

REGULATION III – FEES

RULE 300. PERMIT FEES

Adopted: 07/20/77 Revised: 06/25/79, 05/05/04, 07/10/06

A. FILING FEE

1. Every applicant for an authority to construct or a permit to operate any article, machine, equipment or contrivance, for which an authority to construct or permit to operate is required by (the State Law or) the Rules and Regulations of the Air Pollution Control District, shall pay a filing fee as set forth in Schedule 1 of Rule 300.

B. AUTHORITY TO CONSTRUCT/INITIAL PERMIT FEE

1. When the Authority to Construct Permit is issued pursuant to Rule 200-A, it shall be accompanied by a statement of fee to be paid. The applicant shall pay an Authority to Construct/Initial Permit Fee in accordance with the applicable fee schedule as set forth in Rule 301.

C. ANNUAL PERMIT RENEWAL FEE

1. All permits to operate shall be renewable one year after the date of issuance and every year thereafter, which will be referred to as the anniversary date. The permittee shall pay the annual permit renewal fee in accordance with the applicable fee schedule set forth in Rule 301, with adjustments as provided in Rule 300.C.2.
2. Beginning on July 1, 2004, and every July 1 through July 1, 2007, the Annual Permit Renewal Fees in the Permit Fee Schedules in Rule 301 shall be adjusted as shown below.

<u>Fiscal Year</u>	<u>Annual Permit Renewal Adjustment Factor</u>
2004/05	0.6580
2005/06	0.7567
2006/07	0.8702
2007/08	1.0000

Beginning on July 1, 2008, the Permit Fee Schedules in Rule 301 shall be adjusted annually in accordance with California Health & Safety Code Section 42311 to account for changes in the annual California Consumer Price Index.

D. NOTIFICATION OF FEES DUE

After the provisions for granting an authority to construct or Permit to Operate as set forth in Division 26 of the Health and Safety Code and these Rules and Regulations have been complied with or on the renewal date of a Permit to Operate, the applicant/permittee will be notified by mail of the fee due and payable. If the fee is not paid within 30 days after it becomes due, the fee shall be increased by one half the amount and the applicant/permittee shall be notified by mail of the increased fee. If the increased fee is not paid within 30 days after notice, the application/permit will be cancelled and the applicant/permittee will be notified by mail. A cancelled application/permit may be reinstated by payment in full of all accrued fees and fee penalties.

E. SPECIFIC FEE PROVISIONS

1. If the application for an Authority to Construct is cancelled or denied, the fees shall not be refunded nor applied to any other application.
2. If an Authority to Construct or Permit to Operate is cancelled or denied, the fees shall not be refunded nor applied to any other application.
3. If an Authority to Construct is revoked or suspended, the fee applicable to that portion of the year during which the Authority to Construct or Permit to Operate is invalid shall not be refundable nor applied to any other application.

F. CHANGE OF LOCATION OR OWNERSHIP

When an application is filed for a permit because the equipment has been moved to a new location, or ownership has been transferred from one person to another and a Permit to Operate granted for such equipment and has not been cancelled under Section (D) of this Rule, the applicant shall pay a permit fee equivalent to the annual permit renewal fee, according to the applicable fee schedule as set forth in Rule 301.

G. ALTERATIONS, ADDITIONS AND REVISIONS

1. When an application is filed exclusively involving alterations or additions resulting in a change to any existing article, machine, equipment or other contrivance holding a permit under the provisions of Rule 200 A & B of these Rules and Regulations and has not been cancelled under Section (D) of this Rule, the applicant shall pay a permit fee based upon the incremental increase according to the fee schedules as set forth in Rule 301.
2. When an application is filed for a revision of conditions on an Authority to Construct or Permit to Operate, or for an alteration or addition and there is no incremental increase, the applicant shall pay a permit fee as set forth in Schedule 2 of Rule 300.

3. The applicant shall pay a supplemental inspection fee as set forth in Schedule 3 of Rule 300 for any modification to a facility or modification to a permit condition that may require an on-site inspection to determine compliance with any District, state or federal air pollution regulation, or permit condition.

H. PERMIT TO OPERATE GRANTED BY HEARING BOARD

If an Authority to Construct or Permit to Operate is granted by the Hearing Board after denial by the Air Pollution Control Officer, the applicant shall pay the permit fee in accordance with the applicable fee schedule as set forth in Rule 301.

