



## Air Pollution Control District San Luis Obispo County

**TO:** Board of Directors, Air Pollution Control District

**FROM:** Gary E. Willey, Air Pollution Control Officer *MSH*

**DATE:** May 18, 2022

**SUBJECT:** Revisions to Rule 302, Schedule of Fees

### SUMMARY

Revisions to District Rule 302, Schedule of Fees are proposed to increase fees according to the Board approved Fiscal Plan. The fee increases proposed in the revision are less than or equal to the levels outlined in the Fiscal Plan.

### RECOMMENDATION

That your Board accept public comment on the proposed revisions to District Rule 302, Schedule of Fees, and provide direction to staff on any changes that need to be considered at the rule adoption hearing on June 22, 2022.

### DISCUSSION

The primary mandate and mission of the Air Pollution Control District is to protect public health from the adverse effects of air pollution. One of the key tools in that effort is a permit system that allows the District to guide and assist local businesses and facilities in their own endeavors to minimize emissions. That permit system is intended to be self-funded under the authorization provided in California Health and Safety Code (H&SC) section 42311.a. Annual permit renewal fees are one of the primary sources of revenue to fund the direct and indirect costs to run the permit program.

The proposed revisions to the permit fees under Rule 302, Schedule of Fees are based on several factors, including the planned closure of the Phillips 66 Refinery and loss of over \$500,000 in annual fees beginning in fiscal year 2022/2023. The refinery has historically subsidized permit program costs, allowing smaller sources to have reduced fees. As fees from some sources do not cover the costs associated with verifying compliance and with the loss of refinery funding, the permit program will be unable to meet the Board-approved cost recovery goal of 95%. Over the last ten-year-period, inflation has increased by 33%, while permit fees were increased only once by less than 4%. The District has incorporated automation, streamlining and staffing cuts to minimize the need for fee

increases, but with the reduction in a senior level position, the lean program structure has no room for additional cuts.

The District is proposing key changes to the facility-based permit program. A general fee increase of 6% is proposed for all sources annually from 2022 through 2025, with annual Consumer Price Index (CPI) adjustments proposed after 2025 per the Fiscal Subcommittee recommendation. A specific one-time fair share increase of up to 9% is proposed for some equipment types that currently do not have cost recovery. Sources that are subject to new state-mandated reporting or oversight requirements such as sources with toxic emissions or those subject to GHG regulation, including landfills and oil and gas facilities, are proposed for fee increase and new electric motor-based fees are proposed for processes that are not covered by the list of existing fees. These new electric motor-based fees are in alignment with other districts such as Placer County APCD, Santa Barbara County APCD and Yolo-Solano AQMD.

Various other non-facility-based increases are also proposed that follow the District's long-term plan to slowly adjust minimum fees to obtain 95% cost recovery, including increasing the hourly billing rate, adjusting the asbestos demolition inspection fees to account for actual costs, moderate increases to burn program fees with no changes to backyard burn program fees, and adjustment to Agricultural Engine Registration fees to align our joint program with Santa Barbara APCD.

The proposed fee changes are intended to follow the Fiscal Plan and seeks to smooth permit fee increases over time. Total revenue from the rule changes is estimated to be \$192,000, however with the loss of approximately \$550,000 in refinery revenue, overall permit revenue is estimated to decrease by approximately \$358,000. If needed, reserves will be used to make up the difference. Permit program cost recovery is estimated to be 58% in Fiscal Year 2022/2023.

#### **OTHER AGENCY INVOLVEMENT**

The California Air Resources Board does not comment on fee rules and no other county or state agencies are involved in this revision.

#### **FINANCIAL CONSIDERATIONS**

No actions are being taken today, therefore, there are no financial implications associated with this agenda item.

**AIR POLLUTION CONTROL DISTRICT  
COUNTY OF SAN LUIS OBISPO**

**STAFF REPORT**

**REVISION TO RULE 302, SCHEDULE OF FEES  
INITIAL PUBLIC REVIEW HEARING – May 18, 2022  
FINAL PUBLIC HEARING – June 22, 2022**

**I. INTRODUCTION**

The Air Pollution Control Board (Board) is being asked to consider revisions to the permit fees under Rule 302, Schedule of Fees, which will occur during an initial review hearing on May 18, 2022, and final adoption hearing on June 22, 2022. Over the last 10 years, permit fees have increased only once and by only 3.75%. During this same period, districts of similar size increased permitting fees between approximately 21% and 43%, with some districts implementing annual Consumer Price Index (CPI) increases to maintain cost recovery. For reference purposes, the cumulative adjustment to the CPI between January 2011 and March 2022 was 33.2% (see Attachment 5- *CPI-W Table*). Previously, the District has been able to absorb increases in the cost of the permit program over the last five years through streamlining efforts, use of grant funding, and maintaining lean staffing levels; however, with the planned decommissioning of the Phillips 66 Refinery (Refinery) in 2023 and associated loss of approximately \$550,000 in permit revenue, the District will be unable to absorb the loss of revenue and continue to fulfill mandated requirements and targeted cost recovery goals. The Refinery has contributed approximately 30% of all stationary source fees collected but has not actually required that proportion of District staff time to permit and monitor for compliance. In essence, the Refinery has subsidized the fees paid by smaller sources, which do not recover the costs associated with overseeing their compliance. The District's goal is to recover 95% of actual costs of the permit program, however with the loss of refinery permit revenue, program cost recovery is expected to decrease from the estimated current level of 62% to 50%.

The proposed revisions to Rule 302 are based upon recommendations included in the Board-approved 2022-2026 Fiscal Plan, these proposed changes include:

- A 6% increase in annual operating permit fees through Fiscal Year 2025-2026 for all sources, with future fees adjusted annually per CPI.
- Additional increases of approximately 9% to specific sources that currently have fees disproportionately below the level needed to achieve cost recovery.
- Increases to registration fees for agricultural engines to be in alignment with South Central Coast Air Basin partners.
- Changes to fees associated with large-scale soil decontamination/remediation projects to address cost recovery.
- New fees for reporting and oversight including Green House Gas (GHG) reporting at landfills and oil and gas production and processing facilities, toxics reporting fees for chemical production, electrolytic plating, and stationary diesel-fueled engines; and increases to the tracking and reporting fee for sources that are conditionally exempt from permit.
- Creation of new fee categories addressing new sources based upon electric motor horsepower (hp) or electrical energy in volt amperes, large scale decommissioning projects, rubberized asphalt plants, and control equipment.

Various other fee increases are also proposed that follow the District's long-term plan to slowly adjust minimum fees to achieve 95% cost recovery. This includes increasing the hourly billing rate to \$180 from the current \$125 rate, with annual CPI adjustments, a fee increase for application filing, transfer of ownership, permit modification and late fees, realignment of asbestos fees to address larger projects with multiple structures or disturbed area and changes to fees associated with large-scale soil decontamination/remediation projects. Open burning fees for nonagricultural burning and inspections, as well as agricultural and prescribed burning permit fees are proposed to increase to improve cost recovery, while backyard burning fees remain unchanged at \$50.

## **II. DISCUSSION**

The District is required to ensure that fees charged to permit holders do not exceed the reasonable actual costs to fund the permit program, with state law dictating a maximum annual increase of 15%. Due to the 2023 planned closure of the Refinery and associated revenue loss of approximately \$550,000 per year, the District reviewed the permit program and identified specific sources that currently have fees disproportionately below the level needed to achieve cost recovery for the compliance and permitting oversight they require. These specific sources include:

- Toxic sources with increased state-mandated toxic reporting requirements such as diesel engines, combustion equipment, chemical manufacturing, electrolytic plating operations, gasoline dispensing facilities, and coating operations such as autobody painting, adhesive, and metal coating;
- Oil and gas production and processing facilities requiring state Greenhouse Gas Regulation (GHG) reporting and oversight.
- Additional sources such as sandblasting, rock and sand crushing, screening and production facilities, and concrete batch plants with fugitive emissions requiring additional resources to determine compliance, respond to complaints and estimate annual emissions.

The additional adjustment of these particular permit fees is necessary to obtain more equitable distribution of permit program costs.

The total permit fee for a process or piece of equipment is calculated by multiplying the base fee constant by the current year's renewal factor "x". In FY 22/23 a 6% increase in permit renewal fees is proposed for all sources by increasing the current renewal factor "x" from \$83 to \$88. The specific sources subject to higher increases, up to 15% total, would also see a base fee change of approximately 9% for a total 15% or less (see Attachment 4- 2022/2023 Proposed Fee Rates for Permit Renewals).

