Northern Region Office
4800 Enterprise Way
Modesto, CA 95356-8718
(209) 557-6400 • FAX (209) 557-6475

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Bakersfield, CA 93308-9725
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www.valleyair.org

DATE: May 15, 2025

TO: SJVUAPCD Governing Board

FROM: Samir Sheikh, Executive Director/APCO
Project Coordinator: Morgan Lambert

RE: ITEM NUMBER 7: ADOPT PROPOSED AMENDMENTS TO DISTRICT FEE RULES

RECOMMENDATIONS:

1. Adopt Proposed Amendments to Rule 3010 (Permit Fee), Rule 3020 (Permit Fee Schedules), Rule 3030 (Hearing Board Fees), Rule 3050 (Asbestos Removal Fees), Rule 3060 (Emission Reduction Credit Banking Fee), Rule 3070 (Other Charges), Rule 3110 (Air Toxics Fees), Rule 3135 (Dust Control Plan Fee), Rule 3140 (Fees for Certification of Air Permitting Professionals), Rule 3147 (Fees for Certification of Gasoline Dispensing Facility Testers), Rule 3150 (Fees for Portable Equipment Registration), Rule 3155 (Permit-Exempt Equipment Registration Fees), Rule 3180 (Administrative Fees for Indirect Source Review), Rule 3190 (Conservation Management Practices Plan Fee), and Rule 3901 (Fees for Registration of Wood Burning Heaters).

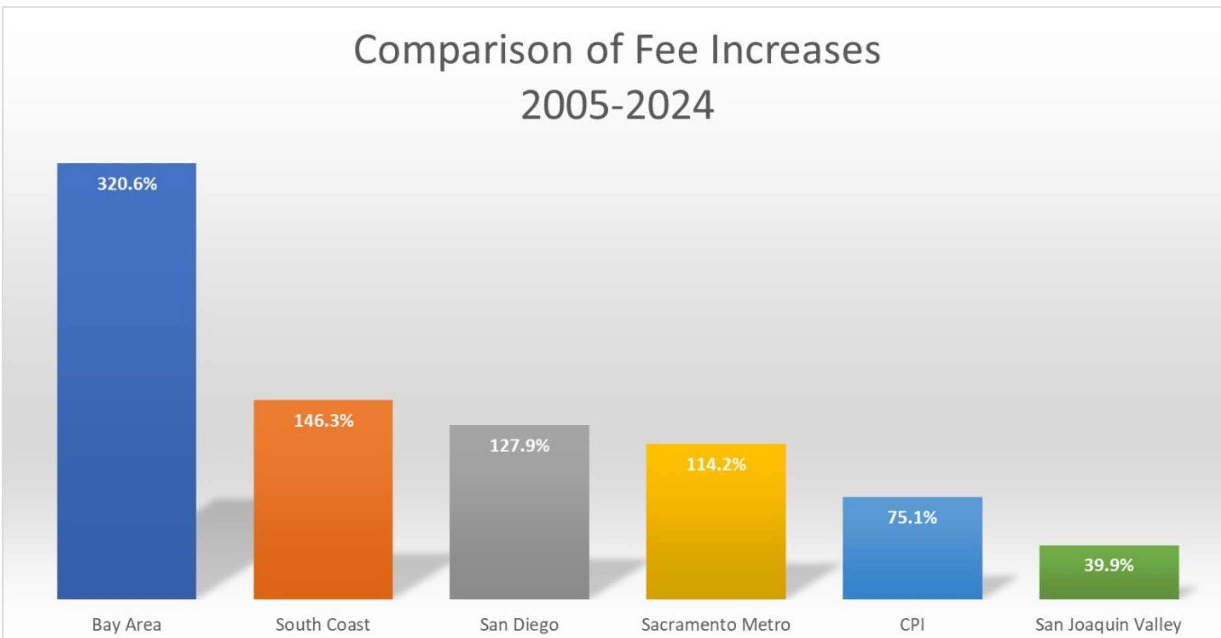
2. Authorize the Chair to sign the attached Resolution.

BACKGROUND:

The District remains committed to administering an effective air quality management program while ensuring financial sustainability. Our approach prioritizes cost efficiency, leveraging supplemental revenue streams, and maintaining affordability for stakeholders. Rather than resorting to automatic fee increases, the District employs a rigorous zero-based budgeting process, maximizing efficiencies and seeking external funding opportunities before considering any fee adjustments.

Over the past two decades, this approach has allowed the District to fulfill all state and federal mandates while limiting fee increases. California Health and Safety Code authorizes local air pollution control districts to adopt fees to recover their qualifying operating costs, and allows local air districts to impose a 15% fee increase per year to support operational costs. However, since 1992, when the District was formed, the Governing Board has only voted four times to increase fees. Consequently, the District's fees remain the lowest among California's major air districts, even as costs and regulatory demands have increased.

The figure below provides a comparison of the District's fee increases to those imposed by neighboring air districts over the last 20 years.



Note that for comparison purposes, we have included in the above graph the California Consumer Price Index, or CPI, over the same 2005-2024 time-period.

The District routinely assesses the costs and needed revenues for administering an active and effective air quality management program. However, when facing new responsibilities and additional unfunded mandates, the District does not first resort to increasing fees. In fact, each year the District engages in a robust zero-based budgeting exercise to ensure utmost efficiency in performing all duties and functions. The District then conducts a comprehensive analysis to estimate the associated costs, and fee adjustments are pursued as a last resort.

As in the past, the District performed the current analysis using the following Board-approved process to assess costs and revenues for District programs:

- Estimate ongoing and future workload for existing mandates,

- Estimate workload for foreseeable new mandates,
- Estimate cost savings achievable through streamlining and efficiency,
- Prepare services and supplies and fixed assets costs for each program,
- Employ zero-based budgeting to ensure full execution of all mandated functions at the lowest cost possible,
- Estimate revenues from existing fees and other funding sources, and
- Hold public workshops if fee adjustments are necessary, prior to presentation to governing board

DISCUSSION:

With a strict adherence to the zero-based budgeting principles, significant investment in automation, and implementation of countless streamlining and efficiency measures, the District has been able to achieve the lowest administrative overhead and greatest productivity in all program areas. Under your Board's direction, the District has long strived to serve as a role model for good government. Significant effort and investments have been made by your Board to achieve the following:

- Outstanding customer service in every interaction
- State-leading productivity in all program areas by focusing on streamlining and efficiency
- Doing more with less – reduce costs and eliminate waste
- Innovation and creativity
- Motivated and engaged employees

These efforts have been validated through a number of audits by independent and outside entities. These audits have consistently been complementary of the District's operations in fulfilling and exceeding mandates, exercising fiduciary responsibilities, and public accountability and transparency.

Because the fee schedules have been adjusted across the board so rarely, the District's revenue stream from these fees has remained relatively stable over the 33 years since the District's inception. However, the number of programs implemented by the District, and their complexity, has grown tremendously over that same period. Where possible, for many of the new programs that the District implemented over the years, such as the state's oil and gas production methane rule and AB 617, the District has arranged for direct reimbursement from the state of the District's implementation costs. For other programs, such as Title V permitting, Indirect Source Review, and registration of wood-burning heaters, new fees have been adopted to sustain the programs.

As stated earlier, the ongoing efficiency and streamlining efforts have enabled the District to maintain active and effective air quality management programs with low fees and low administrative overhead. Your Board has not been asked to raise fees since April 2018 despite the following significant increases in workload and other operating costs over the last seven years:

- Significant amount of work to implement the District's 2022 Ozone Plan and 2024 PM2.5 Plan
  - Extensive engagement with public and affected entities to devise innovative and creative measures that effectively reduce emissions in a cost-effective fashion
  - Develop contingency measure strategies for both PM2.5 and ozone
  - Prepare additional technical analysis and amendments as needed for approval
- Develop maintenance plan for the 1997 PM2.5 standards, and the second maintenance plan for the federal PM10 standard
- Design and implement SIP-creditable incentive-based measures included in the 2018 PM2.5 Plan and 2024 PM2.5 Plan
- Exceptional Event Submittals
  - Extensive data gathering, analysis, and modeling of meteorological and emissions parameters during recent wildfire and windblown dust pollution episodes
  - Documentation will support Clean Data Determination demonstrations for ozone and PM2.5 standards that have federal deadlines in the coming years
- Enhancement, optimization and full utilization of the District's Air Quality Modeling Center
  - Conduct complex air quality computer modeling in support of ozone and PM2.5 planning efforts
- Enhancement of monitoring of prescribed burns in support of fuel reduction efforts
- Timely permit processing and enforcement activities
  - Process over 3,000 ATC projects and permit renewals per year
  - Approximately 15,000 Small Business Assistance requests per year
  - Inspection of approximately 40,000 units across 15,000 facilities
  - Timely response to approximately 3,000 public complaints
- Enhanced compliance assistance efforts associated with recently amended rules
  - Several new and existing rules with recent compliance dates (industrial flares, industrial boilers/steam generators/process heaters, internal combustion engines, refinery monitoring, oil production wells, storage of organic liquids, components at oil, gas and refining facilities, and ag open burning)
- Emission Inventory Criteria and Guidelines Regulation
  - In 2022, CARB adopted amendments to Regulation
  - Increases reportable substances from 700 to 1,700 and makes other changes
  - Amendments impact emissions inventory and AB 2588 (Air Toxics Hot Spots) workload
  - Focus on integration into existing processes and streamlining for District and facilities
- AB 2588 Air Toxics "Hot Spots" Program
  - District utilizing a phased-approach to comprehensively reassess all facilities

  - District must review facility-specific Toxic Emission Inventory Plans (TEIPs) and Toxic Emission Inventory Reports (TEIRs)
  - Leveraging in-house expertise and resources to evaluate thousands of facilities in a streamlined manner
- Collecting Emissions Inventory
  - District collects point source inventory for thousands of facilities in accordance with District Rules 1160, 3170, and 4320 and the state Criteria Pollutant and Toxic Emissions Reporting Regulation
  - Significant increase in workload and number of subject facilities under state's CTR
  - Area-wide inventories require updates
- Agricultural Open Burning Phase-out Strategy
  - Final stages of agricultural open burning phase-out became effective January 1, 2025
  - Significant work required to implement the final stages of the phase-out strategy
  - Extensive engagement and compliance assistance with Valley growers regarding requirements and resources
  - Smallest ag operations given most flexibility and longest time to adjust
  - District continues to advocate for significant incentives to assist growers with transition
- Facilitating increased use of prescribed fire and other fuel reduction
  - Recent state laws, policies, plans and Executive Orders call for a dramatic increase in fuel reduction efforts, including prescribed burning
  - District works to facilitate this increase in prescribed burning
- Public outreach strategy
  - Promote key programs and messages through our comprehensive multi-lingual public education and outreach program (Summer Healthy Air Living, winter residential wood smoke reduction strategy, etc.)
  - Explore enhancements to the District's public-facing air quality tools and the recommendations the District gives to schools, parents, and the general public of steps to protect themselves during periods of poor air quality
  - Further development of collaborative partnership with Valley public health directors and officers, and other health organizations
  - Further development of targeted public education campaign to increase public awareness of the damage to public health due to wildfires and build public support for increased prescribed burning that may help reduce the number and severity of future wildfires
- Working through the San Joaquin Valleywide Air Pollution Study Agency, leverage university and other available research resources to support health and scientific studies in a number of important areas including:
  - Effectiveness and public health benefits of the Valley's criteria pollutant, air toxics, and community-level air quality improvement strategies
  - Changing PM2.5 source apportionment through the implementation of air quality strategies

- Spatial and temporal nature of mobile source emissions, particularly heavy-duty vehicles to refine understanding of Valley's pass-through truck traffic emissions and aid in strategy development
- Feasibility of enhanced conservation management practices and potential measures to reduce dust from fallowed land due to implementation of Sustainable Groundwater Management Act (SGMA)
- Impacts to local air quality and health of Valley residents during wildfire events
- Technology development and demonstration programs to advance deployment of new options and methods to dispose of agricultural woody waste and the deployment of the latest low-dust nut harvesting technology

As stated earlier, the ongoing efficiency and streamlining efforts have enabled the District to maintain active and effective air quality management programs with low fees and low administrative overhead. In spite of these efforts at minimizing costs, District program costs are only covering approximately 61% of costs on average. To partially defray this shortfall, the District is proposing to increase the fees identified above by 8% starting in fiscal year 2025/26 and an additional 8% starting in fiscal year 2026/27. These adjustments are expected to result in additional annual revenue of approximately $1.2 million in 2025/26 and an additional $1.3 million in 2026/27. The use of supplemental revenue sources and additional cost-cutting through the District's zero-based budget process is expected to cover the remaining shortfall to ensure that the District has sufficient funds to cover the costs of mandated programs while continuing to provide the high-level of service expected by our Governing Board and stakeholders.

As discussed above, these proposed fee increases are needed to reduce the District's annual operating deficit. After these fee increases, the District will continue to have the lowest fees of any major air district in the state (see table below for permit fee comparisons). Staff will continue to follow your Board's direction to cut operating costs through the utilization of technology, process streamlining, and effective and efficient use of all funding sources.

Comparison of Annual Permit Renewal Fees for Typical Permitted Equipment

Air District	150 hp IC Emergency Engine	550 hp IC Prime Engine	2 Nozzle Gas Station	16 Nozzle Gas Station	Paint Booth w/ 15 hp motor
San Joaquin Valley APCD (current)	$143.00	$577.00	$84.00	$672.00	$107.00
San Joaquin Valley APCD (effective 7/1/25)	$155.00	$624.00	$92.00	$736.00	$116.00
San Joaquin Valley APCD (effective 7/1/26)	$168.00	$674.00	$100.00	$800.00	$126.00
South Coast AQMD*	$541.04	$1,937.84	$319.84	$2,558.72	$541.04
Sacramento Metro AQMD*	$602.10	$2,416.74	$1,132.32	$2,533.28	$1,206.28
Bay Area AQMD*	$782.00	$782.00	$281.76	$2,254.08	$782.00
San Diego County APCD	$452.00	$844.00	$516.00	$4,128.00	$1,406.00

* *Estimates based on typical installations, may be somewhat higher or lower depending on whether equipment is located at a major source, how many permitted units at a facility, and other equipment-specific variables. Each of the other air districts listed also charge additional criteria emissions-based permit renewal fees. The San Joaquin Valley Air District does not charge an emissions-based fee for permit renewals.*

Proposed Rule Amendments

<u>Rule 3010 (Permit Fee), Rule 3020 (Permit Fee Schedules), Rule 3030 (Hearing Board Fees), Rule 3050 (Asbestos Removal Fees), Rule 3060 (Emission Reduction Credit Banking Fee), Rule 3070 (Other Charges), Rule 3110 (Air Toxics Fees), Rule 3135 (Dust Control Plan Fee), Rule 3140 (Fees for Certification of Air Permitting Professionals), Rule 3147 (Fees for Certification of Gasoline Dispensing Facility Testers), Rule 3150 (Fees for Portable Equipment Registration), Rule 3155 (Permit-Exempt Equipment Registration Fees), Rule 3180 (Administrative Fees for Indirect Source Review), Rule 3190 (Conservation Management Practices Plan Fee), and Rule 3901 (Fees for Registration of Wood Burning Heaters)</u>:

Increase each of the fees associated with these rules by 8%, effective July 1, 2025, and again by 8%, effective July 1, 2026 (Attachments B and C, respectively). Hourly fees associated with compensating the District for time spent, such as for the processing of permit applications, are not being increased by this action.

<u>Rule 3040 (Agricultural/Open Burning Fees), Rule 3100 (California Environmental Quality Act Fee), Rule 3120 (Regulation VIII Alternative Compliance Plan Review Fee), Rule 3156 (Fees for Equipment Subject to Rule 2260 Registration Requirements for</u>

Equipment Subject to California's Oil and Gas Regulation), Rule 3160 (Prescribed Burning Fees), Rule 3170 (Federally Mandated Ozone Nonattainment Fee), Rule 3171 (Federally Mandated Ozone Nonattainment Fee - 1997 8-Hour Standard), Rule 3172 (Federally Mandated Ozone Nonattainment Fee - 2008 8-Hour Standard), Rule 3173 (Federally Mandated Ozone Nonattainment Fee - 2015 8-Hour Standard), and Rule 3200 (Petroleum Refinery Community Air Monitoring Fees):

Rule 3040 does not need to be amended because open burning is being phased out; therefore, the existing fees are adequate to cover the costs of any remaining costs associated with the program. Rule 3100 does not contain a specific fee, and therefore does not require updating[1]. Rules 3120 and 3156 does not need to be amended because the fees are adequate to continue to cover the costs of the associated program as the District continues to implement efficiencies and streamlining measures for this newer program. Rule 3160 was recently amended so its fees are current and expected to adequately cover the costs of the associated program. Rules 3170, 3171, 3172, and 3173 fees are linked to federal law and are thereby annually adjusted to the federal consumer price index. Therefore, no increase is proposed to Rule 3170, 3171, 3172, and 3173. Rule 3200 was recently amended so its fees are current and expected to adequately cover the costs of the associated program

Cost Effectiveness Analysis

California Health and Safety Code (CH&SC) Section 40920.6(a) requires the District to conduct both an absolute cost effectiveness analysis and an incremental cost effectiveness analysis of available emission control options before adopting rules that implement Best Available Retrofit Control Technology (BARCT). The proposed amendments do not add BARCT requirements and therefore are not subject to the cost effectiveness analysis mandate.

Socioeconomic Impact Analysis

[1] It should be noted that the District's CEQA program has been identified by District staff as an area which is not entirely self-supporting. Specifically, acting as a Commenting Agency, the District assists lead agencies by providing technical expertise in characterizing project related impacts on air quality and identifying potential mitigation measures. When commenting on a Lead Agency's environmental analysis, the District reviews the air quality section of the analysis and other sections relevant to assessing potential impacts on air quality, i.e. sections assessing traffic and public health impacts. At the conclusion of its review, the District may submit comments to the Lead Agency that identify deficiencies in the air quality analysis with possible approaches to correct these deficiencies, and when appropriate, the District will recommend feasible mitigation measures. As a commenting Agency under CEQA, the District has no discretionary approval over the project and does not issue permits. Under such circumstances, the hours spent by District staff reviewing the project and providing the Lead agencies with comments is not billable. The District has found no legal mechanism to collect fees for this service, yet believes that such commenting is important and instrumental to minimizing growth in emissions from new developments. Therefore, the District is not proposing any fee at this time for this service. The District has, instead, focused on working with Lead Agencies to find opportunities to streamline CEQA commenting processes, such as the implementation of the District's new "CEQA Connected" online CEQA commenting tool developed by the District for use by the Valley's Lead Agencies.

Pursuant to CH&SC Section 40728.5, "whenever a district intends to propose the adoption, amendment, or repeal of a rule or regulation that will significantly affect air quality or emissions limitations, that agency shall, to the extent data are available; perform an assessment of the socioeconomic impacts of the adoption, amendment, or repeal of the rule or regulation." The proposed amendments will not affect air quality or strengthen an emission limitation; therefore, a socioeconomic analysis is not required.

Rule Consistency Analysis:

Pursuant to CH&SC Section 40727.2 (g), a rule consistency analysis of the proposed amendments is not required because the proposed amendments do not strengthen emission limits or impose more stringent monitoring, reporting, or recordkeeping requirement.

Environmental Assessment:

Based on the District's review, the rule amendments will not have the potential to cause any significant effects on the environment and as such is exempt from CEQA according to Section 15061 (b)(3) of the CEQA Guidelines.

Rule Development Process:

The District conducted a public process for developing the proposed amendments. District staff held a public workshop on March 26, 2025. Information about public meeting was shared with members of the public, affected sources and other interested stakeholders. Workshop announcements and public notice were provided in both English and Spanish, and interpretation services were made available upon request. At the public workshop, District staff presented the objectives of the proposed rule amendments, and solicited feedback from the public on the proposed rule amendments.

Documents for this rule-amending project were made available on the District's website prior to the public workshop, and a comment period followed the public workshop. No comments were received from the public, affected sources, or interested parties during the public outreach and workshop process or the comment period following the workshop.

In accordance with California Health and Safety Code (CH&SC) Section (§) 40725, the proposed amendments to the District Fee Rules and final draft staff report were publicly noticed and made available on the District's website 30-days prior to the Governing Board public hearing to consider adoption of the proposed amendments. No comments were received from the public, affected sources, or interested parties during the comment period following the public hearing notification.

FISCAL IMPACT:

Proposed revisions to the District's fee regulations will increase revenues by approximately $1.2 million in Fiscal Year 2025-26 and an additional $1.3 million the following year.

