pay any incremental increases in permit to operate fees.

(Amended 7/6/83; 6/4/86; 6/6/90; 10/8/97; 6/7/00)

3-307 Transfers: The owner/operator of record is the person to whom a permit is issued or, if no permit has yet been issued to a facility, the person who applied for a permit. Permits are valid only for the owner/operator of record. Permits are re-issued to the new owner/operator of record with no change in expiration dates. ~~An applicant for a transfer of a permit to operate shall pay a fee of \$51 per permit up to a maximum of \$1016 for a facility. An applicant who qualifies as a small business shall pay a fee of \$25.50 per permit up to a maximum of \$508 for a facility.~~

(Amended 2/20/85; 6/4/86; 11/5/86; 4/6/88; 10/8/97, 5/1/02; 5/21/03)

3-308 Change of Location: An applicant who wishes to move an existing source which has a permit to operate shall pay no fee if the move is on the same facility. The applicant shall pay the filing fee, the initial fee and permit to operate fee if the move is not on the same facility.

(Amended 7/6/83; 6/4/86)

3-309 Duplicate Permit: An applicant for a duplicate permit to operate shall pay a fee of ~~\$51~~\$52 per permit.

(Amended 5/19/99, 5/1/02; 5/21/03)

3-310 Fee for Constructing Without a Permit: An applicant for an authority to construct and a permit to operate a source which has been constructed or modified without an authority to construct shall pay the following fees:

310.1 Sources subject to permit requirements on the date of initial operation shall pay fees for new construction pursuant to Section 3-302, any back fees

pursuant to Section 3-303 and a late fee equal to 100% of the initial fee. A source falling under Schedule D.1 that is not required to pay an initial fee shall pay a fee equal to 100% of the filing fee.

- 310.2 Sources previously exempt from permit requirements which lose their exemption due to changes in District, state, or federal regulations shall pay a permit to operate fee for the coming year and any back fees pursuant to Section 3-303.
- 310.3 Sources previously exempt from permit requirements which lose their exemption due to a change in the manner or mode of operation, such as an increased throughput, shall pay fees for new construction pursuant to Section 3-302. In addition, sources applying for permits after commencing operation in a non-exempt mode shall also pay a late fee equal to 100% of the initial fee and any back fees pursuant to Section 3-303.
- 310.4 Sources modified without a required authority to construct shall pay fees for modification pursuant to Section 3-302 and a late fee equal to 100% of the initial fee.

(Amended 7/6/83; 4/18/84; 6/4/86; 6/6/90; 7/3/91; 8/2/95; 10/8/97)

3-311 Banking: Any applicant who wishes to bank emissions for future use, or convert an ERC into an IERC, shall pay a filing fee of ~~\$254~~\$259 per source plus the initial fee given in Schedules B, C, D, E, F, H, I or K. Where more than one of these schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. Any applicant for the withdrawal of banked emissions shall pay a fee of ~~\$254~~\$259.

(Amended 7/6/83; 6/4/86; 7/15/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03)

3-312 Emission Caps and Alternative Compliance Plans: Any facility which elects to use an alternative compliance plan contained in:

- 312.1 Regulation 8 ("bubble") to comply with a District emission limitation or to use an annual or monthly emission limit to acquire a permit in accordance with the provisions of Regulation 2, Rule 2, shall pay an additional annual fee equal to fifteen percent of the total plant permit to operate fee.
- 312.2 Regulation 2, Rule 9 shall pay an annual fee of ~~\$642~~\$654 for each source included in the alternative compliance plan, not to exceed ~~\$6420~~\$6542.

(Adopted 5/19/82; Amended 6/4/86; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03)

3-313 Deleted May 19, 1999

3-314 Deleted August 2, 1995

3-315 Costs of Environmental Documentation: An applicant for an Authority to Construct a project which is subject to review under the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, the District's costs of performing all environmental evaluation required pursuant to the California Environmental Quality Act, the District's costs in preparing any environmental study or Environmental Impact Report (including the costs of any outside consulting assistance which the District may employ in connection with the preparation of any such study or report), as well as the District's reasonable internal costs (including overhead) of processing and reviewing the required environmental documentation.

(Adopted 12/18/85; Amended 5/1/02)

3-316 Deleted June 6, 1990

3-317 Asbestos Operation Fees: After July 1, 1988, persons submitting a written plan, as required by Regulation 11, Rule 2, Section 401, to conduct an asbestos operation shall pay the fee given in Schedule L.

(Adopted 7/6/88; Renumbered 9/7/88; Amended 8/2/95)

3-318 Public Notice Fee, Schools: Pursuant to Section 42301.6(b) of the Health and Safety Code, an applicant for an authority to construct or permit to operate subject to the public notice requirements of Regulation 2-1-412 shall pay, in addition to the fees required under Section 3-302 and in any applicable schedule, a fee to cover the expense of preparing and distributing the public notices to the affected persons specified in Regulation 2-1-412 as follows:

- 318.1 A minimum fee of ~~\$914~~\$2000 per application, and

318.2 The District's cost exceeding ~~\$914~~\$2000 of preparing and distributing the public notice ~~to the affected persons specified in Regulation 2-1-412.~~

318.3 The District shall refund to the applicant the portion of any fee paid under this Section that exceeds the District's cost of preparing and distributing the public notice.

(Adopted 11/1/89; Amended 10/8/97; 7/1/98; 5/19/99; 6/7/00; 5/21/03)

3-319 Major Stationary Source Fees: Any major stationary source emitting 50 tons per year of organic compounds, sulfur oxides, nitrogen oxides, or PM₁₀ shall pay a fee based on Schedule M. This fee is in addition to permit and other fees otherwise authorized to be collected from such facilities and shall be included as part of the annual permit renewal fees.

(Adopted 6/6/90; Amended 8/2/95; 6/7/00)

3-320 Toxic Inventory Fees: Any stationary source that emits one or more potentially toxic air pollutants (listed in Schedule N) in quantities above a minimum threshold level shall pay an annual fee based on Schedule N. This fee will be in addition to permit to operate and other fees otherwise authorized to be collected from such facilities.

320.1 An applicant who qualifies as a small business under Regulation 3-209 shall pay a Toxic Inventory Fee as set out in Schedule N up to a maximum fee of ~~\$5,842~~\$5953 per year.

(Adopted 10/21/92; Amended 5/19/99; 5/21/03)

3-321 Deleted December 2, 1998

3-322 Excavation of Contaminated Soil and Removal of Underground Storage Tank Operation Fees: Persons submitting a written notification for a given site to conduct either excavation of contaminated soil or removal of underground storage tanks as required by Regulation 8, Rule 40, Section 401, 402, 403 or 405 shall pay a fee based on Schedule Q.

(Adopted 1/5/94; Amended 8/2/95; 5/21/03)

3-323 Pre-Certification Fees: An applicant seeking to pre-certify a source, in accordance with Regulation 2, Rule 1, Section 415, shall pay the filing fee, initial fee and permit to operate fee given in the appropriate schedule.

(Adopted June 7, 1995)

3-324 Deleted June 7, 2000

3-325 Deleted December 2, 1998

3-326 Deleted December 2, 1998

3-327 Permit to Operate, Renewal Fees: After the expiration of the initial permit to operate, the permit to operate shall be renewed on an annual basis or other time period as approved by the APCO. The fee required for the ~~annual~~-renewal of a permit to operate is the permit to operate fee listed in Schedules B, C, D, E, F, H, I and K, prorated for the period of coverage. ~~Where~~When more than one of the schedules is applicable to a source, the fee paid shall be the highest of the applicable schedules. This ~~annual~~-renewal fee is applicable to all sources required to obtain permits to operate in accordance with District regulations. In addition to the permit to operate fees for the sources at a facility, the facility shall also pay a processing fee at the time of renewal as follows:

327.1 \$50 for facilities with one permitted source, including gasoline dispensing facilities.

327.2 \$100 for facilities with 2 to 5 permitted sources.

327.3 \$200 for facilities with 6 to 10 permitted sources.

327.4 \$300 for facilities with 11 to 15 permitted sources.

327.5 \$400 for facilities with 16 to 20 permitted sources.

327.6 \$500 for facilities with more than 20 permitted sources.

(Adopted June 7, 2000)

3-328 Fee for OEHHA Risk Assessment Reviews: Any facility that submits a health risk assessment to the District in accordance with Section 44361 of the California Health and Safety Code shall pay any fee requested by the State Office of Environmental Health Hazard Assessment (OEHHA) for reimbursement of that agency's costs incurred in reviewing the risk assessment.

(Adopted June 7, 2000)

3-400 ADMINISTRATIVE REQUIREMENTS

3-401 Permits: Definitions, standards, and conditions contained in Regulation 2, Permits, are applicable to this regulation.

3-402 Single Anniversary Date: The APCO may assign a single anniversary date to a facility on which all its renewable permits to operate expire and will require renewal. Fees will be prorated to compensate for different time periods resulting from change in anniversary date.

3-403 Change in Operating Parameters: See Section 2-1-404 of Regulation 2, Rule 1.

3-404 Deleted June 7, 2000

3-405 Fees Not Paid: If an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the following procedure(s) shall apply:

405.1 Authority to Construct: The application will be cancelled, but can be reactivated upon payment of fees.

405.2 New Permit to Operate: The Permit to Operate shall not be issued, and the facility will be notified that operation, including startup, is not authorized.

2.1 Fees received during the first 30 days following the due date must include an additional late fee equal to 50 percent of an annual Permit to Operate Fee.

2.2 Fees received more than 30 days after the due date must include an additional late fee equal to 100 percent of an annual Permit to Operate Fee.

405.3 Renewal of Permit to Operate: The facility will be notified that the permit has lapsed and that further operation is no longer authorized. Reinstatement of lapsed Permits to Operate will require the payment of reinstatement fees in addition to the Permit to Operate Fee. Permit to Operate Fees shall be calculated using fee schedules in effect at either the time of reinstatement or at the time additional fees are assessed under subsection 3-405.2.

3.1 Fees received during the first 30 days following the due date must include the Permit to Operate Fee for the period covered on the invoice plus a reinstatement fee equal to 50 percent of the annual Permit to Operate Fee.

3.2 Fees received more than 30 days after the due date, but less than one year after the due date, must include the Permit to Operate Fee for the period covered by the invoice plus a reinstatement fee equal to 100 percent of the annual Permit to Operate Fee.

3.3 Fees received more than one year after the due date must include the Permit to Operate Fee, prorated from the date the permit expired to the current permit anniversary date, plus a reinstatement fee equal to 150 percent of the annual Permit to Operate Fee.

405.4 Other Fees: Persons who have not paid the fee by the invoice due date, shall pay a late fee in addition to the original invoiced fee. Fees shall be calculated using fee schedules in effect at the time of the fees' original determination.

4.1 Fees received more than 30 days after the invoice due date must include a late fee of 10 percent of the original invoiced fee.

(Amended 7/6/83; 6/4/86; 11/5/86; 2/15/89; 6/6/90; 7/3/91; 8/2/95; 12/2/98)

3-406 Deleted June 4, 1986

3-407 Deleted August 2, 1995

3-408 Permit to Operate Valid for 12 Months: A Permit to Operate is valid for 12 months from the date of issuance or other time period as approved by the APCO.

(Amended 6/4/86; Amended 6/7/00)

3-409 Deleted June 7, 2000

3-410 Deleted August 2, 1995

3-411 Advance Deposit of Funds: The APCO may require that at the time of the filing of an application for an Authority to Construct for a project for which the District is a lead agency under the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), the applicant shall make an advance deposit of funds, in an amount to be specified by the APCO, to cover the costs which the District estimates

to incur in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation. In the event the APCO requires such an estimated advance payment to be made, the applicant will be provided with a full accounting of the costs actually incurred by the District in connection with the District's performance of its environmental evaluation and the preparation of any required environmental documentation.

(Adopted 12/18/85; Amended 8/2/95)

3-412 Deleted December 2, 1998

3-413 Toxic "Hot Spots" Information and Assessment Act Revenues: No later than 120 days after the adoption of this regulation, the APCO shall transmit to the California Air Resources Board, for deposit into the Air Toxics "Hot Spots" Information and Assessment Fund, the revenues determined by the ARB to be the District's share of statewide Air Toxics "Hot Spot" Information and Assessment Act expenses.

(Adopted October 21, 1992)

3-414 Deleted December 2, 1998

3-415 Failure to Pay - Further Actions: When an applicant or owner/operator fails to pay the fees specified on the invoice by the due date, the APCO may take the following actions against the applicant or owner/operator:

415.1 Issuance of a Notice to Comply.

415.2 Issuance of a Notice of Violation.

415.3 Revocation of an existing Permit to Operate. The APCO shall initiate proceedings to revoke permits to operate for any person whose for more than one month. The revocation process shall continue until payment in full is made or until permits are revoked.

415.4 The withholding of any other District services as deemed appropriate until payment in full is made.

(Adopted 8/2/95; Amended 12/2/98)

3-416 Adjustment of Fees: The APCO or designees may, upon finding administrative error by District staff in the calculation, imposition, noticing, invoicing, and/or collection of any fee set forth in this rule, rescind, reduce, increase, or modify the fee. A request for such relief from an administrative error, accompanied by a statement of why such relief should be granted, must be received within two years from the date of payment.

(Adopted October 8, 1997)

**SCHEDULE A
HEARING BOARD FEES¹**

Established by the Board of Directors December 7, 1977 Resolution No. 1046
(Code section references are to the California Health & Safety Code, unless otherwise indicated)

		Large Companies	Small Business	Third Party
1.	For each application for variance exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application in accordance with §42350, the additional sum of	\$1118 <u>\$1139</u> \$559 <u>\$570</u>	\$167 <u>\$170</u> \$56 <u>\$57</u>	
2.	For each application for variance not exceeding 90 days, in accordance with §42350, including applications on behalf of a class of applicants, which meet the requirements of the Hearing Board Rules for a valid and proper class action for variance Plus, for each hearing in addition to the first hearing necessary to dispose of said variance application, in accordance with §42350, the additional sum of	\$671 <u>\$684</u> \$335 <u>\$341</u>	\$167 <u>\$170</u> \$56 <u>\$57</u>	
3.	For each application to modify a variance in accordance with §42356 ... Plus, for each hearing in addition to the first hearing on said application to modify a variance, in accordance with §42345, necessary to dispose of the application, the additional sum of.....	\$447 <u>\$455</u> \$335 <u>\$341</u>	\$56 <u>\$57</u> \$56 <u>\$57</u>	
4.	For each application to extend a variance, in accordance with §42357 .. Plus, for each hearing in addition to the first hearing on an application to extend a variance, in accordance with §42357, necessary to dispose of the application, the additional sum of.....	\$447 <u>\$455</u> \$335 <u>\$341</u>	\$56 <u>\$57</u> \$56 <u>\$57</u>	
5.	For each application to revoke a variance	\$671 <u>\$684</u>	\$56 <u>\$57</u>	
6.	For each application for approval of a Schedule of Increments of Progress in accordance with §41703.....	\$447 <u>\$455</u>	\$56 <u>\$57</u>	
7.	For each application for variance in accordance with §41703, which exceeds 90 days Plus, for each hearing in addition to the first hearing on said application for variance in accordance with §41703, the additional sum of.....	\$1118 <u>\$1139</u> \$569 <u>\$570</u>	\$167 <u>\$170</u> \$56 <u>\$57</u>	
8.	For each application for variance in accordance with §41703, not to exceed 90 days Plus, for each hearing in addition to the hearing on said application for a variance in accordance with §41703, the additional sum of	\$671 <u>\$684</u> \$335 <u>\$341</u>	\$167 <u>\$170</u> \$56 <u>\$57</u>	
9.	For each Appeal (Permit, Banking, Title V).....	\$1118 <u>\$1139</u> per hearing day	\$559 <u>\$570</u> per hearing day	\$559 <u>\$570</u> for entire appeal period

PROPOSED May 26, 2004

		Large Companies	Small Business	Third Party
10.	For each application for intervention in accordance with Hearing Board Rules §§2.3, 3.6 & 4.6.....	\$559 <u>\$570</u>	\$112 <u>\$114</u>	
11.	For each application to Modify or Terminate an abatement order	\$1118 <u>\$1139</u> per hearing day	\$559 <u>\$570</u> per hearing day	
12.	For each application for an interim variance in accordance with §42351	\$559 <u>\$570</u>	\$112 <u>\$114</u>	
13.	For each application for an emergency variance in accordance with §42359.5.....	\$279 <u>\$284</u>	\$56 <u>\$57</u>	
14.	For each application to rehear a Hearing Board decision in accordance with §40861	100% of previous fee charged	100% of previous fee charged	
15.	Excess emission fees.....	See Attachment I	See Attachment I	
16.	Miscellaneous filing fee for any hearing not covered above	\$559 <u>\$570</u>	\$167 <u>\$170</u>	\$167 <u>\$170</u>
17.	For each published Notice of Public Hearing	Cost of Publication	\$0	\$0
18.	Court Reporter Fee (to be paid only if Court Reporter required for hearing)	\$112 <u>\$114</u> or cost per day if hearing solely dedicated to one Docket	\$0	\$0 <u>\$114</u> or cost per day if hearing solely dedicated to one Docket

NOTE 1 Any person who certifies under penalty of perjury that payment of the foregoing fees will cause an unreasonable hardship, may be excused from the payment of fees by order of the Hearing Board on that account.

