

BOARD MEETING DATE: October 3, 2025

AGENDA NO. 32

PROPOSAL: Determine That Proposed Amended Rule 301 – Permitting and Associated Fees, Is Exempt from CEQA; Amend Rule 301; and Recognize Revenue into FY 2025-26 General Fund for Increase of Rule 1180 Fees That Were Not Included in FY 2025-26 Adopted Budget

SYNOPSIS: Proposed Amended Rule 301 will modify fees for cost recovery from the operation and maintenance of refinery related community air monitoring stations required in accordance with Rules 1180 and 1180.1. The additional Rule 1180 fee revenue will be recognized in the FY 2025-26 General Fund budget.

COMMITTEE: Administrative, September 12, 2025, Reviewed

RECOMMENDED ACTIONS:

1. Determining that Proposed Amended Rule 301 – Permitting and Associated Fees, is exempt from the requirements of the California Environmental Quality Act;
2. Amending Rule 301 – Permitting and Associated Fees; and
3. Recognizing revenue of \$593,151 into the FY 2025-26 General Fund (01) for the increase of Rule 1180 fees that were not included in the FY 2025-26 Adopted Budget.

Wayne Nastri
Executive Officer

SR:MK:KC:NF:AO

Background

Regulation III – Fees establishes the fee rates and schedules to recover South Coast AQMD's reasonable costs of regulating and providing services to the regulated community, primarily permitted sources. In May 2025, Regulation III was amended to increase most fees by the Consumer Price Index (CPI) and to include new or modified fees which are necessary to provide more specific cost recovery for regulatory actions taken. Due to questions raised on the proposed fee update related to the operating and maintenance costs of community air monitoring, more time was needed for staff to address issues raised by stakeholders regarding Proposed Amended Rule 301 (PAR

301) for refinery related operating and maintenance costs. As a result, fees associated with PAR 301 were bifurcated from the annual Regulation III amendments.

Rule 1180 – Refinery Fenceline and Community Air Monitoring, was adopted by the Governing Board in December 2017 to require all seven major refineries in the South Coast Air Basin to measure the ambient levels of various air pollutants at their fenceline and notify the public if the concentration of any measured pollutant is above pre-determined threshold levels. Rule 1180 also establishes a fee schedule for refineries to fund the community air monitoring stations (operated by South Coast AQMD) to provide air quality information and notifications to the public. A triennial reassessment of fees associated with ongoing operating and maintenance of fenceline monitoring is required to ensure that the fee is consistent with Health and Safety Code Section 42705.6(f)(1) and (f)(2). The most recent reassessment of Rule 1180 fees (due by no later than January 1, 2025) was completed on December 24, 2024.

In January 2024, Rule 1180 was amended to establish a fee schedule to fund the addition of air toxic metals, particulate matter (PM), and polycyclic aromatic hydrocarbons (PAHs) monitoring at community sites as well as require the development and installation of new fenceline air monitoring systems at refinery-related facilities. Also in January 2024, the Governing Board adopted Rule 1180.1 – Fenceline and Community Air Monitoring for Other Refineries to require fenceline air monitoring for three other refineries in the Basin. The 2024 Rule 1180 amendment and Rule 1180.1 adoption were needed to fully implement the requirements of Health and Safety Code Section 42705.6 and to address issues identified in lawsuits claiming that Health and Safety Code Section 42705.6 was not fully implemented due to a rule exemption for refineries with a refining capacity less than 40,000 barrels per day. The proposed amendments to Rule 301 reflect the operating and maintenance fees associated with recovering costs of implementing Rule 1180 and Rule 1180.1 and implementing the requirements of the Health and Safety Code Section 42705.6(f)(1) and (f)(2).

Proposal

Proposed Amended Rule 301 – Permitting and Associated Fees, proposes necessary increases to Rule 1180 operating and maintenance fees relating to community air monitoring stations. These fees will cover costs that include staff salary and benefits, ongoing expenditures associated with running the ten air monitoring stations that are part of the Rule 1180 community network (including air monitoring for metals, PM and PAH), replacement parts for over 100 continuous air monitoring instruments, replacement and back-up monitoring equipment and, overall, to address increasing operational and maintenance costs. PAR 301 also establishes the annual operating and maintenance fees for facilities newly subject to Rules 1180 and 1180.1. The additional Rule 1180 fee revenue of \$593,151 is the result of the three-year Rule 1180 fee reassessment process and will be recognized in the FY 2025-26 General Fund budget.

Beginning in FY 2026-27 and thereafter, the additional revenue will be \$3.19 million per year from the annual operating and maintenance fees for the Rule 1180 and Rule 1180.1 community air monitoring stations.

Public Process

During the rulemaking process for Proposed Amended Regulation III, two public consultation meetings were held on March 18, 2025, and April 8, 2025, which included proposed changes to Rule 301 regarding Rule 1180 and Rule 1180.1. Proposed Amended Regulation III was also discussed at the Budget Advisory Committee on April 2, 2025, and the Governing Board Workshop on April 4, 2025.

Key Issues

One key issue that was raised during rulemaking was the increase in cost for refinery stakeholders. On April 3, 2025, stakeholders submitted a letter outlining questions about Rule 301 (aa) fees. Staff met with stakeholders on March 28, 2025, April 22, 2025, July 2, 2025, and August 21, 2025, to address comments and questions; additionally, staff provided a tour of a Rule 1180 community air monitoring station in Torrance on August 14, 2025. As a result, several fee categories were removed from the updated proposal, including community meetings, office furnishings, and vehicle replacements. In addition to these changes, several other fee categories were updated such that the total fee increase was reduced from 22.9% to 12.4%.

Staff is not aware of any remaining key issues.

California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed amendments to Rule 301 which involve charges by public agencies for the purpose of meeting operating expenses and financial reserve needs and requirements are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15273. In addition, the other proposed amendments to Rule 301, which have no fee impact and are strictly administrative in nature, are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 and is included as Attachment H to this Board letter. If the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties, and with the State Clearinghouse of the Governor's Office of Land Use and Climate Innovation.

Socioeconomic Impact Assessment

The potential revenue impacts from the proposed amendments to Rule 301 are estimated at \$593,151 in Rule 1180 fees in FY 2025-26, and \$3.19 million in FY 2026-27 and each year thereafter for Rules 1180 and 1180.1 combined. The sector of Petroleum and Coal Products Manufacturing (NAICS 324) will be affected by the proposed

amendments to Rule 301. The increased fee for each fiscal year accounts for less than 0.003% and 0.012% of the 2024 output and value, respectively, added by this sector operating within the South Coast AQMD jurisdiction. The details of the Final Socioeconomic Impact Assessment can be found within the Final Staff Report (Attachment G of this Board Letter).

Implementation and Resource Impacts

The FY 2025-26 Adopted Budget included Rule 1180 fee revenue of \$4,773,551. The proposed amendments to Rule 301 will result in an additional revenue of \$593,151. The FY 2025-26 Budget will be updated to recognize the additional fees to recover costs associated with the Rule 1180 program. Budget for FY 2026-27 and thereafter will include the additional revenue of approximately \$3.19 million per year to recover costs associated with the Rule 1180 and Rule 1180.1 program.

Attachments

- A. Summary of Proposals
- B. Key Issues and Responses
- C. Rule Development Process for Proposed Amended Rule 301
- D. Key Contacts List
- E. Resolution
- F. Proposed Amended Rule 301
- G. Final Staff Report, with Final Socioeconomic Impact Assessment Included, for Proposed Amended Rule 301
- H. Notice of Exemption from CEQA
- I. Board Presentation

ATTACHMENT A

SUMMARY OF PROPOSALS

Proposed Amended Rule 301 – Permitting And Associated Fees

Applicability

- Proposed amendments to Rule 301 applies to refineries and refinery-related facilities subject to Rules 1180 and 1180.1.

Proposed Amendments

- Increases to annual operating and maintenance fees relating to community air monitoring stations for facilities originally subject to Rule 1180
- Establish annual operating and maintenance fees relating to community air monitoring stations for facilities newly subject to either Rule 1180 or Rule 1180.1

ATTACHMENT B

KEY ISSUES AND RESPONSES

Proposed Amended Rule 301 – Permitting and Associated Fees
Throughout the rulemaking process, staff has worked with stakeholders to address and resolve key issues. Staff is not aware of any remaining key issues.

ATTACHMENT C

RULE DEVELOPMENT PROCESS Proposed Amended Rule 301



Seventeen (17) months spent in rule development

Two (2) Public Consultation Meetings

One (1) Budget Advisory Committee Meeting

One (1) Administrative Committee Meeting

One (1) Governing Board Budget Study Session

ATTACHMENT D

KEY CONTACTS LIST

Western States Petroleum Association

Tesoro Refining & Marketing Company, LLC, Carson

Tesoro Refining & Marketing Company, LLC, Wilmington

Chevron Products Co., El Segundo

Phillips 66 Company/Los Angeles Refinery, Carson

Phillips 66 Company/LA Refinery Wilmington Plant, Wilmington

Torrance Refining Company, LLC, Torrance

Ultramar Inc. dba Valero Wilmington Refinery, Wilmington

Air Products and Chemicals, Inc. (permitted as Air Prod & Chem, Inc.), Carson

Air Products and Chemicals, Inc., Wilmington

Tesoro Refining and Marketing Co., LLC (Sulfur Recovery Plant), Carson

Kinder Morgan Liquids Terminals, LLC, Carson

Tesoro Logistics, Carson Crude Terminal, Carson

Air Products Manufacturing (formerly AltAir Paramount), Paramount

Lunday-Thagard Co. dba World Oil Refining, South Gate

Valero Wilmington Asphalt Plant, Wilmington

ATTACHMENT E

RESOLUTION NO. 25-_____

A Resolution of the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) determining that Proposed Amended Rule 301 – Permitting and Associated Fees, is exempt from the requirements of the California Environmental Quality Act (CEQA).

A Resolution of the South Coast AQMD Governing Board amending Rule 301 – Permitting and Associated Fees.

WHEREAS, the South Coast AQMD Governing Board finds and determines that Proposed Amended Rule 301 is considered a "project" as defined by CEQA; and

WHEREAS, the South Coast AQMD has had its regulatory program certified pursuant to Public Resources Code Section 21080.5 and CEQA Guidelines Section 15251(l) and has conducted a CEQA review and analysis of the proposed project pursuant to such program (South Coast AQMD Rule 110); and

WHEREAS, the South Coast AQMD Governing Board finds and determines, after conducting a review of the proposed project in accordance with CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA, and CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA, that Proposed Amended Rule 301 is exempt from CEQA; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that it can be seen with certainty that the proposed amendments to Rule 301 which involve proposed increased fees, are charges by public agencies for the purpose of meeting operating expenses and financial reserve needs and requirements that are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15273 – Rates, Tolls, Fares, and Charges; and

WHEREAS, the South Coast AQMD Governing Board finds and determines that proposed amendments to Rule 301 which have no fee impact and are strictly administrative in nature such that it can be seen with certainty that their implementation would not cause a significant adverse effect on the environment are, therefore, exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption; and

WHEREAS, the South Coast AQMD staff has prepared a Notice of Exemption for Proposed Amended Rule 301 that is completed in compliance with CEQA Guidelines Section 15062 – Notice of Exemption; and

WHEREAS, Proposed Amended Rule 301 including the Notice of Exemption, the Final Staff Report which includes the Final Socioeconomic Impact Assessment, and other supporting documentation, were presented to the South Coast AQMD Governing Board and the South Coast AQMD Governing Board has reviewed and

considered this information, as well as has taken and considered staff testimony and public comment prior to approving the project; and

WHEREAS, the South Coast AQMD Governing Board finds and determines, taking into consideration the factors in section (d)(4)(D) of the Governing Board Procedures (codified as section 30.5(4)(D)(i) of the Administrative Code), that the modifications to the proposed project since the Notice of Public Hearing was published, are not so substantial as to significantly affect the meaning of Proposed Amended Rule 301 within the meaning of Health and Safety Code Section 40726 because: (a) the changes do not impact emission reductions, (b) the changes do not affect the number or type of sources regulated by the rule, (c) the changes are consistent with the information contained in the Notice of Public Hearing, and (d) the consideration of the range of CEQA alternatives is not applicable because the proposed project is exempt from CEQA; and

WHEREAS, Proposed Amended Rule 301 is not a control measure in the 2022 Air Quality Management Plan (AQMP) and was not ranked by cost-effectiveness relative to other AQMP control measures in the 2022 AQMP; and

WHEREAS, Proposed Amended Rule 301 will not be submitted for inclusion into the State Implementation Plan; and

WHEREAS, Health and Safety Code Section 40727 requires that prior to adopting, amending, or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference based on relevant information presented at the public hearing and in the Final Staff Report; and

WHEREAS, the South Coast AQMD Governing Board has determined that it is necessary to amend Rule 301 to revise the refinery related community air monitoring system annual operating and maintenance fees for major refineries originally subject to Rule 1180, and account for the enactment of annual operating and maintenance fees for facilities newly subject to Rules 1180 and 1180.1; and

WHEREAS, Health and Safety Code Section 40510.5(a) requires the South Coast AQMD Governing Board to find that an increased fee will result in an equitable apportionment of fees when increasing fees beyond the Consumer Price Index Based on relevant information presented at the public hearing and in the staff report, the proposed new fees and proposed increases in fee rates beyond the Consumer Price Index in Proposed Amended Rules 301, are found to be equitably apportioned because such fees are necessary to better align program costs and revenues, are based on the reasonable costs to South Coast AQMD, and are reasonably related to the benefits received and burdens imposed by the fee payors; and

WHEREAS, the South Coast AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code Sections 40000, 40001, 40440, 40500, 40500.1, 40502, 40506, 40510, 40510.5, 40511,

40522, 40522.5, 40523, 40701.5, 40702, 41512, and 44380, and federal Clean Air Act Section 502(b)(3) [42 U.S.C. Section 7661(b)(3)]; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 301 is written or displayed so that their meaning can be easily understood by the persons directly affected by them; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 301 is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations; and

WHEREAS, the South Coast AQMD Governing Board has determined that Proposed Amended Rule 301 does not impose the same requirements as any existing state or federal regulation and is necessary and proper to execute the power and duties granted to, and imposed upon, the South Coast AQMD; and

WHEREAS, the South Coast AQMD Governing Board, in amending Rule 301, references the following statutes which the South Coast AQMD hereby implements, interprets, or makes specific: Health and Safety Code Sections 40500, 40500.1, 40502, 40506, 40510, 40510.5, 40511, 40522, 40522.5, 40523, 41512, 42705.6, and 44380, and federal Clean Air Act Section 502(b)(3) [42 U.S.C. Section 7661(b)(3)]; and

WHEREAS, a public hearing has been properly noticed in accordance with all provisions of Health and Safety Code Section 40725; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Final Socioeconomic Impact Assessment of Proposed Amended Rule 301, as presented in the Final Staff Report, is consistent with the March 17, 1989, Governing Board Socioeconomic Resolution for rule amendment; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Final Socioeconomic Impact Assessment for Proposed Amended Rule 301, as presented in the Final Staff Report, is consistent with the provisions of Health and Safety Code Sections 40440.8, 40728.5, and 40920.6; and

WHEREAS, the South Coast AQMD Governing Board has determined that the Final Socioeconomic Impact Assessment, as presented in the Final Staff Report, concludes that Proposed Amended Rule 301 will result in increased costs to the affected facilities, yet such costs are considered to be reasonable; and

WHEREAS, the South Coast AQMD Governing Board has actively considered the Final Socioeconomic Impact Assessment, as presented in the Final Staff Report, and has made a good faith effort to minimize adverse socioeconomic impacts; and

WHEREAS, the South Coast AQMD Governing Board has held a public hearing in accordance with all applicable provisions of state and federal law; and

WHEREAS, the South Coast AQMD Governing Board has determined that Health and Safety Code Section 40920.6 is not applicable to Proposed Amended Rule 301 since Proposed Amended Rule 301 does not regulate air contaminants or implement Best Available Retrofit Control Technology requirements; and

WHEREAS, the South Coast AQMD Governing Board specifies the Planning and Rules Manager overseeing the rule development for Proposed Amended Rule 301 as the custodian of the documents or other materials which constitute the record of proceedings upon which the adoption of this proposed project is based, which are located at the South Coast AQMD, 21865 Copley Drive, Diamond Bar, California; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby determine, pursuant to the authority granted by law, that Proposed Amended Rule 301 is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15273 – Rates, Tolls, Fares, and Charges. The South Coast AQMD Governing Board does also hereby determine, pursuant to the authority granted by law, that Proposed Amended Rule 301 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption. This information was presented to the South Coast AQMD Governing Board, whose members exercised their independent judgment and reviewed, considered, and approved the information therein prior to acting on Proposed Amended Rule 301; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board finds that Proposed Amended Rule 301 establishes fees charged for the purposes of meeting operating expenses, which are necessary to recover reasonable and actual costs incurred by South Coast AQMD in meeting requirements of recently adopted rules and state mandates and implementing necessary clean air programs; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board finds, based on the evidence in the rule-making record, that the increases in fees that exceed the Consumer Price Index for FY 2025-2026 and thereafter are necessary to recover reasonable and actual costs incurred by South Coast AQMD in meeting requirements of recently adopted rules and state mandates and implementing necessary clean air programs and are equitably apportioned; and the Governing Board hereby incorporates by reference the explanation in the accompanying Final Staff Report, as setting forth the basis for these findings; and

BE IT FURTHER RESOLVED, that the South Coast AQMD Governing Board does hereby amend, pursuant to the authority granted by law, Rule 301 as set forth in the attached, and incorporated herein by reference.

DATE: _____

CLERK OF THE BOARDS

ATTACHMENT F

(Adopted 2/4/1977)(Amended 5/27/1977)(Amended 1/6/1978)(Amended 6/16/1978)(Amended 4/4/1980)
(Amended 9/5/1980)(Amended 6/5/1981)(Amended 7/9/1982)(Amended 12/3/1982)(Amended 6/3/1983)
(Amended 5/4/1984)(Amended 7/6/1984)(Amended 11/2/1984)(Amended 12/6/1985)(Amended 5/1/1987)
(Amended 6/3/1988)(Amended 12/2/1988)(Amended 1/6/1989)(Amended 6/2/1989)(Amended 6/1/1990)
(Amended 6/7/1991)(Amended 12/6/1991)(Amended 6/5/1992)(Amended 7/10/1992)(Amended 6/11/1993)
(Amended 10/8/1993)(Amended 6/10/1994)(Amended 5/12/1995)(Amended 10/13/1995)(Amended 5/10/1996)
(Amended 5/9/1997)(Amended 5/8/1998)(Amended 6/12/1998)(Amended 5/14/1999)(Amended 5/19/2000)
(Amended 5/11/2001)(Amended 5/3/2002)(Amended 6/6/2003)(Amended 7/9/2004)(Amended 6/3/2005)
(Amended 6/9/2006)(Amended 5/4/2007)(Amended 5/2/2008)(Amended 6/5/2009)(Amended 5/7/2010)
(Amended 5/6/2011)(Updated 7/1/2012)(Updated 7/1/2013)(Amended 6/6/2014)(Amended 5/1/2015)
(Updated 7/1/2016)(Amended 6/2/2017)(Amended 1/5/2018)(Amended 5/4/2018)(Amended 3/1/2019)
(Amended 5/3/2019)(Amended 6/7/2019)(Amended 7/12/2019)(Updated 7/1/2020)(Updated 7/1/2021)
(Amended May 6, 2022)(Amended May 5, 2023)(Amended May 3, 2024)(Amended May 2, 2025)
(Amended TBD)

Effective Date July 1, 2025

PROPOSED AMENDED RULE 301. PERMITTING AND ASSOCIATED FEES

(a) Applicability

California Health and Safety Code Section 40510 provides authority for the South Coast Air Quality Management District to adopt a fee schedule for the issuance of permits to cover the cost of evaluation, planning, inspection, and monitoring related to that activity. This rule establishes such a fee schedule and requires that fees be paid for:

- (1) Permit processing for Facility Permits [see subdivisions (l), (m), and (n)], Facility Registrations [see subdivision (t)], and Permits to Construct and/or Permits to Operate equipment (submitted pursuant to Regulation II) that may cause air pollution or equipment intended to control air pollution [see subdivision (c)].
- (2) Processing of applications for banking emission reduction credits; change of title of emissions reduction credits; alteration/modification of emission reduction credits; retirement of short term emission reduction credits for transfer into Rule 2202; and the transfer of ERCs out of Rule 2202 pursuant to Rule 2202 (h)(4); or conversion of emissions reduction credits, mobile source credits, or area source credits to short term emission reduction credits, pursuant to Regulation XIII [see paragraphs (c)(4) and (c)(5)].
- (3) Annual operating permit renewal fee [see subdivision (d)].
- (4) Annual operating permit emissions fee [see subdivision (e)] or Regional Clean Air Incentives Market (RECLAIM) Trading Credits (RTCs) [see subdivision (l)].
- (5) Duplicate and reissued permits [see subdivision (f)].
- (6) Reinstating expired applications or permits [see subdivision (g)].

- (7) Reinstating revoked permits [see subdivision (h)].
- (8) RECLAIM Transaction Registration Fee [see subdivision (l)].
- (9) Non-Tradeable Allocation Credit Mitigation Fee [see subdivision (l)].
- (10) Environmental Impact Analysis, Air Quality Analysis, Health Risk Assessment, Public Notification for Projects and Emission Reduction Credits (pursuant to Regulation XIII - New Source Review) [see paragraph (c)(4) and subdivision (j) of this rule].
- (11) Asbestos demolition and renovation activities [see subdivision (o)].
- (12) Lead abatement activities [see subdivision (p)].
- (13) Evaluation of permit applications submitted for compliance under a National Emission Standard for Hazardous Air Pollutants (NESHAP) [see subdivision (q)].
- (14) Certification of Clean Air Solvents [see subdivision (r)].

(b) Definitions

For the purpose of this rule, the following definitions shall apply:

- (1) ALTERATION or MODIFICATION means any physical change, change in method of operation of, or addition to, existing equipment requiring an application for Permit to Construct pursuant to Rule 201. Routine maintenance and/or repair shall not be considered a physical change. A change in the method of operation of equipment, unless previously limited by an enforceable permit condition, shall not include:
 - (A) An increase in the production rate, unless such increase will cause the maximum design capacity of the equipment to be exceeded; or
 - (B) An increase in the hours of operation.
- (2) ALTERNATIVE OPERATING CONDITION is an order established by the Hearing Board pursuant to subdivision (e) of this rule which, if recognized by the United States Environmental Protection Agency, authorizes a source to be operated in a specified manner that would otherwise not comply with an applicable requirement of the State Implementation Plan or a permit term or condition based on any such applicable requirement.
- (3) BANKING means the process of recognizing and certifying emission reductions and registering transactions involving emission reduction credits.

- (4) CANCELLATION is an administrative action taken by the District which nullifies or voids a previously pending application for a permit.
- (5) CERTIFIED EQUIPMENT PERMIT means a permit issued to a manufacturer or distributor for a specific model or series of models of equipment. By this permit, the District certifies that the equipment meets all District rules and Best Available Control Technology (BACT) requirements under a set of conditions. Eligibility for the certification process shall be limited to equipment for which the following conditions exist, as determined by the Executive Officer:
 - (A) Equipment operation and emission characteristics will be applicable to a number of identical pieces of equipment;
 - (B) Permitting can be accomplished through the use of identical permit conditions for each piece of equipment regardless of use or location;
 - (C) The equipment is exempt from emission offsets as defined in Rule 1304(a)(4) or Rule 1304(a)(5); or the emissions of each criteria pollutant, except lead, are determined to be less than the limits listed in Rule 1303, Appendix A, Table A-1; and
 - (D) The equipment does not emit lead or the toxic emissions do not result in a Maximum Individual Cancer Risk (MICR) equal to or greater than one in a million as calculated according to Rule 1401.Certified Equipment Permit shall be valid for one year, and shall be renewed annually if the Executive Officer determines the equipment meets all District rules and BACT requirements. Certification shall not relieve the person constructing, installing or operating the equipment from the requirement to obtain all necessary permits to construct and permits to operate, or from compliance with any other District rule including the requirements of Regulation XIII.
- (6) CHANGE OF CONDITION means a change of a current permit condition that will not result in an emission increase. Any request for a Change in Condition to a previously enforceable permit condition that will result in a emission increase subject to the New Source Review Rules in Regulation XIII, XIV, or XX will be considered a change in the method of operation and processed as an Alteration or Modification.
- (7) CLEAN AIR SOLVENT is as defined in Rule 102 as “Clean Air Solvent”.
- (8) CLEAN AIR SOLVENT CERTIFICATE is as defined in Rule 102 as “Clean Air Solvent Certificate”.

- (9) CONFINED ANIMAL FACILITY (CAF) means a source or group of sources of air pollution at an agricultural source for the raising of 3,360 or more fowl or 50 or more animals, including but not limited to, any structure, building, installation, farm, corral, coop, feed storage area, milking parlor, or system for the collection, storage, or distribution of solid and liquid manure; if domesticated animals, including but not limited to, cattle, calves, horses, sheep, goats, swine, rabbits, chickens, turkeys, or ducks corralled, penned, or otherwise caused to remain in restricted areas for commercial agricultural purposes and feeding is by means other than grazing.
- (10) CONTINUOUS EMISSIONS MONITORING SYSTEM (CEMS) is a system comprised of components that continuously measure all parameters necessary to determine pollutant concentration or pollutant mass emissions, pursuant to a District rule or regulation.
- (A) For the purpose of this rule, a CEMS includes, but is not limited to, the following analyzers, monitors, components, systems, or equipment:
- (i) Pollutant concentration analyzer(s) (e.g., NO_x, SO_x, CO, Total Sulfur) and associated sample collection, transport, and conditioning equipment, and data acquisition and logging systems,
 - (ii) Diluent gas analyzer (O₂ or CO₂),
 - (iii) Flow monitor (direct in-stack measurement or indirectly calculated from fuel usage or other process parameters approved by the Executive Officer), and
 - (iv) Other equipment (e.g., moisture monitor) as required to comply with monitoring requirements.
- (B) For the purpose of this rule, a “time-shared CEMS” means a CEMS as described in paragraph (j)(5) which is common to several sources of emissions at the same facility.
- (C) For the purpose of this rule, a “Fuel Sulfur Monitoring System” or “FSMS” may be used as an alternative to a CEMS SO_x monitoring requirement, subject to District Rules and Regulations, and the approval of the Executive Officer. An FSMS is a total sulfur monitoring system configured similar to the CEMS described in paragraph (j)(5) but, as an alternative to directly monitoring SO_x emissions at sources required to have SO_x CEMS (at the same

facility), SO_x emission information at each affected source is determined “indirectly” by monitoring the sulfur content of the fuel gas supply firing the affected sources.

- (D) For the purpose of this rule, an “Alternative Continuous Emissions Monitoring System” or “ACEMS” (also known as a “Predictive or Parametric Emissions Monitoring System” or “PEMS”) may be used as an alternative to a CEMS pollutant monitoring requirement, subject to District Rules and Regulations, and the approval of the Executive Officer. Instead of directly monitoring the pollutant emissions at a source required to have a CEMS as in paragraph (j)(5), emission information is “predicted” by the ACEMS or PEMS by monitoring key equipment operating parameters (e.g., temperature, pressure) at the affected source, irrespective of exhaust gas or fuel supply analysis.
- (11) EMISSION FACTOR means the amount of air contaminant emitted per unit of time or per unit of material handled, processed, produced, or burned.
- (12) EMISSION REDUCTION CREDIT (ERC) means the amount of emissions reduction which is verified and determined by the Executive Officer to be eligible for credit in an emissions reduction bank.
- (13) EMISSION SOURCE is any equipment or process subject to Rule 222. The source does not require a permit, but the owner/operator is required to file information pursuant to Rule 222 and Rule 301(t).
- (14) EQUIPMENT means any article, machine, or other contrivance, or combination thereof, which may cause the issuance or control the issuance of air contaminants, and which:
- (A) Requires a permit pursuant to Rules 201 and/or 203; or
 - (B) Is in operation pursuant to the provisions of Rule 219
- (15) EXPIRATION means the end of the period of validity for an application, Permit to Operate, or a temporary Permit to Operate.
- (16) FACILITY means any source, equipment, or grouping of equipment or sources, or other air contaminant-emitting activities which are located on one or more contiguous properties within the District, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person (or persons under common control) or an outer continental shelf (OCS) source as defined in 40 CFR § 55.2. Such above-described groupings, if on noncontiguous

properties but connected only by land carrying a pipeline, shall not be considered one facility. Equipment or installations involved in crude oil and gas production in Southern California coastal or OCS waters, and transport of such crude oil and gas in Southern California coastal or OCS waters, shall be included in the same facility which is under the same ownership or use entitlement as the crude oil and gas facility on-shore.

- (17) FACILITY PERMIT is a permit which consolidates existing equipment permits and all new equipment at a facility, into one permit. A facility permit may be issued pursuant to Regulation XX and/or XXX.
- (18) FACILITY REGISTRATION is a permit which consolidates existing equipment permits and all new equipment at a facility into one permit. A Facility Registration may be issued at District discretion to any facility not subject to Regulation XX or XXX.
- (19) GREENHOUSE GAS or “GHG” means carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs).
- (20) IDENTICAL EQUIPMENT means any equipment which is of the same make and model, and is to be operated by the same operator, and have the same equipment address, and have the same operating conditions and processing material to the extent that a single permit evaluation would be required for the set of equipment. Portable equipment, while not operating at the same location, may qualify as identical equipment.
- (21) NON-ROAD ENGINE is a portable engine that requires a permit and is certified by the Executive Officer to be a Non-Road Engine regulated by U.S. EPA pursuant to 40 CFR Part 89.
- (22) PREMISES means one parcel of land or contiguous parcels of land under the same ownership or entitlement to use, not including the parcels which are remotely located and connected only by land carrying a pipeline.
- (23) QUALIFYING PORTABLE ENGINE is a portable engine that requires a permit and is certified by the Executive Officer to meet all the requirements of Non-Road Engine of 40 CFR Part 89 except date of manufacture, and has been demonstrated to meet the emission limitations of 40 CFR Section 89.112-96.
- (24) RECLAIM TRADING CREDITS (RTCs) means the amount of emissions credit available to a facility for use at the facility for transfer or sale to another party. Each RTC has a denomination of one pound of RECLAIM

pollutant and a term of one year, and can be issued as part of a facility's Annual Allocation or alternatively in the form of an RTC certificate.

- (25) REGISTRATION PERMIT means a permit to construct or permit to operate issued to an owner/operator of equipment which has previously been issued a Certified Equipment Permit by the District. The owner/operator shall agree to operate under the conditions specified in the Certified Equipment Permit.
- (26) RELOCATION means the removal of an existing source from one parcel of land in the District and installation on another parcel of land where the two parcels are not in actual physical contact and are not separated solely by a public roadway or other public right-of-way. The removal of a permit unit from one location within a facility and installation at another location within the facility is a relocation only if an increase in maximum individual cancer risk in excess of one in one million (1.0×10^{-6}) or a Hazard Index of 1.0 occurs at any receptor location.
- (27) REVOCATION is an action taken by the Hearing Board following a petition by the Executive Officer which invalidates a Permit to Construct or a Permit to Operate.
- (28) SMALL BUSINESS is as defined in Rule 102 as "Small Business."
- (29) SPECIFIC ORGANIC GASES are any of the following compounds:
 - trifluoromethane (HFC-23)
 - chlorodifluoromethane (HCFC-22)
 - dichlorotrifluoroethane (HCFC-123)
 - tetrafluoroethane (HFC-134a)
 - dichlorofluoroethane (HCFC-141b)
 - chlorodifluoroethane (HCFC-142b)
 - 1,1,1-trifluoroethane (HFC-143a)
 - 1,1-difluoroethane (HFC-152a)
 - cyclic, branched, or linear, completely fluorinated alkanes
 - cyclic, branched, or linear, completely fluorinated ethers with no unsaturations
 - cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations
 - sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

- (30) SOURCE means any grouping of equipment or other air contaminant-emitting activities which are located on parcels of land within the District, in actual physical contact or separated solely by a public roadway or other public right-of-way, and are owned or operated by the same person or by persons under common control. Such above-described groupings, if remotely located and connected only by land carrying a pipeline, shall not be considered one stationary source. (Under RECLAIM, a SOURCE is any individual unit, piece of equipment or process which may emit an air contaminant and which is identified, or required to be identified, in the RECLAIM Facility Permit).
 - (31) STREAMLINED STANDARD PERMIT means a permit issued for certain types of equipment or processes commonly permitted by SCAQMD with pre-set levels of controls and emissions. The operating conditions and other qualifying criteria are pre-determined by the SCAQMD and provided to the permit applicant in the permit application package for concurrence.
 - (32) STATEWIDE EQUIPMENT is equipment with a valid registration certificate issued by CARB for the Statewide Portable Equipment Registration Program.
 - (33) TEMPORARY PERMIT TO OPERATE represents interim authorization to operate equipment until the Permit to Operate is granted or denied. A temporary Permit to Operate is not issued by the District but may exist pursuant to Rule 202.
- (c) Fees for Permit Processing
- (1) Permit Processing Fee
 - (A) Permit Processing Fee Applicability

Except as otherwise provided in this rule, every applicant who files an application for a Permit to Construct, Permit to Operate, Facility Permit, court judgments in favor of the District and administrative civil penalties or a revision to a Facility Permit, shall, at the time of filing, pay all delinquent fees associated with the facility and shall pay a permit processing fee.

 - (i) Except as otherwise provided in this paragraph, the permit processing fee shall be determined in accordance with the schedules (set forth in Table FEE RATE-A) at the time the application is deemed complete.

- (ii) A person applying for permits for relocation of equipment shall pay fees in accordance with the schedules set forth in Table FEE RATE-A at the time the application is deemed complete. All fees due, within the past 3 years, from the previous facility for equipment for which a Change of Location application is filed, and all facility-specific fees (such as “Hot Spots” fees), must be paid before the Change of Location application is accepted.
- (iii) A person applying for permits for any equipment/process not otherwise listed in Table IA or Table IB shall pay the fees associated with Schedule C. Prior to the issuance of a permit, these fees are subject to adjustment, as necessary.
- (iv) In the event a Permit to Construct expires under the provisions of Rule 205, and the applicable rules, regulations, and BACT for that particular piece of equipment have not been amended since the original evaluation was performed, the permit processing fee for a subsequent application for a similar equipment shall be the fee established for an administrative change according to (c)(3)(C), provided the subsequent application is submitted within one (1) year from the date of expiration of either the Permit to Construct, or an approved extension of the Permit to Construct. This clause shall not apply if a request for an extension for the Permit to Construct has been denied.