Attachments:

Attachment A: Resolution for Proposed Regulation III, Fee Rules (6 of pages)
Attachment B: Proposed Fee Rules effective July 1, 2025 (49 of pages)
Attachment C: Proposed Fee Rules effective July 1, 2026 (49 of pages)
Attachment D: Final Draft Staff Report (14 pages)

San Joaquin Valley Unified Air Pollution Control District
Meeting of the Governing Board
May 15, 2025

ADOPT PROPOSED AMENDMENTS TO DISTRICT FEE RULES

Attachment A:

Resolution for Proposed Regulation III, Fee Rules
(6 PAGES)

BEFORE THE GOVERNING BOARD OF THE SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

IN THE MATTER OF: PROPOSED AMENDMENTS TO RULES 3010 (PERMIT FEE), 3020 (PERMIT FEE SCHEDULES), 3030 (HEARING BOARD FEES), 3050 (ASBESTOS REMOVAL FEES), 3060 (EMISSION REDUCTION CREDIT BANKING FEE), 3070 (OTHER CHARGES), 3110 (AIR TOXICS FEES), 3135 (DUST CONTROL PLAN FEE), 3140 (FEES FOR CERTIFICATION OF AIR PERMITTING PROFESSIONALS), 3147 (FEES FOR CERTIFICATION OF GASOLINE DISPENSING FACILITY TESTERS), 3150 (FEES FOR PORTABLE EQUIPMENT REGISTRATION), 3155 (PERMIT-EXEMPT EQUIPMENT REGISTRATION FEES), 3180 (ADMINISTRATIVE FEES FOR INDIRECT SOURCE REVIEW (ISR)), 3190 (CONSERVATION MANAGEMENT PRACTICES PLAN FEE), AND 3901 (FEES FOR REGISTRATION OF WOOD BURNING HEATERS)	**RESOLUTION NO. 2025-5-7**

WHEREAS, the San Joaquin Valley Unified Air Pollution Control District (District) is a duly constituted unified air pollution control district, as provided in California Health and Safety Code (CH&SC) Sections (Section) 40150 et seq. and 40600 et seq.; and

WHEREAS, said District is authorized by CH&SC Section 40702 to make and enforce all necessary and proper orders, rules, and regulations to accomplish the purpose of Division 26 of the CH&SC; and

WHEREAS, pursuant to Section 107 of the federal Clean Air Act and pursuant to Section 39608 of the CH&SC, the San Joaquin Valley Air Basin has been classified as a nonattainment area for both national and state health-based ozone air quality standards and the national and state health-based particulate matter air quality standards; and

WHEREAS, the California Clean Air Act as codified in Section 40920(b) of the CH&SC requires the District's attainment plans to provide for a stationary source control program designed to achieve no net increase in emissions of nonattainment pollutants or their

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precursors from all new or modified stationary sources which emit, or have the potential to emit, 10 tons or more per year; and

WHEREAS, CH&SC Sections 40701.5(a) and 40162 provide air districts the authority to obtain funding through any combination of grants, subventions, permit fees, penalties and motor vehicle surcharges; and

WHEREAS, CH&SC Section 42311(a) provides air districts the authority to recover costs of district programs related to permitted stationary sources; and

WHEREAS, CH&SC Sections 42311(f) and 44380(a) provide air districts the authority to recover costs of district programs related to toxic air contaminants; and

WHEREAS, CH&SC Section 42311(g) provides air districts the authority to recover costs of district programs related to areawide or indirect sources of emissions which are regulated, but for which permits are not issued; and

WHEREAS, CH&SC Sections 42311(h) and 42364 provide air districts the authority to recover costs of district programs related to hearing board administration; and

WHEREAS, CH&SC Section 41512 provides air districts the authority to recover costs of district programs related to the sampling of emissions from sources as necessary to determine compliance; and

WHEREAS, CH&SC Section 41512.5 provides air districts the authority to recover costs of district programs related to emission sources which are regulated, but for which permits are not issued; and

WHEREAS, CH&SC Section 41512.7 limits the allowable percentage increase in fees for authorities to construct and permits to operate to 15 percent per year; and

WHEREAS, the phased increases in fees in these proposed amendments are proposed only after addressing and implementing all foreseeable efficiency and streamlining measures; and

WHEREAS, the District conducted a public workshop on March 26, 2025, to present, discuss, and take comments on the proposed amendments. The District published the

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draft rules for public review prior to the workshop to provide opportunity for public comment on the draft proposed rules; and

WHEREAS, the proposed rules were published for a 30-day public review and comment period on April 15, 2025; and

WHEREAS, the workshop announcements and public notices were provided in both English and Spanish, and interpretation services were made available upon request; and

WHEREAS, a public hearing for the adoption of Proposed Amendments to Rule 3010 (Permit Fee), Rule 3020 (Permit Fee Schedules), Rule 3030 (Hearing Board Fees), Rule 3050 (Asbestos Removal Fees), Rule 3060 (Emission Reduction Credit Banking Fee), Rule 3070 (Other Charges), Rule 3110 (Air Toxics Fees), Rule 3135 (Dust Control Plan Fee), Rule 3140 (Fees for Certification of Air Permitting Professionals), Rule 3147 (Fees for Certification of Gasoline Dispensing Facility Testers), Rule 3150 (Fees for Portable Equipment Registration), Rule 3155 (Permit-Exempt Equipment Registration Fees), Rule 3180 (Administrative Fees for Indirect Source Review (ISR)), Rule 3190 (Conservation Management Practices Plan Fee) and Rule 3901 (Fees for Registration of Wood Burning Heaters) was duly noticed for May 15, 2025, in accordance with CH&SC Section 40725.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Governing Board hereby amends Rule 3010 (Permit Fee), Rule 3020 (Permit Fee Schedules), Rule 3030 (Hearing Board Fees), Rule 3050 (Asbestos Removal Fees), Rule 3060 (Emission Reduction Credit Banking Fee), Rule 3070 (Other Charges), Rule 3110 (Air Toxics Fees), Rule 3135 (Dust Control Plan Fee), Rule 3140 (Fees for Certification of Air Permitting Professionals), Rule 3147 (Fees for Certification of Gasoline Dispensing Facility Testers), Rule 3150 (Fees for Portable Equipment Registration), Rule 3155 (Permit-Exempt Equipment Registration Fees), Rule 3180 (Administrative Fees for Indirect Source Review (ISR)), Rule 3190 (Conservation Management Practices Plan Fee) and Rule 3901 (Fees for Registration of Wood Burning Heaters) as set forth in the attached hereto and incorporated herein by this reference.

Phase I amendments to said rules shall be effective upon adoption on July 1, 2025. Phase II amendments shall become effective on July 1, 2026.

2. The Governing Board hereby finds, based on the evidence and information presented at the hearing upon which its decision is based, that all notices required to be given by law have been duly given in accordance with CH&SC Section 40725, and the Governing Board has allowed public testimony in accordance with CH&SC Section 40726.

3. In connection with said rulemaking, the Governing Board makes the following findings as required by CH&SC Section 40727:

a. **NECESSITY.** The Governing Board finds, based on the staff report, public testimony, and the record for this rulemaking proceeding, that a need exists for amendments of said rules. Amendments to the said rules are necessary to address the structural imbalance that exists between the District's operating expenses to provide the services associated with said rules and revenue.

b. **AUTHORITY.** The Governing Board finds that it has the legal authority for said rulemaking under CH&SC Section 40000 and 40001.

c. **CLARITY.** The Governing Board finds that said rules are written or displayed so that the meaning can be easily understood by those persons or industries directly affected by said rules.

d. **CONSISTENCY.** The Governing Board finds that a consistency analysis is not required for said rules, because they do not involve emission limits or standards, and do not require new recordkeeping, monitoring, or reporting requirements, and therefore fall within one or more of the categories in CH&SC Section 40727, subdivision (g).

e. **NONDUPLICATION.** The Governing Board finds that said rules do not impose the same requirements as any existing state or federal regulation.

f. **REFERENCE.** The Governing Board finds that said rulemaking is consistent with the provisions of Section 42311 of the CH&SC.

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4. The Governing Board finds that, because said rules were not proposed to meet the requirements for Best Available Retrofit Control Technology pursuant to CH&SC Sections 40918, 40919, 40920 and 40920.5 or for a feasible measure pursuant to CH&SC Section 40914, this rulemaking is not subject to a cost effectiveness analysis pursuant to CH&SC Section 40920.6.

5. The Governing Board finds that, because said rules are administrative in nature and will not significantly affect air quality or emission limitations, this rulemaking is not subject to a socioeconomic analysis pursuant to CH&SC Section 40728.5.

6. The Governing Board finds that this rulemaking is exempt from the California Environmental Quality Act (CEQA) per the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (CEQA Guidelines §15061 (b)(3)).

7. Pursuant to Section 15062 of the CEQA guidelines, the Executive Director/Air Pollution Control Officer is directed to file a Notice of Exemption with the County Clerk of each of the counties in the District.

8. The Executive Director/Air Pollution Control Officer is directed to file with all appropriate agencies certified copies of this resolution and the rules adopted herein and is directed to maintain a record of this rulemaking proceeding in accordance with CH&SC Section 40728.

10. The Governing Board authorizes the Executive Director/Air Pollution Control Officer to include in the submittal or subsequent documentation any technical corrections, clarifications, or additions that may be needed to secure EPA approval, provided such changes do not alter the substantive requirements of the approved rules.

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THE FOREGOING was passed and adopted by the following vote of the Governing Board of the San Joaquin Valley Unified Air Pollution Control District this 15th day of May 2025, to wit:

AYES:

NOES:

ABSENT:

SAN JOAQUIN VALLEY UNIFIED
AIR POLLUTION CONTROL DISTRICT

By ________________________________
Amy Shuklian, Chair
Governing Board

ATTEST:
Deputy Clerk of the Governing Board

By ____________________
Katrina Rojas

San Joaquin Valley Unified Air Pollution Control District
Meeting of the Governing Board
May 15, 2025

ADOPT PROPOSED AMENDMENTS TO DISTRICT FEE RULES

Attachment B:

Proposed Fee Rules Effective July 1, 2025
(49 PAGES)

RULE 3010 PERMIT FEE (Adopted May 21, 1992; Amended December 17, 1992; Amended July 20, 1995; Amended May 21, 1998; Amended June 21, 2001; Amended July 17, 2003; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~,~~ ~~effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Filing Fee

1.1 Every applicant for an Authority to Construct or a Permit to Operate any source operation for which an Authority to Construct or a Permit to Operate is required by California State Law or the District Rules and Regulations shall pay a nonrefundable filing fee of $~~87~~94 per permit unit, except as provided in Section 1.2 below. All filing fees paid shall be credited toward the evaluation fee if it applies.

1.2 Part 70 permits as required by District Rule 2520

Every applicant for an initial or new federally mandated operating permit, or renewal of or modification to an existing permit, shall pay a nonrefundable filing fee of $~~23~~25 per emissions unit up to a maximum of $~~1,681~~1,816 per stationary source facility. All filing fees paid shall be credited toward the evaluation fee if it applies.

2.0 Permit Fee

2.1 Every applicant for a Permit to Operate, who files an application with the District, shall in addition to the filing fee and evaluation fee prescribed herein, pay the fee for the issuance of a Permit to Operate in the amount prescribed in Rule 3020 (Permit Fee Schedules).

2.2 Part 70 General Permits

Every applicant for a general permit shall pay a nonrefundable fee of $~~38~~42 per emissions unit upon receipt of the Part 70 general permit.

3.0 Evaluation/Air Quality Impact Analysis Fee

3.1 Every applicant who files an application for an Authority to Construct or a Permit to Operate with the District shall pay an engineering evaluation fee for the processing of the application. The fee shall be calculated using the staff hours expended and the prevailing weighted labor rate. All filing fees paid shall be credited towards the evaluation fee.

3.1.1 Evaluation Fee Cap

The District shall advise the applicant of the estimated evaluation fees in writing in conjunction with notification that the application is deemed complete. The fee estimate shall include a breakdown by major application processing steps. The advance fee estimate shall serve as cap on the Permit Evaluation Fee unless the District increases the estimated cost for processing an application and issues a revised written advance fee estimate prior to expending 50% of a previous advance fee estimate. After the expenditure of 50% of the advance fee estimate, the District shall make no further upward revisions to the advance fee estimate.

3.1.2 Recordkeeping

All time spent by the permit processing staff on the project, beginning with pre-application meeting through issuance of the final decision, must be logged into the District's "Labor Information System" database. Upon formal request by an applicant, the District shall provide a current status of actual time expenditure versus the advance fee estimate, broken down by major application processing steps.

3.1.3 Activities Excluded from Hourly Billings

3.1.3.1 No applicant shall be billed for staff hours associated with staff training or correction of staff errors.

3.1.3.2 No applicant shall be billed for the time spent by the permit services division director, manager, compliance staff, or clerical support. The time spent by the above mentioned personnel is accounted for in the average weighted labor rate for permit processing staff.

3.2 Part 70 permits as required by District Rule 2520

Every applicant for a federally mandated operating permit, a modification or amendment to a federally mandated operating permit, or a certificate of conformity, shall also pay an evaluation fee for the processing of the application. The fee shall be calculated using the staff hours expended and an average weighted labor rate. All filing fees paid shall be credited towards the evaluation fee. The hourly fees charged to the applicant shall not exceed by more than 10% the amount of the advance fee estimate, or a revision thereto provided by the District.

3.2.1 Advance Fee Estimate

The District shall advise the applicant of the estimated evaluation fees in writing in conjunction with notification that the application is deemed complete. The fee estimate shall include a breakdown by major application processing steps. The District may only increase the estimated cost for processing an application and issue a revised advance fee estimate prior to expending 50% or a previous advance fee estimate. After the expenditure of 50% of the advance fee estimate, the District shall make no further upward revisions to the advance fee estimate.

3.2.2 Part 70 Permit Applicability Determination

Every applicant who requests that the District prepare a determination as to the applicability of the requirement for a facility to obtain a federally mandated operating permit shall also pay an analysis fee. The fee shall be calculated using the staff hours expended on preparing the determination and an average weighted labor rate.

3.2.3 Recordkeeping

All time spent by the permit processing staff on the project, beginning with pre-application meeting through issuance of the final decision, must be logged on a "Breakdown of Application Processing Time" log. The log shall not include the time spent by the permit services division director, manager, compliance staff, or clerical support. The time spent by the above mentioned personnel is accounted for in the average weighted labor rate for permit processing engineers. Upon formal request by an applicant, the District shall provide a current status of actual time expenditure versus the advance fee estimate, broken down by major application processing steps.

3.2.4 Activities Excluded from Hourly Billings

3.2.4.1 No applicant shall be charged for staff hours associated with staff training or correction of staff errors.

3.2.4.2 No evaluation fee shall be charged in conjunction with general permits.

3.2.4.3 The applicant shall not be billed for the time spent by the permit services division director, manager, compliance staff, or clerical support. The time spent by the above mentioned personnel is accounted for in the average weighted labor rate for permit processing engineers.

4.0 Cancellation or Denial

If an Authority to Construct or a Permit to Operate or an application for an Authority to Construct or a Permit to Operate expires, is canceled, withdrawn by the applicant, revoked, or denied and such denial becomes final, the filing, permit and evaluation fee required herein shall not be refunded nor applied to any subsequent application or permit.

5.0 Transfer of Owner without an Alteration or Addition

Where an application is filed for a Permit to Operate any source operation by reason of transfer from one person to another and where a Permit to Operate has previously been granted under Rule 2010 (Permits Required), and where no alteration or addition has been made or where no transfer of location has been made, the applicant shall pay a nonrefundable fee of $~~32~~35 per permit unit. A $~~32~~35 fee will be charged for the change of name only.

6.0 Fee Notification

After an applicant has complied with the provisions for granting permits as set forth in Division 26 of the Health and Safety Code and the District Rules and Regulations, the District shall provide the applicant with an invoice for the filing fee, permit fee, and evaluation fee to be paid for the issuance of the Permit to Operate or the Authority to Construct. If the fees are not received by the District within 60 days of the invoice date, the fees shall be increased in accordance with the schedule provided in Section 11.0 (Late Fees) of this Rule. Nonpayment of the increased fees within 90 days of the original invoice date may result in the cancellation of the application and the Authority to Construct or suspension of the Permit to Operate.

7.0 Permit Granted by Hearing Board

In the event that an Authority to Construct or 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 permit fee prescribed in Section 2.0 and the evaluation fee prescribed in Section 3.0 within 60 days after the date of the decision of the Hearing Board. If the fee is not paid within this period of time, the fee shall be increased in accordance with the schedule provided in Section 11.0 (Late Fees) of this Rule. Nonpayment of the increased fees within 90 days after the initial due date shall result in the automatic cancellation of the Authority to Construct or the Permit to Operate and the application.

8.0 Annual Renewal Fee

No earlier than 60 days prior to the anniversary date of the issuance of a Permit to Operate granted under Rule 2010 (Permits Required), the District shall provide the permittee with an invoice for the renewal fee equal to the fee in the current Fee Schedules in Rule 3020 (Permit Fee Schedules). The permittee shall pay the renewal fee within 60 days of the invoice date. The holder of permits with more than one anniversary date may adjust annual renewal payments to a single anniversary date by prorating renewal fee(s) as necessary. If the renewal fee is not received by the District within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Section 11.0 (Late Fees) of this Rule.

Nonpayment of the increased fees within 90 days of the invoice date may result in the suspension of the permit.

9.0 Multiple Locations

When permits have been issued to operate movable equipment at two or more locations, only one annual renewal fee will be charged.

10.0 Duplicate Authority to Construct or Permit to Operate

A request for a duplicate Authority to Construct or Permit to Operate shall be made in writing to the APCO within 10 days after the destruction, loss or defacement of the Authority to Construct or the Permit to Operate. A fee of $~~23~~25 shall be charged for issuing a duplicate Authority to Construct or a duplicate Permit to Operate.

11.0 Late Fees

Fees not paid by the dates set forth in the Rules and Regulations shall be subject to late fees in accordance with the following schedule:

61 to 70 days after invoice or notice date – 10% of the original fee
71 or more days after invoice or notice date – 50% of the original fee

Applicable late fees are added to and become a part of the original fees. Dishonored checks will be considered the same as not receiving payment.

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RULE 3020 PERMIT FEE SCHEDULES (Adopted May 21, 1992; Amended July 16, 1992; Amended December 17, 1992; Amended August 21, 1997; Amended March 17, 1999; Amended June 15, 2000; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019)~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

It is hereby determined that the cost of maintaining an active and effective program, issuing permits, performing inspections pertaining to such issuance, and responding to requests exceeds the fees prescribed herein. In determining the fees to be charged, the applicable equipment within each process that requires a permit will be totaled for each schedule. In the event that more than one fee schedule is applicable to a Permit unit, the governing schedule shall be that which results in the higher fee with the exception of service stations where Schedule 11 applies.

SCHEDULE 1
ELECTRIC MOTOR HORSEPOWER SCHEDULE

Any equipment which may cause the emission of air contaminants where an electric motor is used as the power supply shall be assessed a permit fee based on the total rated motor horsepower of all electric motors included in any source operation, in accordance with the following schedule:

Horsepower	Fee
Up to and Including 25	$ ~~107~~116
Greater than 25 but Less Than 50	~~143~~155
50 or Greater but Less Than 100	~~239~~259
100 or Greater but Less Than 200	~~379~~410
200 or Greater but Less Than 400	~~495~~535
400 or Greater but Less Than 800	~~731~~790
800 or Greater but Less Than 1,600	~~980~~1,059
1,600 or Greater	~~1,238~~1,338

SCHEDULE 2
FUEL BURNING EQUIPMENT SCHEDULE

Any equipment which may cause the emission of air contaminants in which fuel is burned, with the exception of incinerators which are covered in Schedule 4 and electric power generating facilities which are covered in Schedule 8, shall be assessed a permit fee based upon the design fuel consumption of the equipment expressed in million British Thermal Units (MMBTU) per hour using gross heating values of the fuel in accordance with the following schedule:

MMBTU Per Hour	Fee
Up to and Including 0.15	$ ~~107~~116
Greater Than 0.15 but Less Than 0.4	~~143~~155
0.4 or Greater but Less Than 0.65	~~239~~259
0.65 or Greater but Less Than 1.5	~~379~~410
1.5 or Greater but Less Than 2.5	~~495~~535
2.5 or Greater but Less Than 5.0	~~731~~790
5.0 or Greater but Less Than 15.0	~~980~~1,059
15.0 or Greater	~~1,238~~1,338

SCHEDULE 3
ELECTRIC ENERGY SCHEDULE

Any equipment which may cause the emission of air contaminants and which uses electric energy, with the exception of electric motors covered in Schedule 1, shall be assessed a permit fee based on the total kilovolt ampere (KVA) rating, in accordance with the following schedule:

Kilovolt Amperes	Fee
Up to and Including 45	$ ~~107~~116
Greater than 45 but Less Than 145	~~143~~155
145 or Greater but Less Than 450	~~239~~259
450 or Greater but Less Than 1,450	~~305~~330
1,450 or Greater but Less Than 4,500	~~437~~472
4,500 or Greater but Less Than 14,500	~~731~~790
14,500 or Greater	~~1,238~~1,338

SCHEDULE 4
INCINERATOR SCHEDULE

Any equipment designed and used primarily to dispose of combustible refuse by wholly consuming the material charged and leaving only the ashes or residue shall be assessed a permit fee based on the following schedule of the maximum horizontal inside cross-sectional area, in square feet, of the primary combustion chamber:

Area in Square Feet	Fee
Up to and Including 8	$ ~~107~~116
Greater Than 8 but Less Than 16	~~143~~155
16 or Greater but Less Than 27	~~178~~193
27 or Greater but Less Than 47	~~273~~295
47 or Greater but Less Than 90	~~379~~410
90 or Greater	~~556~~601

SCHEDULE 5
STATIONARY CONTAINER SCHEDULE

Any stationary tank, reservoir, or other container, the contents of which may emit an air contaminant, except those owned or operated by a small producer as defined in Rule 1020 (Definitions) shall be assessed a permit fee based on the following schedule of capacities in gallons or cubic equivalent:

Gallons	Fee
Up to 5,000	$ ~~91~~99
5,000 or Greater but Less Than 20,000	~~113~~123
20,000 or Greater but Less Than 50,000	~~165~~179
50,000 or Greater but Less Than 100,000	~~223~~241
100,000 or Greater but Less Than 500,000	~~296~~320
500,000 or Greater but Less Than 1,000,000	~~362~~391
1,000,000 or Greater	~~461~~498

Any stationary tank, reservoir, or other container, owned and operated by a small producer, as defined in Rule 1020 (Definitions), the contents of which may emit an air contaminant shall be assessed a permit fee based on the following schedule of capacities in gallons or cubic equivalent:

Gallons	Fee
Up to and Including 5,000	$ ~~40~~44
Greater than 5,000 but Less Than 20,000	~~56~~61
20,000 or Greater but Less Than 50,000	~~78~~85
50,000 or Greater but Less Than 100,000	~~91~~99
100,000 or Greater but Less Than 500,000	~~121~~131
500,000 or Greater but Less Than 1,000,000	~~156~~169
1,000,000 or Greater	~~223~~241

SCHEDULE 6
MISCELLANEOUS SCHEDULE

Any source operation which may cause the issuance of air contaminants as defined in Rule 1020 (Definitions), which is not included in other schedules shall be assessed a permit fee of $~~128~~139 per source operation.

