Regulation IV
Rule 405 –Stationary & Portable Source Permit Fees

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RULE 405
STATIONARY & PORTABLE SOURCE PERMIT FEES

A. PURPOSE: The purpose of this rule is to authorize the District to recover its reasonable costs incurred for direct and incidental costs associated with its activities, including but not limited to the issuance of permits, enforcement and investigation, including research and administration. The authority to establish this rule is provided for in H&SC §41512.5 and §42311.

B. PERMIT FEES

1. **Authority to Construct (ATC):** An applicant for a ATC permit shall pay the fees listed below in accordance with the provisions of this Section.
   a. **Filing Fee:** Every application for an ATC permit shall be accompanied by a filing fee equal to 0.5 X.
   b. **Permit Fee**: For all new construction or modifications to existing equipment, the ATC permit fee shall consist of an Initial Permit Evaluation Fee, Initial Toxic Evaluation Fee, and a Greenhouse Gas Fee.
   c. **Non-Permit Fees:** All fees required by Regulation IV including but not limited to the fees for new source review, public notices, and hearings.
   d. **Fee Payment**: Fees are due and payable at the time the applicant is invoiced by the District. ATC permits will not be issued until payment is received.

2. **Permit To Operate (PTO):** An applicant for an initial or for a renewal of a PTO shall pay the fees listed below in accordance with the provisions of this Section. Renewal fees are assessed to offset the cost encumbered by the District during the fiscal year in which they are assessed.
   a. **Filing Fee:** Every application for a PTO shall be accompanied by a filing fee equal to 0.5 X. A filing fee is required when converting an ATC to a PTO and when the PTO serves as the initial permit.
   b. **Annual Permit Renewal Fee:** Each holder of a PTO shall, on an annual basis, pay Annual Permit Renewal Fees. The PTO fee shall consist of an Annual Permit Renewal Fee, an Annual Toxic Evaluation Fee, and Greenhouse Gas Fees.
   c. **Non-Permit Fees**: All applicable fees required by Regulation IV that are not Annual Permit Renewal Fees including but not limited to air monitoring fees.
   d. **PTO – Initial Permit Fee:** In instances when the PTO serves as the initial permit, the fee shall be determined as specified in Section B.1. When said permit is eligible for annual renewal, the fee shall be determined in accordance with Section B.2.
   e. **Fee Payment:** Fees are due and payable at the time the applicant is invoiced by the District. Invoices will be prepared and transmitted to permit holders annually by the dates indicated below. Failure to pay may result in permit suspension or revocation as specified in Rule 400.
      i. **Retail Gasoline Dispensing Facilities –** in the month of February.
      ii. **Minor Source Permit –** at the beginning of the fiscal year.
      iii. **Major Source Permit –** at the beginning of the fiscal year; Air Monitoring fees in the month of February.

C. ATC PERMIT EVALUATION FEE SCHEDULES: The X-Factor Multiplier used to calculate the fees for an ATC permit application shall be determined in accordance with this Section.

1. Electric Motor Horsepower Schedule: The X-Factor Multiplier for any source where an electric motor(s) or equivalent drive unit(s) is used as the power supply, shall be determined based on the total rated horsepower of all such drive units, or their horsepower equivalent in kilovolt amperes (1 KVA=1.34 HP) as listed in the following table.

Table 1 – Electric Motor Horsepower

Horsepower	X-Factor Multiplier	
	Initial Permit Evaluation	Initial Toxic Evaluation
Less than 25	1	0.5
25 or greater, but less than 50	2	1
50 or greater, but less than 100	6	2
100 or greater, but less than 300	11	2
300 or greater, but less than 1,000	17	2
1,000 or greater, but less than 1,500	22	3
1,500 or greater	Either 22 or actual costs whichever is greater	3

2. Fuel Burning and Power Generation Equipment Schedule: The X-Factor Multiplier for any device where fuel may be burned or in which power may be generated, with the exception of incinerators or refuse burners which are covered under Table 3, shall be determined based upon its rated design capacity of heat input expressed in Millions of British Thermal Units per hour (MMBtu/hr), using gross heating value of the fuel or its equivalent.