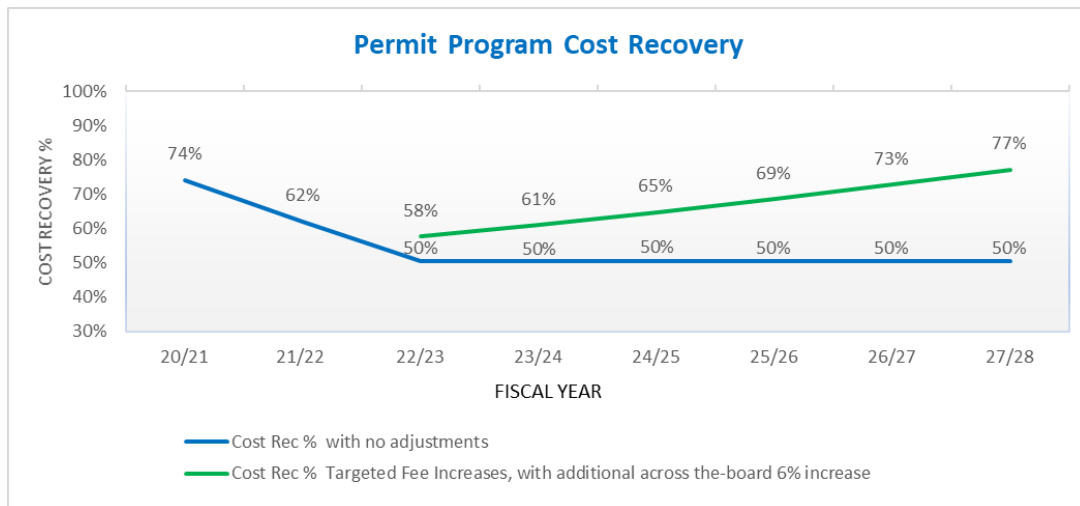
Annual permit renewal fee increases of 6% are proposed through FY 25/26 followed by annual CPI adjustments beginning FY 26/27. These increases will help ensure District permit revenues keep pace with increasing program costs and aid in approaching the 95% cost recovery goal established by the Board through the Fiscal Plan. Current estimates for cost recovery of the permitting program indicate a recovery rate of 62%, with revenue losses from the Refinery closure in FY 22/23 expected to reduce cost recovery even further, to approximately 50% (see Attachment 2 *Permit Program Costs Versus Revenue Analysis*).

### Proposed Renewal Fee Scheduled Increases

	FY 22-23	FY 23-24 6% increase	FY 24-25 6% increase	FY 25-26 6% increase	FY 26-27 and beyond adjusted per CPI *
Permit Renewal Factor "x"	\$88	\$93	\$99	\$104	TBD

\* CPI Based upon Bureau of Labor Statistics CPI-W (Los Angeles-Long Beach- Anaheim, CA)

### Estimated Permit Program Cost Recovery



New fee categories are proposed for several category types where state mandated reporting and oversight costs have increased. The following table shows the proposed new fees:

Permit Fee Category	Proposed Fee Formula	Total fee in 2022 where "x" is proposed at \$88
GHG reporting at landfills	5.0x	\$440
Oil and Gas production GHG monitoring and oversight	6.0x	\$528
Oil and Gas production less than 300 bbl/day GHG monitoring and oversight	4.0x	\$352
Oil and Gas vapor recovery systems GHG monitoring and oversight	6.0x	\$528
Chemical manufacturing process unit toxics reporting fees	0.9x	\$79.20 per process unit
Electrolytic plating tanks	0.06x	\$5.28 per tank
Diesel engine per horsepower (hp) fee for engines from 50 hp to 3,000 hp	0.0051x	\$0.45 per hp
Soil decontamination monitoring and reporting fee (projects larger than 5,000 cubic yards)	4.0x	\$352
Soil decontamination monitoring and reporting fee (projects less than 5,000 cubic yards)	2.0x	\$176

Changes to state regulations have increased the requirements for District review, inspection and reporting on these sources and the proposed new fee categories were created to recover costs for the effort associated with these new requirements.

Additional new fee categories are proposed for equipment and processes that require a Permit to Operate, which do not currently have an applicable permit fee category as shown in the following table:

Permit Fee Category	Proposed Fee Formula	Total fee in 2022 where "x" is proposed at \$88
Rubberized asphaltic batch plants	16.0x	\$1408
Control equipment units not otherwise specified non-oil and gas	2.0x	\$176
Control equipment units not otherwise specified oil and gas	4.0x	\$352
Source test review of control equipment non-oil and gas	4.0x	\$352
Source test review of control equipment oil and gas	6.0x	\$528
Major source decommissioning fee	106.0x	\$9,328

The major source decommissioning fee is proposed to cover the costs associated with verifying compliance with District Rules during decommissioning project phases of large facilities such as the Philips 66 Refinery, the Morro Bay Power Plant, and the Diablo Canyon Nuclear Power Plant. These projects are very complex, requiring significant District effort to ensure adherence to District approved plans and oversight of regulated project activities performed by the project owner and their subcontractors.

The District is also proposing new fee categories aimed at capturing equipment and processes that require a Permit to Operate, but may not fall into any existing defined categories. Similar categories and rates are used by other air districts and will allow the District to apply permit fees for new equipment or processes based upon an existing fee structure. This structure is based on motor horsepower (hp) or electrical energy use in kilovolt amperes. The fees range from \$385.44 for motors under 50 hp to \$3,062.40 for motors over 600 hp. The fees for device electrical energy use in kilovolt amperes (kva) range from \$385.44 for less than 150 kva to \$2,296.80 for 45,000 kva or greater.

**The District's hourly rate (r)** is proposed to increase from \$125 per hour to \$180 per hour and includes annual CPI adjustments. In comparison, Santa Barbara County APCD's hourly rate averages approximately \$205 per hour. The District's calculated burdened hourly costs for all engineering and compliance staff time is \$238 per hour and includes IT support, Administrative services, and all other unbillable overhead (see Attachment 3- *Hourly Rate Calculations* for details). The estimated increase in revenue from this change is estimated to be \$30,000.

**Conditional Permit Exemption fees** are proposed to increase from \$100 to \$270 to better recover costs associated with verification of compliance with operational limits and annual emissions calculations. Updated regulations have increased the requirements associated with tracking emissions, and staff on average spend 1.5 hours verifying and reporting the required data for these

sources. This is an increase from the 0.8 hour of staff time originally determined was required to recover the cost of the program. Increasing the Conditional Permit Exemption fee will allow the District to continue offering this lower cost compliance program without placing the financial burden to implement it on the permit holders, who pay much higher fees and have more costly emission control requirements.

***Asbestos demolition and Regulated Asbestos Containing Material (RACM)*** project fees are proposed to be increased and updated to apply program costs more equitably across projects based upon size and complexity. Demolition fees are proposed to apply to all demolition projects regardless of the presence of asbestos, as the District is required to review asbestos survey reports for all demolition projects. New demolition fees will be based upon the number and size of structures associated with a project. This will more equitably align program costs with large projects involving multiple structures of varying sizes, securing higher fees than small, simple projects. A new breakdown of demolition fees for projects with RACM is also proposed and more accurately reflects the costs associated with reviewing projects with greater than 2,500 lineal, square or cubic feet of regulated material. Projects of 2,500 feet or more require significant oversight to ensure compliance with federal requirements. Although there are few projects of this size or greater, these projects currently do not cover their fair share of the program cost associated with their review and oversight. The proposed fee structure will ensure that asbestos fees are charged equitably, with large complex project paying higher fees than small projects.

***Fees associated with the review of naturally occurring asbestos (NOA)*** are proposed to increase in all categories with the exception of projects that only require a geological evaluation and full exemption. These fees will remain at the current level of 1.5r (where "r", the hourly rate, is proposed at \$180). Projects that require a full geological evaluation and conditional exemption will increase from 2.0r to 3.0r; projects requiring a geological evaluation that are less than 1 acre will increase from 2.5r to 3.0r, with projects greater than 1 acre increasing from 2.5r to 4.0r; projects requiring Dust Control Plan review and approval will increase from 1.0r to 2.0r; and projects that require Dust Control Plan review which include monitoring for asbestos will increase from 2.0r to 3.0r. These increases are proposed to recover the actual costs associated with project review and inspection and are designed to distribute program costs more equitably, with larger more complex projects paying higher fees.

***Fees assessed for the issuance of a Permit to Operate, Conditional Permit Exemption or modified permit conditions***, as well as filing fees, are proposed to increase from \$220 to \$360, while transfer of ownership fees are proposed to increase from \$105 to \$270. The changes are proposed to improve cost recovery; however, the overall revenue contributions will not be significant. Filing fees are credited to a project's total cost and are essentially deposits for the staff work required to evaluate and process the permit. As a result, unless the District processing fee is less than the filing fee, raising this fee does not result in increased cost to the applicant or greater revenue for the District. The increase is important, however, as some applicants who do not complete the application process do not respond to invoices for additional District staff costs associated with the canceled project. A higher filing fee helps the District ensure applicants cover the minimum processing costs, but it is not expected to result in any notable changes in overall revenue.

***Late fee for non-permit related fee(s) past due thirty days***, after a second notice is provided, are proposed to increase from the greater of 10% or \$50 to the greater of 25% or \$250, while fees that are past due greater than 160 days will see an increase to the additional late fee from 5% to 15% for

every 120 days past due. These increases are proposed to further improve cost recovery and to encourage timely payment of fees. This change is not expected to result in any noticeable changes in revenue but will help recover costs and encourage timely payment.

