NACAA
national association of clean air agencies

2018 NACAA Title V Fees Survey

Compilation of Completed Surveys
June 25, 2018

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black = state agencies
blue = local agencies

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NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Lisa Edwards
   - Title: Chief, Program Development Unit
   - Agency: Alabama Department of Environmental Management
   - Email: lhicks@adem.alabama.gov
   - Phone: 334-270-5615

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Fees are based on calendar year emissions that will fund a future fiscal year. (Example: Emissions fees collected for calendar year 2016 will fund fiscal year 2018.)

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? Approximately 300
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? Approximately $10,000,000.
   - How many FTEs are funded by your Title V program? Approximately 80

- ◊ How many of these are permit writers specific to Title V? Approximately 30
- ◊ Is the number of FTEs sufficient? Yes
- ◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Backlogs are not a problem at ADEM as we have less than 5% backlogged (this includes initial permits, modifications and renewals).

- How long, on average, does it take your agency to process a new Title V permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 3 months
    - Average number of days from application received to draft permit noticed for public comment: 10 months
    - Average number of days from application received to permit issuance: About 1 year
    - Average number of hours – permit reviewer time prior to public notice: Too variable to determine, although the initial Title V permit is the most resource intensive.
    - Average number of hours – permit reviewer time after public notice: Typically no more than 5 days.

- How long, on average, does it take your agency to process a renewal permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: A month
    - Average number of days from application received to draft permit noticed for public comment: About 6 months
    - Average number of days from application received to permit issuance: About 8 months
    - Average number of hours – permit reviewer time prior to public notice: Too variable to determine.
    - Average number of hours – permit reviewer time after public notice: Typically no more than 5 days.

4. Do you calculate Title V permit fees based on emissions? Yes

   - ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? For calendar year 2016 emissions, there were approximately 173,000 billable tons for all pollutants combined.

   - Criteria pollutants: Approximately 161,000 billable tons
   - HAPs: Approximately 12,000 billable tons

6. What is the current baseline Title V emissions fee per ton charged by your agency? For calendar year 2016 emissions, the fee was $54/ton for all pollutants combined.

   - For criteria pollutants:
   - For HAPs:

   No Differentiation

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees? Title V emissions fees are calculated based on actual emissions for the calendar year.

9. Is there a minimum Title V emissions fee? If so, what is the amount? No

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.) We do not charge any other fees in support of our Title V program.

    - Initial permit fees:
    - Permit modification fees:
    - Permit renewal fees:
    - Inspection and/or maintenance fees:
    - Public notice fees:
    - Hourly processing/review fees:
    - Administration fees:
    - Stack testing fees:
    - Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. ADEM has a tonnage cap set at 4,000 tons on subject pollutants on a per pollutant basis. There is no maximum dollar amount per pollutant and/or facility.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. None

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? We have authority to adjust fees annually to provide estimated costs for the upcoming fiscal year.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? From FY 13 to FY 18, the Title V fees collection has gone up by approximately 13 percent, due mainly to inflationary costs. No change in work years funded.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). See #13

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). See #13

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable). http://adem.alabama.gov/alEnviroRegLaws/files/Division1.pdf (335-1-7)

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: **Corey Masuca**
   - Title: **Principal Air Pollution Control Engineer**
   - Agency: **Jefferson County Department of Health**
   - Email: **corey.m.masuca@jcdh.org**
   - Phone: **(205) 930-1595**

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? **29**
   - Does your agency consider synthetic minor permits part of your Title V program?
     - ◊ If so, how many synthetic minors are included? **No.**
   - What is your total Title V program budget? **$913,821 (Based on CY 2017 Emissions Estimates)**
   - How many FTEs are funded by your Title V program? **6.75**

◊ How many of these are permit writers specific to Title V? **2**

◊ Is the number of FTEs sufficient? **Yes**

◊ Are there plans to increase or to decrease FTEs? **No.**

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. **No backlogs.**

- How long, on average, does it take your agency to process a new Title V permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment: 90 days
  - Average number of days from application received to permit issuance: 120 days
  - Average number of hours – permit reviewer time prior to public notice: 160 hours
  - Average number of hours – permit reviewer time after public notice: 40 hours

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: 15-30 days
  - Average number of days from application received to draft permit noticed for public comment: 60 days
  - Average number of days from application received to permit issuance: 100 days
  - Average number of hours – permit reviewer time prior to public notice: 80 hours
  - Average number of hours – permit reviewer time after public notice: 40 hours

4. Do you calculate Title V permit fees based on emissions? Yes

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? **19443 tons for both criteria and HAPs (CY 2017 Emission Estimates)**
   - Criteria pollutants:
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: **$47 (for FY 2018)**
   - For HAPs: **$47 (for FY 2018)**

7. Do you calculate Title V fees based on actual or allowable emissions? **Actual Emissions**

8. What formula do you use for calculating your Title V emissions fees? **Total Title V Program Expenses (Mainly Salaries) divided by the Total Tons of Actual Billable Emissions from Title V Sources**

9. Is there a minimum Title V emissions fee? If so, what is the amount? **No.**

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: $410.00-$3840 (depending on extent of review)
    - Permit modification fees: $410-$3840 (depending on extent of mod.)
    - Permit renewal fees:$410-$3840 (depending on extent of renewal)
    - Inspection and/or maintenance fees: 0
    - Public notice fees: $410
    - Hourly processing/review fees: none
    - Administration fees: built into permitting fee structure
    - Stack testing fees: None.
    - Others (please describe): None.

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. **We follow Title V guidance with respect to capping emissions.**

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. **None.**

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? **Annually, based on program costs and emissions estimates**

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes.
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? **Average 3-5 percent**

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). **No.**
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). **No.**

17. Does your state or locality charge any other fees to support the Title V program? **No.**

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. **No**.

19. Is there anything else you would like to add regarding your agency's Title V fees? **No.**

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    Air Pollution Control Rules and Regulations

    http://www.jcdh.org/wp-content/uploads/2017/04/Air-Pollution-Control-Rules-and-Regulations-April-19-2017.pdf

    Title V Permits

    http://www.jcdh.org/programs/air-radiation-protection-division/title-v-air-permits/

    Air Facility Emissions (Including Title V)

    https://webapps.jcdh.org/scores/ehair/apcairfacilities.aspx

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Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: JAMES R. PLOSAY
   - Title: MANAGER, AIR PERMITS PROGRAM
   - Agency: STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION, DIVISION OF AIR QUALITY
   - Email: JIM.PLOSAY@ALASKA.GOV
   - Phone: [907] 465-5561

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). FISCAL YEAR JULY 01 - JUNE 30

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 138
   - Does your agency consider synthetic minor permits part of your Title V program? N
     - ◊ If so, how many synthetic minors are included? N/A
   - What is your total Title V program budget? $4,079,000

- How many FTEs are funded by your Title V program? 26.79 FTE within Division of Air Quality, additional 3.18 FTE in centralized Administrative Division for a total of 29.97 FTE.
  - ◊ How many of these are permit writers specific to Title V? 14
  - ◊ Is the number of FTEs sufficient? Y
  - ◊ Are there plans to increase or to decrease FTEs? N

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Yes. Permit backlog (14) exists due to State Title V renewal permits currently under resolution by EPA Region X.

- How long, on average, does it take your agency to process a new Title V permit?
  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 5
    - Average number of days from application received to draft permit noticed for public comment: 259
    - Average number of days from application received to permit issuance: 405
    - Average number of hours – permit reviewer time prior to public notice: 133
    - Average number of hours – permit reviewer time after public notice: 34

- How long, on average, does it take your agency to process a renewal permit?
  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 5
    - Average number of days from application received to draft permit noticed for public comment: 391
    - Average number of days from application received to permit issuance: 548
    - Average number of hours – permit reviewer time prior to public notice: 131
    - Average number of hours – permit reviewer time after public notice: 42

4. Do you calculate Title V permit fees based on emissions? Yes, fees based on both direct permit administration activities and separately on emissions.

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? Based on State FY18 Annual Emissions billing - 115 sources billed.

- Criteria pollutants: 80,290 assessable tons based on Actuals, PTE, or a combination of both.
- HAPs: PTE total: 307.60 Assessable Actuals total: 33.20 (Only 1 source was over 10 tpy – charged 25 tons)

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $42.95 / ton
   - For HAPs: Not delineated separately

7. Do you calculate Title V fees based on actual or allowable emissions? Permittee is charged based on Potential to Emit (PTE) unless they provide 12 months of actual emission data prior to April 1 of every year. In accordance with 18 AAC 50.410(C)(1) and (2) Air Quality will bill the lesser of the two (actuals or PTE).

8. What formula do you use for calculating your Title V emissions fees? The Division undertakes a review of prior year expenditures roughly every 4 years as part of a fee study in order to update fees to align with actual costs. Emission fees are calculated by taking full Title V program costs and subtracting out the direct costs tied to individual permit administration categories. The remaining costs are divided by the emission tonnage average (or regression analysis adjusted) to produce the fee per ton for the next four years.

9. Is there a minimum Title V emissions fee? If so, what is the amount? No, however, emissions below 10 tons are not billed.

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: Actual time and material cost at 149% of the direct staff hourly salary rate plus expenditures for goods and third party services incurred for the provision of permitting activities.
    - Permit modification fees: Actual time and material cost at 149% of the direct staff hourly salary rate plus expenditures for goods and third party services incurred for the provision of permitting activities.
    - Permit renewal fees: Fees set through fee study evaluation roughly every 4 years based on historical expenditures in individual permit administration fee studies. The current flat fees in regulation now are as follows:
      (1) oil & gas - $4261 annual;
      (2) large power plant - $2527 annual;
      (3) coal-fired power plant > 250 tpy - $6871 annual;
      (4) small power plant - $1720 annual;

(5) small TV oil & gas source < 250 tpy - $1303 annual;
(6) small power plant < 250 tpy - $2067 annual;
(7) TV < 250 tpy "other" source - $844 annual;

- Inspection and/or maintenance fees: Fees set through fee study evaluation roughly every 4 years based on historical expenditures in individual permit administration fee studies. The current flat fees in regulation now are as follows:

  (1) oil & gas > 250 tpy - $4436 annual;
  (2) large power plant - $3372 annual;
  (3) coal-fired power plant > 250 tpy - $6767 annual;
  (4) small power plant - $2491 annual;
  (5) small TV oil & gas source < 250 tpy - $3341 annual;
  (6) small power plant < 250tpy - $2989 annual;
  (7) TV < 250 tpy "other" source - $3159 annual;

- Public notice fees: Actual costs
- Hourly processing/review fees: Actual time and material cost at 149% of the direct staff hourly salary rate plus expenditures for goods and third party services incurred for the provision of permitting activities.
- Administration fees: Administration staff costs are billed directly to permit administration work if directly tied to permit or are charged to a centralized code to be pooled into the overall cost of the program and thus set the Emissions fee during a fee study.
- Stack testing fees: Included in the flat fee for Inspection/maintenance for report review only, the Department conducts no actual testing; all testing done by 3rd party.
- Others (please describe): Flat fee for excess emissions or permit deviation reports, $20

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. No

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. If a permittee operates less than a full year they can request a pro-rated refund. Same applies if a permittee begins operations well into a fiscal year. Regulations allow a permittee to request a "Fee Appeal" for billed costs to potentially be waived under a limited number of circumstances such as a calculation error on the Department's side or a catastrophic event.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? The Division undertakes a review of prior year expenditures roughly every 4 years as part of a fee study in order to update fees to align with actual costs. Emission fees are calculated by taking full Title V program costs and subtracting out the direct costs tied to individual permit administration categories. The remaining costs are divided by the emission tonnage average (or regression analysis adjusted) to produce the fee per ton for the next four years. The calculation takes into consideration the average CPI of the 4 years of

data used in the fee study as a projection of future costs. The fee package must be approved through the Lt. Governor's office and a public review period before being published in regulation.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? The current structure allows the Division to capture all Title V program costs in an emission fee if they are not already captured in the Title V permit administration fee category. This allows us to recuperate all of our costs, however it may be delayed as the fees are only updated every 4 years. When there are big shifts in Title V permit workload, such as a big upward trend, then the program doesn't have enough revenue in the current year to keep up with the work causing backlogs.
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Generally speaking, the Title V fee collection has begun a slight upward trend in the last two years after seeing an all-time low in the 3 - 5 year range. Since revenue is recorded at time of receipt and not based on year it was billed, a percentage comparison is difficult to annotate. The percentage increase, however, is likely less than 5%.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). No adjustment since September 2015.
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). In the process of reviewing Title V costs now with possible fee updates in a year.

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. The process by which all costs not directly tied to a specific permit are grouped together to set an Emission fee in order to capture the full cost of the Title V program is not like other fee programs within our state, thus it may be of interest to other state/local agencies.

19. Is there anything else you would like to add regarding your agency's Title V fees? No

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    Fees are addressed in Article 4 of …

    http://dec.alaska.gov/air/air-permit/permit-regulations

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Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Richard Sumner
   - Title: Permitting Division Manager
   - Agency: Maricopa County Air Quality Department
   - Email: richardsumner@mail.maricopa.gov
   - Phone: 602.506.1842

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 31
   - Does your agency consider synthetic minor permits part of your Title V program?
     - ◊ If so, how many synthetic minors are included? No
   - What is your total Title V program budget? $1,175,500
   - How many FTEs are funded by your Title V program? 8.6
     - ◊ How many of these are permit writers specific to Title V? 3.35

◊ Is the number of FTEs sufficient? Yes

◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Yes. One Title V renewal is currently beyond the 18 months.

- How long, on average, does it take your agency to process a new Title V permit? We do not process enough new TV permits to provide a meaningful data set.

  ◊ If possible, please provide a breakdown as follows: NA
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows: ____
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? Yes

   ◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 3,408 tons
   - HAPs: 10 tons

6. What is the current baseline Title V emissions fee per ton charged by your agency?

- For criteria pollutants: $42.74 per ton
- For HAPs: $42.74 per ton

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees? $42.74 per ton time the number of actual tons emitted

9. Is there a minimum Title V emissions fee? If so, what is the amount? No

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: $7,000
    - Permit modification fees: Minor - $150; Significant - $1,000; Major - $7,000
    - Permit renewal fees: $3,500
    - Inspection and/or maintenance fees: See administration fees
    - Public notice fees: Actual newspaper posting costs
    - Hourly processing/review fees: $149.20
    - Administration fees: Varies by source type. Range: $15,230 -$32,410 (except power plants). Power plants: Base fee - $10,610 plus $18,410 per turbine
    - Stack testing fees: See administration fees
    - Others (please describe): None

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. Only annual emissions fees are capped at 4,000 tons.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. None

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? Fees are fixed in rule and adjusted annually for CPI.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? _Generally increasing, by an average of 2.82% annually since 2013_

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). No

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). No

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. While not necessarily "innovative," having the annual CPI escalator in rule is beneficial in keeping up with cost increases.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable). https://www.maricopa.gov/DocumentCenter/View/5352/Rule-280---Fees-PDF

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - ☐ Name: Rupesh Patel
   - ☐ Title: Air Program Manager
   - Agency: Pima County Department of Environmental Quality
   - Email: rupesh.patel@pima.gov
   - Phone: (520) 742-7341

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 14 (Year 2018)
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included? N/A
   - What is your total Title V program budget? $495,021 County Fiscal year (July 1, 2017 - June 30, 2018). This funding includes activities for permitting, compliance, administration, and program development (rules and policy development) consistent with EPA policies.
   - How many FTEs are funded by your Title V program? 3
     - ◊ How many of these are permit writers specific to Title V? 3
     - ◊ Is the number of FTEs sufficient? Yes
     - ◊ Are there plans to increase or to decrease FTEs? No
   - Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

     No current Title V permit backlog. The agency processed a number of permits outside the 18-month window during the 2007-2014 window due to source, program and rule changes. Management changes in the permit program helped reduce backlog and permit issuance timeframes.
   - How long, on average, does it take your agency to process a new Title V permit?
     - ◊ If possible, please provide a breakdown as follows:
       - Average number of days from application received to application complete: 45
       - Average number of days from application received to draft permit noticed for public comment:

         No new Title V permit have been applied for in the past 3 years.
       - Average number of days from application received to permit issuance:
       - Average number of hours – permit reviewer time prior to public notice:

- Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: 38
  - Average number of days from application received to draft permit noticed for public comment: 95
  - Average number of days from application received to permit issuance: 190
  - Average number of hours – permit reviewer time prior to public notice: 32
  - Average number of hours – permit reviewer time after public notice: 3

4. Do you calculate Title V permit fees based on emissions? PDEQ charges both an Administrative fee based on source category (see table on page 4) and an emission fee per ton.

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? (2017 Calendar Year Data)
   - Criteria pollutants: 1660.73 tons
   - HAPs: 27.11 tons

6. What is the current baseline Title V emissions fee per ton charged by your agency? (2017 Billing Year)
   - For criteria pollutants: $18.85 per ton
   - For HAPs: Same

7. Do you calculate Title V fees based on actual or allowable emissions? Actual emissions

8. What formula do you use for calculating your Title V emissions fees? Emission and hourly based fee adjusted by CPI annually

9. Is there a minimum Title V emissions fee? No If so, what is the amount? N/A

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: $125.70 per hour
    - Permit modification fees: $125.70 per hour
    - Permit renewal fees: $125.70 per hour
    - Inspection and/or maintenance fees: None
    - Public notice fees: $560 – average
    - Hourly processing/review fees: $125.70
    - Administration fees: See administrative fee table (page 4)
    - Stack testing fees: None
    - Others (please describe): N/A

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.
    Sum of criteria and HAP emissions above 4000 tons per year are excluded from the sources actual emissions for billing.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.
    HAPs emissions that are already accounted for as a VOC or as PM_{10} are excluded from the sources actual emissions for billing.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?
All Title V fees are adjusted by CPI annually as required by Arizona Revised Statutes § 49-480.

The administrative fees are adjusted every November 1, to the nearest $10, beginning on November 1, 2008, by multiplying the administrative fee by the Consumer Price Index (CPI) for the most recent year, and then dividing by the CPI for the year 2007. The Consumer Price Index for any year is the average of the Consumer Price Index for all-urban consumers published by the United States Department of Labor, as of the close of the 12-month period ending on August 31 of that year.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes
    - If not, fees collected represent what percent of your Title V program costs? N/A

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage?
Fees have gone up by CPI and collection has been consistent at 100%. Overall Title V fee revenue has fluctuated due to a reduction in Title V sources.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues?
If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).
A fee adjustment was completed in 2007 to shift fees from emissions only to combination of a base (administrative) fee and emissions fee to address Title V sources with minimal actual billable emissions.

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).
    No

17. Does your state or locality charge any other fees to support the Title V program?
No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. None

19. Is there anything else you would like to add regarding your agency's Title V fees?
No

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

Pima County Code Title 17, Chapter 12, Article V, 17.12.220 – Fees related to Class I Permits - https://library.municode.com/az/pima_county/codes/code_of_ordinances?nodeId=TIT17AIQUCO_CH17.12INPEPERECLIPE_ARTVFECLIPE_17.12.220FERECLIPE

Title V Administrative Fee Table

The administrative fee from table below adjusted annually by multiplying the administrative fee below by the Consumer Price Index (CPI) for the most recent year and then dividing by the CPI for year 2007.

Class I Source Category	Administrative Fee
Aerospace	$15,570.00
Cement Plants	$47,680.00
Combustion/Boilers	$11,590.00
Compressor Stations	$9,530.00
Electronics	$15,340.00
Expandable Foam	$10,990.00
Foundries	$14,610.00
Landfills	$11,940.00
Lime Plants	$44,660.00
Copper and Nickel Mines	$11,220.00
Gold Mines	$11,220.00
Mobile Home Manufacturing	$11,110.00
Paper Mills	$15,330.00
Paper Coaters	$11,590.00
Petroleum Products Terminal Facilities	$17,020.00
Polymeric Fabric Coaters	$15,330.00
Reinforced Plastics	$11,590.00
Semiconductor Fabrication	$20,170.00
Copper Smelters	$47,680.00
Utilities—Natural Gas	$12,310.00
Utilities—Fossil Fuel Except Natural Gas	$24,380.00
Vitamin/Pharmaceutical Manufacturing	$11,830.00
Wood Furniture	$11,590.00
Others	$11,940.00
Others with Continuous Emissions Monitoring	$15,340.00

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Stuart Spencer
   - Title: Associate Director, Office of Air Quality
   - Agency: Arkansas Department of Environmental Quality
   - Email: SPENCER@adeq.state.ar.us
   - Phone: (501) 682-0750

Please answer all questions with the most recent or current information.

Note: *Arkansas is a single permit system. There are no separate construction permits. Any Title V permit may also include elements of a construction permit*

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). *Based on FY 2017; July 1, 2016 – June 30, 2017*

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 202
   - Does your agency consider synthetic minor permits part of your Title V program? *No*
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? *$5,163,407 (FY17)*

- How many FTEs are funded by your Title V program? 55 (currently)
  - ◊ How many of these are permit writers specific to Title V?

    Permit writers are not exclusive to Title V. They write minor source and Title V permits. 13 permit writers, plus 3 Supervisors (currently)
  - ◊ Is the number of FTEs sufficient? *Yes*
  - ◊ Are there plans to increase or to decrease FTEs? *No plans for either*

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  Yes. We have two renewals exceeding 18 months. Minor Modifications were not included since they have an approval letter.

- How long, on average, does it take your agency to process a new Title V permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:

      14 days to administratively complete for new permits issued final in FY 2017.
    - Average number of days from application received to draft permit noticed for public comment: *138 days to emailed draft for new permits issued final in FY 2017.*

      The notices are typically published in the newspapers within a few days of being emailed draft since the notices are sent directly to them.
    - Average number of days from application received to permit issuance:

      204 days to issuance for new permits issued final in FY 2017.
    - Average number of hours – permit reviewer time prior to public notice:

      do not track this data
    - Average number of hours – permit reviewer time after public notice:

      do not track this data

- How long, on average, does it take your agency to process a renewal permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:

      18.1 days to administratively complete (for renewal permits issued final in FY 2017)
    - Average number of days from application received to draft permit noticed for public comment:

      236.3 days to emailed draft (for renewal permits issued final in FY 2017).

      The notices are typically published in the newspapers within a few days of being emailed draft since the notices are sent directly to them.

- Average number of days from application received to permit issuance:
  324.4 days to issuance for renewal permits issued final in FY 2017
- Average number of hours – permit reviewer time prior to public notice:
  do not track this data
- Average number of hours – permit reviewer time after public notice:
  do not track this data

4. Do you calculate Title V permit fees based on emissions?
   Yes, they are based on permitted emissions except for Minor Modifications, which are a flat fee of $500 and Title V General Permits which have a flat fee of $200.

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.
   Flat fee of $500 for Minor Modifications and flat fee of $200 for Title V General Permits. Initials, Standard Modifications, and Renewals are all calculated based on emissions.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   267,809 tons. We do not track the tonnage based on criteria pollutant or HAPs or Air Contaminants. Most HAPs are VOCs and charged as a criteria pollutant.
   - Criteria pollutants:
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: *$23.93/ton*
   - For HAPs: *$23.93/ton*

7. Do you calculate Title V fees based on actual or allowable emissions?
   Allowable/Permitted

8. What formula do you use for calculating your Title V emissions fees?
   Arkansas Regulation 9, Chapter 5.

   Modifications and Renewals with Modifications (excluding Minor Modifications):
   $/ton factor x tons/year net emission increase of chargeable emissions
   Minimum of $1,000.
   Maximum of $/ton factor x 4,000.