(Amended 10/8/97; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03)

**SCHEDULE A
ATTACHMENT I
EXCESS EMISSION FEE**

A. General

- (1) Each applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the other filing fees required in Schedule A, an emission fee based on the total weight of emissions discharged, per source or product, other than those described in division (B) below, during the variance period in excess of that allowed by these rules in accordance with the schedule set forth in Table I.
- (2) Where the total weight of emission discharged cannot be easily calculated, the petitioner shall work in concert with District staff to establish the amount of excess emissions to be paid.
- (3) In the event that more than one rule limiting the discharge of the same contaminant is violated, the excess emission fee shall consist of the fee for violation which will result in the payment of the greatest sum. For the purposes of this subdivision, opacity rules and particulate mass emissions shall not be considered rules limiting the discharge of the same contaminant.

B. Excess Visible Emission Fee

Each applicant or petitioner for a variance from Regulation 6 or Health and Safety Code Section 41701 shall pay to the Clerk or Deputy Clerk of the Hearing Board, in addition to the filing fees required in Schedule A and the excess emission fees required in (A) above (if any), an emission fee based on the difference between the percent opacity allowed by Regulation 6 and the percent opacity of the emissions allowed from the source or sources operating under the variance, in accordance with the schedule set forth in Table II.

In the event that an applicant or petitioner is exempt from the provisions of Regulation 6, the applicant or petitioner shall pay a fee calculated as described herein above, but such fee shall be calculated based upon the difference between the opacity allowed under the variance and the opacity allowed under the provisions of Health and Safety Code Section 41701, in accordance with the schedule set forth in Table II.

C. Applicability

The provisions of subdivision (A) shall apply to all variances that generate excess emissions.

D. Fee Determination

- (1) The excess emission fees shall be calculated by the petitioner based upon the requested number of days of operation under variance multiplied by the expected excess emissions as set forth in subdivisions (A) and (B) above. The calculations and proposed fees shall be set forth in the petition.
- (2) The Hearing Board may adjust the excess emission fee required by subdivisions (A) and (B) of this rule based on evidence regarding emissions presented at the time of the hearing.

E. Small Businesses

- (1) A small business shall be assessed twenty percent (20%) of the fees required by subdivisions (A) and (B), whichever is applicable. "Small business" is defined in the Fee Regulation.
- (2) Request for exception as a small business shall be made by the petitioner under penalty of perjury on a declaration form provided by the Executive Officer which shall be submitted to the Clerk or Deputy Clerk of the Hearing Board at the time of filing a petition for variance.

F. Group, Class and Product Variance Fees

Each petitioner included in a petition for a group, class or product variance shall pay the filing fee specified in Schedule A, and the excess emission fees specified in subdivisions (A) and (B), whichever is applicable.

G. Adjustment of Fees

If after the term of a variance for which emission fees have been paid, petitioner can establish, to the satisfaction of the Executive Officer/APCO, that emissions were actually less than those upon which the fee was based, a pro rata refund shall be made.

H. Fee Payment/Variance Invalidation

- (1) Excess emission fees required by subdivisions (A) and (B), based on an estimate provided during the variance Hearing, are due and payable within fifteen (15) days of the granting of the variance. The petitioner shall be notified in writing of any adjustment to the amount of excess emission fees due, following District staff's verification of the estimated emissions. Fee payments to be made as a result of an adjustment are due and payable within fifteen (15) days of notification of the amount due.
- (2) Failure to pay the excess emission fees required by subdivisions (A) and (B) within fifteen (15) days of notification that a fee is due shall automatically invalidate the variance. Such notification may be given by personal service or by deposit, postpaid, in the United States mail and shall be due fifteen (15) days from the date of personal service or mailing. For the purpose of this rule, the fee payment shall be considered to be received by the District if it is postmarked by the United States Postal Service on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be postmarked on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been postmarked on the expiration date.

**TABLE I
SCHEDULE OF EXCESS EMISSIONS FEES**

Air Contaminants	All at \$4.07 <u>\$1.09</u> Per Pound
Organic gases, except methane and those containing sulfur	
Carbon Monoxide	
Oxides of nitrogen (expressed as nitrogen dioxide)	
Gaseous sulfur compounds (expressed as sulfur dioxide)	
Particulate matter	
Toxic Air Contaminants	All at \$5.33 <u>\$5.43</u> Per Pound
Asbestos	
Benzene	
Cadmium	
Carbon tetrachloride	
Chlorinated dioxins and dibenzofurans (15 species)	
Ethylene dibromide	
Ethylene dichloride	
Ethylene oxide	
Formaldehyde	
Hexavalent chromium	
Methylene chloride	
Nickel	
Perchloroethylene	
1,3-Butadiene	
Inorganic arsenic	
Beryllium	
Polynuclear aromatic hydrocarbons (PAH)	
Vinyl chloride	
Lead	
1,4-Dioxane	
Trichloroethylene	

**TABLE II
SCHEDULE OF EXCESS VISIBLE EMISSION FEE**

For each source with opacity emissions in excess of twenty percent (20%), but less than forty percent (40%) (where the source is in violation of Regulation 6, the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity}^* \text{ equivalent} - 20) \times \text{number of days allowed in variance} \times \text{\$1.20}$$

~~\$1.20~~\$1.22

For each source with opacity emissions in excess of forty percent (40%) (where the source is in violation of Regulation 6 and California Health and Safety Code Section 41701), the fee is calculated as follows:

$$\text{Fee} = (\text{Opacity}^* \text{ equivalent} - 40) \times \text{number of days allowed by variance} \times \text{\$1.20}$$

~~\$1.20~~\$1.22

* Where "Opacity" equals maximum opacity of emissions in percent (not decimal equivalent) allowed by the variance. Where the emissions are darker than the degree of darkness equivalent to the allowed Ringelmann number, the percentage equivalent of the excess degree of darkness shall be used as "opacity."

(Adopted 6/7/00; Amended 5/1/02; 5/21/03)

**SCHEDULE B
COMBUSTION OF FUEL**
(Adopted June 18, 1980)

For each source that burns fuel, which is not a flare, and which is not exempted by Regulation 2, Rule 1, the fee shall be computed based on the maximum gross combustion capacity of the source.

- 1. INITIAL FEE: ~~\$33.52~~ \$34.16 per MM BTU/HOUR
 - a. All ratings rounded to the nearest MM BTU/Hr
 - b. The minimum fee per source is: ~~\$179~~ \$182
 - c. The maximum fee per source is: ~~\$62,545~~ \$63,733
- 2. PERMIT TO OPERATE FEE: ~~\$46.76~~ \$17.08 per MM BTU/HOUR
 - a. All ratings rounded to the nearest MM BTU/HR
 - b. The minimum fee per source is: ~~\$128~~ \$130
 - c. The maximum fee per source is: ~~\$31,272~~ \$31,866
- 3. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
- 4. Toxic Surcharge Fee: The initial fee shall be doubled and the permit to operate fee shall be raised by ten percent, for sources which emit one or more toxic air contaminant (TAC), identified by the Air Resources Board, at a rate which exceeds the trigger levels listed in Table 2-1-316 of Regulation 2, Rule 1. This fee shall not be assessed for TACs not listed in Table 2-1-316.
- 5. Applicants for an authority to construct and permit to operate a project, which burns municipal waste or refuse-derived fuel, shall pay in addition to all required fees, an additional fee to cover the costs incurred by the State Department of Health Services, and/or a qualified contractor designated by the State Department of Health Services, in reviewing a risk assessment as required under H&S Code Section 42315. The fee shall be transmitted by the District to the Department of Health Services and/or the qualified contractor upon completion of the review and submission of comments in writing to the District.
- 6. A surcharge equal to 100% of all required initial and permit to operate fees shall be charged for sources permitted to burn one or more of the following fuels: coke, coal, wood, tires, black liquor, and municipal solid waste.

NOTE: MM BTU is million BTU
One MM BTU/HR = 1.06 gigajoules/HR
(Amended 6/5/85; 6/4/86; 3/4/87; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01; 5/1/02; 5/21/03)

SCHEDULE C
STATIONARY CONTAINERS FOR THE STORAGE OF
ORGANIC LIQUIDS
(Adopted June 18, 1980)

For each stationary container of organic liquids which is not exempted from permits by Regulation 2 and which is not part of a gasoline dispensing facility, the fee shall be computed based on the container volume, as follows:

- 1. INITIAL FEE: 0-1600.165 cents per gallon
 - a. The minimum fee per source is: ~~\$179~~\$182
 - b. The maximum fee per source is: ~~\$24,343~~\$24,806

- 2. PERMIT TO OPERATE FEE: 0-0810.083 cents per gallon
 - a. The minimum fee per source is: ~~\$128~~\$130
 - b. The maximum fee per source is: ~~\$12,172~~\$12,403

- 3. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

- 4. Toxic Surcharge Fee: The initial fee shall be doubled and the permit to operate fee shall be raised by ten percent, for sources which emit one or more toxic air contaminant (TAC), identified by the Air Resources Board, at a rate which exceeds the trigger levels listed in Table 2-1-316 of Regulation 2, Rule 1. This fee shall not be assessed for TACs not listed in Table 2-1-316.

(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03)

**SCHEDULE D
GASOLINE TRANSFER AT GASOLINE DISPENSING
FACILITIES,
BULK PLANTS AND TERMINALS
(Adopted June 18, 1980)**

1. All gasoline dispensing facilities shall pay the following fees:
 - a. INITIAL FEE: ~~\$81.00~~\$82.50 per single product nozzle (spn)
~~\$81.00~~\$82.50 per product for each multi-product nozzle
(mpn)
 - b. PERMIT TO OPERATE FEE: ~~\$31.00~~\$31.60 per single product nozzle (spn)
~~\$31.00~~\$31.60 per product for each multi-product nozzle
(mpn)

Modifications at a currently permitted gasoline dispensing facility shall pay the following fees with no change to the facilities' expiration date:

- c. MODIFICATION FEE:

$$\underline{\$114.10} \times \{[(mpn_{proposed})(products\ per\ nozzle) + spn_{proposed}] - [(mpn_{existing})(products\ per\ nozzle) + spn_{existing}]\}$$

mpn = multi-product nozzles
spn = single product nozzles

If the above formula yields zero or negative results, no modification fee shall be charged. These projects shall pay a filing fee only.

For the purposes of calculating the above fees, a fuel blended from two or more different grades shall be considered a separate product.

Other modifications to facilities' equipment, including but not limited to tank addition/replacement/conversion, vapor recovery piping replacement, moving or extending pump islands, will pay a filing fee only.

2. Nozzles used exclusively for the delivery of diesel fuel or other fuels exempt from permits shall pay no fee. Multi-product nozzles used to deliver both exempt and non-exempt fuels shall pay fees for the non-exempt products only.
3. All bulk plants, terminals or other facilities using loading racks to transfer gasoline or gasohol into trucks, railcars or ships shall pay the following fees:
 - a. INITIAL FEE: ~~\$1,064~~\$1084 per single product loading arm
~~\$1,064~~\$1084 per product for multi-product arms
 - b. PERMIT TO OPERATE FEE: ~~\$297~~\$303 per single product loading arm
~~\$297~~\$303 per product for multi-product arms
4. Fees in (1) above are in lieu of tank fees. Fees in (3) above are in addition to tank fees.
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
6. The initial fee and the permit to operate fee have been raised for the above sources that emit benzene, a toxic air contaminant identified by the Air Resources Board.
(Amended 2/20/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02; 5/21/03)

SCHEDULE E
SOLVENT EVAPORATING SOURCES
 (Adopted June 18, 1980)

For each solvent evaporating source, as defined in Section 3-210 except for dry cleaners, the fee shall be computed based on the net amount of organic solvent processed through the sources on an annual basis (or anticipated to be processed, for new sources) including solvent used for the cleaning of the sources.

1. INITIAL FEE:
 - a. The minimum fee per source is: ~~\$179~~\$182
 - b. If usage is not more than 1,000 gallons/year: ~~\$179~~\$182
 - c. If usage is more than 1,000 gallons/year: ~~\$358~~\$365 per 1,000 gallons
 - d. The maximum fee per source is: ~~\$14,240~~\$14,510

2. PERMIT TO OPERATE FEE:
 - a. The minimum fee per source is: ~~\$128~~\$130
 - b. If usage is not more than 1,000 gallons/year: ~~\$128~~\$130
 - c. If usage is more than 1,000 gallons/year: ~~\$179~~\$182 per 1,000 gallons
 - d. The maximum fee per source is: ~~\$7,120~~\$7255

3. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.

4. Toxic Surcharge Fee: The initial fee shall be doubled and the permit to operate fee shall be raised by ten percent, for sources which emit one or more toxic air contaminant (TAC), identified by the Air Resources Board, at a rate which exceeds the trigger levels listed in Table 2-1-316 of Regulation 2, Rule 1. This fee shall not be assessed for TACs not listed in Table 2-1-316.

(Amended 5/19/82; 10/17/84; 6/5/85; 6/4/86; 10/8/87; 7/3/91; 6/15/94; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03)

SCHEDULE F
MISCELLANEOUS SOURCES
 (Adopted June 18, 1980)

For each source not governed by Schedules B, C, D, E, H or I, the initial fee is ~~\$179~~\$182 and the permit to operate fee is ~~\$128~~\$130, except for those sources in the special classification lists below:

List of special classifications requiring graduated fees is shown in Schedules G-1, G-2, G-3, and G-4.

1. FEE FOR SCHEDULE G-1
 - a. The initial fee is: \$1,067~~\$1087~~
 - b. The permit to operate fee is: \$533~~\$543~~
2. FEE FOR SCHEDULE G-2
 - a. The initial fee is: \$2,134~~\$2175~~
 - b. The permit to operate fee is: \$1,067~~\$1087~~
3. FEE FOR SCHEDULE G-3
 - a. The initial fee is: \$16,256~~\$16,565~~
 - b. The permit to operate fee is: \$8,128~~\$8,282~~
4. FEE FOR SCHEDULE G-4
 - a. The initial fee is: \$46,452~~\$47,335~~
 - b. The permit to operate fee is: \$23,226~~\$23,667~~
5. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
6. Toxic Surcharge Fee: The initial fee shall be doubled and the permit to operate fee shall be raised by ten percent, for sources which emit one or more toxic air contaminant (TAC), identified by the Air Resources Board, at a rate which exceeds the trigger levels listed in Table 2-1-316 of Regulation 2, Rule 1. This fee shall not be assessed for TACs not listed in Table 2-1-316.

(Amended 5/19/82; 6/5/85; 6/4/86; 6/6/90; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03)

SCHEDULE G-1
(Adopted June 18, 1980)

Equipment or Process Description	Materials Processed or Produced
Asphalt Roofing Manufacturing – Asphalt Dipping	Asphalt Roofing or Related Materials
Calcining Kilns, excluding those processing cement, lime, or coke (see G-4 for cement, lime, or coke Calcining Kilns)	Any Materials except cement, lime, or coke
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Inorganic Materials
Chemical Manufacturing, Inorganic – Reactors with a Capacity of 1000 Gallons or more	Any Inorganic Materials
Chemical Manufacturing, Organic - Latex Dipping	Any latex materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 1000 Gallons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Processing Units with a Capacity of 5 Tons/Hour or more	Any Organic Materials
Chemical Manufacturing, Organic – Reactors with a Capacity of 1000 Gallons or more	Any Organic Materials
Crushers	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Electroplating Equipment	<u>Hexavalent Decorative Chrome with permitted capacity greater than 500,000 amp-hours per year or Hard Chrome only</u>
Foil Manufacturing – Any Converting or Rolling Lines	Any Metal or Alloy Foils
Galvanizing Equipment	Any
Glass Manufacturing – Batching Processes including storage and weigh hoppers or bins, conveyors, and elevators	Any Dry Materials
Glass Manufacturing – Mixers	Any Dry Materials
Glass Manufacturing – Molten Glass	Any molten glass

Equipment or Process Description	Materials Processed or Produced
Holding Tanks	
Grinders	Any minerals or mineral products such as rock, aggregate, cement, concrete, or glass; waste products such as building or road construction debris; and any wood, wood waste, green waste; or similar materials
Incinerators – Crematory	Human and/or animal remains
Incinerators – Flares	Any waste gases
Incinerators – Other (see G-2 for hazardous or municipal solid waste incinerators, see G-3 for medical or infectious waste incinerators)	Any Materials except hazardous wastes, municipal solid waste, medical or infectious waste
Incinerators – Pathological Waste (see G-3 for medical or infectious waste incinerators)	Pathological waste only
Loading and/or Unloading Operations – Bulk Plants and Bulk Terminals, excluding those loading gasoline or gasohol (see Schedule D for Bulk Plants and Terminals loading gasoline or gasohol)	Any Organic Materials except gasoline or gasohol
Petroleum Refining – Alkylation Units	Any Hydrocarbons
Petroleum Refining – Asphalt Oxidizers	Any Hydrocarbons
Petroleum Refining – Benzene Saturation Units/Plants	Any Hydrocarbons
Petroleum Refining – Catalytic Reforming Units	Any Hydrocarbons
Petroleum Refining – Chemical Treating Units including alkane, naphthenic acid, and naptha merox treating, or similar processes	Any Hydrocarbons
Petroleum Refining – Converting Units including Dimersol Plants, Hydrocarbon Splitters, or similar processes	Any Hydrocarbons
Petroleum Refining – Distillation Units, excluding crude oil units with capacity > 1000 barrels/hour (see G-3 for > 1000 barrels/hour crude distillation units)	Any Hydrocarbons
Petroleum Refining – Hydrogen Manufacturing	Hydrogen or Any Hydrocarbons
Petroleum Refining – Hydrotreating or Hydrofining	Any Hydrocarbons
Petroleum Refining – Isomerization	Any Hydrocarbons
Petroleum Refining – MTBE Process Units/Plants	Any Hydrocarbons