***Agricultural and prescribed burning permits*** are proposed to increase per the following table:

<b>Project Size</b>	<b>Current Fee</b>	<b>Proposed Fee</b>
Less than 10 acres or 100 tons of material	\$50	\$100
More than 10 acres up to 100 acres, or more than 100 tons up to 500 tons	\$125	\$180
More than 100 acres up to 250 acres, or more than 500 tons up to 1,000 tons	\$185	\$265
More than 250 acres or 100 tons	\$250	\$360

These increases are proposed to recover the time associated with reviewing smoke management plans and permit applications, as well as inspection and monitoring efforts. District staff work closely with CAL FIRE and other agencies to assist in ensuring successful completion of burn projects with significant effort focused on burn coordination, public outreach and burn monitoring to ensure minimal impacts to the public. The proposed increases will improve program cost recovery, however full recovery is not expected. Fees for backyard or residential burning are not proposed to increase.

***Agricultural engine registration fees*** are proposed to increase from 2.625x (\$217) to 1.473r (\$265) to be in alignment with Santa Barbara County APCD Registration fees. Registrations are valid across San Luis Obispo, Santa Barbara and Ventura Counties; however, Santa Barbara APCD currently charges \$265 per registration. The District proposes the increase to match Santa Barbara and provide equity across the shared county border.

When all the proposed fee changes described above are considered together with an estimated \$550,000 loss in Refinery permit revenue, overall permit revenue is estimated to decrease by approximately \$358,000.

The District fully realizes the impact of fee increases on our stakeholders and we continually strive to find ways to minimize our operational costs to keep such increases at minimal levels.

### **III. RULE REVISION**

The proposed changes are shown in strikeout and underline format in Attachment 1.

### **IV. ENVIRONMENTAL IMPACTS, EMISSION REDUCTIONS, AND COST IMPACTS**

There are no anticipated environmental impacts or identifiable pollutant emission reductions associated with the proposed revisions to Rule 302.



## **VI. PUBLIC AND AGENCY COMMENTS**

A public workshop was held on April 27, 2022. No comments were received from the public or agencies.

## **VII. REGULATORY CONSTRAINTS**

Health and Safety Code (H&SC) §40727.2 requires the District to prepare a written analysis of any proposed rule revision and list specific aspects to be considered and included. However, the revisions to Rule 302 proposed here do not impose any new emission limit or modify any existing emission limit; nor do they impose more stringent monitoring, reporting, or recordkeeping requirements (see §40727.2(g)). Consequently, the specific analysis required in this section is not applicable.

H&SC §41512.5 requires that a separate hearing be held prior to the adoption of any new fee not associated with the permit program under Rule 202, Permits. The first hearing is scheduled for May 18, 2022, as part of the District Board's regular meeting. The second hearing, where adoption would be considered, is scheduled for June 22, 2022. The discussion in the previous two sections is intended to satisfy the requirement for supporting data.

H&SC §42311(a) stipulates that the District's permit revenue not exceed its cost for the permit program. The fees assessed for a fiscal year cannot exceed the cost of the program for the previous year adjusted for increases in the CPI. Please note, this analysis uses a past-base year as required by the law so that actual closed and audited costs are used. In FY 20/21, the permit program related allowable costs were estimated at \$3.3 million, while total permit revenues were only \$2.1 million (see Attachment 2). The statute is satisfied with the shortfall covered by motor vehicle registration fees, state subvention funds, property taxes, and other miscellaneous sources of revenue.

H&SC §42311(e) requires that the District hold a public meeting, as part of a regularly scheduled Board meeting, to receive input on the proposed revisions. The Board hearing on May 18, 2022, will satisfy this requirement. A notice was mailed on April 15<sup>th</sup> that included a notice of the May 18<sup>th</sup> meeting and satisfied the requirement that written notice be mailed to all interested parties at least 14 days in advance of the required meeting.

Consequently, the proposed revisions comply with all of the H&SC limitations described here, as well as all other applicable requirements not specifically noted.

## **VIII. FINDINGS**

As required by the California Health & Safety Code (H&SC§40727), the District Board shall make findings of necessity, authority, clarity, consistency, non-duplication, and reference.

- A. Necessity: Revision to Rule 302 is necessary to recover permit program costs and to provide a more equitable fee level.
- B. Authority: Authority is given to the District to adopt rules pursuant to H&SC Sections 40001 and 40702.

- C. Clarity: The proposed rules have been found by the District to be written in clear English and to be as easily understood as possible.
- D. Consistency: The District has found the proposed rules consistent with existing District Rules and Regulations, existing state and federal guidelines, and similar districts in the area.
- E. Non-duplication: The revisions do not result in a duplication of federal or state statutes or regulations where the requirements of any such statutes or regulations would be the same.
- F. Reference: By adoption of the proposed revisions the District is implementing, and making specific by adoption, applicable provisions of the California Health and Safety Code.

#### **IX. CONCLUSION AND RECOMMENDATION**

Staff recommends the adoption of the proposed revisions to Rule 302, Schedule of Fees, after the second Board hearing scheduled for June 22, 2022.

#### **X. ATTACHMENTS**

- Attachment 1 Underline/strikeout copy of proposed revisions where underlined text is proposed for addition and strikeout text is proposed for deletion
- Attachment 2 Permit Program Costs Versus Revenue Analysis
- Attachment 3 Hourly Rate Calculations
- Attachment 4 2022/2023 Proposed Fee Rates for Permit Renewals
- Attachment 5 CPI-W Table
- Attachment 6 Comments Received and District Response

**ATTACHMENT 1**

**UNDERLINE/STRIKEOUT REVISION FORMAT**

**RULE 302, SCHEDULE OF FEES**

**RULE 302. SCHEDULE OF FEES** (Adopted 8/2/76; Last revision 6/22/2022~~46~~)

- A. **FEE UNITS.** Fees assessed for the issuance of a Permit to Operate or Conditional Permit Exemption for a new or modified source shall not exceed the total costs to the District for processing nor shall be less than 2 times the District hourly rate "r" defined below~~\$220.00~~.
- B. **FILING FEES.** Except for any State or Local Government or Public District, every applicant for an Authority to Construct or a Permit to Operate any new, modified, or relocated article, machine, equipment, or other contrivance, shall pay a filing fee of 2 times the District hourly rate "r"~~\$220.00~~. The filing fee shall be applied to the fee prescribed for the issuance of an Authority to Construct~~, or~~ a Permit to Operate or a Conditional Permit Exemption.
- C. **AUTHORITY TO CONSTRUCT FEE, ~~AND~~ DISTRICT HOURLY LABOR RATE AND ANNUAL FEE ADJUSTMENTS.**
1. Every applicant for an Authority to Construct shall pay a fee for the issuance of an Authority to Construct based upon actual hours spent by District staff at the District hourly labor rate and any other actual costs incurred by the District in evaluating the application. The applicant may be billed periodically for actual costs of evaluating an application over an extended time.
  2. The District hourly labor rate (r) is \$1~~80~~25 per hour effective July 1, 2022 and shall be adjusted annually on July 1<sup>st</sup> thereafter by the CPI defined below:
  - ~~2.3.~~ Fees and hourly rate shall will be adjusted annually per the Consumer Price Index (CPI). CPI is based upon Bureau of Labor Statistics CPI-W (Los Angeles-Long Beach-Anaheim, CA,) or the most closely related index, if this index is discontinued. In all instances where CPI is referenced in this Rule, no adjustments to fees will be made in years where a negative CPI is indicated.
- D. **PERMIT TO OPERATE FEE**
1. Initial Issuance Fee: Every applicant for a Permit to Operate or a Permit to Sell or Rent shall pay a fee for the issuance of the permit based upon actual hours spent by the District staff at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District in evaluating the application.
  2. Penalty Fee: In addition to the fees required under Section D.1, a person seeking a Permit to Operate or a Permit to Sell or Rent for an article, machine, equipment or other contrivance for which an Authority to Construct was required but not obtained, or for which the 90-day grace period of Rule 202.A.8 has expired, shall pay a penalty fee of up to one and one-half times the amount required by Section D.1 and up to the sum of the Permit Renewal Fees that would have been due if a Permit to Operate would have been obtained when required. Payment of this penalty fee shall not automatically relieve the applicant of additional enforcement action.
  3. Initial Periodic Permit to Operate Fee: In addition to all other fees required under this Section, every applicant for a Permit to Operate or a Permit to Sell or Rent shall,

upon issuance of the permit, pay an initial operating period fee equivalent to those fees required under Section E.

- a. The Air Pollution Control Officer may waive the first renewal period's operating fee for applicants who qualify. To seek this waiver, an Application for Initial Operating Fee Waiver must be submitted during the permit application process.

- E. **PERMIT RENEWAL FEE SCHEDULE.** Any article, machine, equipment or other contrivance in the categories listed below for which a Permit to Operate or a Permit to Sell or Rent is issued, shall be re-evaluated and the permit renewed periodically, and renewal fees assessed in accordance with the schedule below. The renewal fees for a Permit to Sell or Rent shall be one-half of that amount indicated in that schedule. Total renewal fees shall be determined for each emission unit by multiplying the permit renewal factor "x" by the renewal fee formula shown below. If a permitted article, machine, equipment, process, or other contrivance does not fall under a specific category listed below, fees related to the total electrical horsepower (hp) or power rating (KVA) of the equipment or process will be applied. The ~~current~~ permit renewal factor "x" is shown in the table below: \$83.00.