Table 2 – Fuel Burning and Power Generation

Million British Thermal Units per Hour (MMBtu/hr)	X-Factor Multiplier	
	Initial Permit Evaluation	Initial Toxic Evaluation Fee
Less than 1	2	0.5
1 or greater, but less than 5	6	1
5 or greater, but less than 20	11	2
20 or greater, but less than 50	22	2
50 or greater, but less than 100	34	3
100 or greater, but less than 250	45	3
250 or greater, but less than 500	112	3
500 or greater, but less than 1,000	169	3
1,000 or greater, but less than 1,500	225	3
1,500 or greater	Either 225 or actual costs whichever is greater	3

3. **Incinerator and Refuse Burning Schedule:** The X-Factor Multiplier for any device used for the disposal of approved combustibles by burning shall be determined based upon the maximum horizontal inside cross sectional area of the primary combustion chamber as listed in the following table.

Table 3 – Incinerator and Refuse Burning

Area in Square Feet	X-Factor Multiplier	
	Initial Permit Evaluation	Initial Toxic Evaluation
Less than 12	1	0.5
12 or greater, but less than 100	2	0.5
100 or greater, but less than 400	6	1
400 or greater, but less than 1,000	17	1
1,000 or greater, but less than 3,000	34	2
3,000 or greater, but less than 5,000	56	3
5,000 or greater	Either 56 or actual costs whichever is greater	3

4. **Stationary Container Schedule:** The X-Factor Multiplier for any tank, reservoir, or other container shall be determined based on its capacity in gallons or cubic equivalent as listed in the following table.

Table 4 – Stationary Containers

Gallons	X-Factor Multiplier	
	Initial Permit Evaluation	Initial Toxic Evaluation
250 or greater, but less than 4,000	1	None
4,000 or greater, but less than 40,000	2	None
40,00 or greater, but less than 400,000	6	1
400,000 or greater, but less than 500,000	11	2
500,000 or greater	Either 11 or actual costs whichever is greater	2

5. **Process Weight Schedule:** The X-Factor Multiplier for any device which emits air contaminants shall be determined based upon the maximum rated process weight of the device or process line as listed in the following table.

Table 5 – Process Weight

Average Pounds Per Hour	X-Factor Multiplier	
	Initial Permit Evaluation	Initial Toxic Evaluation
Less than 5,000	2	0.5
5,000 or greater, but less than 20,000	6	1
20,000 or greater, but less than 50,000	11	1
50,000 or greater, but less than 100,000	17	1
100,000 or greater, but less than 200,000	27	2
200,000 or greater, but less than 400,000	39	2
400,000 or greater, but less than 500,000	56	2
500,000 or greater	Either 56 or actual costs whichever is greater	2

6. **Miscellaneous Schedule:** The X-Factor Multiplier for any device that emits air contaminants shall be determined based upon the volumetric exhaust rate from the source, expressed in cubic feet per minute.

Table 6 - Miscellaneous

Volumetric Exhaust Rate in Cubic Feet per Minute (cfm)	X-Factor Multiplier	
	Initial Permit Evaluation	Initial Toxic Evaluation
Less than 2,000	1	0.5
2,000 or greater, but less than 5,000	2	0.5
5,000 or greater, but less than 20,000	6	1
20,000 or greater, but less than 50,000	11	1
50,000 or greater, but less than 100,000	23	2
100,000 or greater, but less than 200,000	45	3
200,000 or greater, but less than 250,000	67	3
250,000 or greater	Either 67 or actual costs whichever is greater	3

7. **Geothermal Development Schedule:** The X-Factor Multiplier for any source related to the production or utilization of geothermal steam shall be determined per well, power plant, and air pollution control device as listed in the following table.

Table 7 – Geothermal Development

Geothermal Sources	X-Factor Multiplier	
	Initial Permit Evaluation	Initial Toxic Evaluation
Geothermal Well	17	1
Geothermal Well Air Pollution Control Device	20	1
Power Plant Unit	132	2
Power Plant Unit Air Pollution Control Device	Either 132 or actual costs whichever is greater	2

8. **Quarry Fee Schedule:** The X-Factor Multiplier for quarries, including gravel extraction sites which are subject to the State Airborne Toxic Control Measure for Naturally Occurring Asbestos, shall be determined based on the area of land disturbed by extraction as listed in the following table.