   Initial Permits to sources already holding an active non-Title V air permit:

[$/ton factor x tons/year chargeable emissions] – amount of last annual air permit fee invoice.
Minimum of $1,000.

Initial Permits to sources that do not hold an active air permit:
$/ton factor x tons/year chargeable emissions
Minimum of $/ton factor x 100.

Annual Fees:
$/ton factor x tons/year chargeable emissions
Minimum of $/ton factor x 100.

Where

> *Tons/year chargeable emissions is the sum of the permitted emission rates of all air contaminants (other than carbon monoxide, carbon dioxide and methane). The maximum value per air contaminant shall not exceed 4,000 tons/year per facility.*

Since we operate a combined permit program, 80% of the fees collected go to the Title V fee fund and 20 % of the fees collected go to the SIP fee fund.

9. Is there a minimum Title V emissions fee? If so, what is the amount?

   Yes, Initial Title V permit fee without an active air permit and reoccurring annual Title V permit fees are a minimum of 100 x $/ton: Currently $2,393.00.

   Initial Title V permit fees with an active air permit are a minimum of $1,000.

   Modifications and Renewal with Modifications (excluding Minor Modifications) are a minimum of $1,000.

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)

    - Initial permit fees: *Title V General Permit Initial Permit flat fee of $200*
    - Permit modification fees: *Minor Modifications flat fee of $500*
    - Permit renewal fees: *N/A*
    - Inspection and/or maintenance fees: *N/A*
    - Public notice fees: *Public notices are paid directly by the permittee to the newspaper*
    - Hourly processing/review fees: *N/A*
    - Administration fees: *N/A*

- Stack testing fees: *N/A*
- Others (please describe):
  Title V General Permit Annual flat fee of $200
  Interim Authorities and Variances flat fee of $200
  Late Payments are charged at the rate of 10% of the annual fee. Payments are late if not paid within 45 days of the billing date.

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.
    No fee shall be greater than $/ton factor x 4,000 tons of a single pollutant, currently $95,720.00 per pollutant.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.
    For Initial Permits to sources already holding an active non-Title V air permit, the amount of last annual air permit fee invoice is subtracted.

    First Annual Fees are prorated if the initial fee for the permit was assessed within 12 months of the first annual fee for the permit.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?
    Per Arkansas Reg. 9.502(A), they are evaluated annually based on the Consumer Price Index and the fee fund balance versus the amount of money expended from that fund in the previous year.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? *Yes*
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage?
    Title V Fee Fund payments have decreased by approximately 7.1% from FY 2015 to FY 2017.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? *No*
    If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). *No*

17. Does your state or locality charge any other fees to support the Title V program? *No*

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? *No*
    If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees? *No*

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).
    https://www.adeq.state.ar.us/regs/
    Title V fees are discussed in Arkansas Regulation 9, Chapter 5.

    Fee Calculations Spreadsheet and Example Fee Calculations Guidance are available at the links below. Please note that the Fee Calculations Guidance is based on an old fee factor.

    Fee Calculations Spreadsheet:
    http://4cleanair.org/sites/default/files/Documents/CopyofFEE.xlsm

    Example Fee Calculations:
    http://4cleanair.org/sites/default/files/Documents/ExampleFeeCalculations.pdf

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: David Lusk
   - Title: Assistant Air Pollution Control Officer
   - Agency: Butte County Air Quality Management District
   - Email: dlusk@bcaqmd.org
   - Phone: (530) 332-9400

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 3 sources
   - Does your agency consider synthetic minor permits part of your Title V program? Yes, but have none.
     - ◊ If so, how many synthetic minors are included? 0
   - What is your total Title V program budget? N/A
   - How many FTEs are funded by your Title V program? 0.1

◊ How many of these are permit writers specific to Title V? None

◊ Is the number of FTEs sufficient? Yes

◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. With only three sources that do not change significantly, few permitting actions outside of renewal.

- How long, on average, does it take your agency to process a new Title V permit?

  ◊ If possible, please provide a breakdown as follows (Based on 1 application in past 10 years: Generally about 1 ½ years):

  - Average number of days from application received to application complete: 90
  - Average number of days from application received to draft permit noticed for public comment: 400
  - Average number of days from application received to permit issuance: 450
  - Average number of hours – permit reviewer time prior to public notice: Not known
  - Average number of hours – permit reviewer time after public notice: Not known

- How long, on average, does it take your agency to process a renewal permit? 2 Renewals in the due in the past 3 years; Generally about 2 years.

  ◊ If possible, please provide a breakdown as follows:

  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? Yes

   ◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?

- Criteria pollutants: 78.92 Tons
- HAPs: N/A
- GHGs: 11097 Tons CO2e (billed at 1/1000 of minimum fee)

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $25 in 1989 dollars adjusted for CPI (currently $49.85)
   - For HAPs: N/A

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees? Emissions inventory typically based on latest source test information and historical source data.

9. Is there a minimum Title V emissions fee? No If so, what is the amount?

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: Varies; based on hourly rate for actual hours
    - Permit modification fees: None*
    - Permit renewal fees: None*
    - Inspection and/or maintenance fees None*
    - Public notice fees: Pass through based on actual cost
    - Hourly processing/review fees: see above for initial permit; no hourly rate for other permit actions
    - Administration fees: None*
    - Stack testing fees: None*
    - Others (please describe): None*

* Assumed covered by the presumptive minimum fee x emissions

11. Are your Title V fees capped, and if so, at what level and/or amount? No Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. For GHGs, we adopted a fee rate of 1/1000th of the presumptive minimum; this rate was approved by rule and remains in effect.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? CPI as determined by EPA

14. Are your Title V emissions fees sufficient to fully fund your Title V program? With the amount of activity currently, yes.

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Since emissions based, may vary but generally about the same annually. One Title V closure in 2012 significantly impacted fees but it was a more complicated source.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? No. If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). No

17. Does your state or locality charge any other fees to support the Title V program? Our local permitting program fees provide some overlap for Title V sources for inspections, source test observation, emissions inventory, and toxics.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. N/A

19. Is there anything else you would like to add regarding your agency's Title V fees? No.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

Title V Permitting; https://www.arb.ca.gov/drdb/but/curhtml/r1101.pdf
Title V Fees: https://www.arb.ca.gov/drdb/but/curhtml/r505.pdf

NACAA Title V Fees Survey Questionnaire (March 23, 2018)

Questions:

1. Please Provide your contact information

Name: Jesus Ramirez
Title: APC Division Manager
Agency: Air Pollution Control District, County of Imperial
Email: jesusramirez@co.imperial.ca.us
Phone: (442) 265-1800

2. For the question to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). The answers will be based on the Air District most recent fiscal year. From July 1, 2017 to June 30, 2018.

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.

- How many Title V sources are currently included in your Title V Program (do not include synthetic minors)? There are 9 (nine) current Title V sources.
- Does your agency consider synthetic minor permits part of your Title V program? No synthetic minor permits are not part of the Title V program.
- What is your total Title V program budget? $210,000
- How many FTEs are funded by your Title V program?
  How many of these are permit writers specific to Title V? Permit writers have many responsibilities, Title V is one of them.
  Is this number of FTEs sufficient? No
  Are there plans to increase or to decrease FTEs? No plans at this time
- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Yes, the Air District currently has a backlog of 4 Title V source renewal permits.
- How long, on average, does it take your agency to process a new Title V permit?
  If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: Within 90 days

- Average number of days from application received to draft permit noticed for public comment: 420 days
- Average number of days from application received to permit issuance: 480 days
- Average number of hours – permit reviewer time prior to public notice: 120 hours
- Average number of hours – permit reviewer time after public notice: 40 hours

- How long, on average, does it take your agency to process a renewal permit? If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: Within 90 days
  - Average number of days from application received to draft permit notice for public comment: 360 days
  - Average number of days from application received to permit issuance: 420 days
  - Average number of hours – permit reviewer time prior to public notice: 100 hours
  - Average number of hours – permit reviewer time after public notice: 30 hours

4. Do you calculate Title V permit fees based on emissions? NO
   - If not, what is your formula for calculating Title V emissions fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well. Air District Rule 900 has a provision in where Title V permit fees are calculated based on emissions. However, the same provision indicates if the facility permit fee based on Air District Regulation III is higher than that of the emissions fee, no supplemental/emission fee is required. The 9 Title V sources pay only fees that are based on Air District Regulation III. http://www.co.imperial.ca.us/AirPollution/index.asp?fileinc=feeschedules

*Answer Questions 5 through 9 only if you answered "yes" to Question 4"

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: Processing fee for major project $1,182.50
    - Permit modification fees: Processing fee for major project $1,182.50
    - Permit renewal fees: Processing fee for major project $1,182.50
    - Inspection and/or maintenance fees: No additional fee

- Public notice fees: Air District is reimbursed for material and 3rd party newspaper fee. (Usually is a total of less than $500.00)
- Hourly processing/review fees: None
- Administration fees: None
- Stack testing fees: None
- Other (please describe): None

11. Are your Title V fees capped, and if so, at what and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emissions unit, etc. Fees are not capped

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. No reduction adjustments are employed.

13. By what process are your Title V emissions fees adjusted (i.e., CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? Regulation III fees are CPI adjusted on a yearly basis.

14. Are your Title V emissions fees sufficient to fully fund your Title V Program?

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? The fees have gone up in the last 5 years an estimated 4 percent.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? NO

    - If so, please provide details (i.e., timing amount of adjustment, etc.).
    - If not, are you currently considering any Title V fee adjustment to make up for lost revenues? If so, please provide details (i.e., timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? NO

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. Not at this time

19. Is there anything else you would like to add regarding your agency's Title V fees? Not at this time

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).
    Regulation III:
    http://www.co.imperial.ca.us/AirPollution/index.asp?fileinc=feeschedules
    Rule 900:
    http://www.co.imperial.ca.us/AirPollution/RULEBOOK/RULES/1RULE900.pdf

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Amy Clymo
   - Title: Engineering and Compliance Manager
   - Agency: Monterey Bay Air Resources District
   - Email: aclymo@mbard.org
   - Phone: (831)718-8013

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 17
   - Does your agency consider synthetic minor permits part of your Title V program? Yes
     - ◊ If so, how many synthetic minors are included? None, one possible in the near future
   - What is your total Title V program budget? FY18-19 $237,000; FY17-18 $299,000
   - How many FTEs are funded by your Title V program? Approximately 2

◊ How many of these are permit writers specific to Title V? 0.5

◊ Is the number of FTEs sufficient? Yes

◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. 0

- How long, on average, does it take your agency to process a new Title V permit? Unknown, have not had a new Title V permit in more than 10 years.

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 60 days
    - Average number of days from application received to draft permit noticed for public comment: 200 days
    - Average number of days from application received to permit issuance: 215 days

Specific hours for the two tasks below not available but the past three TV permits renewed the staff hours charged to the sources ranged from 20 – 32 hours ($2,760 - $4,640).

- Average number of hours – permit reviewer time prior to public notice:
- Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? Yes

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 3,467 (FY18-19); 6,164 (FY17-18)
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $52.34 (FY17-18)
   - For HAPs: $52.34 (FY17-18)

7. Do you calculate Title V fees based on actual or allowable emissions? Billable emissions as defined in District Rule 308 Title V Permit Fees.

8. What formula do you use for calculating your Title V emissions fees?

Fees = Facility Billable Emissions (tons/year) * [Part 70 Presumptive Minimum ($/ton) * 1.05]
(Note: We assess 5% above presumptive minimum.)

For landfills, the calculation is based on landfill gas emissions (methane).
Fees = Landfill Gas Emissions (tons/year) * [$2.92/ton] (FY17-18)

9. Is there a minimum Title V emissions fee? If so, what is the amount? Yes, $959 (FY17-18)

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)

Following responses based on FY17-18

- Initial permit fees: $1,475 local permit, $402 filing fee plus evaluation time based on staff hours for TV permit
- Permit modification fees: $1,218 local permit, $402 filing fee plus evaluation time based on staff hours for TV permit
- Permit renewal fees: Varies by permit/facility
- Inspection and/or maintenance fees: $0
- Public notice fees: $599
- Hourly processing/review fees: $145
- Administration fees:
- Stack testing fees: $145/hr (for observations, the District does not do source testing)
- Others (please describe): <u>All our fees are listed in Rule 301 Fee Schedule</u>

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. No

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. None

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? We automatically assess 5% above the presumptive minimum.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Down by 35% (comparison of FY17-18 to FY18-19)

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). No

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). No

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

    Our facilities have a Title V permit and separate local permits for each piece of equipment. Both permit types are assessed annual fees. We are transitioning our local annual permit fees away from emissions fees and to permit type. For example, we no longer bill emergency engines based on emissions, all permitted emergency engines pay $310 (FY17-18) in annual renewal fees. This provides a stable revenue source that we can increase each year by CPI (or other percentage).

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

Rule 218 Title V Federal Operating Permits
Rule 308 Title V: Federal Operating Permit Fees
Rule 436 Title V: General Prohibitory Rule

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Emmanuel Orozco
   - Title: Air Pollution Control Engineer
   - Agency: Placer County Air Pollution Control District
   - Email: eorozco@placer.ca.gov
   - Phone: (530) 745-2324

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

Fiscal Year 17/18 (July 1, 2018 – June 30, 2018)

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)?

   5

   - Does your agency consider synthetic minor permits part of your Title V program?

   Yes

     ◊ If so, how many synthetic minors are included?

9

- What is your total Title V program budget?

~$70,000

- How many FTEs are funded by your Title V program? ~1
  - ◊ How many of these are permit writers specific to Title V? 0 (Zero)
  - ◊ Is the number of FTEs sufficient? Yes
  - ◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

No

- How long, on average, does it take your agency to process a new Title V permit?

3-9 months

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 30
    - Average number of days from application received to draft permit noticed for public comment: 60
    - Average number of days from application received to permit issuance: 150
    - Average number of hours – permit reviewer time prior to public notice: 50
    - Average number of hours – permit reviewer time after public notice: 50

- How long, on average, does it take your agency to process a renewal permit?

3-9 months

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 30
    - Average number of days from application received to draft permit noticed for public comment: 45
    - Average number of days from application received to permit issuance: 100
    - Average number of hours – permit reviewer time prior to public notice: 40
    - Average number of hours – permit reviewer time after public notice: 40

4. Do you calculate Title V permit fees based on emissions?

   No

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

   Title V and Synthetic Minor facilities pay an annual Title V Supplemental Fee that is not based on emission but is based on estimated District hours to implement Title V requirements in addition to the local permitting program. Facilities that are subject to Title V permitting are also required to obtain a local Permit to Operate, and as part of the District's Permit to Operate program facilities pay equipment based permitting fees as well as emission based permitting fees ($/ton of pollutant). These fees are in addition to the Title V and Synthetic Minor Source program supplemental fees.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants:
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants:
   - For HAPs:

7. Do you calculate Title V fees based on actual or allowable emissions?

8. What formula do you use for calculating your Title V emissions fees?

9. Is there a minimum Title V emissions fee? If so, what is the amount?

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: Application fee: $1,283.47; $5-15k for permit evaluation (charge per hour of District labor)
    - Permit modification fees: $802.17
    - Permit renewal fees: Application fee: $802.17; $3-10k for permit evaluation (charge per hour of District labor)

- Inspection and/or maintenance fees:
- Public notice fees:
- Hourly processing/review fees: $129.96/hr
- Administration fees:
- Stack testing fees: $115.26/hr
- Others (please describe):

Annual Supplemental Fees:

Title V Source w/Combustion and Opacity CEMS:	$10,304.22
Title V Source w/Combustion CEMS:	$8,605.49
Title V Source w/out CEMS:	$7,753.47
Non-Major Title V Sources w/out CEMS:	$5,360.60
Synthetic Minor Sources:	$2,594.28

District Permit to Operate: Ranges from $5,000 to $10,000 depending on facility type.

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

Yes, by facility type

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.

The annual supplemental fee is based on the type of CEMS system installed at the facility.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

Annual CPI adjustment

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Up by Consumer Price Index

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). No
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program?

General Permit to Operate fees support our District's permitting and compliance program which overlap at times with Title V Supplemental Fees for Title V and Synthetic Minor Sources facilities.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. No

19. Is there anything else you would like to add regarding your agency's Title V fees? No

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

Placer County APCD Fee Schedule – July 1, 2017–June 30, 2018

Placer County APCD – Rule 507 Federal Operating Permit Program

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Ali Othman
   - Title: Program Supervisor
   - Agency: Sacramento Metro AQMD
   - Email: aothman@airquality.org
   - Phone: 916-874-4857

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Most recent fiscal year (Jul 1st 2016 to Jun 31, 2017)

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 15
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included? N/A
   - What is your total Title V program budget? $218,396
   - How many FTEs are funded by your Title V program?
     Permit Related:
     - o Division Manager: 0.03 FTE

- Program manager: 0.06 FTE
- Program Supervisor: 0.05 FTE
- Permit Writers: 0.59 FTE

Enforcement Related:

- Program Supervisor: 0.03 FTE
- Inspectors: 0.33 FTE

◊ How many of these are permit writers specific to Title V? None. The 0.59 FTEs reflect the Title-V-related time of a total of 9 FTEs of permit writers. The rest of the time is spent on local permits (non-Title V permits).

◊ Is the number of FTEs sufficient? Yes, it would be sufficient.

◊ Are there plans to increase or to decrease FTEs? Not at this time.

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Yes. Several of our sources are currently operating with expired permits (operating under application shields) because we have been focusing on our local permits and have not had the chance to work on Title V permits.

- How long, on average, does it take your agency to process a new Title V permit?

◊ If possible, please provide a breakdown as follows:

- Average number of days from application received to application complete: N/A We have not received a new Title V application for at least 5 years.
- Average number of days from application received to draft permit noticed for public comment: N/A We have not received a new Title V application for at least 5 years.
- Average number of days from application received to permit issuance: N/A We have not received a new Title V application for at least 5 years.
- Average number of hours – permit reviewer time prior to public notice: N/A We have not received a new Title V application for at least 5 years.
- Average number of hours – permit reviewer time after public notice: N/A We have not received a new Title V application for at least 5 years.

- How long, on average, does it take your agency to process a renewal permit?

◊ If possible, please provide a breakdown as follows:

- Average number of days from application received to application complete: Less than 30 days
- Average number of days from application received to draft permit noticed for public comment: It varies depending on the complexity of the source and the number of emission units. It can vary from 60 days (2 months) to 240 days (8 months)*
- Average number of days from application received to permit issuance:

Less than 1 year*

- Average number of hours – permit reviewer time prior to public notice: 80 hrs per permit renewal
- Average number of hours – permit reviewer time after public notice: 20 hrs per permit renewal

4. Do you calculate Title V permit fees based on emissions? No.

   ◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

   Fees are specified in Section 313 of Rule 301. Section 313.1 specifies the fees applicable to the various types of permit actions. In addition, Section 313.2 specifies the permit renewal fee (currently $304 per local permit to operate) that must be paid on an annual basis. These fees increase every July based of the Consumer Price Index.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? N/A
   - Criteria pollutants:
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency? N/A
   - For criteria pollutants:
   - For HAPs:

7. Do you calculate Title V fees based on actual or allowable emissions? N/A

8. What formula do you use for calculating your Title V emissions fees? N/A

9. Is there a minimum Title V emissions fee? If so, what is the amount? N/A

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.) Fees increase annually on July 1st based on the consumer price index. See Rule 301, Section 313 for latest fees.
    - Initial permit fees: $1,423 filing fee + $1,378 per local permit to operate
    - Permit modification fees: Sig Mod: $1,423 filing fee + $3,722 per local PO modified

Minor Mod: $1,423 filing fee+$2,022 per local PO modified
Adm Mod: $1,423 filing fee+$1,012 per local PO modified

- Permit renewal fees: $304 per local permit to operate
- Inspection and/or maintenance fees: Included in the renewal fee
- Public notice fees: Applicant pays for actual publication costs
- Hourly processing/review fees: N/A
- Administration fees: N/A
- Stack testing fees: $1,864 per test
- Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.
    N/A

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.
    N/A

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?
    Fees are adjusted by CPI but are not based on emissions.

14. Are your Title V emissions fees sufficient to fully fund your Title V program?

    - If not, fees collected represent what percent of your Title V program costs?

    Fees are designed to cover the cost of the program when averaged over the life of the permit (5 years).

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage?
    Fees have gone up but it's hard to pinpoint the exact amount because we went from an hourly fee for actual Title V work performed to a different fee structure to recover the actual cost of the program.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

    Yes, see answer above.

17. Does your state or locality charge any other fees to support the Title V program? No.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. No.

19. Is there anything else you would like to add regarding your agency's Title V fees? No.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    See Rule 301, Section 313 (http://www.airquality.org/ProgramCoordination/Documents/rule301.pdf)

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Jim Swaney
   - Title: Chief of Engineering
   - Agency: San Diego County Air Pollution Control District
   - Email: jim.swaney@sdcounty.ca.gov
   - Phone: (858) 586-2715

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Fiscal Year (7/1/16-6/30/17)

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 32
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? No budget – everything is done on a time and materials (T&M) basis
   - How many FTEs are funded by your Title V program? <1.0

- ◊ How many of these are permit writers specific to Title V? None – we have no specific Title V permit writers.
- ◊ Is the number of FTEs sufficient? Yes
- ◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. No Title V backlog

- How long, on average, does it take your agency to process a new Title V permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 18 days
    - Average number of days from application received to draft permit noticed for public comment: 368 days
    - Average number of days from application received to permit issuance: 430 days
    - Average number of hours – permit reviewer time prior to public notice: 58 hours
    - Average number of hours – permit reviewer time after public notice: 2.7 hours

- How long, on average, does it take your agency to process a renewal permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 2 days
    - Average number of days from application received to draft permit noticed for public comment: 150 days
    - Average number of days from application received to permit issuance: 216 days
    - Average number of hours – permit reviewer time prior to public notice: 44 hours
    - Average number of hours – permit reviewer time after public notice: 2.7 hours

4. Do you calculate Title V permit fees based on emissions? No. We don't calculate Title V emission fees.

   - ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants:
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants:
   - For HAPs:

7. Do you calculate Title V fees based on actual or allowable emissions?

8. What formula do you use for calculating your Title V emissions fees?

9. Is there a minimum Title V emissions fee? If so, what is the amount?

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: $104 application fee plus T&M
    - Permit modification fees: $104 application fee plus T&M
    - Permit renewal fees: $104 application fee plus T&M
    - Inspection and/or maintenance fees: T&M (for tasks specific to Title V, local/state requirements, including inspections, are covered by annual permit renewal fees based on average T&M costs for an equipment type)
    - Public notice fees: No additional fees.
    - Hourly processing/review fees: T&M, included in above types
    - Administration fees: Only the $104 application fee
    - Stack testing fees: While Title V doesn't add any testing requirements here, we do have our own source test staff. Fees are either straight T&M or a set fee based on average T&M costs for that particular test.
    - Others (please describe): N/A

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. No cap.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. No reductions – charge for the exact amount of time we spend.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? Only adjustment is for staff hourly rates, which is reviewed annually to see if any changes are warranted.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes.
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Slight increase in fees due to increases in hourly rates.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). Yes. Recently discovered we had not been charging for the additional time during inspections for reviewing Title V specific records and reports, so started collecting that this year (for the previous calendar year).
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? No – only the T&M rates.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable). District Rule 40 contains all fees for our local and major source permitting, and Title V permitting.