SCHEDULE 7
RESOURCE RECOVERY SCHEDULE

Any equipment which may cause the emission of air contaminants from the combustion of tires or other waste material used for the generation of electric power shall be assessed a permit fee based on the gross output of the electric generating equipment in accordance with the following schedule:

Kilowatts	Fee
Up to and Including 1,000	$ ~~3,926~~4,241
Greater than 1,000 but Less Than 5,000	~~6,554~~7,079
5,000 or Greater but Less Than 10,000	~~16,160~~17,453
10,000 or Greater but Less Than 20,000	~~34,244~~36,984
20,000 or Greater	~~65,545~~70,789

SCHEDULE 8
ELECTRIC GENERATION SCHEDULE

A. Any equipment not subject to paragraph B, which may cause the emission of air contaminants from the combustion of fossil or wood-derived fuel (including agricultural waste or biomass) for the generation of electric power shall be assessed a permit fee based on the gross output of the electric generating equipment, in accordance with the following schedule. No other fees shall apply to permitted equipment associated with the electrical generating equipment.

Kilowatts	Fee
Up to and Including 500	$ ~~312~~337
Greater than 500 but Less Than 1,000	~~921~~995
1,000 or Greater but Less Than 5,000	~~1,840~~1,988
5,000 or Greater but Less Than 10,000	~~3,674~~3,968
10,000 or Greater but Less Than 20,000	~~6,130~~6,621
20,000 or Greater but Less Than 35,000	~~9,803~~10,588
35,000 or Greater	~~12,254~~13,235

B. Any new equipment constructed on or after March 17, 1999 with a gross electric output of 35,000 kilowatts or greater, which may cause the emission of air contaminants from the combustion of fossil or wood-derived fuel (including agricultural waste or biomass) for the generation of electric power shall be assessed a permit fee based on the gross output of the electric generating equipment in accordance with the following schedule. No other fees shall apply to permitted equipment associated with the electrical generating facility.

Kilowatts	Fee
35,000 or Greater but Less Than 100,000	$ ~~12,254~~13,235
100,000 or Greater but Less Than 300,000	~~15,843~~17,111
300,000 or Greater but Less Than 500,000	~~26,889~~29,041
500,000 or Greater but Less Than 1,000,000	~~37,934~~40,969
1,000,000 or Greater	~~65,545~~70,789

SCHEDULE 9
STEAM-ENHANCED CRUDE OIL PRODUCTION WELL SCHEDULE

Steam-enhanced crude oil production wells, except those owned by a small producer, shall be assessed a permit fee of $~~11.23~~12.13 per well. A single permit authorizing 150 or more steam-enhanced crude oil production wells not served by a vapor recovery system and not owned by a small producer shall be assessed a permit fee of $~~1,681~~1,816.

Steam-enhanced crude oil production wells owned by a small producer shall be assessed a permit fee of $~~5.62~~6.07 per well. A single permit authorizing 150 or more steam-enhanced crude oil production wells owned by a small producer and not served by a vapor recovery system shall be assessed a permit fee of $~~841~~909.

SCHEDULE 10
INTERNAL COMBUSTION ENGINE SCHEDULE

Any stationary piston type internal combustion engine of greater than 50 brake horsepower shall be assessed a permit fee based on the following schedule of horsepower:

Brake Horsepower	Fee
Greater than 50 but Less Than 100	$ ~~98~~106
100 or Greater but Less Than 200	~~143~~155
200 or Greater but Less Than 400	~~290~~314
400 or Greater but Less Than 800	~~577~~624
800 or Greater but Less Than 1,000	~~723~~781
1,000 or Greater but Less Than 5,000	~~900~~972
5,000 or Greater but Less Than 10,000	~~1,083~~1,170
10,000 or Greater	~~1,254~~1,355

SCHEDULE 11
FUEL DISPENSING EQUIPMENT SCHEDULE

Any fuel dispensing equipment (including stationary fuel storage tanks, dispensers, and associated piping) established at a single location which is primarily used for the purpose of fueling vehicles and equipment shall be assessed a permit fee. Systems that require additional testing for each grade of fuel dispensed by a nozzle shall be assessed a permit fee based on the number of grades of fuel that can be dispensed at each nozzle at a fee of $~~42~~46 per grade per nozzle. All other fuel dispensing equipment will be assessed a permit fee based on the number of fuel dispensing nozzles at a fee of $~~42~~46 per nozzle.

SCHEDULE 12
COMMERCIAL OFFSITE MULTIUSER HAZARDOUS AND NONHAZARDOUS WASTE DISPOSAL FACILITIES

Each affected facility shall be assessed a permit fee based upon the size of the facility as specified in the conditional use permit issued by the appropriate city or county planning department or based upon the maximum potential size of the facility as determined by the APCO. In determining this fee, the following schedule shall be utilized:

Acres	Fee
Up to and Including 5	$ ~~959~~1,036
Greater than 5 but Less Than 10	~~1,061~~1,146
10 or Greater but Less Than 15	~~1,156~~1,249
15 or Greater but Less Than 20	~~1,254~~1,355
20 or Greater but Less Than 25	~~1,347~~1,455
25 or Greater but Less Than 30	~~1,449~~1,565
30 or Greater but Less Than 35	~~1,546~~1,670
35 or Greater but Less Than 40	~~1,649~~1,781
40 or Greater but Less Than 45	~~1,743~~1,883
45 or Greater but Less Than 50	~~1,840~~1,988
50 or Greater but Less Than 55	~~1,941~~2,097
55 or Greater but Less Than 60	~~2,038~~2,202
60 or Greater but Less Than 65	~~2,133~~2,304
65 or Greater but Less Than 70	~~2,235~~2,414
70 or Greater but Less Than 75	~~2,332~~2,519
75 or Greater but Less Than 80	~~2,428~~2,623
80 or Greater but Less Than 85	~~2,531~~2,734
85 or Greater but Less Than 90	~~2,623~~2,833
90 or Greater but Less Than 95	~~2,721~~2,939
95 or Greater but Less Than 100	~~2,824~~3,050

For facilities 100 acres or greater, the fee shall be increased at $~~121~~131 increments for each additional five (5) acre increase beyond that provided above.

SCHEDULE 13
TITLE V SOURCE PERMIT SURCHARGE SCHEDULE

In addition to all other applicable fees, each permit unit at a stationary source subject to District Rule 2520 (Federally Mandated Operating Permits) shall be assessed a fee of $~~41~~45.

RULE 3030 HEARING BOARD FEES (Adopted May 21, 1992; Amended December 17, 1992; Amended August 21, 1997; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Definitions

1.1 Small Business: A business which is independently owned and operated and meets the following criteria, or if affiliated with another concern the combined activities of both concerns shall meet these criteria:

1.1.1 The number of employees is 10 or less; and

1.1.2 The gross annual income is $750,000 or less.

2.0 Filing Fee

2.1 Every applicant or petitioner for a regular variance, interim variance, short term variance, emergency variance, extension of a variance, revocation of a variance, modification of a variance, modification of a variance schedule of progress, appeal hearing, rehearing, special hearing, product variance, or any other action requiring the assembly of the Hearing Board shall pay the Clerk of the Hearing Board, on filing, a non-returnable fee prescribed herein.

Type of Hearing	Fee
Regular Variance	$ ~~1,051~~1,136
Interim Variance	~~422~~456
Short-term (Less than or equal to 90 days) Variance	~~913~~987
Emergency Variance	~~317~~343
Extension of a Variance	~~422~~456
Revocation of a Variance	~~422~~456
Modification of a Variance	~~422~~456
Modification of a Variance Schedule of Progress	~~422~~456
Appeal Hearing	~~1,051~~1,136
Rehearing	~~1,051~~1,136
Special Hearing	~~1,051~~1,136
Product Variance	~~1,402~~1.515

2.2 This Section shall not apply to petitions filed by the APCO.

3.0 Excess Emission Fee

3.1 Every applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk of the Hearing Board, in addition to the filing fees required in Section 2.0, an emission fee of $~~2.753~~3.00 per pound of emissions based on the total emissions discharged during the variance period in excess of that allowed by these rules, regulations, or permit conditions.

3.2 In the event that more than one rule, regulation, or permit condition limiting the discharge of the same pollutant is violated, the excess emissions fee shall be based on the excess emissions resulting from the violation of the most stringent rule, regulation or permit condition.

3.3 Maximum Excess Emission Fee

3.3.1 For a small business, the maximum excess fee remitted shall be no more than $~~3,300.00~~3,5750 for the excess emissions which occur at each facility during the variance period.

3.3.2 For all other petitioners, the maximum excess fee remitted shall be no more than $~~8,225.00~~8,875 for the excess emissions which occur at each facility during the variance period.

4.0 Group Variance Fees

4.1 Petitioners filing as a group or class for a variance shall jointly pay the total filing fee specified in Section 2.0. Each petitioner shall individually pay excess emission fees for their facility or product(s), as specified in Section 3.0.

5.0 Adjustment of Fees

5.1 If, after the term of the variance for which excess emission fees have been paid, the petitioner can establish to the satisfaction of the APCO, that emissions were less than those upon which the fee was based, or excess emission fee calculations are otherwise incorrect, a pro rata refund shall be made.

6.0 Fee Payment/Variance Revocation

6.1 Excess emission fees required by Section 3.0 shall be due and payable to the Clerk of the Hearing Board within fifteen (15) days of notification in writing that the fees are due, unless otherwise ordered by the Hearing Board.

6.2 Failure to pay any assessed fees within fifteen (15) days of written notification that fees are due may be cause for the Hearing Board to issue further orders as may be appropriate, including but not limited to revocation of a variance. Such notification may be given by personal service or by deposit, postpaid, in the United States mail, and shall be due fifteen (15) days from the date of personal service or mailing. For the purpose of this rule, the fee payment shall be considered to be received by the District if it is postmarked on or before the expiration date stated on the fee billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be postmarked on the next business day with the same effect as if it had been postmarked on the expiration date.

7.0 Request for Time Extension of Payment Due

7.1 Whenever this rule requires fees to be paid by a certain date, the petitioner may, for good cause, request the APCO to grant an extension of time, mot to exceed ninety (90) days, within which fees shall be paid. Any request for extension of time shall be presented in writing, and accompanied by a statement of reasons demonstrating good cause as to why the extension should be granted.

8.0 Transcript Fees

8.1 Any person requesting a transcript of the hearing shall pay the cost of such transcript.

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RULE 3050 ASBESTOS REMOVAL FEES (Adopted May 21, 1992; Amended December 17, 1992; Amended February 18, 1993; Amended August 21, 1997; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Applicability

The National Emission Standards for Hazardous Air Pollutants (NESHAP), adopted by reference as District Rule 4002, and therefore these fees are applicable to:

1.1 all demolitions whether or not asbestos is present; and

1.2 renovations in which 260 linear feet, 160 square feet, or 35 cubic feet or more of regulated asbestos containing materials are disturbed.

2.0 Fees

Every person filing notification of an asbestos removal project, subject to the provisions of Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), shall pay upon filing, the nonrefundable fee prescribed herein. The total fee for any project shall be the sum of the applicable fee components below.

Demolition or Renovation:

Linear Feet	Square Feet	Cubic Feet	Fee Component ($)
0 - 259*	0 - 159*	0 - 34*	~~188~~204
260 - 499	160 - 499	35 - 109	~~188~~204
500 - 999	500 - 999	110 - 218	~~317~~343
1,000 - 2,499	1,000 - 2,499	219 - 547	~~634~~685
2,500 - 4,999	2,500 - 4,999	548 - 1,094	~~1,054~~1,139
5,000 - 9,999	5,000 - 9,999	1,095 - 2,188	~~1,580~~1,707
10,000 or more	10,000 or more	2,189 or more	~~2,107~~2,276

* Demolition only. Does not apply to renovations.

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RULE 3060 EMISSION REDUCTION CREDIT BANKING FEE (Adopted May 21, 1992; Amended December 17, 1992; Amended February 18, 1993; Amended January 17, 2008; Amended April 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Banking Application for Transactions Requiring Public Notice Pursuant to Rule 2301 (Emission Reduction Credit Banking)

A nonrefundable fee of $~~913~~987 shall accompany each Emission Reduction Credit (ERC) Certificate application. The District, upon notification to the applicant, may assess reasonable additional fees based on expenses and average weighted labor rate should the APCO determine that the fee will not cover the time and effort needed to evaluate the application. Upon notification that an additional fee shall be required, the applicant may withdraw an application without incurring such additional fee.

2.0 Banking Application for Transactions Not Requiring Public Notice Pursuant to Rule 2301 (Emission Reduction Credit Banking)

A nonrefundable fee of $~~87~~94 shall accompany each Emission Reduction Credit (ERC) Certificate application.

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RULE 3070 OTHER CHARGES (Adopted May 21, 1992; Amended December 17, 1992; Amended January 21, 1993; Amended July 17, 2003; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Charges for Rules and Regulations, Technical Reports, and Other Publications

The District may charge other governmental agencies or individuals or groups requesting copies of rules and regulations, information, circulars, reports of technical work, and other reports prepared by the District, including but not limited to technical and legal documents for after-hours processing of permit applications, a sum not to exceed the cost of preparation and distribution of such documents.

2.0 Charges for Copies

Individual copies of all printed materials other than those referenced in Section 1.0 may be obtained upon remittance of a fee of $~~0.73~~0.79 per first page and $~~0.16~~0.18 per additional page.

3.0 Late Fees

If payment of any charges levied under this rule is not received by the District within 60 days of the invoice date, the charges shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees). Nonpayment of the increased fees within 90 days of the invoice date may result in suspension of a facility's Permit(s) to Operate.

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RULE 3110 AIR TOXICS FEES (Adopted May 21, 1992; Amended December 17, 1992; Amended May 15, 1997; Amended July 17, 2003; Amended January 17, 2008; Amended April 16, 2015, effective July 1, 2016; Amended August 17, 2017; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

1.0 Applicability

This rule applies to facilities subject to the requirements of the Air Toxics "Hot Spots" Information and Assessment Act (Sections 44340 to 44383 of the California Health and Safety Code) and to facilities subject to National Emission Standards for Hazardous Air Pollutants issued pursuant to Section 112 of the federal Clean Air Act (42 U.S. Code, 7401, et. seq.).

2.0 Purpose

The purpose of this rule is to recover State costs for implementing the Air Toxic Hot Spots Program as charged to the District, and District costs for implementing an integrated air toxics program that addresses both State and Federal mandates.

3.0 Definitions

3.1 Complex Facility: a facility that has six or more processes as determined by six digit Source Classification Codes.

3.2 De Minimis Facility: a facility meeting any one of the following five criteria:

3.2.1 The facility primarily performs printing as described by Standard Industrial Classification (SIC) Codes 2711 or 2782, and the facility uses an annual average of two gallons per day or less of all graphic arts materials (excluding the volume of water or acetone used);

3.2.2 The facility is a wastewater treatment plant, as described by SIC code 4952, which has a maximum throughput of less than 10,000,000 gallons per day, and does not have a sludge incinerator;

3.2.3 The facility is a crematorium for humans or animals, as described by SIC code 7261 or any other SIC code that describes a facility using an incinerator to burn biomedical waste (animals), the facility uses only propane or natural gas as fuel, and the facility annually cremates no more than 300 human bodies or 43,200 pounds of remains (human or animal). Facilities using incinerators that burn biomedical waste other than human bodies or animals do not qualify for this exemption;

3.2.4 The facility is primarily a boat (or ship) building or repair facility, as described by SIC codes 3731 or 3732, respectively, and the facility uses 20 gallons per year or less of coatings or is a coating operation using hand-held non-refillable aerosol cans only; or

3.2.5 The facility is a hospital or veterinary clinic building that is in compliance with the control requirements specified in the Ethylene Oxide Control Measure for Sterilizers and Aerators, section 93108 of Title 17, California Code of Regulations, and has an annual usage of ethylene oxide of less than 100 pounds per year if it is housed in a single story building, or has an annual usage of 600 pounds per year if it is housed in a multi-story building.

3.3 Facility: a stationary source as defined in Rule 2201 (New and Modified Stationary Source Review Rule).

3.4 High Priority Facility: except for intermediate risk facilities and high risk facilities, any facility that, based on their most recent Toxic Emission Inventory Report approved and prioritized by the District in accordance with Section 44360(a) of the California Health and Safety code, has been prioritized by the District with a score greater than or equal to 10.0. This fee category does not apply to industrywide survey facilities.

3.5 High Risk Facility: a facility that has had its health risk assessment approved by the District in accordance with California Health and Safety Code Section 44362 and whose risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of greater than 10.0 in a million or a total hazard index of greater than or equal to 1.0. This category does not apply to industrywide survey facilities.

3.6 Industrywide Survey Facility: a facility that qualifies to be included in an industrywide emission inventory prepared by the District pursuant to California Health and Safety Code Section 44323, but is not an intermediate priority.

3.7 Intermediate Priority Facility: means a facility that has been prioritized by the District with a prioritization score of equal to or greater than 1.0 and less than 10.0 based on the most recent Toxic Emission Inventory Report for the facility approved and prioritized by the District.

3.8 Intermediate Risk Facility: a facility that has had its health risk assessment approved by the District in accordance with California Health and Safety Code Section 44362 and whose risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of greater than or equal to 1.0 in a million and less than or equal to 10.0 in a million, or a total hazard index of greater than or equal to 0.1 and less than 1.0. This category does not apply to industrywide survey facilities.

3.9 Low Priority Facility: a facility that, based on their most recent Toxic Emission Inventory Report approved and prioritized by the District in accordance with Section 44360(a) of the California Health and Safety code, has been prioritized by the District with a score less than 1.0.

3.10 Low Risk Facility: a facility that has had its health risk assessment approved by the District in accordance with California Health and Safety Code Section 44362 and whose risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of less than 1.0 in a million or a total hazard index of less than 0.1.

3.11 Major Facility: a facility that consists of one or more major sources of hazardous air pollutants, as defined in applicable National Emission Standards for Hazardous Air Pollutants (NESHAPS) issued pursuant to Section 112 of the federal Clean Air Act (42 U.S. Code, 7401, et. seq.).

3.12 Medium Facility: a facility that has three to five processes as determined by six digit Source Classification Codes.

3.13 Nonmajor Facility: a facility that is not a major facility.

3.14 Simple Facility: a facility that has one or two processes as determined by six digit Source Classification Codes.

3.15 Small Business: a facility that is independently owned and operated and has met all of the following criteria in the preceding year: 1) the facility has 10 or fewer employees; 2) the facility's gross receipts are less than $1,000,000; and 3) the total annual gross receipts of California operations the facility is part of are less than $5,000,000.

3.16 Small Single Source Facility: a facility that qualifies to be included in a small single source inventory prepared by the District must meet all of the following criteria: 1) the facility has one process as determined by six digit Source Classification Code; 2) the facility releases less than 10 tons per year of each of total organic gases, particulate matter, nitrogen oxides, and sulfur oxides; 3) the facility is not an industrywide survey facility; 4) the facility is subject to District permitting requirements and can be assessed through the annual emissions inventory system; and 5) the District has prepared an applicable screening assessment method for the small single source facility class.

3.17 Source Classification Codes: means number codes created by the United States Environmental Protection Agency used to identify processes associated with sources that contribute emissions to the atmosphere.

3.18 Unprioritized Facility: means a facility that has not been prioritized by the District in accordance with California Health and Safety Code Section 44360 (a).

4.0 Exemptions

4.1 Low priority, low risk, and De Minimis facilities shall be exempt from the fee requirements of sections 6.1 and 6.2 of this rule.

4.2 Intermediate priority facilities shall be exempt from the annual District air toxic fee requirements of section 6.1.

5.0 Small Business Fee Cap

The total annual air toxic fees, including District and State fees from sections 6.0 and 7.0 of this rule, charged for small businesses shall be limited by a small business fee cap. The maximum annual air toxic fee that a small business, as defined in section 3.14 of this rule, shall pay is $~~300~~324.

6.0 District Air Toxic Fees

6.1 Owners and/or operators of facilities, except for intermediate priority facilities, shall pay an annual fee based on their facility status on the first day of the fiscal year, according to the following schedule:

Facility Status	Simple	Medium	Complex
Industrywide Survey	$~~99~~107	$~~99~~107	$~~99~~107
Small Single Source	$~~99~~107	$~~99~~107	$~~99~~107
Small Businesses	$~~300~~324	$~~300~~324	$~~300~~324
Unprioritized	$~~478~~517	$~~1,264~~1,366	$~~3,924~~4,238
High Priority	$~~1,213~~1,311	$~~3,356~~3,625	$~~6,153~~6,646
Intermediate Risk	$~~100~~108	$~~200~~216	$~~400~~432
High Risk	$~~3,356~~3,625	$~~4,969~~5,367	$~~8,021~~8,663

6.2 Owners and/or operators of intermediate priority facilities shall pay a fee of $~~160~~173 every four years during the fiscal year that their quadrennial update is due.

