

**MONTEREY BAY AIR RESOURCES DISTRICT
REGULATION III
FEES**

RULE 301. FEE SCHEDULES

(Adopted 9-1-74; Revised 9-16-76, 5-31-78, 5-20-81, 8-18-82, 6-13-83, 7-19-84, 12-13-84, 7-17-85, 6-11-86, 12-17-86, 6-10-87, 9-16-87, 6-20-88, 12-14-88, 6-14-89, 6-13-90, 6-26-91, 5-17-95, 6-21-95 ; 6-18-97; 6-17-98; 6-16-99; 6-21-00; 6-20-01; 6-19-02; 6-18-03; 6-16-04; 6-15-05; 6-21-06; 6-20-07; 6-18-08; 6-17-09; 6-30-10; 6-15-11; 6-18-14; 6-17-15; 6-15-16; 6-21-17; 6-25-18; 6-24-19; 6-17-20; 6-16-21; 6-15-22; 6-21-23.)

CONTENTS

Schedule 1 - General Permit Fees

Schedule 2 – Administrative Amendment

Schedule 3 - Equipment Which Has Lost Permit Exemption

Schedule 4 - Complex Permit Applications

Schedule 5 - Emission Fees

Schedule 6 - Toxic Air Contaminants

Schedule 7 - Public Notification

Schedule 8 – Public Records Requests

Schedule 9 – Mutual Settlement Program

Table 1. Fee Schedule

Effective Dates

This Rule, as most recently revised, is effective on July 1, 2023.

Table 1 District Fee Schedule included at the end of this rule identifies the current fees for this rule, Rule 300, Rule 302, Rule 303, Rule 305, Rule 306, Rule 307, Rule 308, Rule 309, and Rule 310.

**MONTEREY BAY AIR RESOURCES DISTRICT
REGULATION III
FEES**

Schedule 1
General Permit Fees

Any article, machine, equipment or other contrivance for which a permit is required and which is not Equipment Which Has Lost Permit Exemption (Schedule 3) shall be assessed a permit fee as set forth in Table 1 Schedule 1. However, if the Air Pollution Control Officer determines that the revenue provided by this Rule does not fairly represent the District's costs in processing the subject permit application, the Air Pollution Control Officer shall assess a permit fee based on the actual costs incurred by the District in processing the application in accordance with the District hourly staff rate, which shall be rounded to the nearest whole hour. This fee shall not apply to gasoline dispensing facilities upgrading In-Station Diagnostic software unless the change will require a vapor recovery test.

Schedule 2
Administrative Amendment

Any permit that requires an administrative amendment shall be assessed a permit fee as set forth in Table 1 Fee Schedule. However, if the Air Pollution Control Officer determines that the revenue provided by this Rule does not fairly represent the District's costs in processing the subject permit application, the Air Pollution Control Officer shall assess a permit fee based on the actual costs incurred by the District in processing the application in accordance with the District hourly staff rate, which shall be rounded to the nearest whole hour.

Schedule 3
Equipment Which Has Lost Permit Exemption

Any article, machine, equipment or other contrivance for which a permit exemption has been lost due to revision to District Rule 201 (Sources not Requiring Permits) shall be assessed a permit fee as set forth in Table 1 Schedule 3. However, if the Air Pollution Control Officer determines that the revenue provided by this Rule does not fairly represent the District's costs in processing the subject permit application, the Air Pollution Control Officer shall assess a permit fee based on the actual costs incurred by the District in processing the application in accordance with the District hourly staff rate, which shall be rounded to the nearest whole hour.