NACAA Title V Fees Survey Questionnaire

April 9, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: *Greg Solomon*
   - Title: *Supervising Air Quality Engineer*
   - Agency: *Bay Area Air Quality Management District*
   - Email: *gsolomon@baaqmd.gov*
   - Phone: *415-749-4715*

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? *86 facilities*
   - Does your agency consider synthetic minor permits part of your Title V program?
     - ◊ If so, how many synthetic minors are included? *37 facilities*
   - What is your total Title V program budget? *$1.8 million for fiscal year ending 2018*
   - How many FTEs are funded by your Title V program? *6.16*
     - ◊ How many of these are permit writers specific to Title V? *0*

- ◊ Is the number of FTEs sufficient? *No*
- ◊ Are there plans to increase or to decrease FTEs? *Yes, there are plans to increase the FTEs.*

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  Initial permits:
  Renewal:
  Significant Revisions:

- How long, on average, does it take your agency to process a new Title V permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions?
   We charge annual Title V fees based on emissions. $29.60 per ton of regulated air pollutants emitted.
   Title V application fees are described in BAAQMD Regulation 3, Schedule P. See: http://www.baaqmd.gov/~/media/files/planning-and-research/rules-and-regs/reg-03/rg-0300_2017-pdf.pdf?la=en

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants:
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants:
   - For HAPs:

7. Do you calculate Title V fees based on actual or allowable emissions? *Actual emissions*

8. What formula do you use for calculating your Title V emissions fees? *$29.60 per ton emitted*

9. Is there a minimum Title V emissions fee? If so, what is the amount? *No.*

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: *$1,047 per permitted source (piece of equipment)*
    - Permit modification fees: *for minor revision, $1487 per source modified*
      For significant revision $2772 per source modified
    - Permit renewal fees: *$441 per source (piece of equipment)*
    - Inspection and/or maintenance fees: *No*
    - Public notice fees: *Actual cost of publication of newspaper public notice*
    - Hourly processing/review fees: *No*
    - Administration fees: *Title V application filing fee of $1,047 per application*
    - Stack testing fees:
    - Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. *No Cap*

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? *None* Please provide details.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? *CPI/inflation*

14. Are your Title V emissions fees sufficient to fully fund your Title V program? *No*

    - If not, fees collected represent what percent of your Title V program costs? *55%*

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? Up By what percentage? *Over the last three years, Title V fees increased 25% overall.*

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

FYE 2016	*FYE 2017*	*FYE 2018*
9.0%	*8.0%*	*8.0%*

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). *Not applicable*

17. Does your state or locality charge any other fees to support the Title V program? *No*

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. *No*

19. Is there anything else you would like to add regarding your agency's Title V fees? *No*

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).
    BAAQMD Fee regulation 3 can be viewed here:
    http://www.baaqmd.gov/~/media/files/planning-and-research/rules-and-regs/reg-03/rg-0300_2017-pdf.pdf?la=en

State of Colorado Response
April 13, 2018

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Matt Burgett
   - Title: Title V Unit Supervisor
   - Agency: Colorado Air Pollution Control Division
   - Email: matt.burgett@state.co.us
   - Phone: 303-692-3183

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? **200 sources, 221 permits (some sources have multiple Title V permits).**

- Does your agency consider synthetic minor permits part of your Title V program? **NO.**
  - ◊ If so, how many synthetic minors are included?

- What is your total Title V program budget? **In FY 2016-17 that ended June 30, 2017, the budget was $4,939,961.**

- How many FTEs are funded by your Title V program? **34.4 FTE**
  - ◊ How many of these are permit writers specific to Title V? **11 permit writers.**
  - ◊ Is the number of FTEs sufficient? **We hired 6 additional Title V permit writers in late 2015 to address our Title V permit backlog. We believe this level of staffing is sufficient.**
  - ◊ Are there plans to increase or to decrease FTEs? **NO.**

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  Initial Title V permit backlog: 37

  Renewal Title V permit backlog: 67

- How long, on average, does it take your agency to process a new Title V permit? **We don't have this information readily available.**

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit? **We don't have this information readily available.**

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? **YES**

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: **88,864.54 tons**
   - HAPs: **2,781.60 tons**

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: **$22.90 per ton**
   - For HAPs: **$152.90 per ton**

7. Do you calculate Title V fees based on actual or allowable emissions? **Actual**.

8. What formula do you use for calculating your Title V emissions fees? **(Annual reported actual tons) x ($/ton fee)**

9. Is there a minimum Title V emissions fee? If so, what is the amount? **NO**

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees:
    - Permit modification fees:
    - Permit renewal fees:
    - Inspection and/or maintenance fees:
    - Public notice fees:
    - Hourly processing/review fees: **$76.45 per hour**
    - Administration fees:
    - Stack testing fees:
    - Others (please describe): **We charge $152.90 to submit an Air Pollutant Emission Notice (APEN) form. This form is due at least every 5 years to report actual emissions, and is also used to permit new equipment or request a permit modification. The form is emission unit specific.**

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. **YES – 4,000 ton cap per pollutant per facility.**

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. **NONE**.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? **Legislative approval.**

14. Are your Title V emissions fees sufficient to fully fund your Title V program? **NO**
    - If not, fees collected represent what percent of your Title V program costs? **67%**

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? **We do not track emissions revenue by Title V vs non-Title V sources. Overall, emissions revenue from all sources has gone down and the collections from hourly permit writing fees have gone up after we hired 6 more Title V permit writers.**

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). **We are currently requesting a fee increase from our Legislature. This would increase all fees: hourly charges, emission fees, and APEN form fee.**

17. Does your state or locality charge any other fees to support the Title V program? **NO**

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. **NO**

19. Is there anything else you would like to add regarding your agency's Title V fees? **NO**

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

https://www.colorado.gov/pacific/sites/default/files/5-CCR-1001-5.pdf

https://www.colorado.gov/pacific/cdphe/emissions-and-permitting-fees

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Jaimeson Sinclair
   - Title: Assistant Division Director – Air Engineering
   - Agency: Connecticut Department of Energy and Environmental Protection
   - Email: Jaimeson.sinclair@gmail.com
   - Phone: 860-424-3408

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). State Fiscal Year 2017 (i.e. July 1, 2016 to June 30, 2017)

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 76
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? ~$3 million
   - How many FTEs are funded by your Title V program? 16

◊ How many of these are permit writers specific to Title V? None. We have a total of 6 air permit writers, they perform major/minor NSR and Title V work. Hour attributed to Title V work are charged against Title V account.

◊ Is the number of FTEs sufficient? No

◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  Yes

- How long, on average, does it take your agency to process a new Title V permit? Program is nearly 15 y.o., the only new sources seen recently resulted from SSI rules. These sources are backlogged due because EPA has not yet delegated the program to Connecticut.

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: 14
  - Average number of days from application received to draft permit noticed for public comment: 300
  - Average number of days from application received to permit issuance: 365
  - Average number of hours – permit reviewer time prior to public notice: varies by source type and recent NSR activity at the site…average not meaningful
  - Average number of hours – permit reviewer time after public notice: varies based on public interest and number of comments received – average not meaningful

4. Do you calculate Title V permit fees based on emissions? Yes

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Total reportable under our rule: 8,494 tons in 2016

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   Baseline $/ton fee = $25/ton (in 1989 $)* $CPI_{current}/CPI_{1989,}$

   For State Fiscal Year 2017 the fee was: $ 305/ton

   For criteria pollutants: same
   - For HAPs: same

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees?
   See bottom of page 4 through 5 at:
   https://eregulations.ct.gov/eRegsPortal/Browse/getDocument?guid={5612CD0A-C366-4EEE-AD74-1E6342CD7698}

   Aggregate Actual facility tons * Baseline fee * ISF = Emission fee

9. Is there a minimum Title V emissions fee? Yes If so, what is the amount? $ 5,000

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: $0
    - Permit modification fees: $0
    - Permit renewal fees: $0
    - Inspection and/or maintenance fees: $0
    - Public notice fees: varies
    - Hourly processing/review fees: $0
    - Administration fees: $0

- Stack testing fees: $470/day that a Department employee is on site to verify testing
- Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. $500,000 * $CPI_{current}/CPI_{1989}$

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. 50% redux for municipal title V sources subject to emissions fees

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?
    CPI and emissions relative to baseline year

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes
    - If not, fees collected represent what percent of your Title V program costs? Yes

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Relatively flat

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). No
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). No

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. Inventory Stabilization Factor; see page 5 of :
    https://eregulations.ct.gov/eRegsPortal/Browse/getDocument?guid={5612CD0A-C366-4EEE-AD74-1E6342CD7698}

19. Is there anything else you would like to add regarding your agency's Title V fees? No

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    https://eregulations.ct.gov/eRegsPortal/Browse/getDocument?guid={5612CD0A-C366-4EEE-AD74-1E6342CD7698}

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Stephen S. Ours
   - Title: Chief, Permitting Branch, Air Quality Division
   - Agency: District of Columbia Department of Energy and Environment
   - Email: stephen.ours@dc.gov
   - Phone: 202-535-1747

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Except as otherwise noted, these responses will refer to fees applicable for calendar year 2017 and program status at the end of calendar year 2017.

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 45
   - Does your agency consider synthetic minor permits part of your Title V program? At this time we have no synthetic minor program.
     - ◊ If so, how many synthetic minors are included? N/A
   - What is your total Title V program budget? $71,000 (FY18)
   - How many FTEs are funded by your Title V program? 0.4

- ◊ How many of these are permit writers specific to Title V? All permit writers who do Title V work also do other work.
- ◊ Is the number of FTEs sufficient? No
- ◊ Are there plans to increase or to decrease FTEs? Fee increases are planned and are expected to support additional staff time.

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Yes. Information presented is as of April 13, 2018.

  Initial permits: 1
  Modifications: 3
  Renewals: 10

- How long, on average, does it take your agency to process a new Title V permit? There is a wide variation on a small sample size. We do not track this information specifically.

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit? There is a wide variation. We do not track this information specifically.

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? Yes.

   - ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants:
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $49.81
   - For HAPs: $49.81

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees? Best available emissions data for each source multiplied by fee per ton.

9. Is there a minimum Title V emissions fee? No. If so, what is the amount? N/A

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.) None.
    - Initial permit fees:
    - Permit modification fees:
    - Permit renewal fees:
    - Inspection and/or maintenance fees:
    - Public notice fees:
    - Hourly processing/review fees:
    - Administration fees:
    - Stack testing fees:
    - Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. Not capped.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. None.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? Annual CPI adjustments.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? No.

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Down.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). No.

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). Yes. We have proposed a regulation to completely revise our fee structure. Proposed rulemaking can be found at: https://dcregs.dc.gov/Common/NoticeDetail.aspx?NoticeId=62164. See Section 305 of proposed rulemaking for details.

      Timing is not established, but would be finalized in final rulemaking. The proposed rule establishes permit application fees, fees for bands of emissions rather than exact per ton emission fees (except for additional per ton fee over 100 tons), and synthetic minor program with associated fees (considered to be part of Title V program).

17. Does your state or locality charge any other fees to support the Title V program? No.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. N/A

19. Is there anything else you would like to add regarding your agency's Title V fees? No.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    Current regulation:
    https://www.dcregs.dc.gov/Common/DCMR/SectionList.aspx?SectionNumber=20-305

    Proposed regulation:
    https://dcregs.dc.gov/Common/NoticeDetail.aspx?NoticeId=62164. See Section 305 of proposed rulemaking for details.

NACAA Title V Fees Survey Questionnaire

March 23, 2018

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Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Angela Marconi
   - Title: Branch Manager, Engineering and Compliance
   - Agency: Delaware Department of Nat. Resources and Env. Control, Division of Air Quality
   - Email: angela.marconi@state.de.us
   - Phone: 302-323-4542

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Calendar year.

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 53
   - Does your agency consider synthetic minor permits part of your Title V program? Yes
     - ◊ If so, how many synthetic minors are included? 76
   - What is your total Title V program budget? Over the past three years we have averaged an annual operating cost @ $3.1M

- How many FTEs are funded by your Title V program? At 100% staffing, 31.3 TV FTEs, at current staffing we have 26.3 FTEs.
  - ◊ How many of these are permit writers specific to Title V? 1
  - ◊ Is the number of FTEs sufficient? No, we have several vacancies at present.
  - ◊ Are there plans to increase or to decrease FTEs? Plans to fill 3 vacancies.

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

We have two initial applications that are over 18 months old, and are in the process of drafting the permits.

- How long, on average, does it take your agency to process a new Title V permit?

Not enough recent data to develop a meaningful metric on this.

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

358 (removing outlier of 7 years; we have several other long expired permits that will be issued soon—seems to be on time or much over.) This data is reflective of 2016 and 2017.

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 72
    - Average number of days from application received to draft permit noticed for public comment: 300
    - Average number of days from application received to permit issuance: 358 (with outlier removed, with outlier, 623)
    - Average number of hours – permit reviewer time prior to public notice: unknown
    - Average number of hours – permit reviewer time after public notice: unknown

4. Do you calculate Title V permit fees based on emissions?
Fees are based on emissions and hours (determined from timesheets)

◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: (CO excluded) ~8,000 tons
   - HAPs: N/A

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: (CO excluded) 0-5 tons
   - For HAPs: N/A

7. Do you calculate Title V fees based on actual or allowable emissions? Actual, via emission inventory.

8. What formula do you use for calculating your Title V emissions fees? Determined via categories established in legislation. http://delcode.delaware.gov/title7/c060/sc08/index.shtml#TopOfPage

9. Is there a minimum Title V emissions fee? If so, what is the amount? The two lowest categories (hours and emissions) results in a fee amount of $9,650 ($5,700+$3,950).

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: Construction fees based on equipment type that range from $165 to $1,290). See attached.
    - Permit modification fees: N/A
    - Permit renewal fees: N/A
    - Inspection and/or maintenance fees: N/A
    - Public notice fees: $165 for construction permits only (N/A for renewal permits).
    - Hourly processing/review fees: There is a component of the fee based on hours with 10 categories. http://delcode.delaware.gov/title7/c060/sc08/index.shtml#TopOfPage
    - Administration fees: N/A

- Stack testing fees: N/A
- Others (please describe): N/A

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

The highest categories would result in a maximum fee of $627,020 ($277,020 + $350,000).

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. A "credit" is incorporated to provide some cost savings to companies who responsibly pay their bill.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes.

- If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Over the past three years the revenue has been relatively constant. However we do have a fee credit program for facilities in good standing. As this continues we expect the annual revenue to decrease to $2.9M.

2015: $3.145M

2016: $3.181M

2017: $3.225M

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

- If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? No.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees?

We work with a group of representatives from Title V/SM sources as well as the Chamber of Commerce to develop recommended legislation. This has been useful in fostering a good relationship between DAQ leadership and the regulated community. It is also an asset when the time comes to pass the legislation. I'm unsure if this is a common practice. I can provide additional information if there is interest.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

http://delcode.delaware.gov/title7/c060/sc08/index.shtml#TopOfPage

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Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Syed Arif
   - Title: Program Administrator
   - Agency: Florida Department of Environmental Protection
   - Email: syed.arif@dep.state.fl.us
   - Phone: (850) 717-9039

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Fiscal Year 2017 (July 1, 2016 to June 30, 2017)

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 364
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget?

     FY 2017 $4,017,987 includes $706,287 paid to local programs to do compliance and permitting on behalf of the Department. The Department ended the year with a reserve of $5,281,482 in the Title V trust account.

- How many FTEs are funded by your Title V program? Florida DEP has 90 FTE's charge some or all of their time to Title V modules. The approved local programs have 42 FTE's doing Title V work on behalf of the Department that charge some or all of their time to Title V.
  - ◊ How many of these are permit writers specific to Title V?
    DEP – 34 Locals – 6 (estimated)
  - ◊ Is the number of FTEs sufficient? Yes
  - ◊ Are there plans to increase or to decrease FTEs? Adjustments determined by workload.

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. No

- How long, on average, does it take your agency to process a new Title V permit?
  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 35 days
    - Average number of days from application received to draft permit noticed for public comment: 88 days
    - Average number of days from application received to permit issuance: 160 days to final permit.
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?
  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 43 days
    - Average number of days from application received to draft permit noticed for public comment: 96 days
    - Average number of days from application received to permit issuance: 167 days
    - Average number of hours – permit reviewer time prior to public notice: n/a
    - Average number of hours – permit reviewer time after public notice: n/a

4. Do you calculate Title V permit fees based on emissions? Yes.

◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? 134,108.03 tons (2017)
   - Criteria pollutants: n/a
   - HAPs: n/a

6. What is the current baseline Title V emissions fee per ton charged by your agency? $30/ton actual emissions.
   - For criteria pollutants: same for both
   - For HAPs: same for both

7. Do you calculate Title V fees based on actual or allowable emissions? Actual.

8. What formula do you use for calculating your Title V emissions fees? Actual emissions x $30/ton with a cap of 4,000 tons.

9. Is there a minimum Title V emissions fee? If so, what is the amount? $250.00

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.) None.
    - Initial permit fees:
    - Permit modification fees:
    - Permit renewal fees:
    - Inspection and/or maintenance fees:
    - Public notice fees:
    - Hourly processing/review fees:
    - Administration fees:
    - Stack testing fees:
    - Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. 4,000 tons per regulated pollutant

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. n/a

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? The Department may adjust fees between $25/ton and $35/ton by Department rule.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes.

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Down. 11% over three years.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). Fee adjustments have not been necessary. At the end of FY2017 the Title V reserve trust account balance was $5,281,482

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). Not necessary.

17. Does your state or locality charge any other fees to support the Title V program? No.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable). https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-213

    http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0400-0499/0403/Sections/0403.0872.html

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Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Karen Hays
   - Title: Chief, Air Protection Branch
   - Agency: Georgia Environmental Protection Division
   - Email: Karen.Hays@dnr.ga.gov
   - Phone: 404-363-7000

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). July 1, 2016 – June 30, 2017 (SFY 2017), unless otherwise indicated

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 372
   - Does your agency consider synthetic minor permits part of your Title V program? We include synthetic minor annual fees in our permit program budget (but not our Title V program)
     - ◊ If so, how many synthetic minors are included? 775
   - What is your total Title V program budget? Projected $9.6 in revenue for SFY 2018
   - How many FTEs are funded by your Title V program? 105

◊ How many of these are permit writers specific to Title V? 24

◊ Is the number of FTEs sufficient? Yes

◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. **No backlog.**

- How long, on average, does it take your agency to process a new Title V permit? 388 calendar days

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance: 388 calendar days
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit? 378 calendar days

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance: 378 calendar days
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions?

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

   Yes, we currently calculate Title V fees based on emissions. There is a minimum fee for Title V sources with low emissions. In March 1, 2019, EPD will implement permit application for certain types of permit applications.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: NOx, SO2, PM, and VOCs
   - HAPs: N/A

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $37.34 per ton for coal-fired EGUs, $35.50 per ton for other sources
   - For HAPs: N/A

7. Do you calculate Title V fees based on actual or allowable emissions? Hybrid approach

8. What formula do you use for calculating your Title V emissions fees? Varies. Our fee manual is here: https://epd.georgia.gov/air/procedures-calculating-air-permit-fees

9. Is there a minimum Title V emissions fee? Yes If so, what is the amount? $4,500.

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: Starting March 1, 2019
    - Permit modification fees: Starting March 1, 2019
    - Permit renewal fees: no
    - Inspection and/or maintenance fees: no
    - Public notice fees: no
    - Hourly processing/review fees: no
    - Administration fees: Yes, for late payment of fees
    - Stack testing fees: no
    - Others (please describe): Synthetic minor sources pay $1500. Sources subject to certain NSPS pay $1700 in addition to any Title V or SM fees.

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. Capped at 4,000 tons

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. N/A

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

DNR Board approves all changes to air permit fees.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes

    - If not, fees collected represent what percent of your Title V program costs? Yes

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Down, 19%

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). Yes, permit application fees have been approved by the DNR Board to begin March 1, 2019

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? Yes. If so, please provide details.

Stakeholder engagement is critical.

19. Is there anything else you would like to add regarding your agency's Title V fees? No.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

Georgia Rules for Air Quality Control
http://rules.sos.ga.gov/gac/391-3-1?urlRedirected=yes&data=admin&lookingfor=391-3-1
Air Permit Fees are subparagraph 391-3-1-.03(9)

Fee Manual:
https://epd.georgia.gov/air/procedures-calculating-air-permit-fees

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Questions

1. Please provide your contact information.
   - Name: Darrin Pampaian
   - Title: Air Quality Permits Program Coordinator
   - Agency: Idaho Department of Environmental Quality
   - Email: darrin.pampaian@deq.idaho.gov
   - Phone: (208) 373-0587

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Calendar year 2017

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 47
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included? N/A
   - What is your total Title V program budget? $1,181,044
   - How many FTEs are funded by your Title V program? 14.06 Total Agency FTE's

◊ How many of these are permit writers specific to Title V? 1.26 FTE's funded as permit writers

◊ Is the number of FTEs sufficient? Yes

◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. We have four languishing Title V renewal projects meeting this definition.

- How long, on average, does it take your agency to process a new Title V permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: 25 days
  - Average number of days from application received to draft permit noticed for public comment: 82 days
  - Average number of days from application received to permit issuance: 189 days
  - Average number of hours – permit reviewer time prior to public notice: 80hrs
  - Average number of hours – permit reviewer time after public notice: 20hrs

  (Note – IDEQ does not process many initial TV permits anymore)

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: 76.7 days
  - Average number of days from application received to draft permit noticed for public comment: 197.3 days
  - Average number of days from application received to permit issuance: 247.0 days
  - Average number of hours – permit reviewer time prior to public notice: 133hrs
  - Average number of hours – permit reviewer time after public notice: 10hrs

4. Do you calculate Title V permit fees based on emissions? Yes, partially.

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 9,880 Tons/yr
   - HAPs: Not differentiated

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: A per ton annual fee of thirty-nine dollars and forty-eight cents ($39.48) per ton for all regulated air pollutant emissions (as follows):
     - Greater than or equal to four thousand five hundred (4,500) tons per year not to exceed one hundred forty-three thousand dollars ($143,000)
     - Greater than or equal to three thousand (3,000) but less than four thousand five hundred (4,500) tons per year not to exceed seventy-one thousand five hundred dollars ($71,500)
     - Greater than or equal to one thousand (1,000) but less than three thousand (3,000) tons per year not to exceed thirty-five thousand one hundred dollars ($35,100)
     - Greater than or equal to five hundred (500) but less than one thousand (1,000) tons per year not to exceed twenty-five thousand twenty-five dollars ($25,025)
     - Greater than or equal to two hundred (200) but less than five hundred (500) tons per year not to exceed ten thousand seven hundred twenty-five dollars ($10,725)
     - Less than two hundred (200) tons per year not to exceed three thousand five hundred seventy-five dollars ($3,575)
   - For HAPs: Not differentiated

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees? See examples.

