

**SECTION .0200 - PERMIT FEES****.0201 APPLICABILITY**

- (a) This Section is applicable:
- (1) as of the permit anniversary date on or after July 1, 1994, to facilities that have or will have actual emissions of:
    - (A) 100 tons per year or more of particulate, sulfur dioxide, nitrogen oxides, volatile organic compounds, or carbon monoxide;
    - (B) 10 tons per year or more of at least one hazardous air pollutant; or
    - (C) 25 tons per year or more of all hazardous air pollutants combined; and
  - (2) as of the permit anniversary date on or after October 1, 1994, to all facilities other than the facilities described in Subparagraph (a)(1) of this Rule.
- (b) A general facility obtaining a permit under Rule .0509 of this Chapter shall comply with provisions of this Section that are applicable to a Title V facility except that the fees are different as stated.
- (c) Rule .0207 of this Section is applicable to all facilities as of its effective date.

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**.0202 DEFINITIONS**

For the purposes of this Section, the following definitions apply:

- (1) "Actual emissions" means the actual rate of emissions in tons per year of any air pollutant emitted from the facility over the preceding calendar year. Actual emissions shall be calculated using the sources' actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year. Actual emissions include fugitive emissions as specified in the definition of major source in 40 CFR 70.2. For fee applicability and calculation purposes under Rule .0201 or .0203 of this Section and emissions reporting purposes under Rule .0207 of this Section, actual emissions do not include emissions beyond the normal emissions during violations, malfunctions, start-ups,

and shut-downs, do not include a facility's secondary emissions such as those from motor vehicles associated with the facility, and do not include emissions from insignificant activities because of category as defined under Rule .0503 of this Chapter.

- (2) "Title V facility" means a facility that is required to have a permit under Section .0500 of this Chapter except perchloroethylene dry cleaners whose potential emissions are less than:
  - (a) 10 tons per year of each hazardous air pollutant,
  - (b) 25 tons per year of all hazardous air pollutants combined, and
  - (c) 100 tons per year of each regulated air pollutant.
- (3) "Minor modification" means a modification made pursuant to Chapter 17 .0515, Minor Permit Modifications.
- (4) "Synthetic minor facility" means a facility that would be a Title V facility except that the potential emissions are reduced below the thresholds in Paragraph (2) of this Rule by one or more physical or operational limitations on the capacity of the facility to emit an air pollutant. Such limitations must be enforceable by EPA and may include air pollution control equipment and restrictions on hours of operation, the type or amount of material combusted, stored, or processed.
- (5) "Significant modification" means a modification made pursuant to Chapter 17 .0516, Significant Permit Modification.
- (6) "General facility" means a facility obtaining a permit under Rule .0310 or .0509 of this Chapter.
- (7) "Small facility" means a facility that is not a Title V facility, a synthetic minor facility, a general facility, nor solely a transportation facility.
- (8) "Local" means all demolitions and asbestos renovations not regulated under 40 CFR 61.145. Such demolitions and renovations are regulated under Chapter 4.1110(h).
- (9) "Transportation Facility" means a facility requiring a permit under Chapter 4.0800 - "Transportation Facilities".

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**.0203 PERMIT AND APPLICATION FEES**

- (a) The owner or operator of any facility holding a permit shall pay the following permit fees:
- (1) Beginning May 11, 1998 all Title V facilities shall pay an annual permit fee of \$13.53 per ton of Regulated Air Pollutants emitted during each calendar year. This permit fee will be due on July 1, of each year for the previous year's emissions. Beginning August 14, 2000, Title V tonnage fees will be set by the Agency's Board during the annual budget approval process to offset the Agency's Title V budgetary requirements.
  - (2) Beginning July 1, 1994, with each application the following fees are due:

<b>APPLICATION FEES</b>	
<b>NON TITLE V FACILITIES</b>	<b>FEE</b>
INITIAL APPLICATION	
SMALL SOURCES	\$200
SYNTHETIC MINOR SOURCES	\$500
DRY CLEANERS	\$150
STAGE I SOURCES	\$200
112(r) SOURCES	\$250
TRANSPORTATION SOURCES	\$400
MODIFICATIONS	
SMALL SOURCES	\$200
SYNTHETIC MINOR SOURCES	\$500
DRY CLEANERS	\$100
STAGE I SOURCES	\$200
112(r) SOURCES	\$250
TRANSPORTATION SOURCES	\$400
<b>TITLE V FACILITIES</b>	
INITIAL APPLICATION OR MAJOR MODIFICATION	\$9,000
INITIAL APPLICATION OR MAJOR MODIFICATION (PSD OR NSR/NAA)	\$13,488
INITIAL APPLICATION OR MAJOR MODIFICATION (PSD AND NSR/NAA)	\$26,235
MINOR MODIFICATION	\$900
17.0300 PERMIT	\$900
<b>ADMINISTRATIVE CHANGE INITIATED BY FACILITY</b>	\$100
<b>LIMITED AND TEMPORARY PERMIT</b>	\$200
<b>OPEN BURNING</b>	
RESIDENTIAL	
HAND PILED	\$0
MACHINE PILED	
0 TO 2 ACRES	\$150 PER ACRE
EACH ADDITIONAL ACRE OR PART THEREOF	\$250 PER ACRE

