

**ERRATA FOR AGENDA ITEM #29**  
**Board Meeting of May 3, 2024**

The Board adopted Regulation III on May 3, 2024, with the intent, as described in the Executive Summary of the Staff Report, to increase fees:

- By California CPI of 3.5% - for eligible fees
- By an additional 3% beyond California CPI (1.5% of the increase in fiscal year 2024-2025 and an additional increase 1.5% increase in fiscal year 2025-2026) - for permit and plan processing fees and annual renewal fees in Rule 301 and Rule 306

The additional fee rate increases above California CPI for Permit Processing Fees and Annual Renewal Fees, in each of the next two fiscal years, are described on Page 3-3 of the Staff Report.<sup>1</sup> The fiscal year 2024-25 Fee includes the remaining 2% increase from the 2023 amendments to Regulation III, which becomes effective in fiscal year 2024-25. The effective date of these increases, July 1, 2024, is listed prior to the rule text for the amended rules.

During the process of performing the appropriate calculations manually, some formatting and typographical errors were inadvertently made:

- I) Typographic errors in fees in Rules 301, 306 and 314 (described in greater detail on page 4-5)
- II) Typographic errors listing fees no longer applicable in Rules 301 and 306 (described in greater detail on page 6-7)

In order to properly effectuate the intent of the Board, these formatting and typographical errors have been fixed.

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<sup>1</sup> <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2024/2024-May3-029.pdf?sfvrsn=10>

**I) Typographic errors in fees in Rule 301**

A correction to Proposed Amended Rule 301 – Permitting and Associated Fees (Attachment G1) is shown below. The original text included in the Board Package to be corrected is in bold. Subsequently, the revised value is included in the following in italic and bold.

**Rule 301 Page 79 (Table Fee Rate - B) – Included in May 3, 2024 Board Package**

Conversion to Short Term Credits	\$1,045.75 for FY 2023-24, <b>\$1,082.87</b> for FY 2024-25, and \$1,098.91 for FY 2025-26 and thereafter	\$1,310.42 for FY 2023-24, \$1,356.68 for FY 2024-25, and \$1,377.03 for FY 2025-26 and thereafter
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**Rule 301 Page 79 (Table Fee Rate - B) – Revised for typo**

Conversion to Short Term Credits	\$1,045.75 for FY 2023-24, <b><i>\$1,082.67</i></b> for FY 2024-25, and \$1,098.91 for FY 2025-26 and thereafter	\$1,310.42 for FY 2023-24, \$1,356.68 for FY 2024-25, and \$1,377.03 for FY 2025-26 and thereafter
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**Rule 301 Page 34 (Reporting GHG Emissions and Paying Fees) – Included in May 3, 2024 Board Package**

The fee for review and verification for each GHG emissions report shall consist of an initial submittal fee of ~~9~~\$176.97 in addition to a verification fee assessed at \$176.97 per hour or prorated portion thereof.

**Rule 301 Page 34 (Reporting GHG Emissions and Paying Fees) – revised for typo**

The fee for review and verification for each GHG emissions report shall consist of an initial submittal fee of \$176.97 in addition to a verification fee assessed at \$176.97 per hour or prorated portion thereof.

## I) Typographic errors in Rule 306

A correction to Proposed Amended Rule 306 – Plan Fees (Attachment G5) is shown below. The original text included in the Board Package to be corrected is in bold. Subsequently, the revised value is included in the following in italic and bold.

### Rule 306 Page 8 – Included in May 3, 2024 Board Package

- (m) Protocol/Report/Catalyst Equivalency Evaluation Fees
  - (1) A minimum fee of \$526.01 for FY 2023-24, **\$554.57** for FY 2024-25, and \$552.74 for FY 2025-26 and thereafter shall be charged for the evaluation of source test protocols and reports.

### Rule 306 Page 8 – Revised for typo

- (m) Protocol/Report/Catalyst Equivalency Evaluation Fees
  - (1) A minimum fee of \$526.01 for FY 2023-24, ***\$544.57*** for FY 2024-25, and \$552.74 for FY 2025-26 and thereafter shall be charged for the evaluation of source test protocols and reports.

## I) Typographic errors in Rule 314

Two corrections to Proposed Amended Rule 314 – Fees for Architectural Coatings (Attachment G11) are shown below.

- 1) The rule language under paragraph (g)(2) had a typo. Rule 314, adopted on May 5, 2023, listed a fee rate of \$0.047. The posted version for May 3, 2024, amendment inadvertently showed a typo of “\$0.04 to \$0.047”.
- 2) The fee rate described above of \$0.047 was not adjusted with the 2022 California Price Index (CPI) of 5.6% for Fiscal Year (FY) 2023 – 24 and 2023 CPI of 3.5% for FY 2024 – 25. The revised fee is adjusted accordingly from \$0.047 to \$0.051, which is consistent with the proposal listed throughout the 2023 and 2024 Board Package.