(B) Notice of Amount Due and Effect of Nonpayment

For fees due upon notification, such notice may be given by personal service or sent by mail, electronic mail, or other electronic means, and shall be due thirty (30) days from the date of personal service, mailing, or electronic transmission. For the purpose of this subparagraph, the fee payment will be considered to be received by the District if it is delivered, postmarked, or electronically paid on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be delivered, postmarked, or electronically paid on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been delivered, postmarked,

or electronically paid on the expiration date. Nonpayment of the fee within this period of time will result in expiration of the application and voiding of the Permit to Construct or Permit to Operate. No further applications will be accepted from the applicant until such time as overdue permit processing fees have been fully paid. If an application is canceled, a permit processing fee will be charged if evaluation of the application has been initiated.

(C) Higher Fee for Failing to Obtain a Permit

- (i) When equipment is operated, built, erected, installed, altered, or replaced (except for replacement with identical equipment) without the owner/operator first obtaining a required Permit to Construct or Permit to Operate, the permit processing fee shall be 150 percent (150%) of the amount set forth in Table FEE RATE-A unless the applicant is a Small Business as defined in this provision and the facility has no prior permit applications, Permit to Construct or Permit to Operate (as evidenced by a facility identification number) with the District in which case the permit processing fee shall be the amount set forth in Table FEE RATE-A. If a facility has been issued a Notice of Violation (NOV), there shall be no waiver of the higher fee. The applicant shall also remit annual operating fees for the source for a full three (3) years, or the actual years of operation if less than three (3) years. The assessment of such fee shall not limit the District's right to pursue any other remedy provided for by law. Fees are due and payable within thirty (30) days of receipt of notification. [See subparagraph (c)(2)(B).] However, the higher fee shall be waived if the application is being submitted for equipment that was previously permitted (issued either a Permit to Construct or a Permit to Operate) but had expired due to non-payment of fees, provided the application is submitted within one (1) year of the expiration date, and that permit is reinstatable under subdivision (g) of this rule.
- (ii) For purposes of assessing a higher fee for failing to obtain a permit only, small business shall be defined as a business

which is independently owned and operated and not an affiliate of a non-small business entity and meets the following criteria:

- (A) If a non-manufacturer, the number of employees is 25 or less and the total gross annual receipts are \$1,000,000 or less; or
 - (B) If a manufacturer, the number of employees is 50 or less and the total gross annual receipts are \$5,000,000 or less, or
 - (C) Is a not-for-profit training center.
- (iii) This clause shall apply to applications for a Permit to Operate for equipment already constructed without first obtaining a required Permit to Construct. If, at the time the Permit to Operate is granted or denied, it is determined that any annual operating permit fee as provided in subdivision (d) of this rule had been based on incorrect information, the applicant will be billed for or credited with the difference, as appropriate.

(D) Small Business

When applications are filed in accordance with the provisions of subparagraphs (c)(1)(A), (c)(1)(G)(i), (c)(1)(C) or paragraph (c)(3) for a Small Business as defined in Rule 102 – Definition of Terms, the fees assessed shall be fifty percent (50%) of the amount set forth in Table FEE RATE-A.

(E) Fees for Permit Processing for Identical Equipment and Processing of Applications for Short Term Emission Reduction Credits

When applications are submitted in accordance with the provisions of subparagraphs (c)(1)(A), (c)(1)(C), (c)(1)(D), (c)(1)(H), paragraphs (c)(3) or (c)(4) concurrently for identical equipment, or for change of title or alteration/modification of short term emission reduction credits, full fees for the first application, and fifty percent (50%) of the applicable processing fee for each additional application shall be assessed. The provisions of this subparagraph do not apply to Certified Equipment Permits, Registration Permits, and the exceptions mentioned in subparagraphs (c)(3)(A), (c)(3)(B), and (c)(3)(C).

- (F) Discounts for Small Business and Identical Equipment
Applications qualifying with the provisions of both subparagraph (c)(1)(D) and (c)(1)(E) shall only be entitled to one fee discount equivalent to the maximum discount afforded under either subparagraph.
- (G) Fees for Permit Processing for Certified Equipment Permits and Registration Permits
- (i) Persons applying for a Certified Equipment Permit shall pay a one-time permit processing fee for each application. The fee shall be determined in accordance with Table FEE RATE-A. No annual operating permit renewal fee shall be charged.
 - (ii) A permit processing fee equal to 50% of Schedule A Permit Processing Fee of Table FEE RATE-A shall be assessed to a person applying for a Change of Owner/Operator for a Certified Equipment Permit.
 - (iii) A permit processing fee equal to 50% of Schedule A Permit Processing Fee of Table FEE RATE-A shall be charged to a person applying for a Registration Permit to Construct and Permit to Operate for certified equipment. Annual operating permit renewal fees shall be paid pursuant to subdivision (d).
 - (iv) When certified equipment is built, erected, installed, or replaced (except for identical replacement) without the owner/operator obtaining a required Rule 201 Permit to Construct, the permit processing fee assessed shall be 150 percent (150%) of the amount set forth in subparagraph (c)(1)(G)(iii) of Rule 301.
- (H) Applications Submitted for Equipment Previously Exempted by Rule 219
When applications for equipment are submitted within one year after the adoption of the most recent amendment to Rule 219 and are filed in accordance with the provisions of subparagraphs (c)(1)(A), (c)(1)(E), paragraphs (c)(2), or (c)(3) and require a permit, solely due to the most recent amendments to Rule 219, the permit processing fees assessed shall be in accordance with Schedule A of Table FEE RATE-A.

(I) Standard Streamlined Permits

The Streamlined Standard Permit application processing fee shall be \$1,293.43, except that the fee shall not exceed the applicable permit processing fee including small business discount if applicable. There shall be no small business discount on the basic fee of \$1,293.43. Applications submitted for existing equipment which is operating and qualifies for a Streamlined Standard Permit shall be assessed an application processing fee in accordance with the provisions of subparagraph 301(c)(1)(C). Standard Streamlined Permits may be issued for the following equipment or processes: Replacement dry-cleaning equipment and Lithographic printing equipment.

(2) Fee for Change of Owner/Operator or Additional Operator

Under Rule 209 (Transfer and Voiding of Permits), a permit granted by the District is not transferable. Every applicant who files an application for a change of owner/operator or additional operator with the same operating conditions of a Permit to Operate shall be subject to a permit processing fee as follows:

(A) The permit processing fee shall be as established in Table FEE RATE-C for equipment at one location so long as the new owner/operator files an application for a Permit to Operate within one (1) year from the last renewal of a valid Permit to Operate and does not change the operation of the affected equipment. All fees billed from the date of application submittal that are associated with the facility for equipment for which a Change of Owner/Operator or Additional Operator application is filed, and all facility-specific fees (such as “Hot Spots” fees), must be paid before the Change of Owner/Operator or Additional Operator application is accepted. If after an application is received and SCAQMD determines that fees are due, the new owner/operator shall pay such fees within 30 days of notification. If the fees are paid timely, the owner/operator will not be billed for any additional fees billed to the previous owner/operator.

(B) If an application for change of owner/operator of a permit is not filed within one (1) year from the last annual renewal of the permit under the previous owner/operator, the new owner/operator shall submit

an application for a new Permit to Operate, along with the permit processing fee as prescribed in subparagraph (c)(1)(A). A higher fee, as described in subparagraph (c)(1)(C), shall apply.

(3) **Change of Operating Condition, Alteration/Modification/Addition**

All delinquent fees, and court judgments in favor of the District and administrative civil penalties associated with the facility must be paid before a Change of Operating Condition, Alteration/Modification/Addition application will be accepted. When an application is filed for a permit involving change of operating conditions, and/or a permit involving proposed alterations/modifications or additions resulting in a change to any existing equipment for which a Permit to Construct or a Permit to Operate was granted and has not expired in accordance with these rules, the permit processing fee shall be the amount set forth in Table FEE RATE-A. The only exceptions to this fee shall be:

- (A) Permits that must be reissued with conditions prohibiting the use of toxic materials and for which no evaluation is required, no physical modifications of equipment are made, and the use of substitute materials does not increase Volatile Organic Compounds (VOC) by more than 0.5 pound in any one day. When an application is filed for a modification described by this exception, the permit processing fee shall be the applicable fee as shown in the table below in this subparagraph:

Facility Type	Non-Title V	Title V
	\$1,293.43	\$1,620.80

- (B) Permits that must be reissued to reflect the permanent removal of a standby fuel supply, or to render equipment non-operational shall pay the applicable reissue permit fee as shown in the tables below in this subparagraph, as follows:

- (i) Does not result in a new source review emission adjustment:

Facility Type	Non-Title V (per equipment or reissued permit)	Title V (per equipment or reissued permit)
	\$947.11	\$1,186.83

(ii) Does result in a new source review emission adjustment:

Facility Type	Non-Title V (per equipment)	Title V (per equipment)
	\$2,483.17	\$3,111.64

(C) Permits reissued for an administrative change in permit description, for splitting a permit into two or more permits based on Equipment/Process listed in Table IA or IB (an application is required for each Equipment/Process) or for a change in permit conditions based on actual operating conditions and which do not require any engineering evaluation and do not cause a change in emissions, shall be charged a fee according to the following schedule:

Schedule	Non-Title V	Title V
A	\$947.12	\$1,186.83
A1	\$947.12	\$1,186.83
B	\$1,293.43	\$1,620.80
B1	\$1,293.43	\$1,620.80
C	\$1,293.43	\$1,620.80

Schedule	Non-Title V	Title V
D	\$1,293.43	\$1,620.80
E	\$1,293.43	\$1,620.80
F	\$1,293.43	\$1,620.80
G	\$1,293.43	\$1,620.80
H	\$1,293.43	\$1,620.80

(D) For permits reissued because of Rule 109, which do not result in Best Available Control Technology (BACT) determination, the permit processing fee shall be 50% of the amount set forth in Table FEE RATE-A.

(4) Fee for Evaluation of Applications for Emission Reductions

Every applicant who files an application for banking of emission reduction credits; change of title of emission reduction credits; alteration/modification of emission reduction credits; or conversion of emission reduction credits, mobile source credits, or area source credits to short term emission reduction credits, as described in paragraph (a)(2) of this rule shall, at the time of filing, pay a processing fee in accordance with Schedule I in Table FEE RATE-B. Additionally, the applicant shall, if required by Rule 1310(c), either:

- (A) Pay a fee for publication of public notice and a preparation fee as per Rule 301(j)(4), or
- (B) Arrange publication of the public notice independent of the District option and provide to the Executive Officer a copy of the proof of publication.

(5) Fees for Retirement of Short Term Emission Reduction Credits for Transfer into Rule 2202, and for ERCs Transfer Out of Rule 2202.

Any applicant who files an application to transfer a short term emission reduction credit certificate into Rule 2202 or to transfer ERCs out of Rule

2202 pursuant to Rule 2202 – On-Road Motor Vehicle Mitigation Options shall, at the time of filing, pay the fee as listed in Table FEE RATE-B.

(6) Refunds

- (A)** If an application for a permit to construct is canceled, permit processing fees, less the application cancellation fee, will be refunded if the permit evaluation has not been initiated by the District. The application cancellation fee will be \$300.52.
- (B)** Any fee paid to the District to process a permit application or equipment registration shall be refunded upon finding by the Executive Officer that the District erroneously requested filing of the application or registration. The cancellation fee required in subparagraph (c)(6)(A) shall not apply when the application was filed based on an erroneous District request.
- (C)** If a facility or equipment is operated in violation of District Rules or Regulations during any portion of the time period for which the fee was assessed, there shall be no refund if the application is cancelled.
- (D)** Applications filed for a Permit to Operate for equipment which has been operating without a required District permit will not receive a refund if the application is cancelled.

(d) Annual Operating Permit Renewal Fee

(1) Renewal of Permit to Operate

All Permits to Operate (including temporary Permits to Operate pursuant to Rule 202) for equipment on the same premises shall be renewed on the annual renewal date set by the Executive Officer. A Permit to Operate is renewable if the permit is valid according to the District's Rules and Regulations and has not been voided or revoked and if the annual operating permit fee is paid within the time and upon the notification specified in paragraph (d)(8) of this rule and if all court judgments in favor of the District and administrative civil penalties associated with the facility are paid.

(2) Annual Operating Fees

The annual operating permit renewal fee shall be assessed in accordance with the following schedules:

Equipment/Process Schedules in Tables IA and IB	Non-Title V Annual Operating Permit Renewal Fee	Title V Annual Operating Permit Renewal Fee
A1	\$282.27	\$353.70
A, B, and B1 (excluding Rule 461 liquid fuel dispensing nozzles)	\$565.63	\$708.80
C and D	\$2,025.92	\$2,538.65
E, F, G, and H	\$4,864.48	\$6,095.70
Rule 461 liquid fuel dispensing system	\$167.19 per product dispensed per nozzle	\$209.53 per product dispensed per nozzle

In addition to the annual operating permit renewal fees based on equipment/process, each RECLAIM/Title V facility shall pay the additional fee of:

Title V Facility	\$1,027.61 per facility
RECLAIM Facility	\$1,360.85 per Major Device
	\$272.16 per Large Device
	\$272.16 per Process Unit Device
RECLAIM and Title V Facility	RECLAIM fee + Title V fee

(3) Credit for Solar Energy Equipment

Any permittee required to pay an annual operating permit renewal fee shall receive an annual fee credit for any solar energy equipment installed at the site where the equipment under permit is located. Solar energy projects that receive grant funding from the Rule 1309.1 – Priority Reserve account shall not be eligible for this annual fee credit.

(A) Computation

The design capacity of the solar energy equipment expressed in thousands of British Thermal Units (Btu) per hour shall be used to determine the fee credit calculated at \$2.52 per 1,000 Btu.

(B) Limitation

The solar energy credit shall not exceed the annual operating permit renewal fee for all permits at the site where the solar energy equipment is located.

(4) Renewal of Temporary Permit to Operate New Equipment

A Permit to Construct, which has not expired or has not been canceled or voided, will be considered a temporary Permit to Operate on the date the applicant completes final construction and commences operation, pursuant to subdivision (a) of Rule 202. For the purposes of this paragraph, the date specified as the estimated completion date on the application for Permit to Construct will be considered the date of commencement of operation, unless the applicant notifies the District in writing that operation will commence on another date, or unless the equipment already has been placed in operation. Such temporary Permit to Operate shall be valid for the period of time between commencement of operation and the applicant's next annual renewal date following commencement of operation and shall be subject to a prorated amount of the annual operating permit renewal fee prescribed in paragraph (d)(2). The proration shall be based on the time remaining to the next annual renewal date. On that next annual renewal date, and each year thereafter, the annual operating permit renewal fee for the temporary Permit to Operate shall be due in the amount prescribed in paragraph (d)(2).

(5) Renewal of Temporary Permit to Operate Existing Equipment

In the case of equipment operating under a temporary Permit to Operate issued pursuant to subdivision (c) of Rule 202, where a Permit to Construct was not issued, the company is immediately subject to a prorated amount of the annual operating permit renewal fee prescribed in paragraph (d)(2) following the submission of the completed application for Permit to Operate. The proration shall be based on the time remaining to the next annual renewal date. On that next annual renewal date, and each year thereafter, the annual operating permit renewal fee shall be due in the amount prescribed in paragraph (d)(2). If no annual renewal date has been

established, the Executive Officer shall set one upon receipt of the application.

(6) Annual Renewal Date

If, for any reason, the Executive Officer determines it is necessary to change the annual renewal date, all annual operating permit renewal fees shall be prorated according to the new annual renewal date.

(7) Annual Renewal Date for Change of Operator

The same annual renewal date shall apply from one change of owner/operator to another.

(8) Notice of Amount Due and Effect of Nonpayment

At least thirty (30) days before the annual renewal date, the owner/operator of equipment under permit will be notified by mail, electronic mail, or other electronic means, of the amount to be paid and the due date. If such notice is not received at least thirty (30) days before the annual renewal date, the owner/operator of equipment under permit shall notify the District on or before the permit renewal date that said notice was not received. The annual operating permit renewal fee for each permit shall be in the amount described in paragraph (d)(2). If the annual operating permit renewal fee is not paid within thirty (30) days after the due date, the permit will expire and no longer be valid. In the case of a RECLAIM facility, if the individual device fee(s) are not paid, the application(s) associated with the device(s) shall expire and no longer be valid. For a Title V facility, if the Title V facility fee, which is not based on any specific equipment but applies to the whole facility, is not paid, the Title V facility permit shall expire. In such a case, the owner/operator will be notified by mail, electronic mail, or other electronic means, of the expiration and the consequences of operating equipment without a valid permit, as required by Rule 203 (Permit to Operate). For the purpose of this paragraph, the fee payment will be considered to be received by the District if it is delivered, postmarked, or electronically paid on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be delivered, postmarked, or electronically paid on the next business day following the Saturday, Sunday, or state holiday with the same effect as if it had been postmarked on the expiration date.

(9) Annual Operating Fees for Redundant Emission Controls

Any person holding permits to operate for two or more emission controls applicable to the same equipment who establishes that any of the emission controls is redundant, i.e., not necessary to assure compliance with all applicable legal requirements, shall not be required to pay annual operating permit renewal fees under subdivision (d) for the redundant equipment. The Executive Officer may reinstate the obligation to pay such fees at any time upon determination that operating the control is or has become necessary to assure compliance with any applicable legal requirements.

(e) Annual Operating Emissions Fees

(1) Annual Operating Emission Fee Applicability

In addition to the annual operating permit renewal fee, the owner/operator of all equipment operating under permit shall pay annual emissions fees if any of the criteria in subparagraphs (e)(1)(A) through (e)(1)(C) are met.

(A) The owner/operator of a facility operates equipment under at least one permit.

(B) The total weight of emissions at a facility are greater than or equal to the thresholds for any of the contaminants specified in paragraph (e)(5), except for ammonia, 1,1,1 trichloroethane, and chlorofluorocarbons, from all equipment used by the owner/operator at all locations. The total weight of emissions of each of the contaminants specified in paragraph (e)(5) includes:

(i) Emissions from permitted equipment

(ii) Emissions resulting from all products which continue to passively emit air contaminants after they are manufactured, or processed by such equipment, with the exception of such product that is shipped or sold out of the District so long as the manufacturer submits records which will allow for the determination of emissions within the District from such products.

(iii) Emissions from equipment or processes not requiring a written permit pursuant to Regulation II.

(C) The owner/operator of a facility that reports emissions to the District pursuant to CARB's Criteria and Toxics Reporting Regulation (17 California Code of Regulations section 93400 et seq.) or pursuant to CARB's AB 2588 Air Toxics "Hot Spots" Emission Inventory

Criteria and Guidelines Regulation (17 California Code of Regulations section 93300.5).

(2) Emissions Reporting and Fee Calculation

Each facility subject to subparagraph (e)(1)(B) shall annually report all emissions for all pollutants listed in paragraph (e)(5) and Table IV and incur an emissions fee as prescribed in Table III. Additionally, all major stationary sources of NO_x and/or VOC, as defined in Rule 317, Rule 317.1 and other rule(s) implementing section 185 of the federal Clean Air Act, shall annually report and pay the appropriate clean air act nonattainment fees for all actual source emissions including but not limited to permitted, unpermitted, unregulated and fugitive emissions.

Non-permitted emissions, except if emitted at a facility subject to any rule implementing Section 185 of the Clean Air Act, which are not regulated by the District shall not be reported and shall be excluded from emission fees if the facility provides a demonstration that the emissions are not regulated and maintains sufficient records to allow the accurate demonstration of such non-regulated emissions.

(3) Exception for the Use of Clean Air Solvents

An owner/operator shall not pay a fee for emissions from the use of Clean Air Solvents issued a valid Certificate from the District so long as the facility submits separate records which allow the determination of annual emissions, usage, and identification of such products. A copy of the Clean Air Solvent certificate issued to the manufacturer or distributor shall be submitted with the separate records.

(4) Flat Annual Operating Emission Fee

The owner/operator of all equipment subject to paragraph (e)(1)(A) (not including certifications, registrations or plans) shall each year be assessed a flat annual emissions fee of \$170.94.

(5) Emission Fee Thresholds

Air Contaminant(s)	Annual Emissions Threshold
Gaseous sulfur compounds (expressed as sulfur dioxide)	≥4 TPY
Total organic gases (excluding methane and exempt compounds as defined in Rule 102, and specific organic gases as specified in subdivision(b))	≥4 TPY
Specific organic gases as specified in subdivision (b)	≥4 TPY
Oxides of nitrogen (expressed as nitrogen oxide)	≥4 TPY
Total particulate matter	≥4 TPY
Carbon monoxide	≥100 TPY
Ammonia	>0.1 TPY
Chlorofluorocarbons	>1 lb per year
1,1,1 Trichloroethane	>1 lb per year

(6) Clean Fuels Fee

Each facility emitting 250 tons or more per year (≥ 250 TPY) of Volatile Organic Compounds, Nitrogen Oxides, Sulfur Oxides and Particulate Matter shall pay an annual clean fuels fee as prescribed in Table V (California Health and Safety Code Section 40512).

(7) Fees for Toxic Air Contaminants

Each facility subject to subparagraph (e)(1)(B) or (C) emitting a toxic air contaminant greater than or equal to the annual thresholds listed in Table IV shall be assessed annual emissions fees as indicated in subparagraphs (e)(7)(A). The annual emissions fees for toxic air contaminants shall be based on the total weight of emissions of these contaminants associated with all equipment and processes including, but not limited to, material usage, handling, processing, loading/unloading; combustion byproducts, and fugitives (equipment/component leaks).

(A) For emissions reported before January 1, 2020, any facility subject to paragraph (e)(7) that emits any toxic air contaminant greater than the thresholds listed in Table IV shall pay the fees listed in Table IV. For emissions reported after January 1, 2020, any facility subject

to paragraph (e)(7) that emits any toxic air contaminant greater than the thresholds listed in Table IV shall not pay the fees in Table IV and shall instead pay the following fees:

- (i) A Base Toxics Fee of \$87.84;
- (ii) A Flat Rate Device Fee of \$384.89 for each device, including permitted and unpermitted equipment with emissions of any pollutant above the annual thresholds listed in Table IV;
- (iii) A Cancer-Potency Weighted Fee of \$11.26 per cancer-potency weighted pound of facility-wide emissions for each pollutant listed in Table IV. The cancer-potency weighted emissions of each toxic air contaminant listed in Table IV shall be calculated as follows:

$$CPWE = TAC \times CPF \times MPF$$

Where:

CPWE = Cancer Potency Weighted Emissions

TAC = Emissions (pounds) of a Table IV toxic air contaminant

CPF = Cancer Potency Factor for the reported toxic air contaminant

MPF = Multi-Pathway Factor for the reported toxic air contaminant

The CPF and MPF shall be equal to those specified in the Rule 1401 Risk Assessment Procedures that were current at the time that the emissions were required to be reported.

- (B) The following facilities are exempt from paying specified toxics emissions fees:

- (i) Any dry cleaning facility that emits less than two (2) tons per year of perchloroethylene, and qualifies as a small business as defined in the general definition of Rule 102 shall be exempt from paying any fees listed in subparagraph (e)(7)(A).
- (ii) Any facility that emits less than two (2) tons per year, of formaldehyde, perchloroethylene, or methylene chloride, may petition the Executive Officer, at least thirty (30) days

prior to the official submittal date of the annual emissions report as specified in paragraph (e)(10), for exemption from formaldehyde, perchloroethylene, or methylene chloride fees as required in subparagraph (e)(7)(A). Exemption from emissions fees shall be granted if the facility demonstrates that no alternatives to the use of these substances exist, no control technologies exist, and that the facility qualifies as a small business as defined in the general definition of Rule 102.

- (iii) Any facility that is located more than one mile from a residential or other sensitive receptor shall be exempt from paying fees in clause (e)(7)(A)(iii).

(8) Reporting of Total Emissions from Preceding Reporting Period and Unreported or Under-reported Emissions from Prior Reporting Periods

- (A) The owner/operator of equipment subject to paragraph (e)(2) shall report to the Executive Officer the total emissions for the immediate preceding reporting period of each of the air contaminants listed in Table III and Table IV from all equipment. The report shall be made at the time and in the manner prescribed by the Executive Officer. The permit holder shall report the total emissions for the twelve (12) month period reporting for each air contaminant concerned from all equipment or processes, regardless of the quantities emitted.
- (B) The Executive Officer will determine default emission factors applicable to each piece of permitted equipment or group of permitted equipment, and make them available to the owner/operator in a manner specified by the Executive Officer and provide them to the owner/operator upon request. In determining emission factors, the Executive Officer will use the best available data. A facility owner/operator can provide alternative emission factors that more accurately represent actual facility operations subject to the approval of the Executive Officer.
- (C) A facility owner/operator shall report to the Executive Officer, in the same manner, and quantify any emissions of air contaminants in previous reporting periods which had not been reported correctly and should have been reported under the requirements in effect in the reporting period in which the emissions occurred.

- (D) The reported emissions shall be certified by an authorized official. For purposes of reporting, an “authorized official” is defined as an individual who has knowledge and responsibility for emissions data and has been authorized by an officer of the permit holder to submit and certify the accuracy of the data presented in the emissions report on behalf of the permit holder, based on best available knowledge.
- (9) Request to Amend Emissions Report and Refund of Emission Fees
 - (A) A facility owner/operator shall submit a written request (referred to as an “Amendment Request”) for any proposed revisions to previously submitted annual emissions reports. Amendment requests with no fee impact, submitted after one (1) year and seventy-five (75) days from the official due date of the subject annual emissions report shall include a non-refundable standard evaluation fee of \$446.21 for each subject facility and reporting period. Evaluation time beyond two hours shall be assessed at the rate of \$223.14 per hour and shall not exceed ten (10) hours. Amendment requests received within one year (1) and seventy five (75) days from the official due date of a previously submitted annual emissions report shall not incur any such evaluation fees. The Amendment Request shall include all supporting documentation and copies of revised applicable forms.
 - (B) A facility owner/operator shall submit a written request (referred to as a “Refund Request”) to correct the previously submitted annual emissions reports and request a refund of overpaid emission fees. Refund Requests must be submitted within one (1) year and seventy five (75) days from the official due date of the subject annual emissions report to be considered valid. The Refund Request shall include all supporting documentation and copies of revised applicable forms. If the Refund Request is submitted within one (1) year and seventy five (75) days from the official due date of the subject annual emissions report, and results in no fee impact, then the facility owner/operator shall be billed for the evaluation fee pursuant to subparagraph (e)(9)(A).
- (10) Notice to Pay and Late Filing Surcharge
 - (A) The facility owner/operator shall submit an annual emissions report and pay any associated emissions fees if a notice to report emissions

is sent by mail, electronic mail, or other electronic means, annually to the owners/operators of all equipment (as shown in District records) for which this subdivision applies. A notice to pay the clean fuels fee specified in paragraph (e)(6) or semi-annual fee specified in paragraph (e)(11) will also be sent by mail, electronic mail, or other electronic means, to facilities which in the preceding reporting year emitted any air contaminant equal to or greater than the emission thresholds specified in subparagraph (e)(11)(A). Emissions reports and fee payment submittals are the responsibility of the owner/operator regardless of whether the owner/operator was notified.

If both the fee payment and the completed annual emissions report are not received by the seventy-fifth (75th) day following January 1 or the fee payment not received by the seventy-fifth (75th) day following July 1 (for semi-annual and clean fuels fees), they shall be considered late, and surcharges for late payment shall be imposed as set forth in subparagraph (e)(10)(B). For the purpose of this subparagraph, the emissions fee payment and the emissions report shall be considered to be timely received by the District if it is delivered, postmarked, or electronically paid on or before the seventy-fifth (75th) day following the official due date. If the seventy-fifth (75th) day falls on a Saturday, Sunday, or a state holiday, the fee payment and emissions report may be delivered, postmarked, or electronically paid on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if they had been delivered, postmarked, or electronically paid on the seventy-fifth (75th) day.

- (B) The 2025 annual emissions report and associated fee payment shall be considered to be timely received by the District if the report is electronically submitted and payment is delivered, postmarked, or electronically paid on or before May 1, 2026. If fee payment and emissions report are not received within the time prescribed by subparagraph (e)(10)(A) or (e)(11)(C), a surcharge shall be assessed and added to the original amount of the emission fee due according to the following schedule:

Less than 30 days	5% of reported amount
30 to 90 days	15% of reported amount
91 days to 1 year	25% of reported amount
More than 1 year	(See subparagraph (e)(10)(D))

- (C) If an annual emission fee or clean fuels fee is timely paid, and if, within one year after the seventy-fifth (75th) day from the official due date of the annual emission report is determined to be less than ninety percent (90%) of the full amount that should have been paid, a fifteen percent (15%) surcharge shall be added, and is calculated based on the difference between the amount actually paid and the amount that should have been paid, to be referred to as underpayment. If payment was ninety percent (90%) or more of the correct amount due, the difference or underpayment shall be paid but with no surcharges added. The fee rate to be applied shall be the fee rate in effect for the year in which the emissions actually occurred. If the underpayment is discovered after one (1) year and seventy five (75) days from the official fee due date of the annual emission report, fee rates and surcharges will be assessed based on subparagraph (e)(10)(D).
- (D) The fees due and payable for the emissions reported or reportable pursuant to subparagraph (e)(8)(C) shall be assessed according to the fee rate for that contaminant specified in Tables III, IV, and V, and paragraph (e)(7) and further increased by fifty percent (50%). The fee rate to be applied shall be the fee rate in effect for the year in which the emissions actually occurred.
- (E) Effective July 1, 2019, if the underpayment is a result of emissions related to a source test that was submitted to the Source Test unit for approval prior to or at the time the official AER submittal due date of the subject annual emission report, the difference or underpayment shall be paid, but with no surcharges added. The fee rate to be applied shall be the fee rate in effect for the year in which the emissions actually occurred.
- (F) If one hundred twenty (120) days have elapsed since January 1st, July 1st, or as applicable, and all emission fees including any surcharge have not been paid in full, the Executive Officer may take

action to revoke all Permits to Operate for equipment on the premises, as authorized in Health and Safety Code Section 42307.

(11) Semi-Annual Emissions Fee Payment

- (A) For facilities emitting the threshold amount of any contaminant listed below, the Executive Officer will estimate one half (1/2) of the previous annual emission fees and request that the permit holder pay such an amount as the first installment on annual emission fees for the current reporting period.

Air contaminant(s)	Annual emissions threshold (TPY)
Gaseous sulfur compounds (expressed as sulfur dioxide)	≥10 TPY
Total organic gases (excluding methane and exempt compounds as defined in Rule 102, and specific organic gases as specified in subdivision (b))	≥10 TPY
Specific organic gases as specified in subdivision (b)	≥10 TPY
Oxides of nitrogen (expressed as nitrogen dioxide)	≥10 TPY
Total particulate matter	≥10 TPY
Carbon monoxide	≥100 TPY

- (B) In lieu of payment of one half the estimated annual emission fees, the owner/operator may choose to report and pay on actual emissions for the first six months (January 1 through June 30). By January 1 of the year following the reporting period, the permit holder shall submit a final Annual Emission Report together with the payment of the balance; the annual emission fees less the installment previously paid. The report shall contain an itemization of emissions for the preceding twelve (12) months of the reporting period (January 1 through December 31). The final Annual Emission Report for 2025 emissions together with the payment of the balance (the annual emission fees less the installment previously paid) shall be considered to be timely received by the District if the report is electronically submitted and payment is delivered, postmarked, or electronically paid on or before May 1, 2026.

- (C) An installment fee payment shall be considered late if not received by the District, or postmarked, on or before the seventy-fifth (75th) day following July 1 of the current reporting period and shall be subject to a surcharge pursuant to subparagraph (e)(10)(B).
- (12) **Fee Payment Subject to Validation**
Acceptance of a fee payment does not constitute validation of the emission data.
- (13) **Exempt Compounds**
Emissions of acetone, ethane, methyl acetate, parachlorobenzotrifluoride (PCBTF), and volatile methylated siloxanes (VMS), shall not be subject to the fee requirements of Rule 301(e), but are subject to reporting requirements pursuant to CARB's Criteria and Toxics Reporting Regulation and/or the AB 2588 Air Toxics "Hot Spots" Emission Inventory Criteria and Guidelines Regulation.
- (14) **Reporting Emissions and Paying Fees**
For the reporting period of January 1 through December 31, emission fees shall be determined in accordance with fee rates specified in Tables III and V, and paragraphs (e)(2) and (e)(7). Installment fees that have been paid for Semi-Annual Emission Fees shall not be subject to this provision.
- (15) **Deadline for Filing Annual Emissions Report and Fee Payment**
Notwithstanding any other applicable Rule 301(e) provisions regarding the annual emissions report and emission fees, for the reporting period January 1 through December 31, the fee payment and the completed annual emissions report shall be delivered, postmarked, or electronically paid on or before the seventy-fifth (75th) day following January 1 of the subsequent year to avoid any late payment surcharges specified in subparagraph (e)(10)(B). The 2025 annual emissions report and associated fee payment shall be considered to be timely received by the District if the report is electronically submitted and payment is delivered, postmarked, or electronically paid on or before May 1, 2026.
- (16) **Reporting GHG Emissions and Paying Fees**
A facility that is subject to the California Air Resources Board (CARB)'s mandatory reporting of Greenhouse Gas (GHG) emissions may request District staff to review and verify the facility's GHG emissions. The fee for review and verification for each GHG emissions report shall consist of an

initial submittal fee of \$182.28 in addition to a verification fee assessed at \$182.28 per hour or prorated portion thereof.

(17) **Abbreviated Reporting Eligibility Pursuant to CARB's Criteria And Toxics Reporting Regulation and Associated Fees**

Facilities electing to submit an abbreviated report to fulfill reporting requirements pursuant to California Code of Regulations Title 17 Section 93400 et seq. are exempt from fees in (e)(7) and subject instead to an annual abbreviated reporting filing fee of \$109.67 beginning July 1, 2025 and thereafter. Facilities are eligible for abbreviated reporting only if conditions in both (e)(17)(A) and (e)(17)(B) are met.