Table 8 - Quarries

Quarry Extraction Area (Acres)	X-Factor Multiplier	
	Initial Permit Evaluation	Initial Toxic Evaluation
Less than 10 Acres	1	2
10 Acres or greater, but less than 50 Acres	2	4
50 Acres or greater	3	8

9. **Internal Combustion Schedule:** The X-Factor Multiplier for an internal combustion engine shall be determined based upon its rated design capacity measured in units of brake horsepower per hour as listed in the following table.

Table 9 – Internal Combustion Engines

Engine Brake Horsepower Rating	X-Factor Multiplier	
	Initial Permit Evaluation	Initial Toxic Evaluation
Less than 140	2	0.5
140 or greater, but less than 350	4	1
350 or greater, but less than 1,000	6	2
1,000 or greater, but less than 3,000	10	2
3,000 or greater, but less than 5,000	22	2
5,000 or greater, but less than 10,000	34	3
10,000 or greater, but less than 15,000	45	5
15,000 or greater, but less than 20,000	80	7
20,000 or greater	Either 130 or actual costs whichever is greater	8

10. **Sources of Toxic Air Contaminants**

a. **Retail Gasoline Dispensing Facilities:** The X-Factor Multiplier shall be a flat rate per facility plus an additional amount per nozzle used to dispense gasoline as listed in Table 10.

b. **Chrome Plating and Chromic Acid Anodizing Facilities:** The X-Factor Multiplier for a facility where chrome plating or chromic acid anodizing is performed shall be a flat rate per facility as listed in Table 5.10. The "per facility fee" shall be assessed in addition to any other applicable fees for permitted units.

c. **Chromate Treated Cooling Towers:** The X-Factor Multiplier for a chromate treated cooling tower shall be a flat rate per device as listed in Table 10.

d. **Medical Waste Incinerators:** The X-Factor Multiplier for a medical waste incinerator shall be determined based upon its NESHAP category classification as listed in Table 10.

e. **Sterilizers/Aerators:** The X-Factor Multiplier for a sterilizer/aerator shall be a flat rate per device as listed in Table 5.10.

f. **Asbestos Containing Serpentine Material:** The X-Factor Multiplier for a quarry containing serpentine material shall be a flat rate per quarry as listed in Table 10.

g. **Dry Cleaning Equipment:** The X-Factor Multiplier for a perchloroethylene dry cleaning facility shall be a flat rate per facility as listed in Table 10.

h. **Gasoline Distribution at Bulk Plants and Terminals:** The X-Factor Multiplier for any Bulk Plant or Terminal that uses loading racks to transfer gasoline or gasohol into trucks, railcars, or ships shall be determined based upon the number of loading arms and the number of products which may be delivered per arm.

Table 10 – Sources of Toxic Air Contaminants

Sector	X-Factor Multiplier Initial Permit Evaluation
Retail Gasoline Dispensing	2 per facility and 0.7 per nozzle
Chrome Plating & Acid Anodizing	4
Chromate Treated Cooling Towers	4
Medical Waste Incinerators	For Cat. I sources, 6 For Cat. II sources, 12 For Cat. III sources, 40
Sterilizers/Aerators	8
Asbestos Containing Serpentine Material	6 per quarry
Dry Cleaning Equipment	4
Gasoline Distribution at Bulk Plants & Terminals	22 per product per arm

11. **Sources of Greenhouse Gases:** Any source which has the Potential To Emit Greenhouse Gases, and is required by the APCO to have a permit, shall pay a fee in accordance with this Section. All permitted sources will be considered "general sources" unless specifically identified herein. The fees assessed pursuant to this Section shall be in addition to any other fees required by District Regulations.

    a. **General Sources:** The X-Factor Multiplier for any source subject to this Section which is required to obtain an ATC shall pay a flat rate per device as listed in Table 11.

Table 11 – General Sources

Description	X-Factor Multiplier
	ATC FEE
For each permitted device that emits Greenhouse Gas	2.5

    b. **Sources of Refrigerants:** The X-Factor Multiplier for any source which is subject to title 17, California Code of Regulations, Section 95381 et seq, shall be based upon the refrigerant capacity of the system at full charge as listed in Table 12.

