

## SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT

**RULE 305 - FEES FOR MAJOR NON-VEHICULAR SOURCES***(Adopted 11/21/83; Revised 11/13/84, 7/18/89, and 9/15/92)***A. DEFINITION OF A MAJOR NONVEHICULAR SOURCE**

1. For the purposes of this Rule, a major nonvehicular source pursuant to the Atmospheric Acidity Protection Act of 1988 shall mean any plant, building, structure, stationary facility or group of facilities under the same ownership, leasehold, or operator which, in the calendar year two years prior to fee billing, emitted to the atmosphere oxides of nitrogen or oxides of sulfur, expressed as nitrogen dioxide and sulfur dioxide, respectively, in an amount equal to or exceeding 500 tons.
2. For the purposes of this Rule, a major nonvehicular source pursuant to the California Clean Air Act of 1988 shall mean any plant, building, structure, stationary facility or group of facilities under the same ownership, leasehold, or operator which, in the calendar year two years prior to the fee billing, emitted to the atmosphere a nonattainment pollutant or precursor, as defined in Section 90801 of Title 17 of the California Code of Regulations, in an amount equal to or exceeding 500 tons.

**B. FEE REQUIREMENTS FOR MAJOR NONVEHICULAR SOURCES**

1. For each major nonvehicular source, the permit holder is assessed a fee payable to the Air Pollution Control District due within 60 days of notice of assessment by the Air Pollution Control District, and calculated according to the formula:

$$\text{Fee Amount} = (\text{D} \times \text{E}) + \text{A}$$

where:

D = assessment rate as determined by the California Air Resources Board pursuant to the Atmospheric Acidity Protection Act of 1988 or the California Clean Air Act of 1988.

E = mass of emissions in the calendar year two years prior to fee billing of:

- a. oxides of nitrogen and/or oxides of sulfur, expressed as tons of nitrogen dioxide and sulfur dioxide, respectively, pursuant to the Atmospheric Acidity Protection Act of 1988; or
- b. a nonattainment pollutant or precursor pursuant to the California Clean Air Act of 1988; from the subject major nonvehicular source, as determined by the Air Pollution Control Officer. If only one pollutant is emitted in the amount of 500 tons per year or more, "mass of emissions" shall be determined only on that pollutant.

A = District administrative costs

Separate fees for both the Atmospheric Acidity Protection Act of 1988 and the California Clean Air Act of 1988 are calculated based on the above formula. The two separate calculations may be combined for the purposes of billing.

2. Non-payment of the assessed fees by the permit holder of a major nonvehicular source shall be cause for suspension of Permit to Operate by the Air Pollution Control Officer.