9. Is there a minimum Title V emissions fee? If so, what is the amount? A fixed annual fee for Tier I major sources emitting regulated air pollutants (as follows):

   - Seven thousand (7,000) tons per year and above shall pay seventy-one thousand five hundred dollars ($71,500)
   - Four thousand five hundred (4,500) tons per year and above shall pay forty-two thousand nine hundred dollars ($42,900)
   - Three thousand (3,000) tons per year and above shall pay twenty-eight thousand six hundred dollars ($28,600)
   - One thousand (1,000) tons per year and above shall pay twenty-two thousand seven hundred fifty dollars ($22,750)
   - Five hundred (500) tons per year and above shall pay eleven thousand fifty dollars ($11,050)
   - Two hundred (200) tons per year and above shall pay seven thousand one hundred fifty dollars ($7,150)

- Less than two hundred (200) tons per year shall pay three thousand five hundred seventy-five dollars ($3,575)

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: None
    - Permit modification fees: See as follows.
    - Permit renewal fees: The fee-for-service shall be as follows: Sources requesting permit modifications or renewals, or receiving program maintenance services, including but not limited to site visits, response to public inquiries, modeling, responses to site questions and opacity readings by the Department shall be assessed a fee for actual time expended and expenses incurred by the Department in the previous calendar year in an amount not to exceed twenty thousand dollars ($20,000) per facility per year as a fee-for-service.
    - Inspection and/or maintenance fees: See previous.
    - Public notice fees: Included in processing renewals and the public notice portion of permit modifications.
    - Hourly processing/review fees: See previous.
    - Administration fees: N/A
    - Stack testing fees: N/A
    - Others (please describe): N/A

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. See previous examples/discussion.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. N/A

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? This registration fee structure shall be reviewed at least every two (2) years to assure the funds meet the presumptive minimum as defined by EPA.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes
    - If not, fees collected represent what percent of your Title V program costs? N/A

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Over five years down by 8.5% (from $1,101,670 in 2012 to $1,008,413 in 2016)

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? No If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable). See Section 58.01.01.390: https://adminrules.idaho.gov/rules/current/58/580101.pdf

NACAA Title V Fees Survey Questionnaire

June 11, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Lori Hanson
   - Title: Environmental Program Supervisor
   - Agency: Iowa Department of Natural Resources
   - Email: lori.hanson@dnr.iowa.gov
   - Phone: 515.725.9525

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

   State Fiscal Year 2018 (July 1, 2017 – June 30, 2018)

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 279 (as of March 2018)
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? $7,855,346
   - How many FTEs are funded by your Title V program? 40 FTE

◊ How many of these are permit writers specific to Title V? 7

◊ Is the number of FTEs sufficient? No

◊ Are there plans to increase or to decrease FTEs? In November 2017, the title V staff was reduced by three permit writers due to insufficient work. However, permit modifications are not included in this workload, and may not be processed in a timely manner.

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  11 backlog permits (2 initials and 9 renewals) as of June 2018

- How long, on average, does it take your agency to process a new Title V permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: 36 days
  - Average number of days from application received to draft permit noticed for public comment: 231 days
  - Average number of days from application received to permit issuance: 264 days
  - Average number of hours – permit reviewer time prior to public notice: 234 hours
  - Average number of hours – permit reviewer time after public notice: 4.5 hours

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: 22 days
  - Average number of days from application received to draft permit noticed for public comment: 172 days
  - Average number of days from application received to permit issuance: 209 days
  - Average number of hours – permit reviewer time prior to public notice: 72 hours
  - Average number of hours – permit reviewer time after public notice: 4 hours

4. Do you calculate Title V permit fees based on emissions? Yes, we charge fees for both emissions and for application review.

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees?

Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 99,121 tons
   - HAPs: 71 tons

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $70
   - For HAPs: $70

7. Do you calculate Title V fees based on actual or allowable emissions? Actual emissions

8. What formula do you use for calculating your Title V emissions fees?
   The Title V emission fee is calculated by dividing the estimated Title V emission budget by the chargeable emissions as reported by facilities each March 31. The Title V emission fee is assessed on the first 4,000 tons of each regulated air pollutant emitted each year from each major stationary source in the state. Regulated pollutants include: particulate matter less than 10 micrometers in diameter (PM10), sulfur dioxide (SO2), nitrogen oxides (NOx), volatile organic compounds (VOC), lead (Pb), and hazardous air pollutants (HAP). Greenhouse gas emissions are not subject to Title V fees. (Iowa Code 455B.133B and 567 IAC 30.4).

9. Is there a minimum Title V emissions fee? If so, what is the amount? No

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: See below
    - Permit modification fees: None
    - Permit renewal fees: See below
    - Inspection and/or maintenance fees: None
    - Public notice fees: None
    - Hourly processing/review fees: $100/hour billable rate for initial and renewal permits

- Administration fees: 0.5 hour or $50 is assessed for each month the permit is under review
- Stack testing fees: None
- Others (please describe): Our billings for application review and permit issuance include the direct costs and a portion of the indirect costs attributable to application review and permit issuance. The remaining portion of indirect costs are funded with emission fee revenue.

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

    Title V fees are capped in three ways: tonnage, fee per ton, and total estimated revenue. The tonnage is capped at 4,000 tons per pollutant; however, few facilities exceed the tonnage cap. The fee amount is capped in administrative rules (567 IAC 30.6(2)) at $70/ton. The Iowa Code places a maximum amount for the calculated estimate of total revenue for each account in the Title V fund. The emission fee account cannot produce a calculated estimate of total revenues in excess of $8,250,000 (455B.133B(5)(c)). The operating permit application account cannot produce a calculated estimate of total revenues in excess of $1,250,000 (455B.133B(6)(c)).

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. n/a

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

    The dollar per ton amount and the 4,000 per ton limit would be adjusted by rulemaking. Currently the rulemaking process can take 6-12 months. Stakeholder meetings would be held prior to initiating rulemaking. The time needed to build stakeholder consensus and receive governmental approval to begin rulemaking varies with each process but can be lengthy. Adjusting the maximum revenue amount would require legislation.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? No, permit modifications may not be processed in a timely manner.
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage?

Emission Year	Fiscal Year	Feeable tons	Percent Change	Fee per Ton	Amount
2011	2013	167,483	0%	$56.00	$9,379,048
2012	2014	153,917	-8.1%	$56.00	$8,619,332
2013	2015	147,526	-4.2%	$56.00	$8,261,456
2014	2016	140,098	-5.0%	$56.00	$7,845,488

2015	2017	119,975	-14.4%	$67.50	$8,098,313
2016	2018	99,088	-17.4%	$70.00	$6,936,160

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). See table above.
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). No.

17. Does your state or locality charge any other fees to support the Title V program?

    No.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. n/a

19. Is there anything else you would like to add regarding your agency's Title V fees?

    The Iowa General Assembly provided a special appropriation to fund the shortfall for FY 2015 and established the 2014 Air Quality Stakeholder Group to study the air quality services provided and the funding of the air quality program. Stakeholder group members developed six recommendations for funding the air quality program for next year. The report is at https://www.legis.iowa.gov/docs/publications/DF/662287.pdf. Many of the recommendations were implemented in Senate File 488, including adding fees for Title V operating permit applications and construction permits.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    Iowa Code 455B.133B, 567 IAC Chapter 30 in general, and 567 IAC 30.4

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Rick Brunetti
   - Title: Director, Bureau of Air
   - Agency: Kansas Department of Health and Environment
   - Email: Rick.Brunetti@ks.gov
   - Phone: 785.296.1551

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Current SFY 2018 = July 1, 2017 – June 30, 2018
   Last SFY 2017 = July 1, 2016 – June 30, 2017

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? SFY 2018 = 278
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included?
- What is your total Title V program budget?
  SFY 2018 = $5,688,696

- How many FTEs are funded by your Title V program? SFY 2018 = 47.5 FTE of 66.9 total FTE

  ◊ How many of these are permit writers specific to Title V? 18.5 FTE of 20.45 FTE
  ◊ Is the number of FTEs sufficient? Yes
  ◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

- How long, on average, does it take your agency to process a new Title V permit?

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? Yes.

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 58,590 rounded tons

- HAPs: 3,005 rounded tons

  These numbers are based on actual emissions which could be charged fees - HAPs may be excluded for fee calculation if source already included the tons as PM or VOCs only for the purpose of calculating the fee. The following is a breakdown of approximate tons associated with our fee structure:

  Total Emission Fees = $3,498,115 (equivalent to approximately 66,002 tons of all fee-chargeable tons includes criteria and HAPs)

  Total Base Fee = $83,000 (equivalent to approximately 1,494 tons from 83 sources)

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $53/ton or $1,000 base fee (< 19 rounded tons)
   - For HAPs: $53/ton or $1,000 base fee (< 19 rounded tons)

7. Do you calculate Title V fees based on actual or allowable emissions? Actual emissions

8. What formula do you use for calculating your Title V emissions fees?

   Greater of either $1000, or $53 per ton of emissions (SO2, NOx, PM10, VOC, HAPS excluding those already accounted for as VOC/PM) with each individual pollutant rounded to the nearest ton and a maximum of 4000 tons of an individual pollutant.

9. Is there a minimum Title V emissions fee? Yes If so, what is the amount? $1,000

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: $3,000 per TV application, $750 per general permit application
    - Permit modification fees: $1,500 per significant modification application
    - Permit renewal fees: $3,000 per application
    - Inspection and/or maintenance fees: N/A
    - Public notice fees: N/A
    - Hourly processing/review fees: N/A
    - Administration fees: N/A
    - Stack testing fees: N/A
    - Others (please describe): Emissions Inventory paper submittal fees = $250 plus $10 per single sided page

11. Are your Title V fees capped, and if so, at what level and/or amount? Yes. Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission

unit, etc. For purposes of determining emission fees for a facility, emissions of any single regulated pollutant in excess of 4,000 tons per year shall not be included in the calculation when determining the total emissions from the facility.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. N/A

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? Through amending administrative regulations fixing such fees which are periodically adjusted to be consistent with the need to cover the direct and indirect costs of administering the program.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? No, the current fee structure relies upon carry over revenue collected and retained to support the program.

    - If not, fees collected represent what percent of your Title V program costs? Annual emission fees collected for SFY 2018 represent 63% of total TV program budgeted costs.

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Down 28% from SFY 2015 - 2017
    Down 35% from SFY 2013 - 2017

Reflecting our SFY 2018 update to TV Fee schedule:
Up 11% from SFY 2016 – 2018
Down 10% from SFY 2014 – 2018

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? Yes If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). Several options are being considered including charging synthetic minor sources equivalent annual $/ton emission fees, charging a higher amount ($/ton) for HAPs, $/hour for permit, etc.

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? Construction and Operating Application Fees from major and non major sources

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? No If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees? No

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

KDHE Regulations and Statutes Website: http://www.kdheks.gov/bar/regs.html

- Kansas Air Quality Regulations (*Revised January 4, 2018*) http://www.kdheks.gov/bar/regs/KS_AQ_REGS.pdf
- Implementing regulations: Revoked K.A.R. 28-19-202; Amended K.A.R. 28-19-516 and 517 (*effective January 5, 2018*) http://www.kdheks.gov/bar/regs/Revoked-KAR-28-19-202-Amended-KAR-28-19-516-517.pdf
- Authorizing statutes: K.S.A. 65-3008 Permit Fees (http://www.ksrevisor.org/statutes/chapters/ch65/065_030_0008.html) and K.S.A. 65-3024 Emission Fees (http://www.ksrevisor.org/statutes/chapters/ch65/065_030_0024.html)

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Karen Irons
   - Title: Manager, Air Quality Permits Program
   - Agency: Maryland Department of the Environment
   - Email: Karen.Irons@maryland.gov
   - Phone: 410-537-3256

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)?

     119 sources

   - Does your agency consider synthetic minor permits part of your Title V program?
     - ◊ If so, how many synthetic minors are included? N/A
   - What is your total Title V program budget?

- How many FTEs are funded by your Title V program?
  - ◊ How many of these are permit writers specific to Title V?
  - ◊ Is the number of FTEs sufficient?
  - ◊ Are there plans to increase or to decrease FTEs?

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  a. Initial Permits- No backlog
  b. Permit Renewals- As of 4/1/18- Two (2) Administratively extended Title V permits
  c. Permit modifications are generally not done until permit renewal

- How long, on average, does it take your agency to process a new Title V permit?

We generally meet the permit turnaround time of 18 months

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  We require applicants to submit renewal application one year prior to the permit expiration date. The majority of permit renewals are issued on time

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions?

Yes- Fee is based on emissions plus annual base fee of $5000

◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? Based on Calendar year 2016
   - Criteria pollutants: 50,676
   - HAPs: 663 (billable HAPS)

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants:

   CY2017 $58.27/ton/No cap

   CY2018 $59.42/ton/No cap

   - For HAPs: Non-criteria HAPs only

   CY2017 $58.27/ton/No cap

   CY2018 $59.42/ton/No cap

7. Do you calculate Title V fees based on actual or allowable emissions?

   Actual Emissions

8. What formula do you use for calculating your Title V emissions fees?

((Billable criteria pollutants + billable HAPs) x Fee Rate) + 5,000 base fee = Title V fee

9. Is there a minimum Title V emissions fee? If so, what is the amount?

   Yes- all Title V sources pay annual base fee of $5000 plus an emission based fee

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: No
    - Permit modification fees: No

- Permit renewal fees: No
- Inspection and/or maintenance fees: No
- Public notice fees: Permittee is responsible for cost of all newspaper notices (Department publishes notice and permittee is billed). In addition, if a hearing is held, permittee is responsible for cost of hearing location rental (if any) and cost of court reporter
- Hourly processing/review fees: No
- Administration fees: No
- Stack testing fees: No
- Others (please describe): N/A

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

    There is no cap. The 4000 ton per pollutant cap was repealed in 2008 (required a change to the Maryland statute)

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. None

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

    Fees are assessed annually and are based upon emissions of all regulated pollutants, excluding Carbon Monoxide and Greenhouse Gases (GHG). The fee includes a $5000.00 base fee, plus a per ton fee based on actual emissions and adjusted annually by the Consumer Price Index (CPI).

14. Are your Title V emissions fees sufficient to fully fund your Title V program?
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage?

    Fees gave decreased

CY 2015: $4,626,118.83
CY 2016: $3,585,102.15
CY 2017: $2,107,522.50

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

    In August 2013, the annual base fee for Title V sources was raised from $200 to $5000.

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    There are no proposed Title V fee regulations.

    Title V fees are detailed in Code of Maryland Regulations (COMAR) 26.11.02.19

    These regulations are available on line at www.dsd.state.md.us

    The fee statute (Article Environment 2-403) is available on line at www.mlis.state.md.us

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: **Chris Ethridge**
   - Title: **Field Operations Manager**
   - Agency: **Michigan Department of Environmental Quality – Air Quality Division**
   - Email: **ethridgec@michigan.gov**
   - Phone: **517 582-3063**

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)?

   As of December 31, 2017:

   372 active stationary sources that have obtained Title V permits, including active Title V sources that have not yet obtained Title V permits but are subject to the program.

- Does your agency consider synthetic minor permits part of your Title V program? **No**
  - ◊ If so, how many synthetic minors are included?
- What is your total Title V program budget? **For fiscal year 2017, $7,555,102**
- How many FTEs are funded by your Title V program? **62**
  - ◊ How many of these are permit writers specific to Title V? **Staff that write Title V permits also conduct various compliance and field activities.**
  - ◊ Is the number of FTEs sufficient? **The Michigan AQD staffs the Title V program to the level that fee revenue will support. Our current revenue cycle has supported a level of staff that has allowed us to fulfill responsibilities mandated by statute.**
  - ◊ Are there plans to increase or to decrease FTEs? **The statutory authority for the Michigan Air Emissions Fee sunsets on September 30, 2019. The Air Quality Division begins fee negotiations in the Spring of 2018. While there are no immediate plans to increase or decrease FTE, it is known that the current revenue stream will not support the current amount of FTE in Fiscal Year 2020 and beyond.**

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  As of December 31, 2017:

  Initial applications older than 18 months: 4

  Renewal applications older than 18 months: 23

  Significant modifications older than 18 months: 0

  Minor modification applications older than 90 days (Michigan requires 90 day action by rule): 61

- How long, on average, does it take your agency to process a new Title V permit?
  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: **13 days**

- Average number of days from application received to draft permit noticed for public comment:
  296 days
- Average number of days from application received to permit issuance:
  414 days
- Average number of hours – permit reviewer time prior to public notice:
  NA
- Average number of hours – permit reviewer time after public notice:
  NA

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete:
    8 days
  - Average number of days from application received to draft permit noticed for public comment:
    281 days
  - Average number of days from application received to permit issuance:
    380 days
  - Average number of hours – permit reviewer time prior to public notice:
    NA
  - Average number of hours – permit reviewer time after public notice:
    NA

4. Do you calculate Title V permit fees based on emissions?

Yes. The Title V fees include an emissions charge per ton of actual criteria pollutants. See Question 8.

◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: **115,209 billable tons.**
   - HAPs: **A per ton fee is not charged for HAPs, except for hydrochloric acid aerosols (HCL) from facilities which are required to report HCL to the TRI.**

6. What is the current baseline Title V emissions fee per ton charged by your agency?

- For criteria pollutants: **$51.15/ton.**
- For HAPs: **$51.15/ton for HCL, see Question 5.**

7. Do you calculate Title V fees based on actual or allowable emissions? **Actual emissions.**

8. What formula do you use for calculating your Title V emissions fees?

ANNUAL FEE = FACILITY CHARGE + EMISSIONS CHARGE

The facility charge used in the fee formula is based on the classification, or Category, of the facility. The categories are as follows:

- **CATEGORY I: Facilities that are "major" under Title III of the Clean Air Act (have the potential to emit 100 tons or more per year of any pollutant). The facility charge is $5,250 for a Category I facility.**
- **CATEGORY II: Facilities that are "major" under Title I of the Clean Air Act (have the potential to emit 10 tons of any one hazardous air pollutant or 25 tons of any combination of hazardous air pollutants). Category II also includes any facility with operations subject to a federal New Source Performance Standard. The facility charge is $1,795 for a Category II facility.**
- **CATEGORY III: Facilities which are subject to a federal Maximum Available Control Technology (MACT) standard but are not "major" under Title I or Title III. Category III facilities are assessed a $250 facility charge with no emissions charge.**

The emission charge used in the fee formula is for Category I or II facilities and is calculated as $51.15 per ton of actual emissions.

For municipal electric generating facilities with emissions in the specified range, the following flat rate municipal utility (MU) fee is charged with no emissions charge:

- **For sources that emit at least 730 but less than 5,000 tons -- $41,830**

9. Is there a minimum Title V emissions fee? If so, what is the amount?

The minimum amount is the facility charge with no billable emissions.

Category I - $5,250.00

Category II - $1,795.00

Category III - $250.00

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)

- Initial permit fees: **NA**
- Permit modification fees: **NA**
- Permit renewal fees: **NA**
- Inspection and/or maintenance fees: **NA**
- Public notice fees: **NA**
- Hourly processing/review fees: **NA**
- Administration fees: **NA**
- Stack testing fees: **NA**
- Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

There are different caps on billable pollutants for those Category I and II facilities which are defined as "Electric Providers" under the Clean, Renewable and Efficient Energy Act, PA 295 of 2008.

For Category I and II facilities which are Electric Provider (EP) sources, a maximum of 6,100 tons per facility is subject to the charge. The maximum emission charge is $312,015 for any one EP facility. However, if an EP facility has less than 6,100 tons of actual emissions, the maximum amount subject to the fee is 1,500 tons per fee-subject pollutant.

For Category I and II facilities which are not EP sources, a maximum of 4,500 tons per facility is subject to the charge. The maximum emission charge for any one non-EP facility is $230,175. However, if a facility has less than 4,500 tons of actual emissions, the maximum amount subject to the fee is 1,250 tons per fee-subject pollutant.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.

For municipal electric generating facilities, the following municipal utility (MU) fees are charged.