Table 12 - Refrigerants

System Capacity (Full Charge)	X-Factor Multiplier
	ATC FEE
Less than 200.0 lbs.	2
200.0 or greater, but less than 2,000.0 lbs.	4
2,000.0 lbs. or greater	6

D. PTO ANNUAL RENEWAL FEE SCHEDULES: The X-Factor Multiplier used to calculate the fees for the annual renewal of a PTO shall be determined in accordance with this Section.

1. Electric Motor Horsepower Schedule: The X-Factor Multiplier for any source where an electric motor(s) or equivalent drive unit(s) is used as the power supply, shall be determined based on the total rated horsepower of all such drive units, or their horsepower equivalent in kilovolt amperes (1 KVA=1.34 HP arm as listed in the following table.

Table 1 – Electric Motor Horsepower

Horsepower	X-Factor Multiplier	
	Annual Permit Evaluation	Annual Toxic Evaluation
Less than 25	0.5	0.5
25 or greater, but less than 50	1	1
50 or greater, but less than 100	3	2
100 or greater, but less than 300	6	2
300 or greater, but less than 1,000	8	2
1,000 or greater	11	3

2. Fuel Burning and Power Generation Equipment Schedule: The X-Factor Multiplier for any device where fuel may be burned or in which power may be generated, with the exception of incinerators or refuse burners which are covered under Table 3, shall be based upon its rated design capacity of heat input expressed in Millions of British Thermal Units per hour (MMBtu/hr), using gross heating value of the fuel or its equivalent arm as listed in the following table.

Table 2 – Fuel Burning and Power Generation

Million British Thermal Units per Hour (MMBtu/hr)	X-Factor Multiplier	
	Annual Permit Evaluation	Annual Toxic Evaluation
Less than 1	1	0.5
1 or greater, but less than 5	3	1
5 or greater, but less than 20	6	2
20 or greater, but less than 50	11	2
50 or greater, but less than 100	17	3
100 or greater, but less than 250	22	3
250 or greater, but less than 500	56	3
500 or greater, but less than 1,000	84	3
1,000 or greater	113	3

3. **Incinerator and Refuse Burning Schedule:** The X-Factor Multiplier for any device used for the disposal of approved combustibles by burning, shall be based on the maximum horizontal inside cross sectional area of the primary combustion chamber as listed in the following table.

Table 3 – Incinerator and Refuse Burning

Area in Square Feet	X-Factor Multiplier	
	Annual Permit Evaluation	Annual Toxic Evaluation
Less than 12	0.5	0.5
12 or greater, but less than 100	1	0.5
100 or greater, but less than 400	3	1
400 or greater, but less than 1,000	8	1
1,000 or greater, but less than 3,000	17	2
3,000 or greater	28	3

4. **Stationary Container Schedule:** The X-Factor Multiplier for any tank, reservoir, or other container shall be based on capacities in gallons or cubic equivalent as listed in the following table.

Table 4 – Stationary Containers

Gallons	X-Factor Multiplier	
	Annual Permit Evaluation	Annual Toxic Evaluation
250 or greater, but less than 4,000	None	None
4,000 or greater, but less than 40,000	None	None
40,00 or greater, but less than 400,000	3	1
400,000 or greater	6	2

5. **Process Weight Schedule:** The X-Factor Multiplier for any device which emits air contaminants shall be based upon the maximum rated process weight of the device or process line arm as listed in the following table.

Table 5 – Process Weight

Average Pounds Per Hour	X-Factor Multiplier	
	Annual Permit Evaluation	Annual Toxic Evaluation
Less than 5,000	1	0.5
5,000 or greater, but less than 20,000	2	1
20,000 or greater, but less than 50,000	4	1
50,000 or greater, but less than 100,000	6	1
100,000 or greater, but less than 200,000	10	2
200,000 or greater, but less than 400,000	15	2
400,000 or greater, but less than 500,000	20	2
500,000 or greater	25	3

6. **Miscellaneous Schedule:** The X-Factor Multiplier for any source that emits air contaminants shall be determined based upon the volumetric exhaust flow rate from the source expressed in cubic feet per minute in accordance with the following table.