Equipment or Process Description	Materials Processed or Produced
Petroleum Refining – Sludge Converter	Any Petroleum Waste Materials
Petroleum Refining – Solvent Extraction	Any Hydrocarbons
Petroleum Refining – Sour Water Stripping	Any Petroleum Process or Waste Water
Petroleum Refining – Storage (enclosed)	Petroleum Coke or Coke Products
Petroleum Refining – Waste Gas Flares	Any Petroleum Refining Gases
Petroleum Refining – Miscellaneous Other Process Units	Any Hydrocarbons
Remediation Operations, Groundwater – Strippers	Contaminated Groundwater
Remediation Operations, Soil - Any Equipment	Contaminated Soil
Spray Dryers	Any Materials
Sterilization Equipment	Ethylene Oxide
Wastewater Treatment, Industrial – Oil-Water Separators, excluding oil-water separators at petroleum refineries (see G-2 for Petroleum Refining - Oil-Water Separators)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Industrial – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment and excluding strippers at petroleum refineries (see G-2 for Petroleum Refining – Strippers)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Industrial - Storage Ponds, excluding storage ponds at petroleum refineries (see G-2 for Petroleum Refining – Storage Ponds)	Wastewater from any industrial facilities except petroleum refineries
Wastewater Treatment, Municipal – Preliminary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Primary Treatment	Municipal Wastewater
Wastewater Treatment, Municipal – Digesters	Municipal Wastewater
Wastewater Treatment, Municipal – Sludge Handling Processes, excluding sludge incinerators (see G-2 for sludge incinerators)	Sewage Sludge

(Amended 6/4/86; 6/6/90; 5/19/99; 6/7/00)

SCHEDULE G-2
(Adopted June 6, 1990)

Equipment or Process Description	Materials Processed or Produced
Asphalt Roofing Manufacturing – Asphalt Blowing	Asphalt Roofing or Related Materials
Asphaltic Concrete Manufacturing – Aggregate Dryers	Any Dry Materials
Asphaltic Concrete Manufacturing – Batch Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Drum Mixers	Any Asphaltic Concrete Products
Asphaltic Concrete Manufacturing – Other Mixers and/or Dryers	Any Dry Materials or Asphaltic Concrete Products
Concrete or Cement Batching Operations – Mixers	Any cement, concrete, or stone products or similar materials
Furnaces – Electric	Any Mineral or Mineral Product
Furnaces – Electric Induction	Any Mineral or Mineral Product
Furnaces – Glass Manufacturing	Soda Lime only
Furnaces – Reverberatory	Any Ores, Minerals, Metals, Alloys, or Related Materials
Incinerators – Hazardous Waste including any unit required to have a RCRA permit	Any Liquid or Solid Hazardous Wastes
Incinerators – Solid Waste, excluding units burning human/animal remains or pathological waste exclusively (see G-1 for Crematory and Pathological Waste Incinerators)	Any Solid Waste including Sewage Sludge (except human/animal remains or pathological waste)
Metal Rolling Lines, excluding foil rolling lines (see G-1 for Foil Rolling Lines)	Any Metals or Alloys
Petroleum Refining – Stockpiles (open)	Petroleum Coke or coke products only
Petroleum Refining, Wastewater Treatment – Oil-Water Separators	Wastewater from petroleum refineries only
Petroleum Refining, Wastewater Treatment – Strippers including air strippers, nitrogen strippers, dissolved air flotation units, or similar equipment	Wastewater from petroleum refineries only
Petroleum Refining, Wastewater Treatment – Storage Ponds	Wastewater from petroleum refineries only
Pickling Lines or Tanks	Any Metals or Alloys
Sulfate Pulping Operations – All Units	Any
Sulfite Pulping Operations – All Units	Any

(Amended June 7, 2000)

SCHEDULE G-3
(Adopted June 18, 1980)

Equipment or Process Description	Materials Processed or Produced
Furnaces – Electric Arc	Any Metals or Alloys
Furnaces – Electric Induction	Any Metals or Alloys
Incinerators – Medical Waste, excluding units burning pathological waste exclusively (see G-1 for Pathological Waste Incinerators)	Any Medical or Infectious Wastes
Loading and/or Unloading Operations – Marine Berths	Any Organic Materials
Petroleum Refining – Cracking Units including hydrocrackers and excluding thermal or fluid catalytic crackers (see G-4 for Thermal Crackers and Catalytic Crackers)	Any Hydrocarbons
Petroleum Refining – Distillation Units (crude oils) including any unit with a capacity greater than 1000 barrels/hour (see G-1 for other distillation units)	Any Petroleum Crude Oils
Phosphoric Acid Manufacturing – All Units (by any process)	Phosphoric Acid

(Amended 5/19/82; Amended and renumbered 6/6/90; Amended 6/7/00)

SCHEDULE G-4
(Adopted June 6, 1990)

Equipment or Process Description	Materials Processed or Produced
Acid Regeneration Units	Sulfuric or Hydrochloric Acid only
Annealing Lines (continuous only)	Metals and Alloys
Calcining Kilns (see G-1 for Calcining Kilns processing other materials)	Cement, Lime, or Coke only
Fluidized Bed Combustors	Solid Fuels only
Nitric Acid Manufacturing – Any Ammonia Oxidation Processes	Ammonia or Ammonia Compounds
Petroleum Refining - Coking Units including fluid cokers, delayed cokers, flexicokers, and coke kilns	Petroleum Coke and Coke Products
Petroleum Refining - Cracking Units including fluid catalytic crackers and thermal crackers and excluding hydrocrackers (see G-3 for Hydrocracking Units)	Any Hydrocarbons
Petroleum Refining - Sulfur Removal including any Claus process or any other process requiring caustic reactants	Any Petroleum Refining Gas
Sulfuric Acid Manufacturing – Any Chamber or Contact Process	Any Solid, Liquid or Gaseous Fuels Containing Sulfur

(Amended June 7, 2000)

**SCHEDULE H
SEMICONDUCTOR AND RELATED OPERATIONS**
(Adopted May 19, 1982)

All of the equipment within a semiconductor fabrication area will be grouped together and considered one source. The fee shall be as indicated:

1. INITIAL FEE:

- a. The minimum fee per source is: ~~\$179~~\$182
- b. The maximum fee per source is: ~~\$14,240~~\$14,511

The initial fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

- c. SOLVENT CLEANING OPERATIONS, such as usage of:
Solvent Sinks (as defined in Regulation 8-30-214);
Solvent Spray Stations (as defined in Regulation 8-30-221);
Solvent Vapor Stations (as defined in Regulation 8-30-222); and
Wipe Cleaning Operation (as defined in Regulation 8-30-225).
The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):
 - i. If gross throughput is not more than 3,000 gal/yr: ~~\$179~~\$182
 - ii. If gross throughput is more than 3,000 gallons/year: ~~\$124~~\$123 per 1,000 gallon
- d. COATING OPERATIONS, such as application of:
Photoresist (as defined in Regulation 8-30-215); other wafer coating;
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219);
and other miscellaneous solvent usage.
The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be processed, for new sources):
 - i. If gross throughput is not more than 1,000 gal/yr: ~~\$179~~\$182
 - ii. If gross throughput is more than 1,000 gallons/year: ~~\$358~~\$365 per 1,000 gallon

2. PERMIT TO OPERATE FEE:

- a. The minimum fee per source is: ~~\$128~~\$130
- b. The maximum fee per source is: ~~\$7,120~~\$7,255

The permit to operate fee shall include the fees for each type of operation listed below, which is performed at the fabrication area:

- c. SOLVENT CLEANING OPERATIONS, such as usage of:
Solvent Sinks (as defined in Regulation 8-30-214);
Solvent Spray Stations (as defined in Regulation 8-30-221);
Solvent Vapor Stations (as defined in Regulation 8-30-222); and
Wipe Cleaning Operation (as defined in Regulation 8-30-225).
The fee is based on the gross throughput of organic solvent processed through the solvent cleaning operations on an annual basis (or anticipated to be processed, for new sources):
 - i. If gross throughput is not more than 3,000 gal/yr: ~~\$128~~\$130
 - ii. If gross throughput is more than 3,000 gallons/year: ~~\$60~~\$61 per 1,000 gallon
- d. COATING OPERATIONS, such as application of:
Photoresist (as defined in Regulation 8-30-215); other wafer coating;
Solvent-Based Photoresist Developer (as defined in Regulation 8-30-219);
and other miscellaneous solvent usage.
The fee is based on the gross throughput of organic solvent processed through the coating operations on an annual basis (or anticipated to be

processed, for new sources):

- i. If gross throughput is not more than 1,000 gal/yr: ~~\$128~~\$130
 - ii. If gross throughput is more than 1,000 gallons/year: ~~\$179~~\$182 per 1,000 gallon
3. The fee for each source will be rounded to the whole dollar. Fees for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
 4. Toxic Surcharge Fee: The initial fee shall be doubled and the permit to operate fee shall be raised by ten percent, for sources which emit one or more toxic air contaminant (TAC), identified by the Air Resources Board, at a rate which exceeds the trigger levels listed in Table 2-1-316 of Regulation 2, Rule 1. This fee shall not be assessed for TACs not listed in Table 2-1-316.

(Amended 1/9/85; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/20/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03)

**SCHEDULE I
DRY CLEANERS**
(Adopted July 6, 1983)

For dry cleaners, the fee shall be computed based on each cleaning machine, except that machines with more than one drum shall be charged based on each drum, regardless of the type or quantity of solvent, as follows:

1. INITIAL FEE FOR A DRY CLEANING MACHINE (per drum):
 - a. If the washing or drying capacity is no more than 100 pounds: ~~\$179~~\$182
 - b. If the washing or drying capacity exceeds 100 pounds: ~~\$179~~\$182 plus
For that portion of the capacity exceeding 100 pounds: ~~\$5.32~~\$5.42 per pound
2. PERMIT TO OPERATE FEE FOR A DRY CLEANING MACHINE (per drum):
 - a. If the washing or drying capacity is no more than 100 pounds: ~~\$128~~\$130
 - b. If the washing or drying capacity exceeds 100 pounds: ~~\$128~~\$130 plus
For that portion of the capacity exceeding 100 pounds: ~~\$2.66~~\$2.71 per pound
3. Fees for each source will be rounded to the nearest dollar. The fee for sources will be rounded up to the nearest dollar for 51 cents and above, and amounts 50 cents and lower will be rounded down to the nearest dollar.
4. Toxic Surcharge Fee: The initial fee shall be doubled and the permit to operate fee shall be raised by ten percent, for sources which emit one or more toxic air contaminant (TAC), identified by the Air Resources Board, at a rate which exceeds the trigger levels listed in Table 2-1-316 of Regulation 2, Rule 1. This fee shall not be assessed for TACs not listed in Table 2-1-316.

(Amended 10/17/84; 6/5/85; 6/4/86; 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03)

**SCHEDULE K
SOLID WASTE DISPOSAL SITES**
(Adopted July 15, 1987)

1. INITIAL FEE:
 - a. Inactive or Closed Solid Waste Disposal Sites ~~\$1,067~~\$1,087
 - b. Active Solid Waste Disposal Sites ~~\$2,134~~\$2,175
 - c. ~~For applications involving only new or modified gas collection system equipment, the initial fee shall be 50% of the appropriate initial fee determined by a. or b. above.~~
2. PERMIT TO OPERATE FEE:
 - a. Inactive or Closed Solid Waste Disposal Sites ~~\$533~~\$543
 - b. Active Solid Waste Disposal Sites ~~\$1,067~~\$1,087
3. Evaluation of Reports and Questionnaires:
 - a. Evaluation of Solid Waste Air Assessment Test Report as required by Health & Safety Code Section 41805.5(g) ~~\$848~~\$864
 - b. Inactive Site Questionnaire evaluation as required by Health & Safety Code Section 41805.5(b) ~~\$425~~\$433
 - c. Evaluation of Solid Waste Air Assessment Test report in conjunction with evaluation of Inactive Site Questionnaire as required by Health & Safety Code Section 41805.5(b) ~~\$425~~\$433
 - d. Evaluation of Initial or Amended Design Capacity Reports as required by Regulation 8, Rule 34, Section 405 ~~\$312~~\$318
 - e. Evaluation of Initial or Periodic NMOC Emission Rate Reports as required by Regulation 8, Rule 34, Sections 406 or 407 ~~\$894~~\$911
 - f. Evaluation of Closure Report as required by Regulation 8, Rule 34, Section 409 ~~\$312~~\$318
 - g. Evaluation of Annual Report as required by Regulation 8, Rule 34, Section 411 ~~\$782~~\$797
4. Fees for each source will be rounded off to the nearest dollar. The fee for sources will be rounded up or down to the nearest dollar.
5. Toxic Surcharge Fee: The initial fee shall be doubled and the permit to operate fee shall be raised by ten percent, for sources which emit one or more toxic air contaminant (TAC), identified by the Air Resources Board, at a rate which exceeds the trigger levels listed in Table 2-1-316 of Regulation 2, Rule 1. This fee shall not be assessed for TACs not listed in Table 2-1-316.
6. For the purposes of this fee schedule, a solid waste disposal site shall be considered active, if it has accepted solid waste for disposal at any time during the previous 12 months or has plans to accept solid waste for disposal during the next 12 months.

(Amended 7/3/91; 6/15/94; 10/8/97; 7/1/98; 5/19/99; 10/6/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03)

SCHEDULE L
ASBESTOS OPERATIONS
 (Adopted July 6, 1988)

1. Asbestos Operations conducted at single family dwellings are subject to the following fees:
 - a. OPERATION FEE: ~~\$87~~\$89 for amounts 100 to 500 square feet or linear feet.
~~\$321~~\$327 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.
~~\$466~~\$475 for amounts 1001 square feet or liner feet to 2000 square feet or linear feet.
~~\$641~~\$653 for amounts greater than 2000 square feet or linear feet.
 - b. Cancellation: ~~\$42~~\$43 of above amounts non-refundable, for notification processing.
2. Asbestos Operations, other than those conducted at single family dwellings, are subject to the following fees:
 - a. OPERATION FEE: ~~\$246~~\$251 for amounts 100 to 159 square feet or 100 to 259 linear feet or 35 cubic feet
~~\$357~~\$364 for amounts 160 square feet or 260 linear feet to 500 square or linear feet or greater than 35 cubic feet.
~~\$519~~\$529 for amounts 501 square feet or linear feet to 1000 square feet or linear feet.
~~\$764~~\$779 for amounts 1001 square feet or liner feet to 2500 square feet or linear feet.
~~\$1090~~\$1111 for amounts 2501 square feet or linear feet to 5000 square feet or linear feet.
~~\$1498~~\$1526 for amounts 5001 square feet or linear feet to 10000 square feet or linear feet.
~~\$1905~~\$1941 for amounts greater than 10001 square feet or linear feet.
 - b. Cancellation: ~~\$118~~\$120 of above amounts non-refundable for notification processing.
3. Demolitions (including zero asbestos demolitions) conducted at a single-family dwelling are subject to the following fee:
 - a. OPERATION FEE: ~~\$42~~\$43
 - b. Cancellation: ~~\$42~~\$43 (100% of fee) non-refundable, for notification processing.
4. Demolitions (including zero asbestos demolitions) other than those conducted at a single family dwelling are subject to the following fee:
 - a. OPERATION FEE: ~~\$176~~\$179
 - b. Cancellation: ~~\$118~~\$120 of above amount non-refundable for notification processing.
5. Asbestos operations with less than 10 days prior notice (excluding emergencies) are subject to the following additional fee:
 - a. OPERATION FEE: ~~\$291~~\$297
6. Asbestos demolition operations for the purpose of fire training are exempt from fees.
7. Floor mastic removal using mechanical buffers and solvent is subject to the following fee:
 - a. OPERATION FEE: \$179
 - b. Cancellation: \$120 of above amount non-refundable for notification processing.

(Amended 9/5/90; 1/5/94; 8/20/97; 10/7/98; 7/19/00; 8/1/01, 6/5/02, 7/2/03)

SCHEDULE M
MAJOR STATIONARY SOURCE FEES
(Adopted June 6, 1990)

For each major stationary source emitting 50 tons per year or more of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, and/or PM₁₀, the fee shall be based on the following:

- | | | |
|----|-------------------|---|
| 1. | Organic Compounds | \$53.35 <u>\$54.36</u> per ton |
| 2. | Sulfur Oxides | \$53.35 <u>\$54.36</u> per ton |
| 3. | Nitrogen Oxides | \$53.35 <u>\$54.36</u> per ton |
| 4. | PM ₁₀ | \$53.35 <u>\$54.36</u> per ton |

Emissions calculated by the APCO shall be based on the data reported for the most recent 12-month period prior to billing. In calculating the fee amount, emissions of Organic Compounds, Sulfur Oxides, Nitrogen Oxides, or PM₁₀, if occurring in an amount less than 50 tons per year, shall not be counted.