I. ANNUAL FEE ADJUSTMENT FOR CALIFORNIA CONSUMER PRICE INDEX

Beginning on July 10, 2006, and every July 1 thereafter, all fees listed under Rule 301, except for Annual Permit Renewal fees that are adjusted in accordance with Rule 300.C.2, shall be adjusted in accordance with California Health & Safety Code Section 42311 to account for changes in the annual California Consumer Price Index. The fees charged shall be rounded to the nearest one dollar (\$1) increment.

J. PERMIT FEE EXEMPTION

Fees associated with Rule 300 and Rule 301 shall be waived for permits issued for emergency back-up diesel engines less than 350 brake horsepower that are operated by local fire districts, local law enforcement or local hospitals.

K. ACTUAL COST DETERMINATION

The Air Pollution Control Officer shall, on an annual basis, determine the actual cost of fees imposed pursuant to Regulation III herein. The determination shall be in writing and will show how the cost was determined. The determination shall be made available to the public upon request.

Rule 300. - Schedule 1

Beginning on July 10, 2006, and every July 1 through July 1, 2010, the filing fee in Rule 300.A.1. shall be:

<u>Fiscal Year</u>	<u>Fee</u>
2006/07	57.00
2007/08	65.00
2008/09	74.00
2009/10	85.00
2010/11	97.00

Beginning on July 1, 2011, the Filing Fee shall be adjusted annually in accordance with California Health & Safety Code Section 42311 to account for changes in the annual California Consumer Price Index. The fees charged shall be rounded to the nearest one dollar (\$1) increment.

Rule 300. - Schedule 2

Beginning on July 10, 2006, and July 1, 2007, the permit fee in Rule 300.G.2. shall be:

<u>Fiscal Year</u>	<u>Fee</u>
2006/07	172.00
2007/08	197.00

Beginning on July 1, 2008, the permit fee shall be adjusted annually in accordance with California Health & Safety Code Section 42311 to account for changes in the annual California Consumer Price Index. The fees charged shall be rounded to the nearest one dollar (\$1) increment.

Rule 300. - Schedule 3

Beginning on July 10, 2006, the inspection fee in Rule 300.G.3. shall be:

<u>Fiscal Year</u>	<u>Fee</u>
2006/07	150.00
2007/08	150.00

Beginning on July 1, 2008, the inspection fee shall be adjusted annually in accordance with California Health & Safety Code Section 42311 to account for changes in the annual California Consumer Price Index. The fees charged shall be rounded to the nearest one dollar (\$1) increment.

RULE 301. PERMIT FEE SCHEDULES

Adopted: 09/05/74 Revised: 07/06/95, 05/05/04

Each permit shall be assessed an initial permit fee or annual permit renewal fee, according to the following applicable schedule, which shall be adjusted as provided in Rule 300.C.2. It is hereby determined that the cost of issuing permits, and of inspections pertaining to such issuance exceeds the fees prescribed herein. In the event that more than one fee schedule is applicable to an initial permit fee or annual permit renewal fee, the governing schedule shall be that which results in the higher fee.

Schedule 1

Electric Motor Horsepower Schedule

Any article, machine, equipment or other contrivance where an electric motor is used as the power supply shall be assessed a permit fee based on the total rated motor horsepower of all such electric motors included in any such article, machine, equipment or other contrivance, in accordance with the following schedule:

<u>Horsepower</u>	<u>Authority to Construct Initial Permit Fee</u>	<u>Annual Permit Renewal Fee</u>
Up to and including 5	\$ 70.00	\$ 60.00
Greater than 5 but less than 15	135.00	120.00
15 or greater but less than 45	275.00	155.00
45 or greater but less than 65	695.00	355.00
65 or greater but less than 125	1,100.00	415.00
125 or greater but less than 200	1,455.00	505.00
200 or greater but less than 400	1,850.00	730.00
400 or greater	2,530.00	1,205.00

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Schedule 2

Fuel Burning Equipment Schedule

Any article, machine, equipment or other contrivance in which fuel is burned, with the exception of incinerators which are covered in Schedule 4, shall be assessed a permit fee based upon the design fuel consumption of the article, machine, equipment or other contrivance expressed in thousands of British Thermal Units (BTU) per hour, using gross heating values of the fuel, in accordance with the following schedule:

<u>1000 British Thermal Units Per Hour</u>	<u>Authority to Construct Initial Permit Fee</u>	<u>Annual Permit Renewal Fee</u>
Up to and including 150	\$ 70.00	\$ 60.00
Greater than 150 but less than 400	135.00	120.00
400 or greater but less than 650	275.00	120.00
650 or greater but less than 1,500	695.00	355.00
1,500 or greater but less than 5,000	1,100.00	480.00
5,000 or greater but less than 15,000	1,455.00	725.00
15,000 or greater but less than 50,000	1,850.00	1,205.00
50,000 or greater but less than 100,000	2,645.00	2,080.00
100,000 or greater but less than 200,000	3,795.00	3,470.00
200,000 or greater	5,060.00	4,625.00

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Schedule 3

Electrical Energy Schedule

Any article, machine, equipment or other contrivance which uses electrical energy, with the exception of electric motors covered in Schedule 1, shall be assessed a permit fee based on the total kilovolt ampere (KVA) ratings, in accordance with the following schedule:

<u>Kilovolt Ampere</u>	Authority to Construct <u>Initial Permit Fee</u>	Annual Permit <u>Renewal Fee</u>
Up to and including 20	\$ 70.00	\$ 65.00
Greater than 20 but less than 40	135.00	120.00
40 or greater but less than 145	275.00	120.00
145 or greater but less than 450	695.00	355.00
450 or greater but less than 4,500	1,100.00	355.00
4,500 or greater but less than 14,500	1,455.00	725.00
14,500 or greater but less than 45,000	1,850.00	725.00
45,000 or greater	2,645.00	1,205.00

Schedule 4

Incinerator Schedule

Any article, machine, equipment or other contrivance designed and used primarily to dispose of combustible refuse by wholly consuming the material charged leaving only the ashes or residue shall be assessed a permit fee based on the following schedule of the maximum horizontal inside cross sectional area, in square feet, of the primary combustion chamber:

<u>Area in Square Feet</u>	Authority to Construct <u>Initial Permit Fee</u>	Annual Permit <u>Renewal Fee</u>
Up to and including 3	\$ 70.00	\$ 65.00
Greater than 3 but less than 4	135.00	120.00
4 or greater but less than 7	275.00	120.00
7 or greater but less than 10	695.00	235.00
10 or greater but less than 15	1,100.00	235.00
15 or greater but less than 23	1,455.00	355.00
23 or greater but less than 40	1,850.00	355.00
40 or greater	2,645.00	480.00

Schedule 5

Stationary Container Schedule

Any stationary tank, reservoir or other container shall be assessed a permit fee based on the following schedule of capacities in gallons or cubic equivalent:

<u>Gallons</u>	<u>Authority to Construct Initial Permit Fee</u>	<u>Annual Permit Renewal Fee</u>
Up to and including 4,000	\$ 70.00	\$ 65.00
Greater than 4,000 but less than 10,000	135.00	120.00
10,000 or greater but less than 40,000	275.00	120.00
40,000 or greater but less than 100,000	695.00	235.00
100,000 or greater but less than 400,000	1,100.00	355.00
400,000 or greater but less than 1,000,000	1,455.00	480.00
1,000,000 or greater but less than 1,500,000	1,850.00	725.00
1,500,000 or greater	2,645.00	960.00

Schedule 6

Miscellaneous Schedule

Any article, machine, equipment or other contrivance for which a permit to operate is required and which is not included in the preceding schedules shall be assessed a permit fee as follows:

<u>Miscellaneous</u>	<u>Authority to Construct Initial Permit Fee</u>	<u>Annual Permit Renewal Fee</u>
Net Emission Increase less than 250 lb/day	\$ 600.00	\$ 345.00
Net Emission Increase greater than or Equal to 250 lb/day	1,800.00	1,045.00

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Schedule 7

Geothermal Development Schedule

Any stationary source of air contaminant emissions relative to the production or utilization of geothermal resources, for which an Authority to Construct or Permit to Operate is required, shall be assessed a permit fee in accordance with the following schedule:

<u>Geothermal Source</u>	Authority to Construct <u>Initial Permit Fee</u>	Annual Permit <u>Renewal Fee</u>
Geothermal Well	\$ 800.00	\$ 870.00
Geothermal Well within an RMP	1,600.00	1,745.00
Geothermal Fluid Transmission Line	1,200.00	1,395.00
Power Plant Unit	3,000.00	3,495.00
Binary Power Plant Unit	1,500.00	1,745.00

Schedule 8

Commercial Building Schedule

Any secondary source consisting of a commercial building or structure shall be assessed a permit fee based on the total square footage of all such buildings or structures, in accordance with the following schedule:

<u>Commercial Building</u>	Authority to Construct <u>Initial Permit Fee</u>
Initial Fee per square foot	\$ 0.25
Minimum Fee per source	\$ 100.00
Maximum Fee per source	\$10,000.00

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Schedule 9

Commercial Parking Schedule

Any secondary source utilizing a commercial parking lot or structure shall be assessed a permit fee based on the number of parking spaces, in accordance with the following schedule:

<u>Commercial Parking</u>	Authority to Construct <u>Initial Permit Fee</u>
Initial Fee per parking space	\$ 30.00
Minimum Fee per source	\$ 100.00
Maximum Fee per source	\$ 10,000.00

Schedule 10

Housing Unit Schedule

Any secondary source consisting of housing spaces or units greater than four family units shall be assessed a permit fee based on the number of family spaces or units, in accordance with the following schedule:

<u>Housing Unit</u>	Authority to Construct <u>Initial Permit Fee</u>
Initial Fee per unit	\$ 150.00
Minimum Fee per source	\$ 750.00
Maximum Fee per source	\$ 10,000.00

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RULE 302. ANALYSIS FEES

Adopted: 02/09/81 Revised: 04/16/84, 12/19/87

Whenever the Air Pollution Control Officer finds that an analysis of the emission from any source is necessary to determine the extent and amount of pollutants being discharged into the atmosphere which cannot be determined by visual observation, he may order the collection of samples and the analysis made by qualified personnel of the Air Pollution Control District. The time required for collecting samples, making the analysis, and preparing the necessary reports, but excluding time required in going to and from such premises shall be charged against the owner or operator of said premises in a reasonable sum to be determined by the Air Pollution Control Officer, which said sum is not to exceed the actual cost of such work.

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RULE 303. TECHNICAL REPORTS - CHARGES FOR

Adopted: 09/05/74

Information, circulars, reports of technical work, and other reports prepared by the Air Pollution Control Districts when supplied to other governmental agencies or individuals or group requesting copies of the same may be charged for by the district in a sum not to exceed the cost of preparation and distribution of such documents. All such monies collected shall be turned into the general funds of said district. the Air Pollution Control Officer.

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RULE 304. CEQA LEAD AGENCY FEE

Adopted: 09/05/74 Revised: 07/10/06

Whenever the Great Basin Unified APCD acts as Lead Agency for an Environmental Impact Report or Negative Declaration, the Air Pollution Control Officer may charge the proponent a fee which is not to exceed the cost to the District of the work required.

The fee for work done directly by the District will be calculated on the basis of actual cost. If the Air Pollution Control Officer determines on the basis of the Initial Study, EIRs on similar projects, or in consultation with other agencies that it is necessary to hire a consultant to prepare the EIR or to advise the District on non-air-quality impacts, the consultants fee will be passed on to the proponent.

Failure to pay this fee shall incur the same penalties as failure to pay a permit fee (Rule 300D).

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RULE 305. TOXICS RISK ASSESSMENT FEE

Adopted: 09/05/74 Revised: 04/17/89, 07/10/06

Whenever the Great Basin Unified Air Pollution Control District processes an Authority to Construct or Permit to Operate for a facility which emits (a) toxic substance(s), the Air Pollution Control Officer may charge the proponent an extra fee which is not to exceed the cost to the District of the work required by the District Board's Toxics Risk Assessment Policy to estimate the risks associated with the facility. A toxic substance is any substance listed by the Air Resources Board pursuant to California Health and Safety Code Section 44321

The fee for work done directly by the District will be calculated on the basis of actual cost. If the Air Pollution Control Officer determines that it is necessary to hire a consultant to prepare the risk assessment or to advise the District on impacts to health, the consultant's fee will be paid by the proponent. If the proponent objects to the particular consultant hired by the District, the proponent may appeal to the District Hearing Board.