- **For sources that emit at least 730 but less than 5,000 tons -- $41,830**

MU facilities above or below the specified emissions range are assessed fees as ordinary Category I EP facilities.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? **Legislative approval upon sunset of fee program, typically every four years.**

14. Are your Title V emissions fees sufficient to fully fund your Title V program? **The Michigan AQD staffs the Title V program to the level that fee revenue will support. Our current revenue cycle has supported a level of staff that has allowed us to fulfill responsibilities mandated by statute.**

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? **From 2014 to 2018, Title V fee assessments have declined by 6%.**

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). **No.**

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). **Legislative reauthorization is required by September 30, 2019, when the current program sunsets. Various scenarios are under consideration including adjustments to fee rates, and a stakeholder workgroup may be convened.**

17. Does your state or locality charge any other fees to support the Title V program? **No.**

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

Overview: http://www.michigan.gov/deq/0,4561,7-135-3310_4103-288670--,00.html

Sec. 324.5501 of PA 451: http://legislature.mi.gov/doc.aspx?mcl-324-5501

Sec. 324.5522 of PA 451: http://legislature.mi.gov/doc.aspx?mcl-324-5522

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Melissa Fortenberry
   - Title: Interim Chief, Air Support Branch
   - Agency: Mississippi Department of Environmental Quality
   - Email: mfortenberry@mdeq.ms.gov
   - Phone: 601-961-5556

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). **FY2018 (July 1, 2017-June 30, 2018)**

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? **273**
   - Does your agency consider synthetic minor permits part of your Title V program? **No**
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? **$5,145,990**
   - How many FTEs are funded by your Title V program? **43.11**

- ◊ How many of these are permit writers specific to Title V? **Our Environmental Permits Division includes 11.05 Title V FTEs. This includes permit writers, managers, and administrative staff.**
- ◊ Is the number of FTEs sufficient? **Yes**
- ◊ Are there plans to increase or to decrease FTEs? **No. (Title V FTEs were reduced in FY2018 by approximately 13% from previous years.)**

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. **MDEQ runs a quarterly backlog report based on application receipt date. As of March 31, 2018, MDEQ had approximately 70 backlogged Title V permits meeting the 18-month backlog criteria using application receipt date. Almost 80% of the backlog consisted of Title V permit renewals, with the remainder being equally split among initial permit applications and modification applications. (If you consider that the average time it takes MDEQ to deem an application complete is 145 days, as discussed below, the actual backlogged permits meeting the criteria of the question would be approximately 61 permits. The percentage breakdown of initial, modification, and renewal permits remains the same.)**

- How long, on average, does it take your agency to process a new Title V permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: **145**
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance: **376**
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: **143**
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance: **429**
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? **Yes**

◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? **92,639 tons (emitted by facilities in calendar year 2016 and used to fund the Title V program in FY2018)**
   - Criteria pollutants:
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency? **The current fee rate is $47/ton. The fee is set annually, and this is the 3rd year the fee has been set at $47/ton. We charge the same fee rate for all pollutants.**
   - For criteria pollutants: **$47/ton**
   - For HAPs: **$47/ton (We do not charge for VOC-HAPs since they are already counted in VOC emissions.)**

7. Do you calculate Title V fees based on actual or allowable emissions? **Actual emissions, when timely submitted by facilities. Otherwise, allowable emissions are used.**

8. What formula do you use for calculating your Title V emissions fees? **Emissions (tons) x Fee Rate ($/ton) = Amount Assessed. (We do not charge facilities for more than 4,000 tons per pollutant.)**

9. Is there a minimum Title V emissions fee? If so, what is the amount? **Yes, it is $250.**

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? **None** Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: **No**
    - Permit modification fees: **No**
    - Permit renewal fees: **No**
    - Inspection and/or maintenance fees: **No**
    - Public notice fees: **No**
    - Hourly processing/review fees: **No**
    - Administration fees: **No**
    - Stack testing fees: **No**

- Others (please describe): **None**

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. **As mentioned in question 8, there is a 4,000 ton per pollutant cap used when calculating a facility's emissions total for Title V fee assessment. There are no other caps or limits applied.**

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. **None**

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? **Annual evaluation**

14. Are your Title V emissions fees sufficient to fully fund your Title V program? **No**

    - If not, fees collected represent what percent of your Title V program costs? **For FY2018 the amount of fees invoiced represent approximately 85% of the Title V budget.**

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? **Our Title V fee revenue has generally stayed the same over the last 5 years due to necessary increases in the fee rate (i.e. the amount charged per ton of emissions).**

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). **The fee rate (i.e. $/ton) was increased in FY2017.**

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). **Any changes to our fee structure (i.e. charging application, permit, or maintenance fees; increasing the minimum fee; etc.) would require a statute change. MDEQ is currently working to propose changes to the statute, which would require approval by the Mississippi Legislature.**

17. Does your state or locality charge any other fees to support the Title V program? **No**

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. **No**

19. Is there anything else you would like to add regarding your agency's Title V fees? **No**

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

Mississippi Law Pertaining to the Title V program in Mississippi is found in §49-17-14, §49-17-16, §49-17-30, and §49-17-32: https://law.justia.com/codes/mississippi/2017/title-49/chapter-17/in-general/

Mississippi Title V Regulation (See Rule 6.6.): https://www.mdeq.ms.gov/wp-content/uploads/2017/06/11-Miss.-Admin.-Code-Pt.-2-Ch.-6..pdf

Mississippi Title V Fee Guidance: https://www.mdeq.ms.gov/wp-content/uploads/2017/06/AERF-Guide-2013.pdf

NACAA Title V Fees Survey Questionnaire

March 23, 2018

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Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Tim Burns
   - Title: Air Quality Supervisor
   - Agency: Omaha Air Quality Control
   - Email: tim.burns@cityofomaha.org
   - Phone: 402-444-3987

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Budget year 2017

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 16
   - Does your agency consider synthetic minor permits part of your Title V program? yes
     - ◊ If so, how many synthetic minors are included? 30
   - What is your total Title V program budget? 513,400
   - How many FTEs are funded by your Title V program? 5

◊ How many of these are permit writers specific to Title V? 1

◊ Is the number of FTEs sufficient? yes

◊ Are there plans to increase or to decrease FTEs? no

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

- How long, on average, does it take your agency to process a new Title V permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit? 852

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance: 852
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? Yes, at least part

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 9,403
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: 54.61

- For HAPs:

7. Do you calculate Title V fees based on actual or allowable emissions? actual

8. What formula do you use for calculating your Title V emissions fees?

9. Is there a minimum Title V emissions fee? If so, what is the amount?3,420

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees:
    - Permit modification fees:
    - Permit renewal fees:
    - Inspection and/or maintenance fees:
    - Public notice fees:
    - Hourly processing/review fees:
    - Administration fees:
    - Stack testing fees:
    - Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. single pollutant cap of 4,000 tons

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? rate study

14. Are your Title V emissions fees sufficient to fully fund your Title V program? yes
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Basically steady

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

- If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). consider these annually and adjust as needed

17. Does your state or locality charge any other fees to support the Title V program?

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

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Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Craig A. Wright
   - Title: Director
   - Agency: NHDES, Air Resources Division
   - Email: craig.wright@des.nh.gov
   - Phone: (603) 271-1088

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). NHDES is currently in the process of collecting fees for 2017 emissions, therefore answers below are based on calendar year 2016 statistics.

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 35
   - Does your agency consider synthetic minor permits part of your Title V program? Yes
     - ◊ If so, how many synthetic minors are included? 133
   - What is your total Title V program budget? $2,500,000
   - How many FTEs are funded by your Title V program? 14

◊ How many of these are permit writers specific to Title V? 9

◊ Is the number of FTEs sufficient? Yes

◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Yes

- How long, on average, does it take your agency to process a new Title V permit? One new Title V permit was issued in 2016.

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 41 days
    - Average number of days from application received to draft permit noticed for public comment: 124 days
    - Average number of days from application received to permit issuance: 231 days
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 27 days
    - Average number of days from application received to draft permit noticed for public comment: 507 days
    - Average number of days from application received to permit issuance: 603 days
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? Yes, actual emissions

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? ~ 7,500 tons per year (Title V only, no synthetic minors)

- Criteria pollutants: ~ 7,250 tons per year
- HAPs: ~ 250 tons per year (non PT/non VOC HAPS and state regulated toxics)

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: Current baseline is $60/ton which is adjusted annually by the CPI and an Inventory Stabilization Factor.
   - For HAPs: Same

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees?
   $/ton = $60 * CPI * ISF

9. Is there a minimum Title V emissions fee? If so, what is the amount? If a source has emissions less than 1 ton per year, the minimum fee is based on 1 ton of emissions.

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees:
    - Permit modification fees:
    - Permit renewal fees:
    - Inspection and/or maintenance fees:
    - Public notice fees: We don't have a "public notice fee" but charge the permittee the cost of publishing public notices for any permit which is required to go through a public comment period. The amount depends on the newspaper in which the notice is published.
    - Hourly processing/review fees: Permit Review Fees for PSD/NA-NSR permits require the permit writer to keep track of hours spent working on the permit and the permittee is charged accordingly.
    - Administration fees:
    - Stack testing fees: If a construction permit is issued to a Title V source and it contains stack testing requirements, the permittee is charged a testing and monitoring fee covering travel. Lodging, meals, equipment, consumable supplies and hours spent testing and monitoring.
    - Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission

unit, etc. Overall the emissions are capped at 6,000 tons per year for any one pollutant from a facility. No sources currently emit more than 6,000 tons for any one pollutant.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. None

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? The base fee rate of $60/ton is adjusted annually by the CPI and an Inventory Stabilization Factor (ISF).

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Currently, yes.
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Emissions have decreased drastically over the past 3-5 years, however the function of the ISF is to compensate for the decrease in emissions (as emissions go down, the ISF goes up). The ISF maintains a base level of program funding.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). NHDES is currently in the process of evaluating its current fee structure; changes are expected within the year.

17. Does your state or locality charge any other fees to support the Title V program? See Item #10

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. The ISF has been part of our fee structure since 1994. Without it we would have had to make significant program changes in order to adequately fund the program.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    https://www.des.nh.gov/organization/commissioner/legal/rules/documents/env-a700.pdf

NACAA Title V Fees Survey Questionnaire – NJDEP Response

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Kenneth Ratzman
   - Title: Assistant Director, Air Quality Regulation & Planning
   - Agency: New Jersey Department of Environmental Protection
   - Email: Kenneth.Ratzman@dep.nj.gov
   - Phone: 609-292-0834

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 244 (2018)
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? $10.6 million (FY17)
   - How many FTEs are funded by your Title V program? 64 (2018 data, includes modeling, stack testing, and enforcement staff)
   - ◊ How many of these are permit writers specific to Title V? 24 (2018)
     - ◊ Is the number of FTEs sufficient? Yes

◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  Initial Permits: No backlog

  Permit Modifications: No backlog

  Permit Renewals: No backlog

- How long, on average, does it take your agency to process a new Title V permit?

  17 months

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  9 months (review time from complete application, does not include the time an application is pending due to information request sent to facility)

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V ~~permit~~ fees based on emissions? Yes

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?

- Criteria pollutants: 26,166 tons (2017)
- HAPs: No fees for HAPs

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $119.56 per ton (FY18)
   - For HAPs: N/A

7. Do you calculate Title V fees based on actual or allowable emissions? Actual emissions

8. What formula do you use for calculating your Title V emissions fees?
   (Tons of CO + NOX + VOC + SO2 + the highest of TSP, PM10, or PM 2.5) X $/Ton

9. Is there a minimum Title V emissions fee? If so, what is the amount? Yes, $3,000

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: $125/piece of significant equipment (included in the application)
    - Permit modification fees: None for Amendments or Minor Modifications. Significant Modifications: See the schedule at: http://www.state.nj.us/dep/aqpp/Sub22%20Fee%20Tables_effective%2027Feb2015.pdf
    - Permit renewal fees: $125/piece of significant equipment
    - Inspection and/or maintenance fees: None
    - Public notice fees: Initial and Renewal Permits: Included in $125/piece of significant equipment. Significant Modifications: $ 842.00
    - Hourly processing/review fees: None
    - Administration fees: None
    - Stack testing fees: See the schedule at: http://www.state.nj.us/dep/aqpp/Sub22%20Fee%20Tables_effective%2027Feb2015.pdf
    - Others (please describe): None

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.
    - Initial Operating Permit Applications: $50,000 application fee cap
    - Renewal Operating Permit Applications: $50,000 application fee cap
    - Significant Modifications: Not to exceed $50,000 application fee

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. None

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

- Emission fee: Operating Permit rule allows annual CPI adjustment of base amount ($60/ton, 1989 dollars). Public notice in the New Jersey Register is required.
- Initial and Renewal Permit Review Fees: No change since 1995. Requires legislative approval.
- Significant Modification Fees: Last increase in 2014 through Operating Permit Rule change. Rule allows CPI adjustments every five year; next adjustment in 2019.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? No
    - If not, fees collected represent what percent of your Title V program costs? 35-40%

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage?
    - Emission Fees: Down by an average of about 6% per year. Dropped 22% between 2014 and 2018. Corresponds to decreases in total emissions over the same period.
    - Permit Review Fees: about the same

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).
    Significant Modification fees were adjusted in 2014. This is the only fee change that can be done through rule change. All other changes, including emission fee change, require legislative approval.
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). N/A

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. None

19. Is there anything else you would like to add regarding your agency's Title V fees?
    - Initial and Renewal Permit review fees have not been changed since 1995. Require legislative approval to modify.
    - Significant Modification fees were adjusted in 2014. This is the only fee that can be changed through rule change. All other changes, including emission fee change, require legislative approval.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    Operating Permit Rule, N.J.A.C 7:27-22.31, Fees,
    http://www.state.nj.us/dep/aqm/currentrules/Sub22.pdf

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Kristine Kelly
   - Title: Chief, Program Planning and Services, Bureau of Quality Assurance
   - Agency: NYS Department of Environmental Conservation, Division of Air Resources
   - Email: Kristine.Kelly@dec.ny.gov
   - Phone: 518 402 8401

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)?

   Response: 384 Title V sources; 2017 calendar year

   - Does your agency consider synthetic minor permits part of your Title V program?

   Response: Initial permit review only

   ◊ If so, how many synthetic minors are included?

   Response: 0

- What is your total Title V program budget?

Response: $ 8 million appropriation

- How many FTEs are funded by your Title V program?

Response: 32 FTEs

◊ How many of these are permit writers specific to Title V?

Response: 0

◊ Is the number of FTEs sufficient?

Response: No

◊ Are there plans to increase or to decrease FTEs?

Response: No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

Response: Yes

- How long, on average, does it take your agency to process a new Title V permit?

◊ If possible, please provide a breakdown as follows:

Response:

- Average number of days from application received to draft permit noticed for public comment: 1,185
- Average number of days from application received to permit issuance: 817

- How long, on average, does it take your agency to process a renewal permit?

Response:

◊ If possible, please provide a breakdown as follows:

- Average number of days from application received to draft permit noticed for public comment: 858
- Average number of days from application received to permit issuance: 701

4. Do you calculate Title V permit fees based on emissions?

Response: Yes

◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?

Response:

- Criteria pollutants: 67,778 tons reported in 2016; billed in 2017
- HAPs: 835 tons reported in 2016; billed in 2017

6. What is the current baseline Title V emissions fee per ton charged by your agency?

Response: $2,500 annual base fee and
(1) a fee of $60 per ton for facilities having total annual emissions less than 1,000 tons;
(2) a fee of $70 per ton for facilities having total annual emissions of 1,000 tons or more but less than 2,000 tons;
(3) a fee of $80 per ton for facilities having total annual emissions of 2,000 tons or more but less than 5,000 tons; and
(4) a fee of $90 per ton for facilities having total annual emissions of 5,000 tons or more.

7. Do you calculate Title V fees based on actual or allowable emissions?

Response: Actual emissions

8. What formula do you use for calculating your Title V emissions fees?

Response: OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK
TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CHAPTER IV. QUALITY SERVICES
SUBCHAPTER G. PROGRAM FEES
PART 482. AIR POLLUTION PROGRAM FEES
SUBPART 482-2. OPERATING PERMIT PROGRAM FEE

See 6 CRR-NY-482.4 "Annual fee and fee calculation"

9. Is there a minimum Title V emissions fee? If so, what is the amount?

Response: Yes, annual base fee is $2,500.

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged.

(For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)

Response:

- Initial permit fees: 0
- Permit modification fees: 0
- Permit renewal fees: 0
- Inspection and/or maintenance fees: 0
- Public notice fees: 0
- Hourly processing/review fees: 0
- Administration fees: 0
- Stack testing fees: 0
- Others (please describe): 0

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

Response: Yes, the fee per ton is assessed on emissions up to 7,000 tons annually of each regulated air contaminant.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.

Response: None

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

Response: Legislative approval

14. Are your Title V emissions fees sufficient to fully fund your Title V program?

Response: No

- If not, fees collected represent what percent of your Title V program costs?

Response: State Fiscal Year 2016/17-33%; based on $5.6 M in revenues and $16.4 M in Level of Effort

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage?

Response: Down. 10-16% revenue decrease

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

Response: 2015 Title V emission fees increased

- If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program?

Response: No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

Response: No

19. Is there anything else you would like to add regarding your agency's Title V fees?

Response: Emissions from Title V sources have decreased over the years, resulting in cleaner air in New York. Emission fees are set by the legislature and, therefore, the environmental agency and air program are not directly responsible for the structure of the fee schedule.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

Response:

Here's the link to 6NYCRR 482-2.4

https://govt.westlaw.com/nycrr/Document/I4eb094afcd1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)&bhcp=1

and the link to ECL 72-0303

http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO:

(April 13, 2018)

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Charlene Albee
   - Title: Director, Air Quality Management Division
   - Agency: Washoe County Health District
   - Email: calbee@washoecounty.us
   - Phone: (775) 784-7211

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). **Most recent fiscal year: 7/1/16 – 6/30/17**

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? **2**
   - Does your agency consider synthetic minor permits part of your Title V program? **No**
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? **$20,582**
   - How many FTEs are funded by your Title V program? **Portion of 3 FTEs**
     - ◊ How many of these are permit writers specific to Title V? **1**

◊ Is the number of FTEs sufficient? **At this time yes**

◊ Are there plans to increase or to decrease FTEs? **No**

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. **No**

- How long, on average, does it take your agency to process a new Title V permit?

  9 months

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: **10 days (code requirement)**
  - Average number of days from application received to draft permit noticed for public comment: **120 days**
  - Average number of days from application received to permit issuance: **270**
  - Average number of hours – permit reviewer time prior to public notice: **1,500**
  - Average number of hours – permit reviewer time after public notice: **40**

- How long, on average, does it take your agency to process a renewal permit?

  6 months

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: **10 days (code requirement)**
  - Average number of days from application received to draft permit noticed for public comment: **90 days**
  - Average number of days from application received to permit issuance: **180**
  - Average number of hours – permit reviewer time prior to public notice: **500**
  - Average number of hours – permit reviewer time after public notice: **40**

4. Do you calculate Title V permit fees based on emissions? **Yes**

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 170.90 t/yr

- HAPs: 102.96 t/yr

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: **$93.15/ton**
   - For HAPs: **$32.87/ton**

7. Do you calculate Title V fees based on actual or allowable emissions? **Actual**

8. What formula do you use for calculating your Title V emissions fees?
   Fees are actually calculated based on the annual average pounds per day plus an administrative fee as follows:

   Criteria Pollutants: $352 Admin Fee + (lbs/yr/365 days/yr)($17/lb/day)

   HAPs: $149 Admin Fee + (lbs/yr/365 days/yr)($6/lb/day)

9. Is there a minimum Title V emissions fee? **No** If so, what is the amount?

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: **Application Fee $35,801**
    - Permit modification fees: **Admin Modification $93, Minor Modification $1,093, Major Modification $35,801**
    - Permit renewal fees: **Admin Fee Criteria Pollutants $352, Criteria Pollutant Emissions $17/lb/day (annual average), Admin Fee HAPs Emissions $149, HAPs Emissions $7/lb/day (annual average)**
    - Inspection and/or maintenance fees: **N/A**
    - Public notice fees: **N/A**
    - Hourly processing/review fees: **N/A**
    - Administration fees: **Included in application and renewal fees**
    - Stack testing fees: **N/A**
    - Others (please describe): **Non-standard working hours (inspections) $187/hr**

11. Are your Title V fees capped, and if so, at what level and/or amount? **No** Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? **N/A** Please provide details.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? **All fees adjusted annually by the Western CPI (2018: 3.1%)**

14. Are your Title V emissions fees sufficient to fully fund your Title V program? **Yes**

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? **From 2013 to 2015, fees have gone down by approximately 20%**

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? **Not yet** If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? **Not yet because the fees are still covering direct expenses. Future reductions will have to be evaluated.** If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? **No**

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. **As part of a Fundamental Review of the Health District, a complete cost analysis and cost recovery analysis were performed. Fees were increased as a result.**

19. Is there anything else you would like to add regarding your agency's Title V fees? The same Administrative, Criteria and Toxic emission fees are charged for minor sources and Title V sources.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    https://www.washoecounty.us/health/programs-and-services/air-quality/regulations.php

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: **William Willets**
   - Title: **Permitting Section Chief**
   - Agency: **North Carolina Division of Air Quality**
   - Email: **william.willets@ncdenr.gov**
   - Phone: **919-707-8726**

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? **291 based on January 31, 2018 EPA TOPS report**
   - Does your agency consider synthetic minor permits part of your Title V program? **No**
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? **$6,400,000 State Fiscal Year 2018 (July 1, 2017 – June 30, 2018)**
   - How many FTEs are funded by your Title V program? **82.66 FTEs**

◊ How many of these are permit writers specific to Title V? **19**

◊ Is the number of FTEs sufficient? **At this time, yes.**

◊ Are there plans to increase or to decrease FTEs? **Other than filling existing vacancies, no.**

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. **Yes. DAQ currently has 134 Title V applications in house. Of those 134, 27 are older than 18 months including nine renewals. Five of the 27 are currently at public notice including one renewal.**

- How long, on average, does it take your agency to process a new Title V permit? **Defining new as being a 1st time Title V permit, DAQ processed six in 2017.**

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: **DAQ determines administrative completeness for all applications within 10 days.**
  - Average number of days from application received to draft permit noticed for public comment: **DAQ does not track this specific metric.**
  - Average number of days from application received to permit issuance: **808 processing days**[i]
  - Average number of hours – permit reviewer time prior to public notice: **DAQ does not track this specific metric.**
  - Average number of hours – permit reviewer time after public notice: **DAQ does not track this specific metric.**

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: **DAQ determines administrative completeness for all applications within 10 days.**
  - Average number of days from application received to draft permit noticed for public comment: **DAQ does not track this specific metric.**
  - Average number of days from application received to permit issuance: **429 processing days**
  - Average number of hours – permit reviewer time prior to public notice: **DAQ does not track this specific metric.**
  - Average number of hours – permit reviewer time after public notice: **DAQ does not track this specific metric.**

4. Do you calculate Title V permit fees based on emissions? **Yes**

◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: **123,687**
   - HAPs: **2145**

6. What is the current baseline Title V emissions fee per ton charged by your agency? **$32.82 per ton for criteria pollutants and HAPs**
   - For criteria pollutants:
   - For HAPs:

7. Do you calculate Title V fees based on actual or allowable emissions? **Actual**

8. What formula do you use for calculating your Title V emissions fees? **Actual tons per year times $32.82 per ton**

9. Is there a minimum Title V emissions fee? **No** If so, what is the amount?

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: **$9,751 for greenfield, $14,762 for PSD, $28,712 for PSD/NAA NSR**
    - Permit modification fees: **$947**
    - Permit renewal fees: **$0**
    - Inspection and/or maintenance fees: **$3,831 for NAA NSR permits**
    - Public notice fees: **$0**
    - Hourly processing/review fees: **$0**
    - Administration fees: **$0**
    - Stack testing fees: **$0**
    - Others (please describe): **All Title V permit holders pay a Basic Permit Fee of $7,113.**

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

15A NCAC 02Q .0203(d)
The calculation [of Title V emission fees] 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 depletors);
(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.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. **Fees for General Permits are afforded a 50% reduction in all permit fees.**

13. By what process are your Title V emissions fees adjusted (*i.e*., CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? **Annual CPI increases are allowed with legislative consultation.**

14. Are your Title V emissions fees sufficient to fully fund your Title V program? **At this time, yes.**
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? **Down, from July 1, 2014 to June 30, 2017 (3 fiscal years) our receipts have dropped $747,990 which is 10.5%**

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e*., timing, amount of adjustment, etc.). **No**
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e*., timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). **Not at present.**

17. Does your state or locality charge any other fees to support the Title V program? **No**

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. **We have recently made electronic payment of permit fees available on our website.**

19. Is there anything else you would like to add regarding your agency's Title V fees? **No**

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

§ 143-215.3. General powers of Commission and Department; auxiliary powers
https://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=143-215.3

15A NCAC 02Q .0203 PERMIT AND APPLICATION FEES
https://files.nc.gov/ncdeq/Air%20Quality/rules/rules/Q0203.pdf

Permit Annual and Application Fees for Calendar Year 2018
https://files.nc.gov/ncdeq/Air%20Quality/permits/2018_Fee_Table_and_Guide.pdf

[i] Please be aware that this value is based on a very small data set (six samples) with two large outliers. Deleting the outliers results in a result nearer 600 days.

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: *Robert Hodanbosi*
   - Title: *Chief*
   - Agency: *Ohio Environmental Protection Agency*
   - Email: *robert.hodanbosi@epa.ohio.gov*
   - Phone: *614-644-2270*

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)?

     579

   - Does your agency consider synthetic minor permits part of your Title V program?

     No

     ◊ If so, how many synthetic minors are included?

   - What is your total Title V program budget?