(Amended 7/3/91; 6/15/94; 7/1/98; 5/9/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03)

**SCHEDULE N
TOXIC INVENTORY FEES**
(Adopted October 21, 1992)

For each stationary source emitting substances covered by California Health and Safety Code Section 44300 *et seq.*, the Air Toxics "Hot Spots" Information and Assessment Act of 1987, a fee based on the weighted emissions of the facility shall be assessed based on the following formulas:

1. A fee of \$5 for each gasoline product dispensing nozzle in the facility, if the facility is a Gasoline Dispensing Facility; or
2. A fee of \$125 if the facility has emissions in the current Toxic Emissions Inventory which are greater than or equal to 50 weighted pounds per year and less than 1000 weighted pounds per year; or
3. A fee of \$125 + $S_L \times (w_j - 1000)$ if the facility has emissions in the current Toxic Emissions Inventory which are greater than or equal to 1000 weighted pounds per year;

where the following relationships hold:

w_j = facility weighted emissions for facility j; where the weighted emission for the facility shall be calculated as a sum of the individual emissions of the facility multiplied by either the Unit Risk Value for the substance times one hundred thousand (in cubic meters/microgram) if the emission is a carcinogen, or by the reciprocal of the acceptable exposure level (AEL) for the substance (in cubic meters/microgram) if the emission is not a carcinogen:

w_j = Facility Weighted Emission = $\sum_{i=1}^n E_i * Q_i$ where

n = number of toxic substances emitted by facility

E_j = amount of substance i emitted by facility in lbs/year

Q_j = Unit Risk Value * 10^5 if i is a carcinogen; or

Q_j = [Acceptable Exposure Level]⁻¹ if i is not a carcinogen

F_T = Total amount of fees to be collected by the District to cover District and State of California AB 2588 costs as most recently adopted by the Board of Directors of the California Environmental Protection Agency, Air Resources Board, and set out in the most recently published "Amendments to the Air Toxics "Hot Spots" Fee Regulation," published by that agency.

N_L = Number of facilities with emissions in current District Toxic Emissions Inventory greater than 1000 weighted pounds per year.

N_S = Number of facilities with emissions in current District Toxic Emissions Inventory greater than 50 weighted pounds per year and less than 1000 weighted pounds per year.

N_{NOZ} = Number of gasoline-product-dispensing nozzles in currently permitted Gasoline Dispensing Facilities.

S_L = Surcharge per pound of weighted emissions for each pound in excess of 1000 weighted pounds per year, where s_L is given by the following formula:

$$S_L = \frac{F_T - (125 \times N_S) - (125 \times N_L) - 5 \times N_{NOZ}}{\sum_{j=1}^{N_L} (w_j - 1000)}$$

(Amended December 15, 1993)

SCHEDULE P
MAJOR FACILITY REVIEW FEES
(Adopted November 3, 1993)

1. MFR / SYNTHETIC MINOR ANNUAL FEES

Each facility, which is required to undergo major facility review in accordance with the requirements of Regulation 2-6, shall pay the following annual fees (1a and 1b below) for each source holding a District Permit to Operate. These fees shall be in addition to and shall be paid in conjunction with the annual renewal fees paid by the facility. However, these MFR permit fees shall not be included in the basis to calculate Alternative Emission Control Plan (bubble) or toxic air contaminant surcharges. If a major facility applies for and obtains a synthetic minor operating permit, the requirement to pay these fees in 1a and 1b shall terminate as of the date the APCO issues the synthetic minor operating permit.

- a. MFR ANNUAL SOURCE FEE \$155 \$242 \$186 per source and
b. MFR EMISSIONS FEE \$6.10 \$9.53 \$7.32 per ton of regulated air pollutants emitted

2. Effective July 1, 1999, each MFR facility and each synthetic minor facility shall pay an annual monitoring fee (1c below) for each pollutant measured by a District-approved continuous emission monitor or a District-approved parametric emission monitoring system.

- c. MFR/SYNTHETIC MINOR MONITORING FEES \$1548 \$1858 per monitor per pollutant

3. Effective July 1, 1995, each facility that applies for a permit shield under the provisions of Regulation 2-6 shall pay the following application fee for each source covered by the shield.

- PERMIT SHIELD FEE \$386 per shielded source or group of identical sources

4. Each facility that applies for a permit, or a permit modification in accordance with the requirements of Regulation 2-6 shall pay the following fee upon receipt of a District invoice.

- PUBLIC NOTICE FEE Cost of Publication

2. SYNTHETIC MINOR APPLICATION FEES

5. Each facility that applies for a synthetic minor operating permit or a revision to a synthetic minor operating permit in accordance with the requirements of Regulation 2-6 shall pay (up to a maximum of \$10,597) the following application fees according to 2a and either 2b (for each source holding a District Permit to Operate) or 2c (for each source affected by the revision). The maximum fee for each synthetic minor application is \$11,170. If a major facility applies for a synthetic minor operating permit prior to the date on which it would become subject to the annual major facility review fee described above, the facility shall pay, in addition to the application fee, the equivalent of one year of annual fees for each source holding a District Permit to Operate.

- a. SYNTHETIC MINOR FILING FEE \$259 per application
b. SYNTHETIC MINOR APPLICATION SOURCE INITIAL PERMIT FEES \$152 \$182 per source
c. SYNTHETIC MINOR REVISION FEE \$182 per source modified

3. MFR APPLICATION FEES

6. Each facility that applies for a significant permit revision a minor permit or is required to undergo: an initial MFR permit, an amendment to an MFR permit, a minor or significant revision to an MFR permit, a reopening of an MFR permit or a renewal of an MFR permit, or a revision to a synthetic minor operating permit in accordance with the requirements of Regulation 2-6 shall pay, with the application and in addition to any other fees required by this regulation, the following fee for any permitted source affected by the revision applicable fees according to 3a-dh below. The fees in 3b-d and 3g apply to each source in the initial or renewal permit, while the fees in 3d-f apply to each source affected by the

~~revision or reopening. The maximum fee for each MFR application is \$16,630.~~

- ~~PERMIT REVISION FEE \$152 per source modified~~
- ~~a. MFR FILING FEE \$259 per application~~
- ~~b. MFR INITIAL PERMIT FEE \$250 per source~~
- ~~c. MFR ADMINISTRATIVE AMENDMENT FEE \$73 per application~~
- ~~d. MFR MINOR REVISION FEE \$273368 per source modified~~
- ~~ee. MFR SIGNIFICANT REVISION FEE \$364686 per source modified~~
- ~~f. MFR REOPENING FEE \$224 per source modified~~
- ~~g. MFR RENEWAL FEE \$109 per source~~

~~Each facility that requests a permit shield or a revision to a permit shield under the provisions of Regulation 2, Rule 6 shall pay the following fee for each source (or group of sources, if the requirements for these sources are grouped together in a single table in the MFR permit) that is covered by the requested shield. This fee shall be paid in addition to any other applicable fees.~~

- ~~h. MFR PERMIT SHIELD FEE \$192386 per shielded source or group of sources~~

4. MFR PUBLIC NOTICE FEES

Each facility that is required to undergo a public notice related to any permit action pursuant to Regulation 2-6 shall pay the following fee upon receipt of a District invoice.

- MFR PUBLIC NOTICE FEE Cost of Publication

5. MFR PUBLIC HEARING FEES

If a public hearing is required for any MFR permit action, the facility shall pay the following fees upon receipt of a District invoice.

- a. MFR PUBLIC HEARING FEE Cost of Public Hearing not to exceed \$5000
- b. NOTICE OF PUBLIC HEARING FEE Cost of distributing Notice of Public Hearing

(Amended 6/15/94; 10/8/97; 7/1/98; 5/19/99; 6/7/00; 6/6/01, 5/1/02, 5/21/03)

SCHEDULE Q
EXCAVATION OF CONTAMINATED SOIL AND
REMOVAL OF UNDERGROUND STORAGE TANKS
(Adopted January 5, 1994)

1. Persons excavating contaminated soil or removing underground storage tanks subject to the provisions of Regulation 8, Rule 40, Section 401, 402, 403 or 405 are subject to the following fee:
 - a. OPERATION FEE: ~~\$118~~\$120

(Amended 7/19/00; 8/1/01, 6/5/02, 7/2/03)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

STAFF REPORT

**PROPOSED AMENDMENTS TO
BAAQMD REGULATION 3: FEES**

APPENDIX B

**SUPPLEMENTAL ANALYSIS OF
TITLE V PROGRAM COSTS**

May 26, 2004

Prepared by:

Carol Allen, Senior Air Quality Engineer
Brenda Cabral, Senior Air Quality Engineer

Reviewed by:

Brian Bateman, Director of Engineering Division

1. Background

As was discussed earlier in the Staff Report for the proposed amendments to Regulation 3: Fees for FY 2004-2005, the District has been following the recommendations of the 1999 KPMG Cost Recovery Study by increasing fees on an annual basis to keep pace with inflation, and to more closely align fee revenue with the related program costs. In late 1999, the District implemented new timesheet procedures that allow staff time expended on the various programs to be tracked in more detail. These timesheet data have been used to estimate program costs in order to determine the extent to which fee revenue align with these costs.

Timesheet data collected in recent years indicate that the District's costs related to the Title V permit program far exceeded Title V fee revenue. For example, the District's costs of Title V program activities for FY 2002-2003 (covering the period July 1, 2002 through June 30, 2003), including program overhead costs, were about \$2.3 million, while Title V fee revenue for that period was \$1.0 million. The District has proposed significant increases in Title V fees, to be effective July 1, 2004, in order to more closely align Title V revenue with the associated program costs.

A commenter on the District's proposed fee amendments indicated, however, that it may not be appropriate to rely on historical timesheet data to estimate projected Title V program costs for future periods. The commenter indicated that large amounts of resources were expended on completing the initial Title V permits for the petroleum refineries during the time period analyzed, and that work should diminish to much lower levels in the years to come.

District staff therefore have completed a supplemental analysis of the projected costs of Title V permit activities, for FY 2004-2005 and the next four upcoming fiscal years, that does not rely on the use of historical timesheet data. Rather, the supplemental analysis uses a bottom-up "task-based" approach to estimate Title V program costs. The resulting cost estimates are used: (1) to verify whether the proposed increase in Title V fees is justified, and (2) to establish new fees for different types of Title V permit applications that are proportional to the District resources needed to complete these permit actions. This report summarizes the methodology and results of this analysis.

2. Title V Program and Fees

The Title V permit program requires large industrial facilities, and other designated facilities, to obtain federal operating permits. These permits list all federal Clean Air Act and state and local air emission limitations and standards that apply to the facility, and describe the monitoring, record keeping, and reporting requirements that are needed to ensure compliance. In the Bay Area, the U.S. EPA has authorized the District to issue Title V permits. The District's Title V permits are called Major Facility Review (MFR) permits, and are issued according to the requirements of District Regulation 2, Rule 6: Major Facility Review. Regulation 2, Rule 6 also contains provisions for Synthetic Minor permits, which are used to establish enforceable permit conditions that limit a facility's

potential to emit to below the threshold levels at which an MFR permit would be required.

As a Title V permitting agency, the District is required to collect fees from subject facilities to fully cover the costs of implementing and enforcing the Title V program. These fees are specified in District Regulation 3: Fees. Regulation 3, Schedule P: Major Facility Review Fees specifies fees for facilities that have MFR or Synthetic Minor permits. Schedule P is intended to cover the District's costs of processing MFR and Synthetic Minor permit applications, and completing other tasks that are a direct consequence of the Title V program. The Title V and Synthetic Minor facilities in the Bay Area currently subject to Schedule P fees are listed in Tables 2a and 2b of this Appendix. It is important to note that all District-permitted facilities, including the facilities that are subject to fees in Schedule P, are subject to District fees based on one or more of the other fee schedules in Regulation 3. These other fees are collected to cover the District's costs of implementing and enforcing regulatory programs related to permitted stationary sources that would exist without the Title V permit program.

The Title V program includes two types of activities: permitting activities and on-going activities. Permitting activities include: (1) evaluating and issuing MFR permits (i.e., initial permits, administrative amendments, minor revisions, significant revisions, reopenings, and renewals) and Synthetic Minor permits, (2) informing the public, EPA, and CARB of initial MFR permits, and any subsequent changes in the permits, and evaluating any input received, and (3) maintaining MFR permit records. On-going activities include additional activities related to enforcement and administration of the MFR permits that are a direct consequence of the Title V program. Some of these on-going activities include: (1) determining applicability, (2) tracking federal rules and regulations, (3) tracking and reviewing monitoring reports, compliance certifications, and deviation reports, (4) enforcing Title V reporting requirements, (5) completing technical review of emissions monitoring activities that are a direct consequence of the Title V program (e.g., reviewing source test protocols and source test results submitted by testing contractors, and completing audits on emission monitors), (6) defending legal challenges to MFR permit actions, (7) and preparing reports and other information for EPA and the public.

Currently, about 95 percent of Title V program revenue comes from annual fees and only about 5 percent comes from permit application fees. However, the District has increasingly found that permitting activity for Title V facilities is more resource-intensive than permitting activity for other facilities. The reasons for the increased resources that must be expended on Title V permitting activity are discussed in more detail in the following Section.

3. Factors Impacting Staff Resources Required for MFR Permitting Activities

- a. MFR permits must contain all applicable requirements and monitoring to assure compliance.

In traditional District permits, the burden for knowing the applicable requirements, other than permit conditions established under preconstruction review, is placed on the permit holder. For MFR permits, the District must analyze which requirements apply and cite them in detail in the permit. The District's MFR facilities are very sophisticated and insist that regulations be cited in detail, not in a general manner.

b. The MFR permit evaluations are much more comprehensive.

The Engineering Division writes a Statement of Basis (SOB) for each permit. The SOB is an EPA requirement that explains the permit structure, gives basic information about the facilities, reviews any complex applicability determinations, explains monitoring decisions, and discusses any permit shields. Preparation of an SOB is much more labor-intensive than preparation of a typical District permit evaluation.

c. MFR permits have a higher level of review.

The draft MFR permit and SOB are reviewed by the District's Legal, Technical Services, and Compliance and Enforcement Divisions, and by the facilities themselves before they are published for public comment. The Compliance and Enforcement Division reviews compliance records for one year for initial permits and for the previous permit term for renewals, and prepares compliance reports. The Engineering staff responds to comments from the other Divisions and the facilities, and revises the proposed permit before publication.

District Counsel, the DAPCO, and the APCO review the permits before publication and before issuance. District Counsel is also often consulted during the drafting of permits. The APCO signs the MFR permits.

d. The permit publication and issuance procedures are very formal.

The MFR permits are public documents that are subject to EPA and public review. In the federal regulations for Title V, EPA has set up formal requirements and procedures for public notice and permit issuance. Even when minor corrections must be made to the permits, the permit must be signed by the APCO and transmitted to EPA, CARB, and the District's website in a formal manner. Each revision to the permit must be carefully recorded to ensure that the permits are accurate and legally supported.

e. The District must respond to EPA and public comments.

After the public notice and EPA review periods are over, the District prepares responses to any comments and revises the permit as necessary for issuance. Staff at all levels and Divisions may be involved in preparing the responses, depending on the issues raised. The responses are reviewed by the entire chain of command and are approved by the APCO.

- f. Public Hearings may be necessary.

It may be necessary to hold a Public Hearing so that members of the public can provide oral comments on proposed MFR permits. These hearings are generally held in the affected community and are costly and labor-intensive. Less formal informational meetings may also be held to discuss Title V permit issues.

- g. More permits mean more applications for revisions.

The District has issued 91 MFR permits to date. Since the largest companies now all have Title V permits, all permit applications for MFR facilities will now also be MFR permit revisions with added costs.

4. MFR Permitting Costs

Due to the high cost of issuing MFR permits and the increased staff time expected to be devoted to these permits now that the District has 91 MFR permits to maintain, the District is proposing to recover a larger portion of the costs for the Title V program from fees for MFR permitting activities. Staff believes the most equitable method for recovering these costs is to charge for the various permitting activities in proportion to the District resources expended for each type of permitting activity.

In order to gain a better understanding of the costs for various MFR permitting activities, the District gathered historical data about the different types of MFR permitting activities (see Tables 3a-e), and prepared a detailed task-based staff resource estimate for each type of permitting activity (see Table 4a-f). The MFR permitting activity data and the application type staff cost estimates were then combined to estimate the total annual costs for each type of MFR permitting activity (see Tables 6a-e). The methods used to evaluate historical permit activity data, determine staff resources, calculate annual MFR permitting activity costs, and determine the appropriate Schedule P application fees are discussed in detail in the following Section. It should be noted that cost estimates for issuing and revising Synthetic Minor permits were not made because these costs are very low relative to the costs of MFR permits.

4.1 Methodology

The following information summarizes the assumptions applied to historical permit activity data, and the methods used to calculate staff resources, annual application costs, and Schedule P MFR application fees.

- a. Historical Permit Activity Data

Staff gathered permit activity data (i.e., number of applications, sources per application, and fees collected per application) for all Title V facilities for the last two fiscal years (July 2002 through April 2004) from the District's permit database. These data were used to determine the average number of applications per year, the average number of

applications per facility, and the average number of sources per application. This data is summarized in Tables 3a and 3b. Database information was also used to determine the current number of Title V facilities, the number of sources at Title V facilities, the number of monitors at Title V and Synthetic Minor facilities, and the emissions at Title V facilities. The median number of sources at a Title V facility was used to estimate the number of sources for future initial permits, because no new large facilities are expected to become subject to Title V. Title V and Synthetic Minor facility data are provided in Tables 2a and 2b.

