

**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 2025 fees, and change the date that administrative fees start being calculated.

Main Features: A dollar-per-ton rate and the reference to the Fee Manual for calendar year 2023 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 electric generating units and \$35.50/ton for all other sources. Subparagraph 391-3-1-.03(9)(i)1. is being revised to change the date that administrative fees start being calculated from the day after October 1 to the day following the first business day of September and to correct language.

**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 2023 permit fees, and change the date that administrative fees start being calculated. Annual emissions fees based on emissions from calendar year 2023 will be due beginning September 3, 2024, and will fund state fiscal year 2025 permit-related activities. The annual maintenance fee for Title V sources will be collected September 3, 2024.

Annual permit fee rates and thresholds remain unchanged. Costs to the regulated community should be similar to the previous year. This rule does not directly impact the public.