(A) A facility does not meet any of the criteria in (i) through (vi) below:

- (i) Subject to (e)(1)(B)
- (ii) Subject to CARB's AB 2588 Air Toxics "Hot Spots" Emission Inventory Criteria and Guidelines Regulation (17 California Code of Regulations section 93300.5)
- (iii) Criteria Facility – any facility with permitted potential to emit 250 or more tons per year of any applicable nonattainment pollutant or its precursors.
- (iv) Greenhouse Gas Reporter Facility – any facility subject to reporting under the California Regulation for the Mandatory Reporting of Greenhouse Gas Emissions, 17, CCR Section 95100 et seq.
- (v) Elevated Prioritization Toxics Facility – any facility identified by South coast AQMD as high priority as of January 1 of the data year (the year the emissions occurred), based on the South Coast AQMD's implementation of the AB 2588 "Hot Spots" requirements.
- (vi) Facilities subject to Rule 317.1

(B) A facility engages in activity (or activities) defined as applicable to abbreviated reporting by CARB's Criteria And Toxics Reporting Regulation or authorized by CARB.

(f) **Certified Permit Copies and Reissued Permits**

A request for a certified permit copy shall be made in writing by the permittee after the destruction, loss, or defacement of a permit. A request for a permit to be reissued shall be made in writing by the permittee where there is a name or address

change without a change of owner/operator or location. The permittee shall, at the time a written request is submitted, pay the fees to cover the cost of the certified permit copy or reissued permit as follows:

(1) Certified Permit Copy

Facility Type	Non-Title V	Title V
	\$39.15	\$49.07

(2) Reissued Permit

Facility Type	Non-Title V	Title V
	\$303.26	\$380.00

No fee shall be assessed to reissue a permit to correct an administrative error by District staff.

(g) Reinstating Expired Applications or Permits; Surcharge

An application or a Permit to Operate which has expired due to nonpayment of fees or court judgments in favor of the District or administrative civil penalties associated with the facility may be reinstated by submitting a request for reinstatement of the application or Permit to Operate accompanied by a reinstatement surcharge and payment in full of the amount of monies due at the time the application or Permit to Operate expired. The reinstatement surcharge shall be fifty percent (50%) of the amount of fees due per equipment at the time the application or Permit to Operate expired, or the following amount, whichever is lower:

Permit Holder Per Equipment Fee	Title V Facility	Non-Title V Facility	Other Facility Type
	\$432.13	\$344.86	\$344.86

Such request and payment shall be made within one (1) year of the date of expiration. An application or Permit to Operate which has expired due to nonpayment of fees shall not be reinstated if the affected equipment has been altered since the expiration of the application or Permit to Operate. If the period of expiration has exceeded one (1) year or the affected equipment has been altered,

operation of the equipment shall require a new Permit to Operate and the application shall be subject to Rule 1313(b).

(h) Reinstating Revoked Permits

If a Permit to Operate is revoked for nonpayment of annual permit fees based on emissions or fees on non-permitted emissions, it may be reinstated upon payment by the permit holder of such overdue fees and accrued surcharge in accordance with (e)(10).

(i) Clean Air Act Non-Attainment Fees

Any fees remitted to the District pursuant to Rule 317 – Clean Air Act Non-attainment Fees shall be held in escrow accounts unique to each source. Fees accrued in such escrow accounts may be used for either of the following at the discretion of the source's owner or operator.

- (1) Creditable up to the amount of fees due by the same source during the calendar year or subsequent calendar year(s) for annual emissions fees due pursuant to Rule 301(e)(2), (4), (6), (7) and (11) and annual operating permit renewal fees due pursuant to Rule 301(d)(1), (2) and (4). In no case shall the credit be greater than the fees paid; or
- (2) Use by the owner or operator for VOC and NOx reduction programs at their source that are surplus to the State Implementation Plan according to the following prioritization:
 - (A) at the source; or
 - (B) use within another facility under common ownership; or
 - (C) use in the community adjacent to the facility; or
 - (D) other uses to reduce emissions.

Up to five percent of funds can be used by the South Coast Air Quality Management District for administrative support for items in paragraph (i)(2).

(j) Special Permit Processing Fees - California Environmental Quality Act (CEQA) Assistance, Air Quality Analysis, Health Risk Assessment, and Public Notice for Projects

(1) Payment for CEQA Assistance

(A) CEQA Document Preparation

When a determination is made by the Executive Officer that the District is the Lead Agency for a project, pursuant to the California Environmental Quality Act (CEQA), Public Resources Code

Section 21000 et seq. and state CEQA Guidelines (14 California Code of Regulations section 15000 et seq.), the project applicant may be required to pay a review fee (based on a staff rate of \$223.14 per hour) when a 400-CEQA form requires the CEQA staff to review for CEQA applicability. If preparation of CEQA documentation is deemed necessary, the applicant shall pay an initial fee for the preparation of necessary CEQA documentation according to the following schedule:

Notice of Exemption (upon applicant request)	\$446.26
Negative Declaration (ND), including Supplemental or Subsequent ND	\$6,729.76
Mitigated Negative Declaration (MND), including Supplemental or Subsequent MND	\$6,729.76
Environmental Impact Report (EIR), including Supplemental or Subsequent EIR	\$8,972.98
Addendum to EIR, including Addendum to ND/MND	\$4,650.30

If the Executive Officer determines that the District's CEQA preparation costs (may include, but not limited to, mailing, noticing, publications, et cetera) and staff time (based on the rate of \$223.14 per hour) exceed the initial fee the project applicant, upon notification from the District, shall make periodic payment of the balance due. The Executive Officer shall determine the amount and timing of such periodic payments, based upon the level of CEQA analysis and the amount of monies needed to offset the actual preparation costs.

(B) CEQA Document Assistance

When the District is not the Lead Agency for a project and a request is made by: another public agency; a project proponent; or any third party, for staff assistance with any of the following tasks including, but not limited to: reviewing all or portions of a CEQA document and air quality analysis protocols for emissions inventories and air dispersion modeling prior to its circulation to the public for review pursuant to Public Resources Code §21092; assisting lead agencies with developing and implementing mitigation measures, the requestor may be required to pay a fee for staff time at the rate of

\$223.14 per hour. This fee shall not apply to review of CEQA documents prepared by other public agencies that are available for public review pursuant to Public Resources Code §21092 and is part of the District's intergovernmental review responsibilities under CEQA.

(2) Payment for Air Quality Analysis

When a determination is made by the Executive Officer that an air quality analysis of the emissions from any source is necessary to predict the extent and amount of air quality impact prior to issuance of a permit, the Executive Officer may order air quality simulation modeling by qualified District personnel. Alternatively, the Executive Officer may require (or the owner/operator of the source may elect) that modeling be performed by the owner/operator or an independent consultant.

Where modeling is performed by the owner/operator or an independent consultant, the Executive Officer may require that the results be verified by qualified District personnel. The owner/operator of the source shall provide to the Executive Officer a copy of the final modeling report including all input data, description of methods, analyses, and results. The owner/operator of the source modeled by District personnel shall pay a fee as specified in Table IIA to cover the costs of the modeling analysis. A fee, as specified in Table IIA, shall be charged to offset the cost of District verification of modeling performed by an independent consultant.

(3) Payment for Health Risk Assessment

(A) When a determination is made by the Executive Officer that any source being evaluated for a Permit to Construct or a Permit to Operate may emit toxic or potentially toxic air contaminants, the Executive Officer may order a Health Risk Assessment be conducted by qualified District personnel or by a qualified consultant, as determined by the Executive Officer, engaged by the District under a contract. Alternatively, the Executive Officer may require (or owner/operator of the source may elect) that the assessment be performed by the owner/operator or an independent consultant engaged by the owner/operator. The Health Risk Assessment shall be performed pursuant to methods used by the California EPA's Office of Environmental Health Hazard Assessment.

- (B) For a Health Risk Assessment conducted by the owner/operator of the source or the owner/operator's consultant, the Executive Officer may require that the results be verified by qualified District personnel or by a qualified consultant engaged by the District. The owner/operator of the source shall provide to the Executive Officer a copy of the final Health Risk Assessment including all input data, and description of methods, analyses, and results. The owner/operator of the source for which a Health Risk Assessment is conducted or is evaluated and verified by District personnel or consultant shall pay the fees specified in Table IIA to cover the costs of an Air Quality Analysis and Health Risk Assessment analysis, evaluation, or verification. When the Health Risk Assessment is conducted or is evaluated and verified by a consultant engaged by the District, or District personnel, the fees charged will be in addition to all other fees required.
 - (C) When a Health Risk Assessment is evaluated by the California EPA, pursuant to Health and Safety Code Sections 42315, 44360, 44361 or 44380.5, or by a consultant engaged by the California EPA, or when the District consults with the California EPA regarding the Health Risk Assessment, any fees charged by the California EPA to the District will be charged to the person whose Health Risk Assessment is subject to the review, in addition to other fees required.
- (4) Payment for Public Notice
- An applicant shall pay the applicable fee, for preparation of any public notice as required by the rules, as shown below in this paragraph:

Public Notification Type	Non-Title V Source	Title V Source
For a project requiring notification as defined in Rule 212(c)	\$1,507.98	\$1,889.69
For emission reduction credits (ERCs) in excess of the amounts as specified in Rule 1310(c)	\$1,507.98	\$1,889.69
Requesting allocations from the Offset Budget or requesting the generation or use of any Short Term Credit (STCs)	\$1,507.98	\$1,889.69
Significant revision of a Title V permit	---	\$1,889.69

- (A) An applicant for a project subject to the requirements of Rule 212(c) shall either:
- (i) Pay a flat fee of \$761.75 and the actual cost as invoiced for postage, or
 - (ii) Arrange for distribution of the above notice independent of the District option. If the distribution is carried out by the owner/operator or an independent consultant, the owner/operator of the source shall submit a copy of the proof of distribution to the Executive Officer.
- (B) An applicant for a project subject to the requirements of Rule 212(g) shall either:
- (i) Pay the actual cost as invoiced for publication of the notice by prominent advertisement in the newspaper of general circulation in the area affected where the facility is located and for the mailing of the notice to persons identified in Rule 212(g), or
 - (ii) Arrange publication of the above notice independent of the District option. This notice must be by prominent advertisement in the newspaper of general circulation in the area affected where the facility is located. Where publication

is performed by the owner/operator or an independent consultant, the owner/operator of the source shall provide to the Executive Officer a copy of the proof of publication.

- (5) Payment for Review of Continuous Emissions Monitoring System (CEMS), Fuel Sulfur Monitoring System (FSMS), and Alternative Continuous Emissions Monitoring System (ACEMS)

- (A) New Application for Process Equipment Requiring CEMS or, Alternatively, an FSMS or ACEMS to Comply with the CEMS Requirement.

When a determination is made by the Executive Officer that a Continuous Emissions Monitoring System (CEMS) is required in order to determine a source's compliance with a District rule or regulation, the applicant shall:

- (i) Apply for the use of a CEMS and pay a basic processing fee as specified in Table IIB at the time of filing.
- (ii) Apply for the use of an FSMS or ACEMS in lieu of a CEMS and pay a basic processing fee as specified in Table IIB at the time of filing.

- (B) Modification of an Existing Certified CEMS, FSMS, or ACEMS

If a certified CEMS, FSMS, or ACEMS is modified in a manner (excluding routine replacement or servicing of CEMS or FSMS components for preventive or periodic maintenance according to established quality assurance guidelines, or CEMS or FSMS components designated by the Executive Officer as "standardized" or direct replacement-type components) determined by the Executive Officer to compromise a source's compliance with a District rule or regulation, the applicant shall pay a processing fee covering the evaluation of the modification and recertification, if necessary, as follows:

- (i) If one or more CEMS or FSMS components (excluding additional pollutant monitors) are replaced, modified, or added, the applicant shall pay a minimum processing fee of \$1,177.30; and additional fees will be assessed at a rate of \$223.14 per hour for time spent on the evaluation in excess of 10 hours up to a maximum total fee of \$7,444.61.

- (ii) If one or more pollutant monitors are added to a CEMS or FSMS (and one or more of its components are concurrently replaced, modified, or added), the applicant shall pay a minimum processing fee as specified in Table IIB, based on the number of CEMS or FSMS pollutant monitors and components added.
 - (iii) If one or more pollutant emission sources at a facility are added to an FSMS, a time-shared CEMS, or a SO_x CEMS which is specifically used to “back-calculate” fuel sulfur content for these sources, the applicant shall pay a minimum processing fee as specified in Table IIB, based on the number of CEMS or FSMS monitors and components added.
 - (iv) If one or more ACEMS (or PEMS) components are replaced, modified, or added, the applicant shall pay a minimum processing fee \$1,177.30; and additional fees will be assessed at a rate of \$223.14 per hour for time spent on the evaluation in excess of 10 hours up to a maximum total fee of \$7,444.61.
- (C) Modification of CEMS, FSMS, or ACEMS Monitored Equipment
For any RECLAIM or non-RECLAIM equipment monitored or required to be monitored by a CEMS, FSMS, or ACEMS, that is modified in a manner determined by the Executive Officer to compromise a source’s compliance with a District CEMS-, FSMS-, or ACEMS-related rule or regulation, or requires an engineering evaluation, or causes a change in emissions; the applicant shall pay a minimum processing fee of \$1,177.30, covering the evaluation and recertification, if necessary, of the CEMS, FSMS, or ACEMS. Additional fees will be assessed at a rate of \$223.14 per hour for time spent on the evaluation in excess of 10 hours up to a maximum total fee of \$7,444.61.
- (D) Periodic Assessment of an Existing CEMS, FSMS, or ACEMS
An existing CEMS, FSMS, or ACEMS must be retested on a quarterly, semi-annual, or annual basis to remain in compliance with District regulations. The applicant shall pay a minimum processing fee of \$1,177.30 for this evaluation, if required. Additional fees will be assessed at a rate of \$223.14 per hour for time spent on the

evaluation in excess of 10 hours up to a maximum total fee of \$7,444.62.

(E) CEMS, FSMS, or ACEMS Change of Owner/Operator

Every applicant who files an application for a change of owner/operator of a RECLAIM or non-RECLAIM facility permit shall also file an application for a change of owner/operator of a CEMS, FSMS, or ACEMS, if applicable, and be subject to a processing fee equal to \$354.93 for the first CEMS, FSMS, or ACEMS, plus \$70.77 for each additional CEMS, FSMS, or ACEMS.

(6) Payment for Review and Certification of Barbecue Charcoal Igniter Products

(A) Certification of Barbecue Charcoal Igniter Products

Pursuant to the requirements of District Rule 1174, manufacturers, distributors, and/or retailers of applicable barbecue charcoal igniter products shall perform the required testing and shall submit a formal report for review by SCAQMD staff for product compliance and certification. For each product evaluated, the applicant shall pay a minimum processing fee of \$880.58 per product certified, and additional fees will be assessed at the rate of \$182.28 per hour for time spent on the evaluation/certification process in excess of 5 hours.

(B) Repackaging of Certified Barbecue Charcoal Igniter Products

When a currently certified barbecue charcoal igniter product is repackaged for resale or redistribution, the manufacturer, distributor, and/or retailer shall submit the required documentation to SCAQMD staff for evaluation and approval. For each product or products evaluated, the applicant shall pay a processing fee of \$440.31 for the first certificate issued, and additional fees will be assessed at the rate of \$182.28 per hour for the time spent in excess of 3 hours for the first certificate issued. Additional certificates for the same product or products shall be assessed at the rate of \$88.00 per each additional certificate issued.

(7) Fees for Inter-basin, Inter-district, or Interpollutant Transfers of Emission Reduction Credits

An applicant for inter-basin, inter-district, or interpollutant transfer of ERCs shall file an application for ERC Change of Title and pay fees as listed in Table FEE RATE-B. Additional fees shall be assessed at a rate based on the number of hours for the time spent on review and evaluation of inter-basin, inter-district, and interpollutant transfers of ERCs pursuant to Rule 1309 subdivisions (g) and (h).

Facility Type	Non-Title V	Title V
	\$258.67/hr	\$324.14/hr

- (8) Fees for Grid Search to Identify Hazardous Air Pollutant Emitting Facilities
A fee of \$443.33 shall be submitted by any individual, business or agency requesting the District to conduct a grid search to identify all facilities with the potential to emit hazardous air pollutants located within one-quarter mile of a proposed school boundary.

Failure to pay the fees described in this subdivision within thirty (30) days after their due date(s) shall result in expiration of pending applications, and no further applications will be accepted from the applicant until the fees have been paid in full.

- (k) Government Agencies

All applicants and permittees, including federal, state, or local governmental agencies or public districts, shall pay all fees.

- (l) RECLAIM Facilities

- (1) For RECLAIM facilities, this subdivision specifies additional conditions and procedures for assessing the following fees:

- (A) Facility Permit;
- (B) Facility Permit Amendment;
- (C) Change of Operating Condition;
- (D) Change of Owner/Operator;
- (E) Annual Operating Permit;
- (F) Transaction Registration;
- (G) RECLAIM Pollutant Emission;
- (H) Duplicate Permits;
- (I) Reissued Permits;

(J) RECLAIM Breakdown Emissions; and

(K) Non-Tradeable Allocation Credit Mitigations.

(2) RECLAIM Fees Applicability

All RECLAIM Facility Permit holders shall be subject to this subdivision.

(3) Rule 301 - Permit Fees Applicability

Unless specifically stated, all RECLAIM Facility Permit holders shall be subject to all other provisions of Rule 301 - Permit Fees.

(4) Facility Permit Amendment

At the time of filing an application for a Facility Permit Amendment, a Facility Permit Amendment Fee shall be paid and an application for such amendment shall be submitted. The Facility Permit Amendment Fees for an application or group of applications are listed in Table VII and shall be based on the type of facility permit. Facility Permit Amendment Fees are in addition to the sum of applicable fees assessed for each application required for affected equipment as specified in subparagraph (c)(3)(C) (for administrative equipment applications) or Table FEE RATE-A (for non-administrative equipment applications) or Rule 306 (i)(1). All delinquent fees, court judgments in favor of the District and administrative civil penalties associated with the facility must be paid before a Facility Permit Amendment application will be accepted.

(5) Change of Operating Condition

At the time of filing an application for a Change of Operating Conditions that requires engineering evaluation or causes a change in emissions, a Change of Condition Fee shall be paid. Such fee shall be equal to the sum of fees assessed for each equipment subject to the change of condition as specified in Table FEE RATE-A. All delinquent fees associated with the affected facility subject to the change of condition must be paid before a Change of Operating Conditions application will be accepted.

(6) Fee for Change of Owner/Operator

The Permit Processing Fee for a Change of Owner/Operator of a RECLAIM facility permit shall be determined from Table FEE RATE-C. In addition, a Facility Permit Amendment fee as specified in paragraph (1)(4) shall be assessed. All fees, billed within the past 3 years from the date of application submittal that are, associated with the facility for equipment for which a Change of Owner/Operator or Additional Operator application is filed, and all facility-specific fees (such as “Hot Spots” fees), must be paid before a

Change of Owner/Operator or Additional Operator application is accepted. If after an application is received and SCAQMD determines that fees are due, the new owner/operator shall pay such fees within 30 days of notification. If the fees are paid timely the new operator will not be billed for any additional fees billed to the previous owner/operator.

- (7) Annual Operating Permit Renewal Fee
- (A) Unless otherwise stated within this subdivision, the Facility Permit holder shall be subject to all terms and conditions pursuant to subdivision (d).
 - (B) An Annual Operating Permit Renewal Fee shall be submitted by the end of the compliance year. Such fee shall be equal to the sum of applicable permit renewal fees specified in paragraph (d)(2).
 - (C) At least thirty (30) days before the annual renewal date, the owner/operator of equipment under permit will be notified by mail, electronic mail, or other electronic means, of the amount to be paid and the due date. If such notice is not received at least thirty (30) days before the annual renewal date, the owner/operator of equipment under permit shall notify the District on or before the permit renewal date that said notice was not received. If the Annual Operating Permit Renewal fee is not paid within thirty (30) days after the due date, the permit will expire and no longer be valid. In such a case, the owner/operator will be notified by mail, electronic mail, or other electronic means, of the expiration and the consequences of operating equipment without a valid permit as required by District Rule 203 (Permit to Operate). For the purpose of this subparagraph, the fee payment will be considered to be received by the District if it is delivered, postmarked, or electronically paid on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be delivered, postmarked, or electronically paid on the next business day following the Saturday, Sunday, or state holiday as if it had been delivered, postmarked, or electronically paid on the expiration date.
- (8) Transaction Registration Fee
- The transferor and transferee of an RTC shall jointly register the transaction with the District pursuant to District Rule 2007 – Trading Requirements.

The transferee shall pay a Transaction Registration Fee of \$243.84 at the time the transaction is registered with the SCAQMD.

(9) RECLAIM Pollutant Emission Fee

At the end of the reporting period specified in subparagraph (e)(8)(A), RECLAIM facilities shall pay a RECLAIM Pollutant Emission Fee based on the facilities' total certified RECLAIM pollutant emissions. For facilities emitting ten (10) tons per year or more of any contaminant the previous year, the Facility Permit holders shall pay a semi-annual installment equal to one half (1/2) of the total estimated fee with final balance due at the end of the reporting period.

(A) The Facility Permit Holder shall pay emission fees according to the provisions of subdivision (e) for all emissions that are not accounted for with RECLAIM pollutant emissions. The Facility Permit holder shall add non-RECLAIM emissions to applicable RECLAIM emissions to determine the appropriate fee rate from Table III fee rate per ton of emissions.

(B) Facility Permit Holders shall pay RECLAIM Pollutant Emission Fees according to the provisions of subdivision (e), except that:

- (i) Fees based on emissions of RECLAIM pollutants as defined in Rule 2000(c)(58) for annual payments shall be calculated based on certified emissions as required by paragraph (b)(2) or (b)(4) of Rule 2004, as applicable;
- (ii) RECLAIM Pollutant Emission Fees shall be due as established by subdivision (e) of this rule for both Cycle 1 and Cycle 2 Facilities;
- (iii) Facilities emitting ten (10) tons per year or more of a RECLAIM pollutant during the previous annual reporting period, shall also pay a semi-annual installment based on either (a) one-half (1/2) of the facility's RECLAIM pollutant fees for the previous annual reporting period; or (b) emissions certified pursuant to paragraph (b)(2) and (b)(4) of Rule 2004 in the two (2) quarters falling in the time period that coincides with the first six (6) months of the current reporting period, by the deadline as established by subdivision (e) of this rule for both Cycle 1 and Cycle 2 Facilities.

- (iv) A fee payment is considered late and subject to the late payment surcharge of paragraph (e)(10) if not received within sixty (60) days of the due date specified in this paragraph.
- (C) If the Executive Officer determines that the APEP emissions reported by a Facility Permit Holder are less than the amount calculated as specified in Rule 2004(b)(2) and (b)(4), the Facility Permit Holder shall pay RECLAIM Pollutant Emission Fees on the difference between the APEP total as determined by the Executive Officer and the reported APEP total as specified in subparagraph (l)(9)(A).
- (D) In the event that certified emissions determined pursuant to Rule 2004(b)(2) and (b)(4), for compliance year beginning January 1, 1995 and after, include emissions calculated using missing data procedures, and these procedures were triggered pursuant to Rule 2011(c)(3) or 2012(c)(3) solely by a failure to electronically report emissions for major sources due to a problem with transmitting the emission data to the District which was beyond the control of the Facility Permit holder, such portion of the emissions may be substituted by valid emission data monitored and recorded by a certified CEMS, for the purpose of RECLAIM pollutant emission fee determination only, provided that a petition is submitted to the Executive Officer with the appropriate processing fee by the Facility Permit holder. The petition must be made in writing and include all relevant data to clearly demonstrate that the valid emission data were recorded and monitored by a certified CEMS as required by Rules 2011 and 2012 and the only reason for missing data procedures being triggered was due to a problem with transmitting the emission data to the District which was beyond the control of the Facility Permit holder. In addition to the RECLAIM pollutant emission fee, the petitioner shall pay a minimum processing fee as shown in the following table in this subparagraph:

Facility Type	Non-Title V	Title V
	\$941.01	\$1,179.22

and an additional fee assessed at the applicable hourly rate, for time spent on evaluation in excess of 3 hours, as shown in the table below in this subparagraph:

Facility Type (After 3 hours)	Non-Title V	Title V
	\$241.34/hr	\$302.42/hr

(10) Breakdown Emission Report Evaluation Fee

The Facility Permit Holder, submitting a Breakdown Emission Report to seek exclusion of excess emissions from the annual allocations pursuant to Rule 2004 - Requirements, shall pay fees for the evaluation of a Breakdown Emission Report. The Facility Permit Holder shall pay a filing fee of one (1) hour based on the fee rates shown in the table below in this paragraph, at the time of filing of a Breakdown Emission Report, and shall be assessed an evaluation fee at the hourly rate shown in the same table.

Facility Type (After 3 hours)	Non-Title V	Title V
	\$258.67/hr	\$324.14/hr

(11) Breakdown Emission Fee

At the end of the time period from July 1 through June 30, the Facility Permit holder shall pay a Breakdown Emission Fee for excess emissions determined pursuant to District Rule 2004 - Requirements. The Facility Permit Holder shall include excess emissions to the total certified RECLAIM emissions to determine the appropriate RECLAIM Pollutant Emission Fee.

(12) Mitigation of Non-Tradeable Allocation Credits

Upon submitting a request to activate non-tradeable allocation credits pursuant to District Rule 2002(h), the RECLAIM Facility Permit Holder shall pay a mitigation fee per ton of credits requested as shown below:

Facility Type	Non-Title V	Title V
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	\$17,262.52	\$21,631.58
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plus a non-refundable processing fee as shown below:

Facility Type	Non-Title V	Title V
	\$172.04	\$215.61

- (13) Evaluation Fee to Increase an Annual Allocation to a Level Greater than a Facility's Starting Allocation Plus Non-Tradable Credits

The Facility Permit Holder submitting an application to increase an annual Allocation to a level greater than the facility's starting allocation plus non-tradable credits pursuant to Rule 2005 – New Source Review shall pay fees for the evaluation of the required demonstration specified in Rule 2005(c)(3). The Facility Permit Holder shall pay an evaluation fee at the applicable hourly rate as shown in the table below:

Facility Type (After 3 hours)	Non-Title V	Title V
	\$258.67/hr	\$324.14/hr

- (14) Facility Permit Reissuance Fee for Facilities Exiting RECLAIM

A facility exiting the NOx RECLAIM program pursuant to Rule 2002(f)(8) shall be assessed a Facility Permit Reissuance Fee for the conversion of its RECLAIM Facility Permit to a Command-and-Control Facility Permit. The conversion consists of removal of non-applicable RECLAIM provisions and addition of requirements for applicable command-and-control rules. The Facility Permit Reissuance Fee includes an initial flat fee, plus an additional time and materials (T&M) charge where applicable. Both the initial flat fee and T&M charge are tiered based on the number of permitted RECLAIM NOx sources at the facility. Both the initial flat fee and T&M charge are also differentiated based on a facility's Title V status. The initial flat fee to transition from NOx RECLAIM Facility Permit to Command-and-Control Facility Permit per Rule 2002(f)(8) shall be paid at the time of filing and assessed according to the following fee schedule.

Number of Permitted RECLAIM NOx Sources	Non-Title V	Title V
Less than 10	\$3,103.63	\$4,394.03
Greater than or equal to 10 and less than 20	\$6,467.29	\$8,788.09
20 or more	\$12,934.64	\$17,576.18

An additional T&M charge shall be assessed for time spent on the permit conversion in excess of the number of hours and at the hourly rate specified in the following fee schedule and billed following permit reissuance.

	Non-Title V		Title V	
Number of Permitted RECLAIM NOx Sources	Begin Charging Hourly Rate After (hrs)	T&M Rate (\$/hr)	Begin Charging Hourly Rate After (hrs)	T&M Rate (\$/hr)
Less than 10	12	\$258.67	15	\$292.91
Greater than or equal to 10 and less than 20	25	\$258.67	30	\$292.91
20 or more	50	\$258.67	60	\$292.91

- (15) **Optional Conversion of Transitioned RECLAIM Facility Permit**
A Facility that has transitioned out of the RECLAIM program in accordance with paragraph (l)(14) and that elects to convert all permitted equipment described on the RECLAIM Facility Permit to equipment/process based Permits to Operate (pursuant to Regulation II) shall pay a fee equal to the Change of Condition fee specified in Table FEE RATE-A, in accordance with the Schedule identified in Table IA or IB, for each equipment/process converted.

(m) Title V Facilities**(1) Applicability**

The requirements of this subdivision apply only to facilities that are subject to the requirements of Regulation XXX - Title V Permits.

(2) Rule 301 Applicability

All Title V facilities shall be subject to all other provisions of Rule 301 - Permit Fees, except as provided for in this subdivision.

(3) Permit Processing Fees for Facilities Applying for an Initial Title V Facility Permit

(A) The applicant shall pay the following initial fee when the application is submitted:

Title V INITIAL Fee				
Number of Devices	1-20	21-75	76-250	251+
Applications submitted on or after July 1, 2019	\$3,241.97	\$10,375.34	\$23,345.53	\$39,558.21

To determine the initial fee when the number of devices is not available, the applicant may substitute the number of active equipment. This fee will be adjusted when the Title V permit is issued and the correct number of devices are known.

(B) The applicant shall, upon notification by the District of the amount due when the permit is issued, pay the following final fee based on the time spent on the application:

Title V FINAL Fee				
Number of Devices	1-20	21-75	76-250	251+
Time Spent in Excess of:	8 Hours	30 Hours	70 Hours	120 Hours
On or after July 1, 2019	\$324.14 per hour; up to a maximum total fee of \$39,574.84	\$324.14 per hour; up to a maximum total fee of \$79,149.66	\$324.14 per hour; up to a maximum total fee of \$202,609.42	\$324.14 per hour; up to a maximum total fee of \$296,811.26

For applicants that did not pay the correct initial fee based on the actual number of devices, the fee when the permit is issued shall be equal to the correct initial fee less the initial fee actually paid, plus the final fee.

Applications submitted on or prior to January 15, 1998 shall not be subject to the final fee.

- (C) If the facility requests revisions to the existing permit terms or conditions, including permit streamlining, an alternative operating scenario or a permit shield, the facility shall submit additional applications with the applicable fees in subdivisions (c) and (j) for each piece of equipment for which a revision is requested. Evaluation time spent on these additional applications shall be excluded from the time calculated for the billing for initial permit issuance in subparagraph (m)(3)(B).
- (D) If a new facility is required to obtain a Title V facility permit to construct, the facility shall submit initial Title V fees as specified in paragraph (m)(3). These fees are in addition to the sum of all the applicable fees in subdivisions (c) and (j) for all equipment at the facility.
- (E) If an existing facility is required to obtain a Title V facility permit because of a modification, the facility shall submit initial Title V

fees as specified in paragraph (m)(3). These fees are in addition to the sum of all the applicable fees in subdivisions (c) and (j) for all new and modified equipment at the facility.

(4) Permit Revision Fee

The permit processing fees for a Facility Permit Amendment or Revision shall be based on the Facility Permit type as specified in Table VII. Facility Permit Amendment or Revision includes any administrative permit revision or amendment, minor permit revision or amendment, de minimis significant permit revision or amendment, and any significant permit revision or amendment.

(5) Renewal Fees

The fees for renewal of a Title V Facility Permit, at the end of the term specified on the permit, are specified in Table VII. Renewal fees include both an initial processing fee that is due when the application is submitted, and a final fee assessed after SCAQMD evaluation is complete and the permit is issued, and is due upon notification by the SCAQMD of the amount due.

(6) Public Notice Fees

The holder of, or applicant for, a Title V permit shall either:

- (A) pay the actual cost as invoiced for publication of the notice by prominent advertisement in the newspaper of general circulation in the area affected where the facility is located and for the mailing of the notice to persons identified in Rule 212(g), or
- (B) arrange publication of the above notice independent of the District option. This notice must be by prominent advertisement in the newspaper of general circulation in the area affected where the facility is located.

Where publication is performed by the owner/operator or an independent consultant, the owner/operator of the source shall provide to the Executive Officer a copy of the proof of publication.

(7) Public Hearing Fees

The holder of, or applicant for, a Title V permit shall, upon notification by the District of the amount due, pay fees of \$6,489.04 plus \$2,017.53 per hour for a public hearing held on a permit action.

(8) Application Cancellation

If a Title V permit application is canceled, the applicant shall pay, upon notification of the amount due, a final fee in accordance with this subdivision. The District shall refund the initial fee only if evaluation of the application has not been initiated.

(9) Notice of Amount Due and Effect of Nonpayment

For fees due upon notification, such notice may be given by personal service or sent by mail, electronic mail, or other electronic means, and shall be due thirty (30) days from the date of personal service, mailing, or electronic transmission. For the purpose of this paragraph, the fee payment will be considered to be received by the District if it is delivered, postmarked, or electronically paid on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be delivered, postmarked, or electronically paid on the next business day following the Saturday, Sunday, or the state holiday with the same effect as if it had been delivered, postmarked, or electronically paid on the expiration date. Nonpayment of the fee within this period of time will result in permit expiration or revocation of the subject permit(s) in accordance with subdivision (f) of Rule 3002. No further applications will be accepted from the applicant until such time as overdue permit processing fees have been fully paid.

(10) Exclusion Requests

The fees for requesting exclusion or exemption from the Title V program shall be calculated in accordance with Rule 306 – Plan Fees.

(n) All Facility Permit Holders

(1) Applicability

The requirements of this subdivision apply to all non-RECLAIM holders of a Facility Permit.

(2) Rule 301 Applicability

All non-RECLAIM Facility Permit holders or applicants shall be subject to all other provisions of Rule 301 - Permit Fees, except as provided for in this subdivision.

(3) Facility Permit Revision

Except as provided in paragraphs (m)(4) and (m)(5), the permit processing fee for an addition, alteration or revision to a Facility Permit that requires

engineering evaluation or causes a change in emissions shall be the sum of applicable fees assessed for each affected equipment as specified in subdivisions (c) and (j). For a non-Title V facility, the facility permit revision fee shall be the applicable facility permit fee in Table VII.

(4) Change of Operating Condition

The permit processing fee for a Change of Operating Condition that requires engineering evaluation or causes a change in emissions shall be the sum of fees assessed for each equipment or process subject to the change of condition as specified in subdivisions (c) and (j).