Staff maintains data on all MFR permit actions in a spreadsheet. This MFR permit action data was used to determine the average number of administrative amendments per year (Table 3c), the average number of reopenings per year (Table 3d), and the percentages of significant and minor revisions (25 percent significant and 75 percent minor). These percentages were multiplied by the average application activity to determine the average number of significant and minor revisions, the average number of sources for a significant revision, and average number of sources per minor revision (Table 6a). Based on knowledge of the content of Title V permits, staff estimated the number of sources with permit shields that might be impacted by revisions and renewals (Table 6a).

Permit expiration dates were used to determine the number of renewal applications expected and the number of sources in these applications for each of the next five fiscal years. The variation in renewal fees is expected to be large from year to year, because most of the larger facilities were issued initial MFR permits in 2003. The range in the number of renewal applications and sources was used to establish a low and high estimate of the total annual application fees (Table 7c). The average number of renewal applications and sources per application were used to establish the Schedule P fees (Table 3e).

b. Staff Resources for Permitting Actions

Cost estimates have been prepared for each type of permit action that the District anticipates at MFR facilities: initial permits (Table 4a), administrative amendments (Table 4b), minor revisions (Table 4c), significant revisions (Table 4d), reopenings (Table 4e), and renewals (Table 4f). Initial permits, renewals, significant revisions, and reopenings share a similar process in that these actions all require public notice and EPA review. Minor revisions do not require public notice but do require EPA review. Administrative amendments do not have to be proposed but rather are issued directly.

The methodology used to establish staff resources for each type of MFR permit action follows:

1. Tabulate each task.
2. Estimate a low and a high time period to complete each task.
3. Multiply each low and high time period by the hourly rate (adjusted to include the cost of salary and benefits) of the staff member that performs that task.

4. Sum the hours and costs for each type of action to get a range between the low and high costs for each action.
5. Calculate the average (mean) of the range for each action.

The task lists and the estimates of the time periods necessary to complete each task were based on estimates provided by staff members that have significant experience in these areas in the Engineering, Compliance and Enforcement, Legal, and Technical Services Divisions. The staff times and staff resources needed for each type of MFR permit activity are summarized in Table 4.

c. Calculation of Average Annual MFR Permitting Costs

The low and high range of annual costs were determined by multiplying the average number of applications per year per activity type by the low and high range of staff cost per application type. The historical average number of applications per year for each type of MFR permit activity was multiplied by the average staff resource cost for each application type to determine the average annual costs for MFR permitting activities (Table 6b).

d. Calculation of Schedule P MFR Permit Application Fees

MFR permit application fees that are in proportion to the estimated level of resources expended on each type of application were determined (Table 6e). It is important to note that these fees do not represent full cost recovery for processing MFR applications, but rather a set percentage of full cost recovery that is necessary to achieve a target budgeted revenue figure for all MFR permit applications. In order to achieve this target budgeted revenue figure, it was determined that the applicable application fees had to be about 12 percent of the fees that were necessary for full cost recovery (Table 6d).

Staff have established set fees for the MFR filing fee and the MFR permit shield fee. The MFR filing fee will be the same as the standard filing fee for other types of permit applications. The MFR permit shield fee will be the same as the current permit shield fee.

The projected revenue from filing fees and permit shield fees for each application type was determined by multiplying the average number of applications or shields expected per year by the applicable fee. These filing and permit shield revenues were subtracted from the average annual cost per application type to obtain a remaining MFR permit cost per year per application type. This remaining cost was divided by the number of sources per year for each application type (or number of applications per year for administrative amendments) to obtain a cost per unit per application type (Table 6c).

The budgeted amount for MFR permit costs (minus total filing and permit shield fees) was divided by the total annual staff cost for MFR permitting activities to obtain an adjustment factor (Table 6d). This adjustment factor was multiplied by the cost per unit

per application type to obtain the fee for Schedule P for each type of permit action. All fees were rounded up to the nearest dollar (Table 6e).

5. On-Going Title V Costs

The District has made preliminary estimates for some of the ongoing costs of the Title V program, but more analysis is required before the figures can be finalized. The preliminary estimate is \$1.0 million for the following activities: (1) tracking and reviewing monitoring reports, compliance certifications, and deviation reports, (2) defending legal challenges to MFR permit actions, (3) and preparing reports and other information for EPA and the public. The on-going costs evaluated to date are summarized in Table 5.

Estimates for the following activities have not yet been prepared: (1) determining applicability, (2) tracking federal rules and regulations, (3) training personnel, (4) assisting facilities with compliance certification requirements, (5) enforcing Title V reporting requirements, (6) reviewing testing protocols for contractor conducted source tests required by the MFR program, (7) witnessing contractor conducted source tests required by the MFR program, (8) enforcing Title IV acid rain monitoring requirements, (9) responding to additional public records requests, (10) Administration Division support, and (11) Information Systems Division support. Additional work will be done to estimate the costs of these activities during the next fiscal year.

6. Results and Conclusions

Cost estimates for completing specific types of MFR permit applications have been developed and are presented in the attached Tables. These cost estimates have been used to establish MFR applications fees that are proportional to the District staff resources required.

Table 1 below contains a summary of the District's annual Title V program costs over the next five years. The District's total annual costs for MFR permitting activities are estimated to be between \$1.2 million and \$3.5 million, with an average of \$2.35 million. On-going costs for the Title V program are estimated to average at least another \$1.0 million. It should be noted that the task-based analysis for on-going staff costs completed at this time does not include a number of on-going activities. In addition, the costs associated with Synthetic Minor permits have not been included. Finally, the cost figures in Table 1 include only the costs of District staff salaries and benefits, and do not include program overhead costs.

The Title V program cost estimates previously made by the District based on recent historical timesheet data are within the range of cost estimates made using the bottom-up task-based methodology summarized in this report (e.g., using timesheet data collected during the period July 1, 2002, to June 30, 2003, the projected Title V program cost for FY 2004-2005 is \$2,428,700). However, if the task-based cost estimates were adjusted to include all ongoing Title V program activities, and overhead costs, these cost projections would likely exceed the timesheet-based figures.

Table 1 Summary of Title V Program Cost Estimates *

	Low Annual Cost	High Annual Cost	Average Annual Cost
MFR Application Activities			
Administrative Amendments	\$4,196	\$5,857	\$5,026
Minor Revisions	\$499,950	\$1,588,870	\$1,044,410
Significant Revisions	\$264,920	\$1,012,592	\$638,756
Reopenings	\$18,617	\$79,118	\$48,868
Renewals	\$391,620	\$760,167	\$575,893
Initial Permits	\$21,772	\$46,348	\$34,060
Subtotal MFR Applications	\$1,201,075	\$3,492,952	\$2,347,013
On-Going Activities *	\$753,985	\$1,256,641	\$1,005,313
Total for All Activities	\$1,955,060	\$4,749,593	\$3,352,326

* Cost estimates include District staff salaries and benefits only. The range between low and high cost estimates primarily reflects year-to-year variation in MFR permit renewals between FY 2004-2005 and FY 2008-2009. All cost figures are based on FY 2004-2005 salaries and benefits.

** Low and high range of ongoing activities estimated to be plus or minus 25% from the average. The figures provided do not include all types of on-going costs.

Table 2a. Title V Facilities, Sources, Emissions, and Monitors

MFR Sites Subject to Fees As of February 1, 2004				
	Site Number	Permitted Sources	Emissions (tons/yr)	Monitors
	A0010	310	5935.4	17
	A0011	313	7503.8	22
	A0012	17	1679.6	14
	A0016	163	3686.2	12
	A0017	97	4551.8	2
	A0018	9	692.7	4
	A0022	18	2487	1
	A0023	25	232.2	1
	A0024	8	323.1	2
	A0026	17	349.1	2
	A0030	37	802.3	0
	A0031	179	66.9	0
	A0041	41	544.9	0
	A0051	110	284.7	2
	A0054	44	23.1	0
	A0062	16	216.3	0
	A0079	19	49.7	0
	A0083	19	283.8	0
	A0148	32	270.4	0
	A0227	96	72.2	3
	A0273	9	19.4	0
	A0575	4	12.3	0
	A0581	29	17.7	0
	A0591	21	158.6	0
	A0606	54	184.1	0
	A0621	4	129.7	0
	A0710	63	8.3	0
	A0732	8	419.3	1
	A0733	17	55.9	0
	A0778	42	515.5	0
	A0907	27	112.4	3
	A0927	27	38.9	0
	A1179	19	56.7	0
	A1209	26	74.1	0
	A1317	21	84.1	0
	A1364	1	16.6	0
	A1403	25	11.3	0
	A1438	232	745.1	0
	A1464	4	40.2	0
	A1665	17	12.2	0
	A1675	9	5.2	0
	A1784	59	46.5	0
	A1812	1	50.7	0
	A1820	8	254.2	2
	A1840	16	88.6	0
	A2039	6	114.5	0
	A2066	13	434.9	0
	A2124	6	16.3	0
	A2246	4	64.3	0

MFR Sites Subject to Fees As of February 1, 2004				
	Site Number	Permitted Sources	Emissions (tons/yr)	Monitors
	A2254	11	323.3	0
	A2266	5	118.7	0
	A2371	56	120	2
	A2561	2	1.3	0
	A2721	5	18.3	0
	A2740	2	44.7	0
	A2918	4	26.5	0
(not issued yet)	A3024	16	85.1	0
	A3288	5	32.5	0
	A3294	7	17.9	0
	A3464	1	19.3	0
	A4020	37	46.3	0
	A4022	35	11.7	0
	A4618	3	39	0
	A5095	4	28.4	0
(not issued yet)	A6499	1	10.8	0
	A7034	31	41.3	0
	A7265	3	71.1	0
	A7974	3	4	0
	A8664	5	243.6	4
	A9013	2	151.3	0
	A9183	1	14.9	0
	B1180	7	317.1	2
	B1326	3	292.8	1
	B1362	30	532.7	0
	B1661	18	206.5	1
	B1668	4	275.2	0
	B1669	5	205.6	0
	B1670	9	436.6	0
	B1866	6	353.9	0
	B1887	8	25.6	0
	B1911	105	92.3	0
	B1928	9	431.7	3
	B2095	7	359.8	0
	B2626	179	10258	7
	B3193	45	77.4	1
	B4327	5	36.5	0
	B4414	2	1.1	0
	B4416	2	1.1	0
	B4628	247	7053.2	14
	B5128	9	301.7	3
	B5393	5	301	1
Total	91	3286	56872.6	127
Average		36	625.0	1
Median *		13	92.3	0

* A more recent list of the number of sources at Title V sites indicated that the median number of sources was 17.

Table 2b. Synthetic Minor Facilities, Sources, Emissions, and Monitors

SM Sites Subject to Fees As of February 1, 2004				
	Site Number	Permitted Sources	Emissions (tons/yr)	Monitors
	A0055	202	43.9	0
	A0158	14	21.9	0
	A0159	13	18.4	0
	A0232	15	9.4	0
	A0401	17	27.4	0
	A0556	30	20.7	0
	A0567	49	10.8	0
	A0703	26	44.5	0
	A0770	98	11.3	0
	A0828	29	22.7	0
	A0896	20	31.2	0
	A1148	2	2.4	0
	A1396	12	4.8	0
	A1603	15	1.3	0
	A1634	8	69	0
	A1703	2	2.1	0
	A1965	13	20	0
	A2193	8	17.6	0
	A2478	7	90	4
	A3243	12	149.6	3
	A3244	12	153.8	3
	A3245	12	154.1	3
	A3246	12	166	3
	A3370	1	1.5	0
	A3981	13	119.2	3
	A6044	1	80.5	2
	A6995	12	3.6	0
	A8507	24	8.3	0
	B0521	33	9.9	0
	B0861	55	28.3	2
	B2855	23	9.9	0
	B5023	8	32.1	0
Total	32	798	1386.2	23
Average		25	43.3	1
Median		13	21.3	0

**Tables 3a-e. Application Activity at Synthetic Minor and Title V Facilities:
Projected Application Activity for FY 04-05 (July 2004 - June 2005)
Based on Historical Average Application Activity from July 2002 through April 2004**

Table 3a. Applications at Synthetic Minor Facilities

	Months of Data	Number of Sites	Number of Applications	Number of Sources	Sources per Application
Actual for FY 02-03	12	11	17	29	1.7
Actual for FY 03-04	8	8	15	33	2.2
Total for 7/02 - 4/04	20	19	32	62	1.9
Average per Months		0.95	1.60	3.10	
Projected for FY 04-05	12	11	19	37	

Table 3b. Applications at Title V Facilities

	Months of Data	Number of Sites	Number of Applications	Number of Sources	Sources per Application
Actual for FY 02-03	12	60	165	479	2.9
Actual for FY 03-04	8	47	117	291	2.5
Total for 7/02 - 4/04	20	107	282	770	2.7
Average per Months		5.35	14.10	38.50	
Projected for FY 04-05 (minor and significant)	12	64	169	462	

Table 3c. Administrative Amendments

	Months of Data	Number of Sites	Number of Applications	Number of Sources	Sources per Application
Actual for FY 02-03	12	8	8		0.0
Actual for FY 03-04	8	2	2		0.0
Total for 7/02 - 4/04	20	10	10		0.0
Average per Months		0.50	0.50		
Projected for FY 04-05 (administrative)	12	6	6		

Table 3d. Reopenings

	Months of Data	Number of Sites	Number of Applications	Number of Sources	Sources per Application
Actual for FY 02-03	12	0	0		
Actual for FY 03-04	8	6	6	46	7.7
Total for 7/02 - 4/04	20	6	6	46	7.7
Average per Months		0.30	0.30	2.30	
Projected for FY 04-05 (reopenings)	12	3	3	27	

Table 3e. Renewals

	Once Every Five Years	Number of Sites	Number of Applications	Number of Sources	Sources per Application
Total T5 Facilities		91	91	3286	36.1
Projected for FY 04-05 (renewals)		18	18	657	36.5

Table 4. Summary of Task-Based Staff Resources Analyses for MFR Application Activities

MFR Application Type	Staff Processing Time Estimates			Staff Resources Cost Estimates		
	Low	High	Avg.	Low	High	Avg.
	hrs/permit	hrs/permit	hrs/permit	\$/permit	\$/permit	\$/permit
Initial Permits	418.10	866.90	642.50	\$ 21,772	\$ 46,348	\$ 34,060
Administrative Amendments	15.25	21.95	18.60	\$ 699	\$ 976	\$ 838
Minor Revisions	74.35	228.40	151.38	\$ 3,968	\$ 12,610	\$ 8,289
Significant Revisions	120.85	435.15	278.00	\$ 6,308	\$ 24,109	\$ 15,208
Reopenings	116.85	470.65	293.75	\$ 6,206	\$ 26,373	\$ 16,289
Renewals	417.60	789.15	603.38	\$ 21,757	\$ 42,231	\$ 31,994

Table 4a. Task-Based Analysis for Completion of an Initial MFR Permit

	Personnel	Time Estimate hrs Low	Time Estimate hrs High	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High
INTERNAL REVIEW						
1	Discussion w/applicant	AQII	1.00	4.00	52.676	52.68 210.70
2	Set up application, give to supervisor	Secy	0.25	0.50	29.328	7.33 14.66
3	Assign application	SPE	0.25	0.25	64.025	16.01 16.01
4	Review application, send incomplete letters, generate invoice, write evaluation/SOB, prepare revised Title V permit, consider CAM, NESHAPS	AQII	40.00	200.00	52.676	2107.04 10535.20
5	Format permit	Secy	0.50	16.00	29.328	14.66 469.25
6	Supervisor review	SPE	8.00	16.00	64.025	512.20 1024.40
7	Negotiation w/engineer	SPE	4.00	8.00	64.025	256.10 512.20
	Negotiation w/engineer	AQII	4.00	8.00	52.676	210.70 421.41
8	Revision based on supervisor review	AQII	8.00	24.00	52.676	421.41 1264.22
9	Review by Title V lead	SRE	8.00	8.00	58.084	464.67 464.67
10	Negotiation w/engineer	SRE	4.00	8.00	58.084	232.34 464.67
	Negotiation w/engineer	AQII	4.00	8.00	52.676	210.70 421.41
11	Revision based on Title V lead review	AQII	2.00	16.00	52.676	105.35 842.82
12	Write internal review memo, enter on tracking ss, request compliance report for Enf.	SRE	0.50	0.50	58.084	29.04 29.04
13	Signoff-Eng	AQII	0.25	0.25	52.676	13.17 13.17
14	Signoff-supervisor	SPE	0.50	0.50	64.025	32.01 32.01
15	Signoff-manager	Manager	0.00	4.00	67.236	0.00 268.94
16	Signoff-Title V supervisor	SPE	0.25	2.00	64.025	16.01 128.05
17	Signoff-Manager Permit Evaluation	Manager	4.00	4.00	67.236	268.94 268.94
18	Signoff-Director of Engineering, transmittal to secy	Director	4.00	4.00	81.718	326.87 326.87
19	Request for copies	Secy	0.25	0.25	29.328	7.33 7.33
20	Print copies of package for transmittal	Repro	0.50	2.00	26.611	13.31 53.22
21	Transmittal to Divisions, applicant	Secy	2.00	2.00	29.328	58.66 58.66
22	Review by Legal	Counsel	1.00	4.00	91.741	91.74 366.96
23	Enforcement handling	Secy	7.50	7.50	29.328	219.96 219.96
24	Review by Enforcement	INS	100.00	100.00	43.342	4334.20 4334.20
25	Review by Enforcement	SINS	80.00	80.00	52.676	4214.08 4214.08
26	Review by Enforcement	ESP	2.00	2.00	60.983	121.97 121.97
27	Review by Enforcement	Manager	40.00	40.00	67.236	2689.44 2689.44
28	Review by Enforcement	Director	1.00	1.00	81.718	81.72 81.72
29	Compliance report preparation	INS	8.00	8.00	43.342	346.74 346.74
30	Compliance report review	SINS	1.00	1.00	52.676	52.68 52.68
31	Compliance report review	ESP	1.00	1.00	60.983	60.98 60.98
32	Compliance report review	Manager	1.00	1.00	67.236	67.24 67.24
33	Compliance report review	Director	1.00	1.00	81.718	81.72 81.72
34	Review by Source Test	AQII	12.00	12.00	52.676	632.11 632.11
35	Respond to questions, accept comments	AQII	4.00	20.00	52.676	210.70 1053.52
36	Revise permit to respond to comments	AQII	2.00	16.00	52.676	105.35 842.82
37	Review response to comments	SPE	1.00	8.00	64.025	64.03 512.20
38	Review response to comments	SRE	1.00	4.00	58.084	58.08 232.34
PUBLIC NOTICE						
39	Set up proposal package inc public notice, library letter, call library if necessary, copy application if necessary	Secy	4.00	4.00	29.328	117.31 117.31

