

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT HEARING BOARD

METHOD FOR CALCULATION OF EXCESS EMISSION FEES

Emissions in excess of those allowed by the rules shall be calculated for each day of operation during the variance period on a pounds per day basis, or opacity percentage. Excess emission fees are payable within 15 days of the granting of a variance for the period of time granted by the Board. Failure to do so may result in the termination of the variance (refer to Rule 303). A petitioner may, for good cause, request an extension of time, not to exceed ninety (90) days within which the fees shall be paid. Any request for extension of time shall be presented to the Clerk of the Board in writing with a statement of reasons why the extension should be granted.

Following are two simple equations for the calculation of excess emission fees. The equation for emissions other than visible emissions, does not take into account such items as transfer efficiency, throughput or other operational functions which may impact individual processes. Therefore, if you need assistance with your calculations, please contact Small Business at (909) 396-3529.

Methods of Calculations [refer to Rule 303, Table I and Table II]:

- Pounds per day x (1/2000) x Number of days x Cost per ton = \$ Amount due
- Pounds per day x Number of days x Cost Per Pound = \$ Amount due
and/or
- (Opacity* equivalent - 20) x \$10.40 x Number of days = \$ Amount Due
- (Opacity* equivalent - 40) x \$10.40 x Number of days = \$ Amount Due

The amount paid must be equivalent to no less than \$199.09 per day for the period of the variance (see Note 2).

*Where "Opacity" equals maximum opacity of emissions in percent (not decimal equivalent) allowed by the variance. Where the emissions are darker than the degree of darkness equivalent to the allowed Ringelmann number, the percentage equivalent of the excess degree of darkness shall be used as "opacity".

NOTES:

1. Complete the attached form. Keep the Pink copy for your records, and return the Original and Yellow copies to the Clerk of the Board. **Make check payable to South Coast AQMD and mail to: South Coast Air Quality Management District, Attn: Clerk of the Board, 21865 Copley Drive, Diamond Bar, CA 91765.**
2. **Minimum Fees - Rule 303(f):** When a variance is granted from a rule or rules which limit the discharge of air contaminants, such that an excess emission fee is due, an excess emission fee shall be imposed and remitted. **The excess emission fee remitted, regardless of calculations, will be no less than \$199.09 per day, per source.**
3. **Small Business/Reduced Fees - Rule 303(h):** If you have filed a Declaration of Reduced Fees Eligibility, please pay 20% of the fees required by Rule 303(d), (e), or (f), whichever is applicable.
4. **Adjustment of Fees:** After the term of a variance for which emission fees have been paid, if petitioner can establish to the satisfaction of the Executive Officer that emissions were actually less than those upon which the fee was based, a pro rata refund shall be made.
5. **Emission Fee Refunds:** In the event that the petition is withdrawn or the variance is not granted petitioner shall be entitled to a full refund of the unused excess emission fees.
6. **Discretionary Powers:** Any person may allege that payment of excess emission fees will cause an unreasonable hardship and may be excused from payment of such fees or a portion of such fees by order of the Hearing Board; if the Board, in its discretion, determines after hearing evidence thereon that payment of such fees would cause financial or other unreasonable hardship to the petitioner with no corresponding benefit to the public.

(HB Forms: Excess Emission Forms and Instructions: Revised 7/1/19)

Persons with disabilities may request this document in an alternative format by contacting the Clerk of the Board at 909-396-2500 or by e-mail at clerkofboard@aqmd.gov.