	<u>FY 22-23</u>	<u>FY 23-24</u> <u>6% increase</u>	<u>FY 24-25</u> <u>6% increase</u>	<u>FY 25-26</u> <u>6% increase</u>	<u>FY 26-27 and beyond</u> <u>adjusted per CPI *</u>	
<u>Permit Renewal Factor "x"</u>	<u>\$88</u>	<u>\$93</u>	<u>\$99</u>	<u>\$104</u>	<u>\$104 times CPI adjustment</u>	

\* CPI Based upon Bureau of Labor Statistics CPI-W (Los Angeles-Long Beach- Anaheim, CA). The "x" factor shall be adjusted annually starting on July 1, 2025. Each 12-month period shall be calculated individually and any year where the change is negative, no adjustment shall be made.

<u>Permit Category</u>	<u>Renewal Fee Formula</u>
1. Air monitoring and data handling oversight - per station	132.2x
2. Asphaltic concrete batch plants	<del>32.3x</del>
a. <u>Asphaltic concrete batch plants base fee</u>	<u>32.3x</u>
a.b. <u>Rubberized asphaltic batch plants subprocess</u>	<u>16x</u>
3. Bakery facility with a total heat input rating of all combustion devices that is >3.0 million British thermal units per hour (mmBtu/hr)	58.5x
4. Boilers, steam generators, heaters, or other gaseous, liquid, or solid fuel fired combustion equipment, except fossil fuel fired power plants (in terms of the design heat input rating)	
a. less than 5 mmBtu/hr and limited to 90,000 therms per year or less	10.3x
b. 5.0 million British thermal units per hour (mmBtu/hr) or less	24.4x
c. greater than 5.0 mmBtu/hr but less than or equal to 10.0 mmBtu/hr	<del>36.8</del> <u>34.1</u> x
d. greater than 10.0 mmBtu/hr	<del>42.7</del> <u>39.5</u> x
5. Brick or concrete block manufacturing facilities (in terms of the annual production rate)	
a. 0.50 million blocks per year or less	4.9x
b. greater than 0.50 but less than or equal to 1.0 million blocks per year	9.8x
c. greater than 1.0 million blocks per year	20.7x
6. Cement handling equipment	17.1x

**Permit Category****Renewal  
Fee Formula**

7.	Chemical manufacturing process unit	
a.	<u>Chemical mManufacturing process unit base fee</u>	10.3x
ba.	<u>Chemical Manufacturing process unit Toxics emitting unit report fee</u>	0.9x
8.	Coffee roasting (in terms of the annual production rate)	
a.	50.0 tons per year (tpy) or less with emission controls	5.1x
b.	50.0 tpy or less without emission controls	10.3x
c.	greater than 50.0 tpy with emission controls	13.6x
d.	greater than 50.0 tpy without emission controls	27.1x
9.	Concrete batch plants (in terms of the annual production rate)	
a.	10,000.0 yards per year or less	5.34.9x
b.	greater than 10,000.0 but less than or equal to 25,000.0 yards per year	10.69.8x
c.	greater than 25,000.0 yards per year	22.420.7x
10.	Crematory incinerators	8.5x
11.	Crude oil and distillate oil storage facilities (basic)	29.3x
12.	Crude oil and distillate oil pump station (basic)	24.3x
13.	Degreasers	10.3x
14.	Driers or kilns	15.2x
15.	Dry Cleaning Operations	
a.	Perchloroethylene based	10.3x
b.	Other solvent based	6.0x
16.	Electrolytic plating operations	
a.	<u>Electrolytic plating operation base fee</u>	34.1x
b.	<u>Electrolytic plating operation per tank toxics reporting fee</u>	0.055x
17.	Ethylene Oxide Sterilizers	37.7x
18.	Feed and grain mills	
a.	any cyclone vented to atmosphere	13.7x
b.	no cyclone vented to atmosphere	6.8x
19.	Fiberglass products manufacturing	37.7x
20.	Fixed or internal floating roof petroleum storage tank	19.4x
21.	Floating roof petroleum storage tank	28.5x
22.	Fossil fuel fired power plant >100 mmBtu/hr (basic)	
a.	total for all boilers at a facility with total oxides of nitrogen emissions of more than 100 tons per year in the previous calendar year	4,218.6x
b.	total for all boilers at a facility with total oxides of nitrogen emissions of less than 100 tons per year in the previous calendar year	3,461.6x
c.	each gas turbine and any associated duct burner per mmBtu/hr of heat input capacity	0.70x
23.	Gasoline dispensing facility and associated vapor recovery system (basic)	2.372.2x
24.	Gasoline dispensing (only one applied to any given nozzle)	
a.	vapor recovery nozzle	0.683x
b.	multi-product, single nozzle fueling point	2.051.9x
25.	Gasoline storage facility, loading rack, and associated vapor recovery system(s) - bulk	19.878.4x
26.	Gasoline storage facility and associated vapor recovery system - retail and consumer account	3.102.87x

<b><u>Permit Category</u></b>	<b><u>Renewal Fee Formula</u></b>
27. Gasoline vapor recovery, annual testing	
a. base testing fee	<del>4.103.80</del> x
b. in-station diagnostics additional testing fee	2. <del>382</del> x
28. Internal combustion engine	
a. first prime use engine per facility	12. <del>960</del> x
b. each additional prime use engine per facility	<del>6.055.6</del> x
c. additional fee for any engine $\geq 3,000$ bhp	12 <del>142.83</del> x
d. each emergency standby use engine	<del>5.24.9</del> x
e. each portable diesel engine used for construction or maintenance	<del>5.24.9</del> x
f. each portable non-diesel engine used for construction or maintenance	3. <del>240</del> x
g. each engine <50 hp that is part of a process that requires a permit	<del>3.24x3.0</del> x
h. <u>New Stationary Engine (Installed after July 1, 2022) greater than 50 hp and less than 3,000 hp, per horsepower toxics reporting fee</u>	0.0051x
29. Landfill gas collection	
a. <u>Landfill gas collection base fee</u>	62.1x
b. <u>Landfill GHG monitoring and oversight fee</u>	<del>5.0</del> x
30. Marine loading terminal	79.2x
31. Marine unloading terminal	40.2x
32. Miscellaneous	10.3x
33. Motor vehicle and mobile equipment coating (in terms of the volatile organic compound (VOC) content of materials used)	
a. 100.0 gallons per year or less	<del>5.294.9</del> x
b. greater than 100.0 but less than or equal to 700.0 gallons per year	<del>9.949.2</del> x
c. Greater than 700.0 gallons per year	<del>17.7146.4</del> x
34. Multiple chambered incinerators, including pathological incinerators	39.5x
35. Onshore dewatering process units associated with offshore oil and gas production	96.0x
36. Oil and gas production and processing facilities (basic)	402.2x
a. <u>Oil and Gas production and processing facilities (basic) GHG monitoring and oversight</u>	<del>6.0</del> x
37. Oil and gas production and processing facilities (basic for producers of 300.0 bbl per day or less)	55.8x
a. <u>Less than 300 bbl/day oil and gas production and processing facilities (basic) GHG monitoring and oversight</u>	<del>4.0</del>
38. Oil production vapor recovery systems	<del>67.6</del> x
a. <u>Oil production vapor recovery systems base fee</u>	<del>67.6</del> x
a.b. <u>GHG monitoring and oversight</u>	<del>6.0</del>
39. Oily water treatment systems	54.5x
40. Paint bake oven	10.3x
41. Petroleum coke production (basic)	2,036.5x
42. Petroleum loading rack - Note: gasoline bulk plants are covered by the Gasoline Storage (bulk) category above	36.3x
43. Petroleum processing sulfur recovery and tail gas units	97.9x
44. Petroleum refineries (basic)	
a. refineries with authorized capacities below 16.30 mmbbl/yr	971.0x
b. refineries with authorized capacities above 16.30 mmbbl/yr	1,311.0x
45. Petroleum refining process units	121.3x