	Personnel	Time Estimate hrs Low	Time Estimate hrs High	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High	
40	Review proposal package (letters)	AQII	2.00	2.00	52.676	105.35	105.35
41	Review proposal package (letters)	SRE	2.00	2.00	58.084	116.17	116.17
42	Print proposal package (letters, permit, sob)	Secy	0.50	2.00	29.328	14.66	58.66
43	Route proposal package-memo, entry in tracking spreadsheet (letters, permit, sob)	SRE	0.50	0.50	58.084	29.04	29.04
44	Signoff-Eng	AQII	0.25	0.25	52.676	13.17	13.17
45	Signoff-supervisor	SPE	0.50	0.50	64.025	32.01	32.01
46	Signoff-manager	Manager	0.00	4.00	67.236	0.00	268.94
47	Signoff-Title V supervisor	SPE	0.25	2.00	64.025	16.01	128.05
48	Signoff-Manager Permit Evaluation	Manager	4.00	4.00	67.236	268.94	268.94
49	Signoff-Director of Engineering	Director	4.00	4.00	81.718	326.87	326.87
50	Log package before transmittal out of division	Adsecy	0.25	0.25	33.956	8.49	8.49
51	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
52	Signoff-Legal	Counsel	1.00	2.00	91.741	91.74	183.48
53	Signoff-DAPCO	DAPCO	0.50	1.00	90.103	45.05	90.10
54	Signoff-APCO	APCO	0.50	1.00	98.41	49.21	98.41
55	Log package before transmittal to Engineering	Adsecy	0.10	0.25	33.956	3.40	8.49
56	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
57	Date letters	Secy	0.25	0.25	29.328	7.33	7.33
58	Generate EPSS transmittal form	SRE	0.25	0.25	58.084	14.52	14.52
59	Turn permit, letters, reports, appendices into PDF	Secy	2.00	2.00	29.328	58.66	58.66
60	Scan documents	Secy	1.00	1.00	29.328	29.33	29.33
61	Send to EPA via EPSS system	Secy	0.25	1.50	29.328	7.33	43.99
62	Send public notice to mailing list	Secy	2.00	2.00	29.328	58.66	58.66
63	Advise Permits Web personnel, PI&E and others via email	Secy	0.25	0.25	29.328	7.33	7.33
64	Update database	Secy	0.50	1.00	29.328	14.66	29.33
65	Post package on web, write listbot	AQII	1.00	1.00	52.676	52.68	52.68
66	Send listbot to world	ISS	1.00	1.00	46.631	46.63	46.63
67	Print copies of proposal package for transmittal	Repro	0.50	2.00	26.611	13.31	53.22
68	Mail package	Secy	1.00	1.00	29.328	29.33	29.33
69	Write press release	PIO	2.00	2.00	46.631	93.26	93.26
70	Send to newspapers	PIO	1.00	1.00	46.631	46.63	46.63
71	Get purchase order number	Secy	0.25	0.25	29.328	7.33	7.33
72	Assign purchase order number	ACC	0.25	0.25	38.363	9.59	9.59
73	Place ad	Secy	1.00	1.00	29.328	29.33	29.33
74	Respond to questions, accept comments	AQII	2.00	16.00	52.676	105.35	842.82
ISSUANCE							
75	Prepare response to comments documents	AQII	0.00	40.00	52.676	0.00	2107.04
76	Review and amend response to comments documents	SPE	0.00	16.00	64.025	0.00	1024.40
77	Review and amend response to comments documents	SRE	0.00	16.00	58.084	0.00	929.34
78	Review and amend response to comments documents	Manager	0.00	4.00	67.236	0.00	268.94
79	Review and amend response to comments documents	Counsel	0.00	12.00	91.741	0.00	1100.89
80	Prepare clean copy of permit	AQII	2.00	8.00	52.676	105.35	421.41
81	Prepare issuance package	Secy	2.00	2.00	29.328	58.66	58.66
82	Review issuance package, amend letters if necessary	AQII	0.50	4.00	52.676	26.34	210.70

	Personnel	Time Estimate hrs Low	Time Estimate hrs High	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High	
83	Review issuance package, amend letters if necessary	SPE	0.50	4.00	64.025	32.01	256.10
84	Review issuance package, amend letters if necessary	SRE	0.50	2.00	58.084	29.04	116.17
85	Signoff-manager	Manager	1.00	4.00	67.236	67.24	268.94
86	Signoff-Title V supervisor	SPE	0.25	2.00	64.025	16.01	128.05
87	Signoff-Manager Permit Evaluation	Manager	1.00	4.00	67.236	67.24	268.94
88	Signoff-Director of Engineering	Director	1.00	4.00	81.718	81.72	326.87
89	Log package before transmittal out of division	Adsecy	0.10	0.25	33.956	3.40	8.49
90	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
91	Signoff-Legal	Counsel	0.50	1.00	91.741	45.87	91.74
92	Signoff-DAPCO	DAPCO	0.50	1.00	90.103	45.05	90.10
93	Signoff-APCO	APCO	0.50	1.00	98.41	49.21	98.41
94	Log package before transmittal to Engineering	Adsecy	0.25	0.25	33.956	8.49	8.49
95	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
96	Date letters	Secy	0.25	0.25	29.328	7.33	7.33
97	Revise dates in permit	Secy	0.50	0.50	29.328	14.66	14.66
98	Generate EPSS transmittal form	SRE	0.25	0.25	58.084	14.52	14.52
99	Turn permit, letters into PDF	Secy	1.00	1.00	29.328	29.33	29.33
100	Send to EPA via EPSS system	Secy	0.25	1.50	29.328	7.33	43.99
101	Advise Web personnel, PI&E & others via email	Secy	0.25	0.25	29.328	7.33	7.33
102	Post package on web, write listbot	AQII	1.00	1.00	52.676	52.68	52.68
103	Send listbot to world	ISS	1.00	1.00	46.631	46.63	46.63
104	Print copies of issuance package for transmittal	Repro	0.50	2.00	26.611	13.31	53.22
105	Mail package	Secy	1.00	1.00	29.328	29.33	29.33
106	Amend permit conditions in database	AQII	2.00	16.00	52.676	105.35	842.82
107	Invoice plant for public notice	AQII	2.00	2.00	52.676	105.35	105.35
108	Archive application	Secy	0.50	8.00	29.328	14.66	234.62
	Total for All Initial Permit Issuance Tasks		418.10	866.90		21772.02	46348.14

Table 4b. Task-Based Analysis for Completion of an Administrative Amendment to an MFR Permit

	Personnel	Time Estimate hrs Low	Time Estimate hrs High	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High	
ISSUANCE							
1	Discussion w/applicant	AQII	1.00	1.00	52.676	52.68	52.68
2	Set up application, give to supervisor	Secy	0.25	0.50	29.328	7.33	14.66
3	Assign application	SPE	0.25	0.25	64.025	16.01	16.01
4	prepare revised Title V permit	AQII	1.00	4.00	52.676	52.68	210.70
5	Set up package of letters	Secy	2.00	2.00	29.328	58.66	58.66
6	Review and amend package	AQII	1.00	1.00	52.676	52.68	52.68
7	Review and amend package	SRE	1.00	1.00	58.084	58.08	58.08
8	Print package	Secy	0.50	0.50	29.328	14.66	14.66
9	Route proposal package-memo, entry in tracking spreadsheet	SRE	0.50	0.50	58.084	29.04	29.04
10	Signoff-Eng	AQII	0.10	0.25	52.676	5.27	13.17
11	Signoff-supervisor	SPE	0.25	0.25	64.025	16.01	16.01
12	Signoff-manager	Manager	0.00	0.25	67.236	0.00	16.81
13	Signoff-Title V supervisor	SPE	0.25	0.25	64.025	16.01	16.01
14	Signoff-Manager Permit Evaluation	Manager	0.25	0.25	67.236	16.81	16.81
15	Signoff-Director of Engineering	Director	0.25	0.25	81.718	20.43	20.43
16	Log package before transmittal out of division	AdSecy	0.10	0.25	33.956	3.40	8.49
17	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
18	Signoff-Legal	Counsel	0.25	0.25	91.741	22.94	22.94
19	Signoff-DAPCO	DAPCO	0.25	0.25	90.103	22.53	22.53
20	Signoff-APCO	APCO	0.25	0.25	98.41	24.60	24.60
21	Log package before transmittal to Engineering	AdSecy	0.10	0.25	33.956	3.40	8.49
22	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
23	Date letters	Secy	0.25	0.25	29.328	7.33	7.33
24	Revise dates in permit	Secy	0.50	0.50	29.328	14.66	14.66
25	Turn permit, letters into PDF	Secy	1.00	1.00	29.328	29.33	29.33
26	Send to EPA via EPSS system	Secy	0.25	1.50	29.328	7.33	43.99
27	Advise Permits Web personnel and others via email	Secy	0.25	0.25	29.328	7.33	7.33
28	Post package on web	AQII	0.75	0.75	52.676	39.51	39.51
29	Print copies of package for transmittal	Repro	0.50	2.00	26.611	13.31	53.22
30	Mail package	Secy	1.00	1.00	29.328	29.33	29.33
31	Amend permit conditions in database if necessary	AQII	1.00	1.00	52.676	52.68	52.68
Total for All Administrative Amendment Tasks			15.25	21.95		699.31	976.15

Table 4c. Task-Based Analysis for Completion of a Minor Revision to an MFR Permit

	Personnel	Time Estimate hrs Low	Time Estimate hrs High	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High
PROPOSAL						
1	Discussion w/applicant	AQII	1.00	16.00	52.676	52.68 842.82
2	Set up application, give to supervisor	Secy	0.25	0.50	29.328	7.33 14.66
3	Assign application	SPE	0.25	0.25	64.025	16.01 16.01
	Review application, send incomplete letters, generate invoice, write evaluation, prepare					
4	revised Title V permit	AQII	16.00	40.00	52.676	842.82 2107.04
5	Format permit	Secy	0.50	4.00	29.328	14.66 117.31
6	Supervisor review	SPE	4.00	4.00	64.025	256.10 256.10
7	Negotiation w/engineer	SPE	2.00	4.00	64.025	128.05 256.10
	Negotiation w/engineer	AQII	2.00	4.00	52.676	105.35 210.70
8	Revision based on supervisor review	AQII	2.00	8.00	52.676	105.35 421.41
9	Review by Title V lead	SRE	2.00	4.00	58.084	116.17 232.34
10	Negotiation w/engineer	SRE	2.00	2.00	58.084	116.17 116.17
	Negotiation w/engineer	AQII	2.00	2.00	52.676	105.35 105.35
11	Revision based on Title V lead review	AQII	2.00	8.00	52.676	105.35 421.41
12	Set up proposal package	Secy	2.00	4.00	29.328	58.66 117.31
13	Review proposal package	AQII	1.00	2.00	52.676	52.68 105.35
14	Review proposal package	SRE	1.00	2.00	58.084	58.08 116.17
15	Print proposal package	Secy	0.50	0.50	29.328	14.66 14.66
	Route proposal package-memo, entry in					
16	tracking spreadsheet	SRE	0.50	0.50	58.084	29.04 29.04
17	Signoff-Eng	AQII	0.25	0.50	52.676	13.17 26.34
18	Signoff-supervisor	SPE	0.50	0.50	64.025	32.01 32.01
19	Signoff-manager	Manager	0.00	4.00	67.236	0.00 268.94
20	Signoff-Title V supervisor	SPE	0.25	2.00	64.025	16.01 128.05
21	Signoff-Manager Permit Evaluation	Manager	1.00	4.00	67.236	67.24 268.94
22	Signoff-Director of Engineering	Director	1.00	4.00	81.718	81.72 326.87
23	Log package before transmittal out of division	Adsecy	0.10	0.25	33.956	3.40 8.49
24	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66 2.66
25	Signoff-Legal	Counsel	1.00	4.00	91.741	91.74 366.96
26	Signoff-DAPCO	DAPCO	1.00	1.00	90.103	90.10 90.10
27	Signoff-APCO	APCO	1.00	1.00	98.41	98.41 98.41
28	Log package before transmittal to Engineering	Adsecy	0.25	0.25	33.956	8.49 8.49
29	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66 2.66
30	Date letters	Secy	0.25	0.25	29.328	7.33 7.33
31	Generate EPSS transmittal form	SRE	0.25	0.25	58.084	14.52 14.52
	Turn permit, letters, reports, appendices into					
32	PDF	Secy	2.00	2.00	29.328	58.66 58.66
33	Scan documents	Secy	1.00	1.00	29.328	29.33 29.33
34	Send to EPA via EPSS system	Secy	0.25	1.50	29.328	7.33 43.99
	Advise Permits Web personnel, PI&E and					
35	others via email	Secy	0.25	0.25	29.328	7.33 7.33
36	Update database	Secy	0.50	1.00	29.328	14.66 29.33
37	Post package on web, write listbot	AQII	1.00	1.00	52.676	52.68 52.68
38	Send listbot to world	ISS	1.00	1.00	46.631	46.63 46.63
39	Print copies of proposal package for transmittal	Repro	0.50	2.00	26.611	13.31 53.22
40	Mail package	Secy	1.00	1.00	29.328	29.33 29.33
41	Respond to questions, accept comments	AQII	0.00	16.00	52.676	0.00 842.82
ISSUANCE						

	Personnel	Time Estimate hrs Low	Time Estimate hrs High	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High
42 Prepare response to comments documents	AQII	0.00	16.00	52.676	0.00	842.82
43 Review and amend response to comments documents	SPE	0.00	4.00	64.025	0.00	256.10
44 Review and amend response to comments documents	SRE	0.00	4.00	58.084	0.00	232.34
45 Review and amend response to comments documents	Manager	0.00	4.00	67.236	0.00	268.94
46 Review and amend response to comments documents	Counsel	0.00	4.00	91.741	0.00	366.96
47 Prepare clean copy of permit	AQII	1.00	4.00	52.676	52.68	210.70
48 Prepare issuance package	Secy	2.00	2.00	29.328	58.66	58.66
49 Review issuance package, amend letters if necessary	AQII	0.50	2.00	52.676	26.34	105.35
50 Review issuance package, amend letters if necessary	SPE	0.50	2.00	64.025	32.01	128.05
51 Review issuance package, amend letters if necessary	SRE	1.00	1.00	58.084	58.08	58.08
52 Signoff-manager	Manager	0.00	1.00	67.236	0.00	67.24
53 Signoff-Title V supervisor	SPE	0.25	0.25	64.025	16.01	16.01
54 Signoff-Manager Permit Evaluation	Manager	1.00	2.00	67.236	67.24	134.47
55 Signoff-Director of Engineering	Director	1.00	2.00	81.718	81.72	163.44
56 Log package before transmittal out of division	Adsecy	0.10	0.25	33.956	3.40	8.49
57 Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
58 Signoff-Legal	Counsel	1.00	4.00	91.741	91.74	366.96
59 Signoff-DAPCO	DAPCO	1.00	1.00	90.103	90.10	90.10
60 Signoff-APCO	APCO	1.00	1.00	98.41	98.41	98.41
61 Log package before transmittal to Engineering	Adsecy	0.25	0.25	33.956	8.49	8.49
62 Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
63 Date letters	Secy	0.25	0.25	29.328	7.33	7.33
63 Revise dates in permit	Secy	0.50	0.50	29.328	14.66	14.66
64 Generate EPSS transmittal form	SRE	0.25	0.25	58.084	14.52	14.52
65 Turn permit, letters into PDF	Secy	1.00	1.00	29.328	29.33	29.33
66 Send to EPA via EPSS system	Secy	0.25	1.50	29.328	7.33	43.99
67 Advise Permits Web personnel, PI&E and others via email	Secy	0.25	0.25	29.328	7.33	7.33
68 Post package on web, write listbot	AQII	1.00	1.00	52.676	52.68	52.68
69 Send listbot to world	ISS	1.00	1.00	46.631	46.63	46.63
70 Print copies of issuance package for transmittal	Repro	0.50	2.00	26.611	13.31	53.22
71 Mail package	Secy	1.00	1.00	29.328	29.33	29.33
72 Amend permit conditions in database	AQII	1.00	8.00	52.676	52.68	421.41
73 Archive application	Secy	1.00	2.00	29.328	29.33	58.66
Total for All Minor Revision Tasks		74.35	228.40		3967.86	12610.08