6.3 In addition to the applicable fees from section 6.1 or 6.2, owners and/or operators of facilities that, at any time during the fiscal year, are subject to National Emission Standards for Hazardous Air Pollutants (NESHAPS) issued pursuant to Section 112 of the federal Clean Air Act (42 U.S. Code, 7401, et. seq.) shall pay the following annual fee of $~~129~~140 for nonmajor facilities or $~~1,215~~1,313 for major facilities.

7.0 State Air Toxic Fees

7.1 State Air Toxic Hot Spots Fee

In addition to the District Air Toxic Fees described in Section 6.0 of this rule, Owners and/or operators of facilities subject to the requirements of the State Air Toxics "Hot Spots" Information and Assessment Act (Sections 44340 to 44383 of the California Health and Safety Code) shall pay an annual fee equal to the State cost for the facility used in the development of the State's Amendments to the Air Toxic Hot Spots Fee Regulation for the fiscal year.

7.2 State Fees for Review of Risk Assessments

Owners and/or operators of facilities required to submit health risk assessments pursuant to Section 44360 of the State Health and Safety Code shall reimburse the District for the amount the District is charged by the State for review of facility risk assessments.

7.3 State Air Toxic Fees collected by the District shall be transmitted to the State in accordance with applicable provisions of Section 90705 of Title 17 of the California Code of Regulations.

8.0 Fee Notices and Late Fees

8.1 Each year, the District shall provide invoices as notification to pay District and State air toxic fees, payable within 60 days of the invoice date.

8.2 If all fees due have not been paid within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees). Nonpayment of the increased fees within 90 days of the invoice date may result in suspension of the facility's Permit(s) to Operate.

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RULE 3135 DUST CONTROL PLAN FEE (Adopted October 20, 2005; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019~~

1.0 Purpose

The purpose of this rule is to recover the District's costs for reviewing Dust Control Plans and conducting site inspections to verify compliance with such plans.

2.0 Applicability

This rule applies to each owner/operator subject to the Dust Control Plan requirements of District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities), Section 6.3.1.

3.0 Definitions

The definitions of terms in Rule 8011 (General Requirements) shall apply to this rule.

3.1 Modification: Any change to a Dust Control Plan which will change the size and scope of the project site and/or a significant change in any of the preventative and/or control measures in an approved Dust Control Plan.

4.0 Dust Control Plan Filing Fee

Every person filing a Dust Control Plan subject to the provisions of Rule 8021, Section 6.3.1, shall pay to the District, upon filing, the nonrefundable fee of $~~422~~456. The $~~422~~456 is the total fee for any project, including any administrative changes which may be necessary for approval of the plan.

Any person submitting a request to modify an existing approved Dust Control Plan, shall pay to the District, a fee of $~~87~~94.

5.0 Late Fees

If payment of any charges levied under this rule are not received by the District within 60 days of submittal of the Dust Control Plan to the District, the charges shall be increased in accordance with the schedule provided in Rule 3010, Section 11.0 Late Fees.

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RULE 3140 FEES FOR CERTIFICATION OF AIR PERMITTING PROFESSIONALS
(Adopted March 16, 1995; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Purpose

The purpose of this rule is to establish the fees required for implementing the Certification of Air Permitting Professionals program as described in Rule 1170.

2.0 Applicability

This rule applies to persons electing to take the optional training described in Section 6.0 of Rule 1170 and to persons applying for certification as described in Section 3.0 of Rule 1170.

3.0 Training and Certification Fee

3.1 Optional Training

Every applicant for District Certification as an Air Permitting Professional electing to attend the two-day optional training course, as described in Section 6.0 of Rule 1170, shall pay a nonrefundable training fee of $~~187~~202. The $~~187~~202 fee entitles an individual to attend the optional two-day training and receive any required course material.

3.2 Mandatory Training and Certification

Every applicant for District Certification as an Air Permitting Professional, as described in Section 3.0 of Rule 1170, shall pay a training and certification fee of $~~450~~486. The $~~450~~486 fee entitles qualified applicants, as defined in Section 4.0 of Rule 1170, to attend the mandatory two-day training course, to receive the District's Permitting Manual, the District's Rules and Regulations, the District's BACT Clearinghouse Manual, and any other required course material; and to test for certification.

Applicants not meeting the Qualifications for Candidacy as described in Section 4.0 of Rule 1170 shall be refunded $~~422~~456 of the training and certification fee.

4.0 Annual Renewal Fee

Certified Air Permitting Professionals renewing their certification shall pay a nonrefundable $~~205~~222 annual renewal fee. The renewal fee shall be due on the anniversary of the date of certification, beginning one year from the date of initial certification. The renewal fee entitles the Certified Air Permitting Professional to attend supplemental training courses and receive updated materials for the District's Permitting Manual, District's Rules and Regulations, and the District's BACT Clearinghouse. The supplemental training will address changes to District rules, regulations, policies and procedures as they apply to the evaluation of proposed projects.

RULE 3147 FEES FOR CERTIFICATION OF GASOLINE DISPENSING FACILITY TESTERS (Adopted June 21, 2007; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Purpose

The purpose of this rule is to establish the fees required for implementing the Gasoline Dispensing Facility (GDF) Tester Certification program as described in Rule 1177.

2.0 Applicability

The requirements of this rule apply to any person who has obtained, or is applying to obtain, interim certification or certification as a GDF Tester pursuant to Section 4.0 or 5.0 of Rule 1177.

3.0 Training and Certification Fee

Every applicant for interim certification or certification as a GDF Tester, as described in Section 4.0 or 5.0 of Rule 1177, respectively, shall pay a training and certification fee, which entitles qualified applicants, as defined in Section 6.0 of Rule 1177, to attend the mandatory orientation course. The fee shall be calculated as ~~33~~36 dollars plus 2 hours at the prevailing average weighted labor rate of the District for the Compliance Department as developed and issued in writing by the Finance Department of the District.

Applicants not meeting the Qualifications for Candidacy as described in Section 6.0 of Rule 1177 shall be refunded the training and certification fee less any administrative costs incurred by the District.

4.0 Biennial Renewal Fee

Interim Certified or Certified GDF Testers renewing their certification shall pay a nonrefundable biennial renewal fee, which shall be calculated as ~~13.16~~14.22 dollars plus 1 hour at the prevailing average weighted labor rate of the District for the Compliance Department as developed and issued in writing by the Finance Department of the District. The renewal fee shall be due on the biennial anniversary of the date of certification, beginning two years from the date of initial certification. The renewal fee entitles the Interim Certified or Certified GDF Tester to attend required supplemental certification courses.

No earlier than 60 days prior to the biennial anniversary of the date of certification, the District shall provide the Interim Certified or Certified GDF Tester with an invoice for the biennial renewal fee. The Interim Certified or Certified GDF Tester shall pay the renewal fee within 60 days of the invoice date.

5.0 Late Fees

If the renewal fee is not received by the District within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Section 11.0 (Late Fees) of Rule 3110. Nonpayment of the renewal fees within 90 days of the invoice date may result in suspension of the certification.

RULE 3150 FEES FOR PORTABLE EQUIPMENT REGISTRATION (Adopted October 20, 1994; Amended July 17, 2003; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Initial Registration Fee

Every applicant for a portable equipment registration shall pay to the administering district a non-refundable filing fee of $~~215~~233 per emissions unit.

If the owner or operator chooses to declare the equipment as non-operational at the time of initial registration, a non-refundable fee of $~~15.70~~16.96 shall be paid, in lieu of paying the initial registration fee. To declare an emissions unit as non-operational, the registered owner or operator shall state in writing the intention to not operate the said equipment until registration is renewed. Prior to operating the emissions unit, the registered owner or operator shall pay the initial registration fee of $~~215~~233 in full to the district.

2.0 Annual Registration Renewal Fee

No earlier than 60 days prior to the anniversary of the issuance of a registration, the District shall provide the owner or operator an invoice for the renewal fee of $~~129~~140 per emissions unit. The renewal fee shall be paid within 60 days of the invoice date, unless the owner or operator declares non-operational status for the emissions unit. The District may prorate the renewal payments to a single anniversary date for the holder of registrations with more than one anniversary date. If the renewal fee is not paid within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees). Nonpayment of the increased fee within 90 days of the invoice date may result in cancellation of the registration.

3.0 Administrative Fees

No administrative fees shall be required for operating within San Joaquin Valley for emissions units registered in San Joaquin Valley Unified Air Pollution Control District. If a unit that is registered in another district is operated within San Joaquin Valley Unified Air Pollution Control District, the District shall provide the owner or operator of the registered portable equipment an invoice for an administrative fee of $~~65~~71 per year for each emissions unit. The administrative fee shall be paid within 60 days of the invoice date. If the administrative fee is not paid within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees). Nonpayment of the increased fee within 90 days of the invoice date may result in cancellation of the registration.

4.0 Inspection Fees

No inspection fees shall be required for operating within the San Joaquin Valley for emissions units registered in San Joaquin Valley Unified Air Pollution Control District. If a unit that is registered in another district is inspected by the San Joaquin Valley Unified Air Pollution Control District, the District shall provide the owner or operator of a registered portable equipment an invoice for an inspection fee of $~~65~~71 per year for each emissions unit. The inspection fee shall be paid within 60 days of the invoice date. If the inspection fee is not paid within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees). Nonpayment of the increased fee within 90 days of the invoice date may result in cancellation of the registration.

5.0 Non-Operational Equipment Fees

Upon receipt of the invoice for annual registration renewal, the registered owner or operator may choose to declare the equipment as non-operational for a non-refundable fee of $~~15.70~~16.96, in lieu of paying the annual registration fee. To declare an emissions unit as non-operational, the registered owner or operator shall state in writing the intention to not operate the said equipment until registration is renewed. Prior to operating the emissions unit, the registered owner or operator shall pay the annual registration fee in full to the district.

RULE 3155 PERMIT-EXEMPT EQUIPMENT REGISTRATION FEES (Adopted October 19, 2006; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Purpose

The purpose of this rule is to recover the District's costs of maintaining an effective Permit-Exempt Equipment Registration (PEER) program, as required by Rule 2250 (PEER).

2.0 Applicability

This rule applies to owners or operators of any emissions unit required to obtain a PEER.

3.0 Definitions

3.1 Conservation Management Practice (CMP): as defined in District Rule 4550 (Conservation Management Practices).

3.2 Emissions Unit: as defined in District Rule 2201 (New and Modified Stationary Source Review Rule).

3.3 Permit-Exempt Equipment Registration Unit (PEER unit): an emissions unit that has been granted a PEER under District Rule 2250 (PEER).

3.4 Stationary Source: as defined in District Rule 2201 (New and Modified Stationary Source Review Rule).

4.0 PEER Fees

4.1 PEER Application Fee: The owner or operator shall pay the appropriate application-filing fees for each PEER unit application:

Table 1: PEER Application-Filing Fees.

Schedule	Cost ($ per PEER application)
A – General Fee	~~104~~113
B – Special Fee	~~32~~35

4.1.1 Schedule A, General Fee, applies to each application for a PEER unit, except those that qualify for the Schedule B "Special Fee".

4.1.2 Schedule B, Special Fee, applies to each application for a PEER unit for which the District also receives a complete application for funding under a District grant program.

4.2 Annual PEER Fee: The owner or operator of a PEER unit is subject to one of the following annual fee schedules shown in Table 2 below.

Table 2: Annual PEER Fees.

Schedule	Cost ($ per year per PEER unit)
A – General Fee	~~69~~75
B – Special Fee	~~31~~34

4.2.1 Schedule A, General Fee, applies to each PEER unit, except those that qualify for the Schedule B "Special Fee".

4.2.2 Schedule B, Special Fee, applies to each PEER unit at a stationary source that is also subject to District permitting or CMP requirements, or which unit was installed under a District grant program, has been issued a SJVAPCD portable equipment registration, or has been issued a state portable equipment registration with the SJVAPCD identified as the home district. This fee shall be invoiced and collected by the District once every five years ($~~155~~170 for the five-year period).

4.3 Transfer of PEER

4.3.1 Where an application is filed for transfer of PEER unit(s) from one person to another, and where no alteration or addition is being made to the PEER unit(s), the applicant shall pay a nonrefundable fee of $~~16.00~~18 per PEER unit.

4.3.2 Where an application is filed to change the name of a stationary source containing PEER unit(s), and where no alteration or addition has been made to the PEER unit(s), the applicant shall pay a nonrefundable fee of $~~16.00~~18 per stationary source.

4.3.3 In the event a stationary source is subject to both District PEER and District permitting requirements, the governing transfer fee shall be according to Rule 3010 (Permit Fee).

4.3.4 Where an application is filed to change the location of PEER unit(s), and where no alteration or addition has been made to the PEER unit(s), the applicant shall pay a nonrefundable fee of $~~16.00~~18 per PEER unit.

4.4 Portable PEER Unit Identification Tag

4.4.1 The owner or operator of a portable PEER unit shall pay a non-refundable fee of $~~16.00~~18 for each portable PEER identification tag issued by the District.

5.0 Fee Notification

5.1 The District shall provide the owner or operator of the PEER unit with an invoice for the PEER application fee, if the applicant has not previously submitted the required fee. PEER application fees are due and payable within 60 days of the invoice date. Nonpayment of the application fees within 60 days of the original invoice date may result in the denial of the PEER Application.

5.2 The District shall provide the owner or operator of the PEER unit with an invoice for the annual PEER fee. The initial annual PEER fee will be due approximately one year after PEER issuance. Annual PEER fees are due and payable within 60 days of the invoice date. Annual PEER fees not paid within 60 days after the original invoice date shall be subject to late fees in accordance with the schedule provided in Rule 3010, Section 11.0 Late Fees. Nonpayment of the annual PEER fee and all related late fees within 90 days of the original invoice date may result in suspension or cancellation of the PEER(s).

RULE 3180 ADMINISTRATIVE FEES FOR INDIRECT SOURCE REVIEW (ISR) (Adopted December 15, 2005; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Purpose

The purpose of this rule is to recover District's costs for administering the requirements of District Rule 9510 (Indirect Source Review).

2.0 Applicability

This rule applies to development projects subject to a portion or all the requirements of Rule 9510.

3.0 Application Filing Fee

When a developer submits an Air Impact Assessment (AIA) application in accordance with the provisions of District Rule 9510, the developer shall pay a non-refundable application filing fee according to the following fee schedule:

Residential projects ……………………..…. $~~562~~607

Non-residential or mixed use projects ……. $~~841~~909

4.0 Application Evaluation Fee

4.1 Every developer who files an air impact assessment application in accordance with the provisions of District Rule 9510 shall pay an evaluation fee for the development and/or review of the air quality analysis and the determination of the Off-Site Emission Reduction Fees necessary for off-site emission reductions. The fee shall be calculated using the staff hours expended and the prevailing weighted labor rate. No applicant shall be charged for staff hours associated with staff training or correction of staff errors. All filing fees paid shall be credited towards the evaluation fee.

4.2 All time spent by the District application processing staff on the project, beginning with pre-application meeting through issuance of the final decision, must be logged on a "Application Processing Time" log. Upon formal request by a developer, the District shall provide a current status of actual time expenditure, broken down by major application processing steps within 10 days.

4.3 Notification of Fee Amount and Payment: The developer shall be notified of the evaluation fee in excess of the application fee when it receives the approval or denial of the AIA application. The fee shall be payable within sixty (60) calendar days.

5.0 Administrative Fees for Mitigation Projects

5.1 Each developer that is subject to the off-site emission reduction fees under District Rule 9510 shall pay to the District an administrative fee equal to four percent (4%) of the required off-site fees for the District's cost of administering the off-site emission reduction program as outlined in Rule 9510.

5.2 Notification of Fee Amount and Payment: The administrative fees for off-site projects shall be paid at the same time as the off-site emission reduction fees.

5.3 Refund of Administrative Fees for Off-Site Projects

If a project is terminated or is cancelled, the building permit or use permit expires, is canceled, or is voided, no construction has taken place, and the use has never occupied the site, the applicant is entitled to a refund of the administrative fees for off-site projects and the off-site emission reduction fees paid less the administrative costs incurred by the District. The developer must provide written request of refund, with proof of termination within thirty (30) calendar days of termination, such as confirmation from local agency of permit cancellation.

6.0 Fee Penalty

If payment of any charges levied under this rule are not received by the District within sixty (60) calendar days of the invoice date, or by the date specified on the invoice, the charges shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees).

RULE 3190 CONSERVATION MANAGEMENT PRACTICES PLAN FEE (Adopted May 20, 2004; Re-adopted August 19, 2004; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Purpose

The purpose of this rule is to recover the District's costs for the review and management of Conservation Management Practices (CMP) Applications and Plans required by Rule 4550 (Conservation Management Practices).

2.0 Applicability

This rule applies to each owner/operator of an Agricultural Operation Site subject to Section 5.0 of Rule 4550 (Conservation Management Practices).

3.0 Definitions

3.1 Agricultural Operation Site (AOS): as defined in Rule 4550 (Conservation Management Practices).

3.2 Air Pollution Control Officer (APCO): as defined in Rule 1020 (Definitions).

3.3 Animal Feeding Operation (AFO): as defined in Rule 4550 (Conservation Management Practices).

3.4 Cattle AFO: an AFO that meets the criteria of Standard Industrial Classification (SIC) 021, as defined in the SIC Manual, dated 1987.

3.5 Conservation Management Practice Program Evaluator (CMP Program Evaluator): an entity or agency designated by the APCO for verifying CMP Applications.

3.6 Dairy Cattle AFO: an AFO that meets the criteria of Standard Industrial Classification (SIC) 024, as defined in the SIC Manual, dated 1987.

3.7 NRCS: as defined in Rule 4550 (Conservation Management Practices).

3.8 RCD: the Resource Conservation District.

3.9 Source Operation: as defined in Rule 1020 (Definitions).

4.0 Exemptions

The provisions of this rule do not apply to any AOS subject to the District's Permit To Operate requirements.

5.0 CMP Application Fees

5.1 Agricultural Operation Sites containing Animal Feeding Operations subject to Rule 4550

The owner/operator of an AFO shall pay the applicable fee in Schedule 1, based on the number of animals, for each Initial CMP Application that is required by Rule 4550.

SCHEDULE 1: INITIAL AFO CMP APPLICATION FEE

Type and Size (number of animals)	Initial CMP Application Fee
A: Dairy Cattle AFO	
799 or less	$~~90~~98
800 to 1,999	$~~178~~193
2,000 or Greater	$~~355~~384
B: Cattle AFO, other than a Dairy	
999 or less	$~~90~~98
1,000 to 4,999	$~~178~~193
5,000 or Greater	$~~355~~384
C: Turkey AFO	
109,999 or less	$~~90~~98
110,000 to 219,999	$~~178~~193
220,000 or Greater	$~~355~~384
D: Laying Hen AFO	
164,999 or less	$~~90~~98
165,000 to 349,999	$~~178~~193
350,000 or Greater	$~~355~~384
E: Chicken AFO, other than a Laying Hen AFO	
249,999 or less	$~~90~~98
250,000 to 349,999	$~~178~~193
350,000 or Greater	$~~355~~384

5.1.1 The Initial CMP application fee for an AOS, with two or more AFOs covered by a single CMP application, shall be the highest fee in Schedule 1 which, would apply to each individual AFO Initial CMP application.

5.1.2 A separate or additional fee is not required for reviewing the portion of the CMP Application addressing the growing and harvesting of crops at an AOS that contains an AFO subject to Schedule 1.

5.2 Agricultural Operation Site not containing Animal Feeding Operations subject to Rule 4550

The owner/operator of an AOS that does not include an AFO shall pay the applicable fee in Schedule 2.

SCHEDULE 2: INITIAL NON-AFO CMP APPLICATION FEE

Size (in acres)	Initial CMP Application Fee
500 acres or less	$~~171~~185
501 acres to 1,999 acres	$~~492~~532
2,000 acres or greater	$~~771~~833

5.3 Multiple Agricultural Operation Sites not containing Animal Feeding Operations subject to Rule 4550

An owner/operator of multiple AOSs shall pay the applicable fee as shown in Schedule 2. This fee is based on the total size in acres of all the AOSs for which, an Initial CMP Application is required by Rule 4550. The CMP applications for all AOSs shall be submitted to the APCO at the same time.

5.4 CMP Plan Renewal Fee

The owner/operator shall pay a renewal fee of $~~143~~155 every two years for each CMP Plan that is required by Rule 4550.

5.5 CMP Modification Fee

No additional fees are required to request a modification of a previously approved CMP Plan.

6.0 CMP Application Review Discount

Notwithstanding Section 5.0, the Initial CMP Application Fee in Sections 5.1, 5.2, and 5.3 shall be reduced by 50% if all of the following conditions are met:

6.1 The CMP Application(s) has been verified in writing by a CMP Program Evaluator prior to submittal to the APCO,

6.2 The CMP Program Evaluator's verification contains all supporting information required by the APCO to evaluate the application, and

6.3 The application is not subject to late fees.

7.0 Fee Notification

7.1 The APCO shall provide the AOS owner/operator with an invoice for the applicable Initial CMP Application fee. Nonpayment of the invoiced fees within 60 days of the original invoice date, may result in the denial of the CMP Application.

7.2 The APCO shall provide the AOS owner/operator with an invoice for the first renewal fee upon approval of the initial CMP Application and biennially thereafter. CMP Plan renewal fees are due and payable within 60 days of the invoice date.

