RULE 301 PERMIT FEES

(Revised 1/11/94; 1/16/2001; 8/10/04; 9/19/05; 10/10/2006; 09/26/2007; 12/02/2008; 01/01/2011 - 01/01/2027)

A FILING FEE

A.1 In addition to other fees which may be required, an application filing fee of $241.00 for the year 2027 shall be paid for each of the following:

A.1.a Authority to Construct

A.1.b Permit to Operate

A.1.c Revision to an existing permit including: equipment location, transfer of ownership, alterations or additions to equipment, or revision of permit conditions

A.1.d Request for handling material as Trade Secrets

A.1.e Non-agricultural burn permit

A.1.f Mobile Source Emission Reduction Credit Certificates

A.2 Beginning January 1, 2006, the application filing fees for the items set forth in A.1.a, A.1.b, A.1.c, A.1.d, A.1.e and A.1.f shall be adjusted annually by multiplying the base permit fee for the previous year by the average percentage rate for the month of August of the previous year (rounded to the nearest half dollar) which is derived by a fraction, the numerator of which is the Revised Consumer Price Index for All Urban Consumers as published by the United States Department of Labor, Bureau of Labor Statistics for All Consumers for the Rural Service Area #7 statistical area (All Items, Base 1982-84 = 100), (the “CPI”), and the denominator of which is the CPI for the same calendar month of the prior year. Notwithstanding the foregoing, in no event shall the permit fee be decreased and in no event shall any increase exceed 4% per annum, without formal action by the Air Pollution Control District Board.

B REVIEW FEES

B.1 Projects, except for Large Confined Animal Facility Permits, burn permits, and minor projects, shall pay a review fee in an amount to be determined by the Auditor/Controller, but not to exceed the actual cost to administer and conduct engineering and environmental impact analyses of the project.

B.2 Major projects shall pay a review fee deposit of $1,532.00 for the year 2027 at the time of application.

B.3 Beginning January 1, 2006, major project review fees shall be adjusted annually by multiplying the review fee deposit for the previous year by the average percentage rate for the month of August of the previous year (rounded to the nearest half dollar) which is derived by a fraction, the numerator of which is the Revised Consumer Price Index for All Urban Consumers as published by the United States Department of Labor, Bureau of Labor Statistics for All Consumers for the Rural Service Area #7 statistical area (All Items, Base 1982-84 = 100), (the "CPI"), and the denominator of which is the CPI for the same calendar month of the prior year. Notwithstanding the foregoing, in no event shall the permit fee be decreased and in no event shall any increase exceed 4% per annum, without formal action by the Air Pollution Control District Board.

B.4 If the District will be lead agency for environmental review purposes, an additional Initial Study fee deposit of $644.00 for the year 2027 shall be paid at the time of application. Beginning January 1, 2006, this Initial Study fee deposit shall be adjusted annually by multiplying the Initial Study fee deposit for the previous year by the average percentage rate for the month of August of the previous year (rounded to the nearest half dollar) which is derived by a fraction, the numerator of which is the Revised Consumer Price Index for All Urban Consumers as published by the United States Department of Labor, Bureau of Labor Statistics for All Consumers for the Rural Service Area #7 statistical area (All Items, Base 1982-84 = 100), (the "CPI"), and the denominator of which is the CPI for the same calendar month of the prior year. Notwithstanding the foregoing, in no event shall the permit fee be decreased and in no event shall any increase exceed 4% per annum, without formal action by the Air Pollution Control District Board.

C CANCELLATION OR DENIAL

If an application is canceled or withdrawn by the applicant, or is denied and such denial becomes final, the filing fee required herein shall not be refunded nor applied to any subsequent application.

D PENALTY FEES

D.1 Projects which failed to obtain a permit which was required but not obtained, shall pay a fee double that of the published initial fee for the Permit to Operate, or other appropriate permit.

D.2 Projects which are in violation of these Rules, or not in compliance with a condition of their permit may be charged a permit renewal fee of up to three (3) times the fee that would otherwise be charged, as follows:

D.2.a Formal notice of violation, or notice of non-compliance, shall have been issued to the permittee, or agent responsible for the project within the previous twelve months.

D.2.b Prior to November 15th of each year the Air Pollution Control Officer shall submit to the Hearing Board a list of all projects against which the Auditor/Controller proposes to levy a penalty fee under this rule, the proposed fee, and a brief account of the violation.

D.2.c The Hearing Board shall accord the permittee or agency responsible for the project, and any interested parties an opportunity to be heard.

D.2.d The Hearing Board may modify the penalty fee proposed by the Auditor/Controller. Failure of the Board to act will confirm the proposal of the Auditor/Controller.

E ANNUAL RENEWAL FEE

All holders of an Authority to Construct, a Permit to Operate shall be notified of the annual renewal fee based upon current fee schedules by January 1ST. The permittee shall pay such annual renewal fee to the District office in person or by letter postmarked no later than January 31 of that year. If the renewal fee is not paid by that time the fee shall be increased by ½ the amount thereof. Nonpayment of the increased fee within 30 days shall result in the cancellation of the permit.

F PERMIT OR VARIANCE GRANTED BY HEARING BOARD

In the event that a Permit to Operate is granted by the Hearing Board after denial by the Auditor/Controller or after the applicant deems his application denied, the applicant shall pay the fee prescribed in the following schedules within thirty (30) days after the date of the decision of the Hearing Board. Nonpayment of the fee within this period of time shall result in automatic cancellation of the permit and the application. Such a fee shall be charged for a Permit to Operate granted by the Hearing Board for the duration of variance.

G PRORATION

For any new installation, constructed pursuant to an Authority to Construct, the Permit to Operate fee shall be prorated. This proration shall be determined on the basis of the remaining number of calendar months the installation will be authorized to operate under an annual permit.