Table 4d. Task-Based Analysis for Completion of a Significant Revision to an MFR Permit

PROPOSAL	Personnel	Time	Time	Cost per	Resource	Resource
		Estimate	Estimate	Employee	Estimate	Estimate
		hrs Low	hrs High	\$/hour FY 04/05	\$ Low	\$ High
1 Discussion w/applicant	AQII	1.00	1.00	52.676	52.68	52.68
2 Set up application, give to supervisor	Secy	0.25	0.50	29.328	7.33	14.66
3 Assign application	SPE	0.25	0.25	64.025	16.01	16.01
4 Review application, send incomplete letters, generate invoice, write evaluation, prepare revised Title V permit	AQII	40.00	160.00	52.676	2107.04	8428.16
5 Format permit	Secy	0.50	4.00	29.328	14.66	117.31
6 Supervisor review	SPE	4.00	24.00	64.025	256.10	1536.60
7 Negotiation w/engineer	SPE	2.00	16.00	64.025	128.05	1024.40
Negotiation w/engineer	AQII	2.00	16.00	52.676	105.35	842.82
8 Revision based on supervisor review	AQII	8.00	40.00	52.676	421.41	2107.04
9 Review by Title V lead	SRE	4.00	8.00	58.084	232.34	464.67
10 Negotiation w/engineer	SRE	2.00	8.00	58.084	116.17	464.67
Negotiation w/engineer	AQII	2.00	8.00	52.676	105.35	421.41
11 Revision based on Title V lead review	AQII	2.00	8.00	52.676	105.35	421.41
12 Set up proposal package inc public notice, library letter, call library if necessary, copy application if necessary	Secy	4.00	4.00	29.328	117.31	117.31
13 Review proposal package	AQII	1.00	1.00	52.676	52.68	52.68
14 Review proposal package	SRE	1.00	1.00	58.084	58.08	58.08
15 Print proposal package	Secy	0.50	2.00	29.328	14.66	58.66
16 Route proposal package-memo, entry in tracking spreadsheet	SRE	0.50	0.50	58.084	29.04	29.04
17 Signoff-Eng	AQII	0.25	0.25	52.676	13.17	13.17
18 Signoff-supervisor	SPE	0.50	0.50	64.025	32.01	32.01
19 Signoff-manager	Manager	0.00	4.00	67.236	0.00	268.94
20 Signoff-Title V supervisor	SPE	0.25	2.00	64.025	16.01	128.05
21 Signoff-Manager Permit Evaluation	Manager	1.00	4.00	67.236	67.24	268.94
22 Signoff-Director of Engineering	Director	1.00	4.00	81.718	81.72	326.87
23 Log package before transmittal out of division	AdSecy	0.10	0.25	33.956	3.40	8.49
24 Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
25 Signoff-Legal	Counsel	1.00	8.00	91.741	91.74	733.93
26 Signoff-DAPCO	DAPCO	1.00	1.00	90.103	90.10	90.10
27 Signoff-APCO	APCO	1.00	1.00	98.41	98.41	98.41
28 Log package before transmittal to Engineering	Adsecy	0.25	0.25	33.956	8.49	8.49
29 Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
30 Date letters	Secy	0.25	1.00	29.328	7.33	29.33
31 Generate EPSS transmittal form	SRE	0.25	0.25	58.084	14.52	14.52
32 Turn permit, letters, reports, appendices into PDF	Secy	2.00	2.00	29.328	58.66	58.66
33 Scan documents	Secy	1.00	1.00	29.328	29.33	29.33
34 Send to EPA via EPSS system	Secy	0.25	1.50	29.328	7.33	43.99
35 Send public notice to mailing list	Secy	2.00	2.00	29.328	58.66	58.66
36 Advise Permits Web personnel, PI&E and others via email	Secy	0.25	0.25	29.328	7.33	7.33
37 Update database	Secy	0.50	1.00	29.328	14.66	29.33
38 Post package on web, write listbot	AQII	1.00	1.00	52.676	52.68	52.68
39 Send listbot to world	ISS	1.00	1.00	46.631	46.63	46.63
40 Print copies of proposal package for transmittal	Repro	0.50	2.00	26.611	13.31	53.22

	Personnel	Time Estimate hrs	Time Estimate hrs	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High
41 Mail package	Secy	1.00	1.00	29.328	29.33	29.33
42 Write press release	PIO	0.00	2.00	46.631	0.00	93.26
43 Send to newspapers	PIO	0.00	1.00	46.631	0.00	46.63
44 Get purchase order number for pn	Secy	0.25	0.25	29.328	7.33	7.33
45 Assign purchase order number	ACC	0.25	0.25	38.363	9.59	9.59
46 Place ad	Secy	1.00	1.00	29.328	29.33	29.33
47 Respond to questions, accept comments	AQII	4.00	4.00	52.676	210.70	210.70
ISSUANCE						
48 Prepare response to comments documents	AQII	0.00	16.00	52.676	0.00	842.82
49 Review and amend response to comments documents	SPE	0.00	4.00	64.025	0.00	256.10
50 Review and amend response to comments documents	SRE	0.00	4.00	58.084	0.00	232.34
51 Review and amend response to comments documents	Manager	0.00	4.00	67.236	0.00	268.94
52 Review and amend response to comments documents	Counsel	0.00	4.00	91.741	0.00	366.96
53 Prepare clean copy of permit	AQII	2.00	4.00	52.676	105.35	210.70
54 Prepare issuance package	Secy	2.00	2.00	29.328	58.66	58.66
55 Review issuance package, amend letters if necessary	AQII	1.00	4.00	52.676	52.68	210.70
56 Review issuance package, amend letters if necessary	SPE	1.00	4.00	64.025	64.03	256.10
57 Review issuance package, amend letters if necessary	SRE	1.00	2.00	58.084	58.08	116.17
58 Signoff-manager	Manager	0.00	4.00	67.236	0.00	268.94
59 Signoff-Title V supervisor	SPE	0.25	2.00	64.025	16.01	128.05
60 Signoff-Manager Permit Evaluation	Manager	1.00	4.00	67.236	67.24	268.94
61 Signoff-Director of Engineering	Director	1.00	4.00	81.718	81.72	326.87
62 Log package before transmittal out of division	Adsecy	0.10	0.25	33.956	3.40	8.49
63 Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
64 Signoff-Legal	Counsel	1.00	4.00	91.741	91.74	366.96
65 Signoff-DAPCO	DAPCO	1.00	1.00	90.103	90.10	90.10
66 Signoff-APCO	APCO	1.00	1.00	98.41	98.41	98.41
67 Log package before transmittal to Engineering	Adsecy	0.25	0.25	33.956	8.49	8.49
68 Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
69 Date letters	Secy	0.25	0.25	29.328	7.33	7.33
Revise dates in permit	Secy	0.50	0.50	29.328	14.66	14.66
70 Generate EPSS transmittal form	SRE	0.25	0.25	58.084	14.52	14.52
71 Turn permit, letters into PDF	Secy	1.00	1.00	29.328	29.33	29.33
72 Send to EPA via EPSS system	Secy	0.25	1.50	29.328	7.33	43.99
73 Advise Permits Web personnel, PI&E and others via email	Secy	0.25	0.25	29.328	7.33	7.33
74 Post package on web, write listbot	AQII	1.00	1.00	52.676	52.68	52.68
75 Send listbot to world	ISS	1.00	1.00	46.631	46.63	46.63
76 Print copies of issuance package for transmittal	Repro	0.50	2.00	26.611	13.31	53.22
77 Mail package	Secy	1.00	1.00	29.328	29.33	29.33
78 Amend permit conditions in database	AQII	2.00	4.00	52.676	105.35	210.70
79 Invoice plant for public notice	AQII	2.00	2.00	52.676	105.35	105.35
80 Archive application	Secy	1.00	1.50	29.328	29.33	43.99
Total for All Significant Revision Tasks		120.85	435.15		6307.63	24109.34

Table 4e. Task-Based Analysis for Completion of a Reopening of an MFR Permit

	Personnel	Time	Time	Cost per	Resource	Resource	
		Estimate	Estimate	Employee	Estimate	Estimate	
		hrs	hrs	\$/hour	\$	\$	
		Low	High	FY 04/05	Low	High	
PROPOSAL							
1	Discussion w/applicant	AQII	1.00	8.00	52.676	52.68	421.41
2	Reopening letter to applicant	AQII	2.00	2.00	52.676	105.35	105.35
3	Set up application, give to supervisor	Secy	0.25	0.50	29.328	7.33	14.66
4	Assign application	SPE	0.25	0.25	64.025	16.01	16.01
5	write evaluation, prepare revised Title V permit	AQII	40.00	160.00	52.676	2107.04	8428.16
6	Format permit	Secy	0.50	4.00	29.328	14.66	117.31
7	Supervisor review	SPE	4.00	24.00	64.025	256.10	1536.60
8	Negotiation w/engineer	SPE	2.00	16.00	64.025	128.05	1024.40
	Negotiation w/engineer	AQII	2.00	16.00	52.676	105.35	842.82
9	Revision based on supervisor review	AQII	8.00	40.00	52.676	421.41	2107.04
	Review by Title V lead	SPE	4.00	8.00	64.025	256.10	512.20
10	Negotiation w/engineer	SPE	2.00	8.00	64.025	128.05	512.20
	Negotiation w/engineer	AQII	2.00	8.00	52.676	105.35	421.41
11	Revision based on Title V lead review	AQII	2.00	8.00	52.676	105.35	421.41
12	Set up proposal package inc public notice	Secy	2.00	2.00	29.328	58.66	58.66
13	Review proposal package	AQII	1.00	1.00	52.676	52.68	52.68
14	Review proposal package	SPE	1.00	1.00	64.025	64.03	64.03
15	Print proposal package	Secy	0.50	0.50	29.328	14.66	14.66
16	Route proposal package-memo, entry in tracking spreadsheet	SPE	0.50	0.50	64.025	32.01	32.01
17	Signoff-Eng	AQII	0.25	0.25	52.676	13.17	13.17
18	Signoff-supervisor	SPE	0.50	0.50	64.025	32.01	32.01
19	Signoff-manager	Manager	0.00	4.00	67.236	0.00	268.94
20	Signoff-Title V supervisor	SPE	0.25	0.25	64.025	16.01	16.01
21	Signoff-Manager Permit Evaluation	Manager	1.00	4.00	67.236	67.24	268.94
22	Signoff-Director of Engineering	Director	1.00	4.00	81.718	81.72	326.87
23	Log package before transmittal out of division	Adsecy	0.10	0.25	33.956	3.40	8.49
24	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
25	Signoff-Legal	Counsel	1.00	8.00	91.741	91.74	733.93
26	Signoff-DAPCO	DAPCO	1.00	1.00	90.103	90.10	90.10
27	Signoff-APCO	APCO	1.00	1.00	98.41	98.41	98.41
28	Log package before transmittal to Engineering	Adsecy	0.25	0.25	33.956	8.49	8.49
29	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
30	Date letters	Secy	0.25	0.25	29.328	7.33	7.33
31	Generate EPSS transmittal form	SPE	0.25	0.25	64.025	16.01	16.01
32	Turn permit, letters, reports, appendices into PDF	Secy	2.00	2.00	29.328	58.66	58.66
33	Scan documents	Secy	1.00	1.00	29.328	29.33	29.33
34	Send to EPA via EPSS system	Secy	0.25	1.50	29.328	7.33	43.99
35	Send public notice to mailing list	Secy	2.00	2.00	29.328	58.66	58.66
36	Advise Permits Web personnel, PI&E and others via email	Secy	0.25	0.25	29.328	7.33	7.33
37	Update database	Secy	0.50	1.00	29.328	14.66	29.33
38	Post package on web, write listbot	AQII	1.00	1.00	52.676	52.68	52.68
39	Send listbot to world	ISS	1.00	1.00	46.631	46.63	46.63
40	Print copies of proposal package for transmittal	Repro	0.50	2.00	26.611	13.31	53.22
41	Mail package	Secy	1.00	1.00	29.328	29.33	29.33
42	Write press release	PIO	0.00	2.00	46.631	0.00	93.26

	Personnel	Time Estimate hrs Low	Time Estimate hrs High	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High	
43	Send to newspapers	PIO	0.00	1.00	46.631	0.00	46.63
44	Get purchase order number for pn	Secy	0.25	0.25	29.328	7.33	7.33
45	Assign purchase order number	ACC	0.25	0.25	38.363	9.59	9.59
46	Place ad	Secy	1.00	1.00	29.328	29.33	29.33
47	Respond to questions, accept comments	AQII	0.00	8.00	52.676	0.00	421.41
ISSUANCE							
48	Prepare response to comments documents	AQII	0.00	40.00	52.676	0.00	2107.04
49	Review and amend response to comments documents	SPE	0.00	4.00	64.025	0.00	256.10
50	Review and amend response to comments documents	SRE	0.00	4.00	58.084	0.00	232.34
51	Review and amend response to comments documents	Manager	0.00	4.00	67.236	0.00	268.94
52	Review and amend response to comments documents	Counsel	0.00	12.00	91.741	0.00	1100.89
53	Prepare clean copy of permit	AQII	2.00	4.00	52.676	105.35	210.70
54	Prepare issuance package	Secy	2.00	2.00	29.328	58.66	58.66
55	Review issuance package, amend letters if necessary	AQII	1.00	4.00	52.676	52.68	210.70
56	Review issuance package, amend letters if necessary	SPE	1.00	4.00	64.025	64.03	256.10
57	Review issuance package, amend letters if necessary	SRE	1.00	2.00	58.084	58.08	116.17
58	Signoff-manager	Manager	1.00	4.00	67.236	67.24	268.94
59	Signoff-Title V supervisor	SPE	0.25	2.00	64.025	16.01	128.05
60	Signoff-Manager Permit Evaluation	Manager	1.00	4.00	67.236	67.24	268.94
61	Signoff-Director of Engineering	Director	1.00	4.00	81.718	81.72	326.87
62	Log package before transmittal out of division	Adsecy	0.10	0.25	33.956	3.40	8.49
63	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
64	Signoff-Legal	Counsel	1.00	1.00	91.741	91.74	91.74
65	Signoff-DAPCO	DAPCO	1.00	1.00	90.103	90.10	90.10
66	Signoff-APCO	APCO	1.00	1.00	98.41	98.41	98.41
67	Log package before transmittal to Engineering	Adsecy	0.25	0.25	33.956	8.49	8.49
68	Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
69	Date letters	Secy	0.25	0.25	29.328	7.33	7.33
	Revise dates in permit	Secy	0.50	0.50	29.328	14.66	14.66
70	Generate EPSS transmittal form	SPE	0.25	0.25	64.025	16.01	16.01
71	Turn permit, letters into PDF	Secy	1.00	1.00	29.328	29.33	29.33
72	Send to EPA via EPSS system	Secy	0.25	1.50	29.328	7.33	43.99
73	Advise Permits Web personnel, PI&E and others via email	Secy	0.25	0.25	29.328	7.33	7.33
74	Post package on web, write listbot	AQII	1.00	1.00	52.676	52.68	52.68
75	Send listbot to world	ISS	1.00	1.00	46.631	46.63	46.63
76	Print copies of issuance package for transmittal	Repro	0.50	2.00	26.611	13.31	53.22
77	Mail package	Secy	1.00	1.00	29.328	29.33	29.33
78	Amend permit conditions in database	AQII	1.00	4.00	52.676	52.68	210.70
79	Invoice plant for public notice	AQII	2.00	2.00	52.676	105.35	105.35
80	Archive application	Secy	1.00	1.00	29.328	29.33	29.33
Total for all Reopening Tasks			116.85	470.65		6205.71	26372.64