(5) Fee for Change of Owner/Operator

The Permit Processing Fee for a Change of Owner/Operator of a facility permit shall be determined from Table FEE RATE-C. In addition, an administrative permit revision fee, as specified in Table VII, shall be assessed. All fees billed within the past 3 years from the date of application submittal that are associated with the facility for equipment for which a Change of Owner/Operator or Additional Operator application is filed, and all facility specific fees (such as “Hot Spots” fees), must be paid before the Change of Owner/Operator or Additional Operator application is accepted. If after an application is received, the SCAQMD determines that additional fees are due, the new owner/operator shall pay such fees within 30 days of notification. If the fees are paid timely, the new owner/operator will not be billed for any additional fees billed to the previous owner/operator.

(6) Annual Operating Permit Renewal Fee

(A) Unless otherwise stated within this subdivision, the Facility Permit holder shall be subject to all terms and conditions pursuant to subdivision (d).

(B) An Annual Operating Permit Renewal Fee shall be submitted by the end of the compliance year. Such fee shall be equal to the sum of applicable annual operating permit renewal fees specified in paragraph (d)(2).

(C) At least thirty (30) days before the annual renewal date, the owner/operator of equipment under permit will be notified by mail, electronic mail, or other electronic means, of the amount to be paid and the due date. If such notice is not received at least thirty (30) days before the annual renewal date, the owner/operator of equipment under permit shall notify the District on or before the

permit renewal date that said notice was not received. If the Annual Operating Permit Renewal Fee is not paid within thirty (30) days after the due date, the permit will expire and no longer be valid. In such a case, the owner/operator will be notified by mail, electronic mail, or other electronic means, of the expiration and the consequences of operating equipment without a valid permit as required by District Rule 203 (Permit to Operate). For the purpose of this subparagraph, the fee payment will be considered to be received by the District if it is delivered, postmarked, or electronically paid on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be delivered, postmarked, or electronically paid on the next business day following the Saturday, Sunday, or state holiday as if it had been delivered, postmarked, or electronically paid on the expiration date.

(o) **Asbestos Fees**

Any person who is required by District Rule 1403 - Asbestos Emissions from Demolition/Renovation Activities to submit a written notice of intention to demolish or renovate shall pay at the time of delivery of notification, the Asbestos and Lead Fees specified in Table VI of this rule. Fees are per notification and multiple fees may apply. No notification shall be considered received pursuant to Rule 1403, unless it is accompanied by the required payment. Each revision of a notification shall require a payment of the Revision to Notification fee in Table VI. When a revision involves a change in project size, the person shall pay, in addition to the revision fee, the difference between the fee for the original project size and the revised project size according to Table VI. If the project size does not change for the revision, no additional fees based on project size shall be required. Revisions are not accepted for expired notifications.

For all requests of pre-approved Procedure 5 plans submitted in accordance with Rule 1403(d)(1)(D)(i)(V)(2), the person shall pay the full fee for the first evaluation and shall pay fifty percent (50%) of the applicable fee for each subsequent pre-approved Procedure 5 plan evaluation.

(p) Lead Abatement Notification Fees

A person who is required by a federal or District rule to submit written notice of intent to abate lead shall, at the time of delivery of notification, pay the appropriate renovation and abatement fee specified in Table VI of this rule. Fees are per notification and multiple fees may apply. No notification shall be considered received unless it is accompanied by the required payment. Each revision of a notification shall require a payment of the Revision to Notification fee in Table VI. When a revision involves a change in project size, the person shall pay, in addition to the revision fee, the difference between the fee for the original project size and the revised project size according to Table VI. If the project size does not change for the revision, no additional fees based on project size shall be required. Revisions are not accepted for expired notifications.

(q) NESHAP Evaluation Fee

(1) At the time of filing an application for a Change of Operating Conditions submitted solely to comply with the requirements of a NESHAP, a NESHAP Evaluation Fee shall be paid. The fee shall be \$451.46. Additional fees shall be assessed at a rate of \$223.14 per hour for time spent in the evaluation in excess of two (2) hours, to a maximum total fee not to exceed the applicable Change of Conditions Fees listed for each affected piece of equipment as specified in Table FEE RATE-A.

(2) Payment of all applicable fees shall be due in thirty (30) days from the date of personal service, mailing, or electronic transmission of the notification of the amount due. Non-payment of the fees within this time period will result in expiration of the permit. For the purpose of this paragraph, the fee payment will be considered to be received by the District if it is delivered, postmarked, or electronically paid on or before the expiration date stated on the billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be delivered, postmarked, or electronically paid on the business day following the Saturday, Sunday, or the state holiday, with the same effect as if it had been delivered, postmarked, or electronically paid on the expiration date. No further applications will be accepted until such time as all overdue fees have been fully paid.

(r) Fees for Certification of Clean Air Solvents

At the time of filing for a Clean Air Solvent certificate, the applicant shall submit a fee of \$1,950.83 for each product to be tested. Additional fees will be assessed at the rate of \$182.28 per hour for time spent on the analysis/certification process in excess of 12 hours. Adjustments, including refunds or additional billings, shall be made to the submitted fee as necessary. A Clean Air Solvent Certificate shall be valid for five (5) years from the date of issuance and shall be renewed upon the determination of the Executive Officer that the product(s) containing a Clean Air Solvent continue(s) to meet Clean Air Solvent criteria, and has not been reformulated. The renewal fee shall be \$163.71 per certificate.

(s) Fees for Certification of Consumer Cleaning Products Used at Institutional and Commercial Facilities

At the time of filing for certification of any Consumer Cleaning Products Used at Institutional and Commercial Facilities, the applicant shall submit a fee of \$1,950.83 for each product to be tested, plus an additional fee of \$389.19 for quantification of total nitrogen, total phosphorous, and trace metals by a contracting laboratory. Additional fees will be assessed at the rate of \$182.28 per hour for time spent on the analysis/certification process in excess of 12 hours. Adjustments, including refunds or additional billings, shall be made to the submitted fee as necessary. A Consumer Cleaning Products Used at Institutional and Commercial Facilities Certificate shall be valid for three (3) years from the date of issuance and shall be renewed upon the determination of the Executive Officer that the product(s) certified as a Consumer Cleaning Products Used at Institutional and Commercial Facilities continue(s) to meet Consumer Cleaning Products Used at Institutional and Commercial Facilities criteria, and has not been reformulated. The renewal fee shall be \$163.71 per certificate.

(t) All Facility Registration Holders

(1) Applicability

The requirements of this subdivision apply to all holders of a Facility Registration.

(2) Rule 301 Applicability

Unless specifically stated otherwise, all Facility Registration holders shall be subject to all other provisions of Rule 301 - Permit Fees.

- (3) Fee Applicability to Existing Facilities
Existing facilities entering the Facility Registration Program shall pay no fee if no changes are initiated by actions of the permittee to the existing permit terms or conditions or to the draft Facility Registration prepared by the District.
 - (4) Duplicate of Facility Registrations
A request for a duplicate of a Facility Registration shall be made in writing by the permittee. The permittee shall, at the time a written request is submitted, pay \$36.19 for the first page and \$2.52 for each additional page in the Facility Registration.
 - (5) Reissued Facility Registrations
A request for a reissued Facility Registration shall be made in writing by the permittee where there is a name or address change without a change of owner/operator or location, or for an administrative change in permit description or a change in permit conditions to reflect actual operating conditions, which do not require any engineering evaluation, and do not cause a change in emissions. The permittee shall, at the time a written request is submitted, pay \$280.39 for the first equipment listed in the Facility Registration plus \$2.52 for each additional equipment listed in the Facility Registration.
- (u) Fees for Non-permitted Emission Sources Subject to Rule 222
- (1) Initial Filing Fee
Prior to the operation of the equipment, the owner/operator of an emission source subject to Rule 222 shall pay to the District an initial non-refundable non-transferable filing and processing fee of \$291.94 for each emission source.
 - (2) Change of Owner/Operator or Location
If the owner/operator or the location of an emission source subject to Rule 222 changes, the current owner/operator must file a new application for Rule 222 and pay to the District an initial non-refundable non-transferable filing and processing fee of \$291.94 for each emission source.
 - (3) Annual Renewal Fee
On an annual re-filing date set by the Executive Officer the owner/operator of a source subject to Rule 222 shall pay a renewal fee of \$291.94 (except for non-retrofitted boilers). At least thirty (30) days before such annual re-

filing date, all owners/operators of emission sources subject to Rule 222 will be notified by mail, electronic mail, or other electronic means, of the amount to be paid and the due date for the annual re-filing fee.

(4) Notification of Expiration

If the annual re-filing fee is not paid within thirty (30) days after the due date, the filing will expire and no longer be valid. In such case, the owner/operator will be notified by mail, electronic mail, or other electronic means, of the expiration and the consequences of operating equipment without a valid Rule 222 filing.

(5) Reinstating Expired Filings

To re-establish expired filings, the owner/operator of a source subject to Rule 222 shall pay a reinstatement fee of fifty percent (50%) of the amount of fees due per emission source. Payment of all overdue fees shall be made in addition to the reinstatement surcharge. Payment of such fees shall be made within one year of the date of expiration. If the period of expiration has exceeded one year or the affected equipment has been altered, the owner/operator of an emission source subject to Rule 222 shall file a new application and pay all overdue fees.

(v) Fees for Expedited Processing Requests

An applicant has the option to request expedited processing for an application for a permit, CEQA work, an application for an ERC/STC, Air Dispersion Modeling, HRA, Source Test Protocols and Report Fees and Asbestos Procedure 4 & 5 notifications. A request for expedited processing pursuant to this section shall be made upon initial application submittal. Expedited processing is intended to be performed by District Staff strictly during overtime work. Approval of such a request is contingent upon the District having necessary procedures in place to implement an expedited processing program and having available qualified staff for overtime work to perform the processing requested. The applicant shall be notified whether or not the request for expedited processing has been accepted within 30 days of submittal of the request. If the request for expedited processing is not accepted by the District, the additional fee paid for expedited processing will be refunded to the applicant.

(1) Permit Processing Fee

Fees for requested expedited processing of permit applications will be an additional fee of fifty percent (50%) of the applicable base permit

processing fee (after taking any discounts for identical equipment but not the higher fee for operating without a permit) by equipment schedule. For schedule F and higher as shown in the table below in this paragraph, expedited processing fees will include an additional hourly fee, as set forth in the applicable “Non-Title V Added Base Hourly Fee” or “Title V Added Base Hourly Fee” columns, when the processing time exceeds times as indicated in the “Processing Time Exceeding” column; but not to exceed the total amounts in the applicable “Non-Title V Maximum Added Base Cap Fee” or “Title V Maximum Added Base Cap Fee” columns.

Processing Time Exceeding	Schedule	Non-Title V Added Base Hourly Fee	Non-Title V Maximum Added Base Cap Fee	Title V Added Base Hourly Fee	Title V Maximum Added Base Cap Fee
99 hours	F	\$388.03	\$72,938.98	\$478.19	\$91,399.44
117 hours	G	\$388.03	\$124,961.63	\$478.19	\$156,588.73
182 hours	H	\$388.03	\$158,888.43	\$478.19	\$199,102.21

(2) **CEQA Fee**

Fees for requested expedited CEQA work will be an additional fee based upon actual review and work time billed at a rate for staff overtime which is equal to the staff’s hourly rate of \$223.14 plus \$115.72 per hour (one half of hourly plus mileage). The established CEQA fees found in the provisions of Rule 301(j) shall be paid at the time of filing with the additional overtime costs billed following permit issuance. Notwithstanding other provisions of this section, fees are due at the time specified in the bill which will allow a reasonable time for payment. This proposal is contingent upon the ability of the District to implement the necessary policies and procedures and the availability of qualified staff for overtime work.

(3) **CEMS, FSMS, and ACEMS Fee**

Fees for requested expedited processing of CEMS, FSMS, and ACEMS applications will be an additional fee based upon actual review and work time billed at a rate for staff overtime which is equal to the staff’s hourly rate of \$223.14 plus \$115.72 per hour (one half of hourly plus mileage).

The established “Basic Fee” schedule found in the CEMS, FSMS, and ACEMS Fee Schedule in TABLE IIB shall be paid at the time of filing with the additional overtime costs billed following project completion. Notwithstanding other provisions of this section, fees are due at the time specified in the bill which will allow a reasonable time for payment. A request for expedited CEMS, FSMS, and ACEMS application work can only be made upon initial work submittal, and approval of such a request is contingent upon the ability of the District to implement the necessary policies and procedures and the availability of qualified staff for overtime work.

(4) Air Dispersion Modeling and HRA Fees

Fees for requested expedited review and evaluation of air dispersion modeling and health risk assessments will be an additional fee based upon actual review and work time billed at a rate for staff overtime which is equal to the staff’s hourly rate of \$186.87 plus \$96.91 per hour (one half of hourly plus mileage).

(5) ERC/STC Application Fees

Fees for requested expedited review and evaluation of ERC/STC application fees will be an additional fee based upon actual review and work time billed at a rate for staff overtime which is equal to the staff’s hourly rate of \$223.14 plus \$115.72 per hour (one half of hourly plus mileage).

(6) Procedure 4 & 5 Evaluation

Fees for requested expedited reviews and evaluation of Procedure 4 or 5 plans per Rule 301(o) Asbestos Fees will be an additional fee of fifty percent (50%) of the Procedure 4 & 5 plan evaluation fee.

(w) Enforcement Inspection Fees for Statewide Portable Equipment Registration Program (PERP)

(1) Registered Portable Equipment Unit Inspection Fee

Registered portable equipment units are those which emit PM10 in excess of that emitted by an associated engine alone. An hourly fee of \$115.00 shall be assessed for a triennial portable equipment unit inspection, including the subsequent investigation and resolution of violations, if any, of applicable state and federal requirements, not to exceed \$590.00 per unit.

- (2) Registered Tactical Support Equipment (TSE) Inspection Fee
Registered TSE includes registered equipment using a portable engine, including turbines, that meet military specifications, owned by the U.S. Department of Defense, the U.S. military services, or its allies, and used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.
 - (A) To determine compliance with all applicable state and federal requirements, each registered TSE unit will be inspected once per calendar year.
 - (i) For registered TSE units determined to be in compliance with all applicable state and federal requirements during the annual inspection:
 - (a) A fee for the annual inspection of a single registered TSE unit shall be assessed at a unit cost of \$90.00.
 - (b) A fee for annual inspection of two or more registered TSE units at a single location shall be assessed at the lesser of the following costs:
 - (1) The actual time to conduct the inspection at the rate of \$115.00 per hour; or
 - (2) A unit cost of \$90.00 per registered TSE unit inspected.
 - (ii) For registered TSE units determined to be out of compliance with one or more applicable state or federal requirements during the annual inspection, fees for the annual inspection (including the subsequent investigation and resolution of the violation) shall be assessed at the lesser of the following costs:
 - (a) The actual time to conduct the inspection at the rate of \$115.00 per hour; or
 - (b) A unit cost of \$90.00 per registered TSE unit inspected.
- (3) Off-hour Inspection Fee
In addition to the inspection fees stated above, any arranged inspections requested by the holder of the registration that are scheduled outside of District normal business hours may be assessed an additional off-hour

inspection fee of \$60.00 per hour for the time necessary to complete the inspection.

(4) Notice to Pay and Late Payment Surcharge

A notice to pay the inspection fees will be sent by mail, electronic mail, or other electronic means, to the registration holder. Fees are due and payable immediately upon receipt of the notice to pay. Failure to pay the inspection fees within 120 days of the date of the initial notice to pay may result in the suspension or revocation of the registration by CARB. Once a registration has been suspended, CARB will not consider reinstatement until all fees due have been paid in full.

(x) Notification Fees for Rules 1118.1, 1149, 1166, and 1466

Any person who is required by the District to submit a written notice pursuant to Rules 1118.1, 1149, 1166, 1466, or for soil vapor extraction projects shall pay a notification fee of \$81.61 per notification.

(y) Fees for the Certification of Equipment Subject to the Provisions of Rules 1111, 1121 and 1146.2

(1) Initial Certification Fee

Any person requesting certification pursuant to Rules 1111, 1121 or 1146.2 shall pay a fee of \$752.38 per certification letter for each family of model series certified. This fee shall be paid in addition to the fees paid to review any associated source test report(s).

(2) Additional Fees for Modification or Extension of Families to Include a New Model(s)

Any person requesting a modification or extension of a certification already issued to include a new model(s) shall pay an additional fee of \$376.20 for certification of new models added by extension to the previously certified model series per request.

(3) Failure to pay all certification fees shall result in the revocation of each certified piece of equipment that was evaluated for which fee payment has not been received within 30 days after the due date.

(z) “No Show” Fee for Rule 461 – Gasoline Dispensing Equipment Scheduled Testing

(1) Reverification, and Performance Testing

If a testing company and/or tester does not show for a Reverification test, or Performance test within one hour of its original scheduled time, and an

SCAQMD inspector arrives for the inspection, a “No Show” fee of \$553.21 shall be charged to the testing company and/or tester. The fee shall be paid within 60 days of the date of the invoice. If the fee is not paid, the account will become delinquent 30 days after the due date. Any delinquent account holder will not be allowed to schedule any future tests within SCAQMD jurisdiction until all overdue fees are paid in full.

(2) Pre-Backfill Inspection

If a contracting company is not ready for a Pre-Backfill inspection of its equipment at the original scheduled time, and/or did not notify the SCAQMD inspector of postponement/cancellation at least three hours prior to the scheduled time, a “No Show” fee of \$553.21 shall be charged to the contracting company. The fee shall be paid within 60 days of the date of the invoice. If the fee is not paid, the account will become delinquent 30 days after the due date. Any delinquent account holder will not be allowed to schedule any future pre-backfill inspections within SCAQMD jurisdiction until all overdue fees are paid in full.

(aa) Refinery Related Community Air Monitoring System Annual Operating and Maintenance Fees

(1) The owner or operator of a petroleum refinery or related facility subject to Rule 1180, and other refineries subject to Rule 1180.1 shall pay an annual operating and maintenance fee for a refinery-related community air monitoring system designed, developed, installed, operated, and maintained by SCAQMD in accordance with California Health and Safety Code Section 42705.6.

(2) The annual operating and maintenance fee per facility required by paragraph (aa)(1) shall be as follows:

Facility Name* and Location	FY 22-23	FY 23-24	FY 24-25 (and thereafter)
	Annual Operating and Maintenance Fee	Annual Operating and Maintenance Fee	Annual Operating and Maintenance Fee
Andeavor Corporation (Carson)	\$917,253.56	\$936,417.46	\$954,710.26

Proposed Amended Rule 301 (Cont.)**(Amended May 2, 2025 TBD)**

Andeavor Corporation (Wilmington)	\$458,626.78	\$468,208.73	\$477,355.13
Chevron U.S.A. Inc. (El Segundo)	\$917,253.56	\$936,417.46	\$954,710.26
Phillips 66 Company (Carson)	\$458,626.78	\$468,208.73	\$477,355.13
Phillips 66 Company (Wilmington)	\$458,626.78	\$468,208.73	\$477,355.13
PBF Energy, Torrance Refining Company (Torrance)	\$917,253.56	\$936,417.46	\$954,710.26
Valero Energy (Wilmington)	\$458,626.78	\$468,208.73	\$477,355.13

<u>Facility Name *, Location</u>	<u>Rule</u>	<u>FY 25-26</u>	<u>FY 26-27</u>	<u>FY 27-28 (and thereafter)</u>
		<u>Annual Operating and Maintenance Fee</u>	<u>Annual Operating and Maintenance Fee</u>	<u>Annual Operating and Maintenance Fee</u>
<u>Tesoro Refining & Marketing Company, LLC, Carson</u>	<u>1180</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>
<u>Tesoro Refining & Marketing Company, LLC, Wilmington</u>	<u>1180</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>
<u>Chevron Products Co., El Segundo</u>	<u>1180</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>
<u>Phillips 66 Company/Los Angeles Refinery, Carson</u>	<u>1180</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>
<u>Phillips 66 Company/LA Refinery Wilmington Plant, Wilmington</u>	<u>1180</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>
<u>Torrance Refining Company, LLC, Torrance</u>	<u>1180</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>
<u>Ultramar Inc. dba Valero Wilmington Refinery, Wilmington</u>	<u>1180</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>
<u>Air Products and Chemicals, Inc. (permitted as Air Prod & Chem, Inc.), Carson</u>	<u>1180</u>	<u>\$0</u>	<u>\$205,982.34</u>	<u>\$205,982.34</u>
<u>Air Products and Chemicals, Inc., Wilmington</u>	<u>1180</u>	<u>\$0</u>	<u>\$205,982.34</u>	<u>\$205,982.34</u>
<u>Tesoro Refining and Marketing Co., LLC (Sulfur Recovery Plant), Carson</u>	<u>1180</u>	<u>\$0</u>	<u>\$205,982.34</u>	<u>\$205,982.34</u>
<u>Kinder Morgan Liquids Terminals, LLC, Carson</u>	<u>1180</u>	<u>\$0</u>	<u>\$205,982.34</u>	<u>\$205,982.34</u>
<u>Tesoro Logistics, Carson Crude Terminal, Carson</u>	<u>1180</u>	<u>\$0</u>	<u>\$205,982.34</u>	<u>\$205,982.34</u>
<u>Air Products Manufacturing (formerly AltAir Paramount), Paramount</u>	<u>1180.1</u>	<u>\$0</u>	<u>\$521,545.62</u>	<u>\$521,545.62</u>
<u>Lunday-Thagard Co. dba World Oil Refining, South Gate</u>	<u>1180.1</u>	<u>\$0</u>	<u>\$521,545.62</u>	<u>\$521,545.62</u>
<u>Valero Wilmington Asphalt Plant, Wilmington</u>	<u>1180.1</u>	<u>\$0</u>	<u>\$521,545.62</u>	<u>\$521,545.62</u>

*Based on the current facility names. Any subsequent owner(s) or operator(s) of the above listed facilities shall be subject to this rule.

- (3) The annual operating and maintenance fee required by this subdivision shall be billed with the annual operating permit renewal fee required by

subdivision (d) beginning in calendar year 2020 for the seven major refineries subject to Rule 1180, and beginning in calendar year 2026, for refinery-related facilities and other refineries subject to Rules 1180 and 1180.1, respectively. If the annual operating and maintenance fee required by this subdivision is not paid in full within sixty (60) calendar days of its due date, a ten-percent (10%) penalty shall be imposed every sixty (60) calendar days from the due date.

- (4) No later than January 1, 2022 and every three years thereafter, the Executive Officer shall reassess the annual operating and maintenance fee required by this subdivision to ensure that the fee is consistent with the requirements of the California Health and Safety Code Section 42705.6 (f)(1) and (f)(2).

(ab) Defense of Permit

Within 10 days of receiving a complaint or other legal process initiating a challenge to the SCAQMD's issuance of a permit, the SCAQMD shall notify the applicant or permit holder in writing. The applicant or permit holder may, within 30 days of posting of the notice, request revocation of the permit or cancellation of the application. An applicant or permit holder not requesting revocation or cancellation within 30 days of receipt of notice from the District shall be responsible for reimbursement to the District for all reasonable and necessary costs to defend the issuance of a permit or permit provisions against a legal challenge, including attorney's fees and legal costs. The Executive Officer will invoice the applicant or permit holder for fees and legal costs at the conclusion of the legal challenge. The SCAQMD and the applicant or permit holder will negotiate an indemnity agreement within 30 days of the notice by SCAQMD to the applicant or permit holder. The agreement will include, among other things, attorneys' fees and legal costs. The Executive Officer or designee may execute an indemnity agreement only after receiving authorization from the Administrative Committee. The Executive Officer may in his discretion, waive all or any part of such costs upon a

determination that payment for such costs would impose an unreasonable hardship upon the applicant or permit holder.

(ac) **Monitoring and Sampling Fees Related to Metal TAC Monitoring Facilities**

(1) This fee is applicable to all facilities that elect to have the South Coast AQMD conduct Monitoring and Sampling. The fees include monitoring equipment, material, labor, sample retrieval, sample analysis, construction and other associated fees. An owner or operator shall be responsible for the fees for Monitoring and Sampling from the date specified in the Alternative or Reduced Alternative Monitoring and Sampling Plan. South Coast AQMD typically deploys two field staff members to perform field work due to potential hazards encountered in the field. During the review of an Alternative Monitoring and Sampling or Reduced Alternative Monitoring and Sampling Plan, the Executive Officer will evaluate and determine if it is appropriate to have only one field staff member to conduct Monitoring and Sampling at the Metal TAC Monitoring Facility. A Metal TAC Monitoring Facility would be notified of the Executive Officer's decision at the time of approval of the Alternative or Reduced Alternative Monitoring and Sampling Plan. The Executive Officer's decision on the number of field staff members needed will be based on the following factors:

- Height of the monitor
- Use of a ladder
- Sampling schedule
- Access to the facility
- Safety concerns

(2) The owner or operator of a Metal TAC Monitoring Facility, as defined in Rule 1480 subdivision (c), that elects to have the Executive Officer conduct Monitoring and Sampling pursuant to Rule 1480(g)(1) shall pay the operating and maintenance fees based on the sampling frequency, number of monitors, location of monitors, and type of monitors as specified in the

most recently approved Alternative or Reduced Alternative Monitoring and Sampling Plan.

- (3) The monthly Monitoring and Sampling fee per facility required by paragraph (ac)(1) shall be as follows:

**Alternative or Reduced Alternative Monitoring and Sampling Plan Monthly
Monitoring Fees**

	Number and Type of Monitor	Sampling Frequency			
		1 in 3 Days		1 in 6 Days	
		2 Staff	1 Staff	2 Staff	1 Staff
Base	1 - Metal TAC Monitor - Hexavalent Chromium	\$11,257.49	\$7,317.37	\$5,628.74	\$3,940.12
	1 - Metal TAC Monitor – Non-Hexavalent Chromium	\$6,191.62	\$3,940.12	\$3,377.25	\$2,251.50
	1 - Metal TAC Monitor – Hexavalent Chromium & 1 - Metal TAC Monitor – Non-Hexavalent Chromium	\$14,634.73	\$9,568.86	\$7,317.37	\$5,065.87
Additional	1- Metal TAC Monitor - Hexavalent Chromium	\$4,503.00	\$3,940.12	\$2,814.37	\$2,251.50
	1- Metal TAC Monitor – Non-Hexavalent Chromium	\$2,814.37	\$2,251.50	\$1,688.62	\$1,125.75
Other	1 – Wind Monitor	\$562.87	\$562.87	\$562.87	\$562.87

- (4) The fees for a wind monitor are \$562.87 per month, if the owner or operator of a Metal TAC Monitoring Facility elects to have the South Coast AQMD collect wind speed and direction data to meet the requirements of Rule 1480(f)(8).
- (5) If the Executive Officer contracts Monitoring and Sampling, as defined in Rule 1480 subdivision (c), with a third-party contractor, the fees would be specified by the third-party contractor.
- (6) The number, type, and location of the monitors is specified in the initial Rule 1480 Alternative Monitoring and Sampling Plan and maintained in the

most recently approved Rule 1480 Alternative or Reduced Alternative Monitoring and Sampling Plan.

- (7) The operating and maintenance fees shall be billed on a monthly basis with payments due on or before the end of the month for which Monitoring and Sampling is required under Rule 1480 and include any other unpaid operating and maintenance fees. If the operating and maintenance fee is not paid in full within 60 calendar days of its due date, a 10 percent surcharge shall be imposed.
- (8) If Monitoring and Sampling pursuant to Rule 1480 is no longer required by the Executive Officer or if the sampling frequency is modified in the middle of a month, an owner or operator shall pay fees at a prorated amount.
- (9) If the number and/or type of monitors is modified in the middle of a month, an owner or operator shall pay fees at a prorated amount.

(ad) Severability

If any provision of this rule is held by judicial order to be invalid, or invalid or inapplicable to any person or circumstance, such order shall not affect the validity of the remainder of this rule, or the validity or applicability of such provision to other persons or circumstances. In the event any of the exceptions to this rule are held by judicial order to be invalid, the persons or circumstances covered by the exception shall instead be required to comply with the remainder of this rule.

**TABLE FEE RATE-A.
SUMMARY PERMIT FEE RATES - PERMIT PROCESSING, CHANGE OF
CONDITIONS, ALTERATION/MODIFICATION**

Schedule	Non-Title V			Title V		
	Permit Processing	Change of Condition	Alteration/Modification	Permit Processing	Change of Condition	Alteration/Modification
A	\$2,483.17	\$1,293.43	\$2,483.17	\$3,111.65	\$1,620.79	\$3,111.65
A1	\$2,483.17	\$1,293.43	\$2,483.17	\$3,111.65	\$1,620.79	\$3,111.65
B	\$3,957.60	\$1,960.54	\$3,957.60	\$4,959.22	\$2,456.76	\$4,959.22
B1	\$6,259.78	\$3,393.07	\$6,259.78	\$7,844.11	\$4,251.86	\$7,844.11
C	\$6,259.78	\$3,393.07	\$6,259.78	\$7,844.11	\$4,251.86	\$7,844.11
D	\$8,639.57	\$5,803.08	\$8,639.57	\$10,826.22	\$7,271.86	\$10,826.22
E	\$9,932.89	\$8,520.39	\$9,932.89	\$12,446.85	\$10,676.85	\$12,446.85
F	\$24,961.95+ T&M	\$12,439.22+ T&M	\$19,788.15+ T&M	\$31,279.71+ T&M	\$15,587.51+ T&M	\$24,796.44+ T&M
G	\$29,462.87+ T&M	\$21,108.52+ T&M	\$24,289.05+ T&M	\$36,919.74+ T&M	\$26,451.00+ T&M	\$30,436.43+ T&M
H	\$45,655.50+ T&M	\$26,763.88+ T&M	\$40,481.67+ T&M	\$57,210.64+ T&M	\$33,540.62+ T&M	\$50,727.35+ T&M

Schedule	Begin Charging Hourly Rate After (hrs)	Non-Title V T & M Rate (\$/hr)	Non-Title V Not to Exceed (\$)	Title V T & M Rate (\$/hr)	Title V Not to Exceed (\$)
F	99	\$258.67	\$48,625.99	\$324.14	\$60,932.98
G	117	\$258.67	\$83,307.72	\$324.14	\$104,392.45
H	182	\$258.67	\$105,925.60	\$324.14	\$132,734.77

TABLE FEE RATE-B. SUMMARY OF ERC PROCESSING RATES, BANKING, CHANGE OF TITLE, ALTERATION/MODIFICATION, CONVERSION TO SHORT TERM CREDITS, RE-ISSUANCE OF SHORT TERM CREDITS, RETIREMENT OF SHORT TERM CREDITS FOR TRANSFER INTO RULE 2202, and TRANSFER OF ERCs OUT OF RULE 2202

Schedule I	Non-Title V	Title V
Banking Application	\$6,407.59	\$8,029.32
Change of Title	\$1,131.88	\$1,418.34
Alteration/Modification	\$1,131.88	\$1,418.34
Conversion to Short Term Credits	\$1,131.88	\$1,418.34

TABLE FEE RATE-B. SUMMARY OF ERC PROCESSING RATES, BANKING, CHANGE OF TITLE, ALTERATION/MODIFICATION, CONVERSION TO SHORT TERM CREDITS, RE-ISSUANCE OF SHORT TERM CREDITS, RETIREMENT OF SHORT TERM CREDITS FOR TRANSFER INTO RULE 2202, and TRANSFER OF ERCs OUT OF RULE 2202

Schedule I	Non-Title V	Title V
Re-Issuance of Short Term Credits	\$1,131.88	\$1,418.34
Retirement of Short Term Emission Credits for Transfer into Rule 2202 and Transfer of ERCs Out of Rule 2202	\$380.66	\$476.99

TABLE FEE RATE-C. SUMMARY OF PERMIT FEE RATES
CHANGE OF OWNER/OPERATOR^a

Facility Type	Non-Title V	Title V
Small Business	\$344.86	\$432.13
Non-Small Business	\$947.12	\$1,186.83

^a Fees are for each permit unit application and apply to all facilities, including RECLAIM facilities. The change of owner/operator fee for Non-RECLAIM Title V facilities shall not exceed \$14,761.56 per facility and for all other Non-RECLAIM facilities shall not exceed \$23,560.20 per facility. The change of owner/operator fee for RECLAIM facilities shall not exceed \$67,174.97.