Schedule 4
Complex Permit Applications

Within 30 days of receipt of an application, the Air Pollution Control Officer may notify the applicant that, due to the complexity of the application, additional permit evaluation fees shall be based on the actual hours spent by the District staff in evaluating the application and verifying equipment compliance in accordance with the Hourly Staff Rate set forth in Table 1 Schedule 4. Examples of a complex permit applications include but are not limited to; composting facilities, landfill projects, retail gasoline stations, equipment involving waste disposal by incineration, gasification, or other thermal process, Best Available Control Technology cost-effectiveness determinations, equipment involving the emission of hazardous or toxic air contaminants, or equipment or processes with the potential to emit more than 10 tons per year of any pollutant.

**MONTEREY BAY AIR RESOURCES DISTRICT
REGULATION III
FEES**

Schedule 5
Emission Fees

In addition to other fees required, any article, machine, equipment or other contrivance which does not hold a valid District Authority to Construct or Permit to Operate shall be assessed an emissions fee as set forth in Table 1 Schedule 5.

Schedule 6
Toxic Air Contaminants

In addition to other fees required, each permit application shall be assessed a toxics emission fee as set forth in Table 1 Schedule 6.

Schedule 7
Public Notification

In addition to other fees required, projects for which permits are issued following public notice published in newspapers shall pay a public notification fee as set forth in Table 1 Schedule 7 for the project.

Schedule 8
Public Record Requests

Direct costs for duplication of hardcopies via paper or scanning of District records will be assessed fees as set forth in Table 1 Schedule 8.

The transfer of gathered electronic records onto CD, USB drive, or other similar type media will be assessed an electronic media fee as set forth in Table 1 Schedule 8.

Fees for programming and computer services will be based on the actual cost of the staff time needed to perform the work based on the District hourly staff rate as set forth in Table 1 Hourly Staff Rate. The level of staff needed to fulfill the request for electronic information could vary depending on the intricacies and complexity of the request. For significant efforts, the requestor may be required to pay a portion or all of the costs in advance of commencing the work. The requestor may submit a request for a waiver or a reduction of fees incurred, which will be considered by the District.

Requestors who wish to receive records via mail (regular mail, express, etc.) must pay mailing charges in accordance with the current postage rates.

**MONTEREY BAY AIR RESOURCES DISTRICT
REGULATION III
FEES**

Schedule 9
Mutual Settlement Program

The gravity based penalty calculation shall be multiplied by the base rate minimum penalty value as set forth in Table 1 Schedule 9.

Table 1. Fee Schedule

Rule 300 (Part 3, Permit Fees)	
Permit Fees	Rule 300 (FY 2023-2024)
Section 3.1 Filing Fee	\$ 237
Section 3.4.1 Synthetic Minor Permit Filing Fee	\$ 349
Section 3.4.2 Synthetic Minor Permit Evaluation Fee	\$ 1,394
Rule 300 (Annual Renewal Fees for Source Specific Categories, Section 4.3)	
Source Category	Rule 300 (FY 2023-2024)
Dry Cleaner	\$374
Emergency Diesel Fueled Internal Combustion Engine (fee code 202)	\$408
Emergency Diesel Fueled Internal Combustion Engine (historical fee code 501)	\$277
Emergency Non-Diesel Fueled Internal Combustion Engine	\$277
Fume Hood	\$253
Fossil Fueled Power Plant Gas Turbine Maximum Rated Heat Input (Moss Landing Power Plant Only)	\$60 per MMBtu/hr
Lime Processing Facility (3-year average kiln annual production rates):	
-Kiln production rate < 100,000 short tons per year	\$0.60 per short ton
-Kiln production rate > 100,000 short tons per year	\$0.84 per short ton
Cannabis Cultivation/Manufacturing/Processing Operations and Odors	\$661
Synthetic Minor Permit	\$48 per ton