INDUSTRIAL/COMMERCIAL	
MACHINE PILED	
EACH ACRE OR PART THEREOF	\$250 PER ACRE
<b>ASBESTOS</b>	
CITY OF ASHEVILLE AND BUNCOMBE COUNTY DEMOLITION AND RENOVATION PERMIT REVIEW	
SINGLE FAMILY STRUCTURE	\$25 PER STRUCTURE
COMMERCIAL	\$50 PER STRUCTURE
DEMOLITION	
40 CFR 61 NESHAP	\$150-\$500
LOCAL	\$100
RENOVATION	
RESIDENTIAL NON-FRIABLE	\$75-\$150
COMMERCIAL NON-FRIABLE	\$100-\$200 for the first 1,000 ft <sup>2</sup> + \$200 for each additional 2,000 ft <sup>2</sup>
40 CFR 61 NESHAP FRIABLE	\$100-\$400 for the first 500 ft <sup>2</sup> + \$200 for each additional 500 ft <sup>2</sup>
LOCAL FRIABLE	\$100-\$400 for the first 500 ft <sup>2</sup> + \$200 for each additional 500 ft <sup>2</sup>

- (3) All facilities will be billed the following fees annually within 60 days of the anniversary of their permit expiration date:

<b>ANNUAL SMALL AND AREA SOURCE PERMIT FEES</b>	
<b>COMBUSTION SOURCES</b>	<b>FEE</b>
<b>BOILERS &amp; OTHER COMBUSTION SOURCES</b>	
1 TO 4.99 MM BTU/HR	\$200
5 TO 14.99 MM BTU/HR	\$300
15 TO 34.99 MM BTU/HR	\$400
35 TO 74.99 MM BTU/HR	\$500
75 TO 99.99 MM BTU/HR	\$600
100 AND GREATER	\$700
GENERATORS	\$38/100 kW
OTHER RECIPROCATING INTERNAL COMUSTION ENGINES	\$25/100 HP
<b>INCINERATORS</b>	
WASTE	\$300
BIOLOGICAL	\$300
<b>PARTICULATE EMISSION SOURCES</b>	
CONTROLLED	\$250
UNCONTROLLED	\$250
<b>VOC EMISSION SOURCES</b>	
PAINT SPRAY BOOTHS	\$300
PRINTING OPERATIONS	\$300
SOLVENT CLEANERS/DEGREASERS	\$100
OTHERS	\$300
<b>NON-METALLIC MINERAL PROCESSING</b>	
CRUSHERS	\$100

SCREENS	\$50
CONVEYORS	\$10
GRINDERS	\$300
OTHERS	\$200
<b>MISCELLANEOUS PROCESSES</b>	
UNCONTROLLED	\$300
CONTROLLED	\$300
<b>OTHER SOURCES</b>	
DRY CLEANERS	\$100
STAGE 1	
<200,000 GALLONS GASOLINE DISPENSED PER YEAR	\$125
200,000-799,999 GALLONS GASOLINE DISPENSED PER YEAR	\$250
800,000-1,500,000 GALLONS GASOLINE DISPENSED PER YEAR	\$375
>=1,500,001 GALLONS GASOLINE DISPENSED PER YEAR	\$500
<b>SMALL SOURCE TONNAGE FEE</b>	\$49 PER TON
<b>FEDERAL STANDARDS</b>	
MACT or GACT	\$300
NSPS	\$100
<b>ANNUAL SYNTHETIC MINOR AND TITLE V SOURCE FEES</b>	
<b>TITLE V</b>	\$5,000 BASE FEE + TITLE V TONNAGE FEE
<b>TITLE V</b>	\$3,500 NONATTAINMENT AREA ADDED FEE
<b>SYNTHETIC MINOR</b>	\$3,000 BASE FEE + SYNTHETIC MINOR TONNAGE FEE
SYNTHETIC MINOR TONNAGE FEE	\$49 PER TON

(b) The fee schedule referenced in .0203(a)(3) shall apply to the issuance of all Permits to Construct.

(c) Tonnage factor fees shall be applicable to small, synthetic minor, and Title V facilities. The Title V tonnage fee is referenced in subparagraph (a)(1) of this Section. The small and synthetic minor source tonnage fees are listed in the table in subparagraph (a)(3) of this Section. Tonnage factor fees shall be computed by multiplying the applicable tonnage rates indicated in subparagraph (a)(1) or (a)(3) of this Section by the facility's combined total actual emissions of all regulated air pollutants, rounded to the nearest ton. The calculation shall not include:

- (1) carbon monoxide;
- (2) any pollutant that is regulated solely because it is a Class I or II substance listed under Section 602 of the federal Clean Air Act (ozone depleters);
- (3) any pollutant that is regulated solely because it is subject to a regulation or standard under Section 112(r) of the federal Clean Air Act (accidental releases); and