TABLE IA - PERMIT FEE RATE SCHEDULES FOR CONTROL EQUIPMENT

Equipment/Process	Schedule
Abatement System/HEPA, Asbestos, Lead	B
Activated Carbon Adsorber, Venting Single Source (s.s.=single source)	B
Activated Carbon Adsorber, Venting Multiple Source (m.s.=multiple sources)	C
Activated Carbon Adsorber, Other	D
Activated Carbon Adsorber, Drum Venting Toxic Source (t.s. = toxic source)	C
Activated Carbon Adsorber, with regeneration	E
Afterburner (≤ 1 MMBTU/hr, venting s.s.)	B
Afterburner (≤ 1 MMBTU/hr, venting m.s.)	C
Afterburner, Catalytic for Bakery Oven	C
Afterburner, Direct Flame	D
Afterburner/Oxidizer: Regenerative Ceramic/Hot Rock Bed Type, Recuperative Thermal	D
Afterburner/Oxidizer, Catalytic	D
Air Filter, Custom	C
Amine (or DEA) Regeneration Unit ¹	D
Amine Treating Unit ¹	D
Baghouse, Ambient (≤ 100 FT ²)	A
Baghouse, Ambient ($> 100 - 500$ FT ²)	B
Baghouse, Ambient (> 500 FT ²)	C
Baghouse, Hot (> 350 F)	D
Biofilter (≤ 100 cfm)	B
Biofilter (> 100 cfm)	C
Boiler as Afterburner	D
CO Boiler	F
Condenser	C
Control Systems, two in series	C
Control Systems, three in series	D
Control Systems, four or more in series	E
Control Systems, Venting Plasma Arc Cutters	B1

Equipment/Process	Schedule
Cyclone	B
Dry Filter (≤ 100 FT ²)	A
Dry Filter ($> 100 - 500$ FT ²)	B
Dry Filter (> 500 FT ²)	C
Dust Collector/HEPA, other Rule 1401 toxics	C
Electrostatic Precipitator, Restaurant	B
Electrostatic Precipitator, Asphalt Batch Equipment	C
Electrostatic Precipitator, Extruder	B
Electrostatic Precipitator, < 3000 CFM	B
Electrostatic Precipitator, ≥ 3000 CFM	D
Electrostatic Precipitator for Fluid Catalytic Cracking Unit (FCCU)	H
Ethylene Oxide Sterilization, Control, Hospital	B
Flare, Landfill/Digester Gas, Enclosed	E
Flare, Landfill/Digester Gas, Open	C
Flare, Portable	B
Flare System, Refinery ²	F
Flare Other	C
Flue Gas Desulfurization ¹	D
Gas Absorption Unit ³	D
Gas Scrubbing System ¹	F
Incinerator, Afterburner	D
Mesh pads, for toxics gas stream	C
Mesh pads, for other acid mists	B
Mist Control	B
Mist Eliminator with HEPA	C
Negative Air Machine/HEPA, Asbestos, Lead	A
Non-Selective Catalytic Reduction	B
Odor Control Unit	D
Relief and Blowdown System ⁴	D
Scrubber, Biofiltration	C
Scrubber Controlling NO _x venting	D
Scrubber Controlling SO _x venting	D

TABLE IA - PERMIT FEE RATE SCHEDULES FOR CONTROL EQUIPMENT

Equipment/Process	Schedule
Scrubber Controlling HCL or NH ₃ venting s.s.	B
Scrubber Controlling HCL or NH ₃ venting m.s.	C
Scrubber, NO _x , multistage	D
Scrubber, NO _x , single stage	C
Scrubber, Odor, < 5000 cfm	C
Scrubber, Other venting s.s.	B
Scrubber, Other venting m.s.	C
Scrubber, Other Chemical venting s.s.	B
Scrubber, Other Chemical venting m.s.	D
Scrubber, Particulates venting s.s.	B
Scrubber, Particulates venting m.s.	C
Scrubber, Particulates venting t.s.	D
Scrubber, Restaurant	B
Scrubber, Toxics venting	D
Scrubber, Venturi venting s.s.	B
Scrubber, Venturi venting m.s.	C
Scrubber, Venturi venting t.s.	C
Scrubber, Water (no packing)	B
Selective Catalytic Reduction (SCR)	C
Settling Chamber	B
Ship Hold Hatch Cover	A
Slop Oil Recovery System	D
Sour Water Oxidizer Unit ⁵	D
Sour Water Stripper ⁶	D
Sparger	B
Spent Acid Storage & Treating Facility ⁷	E
Spent Carbon Regeneration System	D
Spent Caustic Separation System ⁸	D
Spray Booth/Enclosure, Other	B

Equipment/Process	Schedule
Spray Booth/Enclosure, Powder Coating System with single or multiple APC for particulates	B
Spray Booth, HEPA/ULPA Controlling Rule 1401 Toxic Air Contaminants	C
Spray Booth, Metallizing	C
Spray Booth with Carbon Adsorber (non-regenerative)	C
Spray Booths (multiple) with Carbon Adsorber (non-regenerative)	D
Spray Booth(s) with Carbon Adsorber (regenerative)	E
Spray Booth(s) (1 to 5) with Afterburner/Oxidizer (Regenerative/Recuperative)	D
Spray Booths (>5) with Afterburner/Oxidizer (Regenerative/Recuperative)	E
Spray Booth, Automotive, with Multiple VOC Control Equipment	C
Spray Booth with Multiple VOC Control	D
Spray Booths (multiple) with Multiple VOC Control Equipment	E
Spray Booth exclusively using UV, EB, or LED Curing ⁹	A
Storm Water Handling & Treating System ¹⁰	E
Sulfur Recovery Equipment	H
Tail Gas Incineration	D
Tail Gas Unit ¹¹	H
Storage Tank, Degassing Unit	D
Ultraviolet Oxidation	D
Vapor Balance System ¹²	B
Vapor Recovery, Serving Crude Oil Production	D
Vapor Recovery, Serving Refinery Unit ¹²	E
Waste Gas Incineration Unit	E

¹ Including, but not limited to, all or part of the following: Accumulators, Columns, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels

² Including, but not limited to, all or part of the following: Flare, Compressors, Drums, Knock Out Pots, Pots, Vessels

³ Including, but not limited to, all or part of the following: Accumulators, Columns, Condensers, Drums, Heat Exchangers, Knock

TABLE IA - PERMIT FEE RATE SCHEDULES FOR CONTROL EQUIPMENT

Out Pots, Pots, Pumps, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	used in the spraybooth contain 50 grams of VOC per liter of material or less and do not contain any toxic air contaminants specified in Rule 1401 at the time the application is deemed complete
⁴ Including, but not limited to, all or part of the following: Compressors, Drums, Knock Out Pots, Pots	b) All cleanup solvents used in the spraybooth or used to clean any parts or equipment that were in the spray booth contain 25 grams of VOC per liter of material or less and do not contain any toxic air contaminants specified in Rule 1401 at the time the application is deemed complete
⁵ Including, but not limited to, all or part of the following: Accumulators, Columns, Drums, Knock Out Pots, Tanks, Vessels	¹⁰ Including, but not limited to, all or part of the following: Air Floatation Units, Floatation Units, Filter Presses, Clarifiers, Settling Tanks, Waste Water Separators, Tanks
⁶ Including, but not limited to, all or part of the following: Condensers, Coolers, Drums, Sumps, Vessels	¹¹ Including, but not limited to, all or part of the following: Absorbers, Condensers, Coolers, Drums, Heat Exchangers, Knock Out Pots, Reactors, Tanks, Vessels
⁷ Including, but not limited to, all or part of the following: Accumulators, Clarifier, Columns, Compressors, Condensers, Drums, Filters, Filter Presses, Heat Exchangers, Knock Out Pots, Pits, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, towers, Vessels	¹² Including, but not limited to, all or part of the following: Absorbers, Compressors, Condensers, Knock Out Pots, Pumps, Saturators
⁸ Including, but not limited to, all or part of the following: Process Tanks, Separators, Tanks	
⁹ Provided all of the following are met:	
a) All inks, coatings, solvents (excluding clean up solvents), or all other materials	

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Abatement System, Asbestos, Lead	B	Aggregate Production/Crushing (< 5000 tpd) Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Feeders, Hoppers, Crushers, Cyclones, Log Washers, Mixers, Screens, Vibrating Grizzlies, Weigh Stations	C
Abrasive Blasting (Cabinet, Mach., Room)	B	Aggregate Production/Crushing (>= 5000 tpd) Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Feeders, Hoppers, Crushers, Cyclones, Log Washers, Mixers, Screens, Vibrating Grizzlies, Weigh Stations	D
Abrasive Blasting (Open)	A	Aggregate Screening Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Feeders, Hoppers, Cyclones, Screens, Weigh Stations	C
Absorption Chillers, Gas-Fired, < 5 MM Btu/hr	B	Air Strippers	C
Absorption Chillers, Gas-Fired, => 5 MM Btu/hr	C	Aircraft Fueling Facility Including, but not limited to, all or part of the following: Storage Tanks, Dispensing Nozzles	D
Acetylene Purification System Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	C	Alkylolation Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E
Acid Treating Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Ammonia Mfg. Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Coolers, Drums, Ejectors, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	C
Adhesives Organic Additions Including, but not limited to, all or part of the following: Reactors, Mixers, Process Tanks, Vessels	C	Ammonia Vaporization Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Coolers, Drums, Ejectors, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	C
Adsorption Chillers, Gas-Fired, < 5 MM Btu/hr	B		
Adsorption Chillers, Gas-Fired, => 5 MM Btu/hr	C		
Adsorption, Other	B		
Aeration Potable Water	C		
Aggregate, Tank Truck Loading/Conveying Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Feeders, Hoppers, Weigh Stations	B		
Aggregate Production, with Dryer Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Dryers, Feeders, Hoppers, Crushers, Cyclones, Log Washers, Mixers, Screens, Vibrating Grizzlies, Weigh Stations	E		

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Animal Feed Processing, Conveying Including, but not limited to, all or part of the following: Conveyors, Bins, Hoppers, Bucket Elevators	B	Battery Charging/Manufacturing Including, but not limited to, all or part of the following: Cutters, Crushers, Separators, Process Tanks, Conveyors	C
Animal Feed Processing, Other Including, but not limited to, all or part of the following: Conveyors, Bins, Hoppers, Bucket Elevators, Mixers, Feeders, Grinders	C	Benzene/Toluene/Xylene Production Equip. Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E
Anodizing (sulfuric, phosphoric)	B	Beryllium Machining and Control Including, but not limited to, all or part of the following: Machining Operations, Filters, Baghouses,	C
Aqueous Ammonia Transfer & Storage	C	Bleach Manufacturing Including, but not limited to, all or part of the following: Accumulators, Columns, Com-pressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Tanks, Towers, Vessels	B
Aromatics Recovery Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Blending, Other	B
Asphalt Air Blowing	B	Boiler/hot water heater, various locations, diesel/oil fired (< 300,000 BTU/hr)	A
Asphalt Blending/Batching Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Cyclones, Dryers, Feeders, Hoppers, Knock Out Pots, Mixers, Screens, Tanks, Weigh Stations	E	Boiler/hot water heater, single facility, portable, diesel/oil fired (< 600,000 BTU/hr)	A
Asphalt Coating	C	Boiler, Landfill/Digester Gas (< 5 MMBTU/hr)	B
Asphalt Day Tanker/Tar Pot	A	Boiler, Landfill/Digester Gas (5 to 20 MMBTU/hr)	C
Asphalt Refining Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Boiler, Landfill/Digester Gas (> 20 to 50 MMBTU/hr)	D
Asphalt Roofing Line Including, but not limited to, all or part of the following: Pumps, Conveyors, Process Tanks, Coater Operations, Cutters	C	Boiler, Landfill/Digester Gas (>50MMBTU/hr)	F
Asphalt Roofing Saturator	D	Boiler, Natural gas-fired, 5 – 20 MM BTU/hr	C
Asphalt-Rubber Spraying	B	Boiler, Other Fuel (< 5MMBTU/hr)	B
Auto Body Shredding	C	Boiler, Other Fuel (5 - 20 MMBTU/hr)	C
Autoclave, Non-sterilizing Type	B	Boiler, Other Fuel (> 20 - 50 MMBTU/hr)	D
		Boiler, Other Fuel (> 50 MMBTU/hr)	E
		Boiler, Utility (> 50 MW)	H
		Brake Shoes, Grinding, Bonding and Debonding, Deriveter	B
		Bulk Chemical Terminal	B

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Bulk Loading/Unloading Stn (< 50,000 GPD)	B	Charbroiler, Eating Establishment	A
Bulk Loading/Unloading Rack (50,000 - 200,000 GPD)	D	Charbroiler with Integrated Control	B
Bulk Loading/Unloading Rack (> 200,000 GPD)	E	Charbroiler, Food Manufacturing	C
Bulk Loading/Unloading	C	Chemical Additive Injection System Including, but not limited to, all or part of the following: Injectors, Compressors, Pumps	C
Carbon Dioxide Production Facility Including, but not limited to, all or part of the following: Separator, Knockout Pot, Scrubber, Chiller, Pumps, Blowers, Oil Separator, Compressor, Intercoolers, Filters, Cooling Tower	F	Chip Dryer	D
Carpet Processing System Including, but not limited to, all or part of the following: Process Tanks, Dryers, Carpet Beaters, Carpet Shears	D	Chippers, Greenwaste only, not including I.C. Engine	A
Catalyst Handling System Including, but not limited to, all or part of the following: Centrifuge, Bins, Conveyors, Hoppers, Cyclones, Screens, Tanks, Weigh Stations	C	Circuit Board Etchers	B
Catalyst Mfg./Calcining Including, but not limited to, all or part of the following: Bins, Conveyors, Reactors, Mixers, Process Tanks, Kilns	D	Cleaning, Miscellaneous	B
Catalyst Storage (Hoppers)	C	Coal Bulk Loading Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Loading Arms, Weigh Stations	E
Catalytic Reforming Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Coal Research Pilot / Equip (0-15 MMBTU/hr)	C
Caustic Treating Unit Including, but not limited to, all or part of the following: Knock Out Pots, Tanks, Towers, Vessels	E	Coal Research Pilot / Equip (> 15 MMBTU/hr)	D
Cement Marine Loading & Unloading Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Loading & Unloading Arms, Weigh Stations	E	Coal Tar Treating Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	C
Cement Packaging Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Weigh Stations	C	Coating & Drying Equipment, Continuous Organic, Web Type Including, but not limited to, all or part of the following: Coater Operations, Process Tanks, Dryers	C
Cement Truck Loading	C	Coffee Roaster < 50 lbs capacity with integrated afterburner	B
		Coffee Roasting, (11-49 lb roaster capacity Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Roasters, Coolers	A
		Coffee Roasting, 50-99 lb roaster capacity Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Roasters, Coolers	B

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Coffee Roasting, 100 lb or more roaster capacity Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Roasters, Coolers	C	Crude Oil, Cracking Catalytic Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	G
Coke Handling & Storage Facility Including, but not limited to, al or part of the following: Centrifuge, Bins, Conveyors, Clarifier, Hoppers, Cyclones, Screens, Tanks, Weigh Stations	E	Crude Oil, Distillation Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E
Composting, in vessel Including, but not limited to, all or part of the following: Bins, Conveyors, Hoppers	C	Crude Oil/Gas/Water Separation System (< 30 BPD)** Including, but not limited to, all or part of the following: Adsorbers, Oil Water Separators, Oil Gas Water Separators, Pits, Sumps, Tanks, Vessels	C
Concrete/Asphalt Crushing Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Feeders, Hoppers, Crushers, Cyclones, Screens, Vibrating Grizzlies, Weigh Stations	C	Crude Oil/Gas/Water Separation System, (>= 30 BPD & < 400 BPD)** Including, but not limited to, all or part of the following: Adsorbers, Oil Water Separators, Oil Gas Water Separators, Pits, Sumps, Tanks, Vessels	C
Concrete Batch Equipment Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Dryers, Feeders, Hoppers, Crushers, Cyclones, Log Washers, Mixers, Screens, Vibrating Grizzlies, Weigh Stations	C	Crude Oil/Gas/Water Separation System, (>= 400 BPD)** Including, but not limited to, all or part of the following: Adsorbers, Oil Water Separators, Oil Gas Water Separators, Pits, Sumps, Tanks, Vessels	E
Confined Animal Facility	A	Decorating Lehr	C
Container Filling, Liquid	B	Decorator	B
Conveying, Other	B	Deep-Fat Fryer	C
Cooling Tower, Petroleum Operations	C	Dehydration Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	C
Cooling Tower, Other	B	Degreaser, Cold Solvent Dipping	B
Core Oven	B		
Cotton Ginning System Including, but not limited to, all or part of the following: Hoppers, Conveyors, Separators, Screens, Classifiers, Mixers	D		
Crankcase Oil, Loading and Unloading	C		
Crematory	C		

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Degreaser, Cold Solvent Spray	C	Emission Reduction Credits [Rule 301(c)(4) and (c)(5)]	I
Degreaser, (<= 1 lb VOC/day)	B	End Liner, Can	B
Degreaser (> 1 lb VOC/day)	B	Ethylene Oxide Sterilization, Hospital	B
Degreaser, (VOCw/Toxics)	C	Evaporation, Toxics	C
Delayed Coking Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Evaporator, Other	B
Deposition on Ceramics (< 5 pieces)	B	Extraction - Benzene Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	C
Deposition on Ceramics (5 or more pieces)	C	Extruder	B
Desalting Unit Including, but not limited to, all or part of the following: Mixers, Pumps, Reactors, Settling Tanks, Sumps, Tanks, Vessels	C	Extrusion System (Multiple Units) Including, but not limited to, all or part of the following: Extruders	C
Die Casting Equipment	C	Fatty Acid Mfg.	C
Digester Gas Desulfurization System Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Tanks, Towers, Vessels	C	Feathers, Size Classification	A
Dip Tank, Coating	B	Feed Handling (combining conveying and loading)	D
Dip Tank, (<= 3 gal/day)	B	Fermentation/Brewing Including, but not limited to, all or part of the following: Hoppers, Conveyors, Brew Kettles	C
Distillation, Other Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	C	Fertilizer, Natural, Packaging/ Processing Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Loading Arms, Weigh Stations	B
Drilling Rig, Crude Oil Prod.	C	Fertilizer, Synthetic, Production Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Mixers, Dryers, Process Tanks, Reactors, Hoppers, Loading Arms, Weigh Stations	C
Drop Forge	B	Fiberglass Panel Mfg Including, but not limited to, all or part of the following: Conveyors, Mixers, Reactors, Process Tanks, Cutters	C
Dry Cleaning & Associated Control Equipment	A	Filament Winder, Rule 1401 Toxics	C
Dryer for Organic Material	C	Filament Winder, Other	B
Drying/Laundry	A	Filling Machine, Dry Powder	C
Drying, Other	B	Film Cleaning Machine	B
		Flour Handling (combining conveying, packaging, and loadout)	E

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Flour Manufacturing (combining milling and conveying)	E	Furnace, Burn-Off, Engine Parts	C
Flour Milling Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Mills, Weigh Stations	D	Furnace, Burn-Off, Paint	C
Flow Coater	B	Furnace, Burn-Off, Wax	C
Fluid Catalytic Cracking Equipment Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	H	Furnace, Burn-Off, Other	C
Fluid Elimination, Waste Water	B	Furnace, Cupola	D
Foam-in-Place Packaging	A	Furnace, Electric, Induction and Resistance	C
Food Processing Grinding, Blending, Packaging, Conveying, Flavoring	C	Furnace, Frit	C
Fractionation Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Furnace, Galvanizing	C
Fruit and Vegetable Treating	A	Furnace, Graphitization and Carbonization	C
Fuel Gas Mixer	C	Furnace, Heat Treating	B
Fuel Gas, Treating Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Scrubbers, Settling Tanks, Towers, Vessels	D	Furnace, Other Metallic Operations	C
Fuel Storage & Dispensing Equipment (Rule 461) Including, but not limited to, all or part of the following: Storage Tanks, Dispensing Nozzles	A	Furnace, Pot/Crucible	C
Fumigation	A	Furnace, Reverberatory	D
Furnace, Arc	D	Furnace, Wire Reclamation	C
Furnace, Burn-Off, Armature	C	Garnetting, Paper/Polyester Including, but not limited to, all or part of the following: Feeders, Conveyors, Condensers, Cutters	C
Furnace, Burn-Off, Drum	D	Gas Plant Including, but not limited to, all or part of the following: Accumulators, Columns, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Re-generators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E
		Gas Turbine, Landfill/Digester Gas, <0.3 MW	B
		Gas Turbine, Landfill/Digester Gas, => 0.3 MW	E
		Gas Turbine, <= 50 MW, other fuel	D
		Gas Turbine, > 50 MW, other fuel	G
		Gas Turbine, Emergency, < 0.3 MW	A
		Gas Turbine, Emergency, => 0.3 MW	C
		Gas Turbines (Microturbines only)	A
		Gas-Oil Cracking Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Gasoline, In-line Blending Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	D	Gasoline Fractionation Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	F
Gasoline, Refining Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	D	Gasoline Transfer & Dispensing Facility (See Fuel Storage & Dispensing Equipment)	
		Glass Forming Machine	C
		Glass Furnace < 1TPD	B
		Glass Furnace, > 1 - 50 TPD Pull	D
		Glass Furnace, > 50 TPD Pull	E
Gasoline, Separation - Liquid Production Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	D	Grain Cleaning Including, but not limited to, all or part of the following: Air Classifiers, Bins, Conveyors, Bucket Elevators, Hoppers, Mills, Screens, Weigh Stations	C
		Grain Handling (combining storage and cleaning)	E
		Grain Storage	C
		Grinder, Size Reduction	B
		Grinder, Size Reduction, Greenwaste only, not including I.C. Engine	A
Gasoline, Vapor Gathering System Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	D	Groundwater Treatment System Including, but not limited to, all or part of the following: Air Strippers, Adsorbers, Process Tanks	C
Gasoline Blending Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Scrubbers, Settling Tanks, Towers, Vessels	E	Gypsum, Calcining Including, but not limited to, all or part of the following: Air Classifiers, Bins, Conveyors, Bucket Elevators, Hoppers, Kilns, Weigh Stations	E
		Halon/Refrigerants, Recovery and Recycling Equipment	A1
		Heater, (< 5 MMBTU/hr)	B
		Heater, (5 - 20 MMBTU/hr)	C
		Heater, (> 20-50 MMBTU/hr)	D
		Heater, (> 50 MMBTU/hr)	E
		Hot End Coating, (Glass Mfg. Plant)	B
		Hydrant Fueling, Petrol. Middle Distillate Including, but not limited to, all or part of the following: Storage Tanks, Dispensing Nozzles	D

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Hydrocarbons, Misc., Treating Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	D	Incinerator, < 300 lbs/hr, Non- Hazardous	E
Hydrogen Desulfurization (HDS) Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	F	Incinerator, >= 300 lbs/hr, Non- Hazardous	F
Hydrogen Gas Production, Electrolysis or <5 MMBtu/hr	A	Indoor Shooting Range	B
Hydrogen Gas Production, Other	C	Ink Mfg./Blending Including, but not limited to, all or part of the following: Process Tanks, Mixers	B
Hydrogen Production Equipment (Refinery) Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	F	Inorganic Chemical Mfg. Including, but not limited to, all or part of the following: Process Tanks, Mixers, Reactors	D
Hydrotreating Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Insecticide Separation/Mfg Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Coolers, Drums, Ejectors, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E
IC Engine, (51-500 HP) Cogeneration	B	Iodine Reaction Including, but not limited to, all or part of the following: Columns, Compressors, Condensers, Coolers, Heat Exchangers, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Tanks, Towers	C
IC Engine, (> 500 HP) Cogeneration	C	Isomerization Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E
IC Engine, Emergency	B	Jet Engine Test Facility	C
IC Engine, Landfill/Digester Gas	D	Kiln, Natural Gas	C
IC Engine, Other, 51-500 HP	B	Landfill Condensate/Leachate Collection/Storage	B
IC Engine, Other, > 500 HP	C	Landfill Gas, Collection, (< 10 Wells)	B
Impregnating Equipment	C	Landfill Gas, Collection, (10 -50 Wells)	C
Incineration, Hazardous Waste	H	Landfill Gas, Collection, (> 50 Wells)	D
		Landfill Gas, Treatment	E

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Lime/Limestone, Conveying Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Weigh Stations	C	Lube Oil Re-refining Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	D
Linear Generator Core, Natural Gas, No Ammonia	B	Marine Bulk Loading/Unloading System, Including, but not limited to, all or part of the following: Absorbers, Compressors, Condensers, Knock Out Pots, Pumps, Reactors, Saturators	D
Liquid Separation, Other Including, but not limited to, all or part of the following: Process Tanks, Settling Tanks, Separators, Tanks	D	Marine Vessel Displaced Vapor Control, Including, but not limited to, all or part of the following: Absorbers, Compressors, Condensers, Knock Out Pots, Pumps, Reactors, Saturators	D
Liquid Waste Processing, Hazardous Including, but not limited to, all or part of the following: Air Floatation Units, Floatation Units, Filter Presses, Reactors, Process Tanks, Clarifiers, Settling Tanks, Waste Water Separators, Tanks	E	Merichem Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	D
Liquid Waste Processing, Non Hazardous Including, but not limited to, all or part of the following: Air Floatation Units, Floatation Units, Filter Presses, Reactors, Process Tanks, Clarifiers, Settling Tanks, Waste Water Separators, Tanks	C	Merox Treating Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E
LPG, Tank Truck Loading	D	Metal Deposition Equipment	C
LPG, Treating Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	D	Metallic Mineral Production Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Feeders, Hoppers, Crushers, Cyclones, Log Washers, Mixers, Screens, Vibrating Grizzlies, Weigh Stations	E
LPG Distillation Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Misc. Solvent Usage at a Premise	B
Lube Oil Additive/Lubricant Mfg.	B	Mixer, Chemicals	B

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
MTBE Production Facility Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Coolers, Drums, Ejectors, Heat Exchangers, Knock Out Pots, Mixers, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	F	Packaging, Other	B
Natural Gas Dehydration Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	C	Paint Stripping, Molten Caustic	C
Natural Gas Odorizers	C	Paper Conveying	A
Natural Gas Stabilization Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Scrubbers, Regenerators, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Paper Pulp Products	D
Nut Roasters Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Roasters, Coolers	C	Paper Size Reduction	C
Nut Shell Drying Including, but not limited to, all or part of the following: Bins, Conveyors, Bucket Elevators, Hoppers, Dryers, Coolers	C	Pavement Grinder	B
Oil/Water Separator (< 10,000 GPD) Including, but not limited to, all or part of the following: Oil Water Separators, Pits, Sumps, Tanks, Vessels	B	Pavement Heater	B
Oil/Water Separator (>= 10,000 GPD) Including, but not limited to, all or part of the following: Oil Water Separators, Pits, Sumps, Tanks, Vessels	C	Pelletizing, Chlorine Compounds Including, but not limited to, all or part of the following: Conveyors, Bins, Hoppers, Pelletizers, Mixers, Dryers	C
Open-Air resin operations	A	Perlite Furnace	C
Oven Bakery	C	Perlite Handling Including, but not limited to, all or part of the following: Conveyors, Bins, Hoppers, Bucket Elevators	C
Oven, Curing (Rule 1401 toxics)	C	Pesticide/Herbicide Mfg. Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Coolers, Drums, Ejectors, Heat Exchangers, Knock Out Pots, Mixers, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E
Oven, Other	B	Petroleum Coke Calcining Including, but not limited to, all or part of the following: Bins, Conveyors, Reactors, Mixers, Process Tanks, Kilns	F
		Petroleum Coke Conveying Including, but not limited to, all or part of the following: Conveyors, Bins, Hoppers, Bucket Elevators	B
		Pharmaceutical Mfg. Including, but not limited to, all or part of the following: Conveyors, Bins, Hoppers, Reactors, Process Tanks, Pelletizers, Mixers, Dryers	C
		Pharmaceutical Mfg. Tableting, Coating Vitamins or Herbs	C
		Pipe Coating, Asphaltic	B
		Plasma Arc Cutting	B1
		Plastic Mfg., Blow Molding Machine	B

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Plastic/Resin Size Reduction Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Feeders, Hoppers, Grinders, Mills, Cyclones, Screens, Weigh Stations	B	Refined Oil/Water Separator Including, but not limited to, all or part of the following: Oil/Water Separators, Pits, Sumps, Tanks, Vessels	B
Plastic/Resins Reforming	C	Refrigerant Recovery/Recycling	A1
Plastic/Resins Treating	C	Rendering Equipment, Blood Drying	C
Plastisol Curing Equipment	B	Rendering Equipment, Fishmeal Drying	C
Polystyrene Expansion/Molding	C	Rendering Equipment, Rendering	D
Polystyrene Expansion/Packaging	C	Rendering Equipment, Separation, Liquid	C
Polystyrene Extruding/Expanding	B	Rendering Product, Handling Including, but not limited to, all or part of the following: Conveyors, Bins, Hoppers, Bucket Elevators	C
Polyurethane Foam Mfg. Including, but not limited to, all or part of the following: Coolers, Heat Exchangers, Pumps, Reactors, Mixers, Process Tanks	C	Resin, Varnish Mfg. Including, but not limited to, all or part of the following: Coolers, Heat Exchangers, Pumps, Reactors, Mixers, Process Tanks	D
Polyurethane Mfg/Production	B	Roller Coater	B
Polyurethane Mfg/Rebonding	B	Roller Coater, exclusively using UV, EB, or LED Curing ¹	A
Process Line, Chrome Plating (Hexavalent)	C	Rubber Mfg. Including, but not limited to, all or part of the following: Coolers, Heat Exchangers, Pumps, Reactors, Mixers, Process Tanks	C
Process Line, Chrome Plating (Trivalent)	B	Rubber Presses or Molds with a ram diameter of more than 26 inches Submitted before September 11, 1999	A
Precious Metal, Recovery, Other	B	Submitted on or after September 11, 1999	B
Precious Metal, Recovery, Catalyst	D	Rubber Roll Mill	B
Printing Press, Air Dry	B	Sand Handling Equipment, Foundry Including, but not limited to, all or part of the following: Conveyors, Bins, Hoppers, Bucket Elevators	C
Printing Press With IR, EB, UV, or LED Curing	B		
Printing Press, Other	C		
Printing Press, Screen	B		
Production, Other	B		
Railroad Car Loading/Unloading, Other	C		
Railroad Car Unloading, liquid direct to trucks	B		
Reaction, Other	C		
Recovery, Other	B		

¹ Provided all of the following are met:

- a) All inks, coatings, solvents, (excluding cleanup solvents) or all other materials used in the roller coater contain 50 grams of VOC per liter of material or less and do not contain any toxic air contaminants specified in Rule 1401 at the time the application is deemed complete
- b) All cleanup solvents used in the roller coater or used to clean any parts or equipment that were in the roller coater contain 25 grams of VOC per liter of material or less and do not contain any toxic air contaminants specified in Rule 1401 at the time the application is deemed complete

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Sand Handling Equipment w/Shakeout, Foundry Including, but not limited to, all or part of the following: Conveyors, Bins, Hoppers, Bucket Elevators	D	Sewage Treatment, (> 5 MGD), Anaerobic Including, but not limited to, all or part of the following: Air Floatation Units, Floatation Units, Digesters, Filter Presses, Clarifiers, Settling Tanks, Trickling Filters, Waste Water Separators, Tanks	G
Screening, Greenwaste only, not including I.C. Engine	A	Sheet Machine	B
Screening, Other Including, but not limited to, all or part of the following: Screens, Conveyors, Bins, Hoppers, Bucket Elevators	C	Shell Blasting System	B
Semiconductor, Int. Circuit Mfg (< 5 pieces)	B	Shipping Container System	B
Semiconductor, Int. Circuit Mfg (5 or more)	C	Sintering	C
Semiconductor, Photo resist (< 5 pieces)	B	Size Reduction, Other Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Dryers, Feeders, Hoppers, Crushers, Cyclones, Mixers, Screens, Weigh Stations	C
Semiconductor, Photo resist (5 or more pieces)	C	Size Reduction, Petroleum Coke Including, but not limited to, all or part of the following: Bins, Bucket Elevators, Conveyors, Dryers, Feeders, Hoppers, Crushers, Cyclones, Mixers, Screens, Weigh Stations	C
Semiconductor, Solvent Cleaning (< 5 pieces)	B	Sludge Dewatering, Other Including, but not limited to, all or part of the following: Filter Press, Process Tanks, Settling Tanks	D
Semiconductor, Solvent Cleaning (5 or more pieces)	C	Sludge Dryer, Other	B
Sewage Sludge Composting	C	Sludge Incinerator	H
Sewage Sludge Drying, Conveying, Storage, Load-out Including, but not limited to, all or part of the following: Conveyors, Bins, Hoppers, Bucket Elevators, Loading Arms	D	Smoke Generator	B
Sewage Sludge Digestion	D	Smokehouse	C
Sewage Sludge Dryer	D	Soap/Detergent Mfg Including, but not limited to, all or part of the following: Process Tanks, Mixers, Tanks, Conveyors, Bins, Hoppers, Bucket Elevators	D
Sewage Sludge Incineration	H	Soil Treatment, Other Including, but not limited to, all or part of the following: Bins, Conveyors, Ovens	D
Sewage Treatment, (<= 5 MGD), Aerobic Including, but not limited to, all or part of the following: Air Floatation Units, Floatation Units, Filter Presses, Clarifiers, Settling Tanks, Trickling Filters, Waste Water Separators, Tanks	C	Soil Treatment, Vapor Extraction Including, but not limited to, all or part of the following: Adsorbers, Afterburners	C
Sewage Treatment, (> 5 MGD) Including, but not limited to, all or part of the following: Air Floatation Units, Floatation Units, Filter Presses, Clarifiers, Settling Tanks, Trickling Filters, Waste Water Separators, Tanks	F	Solder Leveling	B
		Soldering Machine	B
		Solvent Reclaim, Still (Multistage)	C
		Solvent Reclaim, Still (Single stage)	A

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Solvent Redistillation Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Storage Tank, LPG w/Vaporizing System	C
Spent Stretford Solution Regeneration Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	D	Storage Tank, Other	A
Spray Equipment, Open	B	Storage Tank, Other w/ Control Equipment	B
Spray Machine, Adhesive	B	Storage Tank, with Passive Carbon s.s.	B
Spray Machine, Coating	B	Storage Tank, with Passive Carbon m.s.	C
Spray Machine, Powder Coating	B	Storage Tank, with Passive Carbon t.s.	C
Spraying, Resin/Gel Coat	C	Storage Tank, Rendered Products	C
Sterilization Equipment	C	Storage Tank, Waste Oil	A
Stereolithography	A	Storage Tank with condenser	B
Storage, Petroleum Coke	C	Storage Tank, with External Floating Roof	C
Storage Container, Baker-Type	B	Stove-Oil Filter/Coalescer Facility	D
Storage Container, Baker-Type w/Control	C	Striper, Can	B
Storage Silo, Other Dry Material	A	Striper, Pavement	B
Storage Tank, w/o Control, Crude Oil/Petroleum Products	B	Stripping, Other	B
Storage Tank, Acid with sparger	B	Sulfonation Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E
Storage Tank, Ammonia with sparger	B	Sulfuric Acid Plant Including, but not limited to, all or part of the following: Accumulators, Columns, Condensers, Drums, Heat Exchangers, Knock Out Pots, Pots, Pumps, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	F
Storage Tank, Asphalt <= 50,000 gallons	B	Sump, Covered & Controlled	C
Storage Tank, Asphalt > 50,000 gallons	C	Sump, Spill Containment	A
Storage Tank, Degassing Unit	D	Tablet Coating Pans	A
Storage Tank, Fixed Roof with Internal Floater	C	Tank, Hard Chrome Plating	C
Storage Tank, Fixed Roof with Vapor Control	C	Tank/Line, Other Chrome Plating or Chrome Anodizing	C
Storage Tank, Fuel Oil	A	Tank, Line, Other Process Emitting Hexavalent Chrome	C
Storage Tank, Lead Compounds	C	Tank/Line, Trivalent Chrome Plating	B
Storage Tank, LPG	A	Tank/Line, Cadmium or Nickel Plating	C
		Tank/Line, Other Process Emitting Nickel or Cadmium	B1

TABLE IB - PERMIT FEE RATE SCHEDULES FOR BASIC EQUIPMENT

Equipment/Process	Schedule	Equipment/Process	Schedule
Tank/Line, Other Plating	B	Waste Water Treating ($< 10,000$ gpd) Including, but not limited to, all or part of the following: Air Floatation Units, Floatation Units, Filter Presses, Clarifiers, Settling Tanks, Waste Water Separators, Tanks	B
Tank/Line Nitric Acid Process Emitting NOx	C	Waste Water Treating ($< 20,000$ gpd) no toxics Including, but not limited to, all or part of the following: Air Floatation Units, Floatation Units, Filter Presses, Clarifiers, Settling Tanks, Waste Water Separators, Tanks	B
Tank/Line, Other Process Using Aqueous Solutions	B	Waste Water Treating ($20,000 - 50,000$ gpd) Including, but not limited to, all or part of the following: Air Floatation Units, Floatation Units, Filter Presses, Clarifiers, Settling Tanks, Waste Water Separators, Tanks	D
Tank, Paint Stripping w/Methylene Chloride	C	Waste Water Treating ($> 50,000$ gpd) Including, but not limited to, all or part of the following: Air Floatation Units, Floatation Units, Filter Presses, Clarifiers, Settling Tanks, Waste Water Separators, Tanks	E
Textiles, Recycled, Processing	C	Waste-to-Energy Equipment	H
Thermal Cracking Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E	Wet Gate Printing Equipment using Perchloroethylene	B
Tire Buffer	A	Weigh Station	A
Treating, Other	B	Wood Treating Equipment Including, but not limited to, all or part of the following: Coater Operations, Process Tanks	C
Treating, Petroleum Distillates Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	D		
Vacuum Distillation Unit Including, but not limited to, all or part of the following: Absorbers, Accumulators, Columns, Compressors, Condensers, Drums, Fractionators, Heat Exchangers, Knock Out Pots, Pots, Pumps, Reactors, Regenerators, Scrubbers, Settling Tanks, Sumps, Tanks, Towers, Vessels	E		
Vacuum Machine	C		
Vacuum Metalizing	B		
Vacuum Pumps	C		
Vegetable Oil Extractor Including, but not limited to, all or part of the following: Bins, Conveyors, Cookers, Presses, Tanks, Kilns	E		
Warming Device, Electric	A		

TABLE IIA
SPECIAL PROCESSING FEES
AIR QUALITY ANALYSIS/HEALTH RISK ASSESSMENT

Schedule	Fee
A	\$1,825.01
B	\$1,825.01
C	\$1,825.01
D	\$6,533.81+T&M
E	\$6,533.81+T&M
F	\$6,533.81+T&M
G	\$6,533.81+T&M
H	\$8,713.32+T&M

D through G: T&M = Time and Material charged at \$186.87 per hour above 35 hours.