Table 1. Fee Schedule

Rule 300 (Annual Renewal Fees , Section 4.4)		
	Billable Emission per Permit; Tons per Year	Rule 300 (FY 2023-2024)
	0 - < 0.1	\$ 236
	0.1 - < 1	\$ 354
	1 - < 2	\$ 442
	2 - < 5	\$ 632
	5 - < 8	\$ 868
	8 - < 10	\$ 1,661
	10 - < 20	\$ 2,454
	20 - < 30	\$ 4,257
	30 - < 45	\$ 6,057
	45 - < 60	\$ 7,406
	60 - < 80	\$ 8,757
	80 - < 100	\$ 9,642
	100 - < 150	\$ 10,513
	150 - < 200	\$ 12,732
	200 - < 250	\$ 14,949
	> 250	\$ 18,569
Rule 300 (Annual Renewal Fee Determination, Section 4.5)		
	Fees	Rule 300 (FY 2023-2024)
	Section 4.5.1	\$ 1,152
	Section 4.5.2	\$ 578
	Section 4.5.3	\$ 578
Rule 300 (Gasoline Throughput Fees, Section 4.6)		
	Fuel Throughput; Gallons per Year	Rule 300 (FY 2023-2024)
Section 4.6	Per Nozzle Fee	\$ 58
Throughput "b"	0 - < 120,000	\$ 282
	120,000 - < 400,000	\$ 452
	400,000 - < 600,000	\$ 667
	600,000 - < 1,200,000	\$ 889
	1,200,000 - < 1,600,000	\$ 1,106
	1,600,000 - < 2,000,000	\$ 1,431
	2,000,000 - < 3,000,000	\$ 2,171
	3,000,000 - < 4,000,000	\$ 2,892
	4,000,000 - < 5,000,000	\$ 3,613
	5,000,000 - < 6,000,000	\$ 4,335
	6,000,000 - < 7,000,000	\$ 5,056
	7,000,000 - < 8,000,000	\$ 5,778
	8,000,000 - < 9,000,000	\$ 6,499
	9,000,000 - < 10,000,000	\$ 7,221
	10,000,000 - < 11,000,000	\$ 7,942
	Greater than 11,000,000	\$ 8,663

Table 1. Fee Schedule

Rule 300 (Wastewater Treatment Facilities Fees, Section 4.7)		
	Average Flow; Gallons per Day	Rule 300 (FY 2023-2024)
	0- ≤9,999,999	\$ 229
	10,000,000 - 20,000,000	\$ 2,860
	>20,000,000	\$ 7,437
Rule 300 (Other Annual Renewal Fee Determination)		
	Fees	Rule 300 (FY 2023-2024)
Section 4.8	Annual Renewal Fee for NESHAP Sources	\$ 18,569
Section 4.9	Methyl Bromide Fumigation Chambers	\$ 211
Section 4.10	Authorities to Construct	\$ 211
Section 4.11	Toxic Program Sources	\$ 110
Section 6.1	ERC Registry Fee	\$ 700
Section 6.1.2	Annual Regsity Fee	\$ 234
Rule 300 (Delinquency Penalties)		
	Fees	Rule 300 (FY 2023-2024)
Section 5.1.7.2	Revocation Initiation	\$ 596
Section 5.1.7.3	Reinstatement	\$ 900

Table 1. Fee Schedule

Rule 301 (Permit Fee Schedules)		Rule 300 (FY 2023-2024)	
	Fee Schedules		
	Hourly Staff Rate	\$	169
Schedule 1	General Permit Fee	\$1,059 plus the hourly staff rate	
Schedule 2	Administrative Amendment	\$343 plus the hourly staff rate	
Schedule 3	Equipment that Lost Permit Exemption		
Schedule 4	Complex Permit Applications Hourly Staff Rate	\$	169
Schedule 5	Emission Fees	\$	236
Schedule 6	Toxic Air Contaminants	\$	237
Schedule 7	Public Notification	\$	719
Schedule 8	Public Record Request		
	Paper Photocopies	\$0.10 per page	
	Scanned Copies	\$0.10 per page	
	Electronic Media	\$	7
Schedule 9	Mutual Settlement Program Base Rate	\$	224

Table 1. Fee Schedule

Rule 302 (Source Testing and Analyses)

