

# CHAPTER 6

## FEES

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## Introduction

Federal law mandates AQMD to require operators of Title V facilities to pay sufficient fees to develop and administer the Title V operating permit program. All fees associated with the Title V permitting program have been adopted in AQMD Rule 301 – *Fees*. **Rule 301 is updated annually on July 1. ALWAYS refer to the most current version of the rule for the correct fees.** This chapter explains how to determine the correct fees for:

- The initial Title V permit for both new and existing facilities;
- Renewal of the Title V permit;
- Revisions to the Title V permit;
- Public notices for initial permits, permit revisions and renewals; and
- Requesting to be excluded or exempted from Title V permitting.

**NOTE: All fee examples provided in this chapter are based on the Rule 301 Fee Schedule was effective July 1, 2004 through June 30, 2005. These fees may no longer be valid and are only provided as an example of how to make the calculation.**

## What Are The Fees<sup>20</sup> For An Initial Title V Permit?

### *Existing Facilities*

All existing facilities subject to Title V must submit an initial Title V facility permit fee with the initial permit application. The initial fee is based on two criteria: the number of devices, or active permits if the number of devices is unknown; and, the date the initial application was submitted. All requests to revise or modify currently active permit terms or conditions, including requests for an alternative operating scenario, streamlined permit conditions and/or permit shield, prior to the issuance of the initial Title V facility permit, must include applications and the sum of all applicable fees. Alteration/modification and change of condition fees are listed in Rule 301 (c) and (i) for each revision requested.

**Figure 6-1: Example Of Fee<sup>20</sup> Calculation For An Existing Facility Applying For An Initial Title V Facility Permit:**

Initial Title V Facility Permit Fee <sup>20</sup> with Five Devices (or Permits) Submitted on 08/31/04	\$ 950.57
Application for New Spray Booth (Schedule B)	\$ 1,454.09
Application for Permit Shield Request Change of Condition for One Piece of Spray Equipment (Schedule B)	\$ 720.35
Total	\$ 3,125.01

<sup>20</sup> All fee examples provided in this chapter are based on the Rule 301 Fee Schedule that was effective July 1, 2004 through June 30, 2005. These fees may no longer be valid and are only provided as an example of how to make the calculation. Please refer to the current version of Rule 301 – Permit Fees for the actual fees.

A Title V final fee (in addition to the initial fee) may also be assessed when the initial Title V facility permit is issued. The Title V final fee is based on three criteria: the number of devices, or active permits if the number of devices is unknown; the date the initial application was submitted; and, the amount of time spent to process the initial Title V facility permit. The applicant will be charged on an hourly basis for any time in excess of the limits described in Rule 301(p)(3)(B). The applicant may also be required to pay a public notice fee as described in Rule 301(p)(9). See “What Are The Fees for Public Notices” in this chapter.

**Figure 6-2: Example Of A Title V Final Fee<sup>20</sup> Calculation When The Initial Title V Facility Permit Is Issued**

Hourly permit processing fee <sup>20</sup> for an initial Title V facility permit fee with five devices (or permits)	\$ 95.05/hr	(In excess of 8 hrs up to a maximum of \$11,603.60)
Final Fee <sup>20</sup> Due for a total of 58 hours spent processing the Title V permit application	\$ 4,752.50	(58 hr - 8 hr) x \$95.05/hr

***New And Modified Facilities***

The permit processing fees for a new facility that will be subject to Title V and must obtain a Title V facility permit shall be the sum of all the applicable fees in Rule 301 (c) and (i) for each piece of equipment to be constructed at the facility.

The permit processing fee for a facility required to obtain a Title V facility permit because of a change of an operating condition, alteration, modification, and/or additions pursuant to Rule 301(c)(3), shall be the sum of:

- Initial Title V facility permit fee;
- Title V final fee; and
- Sum of applicable permit processing fees per Rule 301 (c) and (i) for all new and modified equipment at the facility.

**What Are The Fees<sup>20</sup> For Permit Renewals?**

The initial processing fees for the renewal of a Title V facility permit without any changes shall be \$665.24, in accordance with Rule 301(p)(8), when the application is submitted. If any changes are proposed at the time of renewal, additional fees as listed in Rule 301(c) and (i) are required. A final fee of \$95.05 per hour for time spent on the application in excess of 5 hours will be charged when the Title V facility permit is issued. The applicant may also be required to pay a public notice fee as described in Rule 301(p)(9). See “What Are The Fees for Public Notices” in this chapter.

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## What Are The Fees<sup>20</sup> For Permit Revisions?

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The application filing fee for an *administrative* permit revision to the Title V facility permit depends on the type of revision. Table 6-1 lists the possible fees. For all other changes to the Title V permit (*minor, de minimis significant, and significant permit revisions*), the facility shall submit \$347.98 plus the sum of the fees listed in Rule 301(c) and (i) for each piece of equipment or process affected by the proposed revisions.

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## What Are The Fees<sup>20</sup> For Public Notices?

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Title V requires a public notice and comment period to occur after the issuance of a proposed Title V permit for an initial permit, permit renewal, or significant permit revision. Per Rule 301(p)(8), each Title V facility can either pay a fee for publication in the newspaper of general circulation in the area affected where the facility is located and for mailing of the notice to persons identified in Rule 212(g) or arrange for publication of the notice independently. If publication is performed by the owner/operator or an independent consultant, the owner/operator of the facility must provide the Executive Officer with a copy of the proof of publication. To minimize the cost, the AQMD will publish public notices in groups whenever possible.