**Permit Category****Renewal  
Fee Formula**

46.	Printing operation (in terms of the VOC content of materials used)	
a.	100.0 gallons per year or less	<del>3.022.8x</del>
b.	greater than 100.0 but less than or equal to 700.0 gallons per year	<del>9.839.1x</del>
c.	greater than 700.0 gallons per year	<del>39.5336.6x</del>
47.	Public and private <del>waste water</del> <u>wastewater</u> treatment works	
a.	basic operation	13.1x
b.	anaerobic digester	3.2x
48.	Rock crushing, screening, sizing, and storage operations (in terms of the annual production rate)	
a.	10,000.0 tpy or less	<del>5.34.9x</del>
b.	greater than 10,000.0 but less than or equal to 100,000.0 tpy	<del>10.69.8x</del>
c.	greater than 100,000.0 tpy	<del>22.420.7x</del>
49.	Sand and gravel screening, sizing, handling, and storage operations (in terms of the annual production rate)	
a.	10,000.0 tpy or less	<del>5.34.9x</del>
b.	greater than 10,000.0 but less than or equal to 100,000.0 tpy	<del>10.69.8x</del>
c.	greater than 100,000.0 tpy	<del>22.420.7x</del>
50.	Sandblasting equipment	6.0x
51.	Soil decontamination land treatment, landfarm, or thermal destruction unit (in terms of the volume placed into the decontamination process)	
a.	5,000.0 yards per year or less	53.0x
b.	greater than 5,000.0 yards per year	106.0x
c.	<u>monitoring and reporting oversight fee (projects less than 5,000 cubic yards)</u>	<u>2.0x</u>
d.	<u>monitoring and reporting oversight fee projects greater than 5,000 cubic yards (per 5,000 cubic yards or portion of)</u>	<u>2.5x</u>
52.	Soil decontamination process unit	10.3x
53.	Surface coating or adhesive application operation (in terms of the VOC content used) - Note: autobody shops are covered by the Motor Vehicle Coating category above	
a.	100.0 gallons per year or less	<del>3.022.8x</del>
b.	greater than 100.0 but less than or equal to 700.0 gallons per year	<del>9.839.1x</del>
c.	greater than 700.0 gallons per year	<del>39.5336.6x</del>
54.	Wine Fermentation and Storage	
	Fermentation and wine barrel storage amounts shall be based on a <del>three</del> <u>calendar</u> <del>three-calendar</del> year historical average. Calendar year barrel storage is the highest amount in storage at any one time for the calendar year.	
	If there are less than three years of historical data, the amount shall be based on the higher of: 50% of the permitted capacity or the average annual amounts for the available years.	
a.	Base fee all facilities	5.3x
b.	White wine fermentation fee per 1,000 gallons per year	0.006x
c.	Red wine fermentation fee per 1,000 gallons per year	0.015x
d.	Wine barrel storage fee per 1,000 gallons	0.045x



<b>Permit Category</b>	<b>Renewal Fee Formula</b>
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55. Wood working operation	9.3x
56. <u>Electric motors where the permit category is not listed (horsepower)</u>	
a. <u>Less than 50</u>	<u>4.38x</u>
b. <u>50 or greater, but less than 100</u>	<u>8.7x</u>
c. <u>100 or greater, but less than 200</u>	<u>13.0x</u>
d. <u>200 or greater, but less than 300</u>	<u>17.4x</u>
e. <u>300 or greater, but less than 400</u>	<u>21.75x</u>
f. <u>400 or greater, but less than 500</u>	<u>26.1x</u>
g. <u>500 or greater, but less than 600</u>	<u>30.49x</u>
h. <u>600 or greater</u>	<u>34.8x</u>
57. <u>Electrical energy where the permit category is not listed (kilovolt amperes)</u>	
a. <u>less than 150</u>	<u>4.38x</u>
b. <u>150 or greater, but less than 450</u>	<u>8.7x</u>
c. <u>450 or greater, but less than 4,500</u>	<u>13.0x</u>
d. <u>4,500 or greater, but less than 14,500</u>	<u>17.4x</u>
e. <u>14,500 or greater, but less than 45,000</u>	<u>21.75x</u>
f. <u>45,000 or greater</u>	<u>26.1x</u>
58. <u>Control equipment Unit Fee</u>	
a. <u>Non-oil and gas (per unit)</u>	<u>2x</u>
b. <u>Oil and gas (per unit)</u>	<u>4x</u>
c. <u>Source test review (non-oil and gas)</u>	<u>4x</u>
d. <u>Source test review (oil and gas)</u>	<u>6x</u>
59. <u>Major source decommissioning base fee</u>	<u>106x</u>

\* Where x is the permit renewal factor set periodically by the Air Pollution Control Board.

#### F. PERMIT RENEWAL FEES

- For the purposes of Section E, the permit renewal fee for the facilities designated "basic" shall be for the facility shown. Additional renewal fees shall be charged for other equipment located in the basic facility and included in the Permit Category list.
- For the purposes of Section E, the yearly production rate, process rate, or VOC material usage rate will be considered that amount processed in the calendar year immediately prior to permit renewal. The rate used for determining the initial operating fee under subsection D.3 above shall be the maximum rate allowed by the applicable permit.
- Renewal fees shown in Section E do not include fees for compliance source testing, unless specified. Source testing fees shall be designated per Section G.
- Any necessary additional District staff time or resources dedicated to determining compliance of a stationary source for the purpose of renewing a Permit to Operate shall be charged to the holder of the Permit at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District and added to the renewal fees shown in Section E.

5. For permits to operate issued pursuant to Rule 216, Federal Part 70 Permits, or Rule 217, Federal Part 72 Permits, the renewal fees identified in Section E shall be assessed annually as a compliance evaluation fee.
- G. SOURCE TEST FEES. Before granting or denying an application for a Permit to Operate or in renewing a Permit to Operate, the Air Pollution Control Officer (APCO) may require the sampling and testing of air contaminants discharged into the atmosphere from the article, machine, equipment or other contrivance being evaluated. At the option of the applicant, the applicant may contract with an independent testing laboratory for the testing or may request the District to perform the test. If the former option is selected, the choice of test method and testing laboratory is subject to the approval of the APCO. If the latter option is selected and the District is willing to perform the test, the applicant shall pay a fee for the source testing determined by the District based on direct labor hours used, supplies and services expended, and indirect costs incurred.
- H. APPLICATION FOR AN ALTERATION OR MODIFICATION. Where a Permit to Operate has previously been granted for such equipment under Rule 202 and an alteration or modification is to be made, the applicant shall be assessed a fee based upon actual hours spent and costs incurred by the District for application evaluation.
- I. TRANSFER OF OWNER. Where an application is filed for a Permit to Operate or Registration any article, machine, equipment or other contrivance because responsibility will transfer, or has transferred, from one person to another and no alteration, emission increase, or addition has been made, the applicant shall pay 1.5 times the District hourly rate "r" ~~\$105.00~~.
- J. MODIFIED PERMIT CONDITIONS. When an application is filed involving, exclusively, modifications to the conditions of an existing Permit to Operate, as provided in Rule 206, and there is no change or a decrease in ratings, the applicant shall pay a filing fee of 2 times the District hourly rate "r" ~~\$220.00~~ and be assessed a total fee based upon the actual hours spent and costs incurred by the District for application evaluation.
- K. LATE FEE
1. When an Authority to Construct, Permit to Operate, Conditional Permit Exemption, or Registration is issued or renewed, it shall be accompanied by a statement of the fee to be paid therefore. If the fee is not paid within thirty calendar days after the statement of the fee has been issued, the APCO shall thereupon promptly notify the applicant of the past due fee by facsimile, e-mail or other method of receipt (i.e., second notice). A fee of ¼ of the District hourly rate shall apply to all notices sent by certified mail. Notifications that must be hand delivered because of refusal to accept other notifications shall be assessed a fee equal to amount of staff time at current District hourly rate or contract server costs necessary to deliver the notification. If the past due fee is not paid within thirty calendar days after the second notice has been issued, the fee shall be increased by one-half the amount thereof and the APCO shall thereupon issue to the applicant a statement which reflects the increased fee and send that statement to said applicant by certified mail or other method of receipt. Non-payment of the increased fee within thirty calendar days after the statement of the increased fee has been issued shall result in automatic cancellation of the application or registration or the suspension of the Permit to Operate.

- a. A Permit to Operate or Registration suspended for non-payment of fees shall be reinstated only after payment of the original renewal fee, any late fees, and a charge for all reasonable costs incurred by the District through fee recovery and enforcement actions resulting from said Permit suspension as determined by the APCO; the Permit holder may appeal assessment of this cost recovery charge by petition to the Hearing Board.
  - b. A Permit to Operate suspended for a time period of one year or more for non-payment of fees may be revoked by the Hearing Board after being petitioned to take such action by the APCO. The permittee shall be notified of the pending hearing no less than 10 calendar days prior to the Hearing Board's review of such a petition.
2. For all other fees past due, if the fee is not paid within thirty calendar days after the statement of the fee has been issued, the APCO shall notify the applicant of the past due fee by facsimile, e-mail or other method of receipt (i.e., second notice). A fee of ¼ of the District hourly rate shall apply to all notices sent by certified mail. Notifications that must be hand delivered due to refusal of other notifications shall be assessed a fee equal to amount of staff time at the current District hourly rate, or contract server costs necessary to deliver the notification. If the past due fee is not paid within thirty calendar days after the second notice has been issued, a late fee of the greater of ~~25.10%~~ or \$~~250.50~~ shall be assessed and the APCO shall thereupon issue to the applicant a statement which reflects the increased fee and send that statement to said applicant by certified mail or other method of receipt. ~~Fees that are past due greater than 160 days shall be assessed an additional late fee of 15% for every 120 days past due, thereafter.~~
- L. FEE FOR PERMIT GRANTED BY HEARING BOARD. In the event that a Permit to Operate is granted by the Hearing Board after denial by the APCO or after the applicant deems his application denied, the applicant shall pay the fee prescribed in Section D within thirty calendar days after the date of the decision of the Hearing Board. Non-payment of the fee within this period of time shall result in automatic cancellation of the Permit and the application.
- M. DUPLICATE PERMIT. A request for a duplicate Permit to Operate shall be made in writing to the APCO within ten calendar days after the destruction, loss, or defacement of a Permit to Operate and shall contain the reason a duplicate permit is being requested. A fee of \$0.2r rounded to the nearest dollar shall be paid for issuing each duplicate Permit to Operate.
- N. NESHAPS INSPECTIONS
1. Any District staff time or resources dedicated to determining compliance with Regulation VII, with the exception of asbestos demolition or renovation, shall be charged to the person responsible for the facility subject to that regulation at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District.
  2. For each demolition and renovation project, minimum fees shall be determined by multiplying the District hourly labor rate "r" by the fee formula shown below.