$9.5 million (July 1, 2017 - June 30, 2018)

- How many FTEs are funded by your Title V program? *53.4 FTEs*
  - ◊ How many of these are permit writers specific to Title V? *We don't have a way to accurately acquire this number. Our permit writers are not assigned only to one category of permitting, instead they work on NSR permits, non-Title V permits, and Title V permits.*
  - ◊ Is the number of FTEs sufficient? *Yes*
  - ◊ Are there plans to increase or to decrease FTEs? *No*

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  Ohio Title V Backlogs are:

  Initial Title V (>18 months)- 15

  Renewal Title V (>18 months)– 51

  Minor Permit Modification Title V (>18 months)- 9

  Significant Permit Modification Title V (>18 months)- 0

  Reopening Title V (>18 months)- 0

- How long, on average, does it take your agency to process a new Title V permit? *Stats from June 1, 2016 – June 16, 2018*

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: *352*
    - Average number of days from application received to draft permit noticed for public comment: *1021*
    - Average number of days from application received to permit issuance: *1395*
    - Average number of hours – permit reviewer time prior to public notice: *Not Available*
    - Average number of hours – permit reviewer time after public notice: *Not Available*

- How long, on average, does it take your agency to process a renewal permit?

  Stats from June 1, 2016 – June 16, 2018 – During this time frame a significant number of backlogged renewal permits were worked on. Therefore, the numbers reflect that longer processing time.

◊ If possible, please provide a breakdown as follows:

- Average number of days from application received to application complete: *241*
- Average number of days from application received to draft permit noticed for public comment: *955*
- Average number of days from application received to permit issuance: *1141*
- Average number of hours – permit reviewer time prior to public notice: *Not Available*
- Average number of hours – permit reviewer time after public notice: *Not Available*

4. Do you calculate Title V permit fees based on emissions? *YES*

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: *cy 2017 tons = 195,286.31*
   - HAPs: *N/A*

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: *Ohio follows the US EPA Part 70 Presumptive Minimum fee guidance. It is increased for inflation. Fee for cy 2017 emissions, $ 49.85/ton.*
   - For HAPs: *N/A*

7. Do you calculate Title V fees based on actual or allowable emissions? *Actual*

8. What formula do you use for calculating your Title V emissions fees? *Price per ton capped at 4,000 tons per billable pollutant (PM Filterable, SO_2, NO_x, OC, Pb)*

9. Is there a minimum Title V emissions fee? If so, what is the amount? *No*

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)

The Title V emissions fees collected adequately support the Title V program. We have indicated below other fees we collect that support those specific activities, but do not contribute to the Title V program.

- Initial permit fees: *YES (see agency fee schedule link on last page)*
- Permit modification fees: *YES (see agency fee schedule link on last page)*
- Permit renewal fees: *NO*
- Inspection and/or maintenance fees: *NO*
- Public notice fees: *NO*
- Hourly processing/review fees: *Only in rare circumstances for very complex NSR permits.*
- Administration fees: *NO*
- Stack testing fees: *NO*
- Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. *Yes, Title V fees are capped. The cap is specified in Ohio Law, by pollutant 4,000 tons per criteria pollutant. The fees do not apply to that portion of the emissions of a regulated pollutant (regulated pollutants particulate matter, sulfur dioxide, nitrogen oxides, organic compounds, and lead) at a facility that exceed four thousand tons during a calendar year.*

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. *Not Applicable*

13. By what process are your Title V emissions fees adjusted (*i.e*., CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? *Fees are adjusted for inflation.*

14. Are your Title V emissions fees sufficient to fully fund your Title V program? *Yes*
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? *Fee collection has gone down with closure of several coal fired power plants. From 2012 to 2017 it has gone down 25%.*

2012	*2013*	*2014*	*2015*	*2016*	*2017*
$12,948,907.06	*$12,673,240.95*	*$12,866,850.29*	*$11,066,385.11*	*$10,233,074.06*	*$9,735,022.64*

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e*., timing, amount of adjustment, etc.). *NO*

- If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). *NO*

17. Does your state or locality charge any other fees to support the Title V program? *No*

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    - *Ohio Administrative Code Chapter 3745-78 http://epa.ohio.gov/dapc/regs/3745_78*
    - *Ohio Revised Code 3745.11 http://codes.ohio.gov/orc/3745.11v1*
    - *Ohio EPA Fee Schedule Publication http://epa.ohio.gov/portals/47/facts/feeschedule.pdf*

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Sam Rubens
   - Title: Administrator
   - Agency: Akron Regional Air Quality Management District
   - Email: srubens@schd.org
   - Phone: 330-812-3874

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Most recent fiscal year 10/16-9/17

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? We currently have 19 TV sources.
   - Does your agency consider synthetic minor permits part of your Title V program?
     - ◊ If so, how many synthetic minors are included? No.
   - What is your total Title V program budget? $472,455
   - How many FTEs are funded by your Title V program? 3.5 FTE
     - ◊ How many of these are permit writers specific to Title V? 2.75 FTE

◊ Is the number of FTEs sufficient? For the TV facilities we have, yes.

◊ Are there plans to increase or to decrease FTEs? No plans at this time.

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. We do not take final action on a permit. Ohio EPA has that responsibility. We have no backlogged permits or applications at this time.

- How long, on average, does it take your agency to process a new Title V permit? I don't really know as we haven't had a new TV permit in a while.

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? We charge local fees in addition to those charged by the state. Our fees are based on total allowable emissions as documented in the facilities permit. 0-50 tons/yr is $1,000, 50-250 tons/yr is $2,000 and more than 250 tons/yr is $4,000.

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants:

- HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants:
   - For HAPs:

7. Do you calculate Title V fees based on actual or allowable emissions? Allowable

8. What formula do you use for calculating your Title V emissions fees? Ranges as listed above

9. Is there a minimum Title V emissions fee? Yes If so, what is the amount? $1,000

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.) none
    - Initial permit fees:
    - Permit modification fees:
    - Permit renewal fees:
    - Inspection and/or maintenance fees:
    - Public notice fees:
    - Hourly processing/review fees:
    - Administration fees:
    - Stack testing fees:
    - Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. We have a cap of $4,000 for emissions of 250 or more tons per year per facility ID.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. Local and state government facilities receive a 50% discount.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? If a facility modifies their allowable emissions, the local fee would be modified accordingly.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes

- If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Down, due to the closing of many TV facilities. We have seen a 10% decline in the last 5 years

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). No

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. No

19. Is there anything else you would like to add regarding your agency's Title V fees? No

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable). http://araqmd.org/publications/ and click on 'local fees'.

NACAA Title V Fees Survey
Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: **Eileen Moran**
   - Title: **Unit Supervisor**
   - Agency: **Regional Air Pollution Control Agency**
   - Email: **emoran@rapca.org**
   - Phone: **937-225-4004**

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

Federal fiscal year

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? **32**
   - Does your agency consider synthetic minor permits part of your Title V program? **No**
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? **We do not budget for the TV program specifically. Our total budget is between $2.1 and 2.2 million.**
   - How many FTEs are funded by your Title V program? **The TV funding received**

from the state fees covers 8-10 FTEs.

◊ How many of these are permit writers specific to Title V?

0 – We do not have any permit writers specific to TV. We have 8 permit writers that cover both the TV and non-TV programs. The permit writers are also responsible for inspections and complaints. We also have 2 additional staff that work on permits on an as needed basis. These staff are also not assigned specifically to TV permits.

Is the number of FTEs sufficient? **Yes**

◊ Are there plans to increase or to decrease FTEs? **Not at this time, RAPCA has lost approximately 30% of our staff from 2012-2018 through layoffs and attrition. We do not believe we can reduce staff much further and fulfill grant requirements.**

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

We currently have 5 permits that are either initial or renewal TV permits that are > 18 months old and have not been issued final. They have all been issued in draft and all 5 are on schedule to be issued final by July 31, 2018. This will eliminate the TV backlog.

The time to issue identified in these answers below was the result of staff layoffs in 2012 which resulted in the number of permit staff falling from 6 to 3. Since 2014, we have restructured the remaining positions and programs so that we have increased the number of available permit writers from 3 to 8. All staff underwent permit training in 2015 which also contributed to the slowdown in time to issue permits. The restructuring has allowed us to clear <u>all</u> the TV and non-TV backlog permit backlogs. Moving forward, we have performance metrics in place to ensure that the length of time to issue TV and minor source permits is less that what is identified below.

- How long, on average, does it take your agency to process a new Title V permit? **Our average permitting time, as an average since 2014, is 584 days (since 2014). We average 114 days to issue a TV permit to install.**

◊ If possible, please provide a breakdown as follows:

- Average number of days from application received to application complete: **13**
- Average number of days from application received to draft permit noticed for public comment: **266**
- Average number of days from application received to permit issuance: **584**
- Average number of hours – permit reviewer time prior to public notice: **unknown, not tracked**
- Average number of hours – permit reviewer time after public notice: **unknown, not tracked**

- How long, on average, does it take your agency to process a renewal permit? **1084. We have made quality improvements this past year with a goal of reducing this**

average (see explanation above).

◊ If possible, please provide a breakdown as follows:

- Average number of days from application received to application complete: **183**
- Average number of days from application received to draft permit noticed for public comment: **980**
- Average number of days from application received to permit issuance:**1084**
- Average number of hours – permit reviewer time prior to public notice: **unknown, not tracked**

- Average number of hours – permit reviewer time after public notice: **unknown, not tracked**

4. Do you calculate Title V **permit** fees based on emissions? **[Note: I am not quite sure I understand the question, so I answered this question both ways. OH has permit fees and emissions fees for TV facilities.]**

No – permit fees are by process weight rate per emissions unit, but only for the permit to install or installation permits (includes modification of these installation permits). There are no fees for Title V operating permits (initial, renewals, or modifications).

On an annual basis, OH charges TV emissions fees.

◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Installation permit Fees - Ohio EPA uses a schedule to determine permit fees: http://epa.ohio.gov/portals/47/facts/feeschedule.pdf

RAPCA has recently proposed local fees which include TV permit and annual maintenance fees. The permit fees proposed are: $1500 – modification and $3000- renewal. The fees have not been implemented, but are expected to be implemented in 2018. See below for annual maintenance fees proposed. Renewal and annual maintenance fees are proposed for all facilities and will be used to support the entire local air program which also includes emissions testing, ambient air quality monitoring and compliance assistance.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: **3712 tons, this does not include CO which Ohio does not charge for.**
   - HAPs: **0, Ohio does not charge for HAPs., with the exception of lead which is very minimal. We do not track total lead emissions for our jurisdiction.**

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: **There are no charges for CO. Other criteria pollutants- $49.85/ton of emissions**
   - For HAPs: **lead only- $49.85/ton of emissions**

7. Do you calculate Title V fees based on actual or allowable emissions? **Actual**

8. What formula do you use for calculating your Title V emissions fees? **Facilities report their own emissions via calculations. Facilities only have to report or tally the annual emissions for those permitted emissions units that emit > 1 ton/year of a reportable criteria pollutant or emit lead at a level of > 0.5 ton/year. Deminimus and/or exempt emissions units (non-permitted) do not have to be included when calculating fees.**

9. Is there a minimum Title V emissions fee? If so, what is the amount? **No minimum.**

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: **OH – There are no fees charged other than the annual TV emissions fees and Permit to Install fees.**

      The local fees proposed by RAPCA do not include an initial permit to install or initial TV permit fee.
    - Permit modification fees: **OH - Permit to Install Modification fees initiated by the facility are charged at ½ the rate of the normal PTI fee. If the permit to install modification is initiated by the agency, there is no permit fee. There is no fee in Ohio for Title V permit modifications.**

      RAPCA – Proposed fees for Title V permit modification = $1500

    - Permit renewal fees: **OH - $0**

      RAPCA – Proposed fees for Title V permit renewal = $3000

    - Inspection and/or maintenance fees: **OH - $0**

      RAPCA – We have recently proposed a fee schedule which includes an annual facility maintenance fee; the fees have not been implemented. The fee applies to all source categories. The TV annual facility maintenance fee will help support the TV program. The charge for TV facilities is the sum of [$1500 TV base fee + $125 per emissions unit + applicable surcharges (NSPS/MACT= $500, CAM = $500, COMs/CEMs = $500, PSD/NSR = $1000, utility = $1000)]. The goal being that the larger and more complicated facilities (i.e. subject to greater level of regulations) will be assessed higher fees.

- Public notice fees: **OH - $0**
- Hourly processing/review fees: **OH - $0**
- Administration fees: **OH - $0**
- Stack testing fees: **OH - $0**

  RAPCA – The local fees that have been proposed include a stack testing fee of $500 plus an hourly fee of $50 for hours worked outside our normal daily working schedule.
- Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

    OH emissions and permit to install fees are not capped.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. **None that RAPCA is aware of.**

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

    OH adjusts by CPI.

14. Are your Title V emissions fees sufficient to fully fund your Title V program?
    The TV emissions fees collected by OH do not adequately cover RAPCA's TV program. Due to the decrease in utility emissions, the implementation of the industrial boiler MACT as well as other MACTs, emissions in OH have decreased significantly while the actual cost of the TV program has not had a corresponding decrease.

    - If not, fees collected represent what percent of your Title V program costs? **From 2014-2017 RAPCA averages approximately 82% of program costs being covered by fees. This has been steadily decreasing and we are projecting that in 2018 we will be covering approximately 66% of the program costs with TV fees. The full impact of the utility emissions reductions is being felt in 2017 and 2018.**

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage?

    Down, OH collects fees for the state and redistributes to each local office using an allocation formula. The TV funds (primarily TV emissions fees; permit fees fluctuate) given to each local office does not correspond directly to the TV emissions in that jurisdiction. RAPCA has had an approximately 20-25% decrease in fees (total) received from OH from 2014 to 2018. However, the number of TV facilities has remained fairly static.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).
    OH – no changes are planned that RAPCA is aware of

- If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

  RAPCA has proposed a local fee program to help make up for all categories of shortfalls (federal, TV, other state, and local revenues).

17. Does your state or locality charge any other fees to support the Title V program? **OH does not charge any fees other than permit to install and annual emissions fees.**

    RAPCA has some existing local fees which generate about $80,000 per year and we are looking to increase the local fee revenue with the implementation of a new fee schedule in 2018. The local fees will go to support the entire program, not just TV program.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

    Unknown, we evaluated other state fees and developed a proposal that is somewhat similar to what is in place in other states. We anticipate the local fee proposal will be more sustainable versus the state fee program based on facility emissions. This is because we are basing the fee on the facility type, the number of emissions units and the applicable regulations; the system is independent of the quantity of emissions. We believe this is more reflective of the work and effort required to ensure permits are issued in a timely manner and to assure ongoing compliance.

19. Is there anything else you would like to add regarding your agency's Title V fees?

    Not at this time.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    http://www.epa.ohio.gov/dapc/title_v.aspx
    http://www.epa.ohio.gov/portals/27/engineer/eguides/guide71.pdf

ECM 4/16/2018

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Dawson Lasseter Phillip Fielder
   - Title: Chief Engineer AQD Engineer Manager III
   - Agency: Okla. Dept. Environmental Quality
   - Email: dawson.lasseter@deq.ok.gov Phillip.fielder@deq.ok.gov
   - Phone: 405-702-4185 405-702-4237

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Fiscal year. 7/1 thru 6/30

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 297 without synthetic minors
   - Does your agency consider synthetic minor permits part of your Title V program?

     Yes, but they are not charged TV fees

     ◊ If so, how many synthetic minors are included? 3267 total synthetic minors
   - What is your total Title V program budget? $6,461,707
   - How many FTEs are funded by your Title V program? 74

◊ How many of these are permit writers specific to Title V?

All permit engineers construct TV Permits: 19 (plus 4 managers, 1 EPS, 1 Admin. Asst., 1 Admin. Tech., and 1 student engineer; currently have 6 engineering vacancies).

◊ Is the number of FTEs sufficient? Yes, at this time.

◊ Are there plans to increase or to decrease FTEs? Plan to replace recent vacancies due to retirement/resignation.

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. No.

- How long, on average, does it take your agency to process a new Title V permit?

◊ If possible, please provide a breakdown as follows:

- Average number of days from application received to application complete:

Administratively complete: less than 30 days

Technically complete: 2 months

- Average number of days from application received to draft permit noticed for public comment:

6 months

- Average number of days from application received to permit issuance:

9 to 12 months

- Average number of hours – permit reviewer time prior to public notice: NA
- Average number of hours – permit reviewer time after public notice: NA

- How long, on average, does it take your agency to process a renewal permit?

◊ If possible, please provide a breakdown as follows:

- Average number of days from application received to application complete:

Administratively complete: less than 30 days

Technically complete: 1 month

- Average number of days from application received to draft permit noticed for public comment:

2 months

- Average number of days from application received to permit issuance:

6 months

- Average number of hours – permit reviewer time prior to public notice: NA
- Average number of hours – permit reviewer time after public notice: NA

4. Do you calculate Title V permit fees based on emissions?

Permit application fees: No
Annual operating fees: Yes

◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Emission fees are calculated based on actual emissions

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? : 2018 fiscal year = July 2017 invoicing = 2015 emissions year

- Criteria pollutants:

Title V	2015 Emissions (TPY)
CO	43,703
NOx	72,811
PM-10	9,990
SOx	38,235
Non-HAP Toxics	3,450
Non-HAP VOC	23,633

- HAPs:

Title V	2015 Emissions (TPY)
HAPS	4,970

6. What is the current baseline Title V emissions fee per ton charged by your agency? 2018 fiscal year = July 2017 invoicing

- For criteria pollutants: $37.42
- For HAPs: $37.42

Month	CPI	Actual Fee Charged
August 2007 CPI, published September 2007	207.92	$32.30
August 2008 CPI, published September 2008	219.09	$34.04
August 2009 CPI, published September 2009	215.83	$34.04
August 2010 CPI, published September 2010	218.31	$34.04
August 2011 CPI, published September 2011	226.55	$35.19
August 2012 CPI, published September 2012	230.38	$35.79
August 2013 CPI, published September 2013	233.88	$36.33
August 2014 CPI, published September 2014	237.85	$36.95
August 2015 CPI, published September 2015	238.32	$37.02
August 2016 CPI, published September 2016	240.85	$37.42

(b)(3) Use of Consumer Price Index (CPI) to adjust annual operating fees. Annual operating fees for Part 70 sources shall be adjusted automatically each year by the percentage, if any, by which the CPI for the most recent calendar year ending before the beginning of such year differs from the CPI for the calendar year 2007. The CPI for any calendar year is the average of the CPI for all-urban consumers published by the Department of Labor, as of the close of the twelve month period ending on August 31 of each calendar year.

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees? Actual tons for each regulated pollutant X fee per ton, capped at 4000 tons per pollutant, do not charge for CO, do not charge for PM 2.5 (since it's a subset of PM 10), charge for HAPs and non-HAP VOC (even though Total VOC is reported, we subtract the HAPs and charge them separate along with the remaining non-HAP VOC so we aren't double charging), charge for non-HAP toxics.

9. Is there a minimum Title V emissions fee? If so, what is the amount? No. A company must have at least 5 tons total emissions from all their facilities combined to receive an invoice, but this usually only gets applied with minor sources; it's not really relevant with Title V sources.

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged.

(For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)

- Initial permit fees:

New Part 70 source: Construction App $7500, Modification App $5000, GP $900

Operating and Renewal App: $7500, Sig. Mod $6000, Minor Mod $3000, GP Operating Authorization $900

- Permit modification fees: See above
- Permit renewal fees: See above
- Inspection and/or maintenance fees: None
- Public notice fees: None
- Hourly processing/review fees: None
- Administration fees: None
- Stack testing fees: None
- Others (please describe): None

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

Yes. 4000 TPY per regulated air pollutant

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.

None

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

CPI annually. Increases have to be approved by Air Quality Council, DEQ Board, Secretary of Energy, Legislature, and Governor.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Unknown at this time. Will be evaluated at the end of the fiscal year.

- If not, fees collected represent what percent of your Title V program costs? NA

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? Down
By what percentage? 8.62%

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). No.

- If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

Currently investigating options for the next 3 to 5 years due to future expected income short-falls that will be caused by an overall decrease in emissions (thus the decrease in emissions fees).

17. Does your state or locality charge any other fees to support the Title V program?

No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

DEQ and the regulated community convinced the state legislature to provide an additional source of revenue to address program needs instead of fee increases. This source will not solve future needs.

19. Is there anything else you would like to add regarding your agency's Title V fees?

No.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

http://www.deq.state.ok.us/rules/100.pdf

For annual operating fees, refer to Subchapter 5, specifically 252:100-5-2.2

For TV permit application fees, refer to Subchapter 8, specifically 252:100-8-1.7

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March 23, 2018

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Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Donald Hendrix
   - Title: Operations & Policy Analyst
   - Agency: Oregon Department of Environmental Quality
   - Email: HENDRIX.Donald@deq.state.or.us
   - Phone: 503-229-5108

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? **104**
   - Does your agency consider synthetic minor permits part of your Title V program?
     - ◊ If so, how many synthetic minors are included? **9**
   - What is your total Title V program budget?
   - How many FTEs are funded by your Title V program?
     - ◊ How many of these are permit writers specific to Title V?

- ◊ Is the number of FTEs sufficient?
- ◊ Are there plans to increase or to decrease FTEs?

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

- How long, on average, does it take your agency to process a new Title V permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? **Yes**

   - ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: **46,475**
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: **$60.56/ton**
   - For HAPs:

7. Do you calculate Title V fees based on actual or allowable emissions? **Actual**

8. What formula do you use for calculating your Title V emissions fees? **$/ton**

9. Is there a minimum Title V emissions fee? If so, what is the amount? **No**

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: **$8,010**
    - Permit modification fees: **Simple $1,953, Moderate $14,653, Complex $29,306**
    - Permit renewal fees: **N/A**
    - Inspection and/or maintenance fees:
    - Public notice fees:
    - Hourly processing/review fees: **N/A**
    - Administration fees: **$488**
    - Stack testing fees:
    - Others (please describe): **Ambient Air Monitoring Review $3,907**

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. **7,000 tons/year cap of regulated pollutants.**

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? **CPI annually.**

14. Are your Title V emissions fees sufficient to fully fund your Title V program?
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? **Up, 2015 - .45%, 2016 – .80%, 2017- 1.99%**

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). **No**

- If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program?

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1540

https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=1541

http://www.oregon.gov/deq/FilterDocs/annualTVfees.pdf

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Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Jayme Graham
   - Title: Air Quality Program Manager
   - Agency: Allegheny County Health Department
   - Email: jayme.graham@alleghenycounty.us
   - Phone: 412-578-8129

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 32
   - Does your agency consider synthetic minor permits part of your Title V program? No, but wish we could.
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? 1.3 million income, $1.7 million expenditures
   - How many FTEs are funded by your Title V program?

Approximately 2.5 FTE in permitting, 5.5 FTE in enforcement, 5 FTE other

- ◊ How many of these are permit writers specific to Title V? All 7 permit staff have major and minor sources
- ◊ Is the number of FTEs sufficient? No for permitting. Need 1.5 more
- ◊ Are there plans to increase or to decrease FTEs? Not near term, perhaps in a few years

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

Yes, significant. Two initial permits, due to extended compliance issues. Two initial permits, not in backlog. Renewal backlog is at 8 of 28. We are on a schedule to erase the backlog.

- How long, on average, does it take your agency to process a new Title V permit? N/A

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

N/A - Organizational structure and assignments were recently changed to eventually bring renewals to an 18 month schedule, however, this will take some time due to backlog.

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? Yes. State sets the fee rate.

◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 15,881 tons in 2016
   - HAPs: 137.22 tons in 2016

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $89.17
   - For HAPs: $89.17

7. Do you calculate Title V fees based on actual or allowable emissions?

Actual

8. What formula do you use for calculating your Title V emissions fees?

Total emissions (capped at 4000 tons per pollutants) x the year's fee rate
The fee rate is adjusted each year to the CPI

9. Is there a minimum Title V emissions fee? If so, what is the amount?

No minimum

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: $750 - $1875

    $750, plus 50% with HAPS, 50% with acid rain, 50% non-compliance
    - Permit modification fees: $750
    - Permit renewal fees: $750 - 1875
    - Inspection and/or maintenance fees: $0
    - Public notice fees: $0
    - Hourly processing/review fees: $0
    - Administration fees: $0
    - Stack testing fees: $0
    - Others (please describe): Administrative (very minor) amendments $187.50

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

The fee is not capped, however, each pollutant at a source is capped at 4000 tons.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. None. Penalties for late payment.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? CPI

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Not since recent closure of one plant and emission decreases from our only large power plant.

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? 24% decrease

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). None

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

    State is proposing new fees. County charges the same as the state

17. Does your state or locality charge any other fees to support the Title V program? No.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. None

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

http://www.achd.net/regulations/Article-21-airpollutioncontrol-eff120817.pdf

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: David DelSesto
   - Title: Senior Air Quality Specialist
   - Agency: RI DEM
   - Email: David.Delsesto@dem.ri.gov
   - Phone: 401-222-2808 Ext. 7048

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). All the responses are based on the upcoming fiscal year FY 18 which will began on July 1st, 2017 and ends June 30th, 2018 unless otherwise noted.

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 36
   - Does your agency consider synthetic minor permits part of your Title V program? Yes
     - ◊ If so, how many synthetic minors are included? 79
   - What is your total Title V program budget? $1,100,000
   - How many FTEs are funded by your Title V program? 8

- ◊ How many of these are permit writers specific to Title V? 1
- ◊ Is the number of FTEs sufficient? No
- ◊ Are there plans to increase or to decrease FTEs? FTE increase is under consideration.

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Yes. Initial Permits (3), Permit Mods (0), Permit Renewals (20)

- How long, on average, does it take your agency to process a new Title V permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 50 Days
    - Average number of days from application received to draft permit noticed for public comment: Information Not Available
    - Average number of days from application received to permit issuance: Information Not Available
    - Average number of hours – permit reviewer time prior to public notice: Information Not Available
    - Average number of hours – permit reviewer time after public notice: Information Not Available

- How long, on average, does it take your agency to process a renewal permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 21 Days
    - Average number of days from application received to draft permit noticed for public comment: 1062 Days
    - Average number of days from application received to permit issuance: 1133 Days
    - Average number of hours – permit reviewer time prior to public notice: Information Not Available
    - Average number of hours – permit reviewer time after public notice: Information Not Available

4. Do you calculate Title V permit fees based on emissions? Yes

   - ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? 1,864 Tons (Combined Criteria and HAPs, Based on Inventory Data 2016)

6. What is the current baseline Title V emissions fee per ton charged by your agency? $555.47 (Combined Criteria and HAPs)

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees?

   The dollar per ton charge (z) can be calculated as follows:

$$z = \frac{F}{10y + x}$$

   where:

   F = Total funding needed for the operating permit program
   y = Actual number of sources with emissions less than 10 tons per year
   x = Total tons of emissions from those sources with actual emissions greater than or equal to 10 tons per year

9. Is there a minimum Title V emissions fee? If so, what is the amount? Yes, if 10 tons or less minimum fee for FY19 is $5,554.75. This amount is derived by taking $/ton fee x 10 tpy.

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.) RI DEM Air Resources does not charge any other fees.

    - Initial permit fees: N/A
    - Permit modification fees: N/A
    - Permit renewal fees: N/A
    - Inspection and/or maintenance fees: N/A
    - Public notice fees: N/A
    - Hourly processing/review fees: N/A
    - Administration fees: N/A
    - Stack testing fees: N/A
    - Others (please describe): N/A

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. 4000 Tons

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. NA

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? Each year we reevaluate the Title fee based on total funding needed to run the operating permit program. The fee is adjusted annually using the formula provided in question 8.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? FY 19, Up 26.2%; FY 18, Down 8.5%; FY 17 Up 6.6%

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). No

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). No

17. Does your state or locality charge any other fees to support the Title V program? RI DEM Air Resources charge a synthetic minor flat fee of $350.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. NA

19. Is there anything else you would like to add regarding your agency's Title V fees? We are currently reevaluating our Operating Permit fee model.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable). http://www.dem.ri.gov/pubs/regs/regs/air/air28_11.pdf

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.

   ☐ Name: Steve McCaslin, P.E.

   ☐ Title: Director, Air Permitting Division

   - Agency: South Carolina Department of Health and Environmental Control
   - Email: mccaslsd@dhec.sc.gov
   - Phone: 803-898-3869

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). State Fiscal year July 1 2016 to June 30 2017

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.

   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? around 275

   - Does your agency consider synthetic minor permits part of your Title V program? We consider a facility part of the Title V program until they have an issued conditional major (synthetic minor) operating permit.

     ◊ If so, how many synthetic minors are included? Currently we have 22 synthetic minors that have not been issued a conditional major permit. In total we have around 393 conditional major facilities.

- What is your total Title V program budget? $7.4 million

- How many FTEs are funded by your Title V program? There are 87.87 FTEs funded with Title V fees. There are 27.4 FTE Title V permit writers in the 87.87 FTEs.

◊ How many of these are permit writers specific to Title V? Permit writers are not assigned 100% Title V workload. Permit writers manage a full workload of a variety of construction and operating permits. The time spent on Title V permits varies depending on their assignments. For example, an engineer assigned county work may divide their time equally between state and Title V permits. A permit engineer assigned a specialty category, like pulp and paper, will spend much more of their time on Title V.

  ◊ Is the number of FTEs sufficient? Yes

  ◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Yes, during the time period chosen for the survey we had 14 initial TVs, 38 renewal TV and 3 TV minor modifications that have exceed the regulatory time frames.

- How long, on average, does it take your agency to process a new Title V permit? Average is 1039 days total days

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: Not available
    - Average number of days from application received to draft permit noticed for public comment: Not Available
    - Average number of days from application received to permit issuance: Not Available
    - Average number of hours – permit reviewer time prior to public notice: Not Available
    - Average number of hours – permit reviewer time after public notice: Not Available

- How long, on average, does it take your agency to process a renewal permit? Average is 797 days total days.

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: Not Available
    - Average number of days from application received to draft permit noticed for public comment: Not Available

- Average number of days from application received to permit issuance: Not Available
- Average number of hours – permit reviewer time prior to public notice: Not Available
- Average number of hours – permit reviewer time after public notice: Not Available

4. Do you calculate Title V permit fees based on emissions? Yes, note we do not charge for CO emissions.

◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined? 139,029 billable tons
   - Criteria pollutants:
   - HAPs:

6. What is the current baseline Title V emissions fee per ton charged by your agency?

The Fiscal Year 2017 rate was $48.49/ ton of **billable** emissions. We do not charge fees for different pollutant types, such as CAPs or HAPs, and only certain pollutants are billable.

   - For criteria pollutants:
   - For HAPs:

7. Do you calculate Title V fees based on actual or allowable emissions?

Actual, however for a new facility operating less than a year we charge based on allowable.

8. What formula do you use for calculating your Title V emissions fees?

(tons of actual billable emissions x cost/ ton) + maintenance fee

9. Is there a minimum Title V emissions fee? If so, what is the amount?

We charge for a 1 ton minimum.

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: Not applicable
    - Permit modification fees: Not applicable
    - Permit renewal fees: Not applicable

- Inspection and/or maintenance fees:

Maintenance Fees – Six emission levels (tiers) were created, and each level has a set fee amount. A TV facility's billable emissions are summed and the total is used to determine the corresponding emission level and fee. The Maintenance Fee is assessed annually in addition to the cost per ton emissions and ranges from $500 to $10,000.

- Public notice fees: Not applicable
- Hourly processing/review fees: Not applicable
- Administration fees: Not applicable
- Stack testing fees: Not applicable
- Others (please describe): Expedited Air Construction Permit Fees – A facility may request an expedited construction permit and pay the required fee. The fees range from $1,500 to $25,000. Total expedited permit fees are generally around $100,000 each year.

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. For billing purposes, emissions are capped at 4,000 tons per pollutant. We do not charge fees for CO.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.

No.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

Fee rate is based on $25 base rate plus an adjustment for the Consumer Price Index (CPI).

14. Are your Title V emissions fees sufficient to fully fund your Title V program?

Currently yes.

- If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage?

Since 2015, Title V fees have decreased by 10%

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

Maintenance Fees since 2015 – Six emission levels (tiers) were created, and each level has a set fee amount. A TV facility's billable emissions are summed and the total is used

to determine the corresponding emission level and fee. The Maintenance Fee is assessed annually in addition to the cost per ton emissions and ranges from $500 to $10,000.

- If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

At this point, we are not considering changes to TV fees

17. Does your state or locality charge any other fees to support the Title V program?

No. The only additional Title V fee is the maintenance fee (see previous answers).

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

Maintenance fee. See previous answers.

19. Is there anything else you would like to add regarding your agency's Title V fees?

We expect air emissions to continue being reduced which will impact Title V fees.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

http://www.scdhec.gov/Agency/docs/air-regs/r61-62_70.pdf#page=31

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: **James Johnston**
   - Title: **Deputy Director**
   - Agency: **Tennessee Division of Air Pollution Control**
   - Email: **james.johnston@tn.gov**
   - Phone: **615-254-7319**

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). **Unless otherwise specified, the answers below are based on estimates for the current fiscal year 2018 (July 1, 2017, through June 30, 0218). Most of the data is from APC's Title V Implementation Plan approved by Tennessee's Air Pollution Control Board on 12/13/2017.**

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? **215**
   - Does your agency consider synthetic minor permits part of your Title V program? **Activities related to issuance of an initial synthetic minor permit for a facility is considered Title V activity. Once the initial synthetic minor permit is issued, all other activity is not considered Title V.**

◊ If so, how many synthetic minors are included? **Except for initial issuance as indicated above, all synthetic minor activity is considered "non-Title V" and is subject to non-Title V fees.**

- What is your total Title V program budget? **$5,880,013 (estimated FY2018 Title V expenses)**
- How many FTEs are funded by your Title V program? **65.0 (estimated)**
  - ◊ How many of these are permit writers specific to Title V? **None of Tennessee's permit writers are specific to Title V. Estimated permit program staff FTEs for FY2018 is 21.7.**
  - ◊ Is the number of FTEs sufficient? **Yes**
  - ◊ Are there plans to increase or to decrease FTEs? **Increase**

- Do you have Title V permit backlogs? **Yes.** Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. **We currently have two backlogged Title V renewal applications (both for the same facility). No other Title V permit or modification backlog exists.**
- How long, on average, does it take your agency to process a new Title V permit? **511 days (initial Title V permits issued October 1, 2016 – September 30, 2017, excluding backlogged applications). This figure is from receipt of complete application.**

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: **323. This number is skewed by two backlogged initial Title V permits that were issued within this time frame. Under current procedures, Title V permits now become complete 60 days after receipt. Thus, the typical number of days between receipt and complete is zero days.**
    - Average number of days from application received to draft permit noticed for public comment: **830 days. Number also skewed by backlogged permit issued in this time.**
    - Average number of days from application received to permit issuance**: 979 days. Number skewed by backlogged permits issued in this time. Currently, all Title V permits issued within 18 months.**
    - Average number of hours – permit reviewer time prior to public notice**: see below**
    - Average number of hours – permit reviewer time after public notice: **see below**

Tennessee does not track the time spent prior to and following public notice. The average permit review time from receipt to issuance for initial Title V permits was 277.5 hours.

- How long, on average, does it take your agency to process a renewal permit? **480 days (Title V renewal permits issued October 1, 2016 – September 30, 2017, excluding backlogged applications) This figure is from receipt of complete application.**

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: **141 days. However, under current procedures, Title V permits now become complete 60 days after receipt. Thus, the typical number of days between receipt and complete is zero days.**
  - Average number of days from application received to draft permit noticed for public comment: **668 days. Number also skewed by backlogged permit issued in this time.**
  - Average number of days from application received to permit issuance: **720 days. Number skewed by backlogged permits issued in this time. Currently, all Title V renewal permits issued within 18 months.**
  - Average number of hours – permit reviewer time prior to public notice: **see below**
  - Average number of hours – permit reviewer time after public notice: **see below**

    Tennessee does not track the time spent prior to and following public notice. The average permit review time from receipt to issuance for Title V renewal permits was 132.0 hours.

4. Do you calculate Title V permit fees based on emissions? **Yes, in part.**

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: **101,681 (does not include emissions from 111 facilities which pay $7500 minimum fee)**
   - HAPs: **4429 (does not include HAP that are also VOC and/or PM)**

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants:

non-EGU allowable emissions = $32.50/ton

non-EGU actual emissions = $43.00/ton

EGU allowable emissions = $39.00/ton

EGU actual emissions = $49.50/ton

- For HAPs: **same as above, no fees for HAPs that are also VOC and/or PM**

7. Do you calculate Title V fees based on actual or allowable emissions? **Facilities can choose between actual emissions, allowable emissions, or a combination of both**

8. What formula do you use for calculating your Title V emissions fees.

<u>Facilities that pay on allowable emissions</u>
Fee = allowable tons x allowable $/ton (see above),
if amount is <$7500, fee = $7500
per pollutant tons is capped at 4000 tons per facility

<u>Facilities that pay on actual emissions</u>
Fee = actual tons x actual $/ton (see above),
if amount is <$7500, fee = $7500
per pollutant tons is capped at 4000 tons per facility

<u>Facilities that pay on combination of allowable and actual tons</u>
Fee = actual tons x actual $/ton (see above)+ allowable tons x allowable $/ton (see above)
If amount is <$7500, fee = 7500
Per pollutant tons is capped at 4000 tons per facility. Pay for actual tons first then allowable tons until total reaches 4000 tons. (Actual $/ton rate is higher)

9. Is there a minimum Title V emissions fee? **Yes.** If so, what is the amount? **$7500**

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)

- Initial permit fees: **No**
- Permit modification fees: **No**
- Permit renewal fees: **No**
- Inspection and/or maintenance fees: **No**
- Public notice fees: **No**

- Hourly processing/review fees: **No**
- Administration fees: **No**
- Stack testing fees: **No**
- Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. **Emissions above 4000 tons for any single pollutant per facility are excluded in such calculations. If emissions are above 4000 tons, Actual emissions are calculated first and remaining allowable tons up to 4000 tons are calculated based on allowable tons.**

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. **None**

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? **Rulemaking supported by annual evaluation**

14. Are your Title V emissions fees sufficient to fully fund your Title V program? **Annual Title V fee collection along with existing Title V reserve balance is currently sufficent to fund Title V program for FY2018.**

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? **Down.** By what percentage? **Between FY2014 and FY2017, Title V fees went down 33%.**

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? **Yes.** If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

    The Tennessee Air Pollution Control Board adopted changes on 12/13/2017 that will increase Title V fees rates and add a "base fee" as indicated below. These changes will go into effect for fees that are due in 2019.

	Current $/ton Rate	**New $/ton rate**
Non-EGU Actual	**$43.00**	**$53.50**
Non-EGU Allowable	**$32.50**	**$33.50**
EGU Actual	**$49.50**	**$75.00**
EGU Allowable	**$39.00**	**$47.00**

In addition, each Title V facility will pay a "base fee" of $4000/year. The base fee counts toward the $7500 minimum fee.

The Division of Air Pollution Control will soon be initiating a stakeholder process to further evaluate Title V fees. This process may result in additional increases for fees due in 2020.

- If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? **No**

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. **No.**

19. Is there anything else you would like to add regarding your agency's Title V fees? **No.**

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    http://publications.tnsosfiles.com/rules/1200/1200-03/1200-03-26.20180108.pdf
    The Title V fee rules are found at 1200-03-26-.02(9).

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Brian Rivera
   - Title: Environmental Program Manager
   - Agency: Knox County Department of Air Quality Management
   - Email: brivera@aqm.co.knox.tn.us
   - Phone: (865) 215-5913

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? **5**
   - Does your agency consider synthetic minor permits part of your Title V program? **No**
     - ◊ If so, how many synthetic minors are included? **N/A**
   - What is your total Title V program budget? **Approximately $135,000**
   - How many FTEs are funded by your Title V program? **1.2**

◊ How many of these are permit writers specific to Title V? **Our staff members are both permit writers and inspectors**

◊ Is the number of FTEs sufficient? **Yes**

◊ Are there plans to increase or to decrease FTEs? **No**

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. **No**

- How long, on average, does it take your agency to process a new Title V permit? **We have not had a new Title V permit in over 6 years.**

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: **14 days**
  - Average number of days from application received to draft permit noticed for public comment: **30 days**
  - Average number of days from application received to permit issuance: **120 days**
  - Average number of hours – permit reviewer time prior to public notice: **30-60 hours (Depends on the source)**
  - Average number of hours – permit reviewer time after public notice: **0 (we typically don't receive comments)**

4. Do you calculate Title V permit fees based on emissions? **Yes**

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?

- Criteria pollutants: **Approximately 2500 tons**
- HAPs: **HAPs are included in criteria pollutants**

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: **$49.85/ton**
   - For HAPs: **$49.85/ton**

7. Do you calculate Title V fees based on actual or allowable emissions? **They can choose, however the rate is the same for both.**

8. What formula do you use for calculating your Title V emissions fees? **Total tons emitted x fee rate**

9. Is there a minimum Title V emissions fee? **Yes** If so, what is the amount? **$7500**

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: **None**
    - Permit modification fees: **$150.00**
    - Permit renewal fees: **None**
    - Inspection and/or maintenance fees: **None**
    - Public notice fees: **Actual cost of publication**
    - Hourly processing/review fees: **None**
    - Administration fees: **None**
    - Stack testing fees: **None**
    - Others (please describe): **None**

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. **4000 tons per pollutant**

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. **None**

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? **CPI/inflation adjusted annually**

14. Are your Title V emissions fees sufficient to fully fund your Title V program? **Yes**

- If not, fees collected represent what percent of your Title V program costs? **N/A**

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? **Down by 5%**

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). **No**

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). **Yes, we are beginning to have stakeholder meetings to discuss changes in the fees [adding new fees (e.g. stack testing fees, renewal fees, etc.) or adjusting current system].**

17. Does your state or locality charge any other fees to support the Title V program? **No**

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. **No**

19. Is there anything else you would like to add regarding your agency's Title V fees? **No**

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable). **Knox County Air Quality Management Regulations Sections 25.7 (Permit Fees) and 25.8 (Major Source Emissions Fees) [https://knoxcounty.org/airquality/pdfs/regulations/regulation25.pdf]**

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: **David Beatty**
   - Title: **Manager, Operating Permits Section**
   - Agency: **Utah Division of Air Quality**
   - Email: **dbeatty@utah.gov**
   - Phone: **801-536-4060**

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? **76**
   - Does your agency consider synthetic minor permits part of your Title V program? **No**
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget?

   FY2018 (July 2017-June2018) = $4,429,282

   FY2019 (July 2018-June2019 = $4,384,662

- How many FTEs are funded by your Title V program? **30**
  - ◊ How many of these are permit writers specific to Title V? **5**
  - ◊ Is the number of FTEs sufficient? **Yes**
  - ◊ Are there plans to increase or to decrease FTEs? **No**

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

9 Initial - These have been on hold due to a SIP/NSR conflict since 1995, The SIP was approved by EPA November 2017 and we are now able to write these permits.

2 Renewal – On hold awaiting EPA SIP approval

- How long, on average, does it take your agency to process a new Title V permit?

  - ◊ If possible, please provide a breakdown as follows: **Data Not Available**
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance:
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit

FY2015-FY2018

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
    - Average number of days from application received to draft permit noticed for public comment:
    - Average number of days from application received to permit issuance: **290**
    - Average number of hours – permit reviewer time prior to public notice:
    - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? **Yes**

   ◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: **Approximately 50,000 tons**
   - HAPs: **Approximately 4,000 tons**

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: **FY2018 = $77.71, FY2019 = $78.86**
   - For HAPs: **FY2018 = $77.71, FY2019 = $78.86**

7. Do you calculate Title V fees based on actual or allowable emissions? **Actual**

8. What formula do you use for calculating your Title V emissions fees? **Total projected program cost divided by projected total emission tonnage.**

9. Is there a minimum Title V emissions fee? If so, what is the amount?

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.) **None.**
    - Initial permit fees:
    - Permit modification fees:
    - Permit renewal fees:
    - Inspection and/or maintenance fees:
    - Public notice fees:
    - Hourly processing/review fees:
    - Administration fees:
    - Stack testing fees:
    - Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. **4000 ton cap per pollutant.**

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. **None**

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? **Annual Legislative Approval**

14. Are your Title V emissions fees sufficient to fully fund your Title V program? **Yes**
    - If not, fees collected represent what percent of your Title V program costs? **100%**

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? **Increased each year varying from 1.5% to 17.9%. Total increase over the past 5 years 46.7%**

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). **No**
    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). **No**

17. Does your state or locality charge any other fees to support the Title V program? **No**

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. **No**

19. Is there anything else you would like to add regarding your agency's Title V fees? **No**

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

https://rules.utah.gov/publicat/code/r307/r307-415.htm#T27

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Doug Elliott
   - Title: Section Chief, Permits and Engineering Section
   - Agency: Vermont Air Quality and Climate Division
   - Email: doug.elliott@vermont.gov
   - Phone: 802 377-5939

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 13
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? $175,000 sfy18
   - How many FTEs are funded by your Title V program? 2
     - ◊ How many of these are permit writers specific to Title V? 1

◊ Is the number of FTEs sufficient? Yes

◊ Are there plans to increase or to decrease FTEs? No changes

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Minimal, two applications are held up pending regulatory amendments.

- How long, on average, does it take your agency to process a new Title V permit? 270 days. New Title V infers that NSR would also be involved. We do not start tracking the application until it is administratively complete. 6 months to get to draft, 3 months in public/epa comment.

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: not tracked
    - Average number of days from application received to draft permit noticed for public comment: 180 days
    - Average number of days from application received to permit issuance: 270 days
    - Average number of hours – permit reviewer time prior to public notice: not tracked.
    - Average number of hours – permit reviewer time after public notice: not tracked.

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: not tracked
    - Average number of days from application received to draft permit noticed for public comment: 90 days
    - Average number of days from application received to permit issuance: 180 days
    - Average number of hours – permit reviewer time prior to public notice: not tracked
    - Average number of hours – permit reviewer time after public notice: not tracked

4. Do you calculate Title V permit fees based on emissions? Yes, plus a $1500 base fee.

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 2,300
   - HAPs: HAP fees do not go into Title V revenues.

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $67
   - For HAPs: na

7. Do you calculate Title V fees based on actual or allowable emissions? actual

8. What formula do you use for calculating your Title V emissions fees? Our fees are set in statute and we can only seek amendment every three years.

9. Is there a minimum Title V emissions fee? If so, what is the amount? no

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.) We also have construction related permit fees but they do not support the Title V program.
    - Initial permit fees:
    - Permit modification fees:
    - Permit renewal fees:
    - Inspection and/or maintenance fees:
    - Public notice fees:
    - Hourly processing/review fees:
    - Administration fees:
    - Stack testing fees:
    - Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. No. But we can only amend the fees in statutes every 3 years. There is one statutory cap for renewable energy projects of $64,000. This was adopted for the benefit of one facility.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. None.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? We adjust as necessary to ensure we meet the minimum but can only adjust every 3 years.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Difficult to answer. Our permit engineers and compliance staff work interchangeably on state and federal operating permit sources as well as state and federal construction permit sources. We do not have staff dedicated only to Title V sources.