	Type of Test	Rule 302 (FY 2023-2024)
Section 4.1	Visible emission evaluation test or observation of source testing	\$169 + \$169 per hour for every staff hour in excess of one staff hour

Rule 305 (AB2588 Implementation Fees)

	Fee Determination	Rule 305 (FY 2023-2024)
Hourly Staff Rate for:		
Section 3.1.2-3.1.3	Emission Inventory, Public Notification, Audit and Plan, Supplemental Risk Assessment	\$ 169
Section 3.3.5.1	Revocation Initiation	\$ 596
Section 3.3.5.2	Reinstatement	\$ 900

Table 1. Fee Schedule

Rule 306 (Asbestos NESHAP Fees)				
Fee		Rule 306 (FY 2023-2024)		
Demolition (cost per structure) Section 4.2 (Including Where No Asbestos Present)		\$		497
Schedule of Fees for Removal of Asbestos-Containing Materials				
Demolition or Renovation involving Regulated Asbestos Containing Material (RACM) (fees apply to the material quantity in the highest fee category):				
Square Feet	Linear Feet		Rule 306 (FY 2023-2024)	
160-999 OR Equal to or Greater than 35 cubic feet	260-499	\$		865
1000 - 1499	500-749	\$		1,117
1,500-1,999	750-999	\$		1,365
2,000-3,999	1,000-1,999	\$		1,608
4,000-9,999	2,000-2,999	\$		1,842
10,000-19,999	3,000-4,999	\$		2,017
20,000-29,999	5,000-6,999	\$		2,514
30,000-39,999	7,000-9,999	\$		3,013
40,000-49,999	10,000-11,999	\$		3,510
Equal to or Greater than 50,000	Equal to or Greater than 12,000	\$		4,009

Table 1. Fee Schedule

Rule 308 (Title V Fees)		
	Title V Fees	Rule 308 (FY 2023-2024)
Section 3.1.1	Filing Fee for an initial Federal Operating Permit, renewal, or modification	\$ 483
Section 3.1.2	Filing Fee for Change of Ownership	\$ 169
Section 3.3	Evaluation Hourly Fee	\$ 169
Section 4.1.1	Minimum Annual Federal Operating Permit Fee (AFOPF)	\$ 1,152
Section 4.1.2.1	AFPOF for landfill gas emissions per ton	\$ 3.51
Rule 309 (Hearing Board Fees)		
	Hearing Board Fees	Rule 309 (FY 2023-2024)
Section 3.1.1-3.1.10	Fee for Each Additional Hearing	\$ 560
Application Fees:		
	Length of variance exceeds 90 days	\$ 1,118
Section 3.1.1		
	Length of variance does not exceed 90 days	\$ 783
Section 3.1.2		
Section 3.1.3	Modifying a variance	
Section 3.1.4	Modify a Variance's Schedule of Increments of Progress or Final Compliance Date	
Section 3.1.5	Approval of Schedule of Increments of Progress	\$ 560
Section 3.1.6	Emergency Variance	
Section 3.1.7	Permit Denial	
Section 3.1.8	Issuance of Permit	
Section 3.1.9	Suspension of Permit	
Section 3.1.10	Intervention in a Pending Variance	
Section 3.2	Excess Emissions (\$ per pound of excess emissions)	\$ 0.75
Section 3.3.1	Excess Visible Emission	\$ 2.14
Section 3.4	Minimum Fees	\$ 560

Table 1. Fee Schedule

Rule 310 (Agricultural Diesel Engine Registration Fees)		Rule 310 (FY 2023-2024)	
Ag Engine Fees			
Application Fees:			
Section 3.1.1	Initial in-use or new registration	\$	237
Section 3.1.2	Additional Engine Fee	\$	169
Section 3.2	Operational Annual Registration Fees	\$	88
	Non-Operational Annual Registration Fees	\$	45
Section 3.3	Transfer of Owner/Change of Location	\$	237