Demolition <del>Fees</del> <u>Projects Without Asbestos</u>	<del>3.5r</del>
<u>Fee for each structure less than 9,999 square feet</u>	<u>3.5r</u>

<a href="#">Fee for each structure equal to or greater than 10,000 square feet, but less than 49,999 square feet</a>	<a href="#">7r</a>
<a href="#">Fee for each structure greater than 50,000 square feet</a>	<a href="#">14r</a>
<a href="#">Demolition or Renovation Projects With Asbestos: Regulated Asbestos Containing Material (RACM) Project Fees</a>	
Less than 260 lineal feet of material; less than 160 square feet of material; or less than 35 cubic feet of material	<a href="#">43.5r</a>
260 lineal feet or more of material, but less than 1,000 lineal feet of material; 160 square feet or more of material, but less than 1,000 square feet of material; or 35 cubic feet or more of material, but less than 1,000 cubic feet of material	<a href="#">65.5r</a>
1,000 lineal, square, or cubic feet or more of material, but less than <del>2,500</del> 10,000 lineal, square, or cubic feet of material	<a href="#">98.0r</a>
<a href="#">2,500 lineal, square, or cubic feet or more of material, but less than 7,000 lineal, square, or cubic feet</a>	<a href="#">16r</a>
<a href="#">7,000 lineal, square, or cubic feet or more of material, but less than 10,000 lineal, square, or cubic feet</a>	<a href="#">20r</a>
10,000 lineal, square, or cubic feet or more of material	<del>1303.0r</del>
<a href="#">General Fees</a>	
Any notification revision	<del>1.50r</del>
<a href="#">Any notification cancellation</a>	<a href="#">1.5r</a>
<a href="#">Approved emergency notification</a>	<a href="#">1.5r</a>

- O. MISCELLANEOUS SERVICES. Any necessary District staff time or resources expended to provide Federal or State regulation compliance determinations to any person, regardless of permit status, may be charged to that person at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District.

P. NON-AGRICULTURAL OPEN BURNING FEES AND INSPECTIONS

1. For each Developmental Burn plan submitted pursuant to Rule 501.E.1, the minimum fees shall be determined by multiplying the District hourly labor rate "r" by the fee formula shown below:
  - a. For projects involving the burning of wood waste from the removal or pruning of trees, vines, or bushes from an area of one (1) acre or less in size, of up to five (5) tree stumps of any size, or any combination of either, the owner or operator shall pay a plan fee of ~~\$1.41~~4r.
  - b. For projects involving the burning of wood waste from the removal or pruning of trees, vines, or bushes from an area of more than one (1) acre in size, but less than 11 acres in size, of more than five (5) tree stumps of any size, but less than 11 stumps of any size, or any combination of either, the owner or operator shall pay a plan fee of ~~\$2.82~~8r.
  - c. For projects involving the burning of wood waste from the removal or pruning of trees, vines, or bushes from an area of 11 or more acres in size, of 11 or more tree stumps of any size, or any combination of either, the owner or operator shall pay a plan fee of ~~\$5.65~~6r.

- d. Any District staff time or resources dedicated to determining compliance with Rule 501, in addition to the plan fee, shall be charged to the person responsible for the project subject to that regulation at a rate which reflects labor costs as set periodically by the Air Pollution Control Board and actual costs incurred by the District.

Q. AGRICULTURAL AND PRESCRIBED BURNING PERMIT FEE. For each agricultural and prescribed burn permit issued pursuant to Rule 502, the following fee schedule shall apply.

1. Up to ten (10) acres or up to 100 tons of stacked or piled material burned
  - a. General agricultural burning projects under Rule 502.C.4: ~~\$50.00~~100
  - b. Smoke Management Plan under Rule 502.C.5.b: ~~\$50.00~~100.00
2. More than 10 and up to 100 acres or more than 100 tons and up to 500 tons of stacked or piled material burned under Rule 502.C.5.c: ~~\$425~~180.00
3. More than 100 and up to 250 acres or more than 500 tons and up to 1,000 tons of stacked or piled material burned under Rule 502.C.5.d: ~~\$485~~265.00
4. More than 250 acres or more than 1,000 tons of stacked or piled material burned under Rule 502.C.5.e: ~~\$250~~360.00.

R. GREEN WASTE BURNING PERMIT FEE. For each green waste burn permit issued pursuant to Rule 501, a \$50.00 fee shall apply.

S. NATURALLY OCCURRING ASBESTOS PROJECT REVIEW FEE. For each naturally occurring asbestos plan submitted for the Air Pollution Control Officer's review to ensure compliance with 17CCR93105, Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations, minimum fees shall be determined by multiplying the District hourly labor rate "r" by the fee formula shown below:

	Basic fee				Additional Fee	
	Geological Evaluation and Full Exemption	Geological Evaluation and Conditional Exemption	Geological Evaluation and one (1.0) acre or less	Geological Evaluation and more than one (1.0) acre	Dust Control Plan Review and Approval	Dust Control Plan Review and Approval with Monitoring
Construction and Grading	1.5r	<del>32.0r</del>	<del>32.5r</del>	<del>4.02.5r</del>	<del>24.0r</del>	<del>32.0r</del>
Quarrying and Surface Mining	1.5r	<del>32.0r</del>	<del>32.5r</del>	<del>4.02.5r</del>	<del>2.04.0r</del>	<del>32.0r</del>
Road Maintenance	1.5r	<del>32.0r</del>	<del>32.5r</del>	<del>4.02.5r</del>	<del>2.04.0r</del>	<del>32.0r</del>

T. AGRICULTURAL DIESEL ENGINE REGISTRATION FEE

- a. Annual fees for registration of agricultural engines under Rule 250, Agricultural Diesel Engine Registration shall be ~~2.625~~1.473 times ~~the the permit renewal~~District's hourly labor rate factor (r) factor "x" per engine, rounded down to the nearest dollar.
- b. For engines that do not have a registration according to the requirements of Rule 250, Registration of Agricultural Diesel Engines, the initial registration fee shall include the sum of all past applicable fees.

U. WINE OPERATIONS REGISTRATION FEE. Fees for registration of wine operations as required by any regulation shall be 2.65 times the District's permit renewal factor "x" (see section E. above).

V. BURN PERMIT HARDSHIP FEE WAIVER

The APCO may waive a burn permit fee if the applicant can demonstrate their income qualifies for Section 8 rental assistance under the US Department of Housing and Urban Development Guidelines.

X. CONDITIONAL PERMIT EXEMPTION FEE

Any article, machine, equipment or other contrivance that has been issued a written permit exemption that requires recordkeeping under Rule 201.A.1 shall be assessed an annual review fee of ~~0.8r~~(0.81.5) times the District hourly labor rate (r).~~1.7~~

## ATTACHMENT 2

### PERMIT PROGRAM COSTS VERSUS REVENUE ANALYSIS

This analysis uses the budgeted amounts for 2020-2021 as its basis and accounting procedures required by the H&SC §42311(a). Please note, this analysis uses a past-base year as required by law. District programs were broken down into permit and non-permit related activities performed by four divisions that were in place in Fiscal Year 2020-2021: Engineering/Compliance, Monitoring, Planning/Outreach, and Administration. Engineering/Compliance was almost entirely focused on permit related services (~ 90%), while the Monitoring division was mostly focused on permit issues (~ 65%). Since the Planning/Outreach Division was mostly focused on non-permit related programs, only 10% of their division costs were assigned to the permit program. Administration's permit program costs have been allocated across the divisions they support. It is approximately 65% of the division's total costs.