8.0 Late Fees

If payment of any charges levied under this rule is not received by the APCO within 60 days of the invoice date, the charges shall be increased in accordance with the schedule provided in Rule 3010, Section 11.0 Late Fees.

RULE 3901 FEES FOR REGISTRATION OF WOOD BURNING HEATERS (Adopted September 18, 2014; Amended April 19, 2018~~, effective July 1, 2019~~; Amended [*date of adoption*], effective July 1, 2025 through June 30, 2026)

~~Note: This rule is effective on and after July 1, 2019.~~

1.0 Purpose

The purpose of this rule is to establish the fee required for the registration of a wood burning heater (including pellet-fueled wood burning heaters) as defined in Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters).

2.0 Applicability

The requirements of this rule apply to any individual who chooses to register a wood burning heater pursuant to District Rule 4901.

3.0 Registration Fee

Applicants registering a wood burning heater shall pay a non-refundable registration fee of $~~13.70~~14.80 as a part of the application process.

4.0 Renewal Fee

Individuals choosing to renew their registration with the District shall pay a nonrefundable renewal fee of $~~13.70~~14.80 as a part of the application process.

No earlier than 60 days prior to the expiration date of the registration, the District shall provide the individual with an invoice for the renewal fee. If the individual chooses to renew the registration, then the renewal fee shall be due to the District within 60 days of the invoice date.

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San Joaquin Valley Unified Air Pollution Control District
Meeting of the Governing Board
May 15, 2025

<u>ADOPT PROPOSED AMENDMENTS TO DISTRICT FEE RULES</u>

Attachment C:

<u>Proposed Fee Rules Effective July 1, 2026</u>
(49 PAGES)

RULE 3010 PERMIT FEE (Adopted May 21, 1992; Amended December 17, 1992; Amended July 20, 1995; Amended May 21, 1998; Amended June 21, 2001; Amended July 17, 2003; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Filing Fee

1.1 Every applicant for an Authority to Construct or a Permit to Operate any source operation for which an Authority to Construct or a Permit to Operate is required by California State Law or the District Rules and Regulations shall pay a nonrefundable filing fee of $~~94~~102 per permit unit, except as provided in Section 1.2 below. All filing fees paid shall be credited toward the evaluation fee if it applies.

1.2 Part 70 permits as required by District Rule 2520

Every applicant for an initial or new federally mandated operating permit, or renewal of or modification to an existing permit, shall pay a nonrefundable filing fee of $~~25~~27 per emissions unit up to a maximum of $~~1,816~~1,962 per stationary source facility. All filing fees paid shall be credited toward the evaluation fee if it applies.

2.0 Permit Fee

2.1 Every applicant for a Permit to Operate, who files an application with the District, shall in addition to the filing fee and evaluation fee prescribed herein, pay the fee for the issuance of a Permit to Operate in the amount prescribed in Rule 3020 (Permit Fee Schedules).

2.2 Part 70 General Permits

Every applicant for a general permit shall pay a nonrefundable fee of $~~42~~46 per emissions unit upon receipt of the Part 70 general permit.

3.0 Evaluation/Air Quality Impact Analysis Fee

3.1 Every applicant who files an application for an Authority to Construct or a Permit to Operate with the District shall pay an engineering evaluation fee for the processing of the application. The fee shall be calculated using the staff hours expended and the prevailing weighted labor rate. All filing fees paid shall be credited towards the evaluation fee.

3.1.1 Evaluation Fee Cap

The District shall advise the applicant of the estimated evaluation fees in writing in conjunction with notification that the application is deemed complete. The fee estimate shall include a breakdown by major application processing steps. The advance fee estimate shall serve as cap on the Permit Evaluation Fee unless the District increases the estimated cost for processing an application and issues a revised written advance fee estimate prior to expending 50% of a previous advance fee estimate. After the expenditure of 50% of the advance fee estimate, the District shall make no further upward revisions to the advance fee estimate.

3.1.2 Recordkeeping

All time spent by the permit processing staff on the project, beginning with pre-application meeting through issuance of the final decision, must be logged into the District's "Labor Information System" database. Upon formal request by an applicant, the District shall provide a current status of actual time expenditure versus the advance fee estimate, broken down by major application processing steps.

3.1.3 Activities Excluded from Hourly Billings

3.1.3.1 No applicant shall be billed for staff hours associated with staff training or correction of staff errors.

3.1.3.2 No applicant shall be billed for the time spent by the permit services division director, manager, compliance staff, or clerical support. The time spent by the above mentioned personnel is accounted for in the average weighted labor rate for permit processing staff.

3.2 Part 70 permits as required by District Rule 2520

Every applicant for a federally mandated operating permit, a modification or amendment to a federally mandated operating permit, or a certificate of conformity, shall also pay an evaluation fee for the processing of the application. The fee shall be calculated using the staff hours expended and an average weighted labor rate. All filing fees paid shall be credited towards the evaluation fee. The hourly fees charged to the applicant shall not exceed by more than 10% the amount of the advance fee estimate, or a revision thereto provided by the District.

3.2.1 Advance Fee Estimate

The District shall advise the applicant of the estimated evaluation fees in writing in conjunction with notification that the application is deemed complete. The fee estimate shall include a breakdown by major application processing steps. The District may only increase the estimated cost for processing an application and issue a revised advance fee estimate prior to expending 50% or a previous advance fee estimate. After the expenditure of 50% of the advance fee estimate, the District shall make no further upward revisions to the advance fee estimate.

3.2.2 Part 70 Permit Applicability Determination

Every applicant who requests that the District prepare a determination as to the applicability of the requirement for a facility to obtain a federally mandated operating permit shall also pay an analysis fee. The fee shall be calculated using the staff hours expended on preparing the determination and an average weighted labor rate.

3.2.3 Recordkeeping

All time spent by the permit processing staff on the project, beginning with pre-application meeting through issuance of the final decision, must be logged on a "Breakdown of Application Processing Time" log. The log shall not include the time spent by the permit services division director, manager, compliance staff, or clerical support. The time spent by the above mentioned personnel is accounted for in the average weighted labor rate for permit processing engineers. Upon formal request by an applicant, the District shall provide a current status of actual time expenditure versus the advance fee estimate, broken down by major application processing steps.

3.2.4 Activities Excluded from Hourly Billings

3.2.4.1 No applicant shall be charged for staff hours associated with staff training or correction of staff errors.

3.2.4.2 No evaluation fee shall be charged in conjunction with general permits.

3.2.4.3 The applicant shall not be billed for the time spent by the permit services division director, manager, compliance staff, or clerical support. The time spent by the above mentioned personnel is accounted for in the average weighted labor rate for permit processing engineers.

4.0 Cancellation or Denial

If an Authority to Construct or a Permit to Operate or an application for an Authority to Construct or a Permit to Operate expires, is canceled, withdrawn by the applicant, revoked, or denied and such denial becomes final, the filing, permit and evaluation fee required herein shall not be refunded nor applied to any subsequent application or permit.

5.0 Transfer of Owner without an Alteration or Addition

Where an application is filed for a Permit to Operate any source operation by reason of transfer from one person to another and where a Permit to Operate has previously been granted under Rule 2010 (Permits Required), and where no alteration or addition has been made or where no transfer of location has been made, the applicant shall pay a nonrefundable fee of $~~35~~38 per permit unit. A $~~35~~38 fee will be charged for the change of name only.

6.0 Fee Notification

After an applicant has complied with the provisions for granting permits as set forth in Division 26 of the Health and Safety Code and the District Rules and Regulations, the District shall provide the applicant with an invoice for the filing fee, permit fee, and evaluation fee to be paid for the issuance of the Permit to Operate or the Authority to Construct. If the fees are not received by the District within 60 days of the invoice date, the fees shall be increased in accordance with the schedule provided in Section 11.0 (Late Fees) of this Rule. Nonpayment of the increased fees within 90 days of the original invoice date may result in the cancellation of the application and the Authority to Construct or suspension of the Permit to Operate.

7.0 Permit Granted by Hearing Board

In the event that an Authority to Construct or 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 permit fee prescribed in Section 2.0 and the evaluation fee prescribed in Section 3.0 within 60 days after the date of the decision of the Hearing Board. If the fee is not paid within this period of time, the fee shall be increased in accordance with the schedule provided in Section 11.0 (Late Fees) of this Rule. Nonpayment of the increased fees within 90 days after the initial due date shall result in the automatic cancellation of the Authority to Construct or the Permit to Operate and the application.

8.0 Annual Renewal Fee

No earlier than 60 days prior to the anniversary date of the issuance of a Permit to Operate granted under Rule 2010 (Permits Required), the District shall provide the permittee with an invoice for the renewal fee equal to the fee in the current Fee Schedules in Rule 3020 (Permit Fee Schedules). The permittee shall pay the renewal fee within 60 days of the invoice date. The holder of permits with more than one anniversary date may adjust annual renewal payments to a single anniversary date by prorating renewal fee(s) as necessary. If the renewal fee is not received by the District within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Section 11.0 (Late Fees) of this Rule.

Nonpayment of the increased fees within 90 days of the invoice date may result in the suspension of the permit.

9.0 Multiple Locations

When permits have been issued to operate movable equipment at two or more locations, only one annual renewal fee will be charged.

10.0 Duplicate Authority to Construct or Permit to Operate

A request for a duplicate Authority to Construct or Permit to Operate shall be made in writing to the APCO within 10 days after the destruction, loss or defacement of the Authority to Construct or the Permit to Operate. A fee of $~~25~~27 shall be charged for issuing a duplicate Authority to Construct or a duplicate Permit to Operate.

11.0 Late Fees

Fees not paid by the dates set forth in the Rules and Regulations shall be subject to late fees in accordance with the following schedule:

61 to 70 days after invoice or notice date – 10% of the original fee
71 or more days after invoice or notice date – 50% of the original fee

Applicable late fees are added to and become a part of the original fees. Dishonored checks will be considered the same as not receiving payment.

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RULE 3020 PERMIT FEE SCHEDULES (Adopted May 21, 1992; Amended July 16, 1992; Amended December 17, 1992; Amended August 21, 1997; Amended March 17, 1999; Amended June 15, 2000; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

It is hereby determined that the cost of maintaining an active and effective program, issuing permits, performing inspections pertaining to such issuance, and responding to requests exceeds the fees prescribed herein. In determining the fees to be charged, the applicable equipment within each process that requires a permit will be totaled for each schedule. In the event that more than one fee schedule is applicable to a Permit unit, the governing schedule shall be that which results in the higher fee with the exception of service stations where Schedule 11 applies.

SCHEDULE 1
ELECTRIC MOTOR HORSEPOWER SCHEDULE

Any equipment which may cause the emission of air contaminants where an electric motor is used as the power supply shall be assessed a permit fee based on the total rated motor horsepower of all electric motors included in any source operation, in accordance with the following schedule:

Horsepower	Fee
Up to and Including 25	$ ~~116~~126
Greater than 25 but Less Than 50	~~155~~168
50 or Greater but Less Than 100	~~259~~280
100 or Greater but Less Than 200	~~410~~443
200 or Greater but Less Than 400	~~535~~578
400 or Greater but Less Than 800	~~790~~854
800 or Greater but Less Than 1,600	~~1,059~~1,144
1,600 or Greater	~~1,338~~1,446

SCHEDULE 2
FUEL BURNING EQUIPMENT SCHEDULE

Any equipment which may cause the emission of air contaminants in which fuel is burned, with the exception of incinerators which are covered in Schedule 4 and electric power generating facilities which are covered in Schedule 8, shall be assessed a permit fee based upon the design fuel consumption of the equipment expressed in million British Thermal Units (MMBTU) per hour using gross heating values of the fuel in accordance with the following schedule:

MMBTU Per Hour	Fee
Up to and Including 0.15	$ ~~116~~126
Greater Than 0.15 but Less Than 0.4	~~155~~168
0.4 or Greater but Less Than 0.65	~~259~~280
0.65 or Greater but Less Than 1.5	~~410~~443
1.5 or Greater but Less Than 2.5	~~535~~578
2.5 or Greater but Less Than 5.0	~~790~~854
5.0 or Greater but Less Than 15.0	~~1,059~~1,144
15.0 or Greater	~~1,338~~1,446

SCHEDULE 3
ELECTRIC ENERGY SCHEDULE

Any equipment which may cause the emission of air contaminants and which uses electric energy, with the exception of electric motors covered in Schedule 1, shall be assessed a permit fee based on the total kilovolt ampere (KVA) rating, in accordance with the following schedule:

Kilovolt Amperes	Fee
Up to and Including 45	$ ~~116~~126
Greater than 45 but Less Than 145	~~155~~168
145 or Greater but Less Than 450	~~259~~280
450 or Greater but Less Than 1,450	~~330~~357
1,450 or Greater but Less Than 4,500	~~472~~510
4,500 or Greater but Less Than 14,500	~~790~~854
14,500 or Greater	~~1,338~~1,446

SCHEDULE 4
INCINERATOR SCHEDULE

Any equipment designed and used primarily to dispose of combustible refuse by wholly consuming the material charged and leaving only the ashes or residue shall be assessed a permit fee based on the following schedule of the maximum horizontal inside cross-sectional area, in square feet, of the primary combustion chamber:

Area in Square Feet	Fee
Up to and Including 8	$ ~~116~~126
Greater Than 8 but Less Than 16	~~155~~168
16 or Greater but Less Than 27	~~193~~209
27 or Greater but Less Than 47	~~295~~319
47 or Greater but Less Than 90	~~410~~443
90 or Greater	~~601~~650

SCHEDULE 5
STATIONARY CONTAINER SCHEDULE

Any stationary tank, reservoir, or other container, the contents of which may emit an air contaminant, except those owned or operated by a small producer as defined in Rule 1020 (Definitions) shall be assessed a permit fee based on the following schedule of capacities in gallons or cubic equivalent:

Gallons	Fee
Up to 5,000	$ ~~99~~107
5,000 or Greater but Less Than 20,000	~~123~~133
20,000 or Greater but Less Than 50,000	~~179~~194
50,000 or Greater but Less Than 100,000	~~241~~261
100,000 or Greater but Less Than 500,000	~~320~~346
500,000 or Greater but Less Than 1,000,000	~~391~~423
1,000,000 or Greater	~~498~~538

Any stationary tank, reservoir, or other container, owned and operated by a small producer, as defined in Rule 1020 (Definitions), the contents of which may emit an air contaminant shall be assessed a permit fee based on the following schedule of capacities in gallons or cubic equivalent:

Gallons	Fee
Up to and Including 5,000	$ ~~44~~48
Greater than 5,000 but Less Than 20,000	~~61~~66
20,000 or Greater but Less Than 50,000	~~85~~92
50,000 or Greater but Less Than 100,000	~~99~~107
100,000 or Greater but Less Than 500,000	~~131~~142
500,000 or Greater but Less Than 1,000,000	~~169~~183
1,000,000 or Greater	~~241~~261

SCHEDULE 6
MISCELLANEOUS SCHEDULE

Any source operation which may cause the issuance of air contaminants as defined in Rule 1020 (Definitions), which is not included in other schedules shall be assessed a permit fee of $~~139~~151 per source operation.

SCHEDULE 7
RESOURCE RECOVERY SCHEDULE

Any equipment which may cause the emission of air contaminants from the combustion of tires or other waste material used for the generation of electric power shall be assessed a permit fee based on the gross output of the electric generating equipment in accordance with the following schedule:

Kilowatts	Fee
Up to and Including 1,000	$ ~~4,241~~4,581
Greater than 1,000 but Less Than 5,000	~~7,079~~7,646
5,000 or Greater but Less Than 10,000	~~17,453~~18,850
10,000 or Greater but Less Than 20,000	~~36,984~~39,943
20,000 or Greater	~~70,789~~76,453

SCHEDULE 8
ELECTRIC GENERATION SCHEDULE

A. Any equipment not subject to paragraph B, which may cause the emission of air contaminants from the combustion of fossil or wood-derived fuel (including agricultural waste or biomass) for the generation of electric power shall be assessed a permit fee based on the gross output of the electric generating equipment, in accordance with the following schedule. No other fees shall apply to permitted equipment associated with the electrical generating equipment.

Kilowatts	Fee
Up to and Including 500	$ ~~337~~364
Greater than 500 but Less Than 1,000	~~995~~1,075
1,000 or Greater but Less Than 5,000	~~1,988~~2,148
5,000 or Greater but Less Than 10,000	~~3,968~~4,286
10,000 or Greater but Less Than 20,000	~~6,621~~7,151
20,000 or Greater but Less Than 35,000	~~10,588~~11,436
35,000 or Greater	~~13,235~~14,294

B. Any new equipment constructed on or after March 17, 1999 with a gross electric output of 35,000 kilowatts or greater, which may cause the emission of air contaminants from the combustion of fossil or wood-derived fuel (including agricultural waste or biomass) for the generation of electric power shall be assessed a permit fee based on the gross output of the electric generating equipment in accordance with the following schedule. No other fees shall apply to permitted equipment associated with the electrical generating facility.

Kilowatts	Fee
35,000 or Greater but Less Than 100,000	$ ~~13,235~~14,294
100,000 or Greater but Less Than 300,000	~~17,111~~18,480
300,000 or Greater but Less Than 500,000	~~29,041~~31,365
500,000 or Greater but Less Than 1,000,000	~~40,969~~44,247
1,000,000 or Greater	~~70,789~~76,453

SCHEDULE 9
STEAM-ENHANCED CRUDE OIL PRODUCTION WELL SCHEDULE

Steam-enhanced crude oil production wells, except those owned by a small producer, shall be assessed a permit fee of $~~12.13~~13.11 per well. A single permit authorizing 150 or more steam-enhanced crude oil production wells not served by a vapor recovery system and not owned by a small producer shall be assessed a permit fee of $~~1,816~~1,962.

Steam-enhanced crude oil production wells owned by a small producer shall be assessed a permit fee of $~~6.07~~6.56 per well. A single permit authorizing 150 or more steam-enhanced crude oil production wells owned by a small producer and not served by a vapor recovery system shall be assessed a permit fee of $~~909~~982.

SCHEDULE 10
INTERNAL COMBUSTION ENGINE SCHEDULE

Any stationary piston type internal combustion engine of greater than 50 brake horsepower shall be assessed a permit fee based on the following schedule of horsepower:

Brake Horsepower	Fee
Greater than 50 but Less Than 100	$ ~~106~~115
100 or Greater but Less Than 200	~~155~~168
200 or Greater but Less Than 400	~~314~~340
400 or Greater but Less Than 800	~~624~~674
800 or Greater but Less Than 1,000	~~781~~844
1,000 or Greater but Less Than 5,000	~~972~~1,050
5,000 or Greater but Less Than 10,000	~~1,170~~1,264
10,000 or Greater	~~1,355~~1,464

SCHEDULE 11
FUEL DISPENSING EQUIPMENT SCHEDULE

Any fuel dispensing equipment (including stationary fuel storage tanks, dispensers, and associated piping) established at a single location which is primarily used for the purpose of fueling vehicles and equipment shall be assessed a permit fee. Systems that require additional testing for each grade of fuel dispensed by a nozzle shall be assessed a permit fee based on the number of grades of fuel that can be dispensed at each nozzle at a fee of $~~46~~50 per grade per nozzle. All other fuel dispensing equipment will be assessed a permit fee based on the number of fuel dispensing nozzles at a fee of $~~46~~50 per nozzle.

SCHEDULE 12
COMMERCIAL OFFSITE MULTIUSER HAZARDOUS AND
NONHAZARDOUS WASTE DISPOSAL FACILITIES

Each affected facility shall be assessed a permit fee based upon the size of the facility as specified in the conditional use permit issued by the appropriate city or county planning department or based upon the maximum potential size of the facility as determined by the APCO. In determining this fee, the following schedule shall be utilized:

Acres	Fee
Up to and Including 5	$ ~~1,036~~1,119
Greater than 5 but Less Than 10	~~1,146~~1,238
10 or Greater but Less Than 15	~~1,249~~1,349
15 or Greater but Less Than 20	~~1,355~~1,464
20 or Greater but Less Than 25	~~1,455~~1,572
25 or Greater but Less Than 30	~~1,565~~1,691
30 or Greater but Less Than 35	~~1,670~~1,804
35 or Greater but Less Than 40	~~1,781~~1,924
40 or Greater but Less Than 45	~~1,883~~2,034
45 or Greater but Less Than 50	~~1,988~~2,148
50 or Greater but Less Than 55	~~2,097~~2,265
55 or Greater but Less Than 60	~~2,202~~2,379
60 or Greater but Less Than 65	~~2,304~~2,489
65 or Greater but Less Than 70	~~2,414~~2,608
70 or Greater but Less Than 75	~~2,519~~2,721
75 or Greater but Less Than 80	~~2,623~~2,833
80 or Greater but Less Than 85	~~2,734~~2,953
85 or Greater but Less Than 90	~~2,833~~3,060
90 or Greater but Less Than 95	~~2,939~~3,175
95 or Greater but Less Than 100	~~3,050~~3,294

For facilities 100 acres or greater, the fee shall be increased at $~~131~~142 increments for each additional five (5) acre increase beyond that provided above.

SCHEDULE 13
TITLE V SOURCE PERMIT SURCHARGE SCHEDULE

In addition to all other applicable fees, each permit unit at a stationary source subject to District Rule 2520 (Federally Mandated Operating Permits) shall be assessed a fee of $~~45~~49.