H: T&M = Time and Material charged at \$186.87 per hour above 47 hours. Time and material charges for work beyond these hourly limits shall be for analysis or assessment required due to modification of the project or supporting analysis submitted for initial review or for multiple analyses or assessments required for a project or other special circumstances and shall be approved by the Executive Officer.

An additional fee of \$3,128.59 shall be assessed for a project requiring modeling review triggered by the requirements of Regulation XVII – Prevention of Significant Deterioration (PSD). The total combined fee for these reviews shall not exceed \$20,857.42.

TABLE IIB
CEMS, FSMS, & ACEMS FEE SCHEDULE

Certification Review		
CEMS and FSMS Review ¹	Basic Fee ²	Maximum Fee
Any combination of pollutants, diluent, flow, or other parameter ³ for:		
One to two components	\$5,052.38	\$9,046.08
Three to four components	\$6,077.63	\$16,646.78
For each additional component beyond four, the following amount is added to the fee for four components	\$0.00	\$4,112.04
For time-sharing of CEMS, the following amount is added to any fee determined above	\$0.00	\$4,112.04
ACEMS Review	Basic Fee ⁴	Maximum Fee
	\$5,052.38	\$16,646.78
¹ The certification fee includes the initial application approval, approval of test protocol, and approval of the performance test results. An application resubmitted after a denial will be treated as a new application and will be subject to a new fee. ² Covers up to 40 hours evaluation time for the first two components, 60 hours for the first four components, and up to an additional 12 hours for each component beyond four. Excess hours beyond these will be charged at \$223.14 per hour, to the maximum listed in the table. ³ Additional components, as necessary, to meet monitoring requirements (e.g., moisture monitor). ⁴ Covers up to 40 hours evaluation time.		

TABLE III - EMISSION FEES

Annual Emissions	≥1 (lb/year)	≥200 (lb/year)	≥4 – ≤25 (ton/year)	>25 – ≤75 (ton/year)	>75 - <100 (ton/year)	≥100 (ton/year)
Organic Gases* (\$/ton)		-	\$811.02	\$1,316.78	\$1,971.08	\$1,971.08
Specific Organics** (\$/ton)		-	\$145.09	\$229.91	\$344.82	\$344.82
Nitrogen Oxides (\$/ton)		-	\$474.47	\$753.67	\$1,135.08	\$1,135.08
Sulfur Oxides (\$/ton)		-	\$562.52	\$909.37	\$1,365.28	\$1,365.28
Carbon Monoxide (\$/ton)		-	-	-	-	\$9.69
Particulate Matter (\$/ton)		-	\$620.16	\$1,004.91	\$1,504.62	\$1,504.62
Ammonia (\$/lb)		\$0.04	\$0.04	\$0.04	\$0.04	\$0.04
Chlorofluorocarbons (\$/lb)	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54	\$0.54
1,1,1-trichloroethane (\$/lb)	\$0.06	\$0.06	\$0.06	\$0.06	\$0.06	\$0.06

* Excluding methane, and exempt compounds as defined in Rule 102, and specific organic gases as specified in paragraph defined in subdivision (b) of this rule.

** See specific organic gases as defined in subdivision (b) of this rule.

TABLE IV
TOXIC AIR CONTAMINANTS

CAS	TOXIC COMPOUNDS	Annual Emission Thresholds (lbs)
1332214	Asbestos	0.0001
71432	Benzene	2
7440439	Cadmium	0.01
56235	Carbon tetrachloride	1
106934	Ethylene dibromide	0.5
107062	Ethylene dichloride	2
75218	Ethylene oxide	0.5
50000	Formaldehyde	5
18540299	Hexavalent chromium	0.0001
75092	Methylene chloride	50
7440020	Nickel	0.1
127184	Perchloroethylene	5
106990	1,3-Butadiene	0.1
7440382	Inorganic arsenic	0.01
7440417	Beryllium	0.001

75014	Vinyl chloride	0.5
7439921	Lead	0.5
123911	1,4-Dioxane	5
79016	Trichloroethylene	20
1086	Chlorinated dioxins, without individual isomers reported	0.000001
1746016	2,3,7,8-TCDD	0.000001
3268879	1-8OctaCDD	0.000001
19408743	1-3,7-9HxCDD	0.000001
35822469	1-4,6-8HpCDD	0.000001
39227286	1-4,7,8HxCDD	0.000001
40321764	1-3,7,8PeCDD	0.000001
57653857	1-3,6-8HxCDD	0.000001
1080	Chlorinated dibenzofurans, without individual isomers reported	0.000001
39001020	1-8OctaCDF	0.000001
51207319	2,3,7,8-TCDF	0.000001
55673897	1-4,7-9HpCDF	0.000001
57117314	2-4,7,8PeCDF	0.000001
57117416	1-3,7,8PeCDF	0.000001
57117449	1-3,6-8HxCDF	0.000001
60851345	2-4,6-8HxCDF	0.000001
67562394	1-4,6-8HpCDF	0.000001
70648269	1-4,7,8HxCDF	0.000001
72918219	1-3,7-9HxCDF	0.000001
1151	Polycyclic aromatic hydrocarbons, PAHs (without individual isomers reported)	0.2
50328	Benzo[a]pyrene [PAH, POM]	0.2
53703	Dibenz[a,h]anthracene [PAH, POM]	0.2
56495	3-Methylcholanthrene [PAH, POM]	0.2
56553	Benz[a]anthracene [PAH, POM]	0.2
57976	7,12-Dimethylbenz(a)Anthracene [PAH, POM]	0.2
91203	Naphthalene [PAH, POM]	0.2
189559	Dibenzo[a,i]pyrene [PAH, POM]	0.2
189640	Dibenzo[a,h]pyrene [PAH, POM]	0.2
191300	Dibenzo[a,l]pyrene [PAH, POM]	0.2
192654	Dibenzo[a,e]pyrene [PAH, POM]	0.2
193395	Indeno[1,2,3-cd]pyrene [PAH, POM]	0.2
194592	7H-Dibenzo(c,g)Carbazole [PAH, POM]	0.2
205823	Benzo[j]fluoranthene [PAH, POM]	0.2
205992	Benzo[b]fluoranthene [PAH, POM]	0.2

207089	Benzo[k]fluoranthene [PAH, POM]	0.2
218019	Chrysene [PAH, POM]	0.2
224420	Dibenz(a,j)Acridine [PAH, POM]	0.2
226368	Dibenz(a,h)Acridine [PAH, POM]	0.2
602879	5-Nitroacenaphthene [PAH, POM]	0.2
607578	2-Nitrofluorene [PAH, POM]	0.2
3697243	5-Methylchrysene [PAH, POM]	0.2
5522430	1-Nitropyrene [PAH, POM]	0.2
7496028	6-Nitrochrysene [PAH, POM]	0.2
42397648	1,6-Dinitropyrene [PAH, POM]	0.2
42397659	1,8-Dinitropyrene [PAH, POM]	0.2
57835924	4-Nitropyrene [PAH, POM]	0.2
9901	Diesel Particulate Matter	0.1

TABLE V
ANNUAL CLEAN FUELS FEES

Volatile Organic Compounds (\$/ton)	Nitrogen Oxides (\$/ton)	Sulfur Oxides (\$/ton)	Particulate Matter (\$/ton)
\$61.43	\$35.41	\$43.90	\$35.41

TABLE VI
ASBESTOS NOTIFICATION FEES

Demolition and Renovation by Project Size (square feet) ¹					
up to 1,000	> 1,000 to 5,000	5,000 to 10,000	> 10,000 to 50,000	> 50,000 to 100,000	> 100,000
\$81.61	\$249.59	\$584.26	\$916.15	\$1,327.75	\$2,212.92

Additional Service Charge Fees				
Revision to Notification for Start Date, Quantity, and/or End Date ²	Special Handling Fee ³	Planned Renovation	Procedure 4 or 5 Plan Evaluation	Expedited Procedure 4 or 5 Fee ⁴
\$30.22	\$81.61	\$916.15	\$916.15	\$458.06

¹ For demolition, the fee is based on the building size.

For refinery or chemical unit demolition, the fee is based on the structure's footprint surface area.

For renovation, the fee is based on the amount of asbestos removed.

² For revisions to notifications to change the End Date, service charge fees will only be charged if revisions result in a later End Date

³ For all notifications received less than 14 calendar days prior to project start date.

⁴ For all expedited Procedure 4 or 5 plan evaluation requests received less than 14 calendar days prior to project start date.

For each subsequent notification for pre-approved Procedure 5 plan submitted per Rule 1403(d)(1)(D)(i)(V)(2).

TABLE VII
FACILITY PERMIT FEES

Description	Rule section	
Facility Permit Amendment/Revision Fee	(l)(4) (m)(4)	
• RECLAIM Only or non-RECLAIM/non-Title V		\$1,627.76
• Title V Only*		\$2,039.77
• RECLAIM & Title V*		\$3,667.54
* Includes administrative, minor, de minimis significant, or significant amendment/revision		
Facility Permit Change of Owner/Operator	(c)(2) (l)(6) (m)(4) (n)(5)	
• Facility Permit Amendment Fee		<i>Facility Permit Amendment/Revision Fee (See Above)</i>
Plus		Plus
• Application Processing Fee for Each Application		<i>Processing Fees (See Table FEE RATE-C))</i>
Title V Facility Permit Renewal Fee (Due at Filing)	(m)(5) (m)(9)	\$4,633.06
Plus		Plus
Hourly Rate for Calculation of Final Fee for Evaluation Time in Excess of 8 hours (Due upon Notification)		\$324.14 per hour

ATTACHMENT G

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Final Staff Report Proposed Amended Rule 301 – Permitting and Associated Fees

October 2025

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WAYNE NASTRI

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EXECUTIVE SUMMARY

Regulation III – Fees, establishes the fee rates and schedules to recover South Coast AQMD's reasonable costs of regulating and providing services to the regulated community, primarily permitted sources. Regulation III is annually brought to the South Coast AQMD Governing Board for consideration for adoption, often in conjunction with the Proposed Budget and Work Program. In May 2025, Regulation III was amended to adjust most fees by the Consumer Price Index (CPI) and to include new or modified fees which are necessary to provide more specific cost recovery for regulatory actions taken. Due to questions raised on the proposed fee update regarding the operating and maintenance costs of refinery related community air monitoring, more time was needed to work with stakeholders. As such, the proposed amendment to Rule 301 was bifurcated from the annual Regulation III amendments.

Rule 1180 – Refinery Fenceline and Community Air Monitoring, was adopted by the Governing Board in December 2017 and requires all seven major refineries in the South Coast Air Basin to measure the ambient levels of various air pollutants at their fenceline and notify the public if the concentration of any measured pollutant is above pre-determined threshold levels. Rule 1180 also establishes a fee schedule for each of the refineries to fund the community air monitoring stations (operated by South Coast AQMD) to provide air quality information and notifications to the public. Rule 301, on the other hand, establishes the ongoing operating and maintenance fee for community air monitoring and requires a triennial reassessment of such fee to ensure that the fee is consistent with the requirements of the Health and Safety Code Section 42705.6(f)(1) and (f)(2). The most recent reassessment of Rule 1180 fees (due by no later than January 1, 2025) was completed by staff on December 24, 2024.

The January 2024 Rule 1180 amendment established a fee schedule to fund the addition of air toxic metals and particulate matter (PM) monitoring at community sites. The January 2024 Rule 1180 amendment also requires the development and installation of new fenceline air monitoring systems at refinery-related facilities. Furthermore, in January 2024, the Governing Board adopted Rule 1180.1, which requires fenceline air monitoring for three other refineries in the Basin. The 2024 Rule 1180 amendment and Rule 1180.1 adoption were needed to fully implement the requirements of Health and Safety Code Section 42705.6 and to address issues identified in lawsuits claiming that Health and Safety Code Section 42705.6 was not fully implemented due to a rule exemption for refineries with a refining capacity less than 40,000 barrels per day. The proposed fee amendment to Rule 301 reflects the operating and maintenance costs associated with the implementation of Rule 1180 and Rule 1180.1.

With this proposal, South Coast AQMD seeks to update Rule 301 with amendments aimed at cost recovery, and clarifications. Staff is proposing to amend the refinery related community air monitoring system annual operating and maintenance fees for major refineries originally subject to Rule 1180, and include new annual operating and maintenance fees for facilities newly subject to either Rule 1180 or Rule 1180.1.

Administrative changes to Rule 301 are also proposed for clarity and consistency.

CHAPTER 1 – BACKGROUND

INTRODUCTION

LEGAL AUTHORITY, DESCRIPTION OF SOUTH COAST
AQMD'S PERMITTED SOURCE PROGRAM AND OTHER FEES,
AND RELATIONSHIP OF FEES TO SOUTH COAST AQMD'S
BUDGET

PROPOSITION 26 COMPLIANCE

PUBLIC PROCESS

Introduction

Regulation III is brought to the South Coast AQMD Governing Board for consideration on an annual basis, often in conjunction with the Proposed Budget and Work Program. Rule 301 (aa) establishes the ongoing operating and maintenance fee for community air monitoring and requires a triennial reassessment of such fee to ensure that the fee is consistent with the requirements of the Health and Safety Code Section 42705.6(f)(1) and (f)(2). The most recent reassessment of Rule 1180 fees (due by no later than January 1, 2025) was completed by staff on December 24, 2024. The amendment to Rule 301 subdivision (aa) was planned to be part of the annual Regulation III amendments in May 2025. Due to questions raised by stakeholders, the proposed amendments to Rule 301 (aa) was bifurcated from the annual Regulation III amendments in order to allow for additional time for discussion with stakeholders. Resulting from these discussions, the fees proposed here have been modified from the original proposal presented by staff earlier this year during the annual Regulation III amendment. Proposed Amended Rule 301 – Permitting and Associated Fees (PAR 301) proposes necessary increases to Rule 1180 operating and maintenance fees relating to community air monitoring stations, along with establishing annual Operating and Maintenance (O&M) Fees for facilities newly subject to Rules 1180 and 1180.1. The proposed fees reflect the necessary and reasonable costs associated with recent amendments to Rule 1180 and the adoption of Rule 1180.1. These fees will cover costs that include staff salary and benefits, ongoing expenditures associated with running the ten air monitoring stations that are part of the Rule 1180 community network (including air monitoring for metals, PM and PAH), replacement parts for over 100 continuous air monitoring instruments, replacement and back-up monitoring equipment and, overall, to address increasing operational and maintenance costs. The detailed assessment of the operational and maintenance needs and breakdown of expenditures is included in Chapter 2 and Appendix A.

Legal Authority, Description of South Coast AQMD’s Permitted Source Program and Other Fees, and Relationship of Fees to South Coast AQMD’s Budget

The Health and Safety Code provides South Coast AQMD with the authority to adopt various fees to recover the costs of its programs. Health and Safety Code Section 40510(b) authorizes South Coast AQMD to adopt “a fee schedule for the issuance of variances and permits to cover the reasonable cost of permitting, planning, enforcement, and monitoring related thereto.” Virtually every cost related to regulating permitted sources may be recovered under this type of fee.¹ Entities regulated through the South Coast AQMD’s Permitted Source Program receive two types of permits: facility permits and equipment-based permits. These permits apply to each permitted facility or each piece of permitted equipment. RECLAIM² and Title V facilities receive a facility permit which incorporates all of their equipment-based permits into a single document, whereas other sources receive independent equipment-based permits.

South Coast AQMD has adopted three basic types of Permitted Source Program fees: permit processing fees, annual renewal operating fees (equipment-based), and emissions-based operating fees. Traditionally, South Coast AQMD has endeavored to recover its costs of permit processing from permit processing fees, its costs of inspection and enforcement from annual renewal

¹ Health and Safety Code Section 40506

² RECLAIM stands for REgional CLean Air Incentives Market, a cap-and-trade program that regulates the emissions of NOx and SOx in the South Coast Air Basin.

operating fees, and its indirect costs necessary to conduct overall Permitted Source Program regulatory activities, including related planning, monitoring, rule development and outreach programs, from emissions-based operating fees.³ In recent years, some of these indirect costs have been recovered from annual operating fees rather than emissions-based fees, since emissions fees are a declining source of revenue, without a corresponding reduction in necessary rulemaking efforts and other permit-related activities. For more information on South Coast AQMD's general legal authority to adopt fees and the Permitted Source Program fees, please refer to the background discussion in Chapter 1 of the Staff Report for Amendments to Regulation III (May 2025).⁴

Proposition 26 Compliance

On November 2, 2010, the voters of California enacted Proposition 26, which was intended to limit certain types of fees adopted by state and local governments. Proposition 26 broadly defines a tax to mean any charge imposed by a local government that does not fall within seven enumerated exceptions for valid fees. If a charge does not fall within an enumerated fee exception, it is considered a tax, and must be adopted by vote of the people. South Coast AQMD does not have authority under state law to adopt a tax, so it may only impose a charge that is a valid fee under Proposition 26.

Proposition 26 requires that the local government prove by a preponderance of the evidence that the amount of the fee “[1] is no more than necessary to cover the reasonable costs of the governmental activity, and that [2] the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor’s burdens on, or benefits received from, the governmental activity.”⁵ A detailed explanation of the Permitted Source Program and the method of allocating program costs to the fee payors is included in prior Regulation III Staff Reports.

Proposition 26 also provides that an agency must establish by a preponderance of the evidence that the fee fits within one of the fee exceptions.⁶ In addition to the enumerated exceptions found in Proposition 26, courts have found that the proposition does not apply to fees adopted before its effective date.⁷

All of the proposed fee increases or new fees discussed in this Staff Report fall within a recognized exception. In addition, all of the proposed increases bear a fair and reasonable relationship to a payor’s burdens on, or benefits received from South Coast AQMD’s activities.

³ California courts have upheld the use of emissions-based fees to cover these types of costs, holding that such an allocation method is reasonably related to an air district’s costs of regulating a permit holder’s air pollution. (*San Diego Gas & Electric Co. v. San Diego County APCD* (1988) 203 Cal. App. 3d 1132, 1148).

⁴ South Coast AQMD Regulation III Board Package (May 2025). <https://www.aqmd.gov/docs/default-source/agendas/governing-board/2025/2025-may2-027.pdf>

⁵ See Cal. Const. art. XIII C §1

⁶ Cal. Const., art. XIII C, §1

⁷ *Brooktrails Township County, Servs. Dist. v. Bd. of Supervisors of Mendocino County* (2013), 218 Cal. App. 4th 195, 206

Public Process

Development of Proposed Amended Rule 301 (PAR 301) is being conducted through a public process. Public outreach was conducted to notify interested parties regarding PAR 301 through notifications including newspaper postings, mass mailings, and email notifications. A Public consultation meeting was held on March 18, 2025, and a second public consultation meeting was held on April 8, 2025, to present proposed amendments to Regulation III and receive public comments. The proposed amendments were also presented at the Budget Advisory Committee Meeting on April 2, 2025, the Governing Board Special Meeting Budget Study Session on April 4, 2025, and the Administrative Committee Meeting on September 12, 2025.

On April 3, 2025 stakeholders submitted a letter outlining a list of questions and comments about Rule 301 (aa) fees. To address these comments, staff met with stakeholders on March 28, 2025, April 22, 2025, July 2, 2025 and August 21, 2025; additionally, staff provided a tour of a Rule 1180 community air monitoring station in Torrance on August 14, 2025 with a question and answer session with technical staff.

The public hearing to consider adoption of the amendments to Rule 301 is scheduled for October 3, 2025, at 9:00 a.m. (subject to change) in the auditorium at the South Coast AQMD's Diamond Bar Headquarters and via a Zoom link that will be available in the October 3, 2025 Governing Board agenda, which will be released no later than 72 hours prior to the Public Hearing.

CHAPTER 2 – PROPOSED RULE AMENDMENT WITH FEE IMPACTS

INTRODUCTION

AMEND RULE 301 TO REVISE THE REFINERY RELATED COMMUNITY AIR MONITORING SYSTEM ANNUAL OPERATING AND MAINTENANCE FEES FOR MAJOR REFINERIES ORIGINALLY SUBJECT TO RULE 1180, AND ENACTMENT OF ANNUAL OPERATING AND MAINTENANCE FEES FOR FACILITIES NEWLY SUBJECT TO RULES 1180 AND 1180.1.

Introduction

Staff presents the following proposal to amend Rule 301 – Permitting and Associated Fees:

- 1) Amend Rule 301 to revise the Refinery Related Community Air Monitoring System Annual Operating and Maintenance Fees for Major Refineries Originally Subject to Rule 1180, and Enactment of Annual Operating and Maintenance Fees for Facilities Newly Subject to Rules 1180 and 1180.1.

The fees from this proposal, which is discussed in more detail below, are necessary to allow for recovery of the reasonable costs of South Coast AQMD's regulatory activities. Any additional amendments that represent renumbering of rule subdivisions/paragraphs/tables, amendments that are due solely to any proposed addition and/or deletion of preceding rule subdivisions/paragraphs/tables, are not separately listed below.

1. Amend Rule 301 to revise the Refinery Related Community Air Monitoring System Annual Operating and Maintenance Fees for Major Refineries Originally Subject to Rule 1180, and Enactment of Annual Operating and Maintenance Fees for Facilities Newly Subject to Rules 1180 and 1180.1

Description of Proposed Amendment

Rule 1180 - Refinery Fenceline and Community Air Monitoring, was adopted by the Governing Board in December 2017 and requires all seven major refineries in the South Coast Air Basin (Basin) to measure the ambient levels of various air pollutants at their fenceline, and notify the public if the concentration of any measured pollutant is above pre-determined threshold levels. Rule 1180 also establishes a fee schedule for each of the refineries to fund the installation, operation, and maintenance of community air monitoring stations (operated by South Coast AQMD) to measure and record air pollutant concentrations in communities near petroleum refineries in order to provide air quality information and notifications to the public, estimate pollutant exposures, and determining trends in air pollutant levels over time. The requirements of Rule 1180 apply to the following seven refineries:

- Tesoro Refining & Marketing Company, LLC, Carson;
- Tesoro Refining & Marketing Company, LLC, Wilmington;
- Torrance Refining Company, LLC, Torrance;
- Chevron Products Company, El Segundo;
- Phillips 66 Company, Los Angeles Refinery, Carson;
- Phillips 66 Company, Los Angeles Refinery, Wilmington; and
- Ultramar Inc., dba Valero Wilmington Refinery, Wilmington.

The Rule 1180 refinery fenceline and community air monitoring network has been in operation since January 2020. Novel optical remote sensing (ORS), automated gas chromatography (Auto-GC), and traditional analyzers have been installed at multiple fenceline and community air monitoring sites. Through Rule 301(aa), annual O&M fees for the community air monitoring network billed with the annual operating permit renewal fee are required for each of the refineries beginning in calendar year 2020. Rule 301(aa)(4) also requires a triennial reassessment to ensure that the fee is consistent with the requirements of the Health and Safety Code Section

42705.6(f)(1)⁸ and (f)(2)⁹. The most recent reassessment of Rule 1180 fees (due by no later than January 1, 2025) was completed by staff on December 24, 2024. The next reassessment is due by no later than January 1, 2028.

On January 2024, an amendment to Rule 1180 established a fee schedule to fund the addition of air toxic metals, particulate matter (PM) and Polycyclic Aromatic Hydrocarbons (PAH) monitoring at community sites near the seven Rule 1180 refineries listed above. Payments totaling \$3,765,960 from these refineries for the implementation of air toxic metals and PM monitoring were due no later than January 31, 2025. This additional monitoring is projected to be fully implemented at the existing Rule 1180 community air monitoring stations by no later than October 1, 2025. Therefore, this Rule 301 fee amendment includes additional fees for ongoing O&M required for monitoring of these additional pollutants.

The January 2024 Rule 1180 amendment also requires the development and installation of new fenceline air monitoring systems at the following refinery-related facilities (Note: Rule 1180 defines related facility as is any establishment that has operations related to the refinery processes located on properties adjacent to or contiguous with a Petroleum Refinery, including electricity generating facilities, Hydrogen Production Plants, sulfuric acid plants, Sulfur Recovery Plants, and Terminals, which receive more than 50 percent of their product input either directly or indirectly from, or provide more than 50 percent of their product output either directly or indirectly to, any of the Petroleum Refineries subject to this rule in 2022 calendar year):

- Air Products and Chemicals, Inc., Carson (Note: facility permitted as Air Prod & Chem Inc.);
- Air Products and Chemicals, Inc., Wilmington;
- Tesoro Refining and Marketing Co., LLC (Sulfur Recovery Plant);
- Kinder Morgan Liquids Terminals, LLC; and
- Tesoro Logistics, Carson Crude Terminal.

Furthermore, in January 2024 the Governing Board adopted Rule 1180.1, which requires fenceline air monitoring for three other refineries in the Basin, namely:

- AltAir Paramount, LLC (Note: facility was sold to Air Products Manufacturing);
- Lunday-Thagard Co. (LTR) dba World Oil Refining; and
- Valero Wilmington Asphalt Plant.

Rules 1180 and 1180.1 implement Health and Safety Code Section 42705.6, which requires, among other things, community air monitoring near petroleum refineries, and requires the refineries to be responsible for associated costs. (Rule 1180.1 also requires community air monitoring at other refineries.) Rules 1180 and 1180.1 establish one-time fee schedules to fund

⁸ Health and Safety Code Section 42705.6(f)(1) requires that the owner or operator of a petroleum refinery be responsible for the costs associated with implementing fenceline monitors and community air monitoring stations near refineries.

⁹ Health and Safety Code Section 42705.6(f)(2) requires that to the extent a refinery-related community air monitoring system is intentionally utilized by a district to monitor emissions from sources under its jurisdiction other than a petroleum refinery, the district shall ensure the costs of the system are shared in a reasonably equitable manner.

the planning and implementation of community air monitoring stations near each of the new facilities. These payments totaling \$1,461,732 and \$2,309,469, respectively, from refinery-related facilities and other refineries for the planning and implementation of additional community air monitoring stations will be received in two installments: the first no later than January 31, 2025, and the second no later than January 31, 2026. These one-time fees will fund implementation of two additional Rule 1180 stations and three Rule 1180.1 community air monitoring stations, projected to be established by July 1, 2026. After these new stations commence air monitoring, refinery-related facilities subject to Rule 1180 and other refineries subject to Rule 1180.1 starting FY_2026-27 will also fund ongoing O&M of community air monitoring through this amendment to Rule 301. Five refinery-related facilities newly subject to Rule 1180 will share funding of O&M fees for two new Rule 1180 community stations, while each of the three other refineries subject to Rule 1180.1 will fund O&M fees for one community station.

Proposed Amended Rule(s)

Rule 301(aa) Refinery Related Community Air Monitoring System Annual Operating and Maintenance Fees

- (1) The owner or operator of a petroleum refinery or related facility subject to Rule 1180, and other refineries subject to Rule 1180.1 shall pay an annual operating and maintenance fee for a refinery-related community air monitoring system designed, developed, installed, operated, and maintained by South Coast AQMD in accordance with California Health and Safety Code Section 42705.6.

Facility Name* and Location	FY 22-23- Annual Operating and Maintenance Fee	FY 23-24- Annual Operating and Maintenance Fee	FY 24-25 (and thereafter)- Annual Operating and Maintenance Fee
Andeavor Corporation (Carson)	\$917,253.56	\$936,417.46	\$954,710.26
Andeavor Corporation (Wilmington)	\$458,626.78	\$468,208.73	\$477,355.13
Chevron U.S.A. Inc. (El Segundo)	\$917,253.56	\$936,417.46	\$954,710.26
Phillips 66 Company (Carson)	\$458,626.78	\$468,208.73	\$477,355.13

Phillips 66 Company (Wilmington)	\$458,626.78	\$468,208.73	\$477,355.13
PBF Energy, Torrance Refining Company (Torrance)	\$917,253.56	\$936,417.46	\$954,710.26
Valero Energy (Wilmington)	\$458,626.78	\$468,208.73	\$477,355.13

- (2) The annual operating and maintenance fee per facility required by paragraph (aa)(1) shall be ~~as follows~~:

<u>Facility Name*, Location</u>	<u>Rule</u>	<u>FY 25-26</u>	<u>FY 26-27</u>	<u>FY 27-28 (and thereafter)</u>
		<u>Annual Operating and Maintenance Fee</u>	<u>Annual Operating and Maintenance Fee</u>	<u>Annual Operating and Maintenance Fee</u>
<u>Tesoro Refining & Marketing Company, LLC, Carson</u>	<u>1180</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>
<u>Tesoro Refining & Marketing Company, LLC, Wilmington</u>	<u>1180</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>
<u>Chevron Products Co., El Segundo</u>	<u>1180</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>
<u>Phillips 66 Company/Los Angeles Refinery, Carson</u>	<u>1180</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>
<u>Phillips 66 Company/LA Refinery Wilmington Plant, Wilmington</u>	<u>1180</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>
<u>Torrance Refining Company, LLC, Torrance</u>	<u>1180</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>	<u>\$1,073,340.33</u>
<u>Ultramar Inc. dba Valero Wilmington Refinery, Wilmington</u>	<u>1180</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>	<u>\$536,670.16</u>
<u>Air Products and Chemicals, Inc. (permitted as Air Prod & Chem, Inc.), Carson</u>	<u>1180</u>	<u>\$0</u>	<u>\$205,982.34</u>	<u>\$205,982.34</u>
<u>Air Products and Chemicals, Inc., Wilmington</u>	<u>1180</u>	<u>\$0</u>	<u>\$205,982.34</u>	<u>\$205,982.34</u>
<u>Tesoro Refining and Marketing Co., LLC (Sulfur Recovery Plant), Carson</u>	<u>1180</u>	<u>\$0</u>	<u>\$205,982.34</u>	<u>\$205,982.34</u>
<u>Kinder Morgan Liquids Terminals, LLC, Carson</u>	<u>1180</u>	<u>\$0</u>	<u>\$205,982.34</u>	<u>\$205,982.34</u>
<u>Tesoro Logistics, Carson Crude Terminal, Carson</u>	<u>1180</u>	<u>\$0</u>	<u>\$205,982.34</u>	<u>\$205,982.34</u>
<u>Air Products Manufacturing (formerly AltAir Paramount), Paramount</u>	<u>1180.1</u>	<u>\$0</u>	<u>\$521,545.62</u>	<u>\$521,545.62</u>
<u>Lunday-Thagard Co. dba World Oil Refining, South Gate</u>	<u>1180.1</u>	<u>\$0</u>	<u>\$521,545.62</u>	<u>\$521,545.62</u>
<u>Valero Wilmington Asphalt Plant, Wilmington</u>	<u>1180.1</u>	<u>\$0</u>	<u>\$521,545.62</u>	<u>\$521,545.62</u>

*Based on the current permitted facility names. Any subsequent owner(s) or operator(s) of the above listed facilities shall be subject to this rule.

- (3) The annual operating and maintenance fee required by this subdivision shall be billed with the annual operating permit renewal fee required by subdivision (d)

beginning in calendar year 2020 for the seven major refineries subject to Rule 1180, and beginning in calendar year 2026, for refinery-related facilities and other refineries subject to Rules 1180 and 1180.1, respectively. If the annual operating and maintenance fee required by this subdivision is not paid in full within sixty (60) calendar days of its due date, a ten percent (10%) penalty shall be imposed every sixty (60) calendar days from the due date.

- (4) No later than January 1, 2022 and every three years thereafter, the Executive Officer shall reassess the annual operating and maintenance fee required by this subdivision to ensure that the fee is consistent with the requirements of the California Health and Safety Code Section 42705.6(f)(1) and (f)(2).