- (4) the amount of actual emissions of each pollutant that exceeds 4,000 tons per year. Even though a pollutant may be classified in more than one pollutant category, the amount of pollutant emitted is counted only once for tonnage factor fee purposes and in a pollutant category chosen by the permittee.
- (d) The nonattainment area added fee shall be applicable only to Title V facilities required to comply with Chapter 4 .0531, Chapter 4 .0900 (Volatile Organic Compounds), or Chapter 4 .1400 (Nitrogen Oxides) and either:
- (1) are in a area designated in 40 CFR 81.334 as nonattainment, or
  - (2) are covered by a nonattainment or maintenance State Implementation Plan submitted for approval or approved as part of 40 CFR Part 52, Subpart II.
- (e) A Title V (PSD or NSR/NAA) facility is a facility whose application is subject to review under Chapter 4.0530 (Prevention of Significant Deterioration) or Chapter 4 .0531 (Sources in Nonattainment Areas).
- (f) A Title V (PSD and NSR/NAA) facility is a facility whose application is subject to review under Chapter 4 .0530 (Prevention of Significant Deterioration) and Chapter 4 .0531 (Sources in Nonattainment Areas).
- (g) The permit application fee paid for modifications under Chapter 17 .0400, Acid Rain Procedures, shall be the fee for the same modification if it were under Chapter 17 .0500, Title V Procedures.
- (h) Title V facilities pay the standard construction permit fee until the EPA approves the Agency's Title V Permit Program. After that approval, Title V facilities will pay either the new or significant modification permit application fee or the minor modification permit application fee, whichever is applicable. Minor modification permit applications that are group processes require the payment of only one permit application fee for the group.
- (i) No permit application fee is required for renewal of an existing permit provided no changes have been made to the permitted facility, or for changes to an unexpired permit when the only reason for the changes is initiated by the Director or the Board.
- (j) When a Public Notice is required the facility shall pay the actual cost of publishing such notice in the local newspapers.

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*1, 2001.*

#### **.0204 FEE ADJUSTMENT**

Beginning in 1995, the fees of Rule .0203 of this Section for Title V facilities shall be adjusted as of January 1st of each year based on direct and indirect costs of the Title V Program. The adjustment shall be done by the method described in 40 CFR 70.9(b)(2)(iv), except that the method shall be altered to account for the fact that the fees shown in rule .0203 of this Section are for calendar year 1998. The tonnage factor shall be rounded to a whole cent and the other fees shall be rounded to a whole dollar, except that the ownership change application fee shall be rounded to the nearest ten-dollar (\$10.00) increment.

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#### **.0205 OTHER ADJUSTMENTS**

(a) If a facility changes so that its facility category changes, the annual fee changes with the next annual fee.

(b) A facility that is moved to a new site may receive credit toward new permit fees for any unused portion of an annual fee if the permit for the old site is relinquished.

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*(1d); 150B-21.6;*  
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#### **.0206 PAYMENT OF FEES**

- (a) Payment of fees required under this Section may be by check or money order made payable to the Agency. Annual permit fee payments shall refer to the permit number.
- (b) If, within 30 days after being billed, the permit holder fails to pay an annual fee required under this Section, the Director may initiate action to terminate the permit under Rule .0309 or .0519 of this Chapter, as appropriate.
- (c) A holder of multiple permits may arrange to consolidate the payment of annual fees into one annual payment.
- (d) The permit holder shall submit a written description of current and projected plans to reduce the emissions of air contaminants by source reduction and recycling along with the annual permit fee payment. The description shall include a summary of activities related to source reduction and recycling and a quantification of air emissions reduced and material recycled during the previous year and a summary of plans for further source reduction and recycling.
- (e) The payment of the permit application fee required by this Section shall accompany the application and is non-refundable.
- (f) The Agency shall annually prepare and make publicly available an accounting showing aggregate fee payments collected under this Section from facilities which have obtained or will obtain permits under Section .0500 of this Chapter except synthetic minor facilities and showing a summary of reasonable direct and indirect expenditures required to develop and administer the Title V permit program.

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#### **.0207 ANNUAL EMISSIONS REPORTING**

- (a) The owner or operator of a Title V facility shall report by June 30th of each year the actual emissions during the previous calendar year of:
- (1) volatile organic compounds,
  - (2) nitrogen oxides,
  - (3) total suspended particulates,
  - (4) sulfur dioxide,
  - (5) fluorine,
  - (6) hydrogen chloride,



- (7) hydrogen fluoride,
- (8) hydrogen sulfide,
- (9) methyl chloroform,
- (10) methylene chloride,
- (11) ozone,
- (12) chlorine,
- (13) hydrazine,
- (14) phosphine,
- (15) particulate matter (PM10),
- (16) carbon monoxide,
- (17) lead, and
- (18) perchloroethylene.

(b) The accuracy of the report required by Paragraph (a) of this Rule shall be certified by a responsible official of the facility as defined under 40 CFR 70.2.

(c) Reserved.

(d) Reserved.

(e) The report shall be in or on such form as may be established by the Director. The Director may require reporting for sources within a facility, for other facilities, or for other pollutants, parameters, or information, by permit condition or pursuant to Chapter 4 .0202 (Registration of Air Pollution Sources).

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