RULE 3030 HEARING BOARD FEES (Adopted May 21, 1992; Amended December 17, 1992; Amended August 21, 1997; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Definitions

1.1 Small Business: A business which is independently owned and operated and meets the following criteria, or if affiliated with another concern the combined activities of both concerns shall meet these criteria:

1.1.1 The number of employees is 10 or less; and

1.1.2 The gross annual income is $750,000 or less.

2.0 Filing Fee

2.1 Every applicant or petitioner for a regular variance, interim variance, short term variance, emergency variance, extension of a variance, revocation of a variance, modification of a variance, modification of a variance schedule of progress, appeal hearing, rehearing, special hearing, product variance, or any other action requiring the assembly of the Hearing Board shall pay the Clerk of the Hearing Board, on filing, a non-returnable fee prescribed herein.

Type of Hearing	Fee
Regular Variance	$ ~~1,136~~1,227
Interim Variance	~~456~~493
Short-term (Less than or equal to 90 days) Variance	~~987~~1,066
Emergency Variance	~~343~~371
Extension of a Variance	~~456~~493
Revocation of a Variance	~~456~~493
Modification of a Variance	~~456~~493
Modification of a Variance Schedule of Progress	~~456~~493
Appeal Hearing	~~1,136~~1,227
Rehearing	~~1,136~~1,227
Special Hearing	~~1,136~~1,227
Product Variance	~~1.515~~1,637

2.2 This Section shall not apply to petitions filed by the APCO.

3.0 Excess Emission Fee

3.1 Every applicant or petitioner for a variance from these Rules and Regulations shall pay to the Clerk of the Hearing Board, in addition to the filing fees required in Section 2.0, an emission fee of $~~3.00~~3.25 per pound of emissions based on the total emissions discharged during the variance period in excess of that allowed by these rules, regulations, or permit conditions.

3.2 In the event that more than one rule, regulation, or permit condition limiting the discharge of the same pollutant is violated, the excess emissions fee shall be based on the excess emissions resulting from the violation of the most stringent rule, regulation or permit condition.

3.3 Maximum Excess Emission Fee

3.3.1 For a small business, the maximum excess fee remitted shall be no more than $~~3,575.00~~<u>3,875</u> for the excess emissions which occur at each facility during the variance period.

3.3.2 For all other petitioners, the maximum excess fee remitted shall be no more than $~~8,875.00~~<u>9,625</u> for the excess emissions which occur at each facility during the variance period.

4.0 Group Variance Fees

4.1 Petitioners filing as a group or class for a variance shall jointly pay the total filing fee specified in Section 2.0. Each petitioner shall individually pay excess emission fees for their facility or product(s), as specified in Section 3.0.

5.0 Adjustment of Fees

5.1 If, after the term of the variance for which excess emission fees have been paid, the petitioner can establish to the satisfaction of the APCO, that emissions were less than those upon which the fee was based, or excess emission fee calculations are otherwise incorrect, a pro rata refund shall be made.

6.0 Fee Payment/Variance Revocation

6.1 Excess emission fees required by Section 3.0 shall be due and payable to the Clerk of the Hearing Board within fifteen (15) days of notification in writing that the fees are due, unless otherwise ordered by the Hearing Board.

6.2 Failure to pay any assessed fees within fifteen (15) days of written notification that fees are due may be cause for the Hearing Board to issue further orders as may be appropriate, including but not limited to revocation of a variance. Such notification may be given by personal service or by deposit, postpaid, in the United States mail, and shall be due fifteen (15) days from the date of personal service or mailing. For the purpose of this rule, the fee payment shall be considered to be received by the District if it is postmarked on or before the expiration date stated on the fee billing notice. If the expiration date falls on a Saturday, Sunday, or a state holiday, the fee payment may be postmarked on the next business day with the same effect as if it had been postmarked on the expiration date.

7.0 Request for Time Extension of Payment Due

7.1 Whenever this rule requires fees to be paid by a certain date, the petitioner may, for good cause, request the APCO to grant an extension of time, mot to exceed ninety (90) days, within which fees shall be paid. Any request for extension of time shall be presented in writing, and accompanied by a statement of reasons demonstrating good cause as to why the extension should be granted.

8.0 Transcript Fees

8.1 Any person requesting a transcript of the hearing shall pay the cost of such transcript.

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RULE 3050 ASBESTOS REMOVAL FEES (Adopted May 21, 1992; Amended December 17, 1992; Amended February 18, 1993; Amended August 21, 1997; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018, Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Applicability

The National Emission Standards for Hazardous Air Pollutants (NESHAP), adopted by reference as District Rule 4002, and therefore these fees are applicable to:

1.1 all demolitions whether or not asbestos is present; and

1.2 renovations in which 260 linear feet, 160 square feet, or 35 cubic feet or more of regulated asbestos containing materials are disturbed.

2.0 Fees

Every person filing notification of an asbestos removal project, subject to the provisions of Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), shall pay upon filing, the nonrefundable fee prescribed herein. The total fee for any project shall be the sum of the applicable fee components below.

Demolition or Renovation:

Linear Feet	Square Feet	Cubic Feet	Fee Component ($)
0 - 259*	0 - 159*	0 - 34*	~~204~~221
260 - 499	160 - 499	35 - 109	~~204~~221
500 - 999	500 - 999	110 - 218	~~343~~371
1,000 - 2,499	1,000 - 2,499	219 - 547	~~685~~740
2,500 - 4,999	2,500 - 4,999	548 - 1,094	~~1,139~~1,231
5,000 - 9,999	5,000 - 9,999	1,095 - 2,188	~~1,707~~1,844
10,000 or more	10,000 or more	2,189 or more	~~2,276~~2,459

* Demolition only. Does not apply to renovations.

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RULE 3060 EMISSION REDUCTION CREDIT BANKING FEE (Adopted May 21, 1992; Amended December 17, 1992; Amended February 18, 1993; Amended January 17, 2008; Amended April 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Banking Application for Transactions Requiring Public Notice Pursuant to Rule 2301 (Emission Reduction Credit Banking)

A nonrefundable fee of $~~987~~1,066 shall accompany each Emission Reduction Credit (ERC) Certificate application. The District, upon notification to the applicant, may assess reasonable additional fees based on expenses and average weighted labor rate should the APCO determine that the fee will not cover the time and effort needed to evaluate the application. Upon notification that an additional fee shall be required, the applicant may withdraw an application without incurring such additional fee.

2.0 Banking Application for Transactions Not Requiring Public Notice Pursuant to Rule 2301 (Emission Reduction Credit Banking)

A nonrefundable fee of $~~94~~102 shall accompany each Emission Reduction Credit (ERC) Certificate application.

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RULE 3070 OTHER CHARGES (Adopted May 21, 1992; Amended December 17, 1992; Amended January 21, 1993; Amended July 17, 2003; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Charges for Rules and Regulations, Technical Reports, and Other Publications

The District may charge other governmental agencies or individuals or groups requesting copies of rules and regulations, information, circulars, reports of technical work, and other reports prepared by the District, including but not limited to technical and legal documents for after-hours processing of permit applications, a sum not to exceed the cost of preparation and distribution of such documents.

2.0 Charges for Copies

Individual copies of all printed materials other than those referenced in Section 1.0 may be obtained upon remittance of a fee of $~~0.79~~0.86 per first page and $~~0.18~~0.20 per additional page.

3.0 Late Fees

If payment of any charges levied under this rule is not received by the District within 60 days of the invoice date, the charges shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees). Nonpayment of the increased fees within 90 days of the invoice date may result in suspension of a facility's Permit(s) to Operate.

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RULE 3110 AIR TOXICS FEES (Adopted May 21, 1992; Amended December 17, 1992; Amended May 15, 1997; Amended July 17, 2003; Amended January 17, 2008; Amended April 16, 2015, effective July 1, 2016; Amended August 17, 2017; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Applicability

This rule applies to facilities subject to the requirements of the Air Toxics "Hot Spots" Information and Assessment Act (Sections 44340 to 44383 of the California Health and Safety Code) and to facilities subject to National Emission Standards for Hazardous Air Pollutants issued pursuant to Section 112 of the federal Clean Air Act (42 U.S. Code, 7401, et. seq.).

2.0 Purpose

The purpose of this rule is to recover State costs for implementing the Air Toxic Hot Spots Program as charged to the District, and District costs for implementing an integrated air toxics program that addresses both State and Federal mandates.

3.0 Definitions

3.1 Complex Facility: a facility that has six or more processes as determined by six digit Source Classification Codes.

3.2 De Minimis Facility: a facility meeting any one of the following five criteria:

3.2.1 The facility primarily performs printing as described by Standard Industrial Classification (SIC) Codes 2711 or 2782, and the facility uses an annual average of two gallons per day or less of all graphic arts materials (excluding the volume of water or acetone used);

3.2.2 The facility is a wastewater treatment plant, as described by SIC code 4952, which has a maximum throughput of less than 10,000,000 gallons per day, and does not have a sludge incinerator;

3.2.3 The facility is a crematorium for humans or animals, as described by SIC code 7261 or any other SIC code that describes a facility using an incinerator to burn biomedical waste (animals), the facility uses only propane or natural gas as fuel, and the facility annually cremates no more than 300 human bodies or 43,200 pounds of remains (human or animal). Facilities using incinerators that burn biomedical waste other than human bodies or animals do not qualify for this exemption;

3.2.4 The facility is primarily a boat (or ship) building or repair facility, as described by SIC codes 3731 or 3732, respectively, and the facility uses 20 gallons per year or less of coatings or is a coating operation using hand-held non-refillable aerosol cans only; or

3.2.5 The facility is a hospital or veterinary clinic building that is in compliance with the control requirements specified in the Ethylene Oxide Control Measure for Sterilizers and Aerators, section 93108 of Title 17, California Code of Regulations, and has an annual usage of ethylene oxide of less than 100 pounds per year if it is housed in a single story building, or has an annual usage of 600 pounds per year if it is housed in a multi-story building.

3.3 Facility: a stationary source as defined in Rule 2201 (New and Modified Stationary Source Review Rule).

3.4 High Priority Facility: except for intermediate risk facilities and high risk facilities, any facility that, based on their most recent Toxic Emission Inventory Report approved and prioritized by the District in accordance with Section 44360(a) of the California Health and Safety code, has been prioritized by the District with a score greater than or equal to 10.0. This fee category does not apply to industrywide survey facilities.

3.5 High Risk Facility: a facility that has had its health risk assessment approved by the District in accordance with California Health and Safety Code Section 44362 and whose risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of greater than 10.0 in a million or a total hazard index of greater than or equal to 1.0. This category does not apply to industrywide survey facilities.

3.6 Industrywide Survey Facility: a facility that qualifies to be included in an industrywide emission inventory prepared by the District pursuant to California Health and Safety Code Section 44323, but is not an intermediate priority.

3.7 Intermediate Priority Facility: means a facility that has been prioritized by the District with a prioritization score of equal to or greater than 1.0 and less than 10.0 based on the most recent Toxic Emission Inventory Report for the facility approved and prioritized by the District.

3.8 Intermediate Risk Facility: a facility that has had its health risk assessment approved by the District in accordance with California Health and Safety Code Section 44362 and whose risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of greater than or equal to 1.0 in a million and less than or equal to 10.0 in a million, or a total hazard index of greater than or equal to 0.1 and less than 1.0. This category does not apply to industrywide survey facilities.

3.9 Low Priority Facility: a facility that, based on their most recent Toxic Emission Inventory Report approved and prioritized by the District in accordance with Section

44360(a) of the California Health and Safety code, has been prioritized by the District with a score less than 1.0.

3.10 Low Risk Facility: a facility that has had its health risk assessment approved by the District in accordance with California Health and Safety Code Section 44362 and whose risk assessment results show a total potential cancer risk, summed across all pathways of exposure and all compounds, of less than 1.0 in a million or a total hazard index of less than 0.1.

3.11 Major Facility: a facility that consists of one or more major sources of hazardous air pollutants, as defined in applicable National Emission Standards for Hazardous Air Pollutants (NESHAPS) issued pursuant to Section 112 of the federal Clean Air Act (42 U.S. Code, 7401, et. seq.).

3.12 Medium Facility: a facility that has three to five processes as determined by six digit Source Classification Codes.

3.13 Nonmajor Facility: a facility that is not a major facility.

3.14 Simple Facility: a facility that has one or two processes as determined by six digit Source Classification Codes.

3.15 Small Business: a facility that is independently owned and operated and has met all of the following criteria in the preceding year: 1) the facility has 10 or fewer employees; 2) the facility's gross receipts are less than $1,000,000; and 3) the total annual gross receipts of California operations the facility is part of are less than $5,000,000.

3.16 Small Single Source Facility: a facility that qualifies to be included in a small single source inventory prepared by the District must meet all of the following criteria: 1) the facility has one process as determined by six digit Source Classification Code; 2) the facility releases less than 10 tons per year of each of total organic gases, particulate matter, nitrogen oxides, and sulfur oxides; 3) the facility is not an industrywide survey facility; 4) the facility is subject to District permitting requirements and can be assessed through the annual emissions inventory system; and 5) the District has prepared an applicable screening assessment method for the small single source facility class.

3.17 Source Classification Codes: means number codes created by the United States Environmental Protection Agency used to identify processes associated with sources that contribute emissions to the atmosphere.

3.18 Unprioritized Facility: means a facility that has not been prioritized by the District in accordance with California Health and Safety Code Section 44360 (a).

4.0 Exemptions

4.1 Low priority, low risk, and De Minimis facilities shall be exempt from the fee requirements of sections 6.1 and 6.2 of this rule.

4.2 Intermediate priority facilities shall be exempt from the annual District air toxic fee requirements of section 6.1.

5.0 Small Business Fee Cap

The total annual air toxic fees, including District and State fees from sections 6.0 and 7.0 of this rule, charged for small businesses shall be limited by a small business fee cap. The maximum annual air toxic fee that a small business, as defined in section 3.14 of this rule, shall pay is $~~324~~350.

6.0 District Air Toxic Fees

6.1 Owners and/or operators of facilities, except for intermediate priority facilities, shall pay an annual fee based on their facility status on the first day of the fiscal year, according to the following schedule:

Facility Status	Simple	Medium	Complex
Industrywide Survey	$~~107~~116	$~~107~~116	$~~107~~116
Small Single Source	$~~107~~116	$~~107~~116	$~~107~~116
Small Businesses	$~~324~~350	$~~324~~350	$~~324~~350
Unprioritized	$~~517~~559	$~~1,366~~1,476	$~~4,238~~4,578
High Priority	$~~1,311~~1,416	$~~3,625~~3,915	$~~6,646~~7,178
Intermediate Risk	$~~108~~117	$~~216~~234	$~~432~~467
High Risk	$~~3,625~~3,915	$~~5,367~~5,797	$~~8,663~~9,357

6.2 Owners and/or operators of intermediate priority facilities shall pay a fee of $~~173~~187 every four years during the fiscal year that their quadrennial update is due.

6.3 In addition to the applicable fees from section 6.1 or 6.2, owners and/or operators of facilities that, at any time during the fiscal year, are subject to National Emission Standards for Hazardous Air Pollutants (NESHAPS) issued pursuant to Section 112 of the federal Clean Air Act (42 U.S. Code, 7401, et. seq.) shall pay the following annual fee of $~~140~~152 for nonmajor facilities or $~~1,313~~1,419 for major facilities.

7.0 State Air Toxic Fees

7.1 State Air Toxic Hot Spots Fee

In addition to the District Air Toxic Fees described in Section 6.0 of this rule, Owners and/or operators of facilities subject to the requirements of the State Air Toxics "Hot Spots" Information and Assessment Act (Sections 44340 to 44383 of the California Health and Safety Code) shall pay an annual fee equal to the State cost for the facility used in the development of the State's Amendments to the Air Toxic Hot Spots Fee Regulation for the fiscal year.

7.2 State Fees for Review of Risk Assessments

Owners and/or operators of facilities required to submit health risk assessments pursuant to Section 44360 of the State Health and Safety Code shall reimburse the District for the amount the District is charged by the State for review of facility risk assessments.

7.3 State Air Toxic Fees collected by the District shall be transmitted to the State in accordance with applicable provisions of Section 90705 of Title 17 of the California Code of Regulations.

8.0 Fee Notices and Late Fees

8.1 Each year, the District shall provide invoices as notification to pay District and State air toxic fees, payable within 60 days of the invoice date.

8.2 If all fees due have not been paid within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees). Nonpayment of the increased fees within 90 days of the invoice date may result in suspension of the facility's Permit(s) to Operate.

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RULE 3135 DUST CONTROL PLAN FEE (Adopted October 20, 2005; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Purpose

The purpose of this rule is to recover the District's costs for reviewing Dust Control Plans and conducting site inspections to verify compliance with such plans.

2.0 Applicability

This rule applies to each owner/operator subject to the Dust Control Plan requirements of District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities), Section 6.3.1.

3.0 Definitions

The definitions of terms in Rule 8011 (General Requirements) shall apply to this rule.

3.1 Modification: Any change to a Dust Control Plan which will change the size and scope of the project site and/or a significant change in any of the preventative and/or control measures in an approved Dust Control Plan.

4.0 Dust Control Plan Filing Fee

Every person filing a Dust Control Plan subject to the provisions of Rule 8021, Section 6.3.1, shall pay to the District, upon filing, the nonrefundable fee of $~~456~~493. The $~~456~~493 is the total fee for any project, including any administrative changes which may be necessary for approval of the plan.

Any person submitting a request to modify an existing approved Dust Control Plan, shall pay to the District, a fee of $~~94~~102.

5.0 Late Fees

If payment of any charges levied under this rule are not received by the District within 60 days of submittal of the Dust Control Plan to the District, the charges shall be increased in accordance with the schedule provided in Rule 3010, Section 11.0 Late Fees.

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RULE 3140 FEES FOR CERTIFICATION OF AIR PERMITTING PROFESSIONALS
(Adopted March 16, 1995; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Purpose

The purpose of this rule is to establish the fees required for implementing the Certification of Air Permitting Professionals program as described in Rule 1170.

2.0 Applicability

This rule applies to persons electing to take the optional training described in Section 6.0 of Rule 1170 and to persons applying for certification as described in Section 3.0 of Rule 1170.

3.0 Training and Certification Fee

3.1 Optional Training

Every applicant for District Certification as an Air Permitting Professional electing to attend the two-day optional training course, as described in Section 6.0 of Rule 1170, shall pay a nonrefundable training fee of $~~202~~219. The $~~202~~219 fee entitles an individual to attend the optional two-day training and receive any required course material.

3.2 Mandatory Training and Certification

Every applicant for District Certification as an Air Permitting Professional, as described in Section 3.0 of Rule 1170, shall pay a training and certification fee of $~~486~~525. The $~~486~~525 fee entitles qualified applicants, as defined in Section 4.0 of Rule 1170, to attend the mandatory two-day training course, to receive the District's Permitting Manual, the District's Rules and Regulations, the District's BACT Clearinghouse Manual, and any other required course material; and to test for certification.

Applicants not meeting the Qualifications for Candidacy as described in Section 4.0 of Rule 1170 shall be refunded $~~456~~493 of the training and certification fee.

4.0 Annual Renewal Fee

Certified Air Permitting Professionals renewing their certification shall pay a nonrefundable $~~222~~240 annual renewal fee. The renewal fee shall be due on the anniversary of the date of certification, beginning one year from the date of initial certification. The renewal fee entitles the Certified Air Permitting Professional to attend supplemental training courses and receive updated materials for the District's Permitting Manual, District's Rules and Regulations, and the District's BACT Clearinghouse. The supplemental training will address changes to

District rules, regulations, policies and procedures as they apply to the evaluation of proposed projects.

RULE 3147 FEES FOR CERTIFICATION OF GASOLINE DISPENSING FACILITY TESTERS (Adopted June 21, 2007; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Purpose

The purpose of this rule is to establish the fees required for implementing the Gasoline Dispensing Facility (GDF) Tester Certification program as described in Rule 1177.

2.0 Applicability

The requirements of this rule apply to any person who has obtained, or is applying to obtain, interim certification or certification as a GDF Tester pursuant to Section 4.0 or 5.0 of Rule 1177.

3.0 Training and Certification Fee

Every applicant for interim certification or certification as a GDF Tester, as described in Section 4.0 or 5.0 of Rule 1177, respectively, shall pay a training and certification fee, which entitles qualified applicants, as defined in Section 6.0 of Rule 1177, to attend the mandatory orientation course. The fee shall be calculated as ~~36~~39 dollars plus 2 hours at the prevailing average weighted labor rate of the District for the Compliance Department as developed and issued in writing by the Finance Department of the District.

Applicants not meeting the Qualifications for Candidacy as described in Section 6.0 of Rule 1177 shall be refunded the training and certification fee less any administrative costs incurred by the District.

4.0 Biennial Renewal Fee

Interim Certified or Certified GDF Testers renewing their certification shall pay a nonrefundable biennial renewal fee, which shall be calculated as ~~14.22~~15.36 dollars plus 1 hour at the prevailing average weighted labor rate of the District for the Compliance Department as developed and issued in writing by the Finance Department of the District. The renewal fee shall be due on the biennial anniversary of the date of certification, beginning two years from the date of initial certification. The renewal fee entitles the Interim Certified or Certified GDF Tester to attend required supplemental certification courses.

No earlier than 60 days prior to the biennial anniversary of the date of certification, the District shall provide the Interim Certified or Certified GDF Tester with an invoice for the biennial renewal fee. The Interim Certified or Certified GDF Tester shall pay the renewal fee within 60 days of the invoice date.

5.0 Late Fees

If the renewal fee is not received by the District within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Section 11.0 (Late Fees) of Rule 3110. Nonpayment of the renewal fees within 90 days of the invoice date may result in suspension of the certification.

RULE 3150 FEES FOR PORTABLE EQUIPMENT REGISTRATION (Adopted October 20, 1994; Amended July 17, 2003; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Initial Registration Fee

Every applicant for a portable equipment registration shall pay to the administering district a non-refundable filing fee of $~~233~~252 per emissions unit.

