

**SYNOPSIS OF
PROPOSED AMENDMENTS TO THE RULES OF THE
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION
AIR QUALITY CONTROL, CHAPTER 391-3-1**

Rule 391-3-1-.03(9), “Permit Fees,” is being amended.

Purpose: The Permit Fee provision is being revised to introduce an annual maintenance fee for Title V sources effective for state fiscal year 2021, specify the dollar-per-ton rate, and reference the “Procedures for Calculating Air Permit Application & Annual Permit Fees” (Fee Manual) for state fiscal year 2021 fees.

Main Features: A dollar-per-ton rate and the reference to the Fee Manual for state fiscal year 2021 fees are being added to subparagraph 391-3-1-.03(9)(b). The dollar-per-ton rates remain the same as the previous year at \$37.34/ton for coal-fired power plants and \$35.50/ton for all other facilities. Subparagraph 391-3-1-.03(9)(1) is being added to introduce a new annual maintenance fee for Title V sources. This subparagraph identifies the criteria for the new annual maintenance fee, gives the effective date, and references the procedures located in the Fee Manual.

**STATEMENT OF RATIONALE
Rules for Air Quality Control**

Rule 391-3-1-.03(9) – Permit Fees.

The basis of this rule is to specify the permit fee rate; the procedures for determining, reporting, and submitting permit fees; and other permit fee-related requirements.

The purpose of this revision is to introduce the new annual maintenance fee for Title V sources, specify the dollar-per-ton permit fee rate, and reference a new Fee Manual for state fiscal year 2021 permit fees. The new annual maintenance fee for Title V sources will be effective July 1, 2020, and will be collected September 1, 2020. Annual emissions fees based on emissions from calendar year 2019 will be due beginning September 1, 2020, and will fund state fiscal year 2021 permit-related activities.

Although not directly referenced in the rulemaking, the Fee Manual for state fiscal year 2021 includes annual Synthetic Minor and NSPS Permit Fee rates which will each increase \$400. The new fees will be \$2,100 per year for Synthetic Minor sources and \$1,900 per year for NSPS sources. There will also be an increase in permit application fees to complete the phase-in of this

fee that first became effective March 1, 2019. This increase in permit application fees will be effective March 1, 2021. The new \$650 annual maintenance fee for Title V sources will be effective July 1, 2020.