The typo is being corrected before posting on the web. The original text included in the Board Package to be corrected is in bold. Subsequently, the revised value is included in the following in italic and bold.

### Rule 314 Page 9 – Included in May 3, 2024 Board Package

#### Fee Rate

- (i) Annual Quantity Fee: **\$0.047** per gallon of paint.
- (ii) Annual Emission Fee: \$366.89 per ton of VOC emissions.

### Rule 314 Page 9 – Revised for the typo

#### Fee Rate

- (i) Annual Quantity Fee: ***\$0.051*** per gallon of paint.
- (ii) Annual Emission Fee: \$366.89 per ton of VOC emissions.

## **II) Typographic errors in listing fees no longer applicable in Rules 301 and 306**

A correction to Rule 301 (Attachment G1) and to Proposed Amended Rule 306 – Plan Fees (Attachment G5) is shown below that would remove fees for FY 2023-24, as such the fees for FY 2023-24 should not have been retained nor adjusted by CPI. While fee payers would not be subject to the fees listed for FY 2023-24, to avoid confusion, a correction to remove these fee is being listed below and the edit is shown as a double strike-out.

An example of the correction is included below.

### **Rule 301 Page 13 – Included in May 3, 2024 Board Package**

The Streamlined Standard Permit application processing fee shall be \$1,195.02 for FY 2023-24, \$1,237.20 for FY 2024-25, and \$1,255.76 for FY 2025-26 and thereafter, except that the fee shall not exceed the applicable permit processing fee including small business discount if applicable. There shall be no small business discount on the basic fee of \$1,195.02 for FY 2023-24, \$1,237.20 for FY 2024-25, and \$1,255.76 for FY 2025-26 and thereafter.

### **Rule 301 Page 13 – Revised for typo**

The Streamlined Standard Permit application processing fee shall be ~~\$1,195.02 for FY 2023-24~~, \$1,237.20 for FY 2024-25, and \$1,255.76 for FY 2025-26 and thereafter, except that the fee shall not exceed the applicable permit processing fee including small business discount if applicable. There shall be no small business discount on the basic fee of ~~\$1,195.02 for FY 2023-24~~, \$1,237.20 for FY 2024-25, and \$1,255.76 for FY 2025-26 and thereafter.

Deletions for FY 2023-24 fees are made to the following fees:

#### **Rule 301 – Permitting and Associated Fees**

- Standard Streamlined Permits (301-13)
- Change of Operating Condition, Alteration/Modification/Addition (301-14 through 18)
- Annual Operating Fees (301-19 through 20)
- Reinstating Expired Applications or Permits; Surcharge (301-34)
- Payment for Public Notice (301-39)
- Fees for Inter-basin, Inter-district, or Interpollutant Transfer of Emission Reduction Credits (301-43)

- Transaction Registration Fee (301-46)
- Breakdown Emission Report Evaluation Fee (301-49)
- Mitigation of Non-Tradeable Allocation Credits (301-49 through 50)
- Evaluation Fee to Increase an Annual Allocation to a Level Greater than a Facility's Starting Allocation Plus Non-Tradable Credits (301-50)
- Facility Permit Reissuance Fee for Facilities Exiting RECLAIM (301-51 through 52)
- Permit Processing Fees for Facilities Applying for an Initial Title V Facility Permit (301-53 through 54)
- Public Hearing Fees (301-56)
- Fees for Non-permitted Emission Sources Subject to Rule 222 (301-62)
- Fees for Expedited Processing Requests (301-63)
- Table Fee Rate-A. FY 2023-24 (301-73 through 74)
- Table Fee Rate-B. Summary Of ERC Processing Rates, Banking, Change Of Title, Alteration/Modification, Conversion To Short Term Credits, Re-Issuance Of Short Term Credits, Retirement Of Short Term Credits For Transfer Into Rule 2202, And Transfer Of ERCs Out Of Rule 2202 (301-77)
- Table Fee Rate-B. Summary of ERC Processing Rates, Banking, Change of Title, Alteration/Modification, Conversion to Short Term Credits, Re-Issuance of Short Term Credits, Retirement of Short Term Credits for Transfer into Rule 2202, And Transfer of ERCs Out Of Rule 2202 (301-78)
- Table Fee Rate-C. Summary of Permit Fee Rates Change Of Owner/Operator (301-79)
- Table VII Facility Permit Fees (301-103)

#### Rule 306 – Plan Fees

- Plan Filing Fee (306-2)
- Plan Evaluation Fee (306-2)
- Duplicate Plan Fee (306-3)
- Inspection Fee (306-3)
- Change of Condition Fee (306-4)
- Payment of Fees (306-6)
- Plan Application Cancellation Fee (306-8)
- Protocol/Report/Catalyst Equivalency Evaluation Fees (306-8)
- Regulation XXVII Fees (306-10)