If the owner or operator chooses to declare the equipment as non-operational at the time of initial registration, a non-refundable fee of $~~16.96~~18.32 shall be paid, in lieu of paying the initial registration fee. To declare an emissions unit as non-operational, the registered owner or operator shall state in writing the intention to not operate the said equipment until registration is renewed. Prior to operating the emissions unit, the registered owner or operator shall pay the initial registration fee of $~~233~~252 in full to the district.

2.0 Annual Registration Renewal Fee

No earlier than 60 days prior to the anniversary of the issuance of a registration, the District shall provide the owner or operator an invoice for the renewal fee of $~~140~~152 per emissions unit. The renewal fee shall be paid within 60 days of the invoice date, unless the owner or operator declares non-operational status for the emissions unit. The District may prorate the renewal payments to a single anniversary date for the holder of registrations with more than one anniversary date. If the renewal fee is not paid within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees). Nonpayment of the increased fee within 90 days of the invoice date may result in cancellation of the registration.

3.0 Administrative Fees

No administrative fees shall be required for operating within San Joaquin Valley for emissions units registered in San Joaquin Valley Unified Air Pollution Control District. If a unit that is registered in another district is operated within San Joaquin Valley Unified Air Pollution Control District, the District shall provide the owner or operator of the registered portable equipment an invoice for an administrative fee of $~~71~~77 per year for each emissions unit. The administrative fee shall be paid within 60 days of the invoice date. If the administrative fee is not paid within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees). Nonpayment of the increased fee within 90 days of the invoice date may result in cancellation of the registration.

4.0 Inspection Fees

No inspection fees shall be required for operating within the San Joaquin Valley for emissions units registered in San Joaquin Valley Unified Air Pollution Control District. If a unit that is registered in another district is inspected by the San Joaquin Valley Unified Air Pollution Control District, the District shall provide the owner or operator of a registered portable equipment an invoice for an inspection fee of $~~71~~<u>77</u> per year for each emissions unit. The inspection fee shall be paid within 60 days of the invoice date. If the inspection fee is not paid within 60 days of the invoice date, the fee shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees). Nonpayment of the increased fee within 90 days of the invoice date may result in cancellation of the registration.

5.0 Non-Operational Equipment Fees

Upon receipt of the invoice for annual registration renewal, the registered owner or operator may choose to declare the equipment as non-operational for a non-refundable fee of $~~16.96~~<u>18.32</u>, in lieu of paying the annual registration fee. To declare an emissions unit as non-operational, the registered owner or operator shall state in writing the intention to not operate the said equipment until registration is renewed. Prior to operating the emissions unit, the registered owner or operator shall pay the annual registration fee in full to the district.

RULE 3155 PERMIT-EXEMPT EQUIPMENT REGISTRATION FEES (Adopted October 19, 2006; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Purpose

The purpose of this rule is to recover the District's costs of maintaining an effective Permit-Exempt Equipment Registration (PEER) program, as required by Rule 2250 (PEER).

2.0 Applicability

This rule applies to owners or operators of any emissions unit required to obtain a PEER.

3.0 Definitions

3.1 Conservation Management Practice (CMP): as defined in District Rule 4550 (Conservation Management Practices).

3.2 Emissions Unit: as defined in District Rule 2201 (New and Modified Stationary Source Review Rule).

3.3 Permit-Exempt Equipment Registration Unit (PEER unit): an emissions unit that has been granted a PEER under District Rule 2250 (PEER).

3.4 Stationary Source: as defined in District Rule 2201 (New and Modified Stationary Source Review Rule).

4.0 PEER Fees

4.1 PEER Application Fee: The owner or operator shall pay the appropriate application-filing fees for each PEER unit application:

Table 1: PEER Application-Filing Fees.

Schedule	Cost ($ per PEER application)
A – General Fee	~~113~~123
B – Special Fee	~~35~~38

4.1.1 Schedule A, General Fee, applies to each application for a PEER unit, except those that qualify for the Schedule B "Special Fee".

4.1.2 Schedule B, Special Fee, applies to each application for a PEER unit for which the District also receives a complete application for funding under a District grant program.

4.2 Annual PEER Fee: The owner or operator of a PEER unit is subject to one of the following annual fee schedules shown in Table 2 below.

Table 2: Annual PEER Fees.

Schedule	Cost ($ per year per PEER unit)
A – General Fee	~~75~~<u>81</u>
B – Special Fee	~~34~~<u>37</u>

4.2.1 Schedule A, General Fee, applies to each PEER unit, except those that qualify for the Schedule B "Special Fee".

4.2.2 Schedule B, Special Fee, applies to each PEER unit at a stationary source that is also subject to District permitting or CMP requirements, or which unit was installed under a District grant program, has been issued a SJVAPCD portable equipment registration, or has been issued a state portable equipment registration with the SJVAPCD identified as the home district. This fee shall be invoiced and collected by the District once every five years ($~~170~~<u>185</u> for the five-year period).

4.3 Transfer of PEER

4.3.1 Where an application is filed for transfer of PEER unit(s) from one person to another, and where no alteration or addition is being made to the PEER unit(s), the applicant shall pay a nonrefundable fee of $~~18~~<u>20</u> per PEER unit.

4.3.2 Where an application is filed to change the name of a stationary source containing PEER unit(s), and where no alteration or addition has been made to the PEER unit(s), the applicant shall pay a nonrefundable fee of $~~18~~<u>20</u> per stationary source.

4.3.3 In the event a stationary source is subject to both District PEER and District permitting requirements, the governing transfer fee shall be according to Rule 3010 (Permit Fee).

4.3.4 Where an application is filed to change the location of PEER unit(s), and where no alteration or addition has been made to the PEER unit(s), the applicant shall pay a nonrefundable fee of $~~18~~<u>20</u> per PEER unit.

4.4 Portable PEER Unit Identification Tag

4.4.1 The owner or operator of a portable PEER unit shall pay a non-refundable fee of $~~18~~20 for each portable PEER identification tag issued by the District.

5.0 Fee Notification

5.1 The District shall provide the owner or operator of the PEER unit with an invoice for the PEER application fee, if the applicant has not previously submitted the required fee. PEER application fees are due and payable within 60 days of the invoice date. Nonpayment of the application fees within 60 days of the original invoice date may result in the denial of the PEER Application.

5.2 The District shall provide the owner or operator of the PEER unit with an invoice for the annual PEER fee. The initial annual PEER fee will be due approximately one year after PEER issuance. Annual PEER fees are due and payable within 60 days of the invoice date. Annual PEER fees not paid within 60 days after the original invoice date shall be subject to late fees in accordance with the schedule provided in Rule 3010, Section 11.0 Late Fees. Nonpayment of the annual PEER fee and all related late fees within 90 days of the original invoice date may result in suspension or cancellation of the PEER(s).

RULE 3180 ADMINISTRATIVE FEES FOR INDIRECT SOURCE REVIEW (ISR) (Adopted December 15, 2005; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Purpose

The purpose of this rule is to recover District's costs for administering the requirements of District Rule 9510 (Indirect Source Review).

2.0 Applicability

This rule applies to development projects subject to a portion or all the requirements of Rule 9510.

3.0 Application Filing Fee

When a developer submits an Air Impact Assessment (AIA) application in accordance with the provisions of District Rule 9510, the developer shall pay a non-refundable application filing fee according to the following fee schedule:

Residential projects ……………………….…. $~~607~~656

Non-residential or mixed use projects ..…… $~~909~~982

4.0 Application Evaluation Fee

4.1 Every developer who files an air impact assessment application in accordance with the provisions of District Rule 9510 shall pay an evaluation fee for the development and/or review of the air quality analysis and the determination of the Off-Site Emission Reduction Fees necessary for off-site emission reductions. The fee shall be calculated using the staff hours expended and the prevailing weighted labor rate. No applicant shall be charged for staff hours associated with staff training or correction of staff errors. All filing fees paid shall be credited towards the evaluation fee.

4.2 All time spent by the District application processing staff on the project, beginning with pre-application meeting through issuance of the final decision, must be logged on a "Application Processing Time" log. Upon formal request by a developer, the District shall provide a current status of actual time expenditure, broken down by major application processing steps within 10 days.

4.3 Notification of Fee Amount and Payment: The developer shall be notified of the evaluation fee in excess of the application fee when it receives the approval or denial of the AIA application. The fee shall be payable within sixty (60) calendar days.

5.0 Administrative Fees for Mitigation Projects

5.1 Each developer that is subject to the off-site emission reduction fees under District Rule 9510 shall pay to the District an administrative fee equal to four percent (4%) of the required off-site fees for the District's cost of administering the off-site emission reduction program as outlined in Rule 9510.

5.2 Notification of Fee Amount and Payment: The administrative fees for off-site projects shall be paid at the same time as the off-site emission reduction fees.

5.3 Refund of Administrative Fees for Off-Site Projects

If a project is terminated or is cancelled, the building permit or use permit expires, is canceled, or is voided, no construction has taken place, and the use has never occupied the site, the applicant is entitled to a refund of the administrative fees for off-site projects and the off-site emission reduction fees paid less the administrative costs incurred by the District. The developer must provide written request of refund, with proof of termination within thirty (30) calendar days of termination, such as confirmation from local agency of permit cancellation.

6.0 Fee Penalty

If payment of any charges levied under this rule are not received by the District within sixty (60) calendar days of the invoice date, or by the date specified on the invoice, the charges shall be increased in accordance with the schedule provided in Rule 3010 Section 11.0 (Late Fees).

RULE 3190 CONSERVATION MANAGEMENT PRACTICES PLAN FEE (Adopted May 20, 2004; Re-adopted August 19, 2004; Amended January 17, 2008; Amended April 16, 2015; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Purpose

The purpose of this rule is to recover the District's costs for the review and management of Conservation Management Practices (CMP) Applications and Plans required by Rule 4550 (Conservation Management Practices).

2.0 Applicability

This rule applies to each owner/operator of an Agricultural Operation Site subject to Section 5.0 of Rule 4550 (Conservation Management Practices).

3.0 Definitions

3.1 Agricultural Operation Site (AOS): as defined in Rule 4550 (Conservation Management Practices).

3.2 Air Pollution Control Officer (APCO): as defined in Rule 1020 (Definitions).

3.3 Animal Feeding Operation (AFO): as defined in Rule 4550 (Conservation Management Practices).

3.4 Cattle AFO: an AFO that meets the criteria of Standard Industrial Classification (SIC) 021, as defined in the SIC Manual, dated 1987.

3.5 Conservation Management Practice Program Evaluator (CMP Program Evaluator): an entity or agency designated by the APCO for verifying CMP Applications.

3.6 Dairy Cattle AFO: an AFO that meets the criteria of Standard Industrial Classification (SIC) 024, as defined in the SIC Manual, dated 1987.

3.7 NRCS: as defined in Rule 4550 (Conservation Management Practices).

3.8 RCD: the Resource Conservation District.

3.9 Source Operation: as defined in Rule 1020 (Definitions).

4.0 Exemptions

The provisions of this rule do not apply to any AOS subject to the District's Permit To Operate requirements.

5.0 CMP Application Fees

5.1 Agricultural Operation Sites containing Animal Feeding Operations subject to Rule 4550

The owner/operator of an AFO shall pay the applicable fee in Schedule 1, based on the number of animals, for each Initial CMP Application that is required by Rule 4550.

SCHEDULE 1: INITIAL AFO CMP APPLICATION FEE

Type and Size (number of animals)	Initial CMP Application Fee
A: Dairy Cattle AFO	
799 or less	$~~98~~106
800 to 1,999	$~~193~~209
2,000 or Greater	$~~384~~415
B: Cattle AFO, other than a Dairy	
999 or less	$~~98~~106
1,000 to 4,999	$~~193~~209
5,000 or Greater	$~~384~~415
C: Turkey AFO	
109,999 or less	$~~98~~106
110,000 to 219,999	$~~193~~209
220,000 or Greater	$~~384~~415
D: Laying Hen AFO	
164,999 or less	$~~98~~106
165,000 to 349,999	$~~193~~209
350,000 or Greater	$~~384~~415
E: Chicken AFO, other than a Laying Hen AFO	
249,999 or less	$~~98~~106
250,000 to 349,999	$~~193~~209
350,000 or Greater	$~~384~~415

5.1.1 The Initial CMP application fee for an AOS, with two or more AFOs covered by a single CMP application, shall be the highest fee in Schedule 1 which, would apply to each individual AFO Initial CMP application.

5.1.2 A separate or additional fee is not required for reviewing the portion of the CMP Application addressing the growing and harvesting of crops at an AOS that contains an AFO subject to Schedule 1.

5.2 Agricultural Operation Site not containing Animal Feeding Operations subject to Rule 4550

The owner/operator of an AOS that does not include an AFO shall pay the applicable fee in Schedule 2.

SCHEDULE 2: INITIAL NON-AFO CMP APPLICATION FEE

Size (in acres)	Initial CMP Application Fee
500 acres or less	$~~185~~200
501 acres to 1,999 acres	$~~532~~575
2,000 acres or greater	$~~833~~900

5.3 Multiple Agricultural Operation Sites not containing Animal Feeding Operations subject to Rule 4550

An owner/operator of multiple AOSs shall pay the applicable fee as shown in Schedule 2. This fee is based on the total size in acres of all the AOSs for which, an Initial CMP Application is required by Rule 4550. The CMP applications for all AOSs shall be submitted to the APCO at the same time.

5.4 CMP Plan Renewal Fee

The owner/operator shall pay a renewal fee of $~~155~~168 every two years for each CMP Plan that is required by Rule 4550.

5.5 CMP Modification Fee

No additional fees are required to request a modification of a previously approved CMP Plan.

6.0 CMP Application Review Discount

Notwithstanding Section 5.0, the Initial CMP Application Fee in Sections 5.1, 5.2, and 5.3 shall be reduced by 50% if all of the following conditions are met:

6.1 The CMP Application(s) has been verified in writing by a CMP Program Evaluator prior to submittal to the APCO,

6.2 The CMP Program Evaluator's verification contains all supporting information required by the APCO to evaluate the application, and

6.3 The application is not subject to late fees.

7.0 Fee Notification

7.1 The APCO shall provide the AOS owner/operator with an invoice for the applicable Initial CMP Application fee. Nonpayment of the invoiced fees within 60 days of the original invoice date, may result in the denial of the CMP Application.

7.2 The APCO shall provide the AOS owner/operator with an invoice for the first renewal fee upon approval of the initial CMP Application and biennially thereafter. CMP Plan renewal fees are due and payable within 60 days of the invoice date.

8.0 Late Fees

If payment of any charges levied under this rule is not received by the APCO within 60 days of the invoice date, the charges shall be increased in accordance with the schedule provided in Rule 3010, Section 11.0 Late Fees.

RULE 3901 FEES FOR REGISTRATION OF WOOD BURNING HEATERS (Adopted September 18, 2014; Amended April 19, 2018; Amended [*date of adoption*], effective ~~July 1, 2025 through June 30, 2026~~July 1, 2026)

1.0 Purpose

The purpose of this rule is to establish the fee required for the registration of a wood burning heater (including pellet-fueled wood burning heaters) as defined in Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters).

2.0 Applicability

The requirements of this rule apply to any individual who chooses to register a wood burning heater pursuant to District Rule 4901.

3.0 Registration Fee

Applicants registering a wood burning heater shall pay a non-refundable registration fee of $~~14.80~~15.99 as a part of the application process.

4.0 Renewal Fee

Individuals choosing to renew their registration with the District shall pay a nonrefundable renewal fee of $~~14.80~~15.99 as a part of the application process.

No earlier than 60 days prior to the expiration date of the registration, the District shall provide the individual with an invoice for the renewal fee. If the individual chooses to renew the registration, then the renewal fee shall be due to the District within 60 days of the invoice date.

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San Joaquin Valley Unified Air Pollution Control District
Meeting of the Governing Board
May 15, 2025

ADOPT PROPOSED AMENDMENTS TO DISTRICT FEE RULES

Attachment D:

Final Draft Staff Report
(14 PAGES)

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

FINAL DRAFT STAFF REPORT

**Proposed Amendments to
Regulation III – Fees**

Rules 3010, 3020, 3030, 3050, 3060, 3070, 3110, 3135, 3140, 3147, 3150, 3155, 3180, 3190, 3901

May 15, 2025

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Morgan Lambert, Deputy Air Pollution Control Officer

I. BACKGROUND

To attain the state and federal air quality standards, the Federal and California Clean Air Acts require the San Joaquin Valley Air District to permit stationary sources, develop attainment plans, adopt rules and regulations, implement programs to reduce emissions, and ensure that permitted stationary sources of air pollutants are in compliance with all applicable federal, state, and District rules. The revenue to fund the District's annual operating budget for these programs generally comes from the following three sources: District Fees (Regulation III, Fees), funds from the Department of Motor Vehicles, and State and Federal Grants. While the District continues to lobby appropriate branches of the state and federal governments to maximize grant dollars and other revenues, the majority of the District's operating program is funded by fees collected under Regulation III.

The District remains committed to administering an effective air quality management program while ensuring financial sustainability. Our approach prioritizes cost efficiency, leveraging supplemental revenue streams, and maintaining affordability for stakeholders. Rather than resorting to automatic fee increases, the District employs a rigorous zero-based budgeting process, maximizing efficiencies and seeking external funding opportunities before considering any fee adjustments. Each year, significant cost and workload increases have been offset through implementation of streamlining and efficiency measures, and by productivity increases resulting from investment in advanced technologies. In fact, since its inception, the District has minimized the need for fee increases by adhering to fiscally-conservative principles aimed at maximizing efficiency and minimizing costs. These principles include things such as: leveraging the use of technology; developing innovative ways to streamline legally-required processes to improve service and reduce related operating costs; and identifying situations where fees charged for services do not cover the cost of those services and recommending adjustments to those fees rather than increasing overall fees. As a result of implementation of the above principles, the District has only required four across-the-board fee increases since its formation in 1992.

In addition, the impacts of these streamlining and cost-cutting efforts have been validated through a number of audits by independent and outside entities. These audits have consistently been complementary of the District's operations in fulfilling and exceeding mandates, exercising fiduciary responsibilities, and public accountability and transparency.

A 2016 report by the State Auditor found that the District's fees are low compared to program costs and that the District lawfully uses supplemental sources of revenue to make up the difference. The audit found that the district's fees do not cover the costs of the respective regulatory activities and that the district needs to use a portion of the other revenue it receives to supplement fee revenue.

Prior to the above report, an audit by environmental advocates showed that the District spent 76% less than other districts on salaries and benefits per ton of emissions reduced from stationary sources, and that the District's management and administrative cost as a percentage of operating budget was more than 20% below the average. This audit also found that the District's permitting, enforcement, grant administration, and public outreach programs were the most productive in comparison with other air districts.

Because the fee schedules have been adjusted across the board so rarely, the District's revenue stream from these fees has remained relatively stable over the 33 years since the District's inception. However, the number of programs implemented by the District, and their complexity, has grown tremendously over that same period. Where possible, for many of the new programs that the District implemented over the years, such as the state's oil and gas production methane rule and AB 617, the District has arranged for direct reimbursement from the state of the District's implementation costs. For other programs, such as Title V permitting, Indirect Source Review, and registration of wood-burning heaters, new fees have generated the income to sustain the programs.

The District continues to make every effort to keep operating costs as low as possible while still meeting federal and state mandates. As one recent demonstration of this, the

District's 2024/25 budget includes savings in operating costs of over $3.6 million due to a commitment to extensive employee hiring control efforts.

However, even with decades of intensive and pervasive efforts at minimizing costs, the District is currently operating in a deficit mode, in which costs are exceeding incoming revenues. To help address this deficit, this proposal includes increasing most fees by 8%[1] starting in fiscal year 2025/26 and an additional 8% starting in fiscal year 2026/27.

II. DESCRIPTION OF REGULATION III - FEES

Regulation III – Fees, from the District's Rules and Regulations, establishes the fee rates and schedules associated with the regulatory obligations of the District including permitting, annual renewals, air toxics, conservation management plans, hearing boards open burning permits, asbestos removal permitting, and other functions performed by the District. The fees generated from these rules fund in part the District's annual operating budget. The following fee rules in Regulation III are proposed for amendment:

Regulation III Fee Rules Proposed for Amendment

Rule 3010	Permit Fee
Rule 3020	Permit Fee Schedules
Rule 3030	Hearing Board Fees
Rule 3050	Asbestos Removal Fees
Rule 3060	Emission Reduction Credit Banking Fee
Rule 3070	Other Charges
Rule 3110	Air Toxics Fees
Rule 3135	Dust Control Plan Fee
Rule 3140	Fees for Certification of Air Permitting Professionals
Rule 3147	Fees for Certification of Gasoline Dispensing Facility Testers
Rule 3150	Fees for Portable Equipment Registration
Rule 3155	Permit-Exempt Equipment Registration Fees
Rule 3180	Administrative Fees for Indirect Source Review
Rule 3190	Conservation Management Practices Plan Fee
Rule 3901	Fees for Registration of Wood Burning Heaters

The remainder of the Regulation III Fee Rules, Rule 3040 (Agricultural/Open Burning Fees), Rule 3100 (California Environmental Quality Act Fee), Rule 3120 (Regulation VIII

[1] While we reference increases of certain percentages throughout this staff report, the actual increases are generally rounded up to the nearest dollar.

