

**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 specify the dollar-per-ton rate, reference the “Procedures for Calculating Air Permit Application & Annual Permit Fees” (Fee Manual) for state fiscal year 2026 fees, and correct typographical errors.

Main Features: A dollar-per-ton rate and the reference to the Fee Manual for calendar year 2024 fees are being added to subparagraph (9)(b). The dollar-per-ton rate is being updated to \$45.37/ton for coal-fired electric generating units and \$43.13/ton for all other sources. Subparagraphs (9)(c) and (9)(g) are being revised to change “section” to “paragraph”. Subparagraphs (9)(i) and (9)(i)1. are being revised to correct capitalization errors.

**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 specify the dollar-per-ton permit fee rate, reference a new Fee Manual for calendar year 2024 permit fees, and correct typographical errors. Annual emissions fees based on emissions from calendar year 2024 will be due beginning September 2, 2025, and will fund state fiscal year 2026 permit-related activities. The annual maintenance fee for Title V sources will be collected September 2, 2025.

Annual permit fee rates are being updated to \$45.37/ton for coal-fired electric generating units and \$43.13/ton for all other sources. Although not directly referenced in the rulemaking, the Fee Manual includes increases to the annual Synthetic Minor and NSPS Permit Fee rates, an increase in permit application fees, and an increase to the annual maintenance fee and minimum fee for Title V sources. The new fee increases will be effective July 1, 2025. This rule does not directly impact the public.