Table 6 - Miscellaneous

Volumetric Exhaust Rate in Cubic Feet per Minute	Annual Permit Evaluation	Annual Toxic Evaluation
Less than 2,000	0.5	0.5
2,000 or greater, but less than 5,000	1	0.5
5,000 or greater, but less than 20,000	3	1
20,000 or greater, but less than 50,000	6	1
50,000 or greater, but less than 100,000	11	2
100,000 or greater, but less than 200,000	23	3
200,000 or greater	34	3

7. **Geothermal Development Schedule:** The X-Factor Multiplier for geothermal wells, power plants and associated control devices shall be determined based upon the following table.

Table 7 – Geothermal Development

Geothermal Sources	Annual Permit Evaluation	Annual Toxic Evaluation
Geothermal Well	8	1
Geothermal Well Air Pollution Control Device	10	1
Power Plant Unit	132	2
Power Plant Unit Air Pollution Control Device	132	2

8. **Quarry Fee Schedule:** The X-Factor Multiplier for quarries, including gravel extraction sites which are subject to the State Airborne Toxic Control Measure for Naturally Occurring Asbestos, shall be determined based on the area of land disturbed by the extraction process as listed in the following table.

Table 8 - Quarries

Quarry Extraction Area (Acres)	Annual Permit Evaluation	Annual Toxic Evaluation
Less than 10 Acres	-	2
10 Acres or greater but less than 50 Acres	-	4
50 Acres or greater	-	6

9. Internal Combustion Schedule: The X-Factor Multiplier for internal combustion engines shall be determined based upon its rated design capacity measured in units of brake horsepower per hour as listed in the following table.

Table 9 – Internal Combustion Engines

Engine Brake Horsepower Rating	Annual Permit Evaluation	Annual Toxic Evaluation
Less than 140	1	0.5
140 or greater, but less than 350	2	1
350 or greater, but less than 1,000	3	1
1,000 or greater, but less than 3,000	5	2
3,000 or greater, but less than 5,000	11	2
5,000 or greater, but less than 10,000	17	3
10,000 or greater, but less than 15,000	22	5
15,000 or greater, but less than 20,000	40	7
20,000 or greater	50	8

10. A. Retail Gasoline Dispensing Facilities: Each holder of a Permit to Operate shall be assessed a fee of 2X + (Z*(X/133,333)) where X is the X-Factor for the fiscal year in which the invoice is prepared, and Z is equal to the number of gallons of gasoline dispensed at the retail service station during the preceding calendar year. The combined fee shall be assessed annually in accordance with Section C.2 of this Rule.

11. Sources of Toxic Air Contaminant Fee Schedule:

a. Chrome Plating and Chromic Acid Anodizing Facilities: The X-Factor Multiplier for a facility where chrome plating or chromic acid anodizing is performed shall be a flat rate per facility as listed in Table 11. The "per facility fee" shall be assessed in addition to any other applicable fees for permitted units.

b. Chromate Treated Cooling Towers: The X-Factor Multiplier for a chromate treated cooling tower shall be a flat rate per device as listed in Table 11.

c. Medical Waste Incinerators: The X-Factor Multiplier for a medical waste incinerator shall be determined based upon its NESHAP category classification as listed in Table 11.

d. Sterilizers/Aerators: The X-Factor Multiplier for a sterilizer/aerator shall be a flat rate per device as listed in Table 11.

e. Asbestos Containing Serpentine Material: The X-Factor Multiplier for a quarry containing serpentine material shall be a flat rate per quarry as listed in Table 11.

f. Dry Cleaning Equipment: The X-Factor Multiplier for a perchloroethylene dry cleaning facility shall be a flat rate per facility as listed in Table 11.

g. Gasoline Distribution at Bulk Plants and Terminals: The X-Factor Multiplier for every Bulk Plant or Terminal that uses loading racks to transfer gasoline or gasohol into trucks, railcars, or ships shall be 11 per single product loading arm and 11 per product for multi-product arms as listed in Table 11.