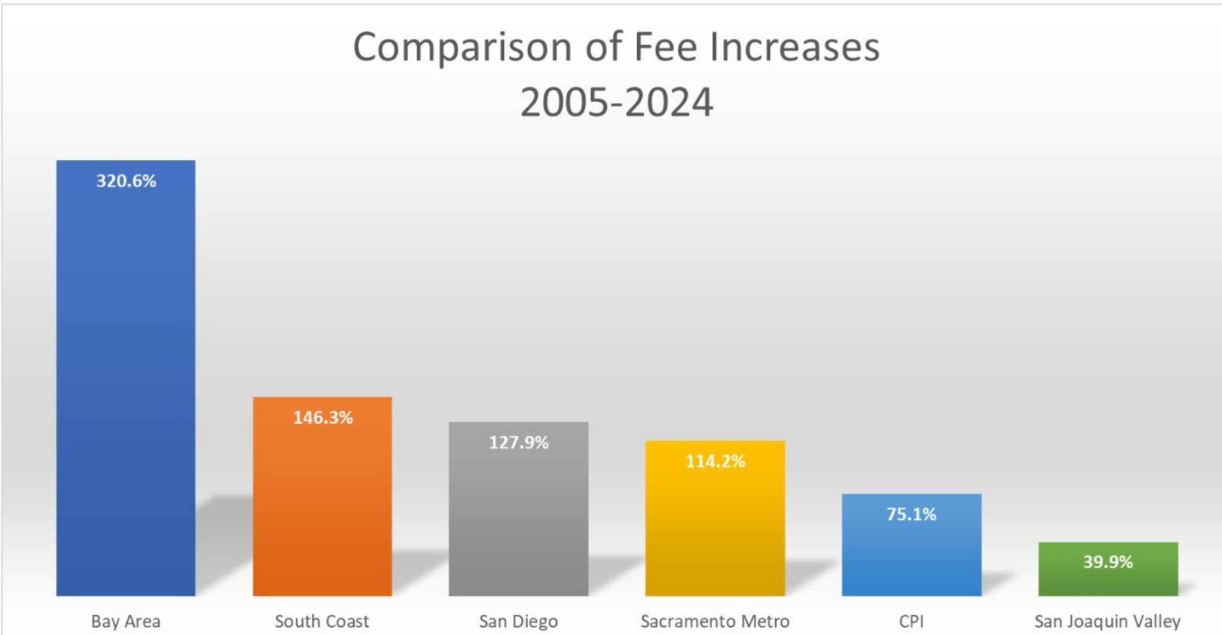
Alternative Compliance Plan Review Fee), Rule 3156 (Fees for Equipment Subject to Rule 2260 Registration Requirements for Equipment Subject to California's Oil and Gas Regulation), Rule 3160 (Prescribed Burning Fees), Rule 3170 (Federally Mandated Ozone Nonattainment Fee), Rule 3171 (Federally Mandated Ozone Nonattainment Fee – 1997 8-Hour Standard), Rule 3172 (Federally Mandated Ozone Nonattainment Fee - 2008 8-Hour Standard), Rule 3173 (Federally Mandated Ozone Nonattainment Fee - 2015 8-Hour Standard), and Rule 3200 (Petroleum Refinery Community Air Monitoring Fees) will not be included in the proposed rule amendments. The District has determined that the fees associated with Rule 3040 are adequately covering costs, and with the recent phase-out of agricultural burning we do not expect this to change at this point. Rule 3100 accesses a fee to applicants when the District must prepare environmental documents under CEQA. Rule 3100 is a straight reimbursement fee so no changes are necessary. Rule 3120 includes a hourly processing fee if the application fee does not cover the full cost of processing the Alternative Compliance Plan, therefore there is no need to adjust the fee. The District currently receives targeted state money to implement the California Oil and Gas Regulation and to facilitate the use of prescribed fire as a method to combat future wildfires. As such, there is no need to adjust the fees under Rules 3156 and 3160 at this time. Rules 3170, 3171, 3172, and 3173 establish the Federally Mandated Ozone Nonattainment fee for various federal ozone standards. These fees are linked to federal law and are thereby annually adjusted to the federal consumer price index. Therefore, no increase is proposed to Rule 3170, 3171, 3172, and 3173. Rule 3200 was recently adopted to implement the state mandated petroleum refinery monitoring programs. At this point, there is no need to further adjust this fee.

III. DISCUSSION

California Health & Safety Code 42311(a) provides air districts the authority to adopt fee schedules to cover the costs of permitting stationary sources of air pollution. Since its inception in 1992, consistent with the District's core principle of effective and efficient use of public funds, the District has minimized the need for fee increases by adhering to the following fiscally-conservative principles:

- Leveraging the use of technology to minimize the need for staffing resources.
- Finding innovative ways to streamline legally-required processes to improve service and reduce related operating costs.
- Identifying situations where fees charged for services do not cover the cost of those services and recommending adjustments to those fees rather than increasing all fees.

As a result of applying the above principles, and in spite of complying with multiple new state and federal mandates, the District has only required four across-the-board fee increases in the past twenty-five years. Other air districts have adjusted their fees upwards multiple times over the last several years, resulting in a significant cumulative difference in fees and fee increases amongst air districts, as shown in the following comparison table for the period 2005-2024:



Note that for comparison purposes, we have included in the above graph the California Consumer Price Index, or CPI, over the same 2005-2024 time-period.

Examples of Recent State and Federal Mandates and Additional Workload

- Significant amount of work will be required to continue to implement the District's 2022 Ozone Plan and 2024 PM2.5 Plan
  - Extensive engagement with public and affected entities to devise innovative and creative measures that effectively reduce emissions in a cost-effective fashion
  - Develop contingency measure strategies for both PM2.5 and ozone
  - Prepare additional technical analysis and amendments as needed for approval
- Develop maintenance plan for the 1997 PM2.5 standards, and the second maintenance plan for the federal PM10 standard
- Design and implement SIP-creditable incentive-based measures included in the 2018 PM2.5 Plan and 2024 PM2.5 Plan

- Exceptional Event Submittals
  - Extensive data gathering, analysis, and modeling of meteorological and emissions parameters during recent wildfire and windblown dust pollution episodes
  - Documentation will support Clean Data Determination demonstrations for ozone and PM2.5 standards that have federal deadlines in the coming years
- Enhancement, optimization and full utilization of the District's Air Quality Modeling Center
  - Conduct complex air quality computer modeling in support of ozone and PM2.5 planning efforts
- Enhancement of monitoring of prescribed burns in support of fuel reduction efforts
- Timely permit processing and enforcement activities
  - Process over 3,000 ATC projects and permit renewals per year
  - Approximately 15,000 Small Business Assistance requests per year
  - Inspection of approximately 40,000 units across 15,000 facilities
  - Timely response to approximately 3,000 public complaints
- Enhanced compliance assistance efforts associated with recently amended rules
  - Several new and existing rules with recent compliance dates (industrial flares, industrial boilers/steam generators/process heaters, internal combustion engines, refinery monitoring, oil production wells, storage of organic liquids, components at oil, gas and refining facilities, and ag open burning)
- Emission Inventory Criteria and Guidelines Regulation
  - In 2022, CARB adopted amendments to Regulation
  - Increases reportable substances from 700 to 1,700 and makes other changes
  - Amendments impact inventory and AB 2588 workload
  - Focus on integration into existing processes and streamlining for District and facilities
- AB 2588 Air Toxics "Hot Spots" Program
  - District utilizing a phased-approach to comprehensively reassess all facilities
  - District must review facility-specific Toxic Emission Inventory Plans (TEIPs) and Toxic Emission Inventory Reports (TEIRs)
  - Leveraging in-house expertise and resources to evaluate thousands of facilities in a streamlined manner
- Collecting Emissions Inventory
  - District collects point source inventory for thousands of facilities in accordance with District Rules 1160, 3170, and 4320 and the state Criteria Pollutant and Toxic Emissions Reporting (CTR) Regulation
  - Significant increase in workload and number of subject facilities under state's CTR
  - Area-wide inventories require updates

- Agricultural Open Burning Phase-out Strategy
  - Final stages of agricultural open burning phase-out became effective January 1, 2025
  - Significant work required to implement the final stages of the phase-out strategy
  - Extensive engagement and compliance assistance with Valley growers regarding requirements and resources
  - Smallest ag operations given most flexibility and longest time to adjust
  - District continues to advocate for significant incentives to assist growers with transition
- Facilitating increased use of prescribed fire and other fuel reduction
  - Recent state laws, policies, plans and Executive Orders call for a dramatic increase in fuel reduction efforts, including prescribed burning
  - District works to facilitate this increase in prescribed burning
- Public outreach strategy
  - Promote key programs and messages through our comprehensive multi-lingual public education and outreach program (Summer Healthy Air Living, winter residential wood smoke reduction strategy, etc.)
  - Explore enhancements to the District's public-facing air quality tools and the recommendations the District gives to schools, parents, and the general public of steps to protect themselves during periods of poor air quality
  - Further development of collaborative partnership with Valley public health directors and officers, and other health organizations
  - Further development of targeted public education campaign to increase public awareness of the damage to public health due to wildfires and build public support for increased prescribed burning that may help reduce the number and severity of future wildfires
- Working through the San Joaquin Valleywide Air Pollution Study Agency, leverage university and other available research resources to support health and scientific studies in a number of important areas including:
  - Effectiveness and public health benefits of the Valley's criteria pollutant, air toxics, and community-level air quality improvement strategies
  - Changing PM2.5 source apportionment through the implementation of air quality strategies
  - Spatial and temporal nature of mobile source emissions, particularly heavy-duty vehicles to refine understanding of Valley's pass-through truck traffic emissions and aid in strategy development
  - Feasibility of enhanced conservation management practices and potential measures to reduce dust from fallowed land due to implementation of Sustainable Groundwater Management Act (SGMA)
  - Impacts to local air quality and health of Valley residents during wildfire events

- Technology development and demonstration programs to advance deployment of new options and methods to dispose of agricultural woody waste and the deployment of the latest low-dust nut harvesting technology

Examples of Efficiency and Cost-cutting Measures Implemented

- Employee STAR suggestion program (1,000s of efficiency and improvement suggestions)
- Advanced training and cross training throughout District departments allows for efficient and flexible workload distribution
- Centralized nature of operations staff functions allows for streamlined operations and shifting of resources to cover cyclical workload changes
- Strategic use of temporary staffing to reduce costs, minimize overtime and addresses fluctuating workloads
- Developing better guidance, tools, and training for management and supervisory staff to improve quality and tracking of staff assignments
- Strengthened internal resources to better manage requests for document translation from various District departments
- Across the District, majority of documents processed electronically to maximize usage of features in document management software, resulting in more documents being processed in less time
- Fully transitioned to new Public Records Request software, which has improved tracking mechanisms and simplified work processes
- Extensive public information available on District web site
  - Compliance with AB 1749 (Garcia) online ability to view permits
- Electronic processing of District documents (requisitions, claims for payments, permit applications, Hearing Board packets, public notice packages) reduced number of processing steps and handling times
- Improvements to the District's Grant Management System, including internal controls and project monitoring, streamlined claim processing and reporting
- Ongoing efforts to improve the efficiency of the numerous online grant portals that allow parties to submit grant applications (Alternatives to Ag Burning, Drive Clean, Tractor Replacement, Clean Air Rooms Program, Fireplace and Woodstove Change-out)
- Grant applicant portals allow applicants the ability to view application status, ability to submit required reports, and submit claims for payment
- Expansion of electronic workflows and incorporation of electronic and digital signatures processes, reducing time to execute contracts
- Expanded use of outreach options, including input from the District's Environmental Justice Advisory Group, to make sure all Valley residents are aware of our programs and ways to access them
- Continued replacement of aging support equipment such as calibrators and zero air generators with new models which enhance remote connection capabilities and

decreasing analyzer downtime and maintenance costs associated with operating older equipment

- Purchased a 3D printer to enable us to quickly create needed and custom parts for air monitoring network, allows for increased staff innovation to develop and test parts to improve existing systems
- Implementing a cybersecurity strategy at the air monitoring stations to reduce the number of access points into District systems, includes removing hardware which eliminates maintenance and support needs
- New data acquisition system and remote control setup at monitoring stations allows for increased control and automation of station tasks, decreasing the number of onsite visits needed
- Using new automated air quality data/monitoring management system that has significantly reduced time needed to perform quality assurance/control of data, currently working on adding new features
- State-of-the-art modeling system allowed the District to process a high number of attainment strategies more efficiently, while reducing our dependence on CARB for modeling support, is being used to support development of Plan for 2012 PM2.5 standard
- Upgrading the District's Geographic Information System software that provides improved data management capabilities, enhanced spatial analysis tools, more accurate geocoding, better visualization options and increased support of 3D mapping
- Upgrading all computer operating systems to ensure staff has access to the latest computer features and software
- To ensure air quality information and District services are available at all times, have begun creating multi-site redundancy between District offices
- Use of advanced security software to monitor over 100 individual servers each with detailed monitoring requirements
- New network management software that proactively identifies and resolves real-time issues and automatically provides needed updates and security patches to network devices
- Have begun limited utilization of artificial intelligence services and are currently in the process of evaluating beneficial uses to improve our efficiency and enhance customer service
- Ongoing efforts to increase inspection efficiency and reduce paperwork
    - Online/smartphone complaint portal system, photo/video submittal
    - Currently developing phone application for completing inspection reports
    - Developing dust control plan and asbestos portals for submittal of required plans/notifications, improving service, and automating data upload
    - GMS enhancements to directly assign and track work to ensure inspections are being completed as quickly as possible
- Partnered with CALFIRE on first of its kind agreement to incorporate District's Hazard Reduction Permit into their online permitting system

- Use of latest technology, including exhaust gas analyzers, FLIR cameras, and toxic vapor analyzers
- Extensive use of Compliance Assistance Bulletins to help educate the Valley residents and businesses regarding District rules
- Internally developed online public information portal allows stakeholders access to permit-related public records, significantly reducing the number of public records requests being received
- In the process of enhancing the web-based eTRIP-related tools and resources, including new webpage with improved ability to submit registration, plan and annual survey results more easily
- New version of Permit Administrative System (PAS) to save ITS resources in future reprogramming efforts/projects
- Permit processing enhancements:
    - New application forms tailored for prohibitory rule compliance projects that combine Emission Control Plan (ECP) and ATC requirements into one streamlined application
    - New engineering evaluation templates
    - Creation of new guidance documents (Policies, GEARs, SOPs)
    - Developing enhancements to PAS to facilitate offset equivalency report generation
- AB 2588 Air Toxics “Hot Spots” Information and Assessment Act
    - Consolidating air toxics and emissions inventory databases simplifying tracking and adding the ability to prioritize facilities for evaluation more easily
    - Taking statewide lead for writing hot spot guidance for auto body coating, allowing us to streamline the required assessment of these operations
    - Developing enhancements to PAS to facilitate hot spots project tracking
- Emission inventory enhancements for state’s Criteria Air Pollutant and Toxic Air Contaminant Regulation (CTR) reporting
    - Added new programming to PAS, which ensures accurate and efficient tracking of CTR applicability and reporting year by facility
    - To accommodate the additional inventory-related information, new staff-interface data entry forms have been created to streamline data inputs, enhancing accuracy and quality due to automation
    - Currently working on new automation process to log in emission inventory projects to reduce amount of clerical time necessary to manually logging in projects
    - Added feature for online portal emission inventory submittals that automates the creation of projects

While we have implemented a large number of streamlining and efficiency efforts, as listed above, state and federal mandates continue to directly and indirectly increase workload. Where possible, we have sought and acquired funding from the state and federal governments to partially or fully fund the District’s implementation of these programs, such as for the state's oil and gas methane emissions reduction rule and the implementation of the community monitoring and emission reduction requirements of AB 617.

As stated earlier, the ongoing efficiency and streamlining efforts have enabled the District to maintain active and effective air quality management programs with low fees and low administrative overhead. In spite of these efforts at minimizing costs, District program costs are only covering approximately 61% of costs on average. To partially defray this shortfall, the District is proposing to increase the fees identified above by 8% starting in fiscal year 2025/26 and an additional 8% starting in fiscal year 2026/27. These adjustments are expected to result in additional annual revenue of approximately $1.2 million in 2025/26 and an additional $1.3 million in 2026/27. The use of supplemental revenue sources and additional cost-cutting through the District's zero-based budget process is expected to cover the remaining shortfall to ensure that the District has sufficient funds to cover the costs of mandated programs while continuing to provide the high-level of service expected by our Governing Board and stakeholders.

After these fee increases, the District will continue to have the lowest fees of any major air district in the state (see table below for permit fee comparisons), will continue to be well below the CPI over the past 20 years, and we will continue to follow our commitment to cutting operating costs through the utilization of technology (Permit Administration System, on-line permit facility and grant portals, in-field tablet computer access for enforcement, Electronic Document Management System, inter-region permit processing, etc.), process streamlining (Guidelines for Expedited Application Review, permit stakeholder meetings, application review templates for specific source categories, grant process streamlining), and much more.

Comparison of Annual Permit Renewal Fees for Typical Permitted Equipment

Air District	150 hp IC Emergency Engine	550 hp IC Prime Engine	2 Nozzle Gas Station	16 Nozzle Gas Station	Paint Booth w/ 15 hp motor
San Joaquin Valley APCD (current)	$143.00	$577.00	$84.00	$672.00	$107.00
San Joaquin Valley APCD (effective 7/1/25)	$155.00	$624.00	$92.00	$736.00	$116.00
San Joaquin Valley APCD (effective 7/1/26)	$168.00	$674.00	$100.00	$800.00	$126.00
South Coast AQMD*	$541.04	$1,937.84	$319.84	$2,558.72	$541.04
Sacramento Metro AQMD*	$602.10	$2,416.74	$1,132.32	$2,533.28	$1,206.28
Bay Area AQMD*	$782.00	$782.00	$281.76	$2,254.08	$782.00
San Diego County APCD	$452.00	$844.00	$516.00	$4,128.00	$1,406.00

* *Estimates based on typical installations, may be somewhat higher or lower depending on whether equipment is located at a major source, how many permitted units at a facility, and other equipment-specific variables. Each of the other air districts listed also charge additional criteria emissions-based permit renewal fees. The San Joaquin Valley Air District does not charge an emissions-based fee for permit renewals.*

As discussed above, these proposed fee increases are needed to reduce the District's annual operating deficit, but will not completely eliminate it. Continued implementation of the District's intensive operational streamlining is expected to achieve sufficient additional efficiencies to balance costs and revenues. Finally, as noted in the table above, even after the proposed fee increases, the costs for permittees will continue to be the lowest in the state, when compared to those charged by other air districts.

IV. PROPOSED RULE AMENDMENTS

Rules 3010, 3020, 3030, 3050, 3060, 3070, 3110, 3135, 3140, 3147, 3150, 3155, 3180, 3190, 3901:

Increase each of the fees associated with these rules by 8%, effective July 1, 2025, and again by 8%, effective July 1, 2026. Hourly fees associated with compensating the District for time spent, such as for the processing of permit applications, are not being increased by this action.

V. PROPOSITION 26 ANALYSIS

Proposition 26, approved by California voters in 2010, requires increases in taxes to be approved by a vote of impacted residents. However, under the definitions in Proposition 26, this proposed fee increase is not a tax, as the increases are all charges imposed for reasonable regulatory costs.

VI. RULE DEVELOPMENT PROCESS

The District conducted a public process for amending the District Fee Rules. Information about public meetings was shared with members of the public, affected sources and other interested stakeholders. Workshop announcements and public notices were provided in both English and Spanish, and interpretation services were made available upon request.

As part of the rule development process, the District conducted a public workshop on March 26, 2025, to present, discuss, and take comments on the proposed amendments to the District Fee Rules. The District published the draft proposed rules for public review prior to the workshop to provide opportunity for public comment on the draft proposed rules. No comments were received from the public, affected sources, or interested parties during the public outreach and workshop process, or the comment period following the workshop notification.

In accordance with California Health and Safety Code (CH&SC) Sections 40725 and 42311(e), the proposed amendments to the District Fee Rules and draft staff report were publicly noticed and made available on the District’s website prior to the Governing Board public hearing to consider adoption of the rule amendments.

VII. COST EFFECTIVENESS AND SOCIOECONOMIC IMPACT ANALYSIS

Pursuant to State law, the District is required to analyze the cost effectiveness of any proposed rule amendment that implements Best Available Retrofit Control Technology (BARCT). The draft amendments do not add BARCT requirements and therefore are not subject to the cost effectiveness analysis mandate.

Additionally, state law requires the District to analyze the socioeconomic impacts of any proposed rule amendment that significantly affects air quality or strengthens an emission limitation. The draft amendments will have neither effect, and are therefore not subject to the socioeconomic analysis mandate.

VIII. RULE CONSISTENCY ANALYSIS

Pursuant to CH&SC Section 40727.2 (g) a rule consistency analysis of the draft rule is not required. The draft rules do not strengthen emission limits or impose more stringent monitoring, reporting, or recordkeeping requirements.

IX. ENVIRONMENTAL IMPACT ANALYSIS

The Rule Amendments are to reduce the District's annual operating deficit by proposing an increase in fees for rules 3010, 3020, 3030, 3050, 3060, 3070, 3110, 3135, 3140, 3147, 3150, 3155, 3180, 3190, and 3901. According to Section 15061 (b)(3) of the CEQA Guidelines, a project is exempt from CEQA if, "(t)he activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." As such, substantial evidence supports the District's assessment that the Rule Amendments will not have any significant adverse effects on the environment.

Therefore, for the above reasons, the Rule Amendments are exempt from CEQA. Pursuant to Section 15062 of the CEQA Guidelines, District staff will file a Notice of Exemption upon Governing Board approval of Rule Amendments.