Table 4f. Task-Based Analysis for Completion of a Renewal of an MFR Permit

	Personnel	Time Estimate hrs Low	Time Estimate hrs High	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High	
INTERNAL REVIEW							
1	Discussion w/applicant	AQII	1.00	4.00	52.676	52.68	210.70
2	Set up application, give to supervisor	Secy	0.25	0.50	29.328	7.33	14.66
3	Assign application	SPE	0.25	0.25	64.025	16.01	16.01
4	Review application, send incomplete letters, generate invoice, write evaluation/SOB, prepare revised Title V permit, consider CAM, new NESHAPS	AQII	40.00	100.00	52.676	2107.04	5267.60
5	Supervisor review	SPE	8.00	16.00	64.025	512.20	1024.40
6	Format permit	Secy	0.50	16.00	29.328	14.66	469.25
7	Negotiation w/engineer	SPE	4.00	8.00	64.025	256.10	512.20
	Negotiation w/engineer	AQII	4.00	8.00	52.676	210.70	421.41
8	Revision based on supervisor review	AQII	8.00	24.00	52.676	421.41	1264.22
9	Review by Title V lead	SRE	8.00	8.00	58.084	464.67	464.67
10	Negotiation w/engineer	SRE	4.00	8.00	58.084	232.34	464.67
	Negotiation w/engineer	AQII	4.00	8.00	52.676	210.70	421.41
11	Revision based on Title V lead review	AQII	2.00	16.00	52.676	105.35	842.82
12	Write internal review memo, enter on tracking ss, request compliance report fr Enf	SRE	0.50	0.50	58.084	29.04	29.04
13	Signoff-Eng	AQII	0.25	0.25	52.676	13.17	13.17
14	Signoff-supervisor	SPE	0.50	0.50	64.025	32.01	32.01
15	Signoff-manager	Manager	0.00	4.00	67.236	0.00	268.94
16	Signoff-Title V supervisor	SPE	0.25	2.00	64.025	16.01	128.05
17	Signoff-Manager Permit Evaluation	Manager	4.00	4.00	67.236	268.94	268.94
18	Signoff-Director of Engineering, transmittal to secy	Director	4.00	4.00	81.718	326.87	326.87
19	Request for copies	Secy	0.00	0.50	29.328	0.00	14.66
20	Print copies of package for transmittal	Repro	0.75	2.00	26.611	19.96	53.22
21	Transmittal to Divisions, applicant	Secy	2.00	2.00	29.328	58.66	58.66
22	Review by Legal	Counsel	1.00	4.00	91.741	91.74	366.96
23	Enforcement handling	Secy	7.50	7.50	29.328	219.96	219.96
24	Review by Enforcement	INS	100.00	100.00	43.342	4334.20	4334.20
25	Review by Enforcement	SINS	80.00	80.00	52.676	4214.08	4214.08
26	Review by Enforcement	ESP	2.00	2.00	60.983	121.97	121.97
27	Review by Enforcement	Manager	40.00	40.00	67.236	2689.44	2689.44
28	Review by Enforcement	Director	1.00	1.00	81.718	81.72	81.72
29	Compliance report preparation	INS	8.00	8.00	43.342	346.74	346.74
30	Compliance report review	SINS	1.00	1.00	52.676	52.68	52.68
31	Compliance report review	ESP	1.00	1.00	60.983	60.98	60.98
32	Compliance report review	Manager	1.00	1.00	67.236	67.24	67.24
33	Compliance report review	Director	1.00	1.00	81.718	81.72	81.72
34	Review by Source Test	AQII	12.00	12.00	52.676	632.11	632.11
35	Source test report of tests, etc. during permit term	AQII	0.00	16.00	52.676	0.00	842.82
36	Respond to questions, accept comments	AQII	4.00	20.00	52.676	210.70	1053.52
37	Revise permit to respond to comments	AQII	2.00	16.00	52.676	105.35	842.82
38	Review response to comments	SPE	1.00	8.00	64.025	64.03	512.20
39	Review response to comments	SRE	1.00	4.00	58.084	58.08	232.34
PUBLIC NOTICE							

	Personnel	Time Estimate hrs Low	Time Estimate hrs High	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High
40	Secy	4.00	4.00	29.328	117.31	117.31
Set up proposal package inc public notice, library letter, call library if necessary, copy application if necessary						
41	Secy	0.50	4.00	29.328	14.66	117.31
42	AQII	2.00	2.00	52.676	105.35	105.35
43	SRE	2.00	2.00	58.084	116.17	116.17
44	Secy	0.50	2.00	29.328	14.66	58.66
45	SRE	0.50	0.50	58.084	29.04	29.04
Route proposal package-memo, entry in tracking spreadsheet (letters, permit, sob)						
46	AQII	0.25	0.25	52.676	13.17	13.17
47	SPE	0.50	0.50	64.025	32.01	32.01
48	Manager	0.00	4.00	67.236	0.00	268.94
49	SPE	0.25	2.00	64.025	16.01	128.05
50	Manager	4.00	4.00	67.236	268.94	268.94
51	Director	4.00	4.00	81.718	326.87	326.87
52	Adsecy	0.25	0.25	33.956	8.49	8.49
53	Clerk	0.10	0.10	26.611	2.66	2.66
54	Counsel	1.00	4.00	91.741	91.74	366.96
55	DAPCO	0.50	1.00	90.103	45.05	90.10
56	APCO	0.50	1.00	98.41	49.21	98.41
57	Adsecy	0.10	0.25	33.956	3.40	8.49
58	Clerk	0.10	0.10	26.611	2.66	2.66
59	Secy	0.25	0.25	29.328	7.33	7.33
60	SRE	0.25	0.25	58.084	14.52	14.52
61	Secy	1.00	2.00	29.328	29.33	58.66
Turn permit, letters, reports, appendices into PDF						
62	Secy	1.00	1.00	29.328	29.33	29.33
63	Secy	0.25	1.50	29.328	7.33	43.99
64	Secy	2.00	2.00	29.328	58.66	58.66
65	Secy	0.25	0.25	29.328	7.33	7.33
Advise Permits Web personnel, PI&E and others via email						
66	Secy	0.50	1.00	29.328	14.66	29.33
67	AQII	1.00	1.00	52.676	52.68	52.68
68	ISS	1.00	1.00	46.631	46.63	46.63
69	Repro	0.50	2.00	26.611	13.31	53.22
70	Secy	1.00	1.00	29.328	29.33	29.33
71	PIO	2.00	2.00	46.631	93.26	93.26
72	PIO	1.00	1.00	46.631	46.63	46.63
73	Secy	0.25	0.25	29.328	7.33	7.33
74	ACC	0.25	0.25	38.363	9.59	9.59
75	Secy	1.00	1.00	29.328	29.33	29.33
76	AQII	2.00	16.00	52.676	105.35	842.82
ISSUANCE						
77	AQII	0.00	40.00	52.676	0.00	2107.04
78	SPE	0.00	16.00	64.025	0.00	1024.40
Prepare response to comments documents						
79	SRE	0.00	16.00	58.084	0.00	929.34
Review and amend response to comments documents						
80	Manager	0.00	4.00	67.236	0.00	268.94
Review and amend response to comments documents						
81	Counsel	0.00	12.00	91.741	0.00	1100.89
Review and amend response to comments documents						

	Personnel	Time Estimate hrs Low	Time Estimate hrs High	Cost per Employee \$/hour FY 04/05	Resource Estimate \$ Low	Resource Estimate \$ High
82 Prepare clean copy of permit	AQII	2.00	8.00	52.676	105.35	421.41
83 Prepare issuance package	Secy	2.00	2.00	29.328	58.66	58.66
84 Review issuance package, amend letters if necessary	AQII	0.50	4.00	52.676	26.34	210.70
85 Review issuance package, amend letters if necessary	SPE	0.50	4.00	64.025	32.01	256.10
86 Review issuance package, amend letters if necessary	SRE	0.50	2.00	58.084	29.04	116.17
87 Signoff-manager	Manager	1.00	4.00	67.236	67.24	268.94
88 Signoff-Title V supervisor	SPE	0.25	2.00	64.025	16.01	128.05
89 Signoff-Manager Permit Evaluation	Manager	1.00	4.00	67.236	67.24	268.94
90 Signoff-Director of Engineering	Director	1.00	4.00	81.718	81.72	326.87
91 Log package before transmittal out of division	Adsecy	0.10	0.25	33.956	3.40	8.49
92 Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
93 Signoff-Legal	Counsel	0.50	1.00	91.741	45.87	91.74
94 Signoff-DAPCO	DAPCO	0.50	1.00	90.103	45.05	90.10
95 Signoff-APCO	APCO	0.50	1.00	98.41	49.21	98.41
96 Log package before transmittal to Engineering	Adsecy	0.25	0.25	33.956	8.49	8.49
97 Deliver package-mail	Clerk	0.10	0.10	26.611	2.66	2.66
98 Date letters	Secy	0.25	0.25	29.328	7.33	7.33
99 Revise dates in permit	Secy	0.50	0.50	29.328	14.66	14.66
100 Generate EPSS transmittal form	SRE	0.25	0.25	58.084	14.52	14.52
101 Turn permit, letters into PDF	Secy	1.00	1.00	29.328	29.33	29.33
102 Send to EPA via EPSS system	Secy	0.25	1.50	29.328	7.33	43.99
103 Advise Permits Web personnel, PI&E and others via email	Secy	0.25	0.25	29.328	7.33	7.33
104 Post package on web, write listbot	AQII	1.00	1.00	52.676	52.68	52.68
105 Send listbot to world	ISS	1.00	1.00	46.631	46.63	46.63
106 Print copies of issuance package for transmittal	Repro	0.50	2.00	26.611	13.31	53.22
107 Mail package	Secy	1.00	1.00	29.328	29.33	29.33
108 Amend permit conditions in database	AQII	2.00	16.00	52.676	105.35	842.82
109 Invoice plant for public notice	AQII	2.00	2.00	52.676	105.35	105.35
110 Archive application	Secy	0.50	8.00	29.328	14.66	234.62
Total for All Renewal Permit Tasks		417.60	789.15		21756.67	42231.49

Table 5. Summary of Task-Based Staff Resources Analyses for On-Going MFR Activities

	Average Staff Resource Costs
Enforcement	
Tracking reports	\$ 28,170
Review monitoring reports	\$ 365,040
Annual certification reviews	\$ 297,390
EPA reporting	\$ 10,208
Review deviation reports	\$ 216,612
Subtotal Enforcement	\$ 917,420
Legal	
Appeals	\$ 87,893
Subtotal Legal	\$ 87,893
Total On-Going Costs	\$ 1,005,313

Tables 6a-e. CALCULATIONS FOR NEW SCHEDULE P APPLICATION FEES

Table 6a. Staff Cost Estimates (based on task lists) and Projected Application Activity (based on historical averages)

	Staff Cost Estimates			Projections For FY 04/05			
	Per Application Type			Number of Applications	Number of Sources	Average Srce / App	Permit Shields
	Low	Average	High				
Administrative Amendments	\$ 699	\$ 838	\$ 976	6	0		0
Minor Revisions (75%)	\$ 3,968	\$ 8,289	\$ 12,610	126	346	2.7	0
Significant Revisions (25%)	\$ 6,308	\$ 15,208	\$ 24,109	42	115	2.7	1
Reopenings	\$ 6,206	\$ 16,289	\$ 26,373	3	27	9.0	0
Renewals	\$ 21,757	\$ 31,994	\$ 2,231	18	657	36.5	6
Initial Permits	\$ 21,772	\$ 34,060	\$ 6,348	1	17	17.0	0
Total for FY 04/05				196	1162	5.9	7

Table 6b. Projected Staff Costs Based on Cost per Application Type

	Apps / Year	Low Cost / App	Average Cost / App	High Cost / App	Low Cost / Year	Average Cost / Year	High Cost / Year
Administrative Amendments	6	\$ 699	\$ 838	\$ 976	\$ 4,196	\$ 5,026	\$ 5,857
Minor Revisions	126	\$ 3,968	\$ 8,289	\$ 12,610	\$ 499,950	\$ 1,044,410	\$ 1,588,870
Significant Revisions	42	\$ 6,308	\$ 15,208	\$ 24,109	\$ 264,920	\$ 638,756	\$ 1,012,592
Reopenings	3	\$ 6,206	\$ 16,289	\$ 26,373	\$ 18,617	\$ 48,868	\$ 79,118
Renewals	18	\$ 21,757	\$ 31,994	\$ 42,231	\$ 391,620	\$ 575,893	\$ 760,167
Initial Permits	1	\$ 21,772	\$ 34,060	\$ 46,348	\$ 21,772	\$ 34,060	\$ 46,348
Total for FY 04/05	196				\$ 1,201,076	\$ 2,347,014	\$ 3,492,951

Table 6c. Fees Needed to Achieve Cost Recovery Based on Average Units (Applications or Sources) per Application

	Average Cost / Year	Filing Fees (1)	Permit Shield Fees (2)	Remaining Costs	Applications / Year	Sources / Year	Remaining Cost/Unit
MFR Administrative Amendment Fee	\$ 5,026	\$ 1,554	\$ -	\$ 3,472	6		\$ 578.73
MFR Minor Revision Fee	\$1,044,410	\$ 32,634	\$ -	\$1,011,776		346	\$ 2,924.21
MFR Significant Revision Fee	\$ 638,756	\$ 10,878	\$ 386	\$ 627,492		115	\$ 5,456.45
MFR Reopening Fee	\$ 48,868	\$ 777	\$ -	\$ 48,091		27	\$ 1,781.13
MFR Renewal Fee	\$ 575,893	\$ 4,662	\$ 2,316	\$ 568,915		657	\$ 865.93
MFR Initial Permit Fee	\$ 34,060	\$ 259	\$ -	\$ 33,801		17	\$ 1,988.30

(1) The MFR Filing Fee will be equal to the District's standard filing fee of \$259 for FY04/05.

(2) The MFR Permit Shield Fee will be equal to the current Permit Shield Fee of \$386.

Table 6d. Determination of Proportional Adjustment Factor for Application Based Fees

Average Annual Staff Costs for Application Activity:	\$ 2,347,014
Budget Target for Revenue From Title V Permit Applications:	\$ 342,000
Budget Target Compared to Application Activity Costs:	14.57%
Budget Target Minus Filing and Permit Shield Fees:	\$ 288,534
Adjustment Factor for Other MFR Fees:	12.57%

Table 6e. Calculation of Schedule P Fees for Application Activities

Cost Per Application	Average	Rounded Up
MFR Filing Fee	\$ 259.00	\$ 259.00
MFR Administrative Amendment Fee	\$ 72.72	\$ 73.00
Cost Per Source	Average	
MFR Minor Revision Fee	\$ 367.44	\$ 368.00
MFR Significant Revision Fee	\$ 685.63	\$ 686.00
MFR Reopening Fee	\$ 223.81	\$ 224.00
MFR Renewal Fee	\$ 108.81	\$ 109.00
MFR Initial Permit Fee	\$ 249.84	\$ 250.00
MFR Permit Shield Fee	\$ 386.00	\$ 386.00

- (1) The MFR Filing Fee will be equal to the District's standard filing fee of \$259 for FY04/05.
- (2) The MFR Permit Shield Fee will be equal to the current Permit Shield Fee of \$386.
- (3) All other MFR Fees are equal to the 12.6% adjustment factor times the Remaining Cost Per Unit (\$/Application or \$/Source).

Table 7. Projected Revenue From Schedule P, Title V and Synthetic Minor Fees

	Budgeted 04/05	Projected Average Year
Annual Fees	\$ 1,248,000	\$ 1,250,720
Application Fees	\$ 342,000	\$ 342,033
Total Title V Fees	\$ 1,590,000	\$ 1,592,753
Potential Variation:	+ / -	\$ 156,500

Table 7a. Projected MFR / Synthetic Minor Annual Fees

	No. of Sites	No. of Sources	Emissions, tons/year of PONSCO	No. of Monitors	Source Fees	Emissions Fees	Monitor Fees	Total Fees
Synthetic Minor	32	798	1386.2	23	\$ -	\$ -	\$ 42,734	\$ 42,734
Title V	91	3286	56872.6	127	\$ 611,196	\$ 416,307	\$ 235,966	\$ 1,263,469
Total Annual Fees (current sources, emissions, monitors at new fee rates)					\$ 611,196	\$ 416,307	\$ 278,700	\$ 1,306,203
Projected Title V Annual Fees for a High Year (current sources, emissions, monitors at new fee rates):								\$ 1,306,203
Projected Title V Annual Fees for an Average Year (3240 sources, 53000 tons/year, and 140 monitors):								\$ 1,250,720
Projected Title V Annual Fees for a Low Year (10% reduction in emissions and number of sources and monitors):								\$ 1,175,583

Table 7b. Projected MFR / Synthetic Minor Application Fees

	No. of Sites	No. of Applications	No. of Affected Sources	No. of Permit Shields	Filing Fees	Per Application Fees	Per Source Fees	Permit Shield Fees	Total Fees
Synthetic Minor - Initial Permit	0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -
Synthetic Minor – Revisions	0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -
MFR - Initial Permit	1	1	17	0	\$ 259	\$ -	\$ 4,250	\$ -	\$ 4,509
MFR - Administrative Amendment	6	6	0	0	\$ 1,554	\$ 438	\$ -	\$ -	\$ 1,992
MFR - Minor Revision	48	126	346	0	\$ 32,634	\$ -	\$ 127,328	\$ -	\$ 159,962
MFR - Significant Revision	16	42	115	1	\$ 10,878	\$ -	\$ 78,890	\$ 386	\$ 90,154
MFR – Reopening	3	3	27	0	\$ 777	\$ -	\$ 6,048	\$ -	\$ 6,825
MFR – Renewal	18	18	657	6	\$ 4,662	\$ -	\$ 71,613	\$ 2,316	\$ 78,591
Total Title V Application Fees for an Average Year:					\$ 50,764	\$ 438	\$ 288,129	\$ 2,702	\$ 342,033

Table 7c. Year to Year Variation in Renewal Applications

Projection for 04/05 Renewals (Low Year)	11	11	225	0	\$ 2,849	\$ -	\$ 24,525	\$ -	\$ 27,374
Projection for 07/08 Renewals (High Year)	28	28	1857	0	\$ 7,252	\$ -	\$ 202,413	\$ -	\$ 209,665