Failure to pay this fee shall incur the same penalties as failure to pay a permit fee (Rule 300D).

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RULE 306. HEARING BOARD FEES

Adopted: 04/24/91 Revised: 07/10/06

A. FILING FEE

Any person petitioning for a hearing before the Hearing Board shall pay a filing fee of \$150. In the case of petitioner withdrawal of petition, all filing fees shall be nonrefundable.

Beginning on July 10, 2006, and every July 1 thereafter, the filing fee shall be adjusted annually in accordance with California Health & Safety Code Section 42311 to account for changes in the annual California Consumer Price Index. The actual fees charged shall be rounded to the nearest one dollar (\$1) increment.

B. HEARING FEE

If the hearing lasts more than four hours but less than eight hours, the petitioner shall pay a hearing fee of \$150 in addition to the filing fee. If the hearing lasts eight hours or more, the petitioner shall pay a hearing fee of \$450 for the first eight hours, and \$600 for each additional eight hour period or part thereof in addition to the filing fee. The hearing fee shall be paid within 60 days after the petitioner is notified of the amount due. Failure to pay this fee shall incur the same penalties as failure to pay a permit fee (Rule 300D).

C. FEE REFUNDS

Any petitioner qualifying under California Health and Safety Code Section 42302.1 to appeal the issuance of a permit shall have the filing fee, and hearing fee, if any, refunded if the Hearing Board either reverses the decision of the Air Pollution Control Officer to issue the permit, or substantially modifies the permit.

D. EXCEPTIONS

This Rule shall not apply to petitions filed by the Air Pollution Control Officer.

Rule 307. CONSERVATION MANAGEMENT PRACTICES PLAN FEES

Adopted: 07/07/05

1.0 PURPOSE

The purpose of this rule is to recover the District's costs for the review and management of Conservation Management Plan (CMP) Applications and Plan required by Rule 502 (Conservation Management Practices).

2.0 APPLICABILITY

This rule applies to each owner/operator of an Agricultural Operation Site subject to Rule 502 (Conservation Management Practices).

3.0 DEFINITIONS

3.1 Agricultural Operation Site (AOS): as defined in Rule 502 (Conservation Management Practices).

3.2 Air Pollution Control Officer (APCO): as defined in Rule 502 (Conservation Management Practices).

4.0 EXEMPTIONS

The provisions of this rule do not apply to any AOS subject to the District's Permit to Operate requirements.

5.0 CMP APPLICATION AND RENEWAL FEES

5.1 Agricultural Operation Site subject to Rule 502

The owner/operator of an AOS shall pay an initial CMP Plan fee of \$150.00. This fee will cover the cost of plan review and approval as well as the cost of the first year of field inspections.

5.2 Multiple Agricultural Operation Sites subject to Rule 502

An owner/operator of multiple AOSs shall pay the applicable fee as shown in Section 5.1 for all AOSs submitted to the APCO at the same time. CMP applications for AOSs submitted at different times shall each be subject to the full fee shown in Section 5.1.

5.3 CMP Plan Renewal Fee

The owner/operator shall pay a renewal fee of \$60.00 every year for each CMP Plan that is required by Rule 502. After five years, if there has been no change in the CMP plan and no CMP plan violations, the annual renewal fee will be reduced to \$30.00.

5.4 CMP Modification Fee

No additional fees are required to request a modification of a previously approved CMP Plan.

5.5 CMP Fee Adjustments

Beginning on July 1, 2006, all CMP application and renewal fees shall be adjusted annually in accordance with California Health and Safety Code Section 42311 to account for changes in the annual California Consumer Price Index. The actual fees charged shall be rounded to the nearest five dollar (\$5) increment.

6.0 FEE NOTIFICATION

6.1 The initial CMP Plan fee shall be submitted to the District with the submittal of the plan. The submittal will be deemed to be incomplete and no processing or approval will occur until the fee is paid.

6.2 The APCO shall provide the AOS owner/operator with an invoice for the annual renewal fee annually in the month the CMP Plan was approved. CMP Plan renewal fees are due and payable within 30 days of the invoice date.

7.0 LATE FEES

If payment of any charges levied under this rule is not received by the APCO within 30 days of the invoice date, the charges shall be increased in accordance with the schedule provided in Rule 300 Section D. (Notification of Fees Due).

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