Table 11 – Sources of Toxic Air Contaminants

Sector	Annual Permit Evaluation Fee
Chrome Plating & Acid Anodizing	2
Chromate Treated Cooling Towers	2
Medical Waste Incinerators	Cat. I shall be 3 Cat. II shall be 6 Cat. III shall be 20
Sterilizers/Aerators	4
Asbestos Containing Serpentine Material	3 per quarry
Dry Cleaning Equipment	2
Gasoline Distribution at Bulk Plants & Terminals	11 per product per arm

12. **Greenhouse Gas Permit Fee Schedule:** Any source which has the Potential To Emit Greenhouse Gases (GHG), and is required by the APCO to have a permit, shall pay a fee in accordance with this Section. All permitted sources will be considered "general sources" unless specifically identified herein. The fees assessed pursuant to this Section shall be in addition to any other fees required by District Regulations.

    a. **General Sources of GHGs:** A source shall pay a permit fee for each permitted device, and shall pay a fee based on the quantity of greenhouse gases emitted into the atmosphere expressed in units of short tons as Carbon Dioxide Equivalents (CO2e).
        i. **GHG Permit Fee: :** The X-Factor Multiplier for any source subject to this Section which is required to obtain an PTO shall pay a flat rate per device as listed in Table 12.
        ii. **GHG Emission Surcharge:** For every short ton of CO2e emitted from the facility during the previous calendar year, the source shall pay a fee of (X/1,650.5). Carbon dioxide equivalents shall be calculated in accordance with District New Source Review Rules.

Table 12 – General Sources

Description	X-Factor Multiplier
	PTO FEE
For each permitted device that emits Greenhouse Gas	1.5

    b. **Sources of Refrigerants:** The X-Factor Multiplier for any source which is subject to CCR Title 17 §95381 et seq., shall be based upon the refrigerant capacity of the system at full charge as listed in Table 13.

Table 13 - Refrigerants

System Capacity (Full Charge)	X-Factor Multiplier
	PTO FEE
Less than 200.0 lbs.	1
200.0 or greater, but less than 2,000.0 lbs.	2
2,000.0 lbs. or greater	3

E. ADDITIONAL PERMIT FEE SCHEDULES

1. **Public Noticing Fees:** Every application triggering federal, State, or District public noticing requirements shall be assessed a fee to offset the costs of preparing and distributing the required notice.
   a. **New Source Review & Part 70 Permits:** The X-Factor Multiplier for every application triggering the District New Source Review public noticing requirements or the Part 70 permit noticing requirements under District Regulation V shall be a flat rate per permitted device as listed in Table 1.
   b. **Source Located Near a School:** The X-Factor Multiplier for every source that is subject to the notification requirements of H&SC §42301.6 shall be a flat rate per permitted device as listed in Table 1.

2. **Public Hearing Fees – Reserved**

3. **New Source Review Fee:** Every applicant, including any federal, State, local government agency or public district, for an ATC permit or a PTO any stationary source of air contaminant emissions for which the additional new source review procedures are required, shall pay an additional fee to the District in an amount determined by the APCO. Said review fee shall not exceed the actual cost of administration of the new source review requirements.

4. **Transfer of Ownership Fee:** Each request to Transfer of Ownership of a permit shall be accompanied by a fee equal to 0.5 X. In the event that multiple permits have been issued for equipment at a single facility, the fee shall be 0.5 X for the first permit and 0.25 X for each additional permit.

5. **Health Risk Assessment Fee:** The X-Factor Multiplier for sources requiring Health Risk Assessments shall be a flat rate per source as listed in Table 1.

6. **Expedited Permit Processing Fee:** Upon request, the District will expedite the processing of a permit application and shall assess a fee of 4 X or 25% of the normal fee for the processing of the application, whichever results in the greater total fee.

Table 1 – Additional Permit Fees

Service	X-Factor Multiplier Special Services Fee
Public Notice	Either 2 or actual costs whichever is greater
Public Hearing	Reserved
New Source Review	Actual costs
Transfer of Ownership	First device, 50% of X; each additional, 25% of X
Duplicate Permit	$10 per device
Health Risk Assessment	Either 2 or actual costs whichever is greater
Expedited Permit	Either 4 or 25% of normal fee whichever is greater