

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.