<b>FY 2020-2021</b>	<b>FISCAL/ ADMIN *</b>	<b>ENGINEER / COMPLIANCE</b>	<b>PLANNING / OUTREACH</b>	<b>MONITORING</b>	<b>Totals</b>
<b>Salaries &amp; Benefits</b>	365,780	1,959,775	1,241,779	413,721	3,981,055
<b>Services &amp; Supplies*</b>	209,027	389,759	337,386	130,712	1,066,884
<b>Other Charges</b>	-	-	2,500	-	2,500
<b>Fixed Assets</b>	40,000	66,484	-	124,508	230,992
<b>Total FY 20/21 Budget</b>	614,807	2,416,018	1,581,665	668,941	\$5,281,431
<b>Permit cost allocation</b>	0%	90%	10%	65%	
<b>Permit program costs</b>	\$0	\$2,174,416	\$158,167	\$434,812	\$2,767,394

*\* Admin costs already incorporated into other Division cost breakdowns*

CPI for July 2020 (CPI-W)	270.012
CPI for July 2021 (CPI-W)	282.271
CPI increase = (282.271-270.012)/270.012	4.54%

**CPI Adjusted Permit Costs      \$2,893,039**

Total fees collected from permitted sources are calculated by summing renewal and new/modified revenues:

total fees collected = renewal revenue + new & modified revenue

total fees collected FY 2020-2021 = \$2,009,300 + \$137,773 = \$2,147,038

**The amount collected was less than the District's program costs, so the requirement not to collect more in fees than program costs is satisfied.**

Percent cost recovery = total permit fees/permit program cost \* 100%

**Percent cost recovery = \$2,147,038/\$2,893,039 \* 100% = 74%**

**ATTACHMENT 3**  
**Hourly Rate Calculations**

Hourly Cost Estimate for Engineering and Compliance  
Based on 2022-2023 Proposed Budget

Available Engineering/Compliance Hours

Yearly hours	2,080
Holidays 13 days	-104
Sick 12 days	-96
Average vacation hrs/yr	<u>-125</u> (4/8 staff at 160 hours per year)
Subtotal gross hours available	1,755

Adjustments

Required Daily Breaks (1/16 of hrs)	-110
Training/Certifications/CAPCOA	-100
Program meetings & communications	<u>-176</u> estimated @ 10%
Available yearly hrs per staff	1,369 hours per staff

Total available hrs (8 staff) 10,952 annual hours

Service program expense 2022/2023

Total Engineering & Compliance Program Cost **\$2,603,630** (includes non-billable support from IT & Admin)

**Cost per Available Hour**      **\$2,603,630/10,959 hours = \$237.73/hr (\$238/hr)**



**ATTACHMENT 4**  
**2022/2023 Proposed Fee Rates for Permit Renewals**

Permit Fee Category	Description	Current Fee	Proposed Fee	% Increase
1	Air monitoring and data handling oversight - per station	\$ 10,973	\$ 11,634	6.0%
2	Asphaltic concrete batch plants			
	a. Asphaltic concrete batch plants base fee	\$ 2,681	\$ 2,842	6.0%
	<b>b. Rubberized asphaltic batch plants subprocess</b>	<b>N/A</b>	<b>\$ 1,408</b>	<b>N/A</b>
3	Bakery facility with a total heat input rating of all combustion devices that is >3.0 million British thermal units per hour (mmBtu/hr)	\$ 4,856	\$ 5,148	6.0%
4	Boilers, steam generators, heaters, or other gaseous, liquid, or solid fuel fired combustion equipment, except fossil fuel fired power plants (in terms of the design heat input rating)			
	a. less than 5 mmBtu/hr and limited to 90,000 therms per year or less	\$ 855	\$ 906	6.0%
	b. 5.0 million British thermal units per hour (mmBtu/hr) or less	\$ 2,025	\$ 2,147	6.0%
	c. greater than 5.0 mmBtu/hr but less than or equal to 10.0 mmBtu/hr	\$ 2,830	\$ 3,238	14.4%
	d. greater than 10.0 mmBtu/hr	\$ 3,279	\$ 3,758	14.6%
5	Brick or concrete block manufacturing facilities (in terms of the annual production rate)			
	a. 0.50 million blocks per year or less	\$ 407	\$ 431	6.0%
	b. greater than 0.50 but less than or equal to 1.0 million blocks per year	\$ 813	\$ 862	6.0%
	c. greater than 1.0 million blocks per year	\$ 1,718	\$ 1,822	6.0%
6	Cement handling equipment	\$ 1,419	\$ 1,505	6.0%
7	Chemical manufacturing process unit	\$ -	\$ -	
	a. Chemical manufacturing process unit base fee	\$ 855	\$ 906	6.0%
	<b>b. Toxics emitting unit report fee</b>	<b>N/A</b>	<b>\$ 79</b>	<b>N/A</b>
8	Coffee roasting (in terms of the annual production rate)			
	a. 50.0 tons per year (tpy) or less with emission controls	\$ 423	\$ 449	6.0%
	b. 50.0 tpy or less without emission controls	\$ 855	\$ 906	6.0%
	c. greater than 50.0 tpy with emission controls	\$ 1,129	\$ 1,197	6.0%
	d. greater than 50.0 tpy without emission controls	\$ 2,249	\$ 2,385	6.0%
9	Concrete batch plants (in terms of the annual production rate)			
	a. 10,000.0 yards per year or less	\$ 407	\$ 466	14.7%
	b. greater than 10,000.0 but less than or equal to 25,000.0 yards per year	\$ 813	\$ 933	14.7%
	c. greater than 25,000.0 yards per year	\$ 1,718	\$ 1,971	14.7%
10	Crematory incinerators	\$ 706	\$ 748	6.0%
11	Crude oil and distillate oil storage facilities (basic)	\$ 2,432	\$ 2,578	6.0%
12	Crude oil and distillate oil pump station (basic)	\$ 2,017	\$ 2,138	6.0%
13	Degreasers	\$ 855	\$ 906	6.0%
14	Driers or kilns	\$ 1,262	\$ 1,338	6.0%
15	Dry Cleaning Operations			
	a. Perchloroethylene based	\$ 855	\$ 906	6.0%
	b. Other solvent based	\$ 498	\$ 528	6.0%
16	Electrolytic plating operations			
	a. Electrolytic plating operation base fee	\$ 2,830	\$ 3,001	6.0%
	<b>b. Electrolytic plating operation per tank toxics reporting fee</b>	<b>N/A</b>	<b>\$ 5</b>	<b>N/A</b>
17	Ethylene Oxide Sterilizers	\$ 3,129	\$ 3,318	6.0%
18	Feed and grain mills			
	a. Feed and grain mills. Any cyclone vented to atmosphere	\$ 1,137	\$ 1,206	6.0%
	b. Feed and grain mills. No cyclone vented to atmosphere	\$ 564	\$ 598	6.0%
19	Fiber glassing	\$ 3,129	\$ 3,318	6.0%
20	Fixed or internal floating roof petroleum storage tank	\$ 1,610	\$ 1,707	6.0%
21	Floating roof petroleum storage tank	\$ 2,366	\$ 2,508	6.0%
22	Fossil fuel fired power plant >100 mmBtu/hr (basic)	\$ 350,144	\$ 371,237	6.0%
	a. total for all boilers at a facility with total oxides of nitrogen emissions of more than 100 tons per year in the previous calendar year	\$ 350,144	\$ 371,237	6.0%
	b. total for all boilers at a facility with total oxides of nitrogen emissions of less than 100 tons per year in the previous calendar year	\$ 287,313	\$ 304,621	6.0%
	c. each gas turbine and any associated duct burner per mmBtu/hr of heat input capacity	\$ 58	\$ 62	6.0%
23	Gasoline dispensing facility and associated vapor recovery system (Phase II, basic)	\$ 183	\$ 209	14.2%
24	Gasoline dispensing (only one applied to any given nozzle)			
	a. vapor recovery nozzle	\$ 52	\$ 60	14.4%
	b. multi-product, single nozzle fueling point	\$ 158	\$ 180	14.4%
25	Gasoline storage facility, loading rack, and associated vapor recovery system(s) – bulk	\$ 1,527	\$ 1,749	14.5%
26	Gasoline storage facility and associated vapor recovery system - retail and consumer account	\$ 238	\$ 273	14.5%
27	Gasoline vapor recovery, annual testing			
	a. Base testing fee	\$ 315	\$ 361	14.4%
	b. In-station diagnostic additional testing fee	\$ 183	\$ 209	14.7%
28	Internal combustion engine			
	a. First prime use engine per facility	\$ 996	\$ 1,140	14.5%
	b. Each additional prime use engine per facility	\$ 465	\$ 532	14.5%
	c. Additional fee for any engine >3,000 bhp	\$ 9,362	\$ 10,721	14.5%
	d. Each emergency standby use engine	\$ 407	\$ 466	14.5%
	e. Each portable diesel engine used for construction or maintenance	\$ 407	\$ 466	14.5%
	f. each portable non-diesel engine used for construction or maintenance	\$ 249	\$ 285	14.5%
	g. Each engine <50hp part of a process that requires a permit	\$ 249	\$ 285	14.5%