Justification/Necessity/Equity

Petroleum Refineries Originally Subject to Rule 1180

As a part of triennial Refinery-related O&M fees reassessment required by Rule 301(aa)(4), in December 2024 staff conducted a financial analysis of expenditures for Rule 1180 program incurred through November 2024. Based on this analysis, it is anticipated that, by the end of fiscal year (FY) 2024-25, or, June 30, 2025, the Rule 1180 program may have a cumulative surplus of up to \$2,100,586 from Rule 1180 fee revenue. However, this surplus largely resulted from delays in filling some of the staff positions during the first few years of the program, and from promotions and resignations of staff from FYs 2022-23 through 2024-25. By the beginning of FY 2025-26, the Rule 1180 monitoring group is expected to be fully staffed and, as a result, this surplus will be expended throughout FYs 2025-26 and 2026-27, with a shortfall of \$1.1 million by the end of FY 2026-27, and no savings or surplus funds are expected in the following years. Based on projected needs for the next three-year cycle, and accounting for cost-reductions resulting from consideration of stakeholder input provided in April through August 2025, Table 2-1 includes a summary of the budgetary analysis showing a projected shortfall of nearly \$1.8 million over the next three fiscal years, even after considering spending-down of the surplus from the previous years' fee revenue. It should also be noted that the January 2024 amendment to Rule 1180 includes additional air monitoring requirements for metals, PM and PAH, which shall be measured at the fenceline of the seven major refineries in the Basin and at the respective community sites (Note: at the time of this writing, Naphthalene is the only PAH that can be continuously measured by the optical multi-pollutant analyzers already installed at the Rule 1180 community air monitoring sites. If reliable real-time air monitoring technologies for other PAH become available in the future, staff would investigate their applicability for Rules 1180 and 1180.1 monitoring). Staff anticipate to fully commence community air monitoring for these additional pollutants by no later than October 1, 2025. As a result, annual O&M fees are required to be increased to ensure sufficient funds are available for community air monitoring with the additional metals, PM, and PAH requirements. Therefore, current Rule 1180 fees are concluded to soon become inconsistent with Health and Safety Code Section 42705.6 (f)(1), and a fee increase is therefore necessary. In addition, since the monitors are not being intentionally used to measure emissions from sources other than refineries, no cost apportioning under Health and Safety Code Section 42705.6 (f)(2) is required.

Based on projected needs for the next three-year cycle and considering the spending down of the \$2,100,586 surplus from the previous fee revenue that was collected, it is anticipated that, at

minimum, an additional \$1,779,452 in fee revenue will be needed for O&M costs. These fees will cover costs that include staff salary and benefits, ongoing expenditures associated with running the ten (10) air monitoring stations that are part of the Rule 1180 community network (including air monitoring for metals, PM and PAH), replacement parts for over 100 continuous air monitoring instruments, replacement and back-up monitoring equipment and, overall, to address increasing operational and maintenance costs. Table 2-1 provides a summary of the budgetary analysis showing that a minimum increase of 12.4% to the annual fee is anticipated to be necessary to cover projected O&M costs over the next three years. This is equivalent to approximately \$59,315 per station per year. A breakdown on individual costs for the various expenditure categories is provided in Appendix A.

Table 2-1: Rule 1180 Projected FYs 2025-26, 2026-27, and 2027-28 Expenditures and Revenues for Petroleum Refineries*

Rule 1180 Fee Revenues/Expenditures/Carryover							
	Jan. 2018 to November 2024 Actuals	December 2024 - June 2025 Estimate	Total thru FY 2024-25	Projected FY 2025-2026	Projected FY 2026-2027	Projected FY 2027-2028	Projected Deficit FY2025- 26 through FY 2027-28
Available Carryover				\$ 2,100,586			\$ 2,100,586
Revenues							
Start-Up (Fund 78)	\$ 7,151,297		\$ 7,151,297	\$ -	\$ -	\$ -	
Interest (Fund 78)	192,230	-	192,230	-	-	-	
Fees (Fund 01)	22,752,766		22,752,766	\$ 4,773,551	\$ 4,773,551	\$ 4,773,551	14,320,653
Fee Revenue (45053)	\$ 30,096,293	\$ -	\$ 30,096,293	\$ 6,874,137	\$ 4,773,551	\$ 4,773,551	\$ 16,421,239
Expenditures							
Salaries and Employee							
Benefits and Indirect Costs	\$ 13,150,878	\$ 2,330,407	\$ 15,481,285	\$ 3,465,798	\$ 3,467,826	\$ 3,649,456	
Services and Supplies	6,117,229	490,699	\$ 6,607,928	1,554,280	1,585,633	2,095,587	
Capital	5,820,777	85,717	5,906,494	798,000	825,000	759,110	
Total Expense	\$ 25,088,884	\$ 2,906,823	\$ 27,995,707	\$ 5,818,078	\$ 5,878,459	\$ 6,504,154	\$ 18,200,691
Surplus/(Deficit)			\$ 2,100,586	\$ 1,056,059	\$ (1,104,908)	\$ (1,730,603)	\$ (1,779,452)

\$ 5,366,702 Proposed Fee
 \$ 4,773,551 Current Fee
 \$ 593,151 Annual Increase
 12.4% Fee Increase

*Salaries & Employee Benefits & Indirect Costs are estimated at Step 5 which includes cost of living increases approved by the Governing Board in FY 2023-24

Related Facilities Subject to Rule 1180

Based on projected needs for O&M of additional two (2) air monitoring stations for related facilities required by January 2024 Rule 1180 amendment, staff anticipates that \$1,029,912 in annual fee revenue starting FY_2026-27 will be needed for O&M costs. Table 2-2 provides a summary of the budgetary analysis showing the annual fees anticipated to be necessary to cover projected O&M costs over the next three years. A breakdown on individual costs for the various expenditure categories is provided in Appendix A.

Table 2-2: Rule 1180 Projected FYs 2025-26, 2026-27, and 2027-28 Expenditures and Revenues for Related Facilities*

Rule 1180 New Fee Revenues/Expenditures/Carryover					
	Projected FY 2025-2026	Projected FY 2026-2027	Projected FY 2027-2028	Projected FY 2025-26 to FY 2027-28 Totals	FY 2026-2028
Carryover	\$ -	\$ -	\$ (888,879)		\$ (2,059,823)
Revenues					
Start-Up (Fund 78)		\$ -	\$ -	\$ -	
Interest (Fund 78)	-	-	-	-	
Fees (Fund 01)	\$ -	\$ -	\$ -	-	
Fee Revenue (45053)	\$ -	\$ -	\$ -	\$ -	
Expenditures					
Salaries and Employee					
Benefits and Indirect Costs	\$ -	\$ 626,022	\$ 787,144	\$ 1,413,166	
Services and Supplies	-	252,957	372,910	625,867	
Capital	-	9,900	10,890	20,790	
Total Expense	\$ -	\$ 888,879	\$ 1,170,945	\$ 2,059,823	
Surplus/(Deficit)	\$ -	\$ (888,879)	\$ (1,170,945)	\$ (2,059,823)	
Carryover	\$ -	\$ (888,879)	\$ (2,059,823)		
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> \$ 1,029,912 Proposed Annual Fee </div>					

*Salaries & Employee Benefits & Indirect Costs are estimated at Step 5 which includes cost of living increases approved by the Governing Board in FY 2023-24

Other Refineries Subject to Rule 1180.1

Based on projected needs for O&M of additional three (3) air monitoring stations for other refineries subject to Rule 1180.1, staff anticipates that \$1,564,637 in annual fee revenue starting FY_2026-27 will be needed for O&M costs. Table 2-3 provides a summary of the budgetary analysis showing the annual fees expected to be necessary to cover projected O&M costs over the next three years. A breakdown on individual costs for the various expenditure categories is provided in Appendix A.

Table 2-3: Rule 1180.1 Projected FYs 2025-26, 2026-27, and 2027-28 Expenditures and Revenues*

Rule 1180.1 Fee Revenues/Expenditures/Carryover					
	Projected FY 2025-2026	Projected FY 2026-2027	Projected FY 2027-2028	Projected FY 2025-26 to FY 2027-28 Totals	FY 2026-2028
Carryover	\$ -	\$ -	\$ (1,350,339)		\$ (3,129,274)
Revenues					
Start-Up (Fund 78)		\$ -	\$ -	\$ -	
Interest (Fund 78)	-	-	-	-	
Fees (Fund 01)	\$ -	\$ -	\$ -	-	
Fee Revenue (45053)	\$ -	\$ -	\$ -	\$ -	
Expenditures					
Salaries and Employee					
Benefits and Indirect Costs	\$ -	\$ 982,504	\$ 1,232,328	\$ 2,214,832	
Services and Supplies	-	357,936	535,716	893,652	
Capital	-	9,900	10,890	20,790	
Total Expense	\$ -	\$ 1,350,339	\$ 1,778,935	\$ 3,129,274	
Surplus/(Deficit)	\$ -	\$ (1,350,339)	\$ (1,778,935)	\$ (3,129,274)	
Carryover	\$ -	\$ (1,350,339)	\$ (3,129,274)		
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> \$ 1,564,637 Proposed Annual Fee </div>					

*Salaries & Employee Benefits & Indirect Costs are estimated at Step 5 which includes cost of living increases approved by the Governing Board in FY 2023-24

CHAPTER 3 – IMPACT ASSESSMENT

FISCAL IMPACT FOR SOUTH COAST AQMD
CALIFORNIA ENVIRONMENTAL QUALITY ACT
SOCIOECONOMIC IMPACT ASSESSMENT

Fiscal Impact for South Coast AQMD

The fiscal impacts of the proposed amendments to Rule 301 will be taken into consideration by the Governing Board for the FY 2025-26 budget and the related five-year projections.

California Environmental Quality Act

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15002(k) and 15061, the proposed amendments to Rule 301 which involve charges by public agencies for the purpose of meeting operating expenses and financial reserve needs and requirements are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15273. In addition, the proposed amendments to Rule 301 which have no fee impact and are strictly administrative in nature, are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). A Notice of Exemption ~~has~~will be prepared pursuant to CEQA Guidelines Section 15062, and if the proposed project is approved, the Notice of Exemption will be filed for posting with the State Clearinghouse of the Governor’s Office of Land Use and Climate Innovation, and with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino counties.

Socioeconomic Impact Assessment

A socioeconomic impact assessment was conducted to provide information to Governing Board and stakeholders but is not required per Health and Safety Code Sections 40440.8 and 40728.5 because air quality or emission limitations will not be significantly affected by Proposed Amended Rule 301—~~Permitting and Associated Fees~~. The proposal is to amend the refinery-related community air monitoring system annual operating and maintenance fees for major refineries originally subject to Rule 1180, and enact annual operating and maintenance fees for facilities newly subject to Rules 1180 and 1180.1. This socioeconomic impact assessment presents the regulatory history of Rules 1180 and 1180.1, and analyzes the potential fee impacts of the proposed amendments to Rule 301 by fiscal year and industry.

REGULATORY HISTORY OF RULES 1180 AND 1180.1, AND ASSOCIATED FEE IMPACTS

When Rule 1180 was adopted in December 2017, all seven major refineries in the South Coast Air Basin were required to measure ambient levels of various air pollutants at their fence-line and notify the public if the concentration of any measured pollutant is above pre-determined threshold levels. Rule 1180 also established a fee schedule for each refinery to fund the installation, operating and maintenance of community air monitoring stations (operated by South Coast AQMD) to provide air quality information and notifications to the public.

In January 2024, Rule 1180 was amended to establish a fee schedule to fund the addition of air toxic metals, PM, and PAH monitoring at community sites near the seven refineries subject to Rule 1180 which triggered the need to increase the annual O&M fees in Rule 301 to recover the costs associated with monitoring these additional pollutants. This additional monitoring was projected to be implemented at existing Rule 1180 community air monitoring stations no later than October 1, 2025. In addition to funding the monitoring of additional pollutants, other increases in O&M costs associated with community air monitoring are expected. Thus, the total fee increase for the seven refineries subject to Rule 1180 is estimated to be \$0.59 million annually starting FY 2025-2026.

In addition, the January 2024 amendments to Rule 1180 required five new refinery-related facilities to install two additional community air monitoring stations by July 1, 2026. The five new facilities will share the installation cost and as well as the ongoing O&M costs. Thus, amendments to Rule 301 are also proposed which include these ongoing O&M costs, which are estimated to be approximately \$1.03 million annually from FY 2026-27 onward.

Also in January 2024, Rule 1180.1 was adopted which required three other refineries to each install a community air monitoring station by July 1, 2026. Thus, amendments to Rule 301 are proposed which will account for the ongoing O&M fees associated with the three additional community air monitoring stations as required by Rule 1180.1. The Rule 1180.1 fees are estimated to be \$1.56 million annually starting in FY 2026-27.

SUMMARY OF TOTAL FEE IMPACTS FOR PROPOSED AMENDMENTS TO RULE 301 BY FISCAL YEAR AND INDUSTRY

As presented in Table 3-1, the potential revenue impacts from the proposed amendments to Rule 301 are estimated at \$0.59 million in Rule 1180 fees in FY 2025-26, and \$3.198 million in FY 2026-27 and thereafter for Rules 1180 and 1180.1 combined. The sector of Petroleum and Coal Products Manufacturing (NAICS 324) will be affected by the proposed amendments to Rule 301. However, the fee impacts are considered minimal for the sector as the increased fee for each fiscal year accounts for less than 0.003% and 0.012% of the 2024 output and value added by this sector operating within the South Coast AQMD jurisdiction, respectively.

Table 3-1: Estimated Fee Impacts of Proposed Amendments to Rule 301 by Fiscal Year (Millions in 2025 Dollars)

Proposed Amendments to Rule 301	FY 2025-26	FY 2026-27 and thereafter
Community Air Monitoring System Annual Operating and Maintenance Fees as set forth in Rule 1180 for Petroleum Refineries and Related Facilities	\$0.59	\$1.62
Community Air Monitoring System Annual Operating and Maintenance Fees as set forth in Rule 1180.1 for Other Refineries	--	\$1.56
Total	\$0.59	\$3.1819*

* The numbers do not add up because of rounding.

CHAPTER 4 – FINDINGS UNDER HEALTH AND SAFETY CODE

REQUIREMENTS TO MAKE FINDING

NECESSITY

EQUITY

AUTHORITY

CLARITY

CONSISTENCY

NON-DUPLICATION

REFERENCE

Requirements to Make Findings

Health and Safety Code Section 40727 requires that prior to adopting, amending, or repealing a rule or regulation, the South Coast AQMD Governing Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference, as well as findings of equity under Health and Safety Code Section 40510.5(a) based on relevant information presented at the public hearing and in the staff report.

Necessity

All fees are necessary to fund the FY 2025-26 Budget. Based on the analysis provided in Chapter 3 of this report, a need exists for new or modified fees necessary to provide more specific cost recovery for Rule 301. Finally, the amendments set forth in the no fee impact/administrative change chapter of this report are necessary to add rule clarity or make necessary administrative changes to Rule 301.

Equity

Health and Safety Code Section 40510.5(a) requires the South Coast AQMD Governing Board to find that an increased fee will result in an equitable apportionment of fees when increasing fees beyond the CPI. Based on the analysis provided in Chapter 3 of this report, the proposed new fees or modified fee rates in Proposed Amended Rule 301 are found to be equitably apportioned as they are based on the needed supplies and staffing required to implement the required community monitoring, apportioned based on the number of facilities monitored by each station.

Authority

The South Coast AQMD Governing Board obtains its authority to adopt, amend, or repeal rules and regulations from Health and Safety Code Sections 40000, 40001, 40440, 40500, 40501.1, 40502, 40506, 40510, 40510.5, 40512, 40522, 40522.5, 40523, 40702, 42705.6, and 44380.

Clarity

The South Coast AQMD Governing Board has determined that PAR 301, as proposed to be amended, are written or displayed so that their meaning can be easily understood by the persons directly affected by them.

Consistency

The South Coast AQMD Governing Board has determined that PAR 301, as proposed to be amended, are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.

Non-Duplication

The South Coast AQMD Governing Board has determined that PAR 301, as proposed to be amended, do not impose the same requirements as any existing state or federal regulation and are necessary and proper to execute the power and duties granted to and imposed upon South Coast AQMD.

Reference

The South Coast AQMD Governing Board, in amending these rules, references the following statutes which South Coast AQMD hereby implements, interprets, or makes specific: Health and

Safety Code Sections 40500, 40500.1, 40510, 40510.5, 40512, 40522, 40522.5, 40523, 42705.6, 41512, 42300 et seq., and 44380.

**APPENDIX A – RULES 1180 AND 1180.1 COMMUNITY AIR MONITORING
ANNUAL O&M ESTIMATES FEE COST TABLES**

Table A-1: Rules 1180 3-Year Projection: Salary and Employee Benefits – Major Refineries

Position Title	Division	FY 2025-26 Fully Burdened Expenditures	FY 2026-27 Fully Burdened Expenditures	FY 2027-28 Fully Burdened Expenditures
AQ Instrument Specialist II	MAD	\$228,117	\$232,548	\$232,548
AQ Instrument Specialist II	MAD	\$228,117	\$232,548	\$232,548
AQ Instrument Specialist II	MAD	\$228,117	\$232,548	\$232,548
Air Quality Specialist	MAD	\$261,721	\$267,160	\$267,160
Air Quality Specialist	MAD	\$261,721	\$267,160	\$267,160
Air Quality Specialist	MAD	\$261,721	\$267,160	\$267,160
Air Quality Specialist	MAD	\$261,721	\$267,160	\$267,160
Air Quality Specialist	MAD	\$261,721	\$267,160	\$267,160
Air Quality Specialist	MAD	\$261,721	\$267,160	\$267,160
Manager (Level Equivalent Quality Assurance Manager) ^{*,**}	MAD	\$250,228	\$175,222	\$175,222
Principal AQ Instrument Spec ^{**}	MAD	\$179,370	\$183,086	\$183,086
Program Supervisor ^{*,**}	MAD	\$239,804	\$169,097	\$169,097
Program Supervisor ^{**}	MAD	\$299,755	\$211,371	\$211,371
Program Supervisor ^{**, <}	MAD	\$0	\$84,548	\$169,097
Senior Staff Specialist ^{**, <}	MAD	\$0	\$97,082	\$194,165
Sr AQ Instrument Specialist	MAD	\$241,965	\$246,812	\$246,812
Total		\$3,465,798	\$3,467,826	\$3,649,456

*Based on 80% full-time equivalent salaries, employee benefits and indirect costs.

**Starting FY2026-27 distributed proportionally among facilities subject to Rules 1180 and 1180.1, with 69% allocated to major refineries originally subject to Rule 1180.

<Start time adjusted based on the anticipated operational needs.

Table A-2: Rule 1180 3-Year Projection: Salary and Employee Benefits – Related Facilities

Position Title	Division	FY 2025-26 Fully Burdened Expenditures	FY 2026-27 Fully Burdened Expenditures	FY 2027-28 Fully Burdened Expenditures
Administrative Assistant I ^{*,<}	MAD	\$0	\$28,672	\$57,345
AQ Instrument Specialist II	MAD	\$0	\$93,019	\$93,019
AQ Instrument Specialist II	MAD	\$0	\$93,019	\$93,019
AQ Instrument Specialist II	MAD	\$0	\$93,019	\$93,019
Air Quality Specialist ^{<}	MAD	\$0	\$53,432	\$106,864
Air Quality Specialist ^{<}	MAD	\$0	\$53,432	\$106,864
Air Quality Specialist	MAD	\$0	\$74,805	\$74,805
Manager (Level Equivalent Quality Assurance Manager) ^{*,**}	MAD	\$0	\$27,934	\$27,934
Principal AQ Instrument Spec ^{*,**}	MAD	\$0	\$29,188	\$29,188
Program Supervisor ^{*,**}	MAD	\$0	\$20,218	\$20,218
Program Supervisor ^{**}	MAD	\$0	\$33,697	\$33,697
Program Supervisor ^{**,<}	MAD	\$0	\$10,109	\$20,218
Senior Staff Specialist ^{**}	MAD	\$0	\$15,477	\$30,954

Total		\$0	\$626,022	\$787,144
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*Based on 80% full-time equivalent salaries, employee benefits and indirect costs.

**Starting FY2026-27 distributed proportionally among facilities subject to Rules 1180 and 1180.1, with 11% allocated to related facilities subject to Rule 1180.

<Start time adjusted based on the anticipated operational needs.

Table A-3: Rule 1180.1 3-Year Projection: Salary and Employee Benefits – Other Refineries

Position Title	Division	FY 2025-26 Fully Burdened Expenditures	FY 2026-27 Fully Burdened Expenditures	FY 2027-28 Fully Burdened Expenditures
Administrative Assistant I ^{*,<}	MAD	\$0	\$43,009	\$86,017
AQ Instrument Specialist II	MAD	\$0	\$139,529	\$139,529
AQ Instrument Specialist II	MAD	\$0	\$139,529	\$139,529
AQ Instrument Specialist II	MAD	\$0	\$139,529	\$139,529
Air Quality Specialist ^{<}	MAD	\$0	\$80,148	\$160,296
Air Quality Specialist ^{<}	MAD	\$0	\$80,148	\$160,296
Air Quality Specialist	MAD	\$0	\$112,207	\$112,207
Manager (Level Equivalent Quality Assurance Manager) ^{*,**}	MAD	\$0	\$50,789	\$50,789
Principal AQ Instrument Spec ^{*,**}	MAD	\$0	\$53,069	\$53,069
Program Supervisor ^{*,**}	MAD	\$0	\$36,760	\$36,760
Program Supervisor ^{**}	MAD	\$0	\$61,267	\$61,267
Program Supervisor ^{**,<}	MAD	\$0	\$18,380	\$36,760
Senior Staff Specialist ^{**,<}	MAD	\$0	\$28,140	\$56,280
Total		\$0	\$982,504	\$1,232,328

*Based on 80% full-time equivalent salaries, employee benefits and indirect costs.

**Starting FY2026-27 distributed proportionally among facilities subject to Rules 1180 and 1180.1, with 20% allocated to other refineries subject to Rule 1180.1.

<Start time adjusted based on the anticipated operational needs.

Table A-4: Rule 1180 3-Year Projection: Services and Supplies – Major Refineries

Expenditure Description	Division	FY 2025-26 Expenditures	FY 2026-27 O&M (Fees) Expenditures	FY 2027-28 O&M (Fees) Expenditures
Auto-GC operations and QA services	MAD	\$70,000	\$77,000	\$84,700
Optical analyzers operation and QA services	MAD	\$70,000	\$77,000	\$84,700
Replacement of LN2 Norhoff pumps for Optical analyzers	MAD	\$52,000	\$57,200	\$62,920
Annual consumables for Auto-GCs	MAD	\$249,700	\$274,670	\$302,137
Annual consumables for Optical Analyzers	MAD	\$60,000	\$66,000	\$72,600
Annual consumables for BC analyzers	MAD	\$5,000	\$5,500	\$6,050
Annual consumables for H2S analyzers	MAD	\$29,000	\$31,900	\$35,090
Annual consumables for Zero Air Generators	MAD	\$7,000	\$7,700	\$8,470
Annual Consumables for meteorological sensors	MAD	\$1,200	\$1,320	\$1,452
Bi-annual HF Analyzer maintenance / calibration	MAD	\$15,000	\$16,500	\$18,150
Annual Consumables for Metal Analyzers	MAD	\$101,500	\$111,650	\$122,815

Bi-annual replacement of Xray tube for Metal Analyzers	MAD	\$0	\$110,000	\$0
Annual consumables for PM analyzers	MAD	\$5,000	\$5,500	\$6,050
Annual Software Licenses (Fluxsense Optical, Matlab, IgorPro, JMP)	MAD	\$90,000	\$66,000	\$72,600
Services for instrument maint/repairs/calibration/verification and audit	MAD	\$60,000	\$66,000	\$572,600
Laboratory gasses	MAD	\$50,000	\$55,000	\$60,500
Small tools, equipment, supplies	MAD	\$50,000	\$55,000	\$60,500
Communications	MAD/IM	\$150,000	\$100,000	\$100,000
Long Beach Office Lease	MAD	\$303,000	\$210,080	\$218,483
Station Leases	MAD	\$80,000	\$88,000	\$96,800
Use of Optical Remote Sensing Mobile Laboratory (ORS-ML) for QA purposes	MAD	\$6,380	\$6,380	\$6,380
Memberships	MAD	\$3,000	\$2,333	\$2,667
Conferences and meetings	MAD	\$7,500	\$5,500	\$6,050
Meteorological audit contract	MAD	\$10,000	\$11,000	\$12,100
STI DMS Support contract	MAD	\$20,000	\$22,000	\$24,200
Office supplies	MAD	\$18,000	\$18,000	\$18,000
Training	MAD	\$16,000	\$11,733	\$12,907
Fuel and mileage	MAD	\$25,000	\$26,667	\$26,667
Total		\$1,554,280	\$1,585,633	\$2,095,587

Table A-5 Rule 1180 3-Year Projection: Services and Supplies – Related Facilities

Expenditure Description	Division	FY 2025-26 Expenditures	FY 2026-27 O&M (Fees) Expenditures	FY 2027-28 O&M (Fees) Expenditures
Auto-GC operations and QA services	MAD	\$0	\$15,400	\$16,940
Optical analyzers operation and QA services	MAD	\$0	\$15,400	\$16,940
Annual consumables for Auto-GCs	MAD	\$0	\$54,934	\$60,427
Annual consumables for Optical Analyzers	MAD	\$0	\$13,200	\$14,520
Annual consumables for H2S analyzers	MAD	\$0	\$6,380	\$7,018
Annual consumables for Zero Air Generators	MAD	\$0	\$1,540	\$1,694
Annual Consumables for meteorological sensors	MAD	\$0	\$264	\$290
Annual Software Licenses (Fluxsense Optical, Matlab, IgorPro, JMP)	MAD	\$0	\$13,200	\$14,520
Services for instrument maint/repairs/calibration/verification and audit	MAD	\$0	\$13,200	\$114,520
Laboratory gasses	MAD	\$0	\$11,000	\$12,100
Small tools, equipment, supplies	MAD	\$0	\$11,000	\$12,100
Communications	MAD/IM	\$0	\$20,000	\$20,000
Long Beach Office Lease	MAD	\$0	\$42,016	\$43,697
Station Leases	MAD	\$0	\$17,600	\$19,360

Use of Optical Remote Sensing Mobile Laboratory (ORS-ML) for QA purposes		\$0	\$1,276	\$1,276
Memberships	MAD	\$0	\$467	\$533
Conferences and meetings	MAD	\$0	\$1,100	\$1,210
Meteorological audit contract	MAD	\$0	\$1,100	\$1,210
STI DMS Support contract	MAD	\$0	\$4,400	\$4,840
Office supplies	MAD	\$0	\$1,800	\$1,800
Training	MAD	\$0	\$2,347	\$2,581
Fuel and mileage	MAD	\$0	\$5,333	\$5,333
Total		\$0	\$252,957	\$372,910

Table A-6: Rule 1180.1 3-Year Projection: Services and Supplies – Other Refineries

Expenditure Description	Division	FY 2025-26 Expenditures	FY 2026-27 O&M (Fees) Expenditures	FY 2027-28 O&M (Fees) Expenditures
Auto-GC operations and QA services	MAD	\$0	\$19,250	\$21,175
Optical analyzers operation and QA services	MAD	\$0	\$19,250	\$21,175
Annual consumables for Auto-GCs	MAD	\$0	\$68,668	\$75,534
Annual consumables for Optical Analyzers	MAD	\$0	\$16,500	\$18,150
Annual consumables for H2S analyzers	MAD	\$0	\$7,975	\$8,773
Annual consumables for Zero Air Generators	MAD	\$0	\$1,925	\$2,118
Annual Consumables for meteorological sensors	MAD	\$0	\$330	\$363

Annual Consumables for PM analyzers	MAD	\$0	\$1,650	\$1,815
Annual Software Licenses (Fluxsense Optical, Matlab, IgorPro, JMP)	MAD	\$0	\$19,800	\$21,780
Services for instrument maint/repairs/calibration/verification and audit	MAD	\$0	\$21,780	\$173,958
Laboratory gasses	MAD	\$0	\$16,500	\$18,150
Small tools, equipment, supplies	MAD	\$0	\$16,500	\$18,150
Communications	MAD/IM	\$0	\$30,000	\$30,000
Long Beach Office Lease	MAD	\$0	\$63,024	\$65,545
Station Leases	MAD	\$0	\$26,400	\$29,040
Use of Optical Remote Sensing Mobile Laboratory (ORS-ML) for QA purposes (excluding staff time)	MAD	\$0	\$1,914	\$1,914
Memberships	MAD	\$0	\$700	\$800
Conferences and meetings	MAD	\$0	\$1,650	\$1,815
Meteorological audit contract	MAD	\$0	\$3,300	\$3,630
STI DMS Support contract	MAD	\$0	\$6,600	\$7,260
Office supplies	MAD	\$0	\$2,700	\$2,700
Training	MAD	\$0	\$3,520	\$3,872
Fuel and mileage	MAD	\$0	\$8,000	\$8,000
Total		\$0	\$357,936	\$535,716

Table A-7: Rule 1180 3-Year Projection: Capital Outlays – Major Refineries

Expenditure Description	Division	FY 2025-26 Expenditures	FY 2026-27 O&M (Fees) Expenditures	FY 2027-28 O&M (Fees) Expenditures
High performance Computers	MAD	\$20,000	\$13,200	\$9,680
Monitoring station container	MAD	\$30,000	\$0	\$0
Replacement Auto-GC^	MAD	\$200,000	\$220,000	\$242,000
Replacement BC analyzer*	MAD	\$35,000	\$38,500	\$42,350
Replacement data loggers for Rule 1180 community sites	MAD	\$40,000	\$44,000	\$44,000
Replacement dilution system*	MAD	\$30,000	\$33,000	\$36,300
Replacement H2S analyzer^	MAD	\$40,000	\$44,000	\$96,800
Replacement spectrometers for optical analyzers*	MAD	\$300,000	\$330,000	\$181,500
Replacement zero air generators*	MAD	\$18,000	\$19,800	\$21,780
Software	MAD/IM	\$25,000	\$16,500	\$12,100
Stations AC replacement^	MAD	\$60,000	\$66,000	\$72,600
Total		\$798,000	\$825,000	\$759,110

*Asset replacement cycle: 8-10 years

^Asset replacement cycle: 4-7 years

Table A-8: Rule 1180 3-Year Projection: Capital Outlays – Related Facilities

Expenditure Description	Division	FY 2025-26 Expenditures	FY 2026-27 O&M (Fees) Expenditures	FY 2027-28 O&M (Fees) Expenditures
High performance Computers	MAD	\$0	\$4,400	\$4,840
Software	MAD	\$0	\$5,500	\$6,050
Total		\$0	\$9,900	\$10,890

Table A-9: Rule 1180.1 3-Year Projection: Capital Outlays – Other Refineries

Expenditure Description	Division	FY 2025-26 Expenditures	FY 2026-27 O&M (Fees) Expenditures	FY 2027-28 O&M (Fees) Expenditures
High performance Computers	MAD	\$0	\$4,400	\$4,840
Software	MAD	\$0	\$5,500	\$6,050
Total		\$0	\$9,900	\$10,890

APPENDIX B – RESPONSE TO COMMENT LETTERS

Comment Letter #1



Patty Senecal
Senior Director, Southern California Region

April 03, 2025

Michael Krause
Assistant Deputy Executive Officer
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Via e-mail at: mkrause@aqmd.gov

Re: SCAQMD Proposed Amended Regulation III: WSPA Comments on Proposed Amended Rule 301 Section (aa), Refinery Related Community Air Monitoring System Annual Operating and Maintenance Fees

Dear Mr. Krause,

Western States Petroleum Association (WSPA) appreciates the opportunity to participate in the Public Consultation Meeting for South Coast Air Quality Management District (SCAQMD or District) Proposed Amended Regulation III (PAR III), and our meeting with District staff on Friday, March 28th. Regulation III governs SCAQMD fee rates, including administrative fees for permitting, emissions, plans, etc. WSPA has been an active participant in air quality planning issues for over 30 years. WSPA-member companies operate petroleum refineries and other facilities in the South Coast Air Basin that will be impacted by Regulation III amendments.

Proposed amendments to Regulation III are routinely brought to SCAQMD Governing Board consideration. Amendments typically include an automatic annual Consumer Price Index increase, fee adjustments, and other administrative changes for clarification to existing rule language. This year Preliminary Draft Proposed Amended Rule (PAR) 301 also presents proposed increases to the Rule 1180 refinery related community air monitoring system annual operating and maintenance (O&M) fees for the seven major refineries subject to Rule 1180.¹ Fee increases are detailed in the 2025 Preliminary Draft Staff Report (2025 PDSR) for Proposed Regulation III.²

WSPA has the following comments on the Rule 1180 Refinery Community Air Monitoring System Annual O&M Fees. While the comments below focus on specific number of full-time equivalent (FTE) positions and Services, Supplies, and Capital costs for Rule 1180, these comments also apply to the proposed positions and costs presented in the 2025 PDSR for Rule 1180.1.

WSPA strongly recommends that the proposed amendments to PAR 301 Section (aa) be withdrawn from the PAR III package. As presented by staff, the community air monitoring stations are currently fully funded based on the surplus fees that were collected over the past three years. For the reasons outlined below, it is not appropriate for District staff to be advancing amendments to PAR 301 Section (aa) at this time.

1-1

¹ Preliminary Draft Proposed Amended Rule 301, March 14, 2025. Available at: https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/regiii/2025/r-301.pdf?sfvrsn=805c8061_6.

² Preliminary Draft Staff Report of PA Reg III - Fees, released March 14, 2025. Available at [SCAQMD PA Reg III](#).

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1. The District proposes funding sixteen FTE employees to operate the ten existing community air monitoring stations for petroleum refineries under Rule 1180. WSPA believes this is significantly more personnel than necessary.

SCAQMD has proposed to fund sixteen (16) FTE positions to operate the ten community air monitoring stations specified by Rule 1180. This would include:³

- Three Air Quality Instrument Specialist II's
- One Senior Air Quality Instrument Specialist
- One Principal Air Quality Instrument Specialist
- Six Air Quality Specialists
- One Senior Staff Specialist
- Three Program Supervisors
- One Manager (Level Equivalent Quality Assurance Manager)

The sixteen funded positions would represent a **substantial increase** compared to the 11.5 FTE positions which had been funded for the 2022-2025 operating years. That included:⁴

- Three Air Quality Instrument Specialist II's
- One Senior Air Quality Instrument Specialist
- One Senior Air Quality Specialist
- Five Air Quality Specialists
- One Program Supervisor
- ½ Director

1-2

The sixteen FTE positions proposed for funding are significantly greater than what should be needed for the ten community air monitoring stations. During development of Proposed Amended Regulation III in 2022, WSPA questioned the basis for the 11.5 FTE funded positions.⁵ At that time, SCAQMD responded that all positions had been filled except one, and that *"the staffing estimate was based on the number and type of air monitoring instruments to be operated and maintained, the data quality assurance, validation and analysis to be conducted and other specific needs related to the full implementation and operational needs of the Rule 1180 program."* Yet the 2025 PDSR clearly shows that actual O&M activities for FY 2022-2023 through FY2024-2025 yielded a budget surplus of \$2,100,586 based on collected unused fees.⁶ In WSPA's view, this surplus fee revenue clearly confirms that 11.5 FTE positions were already more personnel than necessary for the O&M activities.