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## Public Hearing Fees<sup>20</sup>

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If a public hearing is held on a Title V permit action, the facility will be responsible for paying hearing fees. A fee of \$1,902.64 plus \$634.03 per hour of hearing time will be charged. Since a public hearing can involve several actions on proposed permits at a time, if the facilities involved do not object, the AQMD will, whenever feasible, combine similar, related public hearings and divide the fee of the public hearing amongst all participating facilities.

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## Fees<sup>20</sup> For Processing Requests To Be Excluded From Title V

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Facilities that have been identified by the AQMD as subject to Title V and have submitted a complete initial Title V application package may request to be excluded or exempted from the permitting program by also completing and submitting Form 500-E. Those facilities will be assessed a filing fee of \$95.05 plus an initial plan evaluation fee of \$316.90 to evaluate the exemption request. If staff time to complete the evaluation exceeds 3.3 hours, the facility will be charged an hourly rate of \$95.05. Title V fees, as outlined in Rule 301 - Permit Fees, are summarized in Table 6-1.

The fees specified in Table 6-1 and in this chapter are based on the July 9, 2004 version of Rule 301. The Title V permit fees listed in Table 6-1 are adjusted each year on July 1. All Title V permit applicants should refer to AQMD Rule 301 to find the updated fee schedule. Current Fees can be found at:

<http://www.aqmd.gov/rules/reg/reg03/r301.pdf>

**Table 6-1: Title V Fee<sup>20</sup> Summary**

Application Activity	Fee	
Initial Title V Facility Permit fee for existing facility with existing District permits without additional changes to active permits and pending applications for equipment	Number of Devices <sup>21</sup>	Submitted on or after 7/1/04 and before 7/1/05
	1-20	\$950.57
	21-75	\$3,042.12
	76-250	\$6,845.07
	251+	\$11,598.73
Title V Final fee <sup>22,23,24</sup> when the initial Title V Facility Permit is issued based on the time spent on applications that were submitted on or after 7/1/04	Number of Devices	Time Spent on or after 7/1/04 and before 7/1/05
	1-20	\$95.05/hr for time spent in excess of 8 hrs, up to a maximum of \$11,603.60
	21-75	\$95.05/hr for time spent in excess of 30 hrs, up to a maximum of \$23,207.19
	76-250	\$95.05/hr for time spent in excess of 70 hrs, up to a maximum of \$58,017.95
	251+	\$95.05/hr for time spent in excess of 120 hrs up to a maximum of \$87,026.95
Initial TV Facility Permit with additional changes to terms and conditions, including permit streamlining, an alternative operating scenario or a permit shield, in active permits and pending applications at an existing facility	Initial Title V Facility Permit fee + Title V Final fee + Sum of Applicable Permit Processing Fees per Rule 301 (c) & (i)	
Title V Facility Permit for a new facility	Sum of Applicable Permit Processing Fees per Rule 301 (c) & (i)	
Initial Title V Facility Permit for a facility that is modified to the extent that the modification causes the facility to enter Title V	Initial Title V Facility Permit fee + Title V Final fee + Sum of Applicable Permit Processing Fees per Rule 301 (c) & (i)	

**NOTE:** All fees listed in TABLE 6-1 are based on the Rule 301 Fee Schedule effective July 1, 2004 through June 30, 2005 and are included for **REFERENCE ONLY**. These fees are no longer valid and are only provided as an example of how to make the calculation. Applicants: please refer to the current version of Rule 301 – Permit Fees for the actual fees.

<sup>21</sup> To determine the initial fee when the number of devices is not available, substitute the number of active permits.

<sup>22</sup> For applicants that did not pay the correct initial fee based on the actual number of devices, the fee when the permit is issued shall be equal to the correct initial fee less the initial fee actually paid, plus the final fee.

<sup>23</sup> For Title V applications submitted after 1/15/98 and before 7/1/98, the fee when the permit is issued shall be a final fee for time spent in excess of eight hours equal to \$43.14 per hour for time spent from 7/1/98 to 6/30/00, and \$89.59 per hour for time spent on or after 7/1/00, subject to the caps based on the number of devices set forth in the table in this subparagraph.

<sup>24</sup> Applications submitted on or prior to 1/15/98 shall not be subject to the final fee.

**Table 6-1: Title V Fee<sup>20</sup> Summary (continued)**

Application Activity	Fee
Administrative revisions to the Title V Facility Permit  Correct typographical errors  Record information on changes which identify changes in the name, address, or phone number of any person identified in the permit, or provide a similar minor administrative change at the source  Change operator or operational control of a source where the District determines that no other change in the permit is necessary  Impose requirements for more frequent monitoring, recordkeeping, or reporting  Remove equipment, provided that equipment removal does not result in an increase in emissions	  \$591.56  \$591.56  \$591.56 + \$316.90/process Not to exceed \$3,802.76 for non-RECLAIM facilities and \$8,236.41 for RECLAIM  \$557.60  \$557.60
Permit processing fee for minor, de minimis significant, or significant permit re-issuances	\$347.98 + Sum of Applicable Permit Processing Fees per Rule 301 (c) & (i)
Public notice	Applicable fees per Rule 301 (p)
Public hearing	\$1,902.64 plus \$634.03 per hour
Title V Facility Permit renewal	Initial fee of \$665.24 + \$95.05/hr for time spent in excess of 5 hours
Exemption Request	Filing fee of \$95.05 + Initial Plan Evaluation Fee of \$316.90 + \$95.05/hr for time spent in excess of 3.3 hours

**NOTE:** All fees listed in TABLE 6-1 are based on the Rule 301 Fee Schedule effective July 1, 2004 through June 30, 2005 and are included for **REFERENCE ONLY**. These fees are no longer valid and are only provided as an example of how to make the calculation. Applicants: please refer to the current version of Rule 301 – Permit Fees for the actual fees.