Permit Fee Category	Description	Current Fee	Proposed Fee	% Increase
	<b>h. New Stationary Engine (Installed after July 1, 2022) greater than 50 hp and less than 3,000 hp, per horsepower toxics reporting fee</b>	<b>N/A</b>	<b>\$ 0.45</b>	<b>N/A</b>
29	Landfill gas collection (basic)			
	a. Landfill gas collection base fee	\$ 5,154	\$ 5,465	6.0%
	<b>b. Landfill GHG monitoring and oversight fee</b>	<b>N/A</b>	<b>\$ 440</b>	<b>N/A</b>
30	Marine loading terminal	\$ 6,574	\$ 6,970	6.0%
31	Marine unloading terminal	\$ 3,337	\$ 3,538	6.0%
32	Miscellaneous Equipment	\$ 855	\$ 906	6.0%
33	Motor vehicle and mobile equipment coating (in terms of the volatile organic compound (VOC) content of materials used)			
	a. 100.0 gallons per year or less	\$ 407	\$ 466	14.5%
	b. greater than 100.0 but less than or equal to 700.0 gallons per year	\$ 764	\$ 875	14.6%
	c. Greater than 700.0 gallons per year	\$ 1,361	\$ 1,558	14.5%
34	Multiple chambered incinerators, including pathological incinerators	\$ 3,279	\$ 3,476	6.0%
35	Onshore dewatering process units associated with offshore oil and gas production	\$ 7,968	\$ 8,448	6.0%
36	Oil and gas production and processing facilities (basic)	\$ 33,383	\$ 35,394	6.0%
	<b>a. Oil and gas production and processing facilities (basic)GHG monitoring and oversight</b>	<b>N/A</b>	<b>\$ 528</b>	<b>N/A</b>
37	Less than 300 bbl/day Oil and gas production and processing facilities (basic)	\$ 4,631	\$ 4,910	6.0%
	<b>a. Less than 300 bbl/day oil and gas production and processing facilities (BASIC)GHG monitoring and oversight</b>	<b>N/A</b>	<b>\$ 352</b>	<b>N/A</b>
38	Oil production vapor recovery systems			
	a. Oil production vapor recovery systems base fee	\$ 5,611	\$ 5,949	6.0%
	<b>b. GHG monitoring and oversight</b>	<b>N/A</b>	<b>\$ 528</b>	<b>N/A</b>
39	Oily water treatment systems			
40	Paint bake oven	\$ 855	\$ 906	6.0%
41	Petroleum coke production (basic)	\$ 169,030	\$ 179,212	6.0%
42	Petroleum loading rack	\$ 3,013	\$ 3,194	6.0%
43	Petroleum processing sulfur recovery and tail gas units	\$ 8,126	\$ 8,615	6.0%
44	Petroleum refineries (basic)			
	a. Refineries with authorized capacities below 16.3 million barrels per year (mmbbl/yr)	\$ 80,593	\$ 85,448	6.0%
	b. Refineries with authorized capacities above 16.3 mmBBL/yr	\$ 108,813	\$ 115,368	6.0%
45	Petroleum refining process units	\$ 10,068	\$ 10,674	6.0%
46	Printing operation (in terms of the VOC content of materials used)			
	a. 100.0 gallons per year or less	\$ 232	\$ 266	14.4%
	b. greater than 100.0 but less than or equal to 700.0 gallons per year	\$ 755	\$ 865	14.5%
	c. greater than 700.0 gallons per year	\$ 3,038	\$ 3,479	14.5%
47	Public and private wastewater treatment works			
	a. basic operation	\$ 1,087	\$ 1,153	6.0%
	b. anaerobic digester	\$ 266	\$ 282	6.0%
48	Rock crushing, screening, sizing, and storage operations (in terms of the annual production rate)			
	a. 10,000.0 tpy or less	\$ 407	\$ 466	14.7%
	b. greater than 10,000.0 but less than or equal to 100,000.0 tpy	\$ 813	\$ 933	14.7%
	c. greater than 100,000.0 tpy	\$ 1,718	\$ 1,971	14.7%
49	Sand and gravel screening, sizing, handling, and storage operations (in terms of the annual production rate)			
	a. 10,000.0 tpy or less	\$ 407	\$ 466	14.5%
	b. greater than 10,000.0 but less than or equal to 100,000.0 tpy	\$ 813	\$ 931	14.5%
	c. greater than 100,000.0 tpy	\$ 1,718	\$ 1,968	14.5%
	Sandblasting equipment	\$ 498	\$ 528	6.0%
50	Soil decontamination land treatment, landfarm, or thermal destruction unit (in terms of the volume placed into the decontamination process)			
51	a. 5,000.0 yards per year or less	\$ 4,399	\$ 4,664	6.0%
	b. greater than 5,000.0 yards per year	\$ 8,798	\$ 9,328	6.0%
	<b>c. monitoring and reporting oversight fee (per 5,000 cubic yards; projects &gt; 5,000 cubic yards)</b>	<b>N/A</b>	<b>\$ 352</b>	<b>N/A</b>
	<b>d. monitoring and reporting oversight fee (projects&lt; 5,000 cubic yards)</b>	<b>N/A</b>	<b>\$ 176</b>	<b>N/A</b>
	Soil decontamination process unit	\$ 855	\$ 906	6.0%
52	Surface coating or adhesive application operation (in terms of the VOC content used) - Note: autobody shops are covered by the Motor Vehicle Coating category above			
53	a. 100.0 gallons per year or less	\$ 232	\$ 266	14.4%
	b. greater than 100.0 but less than or equal to 700.0 gallons per year	\$ 755	\$ 865	14.5%
	c. greater than 700.0 gallons per year	\$ 3,038	\$ 3,479	14.5%
	Wine Fermentation and Storage			
54	a. Base fee all facilities	\$ 440	\$ 466	6.0%
	b. White wine fermentation fee per 1,000 gallons per year	\$ 0.498	\$ 0.528	6.0%
	c. Red wine fermentation fee per 1,000 gallons per year	\$ 1.245	\$ 1.320	6.0%
	d. Wine barrel storage fee per 1,000 gallons	\$ 3.735	\$ 3.960	6.0%
55	Wood working operation	\$ 772	\$ 818	6.0%
56	<b>Electric motors where the permit category is not listed (horsepower)</b>			
	<b>a. Less than 50</b>	<b>N/A</b>	<b>\$ 385</b>	<b>N/A</b>
	<b>b. 50 or greater, but less than 100</b>	<b>N/A</b>	<b>\$ 766</b>	<b>N/A</b>
	<b>c. 100 or greater, but less than 200</b>	<b>N/A</b>	<b>\$ 1,144</b>	<b>N/A</b>

Permit Fee Category	Description	Current Fee	Proposed Fee	% Increase
	d. 200 or greater, but less than 300	N/A	\$ 1,531	N/A
	e. 300 or greater, but less than 400	N/A	\$ 1,914	N/A
	f. 400 or greater, but less than 500	N/A	\$ 2,297	N/A
	g. 500 or greater, but less than 600	N/A	\$ 2,683	N/A
	h. 600 or greater	N/A	\$ 3,062	N/A
57	Electrical energy where the permit category is not listed (kilovolt amperes)			
	a. Less than 150	N/A	\$ 385	N/A
	b. 150 or greater, but less than 450	N/A	\$ 766	N/A
	c. 450 or greater, but less than 4,500	N/A	\$ 1,144	N/A
	d. 4,500 or greater, but less than 14,500	N/A	\$ 1,531	N/A
	e. 14,500 or greater, but less than 45,000	N/A	\$ 1,914	N/A
	f. 45,000 or greater	N/A	\$ 2,297	N/A
58	Control equipment			
	a. Non-oil and gas (per unit)	N/A	\$ 176	N/A
	b. Oil and Gas ( per unit)	N/A	\$ 352	N/A
	c. Source test review (non-oil and gas)	N/A	\$ 352	N/A
	d. Source test review (oil and gas)	N/A	\$ 528	N/A
70	Major Source Decommissioning Fee	N/A	\$ 9,328	N/A

## ATTACHMENT 5

### CPI-W Table

#### CPI for Urban Wage Earners and Clerical Workers (CPI-W) 12-Month Percent Change

Series Id: CWURS49ASA0

Not Seasonally Adjusted

Series Title: All items in Los Angeles-Long Beach-Anaheim, CA,

Area: Los Angeles-Long Beach-Anaheim, CA

Item: All items

Base Period: 1982-84=100

Years: 2011 to 2022

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2011	2.0	2.6	3.5	3.9	3.7	3.3	2.7	2.7	3.5	3.1	3.2	2.2	3.0
2012	2.1	2.1	2.0	1.3	1.5	1.5	1.9	2.5	2.2	3.2	2.1	2.0	2.0
2013	1.9	2.4	1.3	0.9	1.0	1.5	1.6	0.9	0.7	-0.3	0.5	1.2	1.1
2014	0.8	0.4	1.0	1.6	1.8	1.9	2.1	1.8	1.6	1.4	1.0	0.3	1.3
2015	-0.7	-0.4	0.2	0.0	0.9	0.4	1.2	1.0	0.4	0.7	1.4	1.9	0.6
2016	3.3	2.3	1.3	1.6	0.6	1.1	0.3	0.6	1.5	1.9	1.5	1.7	1.5
2017	1.7	2.5	2.4	2.5	2.4	2.2	2.5	2.9	3.2	3.0	3.7	3.7	2.7
2018	3.7	3.7	3.9	4.1	4.3	4.2	4.0	4.1	3.9	4.3	3.8	3.3	3.9
2019	2.9	2.6	2.7	3.6	3.4	3.3	3.3	2.9	3.2	3.6	3.5	3.2	3.2
2020	3.5	3.5	2.2	0.6	0.6	1.3	1.9	2.2	1.4	0.6	1.0	1.5	1.7
2021	1.1	1.4	2.7	4.2	4.5	4.7	4.5	4.5	4.8	5.6	6.4	6.9	4.3
2022	7.6	7.3	8.7										7.9
Cumulative CPI =													33.2

**ATTACHMENT 6**  
**PUBLIC AND AGENCY COMMENTS**

No comments were received.