The District has now stated that the surplus resulted from delays in filling some staff positions during the first few years of the program and from transfers and resignations of staff. They note that by the end of FY 2024-2025 the Rule 1180 monitoring group is expected to be fully staffed. While the District cites that the budget surplus was due to the monitoring group not

³ Ibid.

⁴ Preliminary Draft Staff Report of PA Reg III - Fees, released May 2022. Available at: <https://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2022/2022-May6-030.pdf?sfvrsn=6>.

⁵ Preliminary Draft Staff Report of PA Reg III - Fees, Comment #5 - Western States Petroleum Association. Available at: <https://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2022/2022-May6-030.pdf?sfvrsn=6>.

⁶ Preliminary Draft Staff Report of PA Reg III - Fees, Table 3-1 released March 14, 2025. Available at: https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/regiii/2025/preliminary-draft-staff-report-par-iii.pdf?sfvrsn=a5448061_6.

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being fully staffed, that ignores the fact that the program staffing clearly has been overly scoped and the current proposal would only exacerbate that condition.

If the program had required District staff overtime to keep the monitoring systems fully operational, those costs would have been represented in the overall program spend. This might have resulted in near-budget costs despite there being unfilled, funded positions. But that didn't happen; instead, the District executed the program with a \$2.1 million surplus over the 3-year period. This clearly demonstrates that there were simply too many FTE positions budgeted for this program.

1-2

While WSPA understands that additional monitoring for metals, particulate matter (PM_{2.5} and PM₁₀), and polycyclic aromatic hydrocarbons (PAH) is now required based on the 2024 amendment of Rule 1180, there is no reason to think that an additional 4.5 FTE staff beyond the prior overfunded positions are necessary to incorporate these changes.

2. **WSPA suggests the District budget fully burdened expenditures based on an average of Step 4 and Step 5 salaries in order to represent the range of employees that will likely work on these monitoring stations.**

WSPA understands that the District uses a step salary model.⁷ WSPA recommends that the salary projection presented in Table A-1 of the March 2025 PDSR use an average of the fully burdened expenditures for Step 4 and Step 5 salaries to represent a more balanced staffing for operation and maintenance of the community air monitoring stations.

1-3

3. **WSPA requests more detailed information about what is accounted for in Rule 1180's fully burdened expenditures for employees.**

WSPA understands that fully burdened expenditures include items such as insurance, benefits, fringe, etc. Based on the salaries presented in Table A-1 of the 2025 PDSR, the fully burdened expenditures for the AQ Instrument Specialist II and Air Quality Specialist positions would be approximately two times the Step 8 salary. WSPA requests more details on all costs being included in a fully burdened expenditure to ensure that other costs presented in Tables A-4 and A-7 of the March 2025 PDSR are not already accounted for.

1-4

4. **Refinery Related Community Air Monitoring System Annual O&M Fees should strictly be for operation and maintenance of the air monitoring systems. Some of the services, supplies, and capital costs presented are programmatic costs or should already be included in the fully burdened employee costs. In addition to being out of scope, some of the costs listed also appear to be unreasonably high.**

1-5

Rule 301 requires that facilities subject to Rule 1180 "shall pay an annual operating and maintenance fee for a refinery-related community air monitoring system designed, developed, installed, operated, and maintained by SCAQMD in accordance with California Health and Safety Code (H&SC) Section 42705.6."⁸ H&SC § 42704.6(f)(1) states:⁹

⁷ SCAQMD Salary Schedule. Available at: <https://www.aqmd.gov/docs/default-source/Career/salary-schedule.pdf>.

⁸ Proposed Amended Rule 301, released March 14, 2025. Available at: https://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/regiii/2025/r-301.pdf?sfvrsn=805c8061_6

⁹ California Health and Safety Code 42705.6. Available at: <https://codes.findlaw.com/ca/health-and-safety-code/hsc-sect-42705-6/>.

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Except as provided in paragraph (2), the owner or operator of a petroleum refinery shall be responsible for the costs associated with implementing this section.

Some costs presented in Table A-4: Services and Supplies – Major Refineries and Table A-7: Capital Outlays – Major Refineries are beyond the scope of the O&M of these air monitoring systems and therefore should not be accounted for when determining O&M fees. Other costs appear unreasonably high. Specific comments on categories described in these tables:

- Memberships, Conferences and Meetings, Community Meetings, and Training: These categories fall under programmatic costs associated with Rule 1180 and are not directly related to operation and maintenance of the air monitoring stations. WSPA would like to understand what specific meetings these categories refer to, how often they will occur, and how they fit into the scope of operation and maintenance of the air monitoring stations. WSPA would also like to understand what memberships are included and how/why these are categorized as operation and maintenance. 1-5
- Long Beach Office Lease and Long Beach Office Furniture and Cubicle Modifications: Tables A-4 and A-7 include costs for "Long Beach Office Lease" (estimated at \$218,483 – 303,000 annually) and "Long Beach Office Furniture and Cubicle Modifications" (estimated at \$20,000 – 40,000 annually). With Long Beach office rent prices presently averaging out at \$26.56 per square foot¹⁰, \$303,000 would suggest the District is seeking funding for over 11,000 square feet of space for the proposed sixteen FTE positions, many of whom are expected to be at the monitoring stations full-time. Costs for both rental of the office space and the furniture and cubicle modifications seem unreasonably high. Furthermore, office space lease costs should not fall within costs for operation and maintenance of the community air monitors. It seems that costs for office space and cubicle modification should already have been accounted for under the fully burdened expenditures captured by personnel salaries. 1-6
- Vehicles for Staff: Cost for replacement of older vehicles in the amount of \$60,000 – 66,000 is included for FY 2026 – 2027 and FY 2027 – 2028. WSPA would like further justification of these estimates and to understand if these costs are already accounted for under the fully burdened expenditures captured by the personnel salaries. 1-7
- Office Supplies: Cost of office supplies is estimated at \$35,000/year. WSPA would like to understand what office supplies are required and why they are consistently high for all three years, given that costs of high-performance computers and software are already accounted for in Table A-7. 1-8
- Small tools, Equipment, Supplies: Cost of "small tools, equipment, supplies" is estimated as \$50,000 – 65,000/year. SCAQMD has already included consumables as separate line items, so WSPA would like to understand what additional equipment and supplies are needed on a recurring basis. 1-9
- Communication: Cost of "communication" is estimated as \$100,000 – 150,000/year. While WSPA agrees that some communication costs are necessary to transfer data acquired by the monitors, these costs seem unreasonably high. Please provide the basis for this cost estimate. 1-10

¹⁰ 2023 Office Space Rent & Sales, Long Beach Office Rent Price and Sales Report. Available at: <https://www.commercialcafe.com/office-market-trends/us/ca/long-beach/>.

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- Services for Instrument Maintenance, Repairs, Calibration, and Verification: Cost of "services for instrument maint/repairs/calibration/verification and audit" is estimated as \$60,000 - \$572,600 annually. WSPA would like to understand why there is such a sharp increase of over \$500,000 in the cost estimate for FY 2027-2028 when the estimate only includes servicing of instruments (not replacement). 1-11
- Replacement of the Auto-GC: Cost of the "replacement Auto-GC" is estimated as \$180,000 - \$435,600 annually. While it is noted that the replacement cycle for the Auto-GC can be 4-7 years, why are there substantial costs budgeted each year? 1-12
- Replacement of BC analyzer, replacement of dilution system, replacement of spectrometers for optical analyzers, and replacement of zero air generators: It is noted that the replacement cycle of these assets (listed as separate line items in Table A-7) is 8-10 years. If the community air monitoring stations began operation in January 2020, why are there substantial costs (\$54,000-300,000) budgeted for FY 2025-2026 and FY 2026-2027? 1-13
- Rental Space for Optical Remote Sensing (ORS) Mobile Lab: Cost of the rental space for the ORS mobile lab (\$4,300 – 6,000/year) has been included in the Rule 1180 operation and maintenance costs for the air monitoring stations. This mobile lab is not part of the Rule 1180 program and should not have been included. This line item should be removed. 1-14
- Additional annual cost increases: Costs for many of the line items in Tables A-4 and A-7 are presented as increasing by ~10%/year. WSPA recommends that the annual cost increase be tied to the average increase in the consumer price index (CPI) for the past 5 years. 1-15

WSPA recommends that all Rule 1180 programmatic costs not impacting the cost of operation and maintenance of the community air monitoring stations be removed from the cost estimate.

Further, WSPA believes that all costs already included in the fully burdened SCAQMD salaries costs should be removed from the operation and maintenance cost estimate.

Finally, WSPA requests that SCAQMD provide details on projected costs that appear unusually high.

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5. **Since the Rule 1180 Community Air Monitoring System Annual Operating and Maintenance Fees are excluded from the automatic annual CPI-based fee rate increase, WSPA respectfully recommends that the District postpone consideration of the revised Rule 1180 fees until WSPA, and the District can come to an agreement based on the comments above.**

The March 2025 staff report states that there is currently a **\$2,100,586 surplus** from Rule 1180 fee revenue. WSPA believes the District should utilize this budget surplus to continue operating the community air monitoring stations.

WSPA recommends that Rule 301(aa), Refinery Related Community Air Monitoring System Annual Operating and Maintenance Fees remain unmodified until an agreement is reached regarding the comments above. Rule 1180 stakeholders need to better understand the basis for the planned costs for this program before the District further increases the associated fees.

1-16

WSPA appreciates the opportunity to provide these comments related to PAR III. We look forward to continued discussion of this important rulemaking. If you have any questions, please contact me at (310) 808-2144 or via e-mail at psenecal@wspa.org

Sincerely,

Patty Senecal

Senior Director, Southern California Region

Cc: Wayne Natri, SCAQMD
Cc: Andrea Polidori, SCAQMD
Cc: Cathy Reheis-Boyd, WSPA

SCAQMD Governing Board
Cc: Senator Vanessa Delgado, Chair
Cc: Councilmember Michael Cacciotti, Vice Chair
Cc: Supervisor Curt Hagman, Member
Cc: Mayor Patricia Lock Dawson, Member
Cc: Mayor Pro Tem Larry McCallon, Member
Cc: Supervisor Holly Mitchell, Member
Cc: Supervisor Janet Nguyen, Member
Cc: Councilmember Brenda Olmos, Member
Cc: Veronica Padilla-Campos, Member
Cc: Chair V. Manuel Perez, Member
Cc: Councilmember Nithya Raman, Member
Cc: Mayor Pro Tem Carlos Rodriguez, Member

Staff Responses to Comment Letter #1:

South Coast AQMD staff received a comment letter from Western States Petroleum Association (WSPA) titled, “SCAQMD Proposed Amended Regulation III: WSPA Comments on Proposed Amended Rule 301 Section (aa), Refinery Related Community Air Monitoring System Annual Operating and Maintenance Fees,” dated April 3, 2025. In this response, staff is addressing all questions included in WSPA’s comment letter, providing additional information requested by WSPA members regarding the REG III amendment of Rule 1180 community air monitoring O&M fees, as well as detailing several modifications to fee calculations based on discussions with WSPA members in April, May and July 2025. As a result of additional detailed analysis motivated by the questions from stakeholders, we are now proposing a 12.4% annual fee increase for the petroleum refineries.

Response to Comment 1-1:

Health and Safety Code Section 42705.6 requires petroleum refineries to fund the costs of refinery-related community air monitoring. The South Coast AQMD implements this through Rule 301, which requires a reassessment of these annual O&M fees every three years. An analysis conducted by South Coast AQMD staff in December 2024 showed that although the program has a surplus, the program is projected to have a deficit of about \$1.8 million by the end of Fiscal Year 2027-28 if these O&M fees are not adjusted. To ensure the program remains funded as required by law, staff have adjusted their budget proposal and plan to present a fee amendment to the Governing Board to cover costs for the next three years. Note that the new proposed fees are necessary to cover increasing O&M costs, which includes both the work to measure additional pollutants and also a rise in staff salaries resulting from recent labor negotiations. These salaries have increased 22% since December 2017, when Rule 1180 was first adopted.

Response to Comment 1-2:

The seven (7) major petroleum refineries that are part of the original (December 2017) South Coast AQMD Rule 1180 program are required to fund a community air monitoring network.

To meet the Rule requirements, the ongoing O&M for this network includes:

- Maintaining 10 sophisticated air monitoring stations spread across a very wide geographical area
- Measuring over 20 pollutants continuously and in near-real time at each station
- Conducting Quality Assurance (QA) and Quality Control (QC) activities for all collected data
- Performing data review, validation, analysis, and quality assurance/control
- Providing the public with near-real-time data and air quality notifications

The 2021 fee reassessment determined that 11.5 full-time positions were necessary to operate this network. To better align with the program's operational complexity and also strengthen QA/QC activities, the number of staff was adjusted to 13 in FY2023-24. A January 2024 amendment to Rule 1180 mandates the addition of air toxic metals, Particulate Matter (PM), and PAH (naphthalene) monitoring at all 10 stations by July 2025. This will require the installation and maintenance of 20 additional dedicated analyzers and will substantially increase the workload for operations, data analysis, quality assurance and other O&M activities. To manage this, staffing

was increased from 13 to 16 positions, a staffing level that is necessary and appropriate for O&M of a network of this size and complexity.

The Governing Board has approved all positions for Rule 1180 via public process. The most recently added positions for additional air monitoring required by the January 2024 Rule 1180 amendment and adoption of Rule 1180.1 were approved by the Governing Board in October 2024. At that time, we did not receive any comments from WSPA members or other stakeholders.

Staff have optimized staffing costs by phasing in positions over time, applying partial costs to staff that work on other projects, and distributing costs appropriately to Rule 1180.1 facilities. Fee estimates presented in the REG III amendment incorporated staggered start dates for the new positions based upon programmatic needs, rather than all positions being hired from the onset. Some staff will not dedicate 100% of their time to Rule 1180, and a portion of their costs will be covered by other South Coast AQMD programs. Specifically, this applies to 20% of the salary for the Implementation Manager and 20% for each of the two Program Supervisor positions. Additionally, beginning in FY 2026-27, the costs for all leadership positions (Implementation Manager, Program Supervisors, and Senior Staff Specialist) will be distributed proportionally among facilities subject to Rules 1180 and 1180.1. This distribution will be based on the number of stations, with the costs allocated as follows: 69% to major refineries (originally subject to Rule 1180); 11% to related facilities (newly subject to Rule 1180); and 20% to other refineries (subject to Rule 1180.1).

Response to Comment 1-3:

Staff used Step 5 salaries, which is the established procedure used for all the agency's staffing rate projections. Step 5 represents the middle step between eight existing steps of salary levels, and it is lower than the agency-wide average staff salary at Step 6. There is no reason for using a different formula to calculate Rule 1180 fees.

Response to Comment 1-4:

Staffing rates used for Rule 1180 fee calculations include Salaries and Employee Benefits, and Indirect Costs, and are comprised of:

- Salaries at Step 5, including the Governing Board-approved cost of living increase effective on January 1, 2026 which is reflected in FY 2026-27 onwards
- Employee Benefits include retirement, health insurance and employer paid payroll taxes
- Indirect Costs which are allocated by FTE and include headquarters building costs (excluding the Long Beach office space for Rule 1180, which is charged directly to the Rule 1180 program) and general/administrative costs not directly charged to a program as follows:
 - General/administrative costs include divisions such as Information Management, Administrative/Human Resources, Finance, Executive Office (including Governing Board and Clerk of the Board), Legal, and Legislative & Public Affairs/Media Office.

These employee salary rates do not include costs directly billed to the Rule 1180 program, such as:

- Part of the Long Beach Office lease utilized by Rule 1180 air monitoring staff, including general building operation expenses
- Office furniture / cubicle modification
- Professional training and memberships
- Personal computers, software, and other office expenses
- Vehicles used by Rule 1180 air monitoring staff

The portion of the Long Beach Office lease (including general building operation expenses) utilized by the Rule 1180 air monitoring team (details on the Long Beach Office lease costs are provided further in this document), personal computers, software, and other items categorized as office supplies and vehicles are not included in Salaries and Employee Benefits, and Indirect Costs estimates. These costs are billed directly to the Rule 1180 program.

Response to Comment 1-5:

Staff training and professional development is vital for properly operating and maintaining the South Coast AQMD community air monitoring network. To ensure staff remain proficient and up-to-date, costs for professional memberships and attendance at relevant conferences are kept in the budget. The program also has a strong community outreach component, and staff is planning to hold up to two community meetings per year through FY 2027-28 to provide program updates. However, staff has determined that community outreach is not a direct O&M cost. Consequently, the line item for community meetings has been removed from the Rule 1180 fee calculations, and any future meetings will be funded by other sources.

Response to Comment 1-6:

The Rule 1180 air monitoring team occupies 7,904 sq ft of office and laboratory space at the South Coast AQMD Long Beach Office. This space is used for activities related to quality assurance and data validation/analysis, and essential testing, calibration, and maintenance of monitoring equipment. The cost for this space is funded by Rule 1180 O&M fees, separate from staff salaries. The fee calculation includes a monthly lease of \$20,313, approximately \$34,000 in annual building operation expenses, with an estimated 4% annual increase. The current lease expires in 2026, and future costs are expected to be higher than projected. Starting in FY 2026-27, these lease costs will be distributed proportionally among all facilities that are part of Rule 1180/1180.1 as the monitoring network expands, reducing the cost for the original seven refineries. Finally, the line item for office furniture and cubicle modifications has been removed from the fee calculation, as sufficient one-time funds are available to cover these expenses for new staff.

Response to Comment 1-7:

Vehicle costs are not included in Staff Salaries and Benefits and Indirect Cost rates. Vehicles purchased at the start of the implementation of the Rule 1180 program are soon going to be 7-9 years old. These vehicles are used by staff to go to and from sites for station operation, maintenance, and quality assurance activities; delivery of supplies (e.g., liquid nitrogen to maintain cooling of optical detectors), and other activities associated with O&M of community air monitoring stations. At the time of this writing, the vehicles have over 60,000 miles and are projected to be near 100,000 miles in the last year of this fee cycle. Staff will defer vehicle replacement to the next fee reassessment cycle. Costs of replacement vehicles have been removed from the fee calculation.

Response to Comment 1-8:

Office supply expenditures are primarily for personal computers (PCs) and software, which are required for staff duties and constitute 60-75% of these costs. After consultation with the South Coast AQMD's Information Management department, the assumed lifetime for PCs was updated from 2-3 years to 3-4 years. This change reduced the annual cost estimate from \$35,000 to \$18,000. These costs also include general office equipment like printers and scanners but are separate from high-cost capital outlays for specialized, high-performance computer servers used for advanced data analysis.

Response to Comment 1-9:

This budget category covers ongoing needs for tools, equipment, and supplies for maintenance and operation of the network. This category is different from annual consumables for specific air monitoring equipment (e.g., optical analyzers and Auto-GCs, which are known, and procured annually from the instrument manufacturers), and covers the costs and supplies for operation and maintenance of other equipment that cost several thousand dollars each (e.g., zero air generators, dilution systems, pumps, air conditioning, and uninterrupted power supplies), and other small tools and consumables (e.g. specialized inlet filters, sampling tape, stainless steel and Teflon tubing, Swagelok and other connectors, Thorlabs and other small optical parts, specialized cleaning supplies, screws, nuts, bolts, spacers, straps).

Response to Comment 1-10:

Communication is a general Services and Supplies category that includes:

- Costs for data telemetry and transmission, and monthly costs for maintenance of telemetry equipment for 10 community air monitoring stations, estimated at \$50,400 per year
- Cloud storage and processing of raw and time-averaged high-frequency (ranging from less than a minute, five-minute, and hourly) Rule 1180 community air monitoring data for 25 pollutants, and several diagnostic parameters per pollutant, continuously collected at each of 10 community air monitoring stations, estimated at \$39,800 per year
- Costs for the Internet and phones in Long Beach Office for Rule 1180 staff, estimated at \$9,800 per year
- Costs associated with integration of Rule 1180 data portal and community air quality notification system into South Coast AQMD's data platform development project, estimated at \$50,000 for FY 2025-26 only (no costs associated with this project are projected for subsequent FY 2026-27 and FY 2027-28)

Estimated costs are based on current expenditures for each category, including the already planned increased costs of communications for data redundancy for FY 2025-26 onward. This data redundancy is required to maintain interrupted data flow and network connectivity.

Response to Comment 1-11:

Costs for ongoing maintenance, repair, calibration and verification of the community air monitoring network were estimated at \$60,000 in FY 2025-26, with a 10% annual increase in subsequent years.

However, the amended Rule 1180 now requires an independent audit of air monitoring systems to be conducted every three years (~~section~~ subparagraph (j)(3)(A)). The first independent audit of

community air monitoring network is underway in 2025. The referenced increase of \$500,000 in FY 2027-28 represents the anticipated cost of a contract for the next independent audit.

Response to Comment 1-12:

The Auto-GCs at Rule 1180 monitoring stations have been in operation since 2019 and will require replacement within the next three years. Based on reassessment of the performance of Auto-GC instruments to date and additional consultation with the manufacturer, the replacement plan has been adjusted to two instruments per fiscal year for FY 2025-26, FY 2026-27, and FY 2027-28. It should be noted, however, that purchase of additional Auto-CG analyzers may be needed in future O&M fee reassessments. Due to a projected tariff of at least 10% on these Taiwanese-made instruments and updated pricing from the manufacturer, the estimated cost per unit for FY 2025-26 has been increased from \$65,000 (2018 - 2019 pricing) to \$120,000. Note that this updated cost estimate still reflects a discount negotiated by staff compared to the normal cost of this monitor.

Response to Comment 1-13:

Key air monitoring and notification equipment, which began operation in Fall 2019, is approaching its projected end-of-life. A replacement plan will be implemented to replace 2–3 units each year, ensuring uninterrupted measurements and community notifications. The replacement costs for FY 2025-26 are detailed in Table 1, with a projected annual cost increase of at least 10% for the subsequent two fiscal years. These cost estimates do not account for reciprocal tariffs enacted in early 2025. Therefore, the actual costs for replacement instruments may be much higher and are already reflected in the updated quotes staff obtained from selected vendors in May 2025 and also shown in Table 1. Based on discussions with WSPA members, for this fee reassessment cycle, staff also reassessed replacement needs for this equipment, resulting in the following modifications to quantities:

- BC analyzer – changed from 2 to 1 replacement analyzer per fiscal year
- Auto-GC – changed from 4 to 2 replacement units in FY 2025-26
- Zero Air Generator – changed from 3 to 1 replacement units per fiscal year
- Dilution System – changed from 3 to 1 replacement units per fiscal year

Cost of additional replacement air monitoring instruments and other equipment may be included in the next fee reassessment cycle, as needed.

Table 1. Cost for replacing critical instruments and equipment used at community air monitoring stations that are part of the South Coast AQMD Rule 1180 program.

Instrument	Estimated cost for FY 2025-26 used in April 2025 REG III reassessment, based on 2024 quote	Updated cost estimate as of May 2025 (for selected instruments)
BC Analyzer (Aethalometer)	\$35,000	\$36,000
H2S Analyzer	\$20,000	\$24,000
Auto-GC	\$90,000	\$120,000
Dilution System	\$30,000	Unchanged*
Spectrometer for Optical Analyzers	\$150,000	N/A**
Zero Air Generator	\$18,000	Unchanged*

*As of May 2025, vendors did not increase their prices, however, increased costs may be included in future REG III amendments.

**Staff was not able to obtain definitive projections from vendors; however, increased costs may be included in future REG III amendments.

Response to Comment 1-14:

Optical Remote Sensing Mobile Lab (ORS-ML) is used for the Rule 1180 community air monitoring program in two ways: (1) Information collected from ORS-ML mobile surveys were and may be used in the future for the selection of air monitoring station locations; and (2) ORS-ML is being used for quality assurance and verification of performance of optical multi-pollutant analyzers at community air monitoring stations. Staff believe that a small fee averaging \$426 per station per year to cover the costs of rental space for ORS ML would be the most cost-effective way of accounting for use of this asset for Rule 1180/1180.1 community air monitoring program.

Discussions with WSPA members showed that it would be more appropriate to replaced the annual rental fee for the ORS-ML with a daily usage rate (not including staff time) of this laboratory for quality assurance / quality control purposes of community air monitoring. The rate for one day of use of the ORS-ML is \$639, which covers Servies and Supplies for the operation of the ORS-LM under the Rule 1180 community air monitoring program. The fee schedule has been updated accordingly to include one day of use per community air monitoring station each year.

Response to Comment 1-15:

All air monitoring equipment and many replacement and consumable parts used in Rule 1180 contain electronic components. With most electronic manufacturing occurring in many countries throughout Asia, reciprocal tariffs most likely will result in price increases on field instruments, electronic devices, computers, and instrument consumables planned for purchase over the next three years. For example, Auto-GCs at Rule 1180 community air monitoring stations use various consumables manufactured in Taiwan, which include specialized gas mixtures for calibration and sensor modules for gas detection. As part of the reciprocal tariffs proposed by the United States, these imported consumables are now subject to an overall 10% tariff and may potentially be subject to higher reciprocal tariffs. With this in mind, staff's opinion of a 10% annual increase remains conservative and appropriate.

Response to Comment 1-16:

As suggested by WSPA's comment letter, staff met with WSPA members in March, April, and July to further discuss and explain Rule 1180 fees calculation to WSPA and its members. To allow more time to address WSPA's questions, staff removed the proposed fee amendment from the REG III July 2025 amendment presented to the Governing Board for approval during the May 2025 Public Hearing. In this letter, staff provided additional explanation and details, and changes to fees calculation initially presented in REG III April 2025 amendment. Staff, therefore, is planning to proceed with 1180 O&M fees amendment in the near future, with the modifications described in this letter. Table 2 below shows the proposed fee adjustment for the items described in this letter. This represents a substantial reduction in the new annual fee compared to the REG III Proposal presented in April 2025 and an additional reduction since our last meeting in July 2025 (a change from 22.9% annual increase included in REG III April 2025 proposal to 12.4% fee increase after the modifications described in this letter). As previously

noted, the fee calculation includes using the accumulated surplus to continue O&M of community air monitoring stations related to major refineries subject to Rule 1180.

Table 2. Revised Rule 1180 community annual O&M fee calculation.

Rule 1180 Fee Revenues/Expenditures/Carryover							
	Jan. 2018 to November 2024 Actuals	December 2024 - June 2025 Estimate	Total thru FY 2024-25	Projected FY 2025-2026	Projected FY 2026-2027	Projected FY 2027-2028	Projected Deficit FY2025- 26 through FY 2027-28
Available Carryover				\$ 2,100,586			\$ 2,100,586
Revenues							
Start-Up (Fund 78)	\$ 7,151,297		\$ 7,151,297	\$ -	\$ -	\$ -	
Interest (Fund 78)	192,230	-	192,230	-	-		
Fees (Fund 01)	22,752,766		22,752,766	\$ 4,773,551	\$ 4,773,551	\$ 4,773,551	14,320,653
Fee Revenue (45053)	\$ 30,096,293	\$ -	\$ 30,096,293	\$ 6,874,137	\$ 4,773,551	\$ 4,773,551	\$ 16,421,239
Expenditures							
S&EB&Indir	\$ 13,150,878	\$ 2,330,407	\$ 15,481,285	\$ 3,465,798	\$ 3,467,826	\$ 3,649,456	
S&S	6,117,229	490,699	6,607,928	1,554,280	1,585,633	2,095,587	
Capital	5,820,777	85,717	5,906,494	798,000	825,000	759,110	
Total Expense	\$ 25,088,884	\$ 2,906,823	\$ 27,995,707	\$ 5,818,078	\$ 5,878,459	\$ 6,504,154	\$ 18,200,691
Surplus/(Deficit)			\$ 2,100,586	\$ 1,056,059	\$ (1,104,908)	\$ (1,730,603)	\$ (1,779,452)

\$ 5,366,702	Proposed Fee
\$ 4,773,551	Current Fee
\$ 593,151	Annual Increase
12.4%	Fee Increase

ATTACHMENT H



**South Coast
Air Quality Management District**

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 301 – PERMITTING AND
ASSOCIATED FEES**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (South Coast AQMD), as Lead Agency, has prepared a Notice of Exemption pursuant to CEQA Guidelines Section 15062 – Notice of Exemption for the project identified above.

If the proposed project is approved, the Notice of Exemption will be filed for posting with the county clerks of Los Angeles, Orange, Riverside, and San Bernardino Counties. The Notice of Exemption will also be electronically filed with the State Clearinghouse of the Governor's Office of Land Use and Climate Innovation for posting on their CEQAnet Web Portal which may be accessed via the following weblink: <https://ceqanet.lci.ca.gov/Search/Recent>. In addition, the Notice of Exemption will be electronically posted on the South Coast AQMD's webpage which can be accessed via the following weblink: <http://www.aqmd.gov/nav/about/public-notices/ceqa-notices/notices-of-exemption/noe---year-2025>.

**NOTICE OF EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

To: County Clerks for the Counties of Los Angeles, Orange, Riverside, and San Bernardino; and Governor's Office of Land Use and Climate Innovation – State Clearinghouse

From: South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Project Title: Proposed Amended Rule 301 – Permitting and Associated Fees

Project Location: The proposed project is located within the South Coast Air Quality Management District's (South Coast AQMD) jurisdiction, which includes the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties), and the Riverside County portion of the Salton Sea Air Basin and the non-Palo Verde, Riverside County portion of the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project: Proposed Amended Rule 301 (PAR 301) updates the refinery-related community air monitoring systems annual operating and maintenance fees applicable to major refineries and related facilities originally subject to Rule 1180 – Fenceline and Community Air Monitoring for Petroleum Refineries and Related Facilities, and establishes new annual operating and maintenance fees for facilities newly subject to either Rule 1180 or Rule 1180.1 – Fenceline and Community Air Monitoring for Other Refineries. PAR 301 also includes administrative changes for clarity and consistency. While no emission reductions are expected, PAR 301 will ensure that South Coast AQMD has the essential resources to provide necessary cost recovery while implementing the requirements of Rule 1180 and Rule 1180.1.

Public Agency Approving Project:
South Coast Air Quality Management District

Agency Carrying Out Project:
South Coast Air Quality Management District

Exempt Status:

CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption
CEQA Guidelines Section 15273 – Rates, Tolls, Fares, and Charges

Reasons why project is exempt: South Coast AQMD, as Lead Agency, has reviewed the proposed project pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. The proposed amendments to Rule 301 are statutorily exempt from CEQA requirements pursuant to CEQA Guidelines Section 15273 – Rates, Tolls, Fares, and Charges, because the proposed new and amended annual operating and maintenance fees for refinery-related community air monitoring systems for facilities subject to Rule 1180 and Rule 1180.1 are necessary for the South Coast AQMD to meet operating expenses and financial reserve needs and requirements. In addition, the other proposed amendments included in PAR 301, which have no fee impact and are strictly administrative in nature, are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Common Sense Exemption, because it can be seen with certainty that there is no possibility that the proposed project may have a significant adverse effect on the environment.

Date When Project Will Be Considered for Approval (subject to change):

South Coast AQMD Governing Board Public Hearing: October 3, 2025

CEQA Contact Person:
Farzaneh Khalaj, Ph.D.

Phone Number:
(909) 396-3022

Email:
fkhalaj@aqmd.gov

PAR 301 Contact Person:
Albert Ochoa

Phone Number:
(909) 396-3497

Email:
aocchoa@aqmd.gov

Date Received for Filing: _____

Signature: _____

(Signed and Dated Upon Board Approval)

Kevin Ni

Program Supervisor, CEQA

Planning, Rule Development, and Implementation



Proposed Amended Rule 301 – Permitting and Associated Fees

Board Meeting
October 3, 2025

Rule 301 – Permitting and Associated Fees Background

- Rule 301 establishes fee schedules for various South Coast AQMD activities such as permitting, emissions, monitoring and analysis
- Each year, amendments to Rule 301 are brought to the Board as part of District's Proposed Budget
- Rule 301 includes Operating & Maintenance (O&M) fees for refinery related community air monitoring (Rules 1180 and 1180.1)
- State law¹ requires that these fees be reassessed every three years for proper cost recovery



¹ Health and Safety Code (H&SC) Section 42705.6

Rules 1180 and 1180.1 Community Air Monitoring O&M Fees

Recent rule updates (2024)

- Amendments to Rule 1180 and the adoption of Rule 1180.1 were completed to fulfill legal requirements of Health and Safety Code Section 42705.6
- **Rule 1180** amendment introduced new requirements for community air monitoring
 - Additional pollutants at ten existing stations for refineries originally subject to the Rule
 - To fund two new stations for related facilities newly subject to the Rule
- New **Rule 1180.1** requires three other refineries to fund three new community air monitoring stations (one each)

Spring 2025 – Staff proposed a 22.9% increase

- New labor and O&M costs for major refineries subject to Rule 1180 from rule update
- Increases in labor and O&M costs for existing monitoring
- Stakeholders raised questions and initial proposal withdrawn from May 2025 Budget

Reassessment of Rules 1180 and 1180.1 Community Air Monitoring O&M Fees



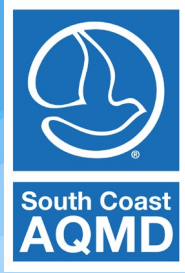
- Five meetings were held to address questions raised by stakeholders



- Updated fees based on additional detailed analysis resulting from questions by stakeholders



- Reduced fee increase from 22.9% to 12.4%



Fee Impacts – Additional Fees for Community Air Monitoring System

- Proposed amendments provide cost recovery for O&M for Community Air Monitoring System

Proposed Amendments to Rule 301	FY 2025-26 (in millions)	FY 2026-27 and thereafter (in millions)
O&M Fee Increases for Facilities Subject to Rule 1180	\$0.59	\$1.62
O&M Fee Increases for Facilities Subject to Rule 1180.1	-	\$1.56
Total	\$0.59	\$3.19*

** Totals do not add up to 3.19 due to rounding*

Recommended Actions

- Determine that Proposed Amended Rule 301 – Permitting and Associated Fees, is exempt from the requirements of the California Environmental Quality Act;
- Amend Rule 301; and
- Recognize revenue of \$593,151 into the FY 2025-26 General Fund