    - If not, fees collected represent what percent of your Title V program costs? We feel our Title V revenues approximate our work on those sources.

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Down. Many of our Title V sources have decreased emissions and are no longer Title V. While we do not get Title V revenue from those sources any more, we do not expend Title V money on their oversight. Those sources instead pay similar fees under the state program.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). no

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). no

17. Does your state or locality charge any other fees to support the Title V program? no

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. It is not real innovative, but the base fee charge works well for us to partially stabilize revenues and helps cover some base costs that are not necessarily related to tons emitted.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

http://dec.vermont.gov/air-quality/permits/permit-fees
http://dec.vermont.gov/air-quality/laws

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Tamera Thompson
   - Title: Manager, Office of Air Permit Programs
   - Agency: Virginia Department of Environmental Quality
   - Email: tamera.thompson@deq.virginia.gov
   - Phone: (804) 698-4502

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 234
   - Does your agency consider synthetic minor permits part of your Title V program? Yes
     - ◊ If so, how many synthetic minors are included? 1485
   - What is your total Title V program budget? $11M
   - How many FTEs are funded by your Title V program? 88

◊ How many of these are permit writers specific to Title V?

None – Most permit writers work on a variety of permit types

◊ Is the number of FTEs sufficient? Currently there is a 25% vacancy rate – if the FTE's were filled, it would be sufficient

◊ Are there plans to increase or to decrease FTEs? Plans to eventually fill at least half of current vacancies by 2020.

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. Yes – Backlog on Renewals – Virginia regulations require construction permits to be prioritized over operating permits

- How long, on average, does it take your agency to process a new Title V permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: 209
  - Average number of days from application received to draft permit noticed for public comment: 346
  - Average number of days from application received to permit issuance: 429
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete: 280
  - Average number of days from application received to draft permit noticed for public comment: 423
  - Average number of days from application received to permit issuance: 503
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? Yes

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants -104,343 tons (2016 emissions)
   - HAPs: 2,153 tons (2016 emissions)

   Note: VOC and PM HAPs are included in the criteria pollutant total and are not reported separately.

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $73.01/ton (2017 emissions) - $83.96/ton (2018 emissions)
   - For HAPs: Same

7. Do you calculate Title V fees based on actual or allowable emissions?
   Actual

8. What formula do you use for calculating your Title V emissions fees?
   Emissions fees for each year have historically been calculated using a base fee amount that is then annually adjusted by the consumer price index. However, the 2017 and 2018 per ton fee amounts shown above have been hard coded in the regulation as a result of the latest agency evaluation and revision of the fee structure. After 2018 the fee calculation will revert back to the annual CPI adjustment process.

9. Is there a minimum Title V emissions fee? If so, what is the amount?

   There is no direct minimum emissions fee, but there is a minimum emissions level of 10 tons. Any source with total billable emissions of less than 10 tons is exempt from the emissions fee.

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: Yes – see attached
    - Permit modification fees: Yes – See attached
    - Permit renewal fees: Yes - $15,000
    - Inspection and/or maintenance fees: Yes – see attached
    - Public notice fees: No
    - Hourly processing/review fees: No
    - Administration fees: No
    - Stack testing fees: No

- Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. Capped at 4,000 tpy per pollutant

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. None

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?
    Annual adjustments have typically been CPI, anything other than CPI has required legislative/regulatory approval.

14. Are your Title V emissions fees sufficient to fully fund your Title V program?

    - If not, fees collected represent what percent of your Title V program costs? Fees currently represent about 80%. With new fee adjustments (effective January 1, 2018) we're hoping to get closer to 60%

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Down Estimate of 10 -20%

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).
    In the summer of 2016, we held a series of stakeholder meetings to address the pending Title V fund shortfall. This resulted in a significant increase in emission, application and maintenance fees. The new application fees went into effect on January 1, 2018 and the increased emission and maintenance fees will be applied in the 2018 billing cycle (August). One goal of these changes was to move away from depending on emissions fees (which have been steadily declining) and placing more dependence on application and maintenance fees. Prior to 2018, the split was approximately 80% emission fees/20% app and maintenance fees. Starting in 2018, it is hoped the split will begin to move closer to a 60% emission fees/40% app and maintenance fees.

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? No.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.
    By adding application and maintenance fees, it gave us a little more stable source of revenue. Looking at past data, these two categories are more consistent from year to year than emission fees.

I think one of the biggest benefits we got from changing our rules was charging for exemption determinations. Some exemption determinations can consume as much time as a permit action. Also, we were getting a lot of requests to process exemptions so a source could have a piece a paper and sometimes, depending on the source, we could get multiple requests from the same source in a short time period. Once we started charging for exemption determinations, our number of exemptions dropped from over 300 before we started charging fees to 40 this past year. This has freed up time to work on actual permit applications. If sources call asking whether or not their project is exempt, we point them to the appropriate section of the regulations and inform them that if they want something in writing, they need to submit an application along with the appropriate fee.

19. Is there anything else you would like to add regarding your agency's Title V fees?

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

http://www.deq.virginia.gov/Programs/Air/FeesUndertheVAAirPollutionControlLaw.aspx

NACAA Title V Fees Survey Questionnaire

March 23, 2018

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Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Ron Stuart
   - Title: Statewide Air Operating Permit Coordinator
   - Agency: Washington State Department of Ecology
   - Email: Ron.Stuart@ecy.wa.gov
   - Phone: 360-407-7530

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses).

   2017 State Fiscal Year (July 1, 2016 - June 30, 2017)

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 25
   - Does your agency consider synthetic minor permits part of your Title V program?
     - ◊ If so, how many synthetic minors are included? No
   - What is your total Title V program budget? $1,516,186
   - How many FTEs are funded by your Title V program? 8.72 FTE
     - ◊ How many of these are permit writers specific to Title V? 7.58 FTE
     - ◊ Is the number of FTEs sufficient? No
     - ◊ Are there plans to increase or to decrease FTEs? Yes
   - Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

The following information is from the January-June 2017 TOPS report submitted to EPA.

Number of Active Permits TOPS (3)	Initial permits > 18 Months TOPS (5)	Extended Permits TOPS (6b)	Outstanding Sig. Mod. >18 Months TOPS (8)
25	2	13	0

- How long, on average, does it take your agency to process a new Title V permit?

  Information not available

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

- How long, on average, does it take your agency to process a renewal permit?

  Information not available

  ◊ If possible, please provide a breakdown as follows:
  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:
  - Average number of hours – permit reviewer time prior to public notice:
  - Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions?

   One third of annual permit fees are based on emissions

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 22,227 fee eligible tons Calendar Year 2017. Includes PM10, SO2, NOx & VOC. (NOx & VOC as Ozone precursors)

- HAPs: 0

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $62.35/ton (FY 2017 Fees)
   - For HAPs: 0

7. Do you calculate Title V fees based on actual or allowable emissions?

   One third of the annual Title V fees are based on actual emissions

8. What formula do you use for calculating your Title V emissions fees?

   A work load analysis is used to calculate the AOP administration costs and Ecology's share of development and oversight costs for fiscal year. Ecology allocates these costs among their AOP sources using a 3 tier structure described in WAC 173-401-900. Ecology's AOP costs are equally divided between 3 tiers. The flat fee tier and complexity tier are explained in question 10. The emissions fee tier for individual sources are calculated using the following tier formula:

   "Emissions Fee": The emissions fee is based on fee eligible emissions reported to Ecology in the prior year. To calculate a $/ton fee, one third of the AOP costs are divided by the total reported fee eligible emissions for all sources.

9. Is there a minimum Title V emissions fee? If so, what is the amount?

   No

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: $0
    - Permit modification fees: $0
    - Permit renewal fees: $0
    - Inspection and/or maintenance fees: $0
    - Public notice fees: $0
    - Hourly processing/review fees: $0
    - Administration fees:
      "Flat Fee": To calculate the flat fee per source, one third of the AOP costs are divided by the total number of Ecology AOP sources.

      "Complexity Fee": The complexity fee is based on Ecology's staff time overseeing AOP sources during the prior year. One third of the AOP costs are divided by the total oversight hours for Ecology sources resulting in a fee rate in $/hr of source oversite.

    - Stack testing fees: $0

- Others (please describe):

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc.

    No

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details.

    An annual AOP report is generated that shows actual revenues and expenditures and working capital reserve. Ecology maintains a working capital reserve to adequately fund the AOP program and maintain a positive monthly account balance between fee billing cycles. All rebates have been suspended until such time the Air Operating Permit account has accumulated a working capital reserve of $700,000. Once the working capital reserve goal has been reached, and monthly account balances are verified as positive, the following rebate procedure will be implemented.

    The difference between revenue and expenditures, less 5% to be held in working capital reserve, will determine the rebate amount for the following fiscal year's fees. The total amount of the rebate will be divided into the total amount of fees paid to Ecology the year prior, from both Ecology sources and development and oversight (D&O), which results in a rebate factor. To determine the current year's rebate amount, that factor is then multiplied by each source's total fee paid the prior year.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)?

    A work load analysis is used to calculate the AOP administration costs and Ecology's share of development and oversight costs for fiscal year.

14. Are your Title V emissions fees sufficient to fully fund your Title V program?

    Yes

    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage?

FY 2015	24% increase
FY 2016	2% increase
FY 2017	-10 decrease

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

    No

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

    No

17. Does your state or locality charge any other fees to support the Title V program?

No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

    The work load model and three tiered approach to fee determination is worth considering

19. Is there anything else you would like to add regarding your agency's Title V fees?

    No

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    Operating Permit Regulation: WAC 173-401
    State Statute: RCW 74.94.161 ; 74.94.162
    Ecology AOP Guidance: AOP Website
    Ecology AOP Rulemaking: WAC 173-401 Rulemaking

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Agata McIntyre
   - Title: Engineering Manager
   - Agency: Northwest Clean Air Agency
   - Email: agatam@nwcleanairwa.gov
   - Phone: 360-419-6848

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). Answers based on current fiscal year (July 1, 2017 – June 30, 2018)

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 25; does not include synthetic minors
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included?
   - What is your total Title V program budget? $2,880,000
   - How many FTEs are funded by your Title V program? 12
     - ◊ How many of these are permit writers specific to Title V? 6

◊ Is the number of FTEs sufficient? Yes

◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  2 initial permits (for sewage sludge incinerators; awaiting determinations from EPA before permits can be issued)

  4 renewals

- How long, on average, does it take your agency to process a new Title V permit? Varies widely based on permit complexity as well as other factors like outstanding requests to EPA for alternative monitoring.

◊ If possible, please provide a breakdown as follows:

  - Average number of days from application received to application complete: <60 days (based apps in last 4 years)
  - Average number of days from application received to draft permit noticed for public comment: Varies widely depending on permit complexity and other factors.
  - Average number of days from application received to permit issuance: Varies widely depending on permit complexity and other factors.
  - Average number of hours – permit reviewer time prior to public notice: Title V time tracking includes time spent on permit writing, compliance work, report review, air monitoring, stack testing, emission reporting, and other activities. We cannot resolve the data in the way requested.
  - Average number of hours – permit reviewer time after public notice: Title V time tracking includes time spent on permit writing, compliance work, report review, air monitoring, stack testing, emission reporting, and other activities. We cannot resolve the data in the way requested.

- How long, on average, does it take your agency to process a renewal permit? Varies widely based on permit complexity and other factors.

◊ If possible, please provide a breakdown as follows: Same answers as for new Title V permits above.

  - Average number of days from application received to application complete:
  - Average number of days from application received to draft permit noticed for public comment:
  - Average number of days from application received to permit issuance:

- Average number of hours – permit reviewer time prior to public notice:
- Average number of hours – permit reviewer time after public notice:

4. Do you calculate Title V permit fees based on emissions? Partially, see below.

   ◊ If not, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.
   10% allocated equally among all affected sources. 90% based on actual emissions of NOx, VOC, PM10, SO2, and lead.

Answer Questions 5 through 9 only if you answered "Yes" to Question 4

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 11,823 tons
   - HAPs: NA. Don't bill for HAPs as separate category.

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $220.58/ton
   - For HAPs: NA. Don't bill for HAPs as separate category.

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees?

9. Is there a minimum Title V emissions fee? If so, what is the amount? No. NWCAA does not have a minimum emission fee. However, each facility's total Title V fee is 90% emission fee plus 10% base fee. Each facility pays base fees regardless of air emissions. FY18 base fee was $11,591.

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: NA.
    - Permit modification fees: NA.
    - Permit renewal fees: NA.
    - Inspection and/or maintenance fees: NA.
    - Public notice fees: Yes – facility pays cost of newspaper publication.
    - Hourly processing/review fees: NA.
    - Administration fees: NA.

- Stack testing fees: NA.
- Others (please describe): NWCAA is a local agency. WA Dept. of Ecology has a Title V oversight program. NWCAA contributes funds for this program. In FY18, NWCAA contributed $24,000. This is an additional fee charged to Title V sources.

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. Not capped.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. Reconcile the amount of fee collected vs. spent each year. If fees collected exceed spent, return unspent fees to Title V sources.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? Budget approved annually by Board of Directors. Fees established annually (per method in NWCAA Reg. 322) to cover 100% of budgeted expense with adjustment for prior actual results.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? Yes.
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? Not a consistent trend. Fees have gone up and down over past 5 years, with high in FY16.

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? See answer to question 13.

If so, please provide details (*i.e.*, timing, amount of adjustment, etc.).

- If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.).

17. Does your state or locality charge any other fees to support the Title V program? No.

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details.

19. Is there anything else you would like to add regarding your agency's Title V fees? No.

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

Fees discussed in NWCAA Regulation 322, see http://nwcleanairwa.gov/regulation/section-300/.

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: *Jennifer Rice*
   - Title: *Environmental Resources Associate*
   - Agency: *WV Division of Air Quality*
   - Email: *Jennifer.L.Rice@wv.gov*
   - Phone: *304-926-0499 x1227*

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). *Our current fiscal year (FY2018) runs from July 1, 2017 – June 30, 2018.*

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? *167 major sources with Title V permits; 284 deferred sources with no Title V permit*

   - Does your agency consider synthetic minor permits part of your Title V program?

     We could potentially have synthetic minors that are deferred Title V sources, but this is not something that we track.

     ◊ If so, how many synthetic minors are included?

- What is your total Title V program budget? *Approximately 6 million. For FY2018, we have currently brought in 6.14 million.*

- How many FTEs are funded by your Title V program? *8 Title V permit writers, plus administrative staff, inspectors and supervisor.*
  - ◊ How many of these are permit writers specific to Title V? *8*
  - ◊ Is the number of FTEs sufficient? *Yes*
  - ◊ Are there plans to increase or to decrease FTEs? *No*

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application. *No backlogs on Title V initials or renewals*

- How long, on average, does it take your agency to process a new Title V permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: *60-day statutory deadline*
    - Average number of days from application received to draft permit noticed for public comment: *N/A*
    - Average number of days from application received to permit issuance: *No initial permits were issued for FY 2018. For FY 2017, the average number of days was 338.*
    - Average number of hours – permit reviewer time prior to public notice: *Hours not tracked*
    - Average number of hours – permit reviewer time after public notice: *Hours not tracked*

- How long, on average, does it take your agency to process a renewal permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: *60-day statutory deadline*
    - Average number of days from application received to draft permit noticed for public comment: *N/A*
    - Average number of days from application received to permit issuance: *299 days*
    - Average number of hours – permit reviewer time prior to public notice: *Hours not tracked*
    - Average number of hours – permit reviewer time after public notice: *Hours not tracked*

4. Do you calculate Title V permit fees based on emissions? *Yes- fees are based on calendar year actual emissions*

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: *Sources have reported 118,051 billable tons for FY2018*
   - HAPs: *Sources have reported 860.94 billable tons for FY2018. This HAPs number does not include PM & VOC HAPs. They are included in the number above.*

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: *$29.80/ton base fee + CPI = $49.67*
   - For HAPs: *$29.80/ton base fee + CPI = $49.67*

7. Do you calculate Title V fees based on actual or allowable emissions? *Actual*

8. What formula do you use for calculating your Title V emissions fees? *Total actuals rounded to the nearest ton X fee/ton (excludes CO & GHGs)*

9. Is there a minimum Title V emissions fee? If so, what is the amount? *Yes- based on source category from 45CSR22, ranging from $200- $10,000. Of the sources that paid only the minimum fee, 2.41% paid either 5K- 10K, 12.05% paid 1K-4K, 50.6% of sources paid $500, and 34.94% paid $200.*

<u>*The remaining questions apply to all respondents*</u>

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)
    - Initial permit fees: *No*
    - Permit modification fees: *No*
    - Permit renewal fees: *No*
    - Inspection and/or maintenance fees: *No*
    - Public notice fees: *No*
    - Hourly processing/review fees: *No*
    - Administration fees: *Permit transfer fee = $200/source*

- Stack testing fees: *No*
- Others (please describe): *No*

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. *Each pollutant is capped at 4,000 tons*

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. *The base fee of $28/ton can be adjusted up or down by $2*

13. By what process are your Title V emissions fees adjusted (*i.e*., CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? *CPI adjustment every year*

14. Are your Title V emissions fees sufficient to fully fund your Title V program? *Yes*
    - If not, fees collected represent what percent of your Title V program costs?

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? By what percentage? *Tons have decreased, but $/ton has increased*

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e*., timing, amount of adjustment, etc.). *Base fee will increase to $30 for the next fiscal year, bring the fee to $51/ton, after the CPI adjustment.*

    The base fee was increased from $18/ton to $28/ton, effective FY2016.

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e*., timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). *No*

17. Does your state or locality charge any other fees to support the Title V program? *No*

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. *No*

19. Is there anything else you would like to add regarding your agency's Title V fees? *This agency foresees a significant decrease in billable tons due to plant shutdowns, fuel switching, etc., which has already impacted the revenue stream.*

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).

    https://dep.wv.gov/daq/planning/Documents/45-22.pdf
    https://dep.wv.gov/daq/Documents/Final45CSR30.pdf

NACAA Title V Fees Survey Questionnaire

March 23, 2018

NACAA is conducting a survey among state and local air pollution control agencies to examine how agencies are currently managing permit fees under Title V of the Clean Air Act. Please review and respond to the questions below regarding your agency's handling of Title V fees. If you do not understand a question, please answer as best you can and include an explanation in your response.

Please note that responses received will be compiled and shared with other state and local air agencies and may become public. If you cannot, or do not wish to, answer certain questions, please simply skip them and answer those questions that you are able. Please send survey responses to Karen Mongoven, kmongoven@4cleanair.org, by **close of business Friday, April 13th**. Thank you for your participation.

Questions

1. Please provide your contact information.
   - Name: Kristin Hart
   - Title: Permits & Stationary Source Modeling Section Chief
   - Agency: WI Dept of Natural Resources
   - Email: kristin.hart@wisconsin.gov
   - Phone: 608-266-6876

Please answer all questions with the most recent or current information.

2. For the questions to which this applies, please specify whether your responses will be based on your agency's most recent fiscal year (and provide the dates), calendar year, or other timeframe (if you prefer, you may provide this information in the individual responses). This will be specified in the answers.

3. Please provide the following information about your agency's Title V program. This will help us to compare Title V fee information among different programs.
   - How many Title V sources are currently included in your Title V program (do not include synthetic minors)? 374
   - Does your agency consider synthetic minor permits part of your Title V program? No
     - ◊ If so, how many synthetic minors are included? Not applicable
   - What is your total Title V program budget? $6,021,830
   - How many FTEs are funded by your Title V program? 62
     - ◊ How many of these are permit writers specific to Title V? 20

- ◊ Is the number of FTEs sufficient? Yes, retirements and recruitment has made it difficult to maintain staffing levels
- ◊ Are there plans to increase or to decrease FTEs? No

- Do you have Title V permit backlogs? Please describe with respect to initial permits, permit modifications, and permit renewals. Assume that "backlog" refers to permits for which the agency has not taken final action within 18 months of receipt of a complete permit application.

  Wisconsin tracks two Title V permit backlog metrics: EPA Backlog and Wisconsin Backlog.

  EPA Backlog includes any Title V operation permit renewal application under review by the department after the expiration date of the existing operation permit has passed. No permittee may continue operation of a source after the operation permit expires, unless the permittee submits a timely application for renewal permit. If a timely application for renewal has been submitted, the source may continue operating until the renewal application has been finally acted upon by the department. A renewal application must be submitted at least 6 months, but not more than 18 months, prior to the expiration of the operation permit. This means, assuming all applications are timely, that the department has somewhere between 6 and 18 months to act on a Title V operation permit renewal application before it becomes EPA Backlog. As of March 31, 2018, Wisconsin's EPA Backlog was at 51.

  Wisconsin Backlog includes any Title V operation permit renewal application still under review by the department after the statutorily-allowed 18-month processing time following the date complete application that has not been otherwise allowed an extension in processing under agreement with the permittee. As of March 31, 2018, the Wisconsin Backlog was at 28.

  Note: The Wisconsin Backlog corresponds to NACAA's definition of backlog above.

- How long, on average, does it take your agency to process a new Title V permit?

  - ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete: 75 (median 20; min. 0, max. 276)
    - Average number of days from application received to draft permit noticed for public comment:

      1458 (median 195; min. 7, max. 9505)
    - Average number of days from application received to permit issuance:

      1685 (median 866; min. 89, max. 7288)
    - ~~Average number of hours – permit reviewer time prior to public notice:~~
    - ~~Average number of hours – permit reviewer time after public notice:~~

- How long, on average, does it take your agency to process a renewal permit?

  ◊ If possible, please provide a breakdown as follows:
    - Average number of days from application received to application complete:
      39 (median 20; min. 0; max. 817)
    - Average number of days from application received to draft permit noticed for public comment:
      674 (median 331; min. 4; max. 5146)
    - Average number of days from application received to permit issuance:
      785 (median 476; min. 71; max. 5110)
    - ~~Average number of hours – permit reviewer time prior to public notice:~~
    - ~~Average number of hours – permit reviewer time after public notice:~~

4. Do you calculate Title V permit fees based on emissions? Yes

   ◊ <u>If not</u>, what is your formula for calculating Title V emission fees? Note that you may include fee descriptions/breakdowns in your response to Question 10 as well.

<u>*Answer Questions 5 through 9 only if you answered "Yes" to Question 4*</u>

5. How many total Title V fee-chargeable tons are currently emitted by your Title V sources combined?
   - Criteria pollutants: 98,614 tons (2016)
   - HAPs: not billed

6. What is the current baseline Title V emissions fee per ton charged by your agency?
   - For criteria pollutants: $35.71/ton
   - For HAPs: not billed

7. Do you calculate Title V fees based on actual or allowable emissions? Actual

8. What formula do you use for calculating your Title V emissions fees? $35.71 x actual tonnage, up to 5,000 tons per pollutant plus the following base-fees

a. source emitted not more than 10 tons of the air contaminants - $900.

b. source emitted more than 10 tons but not more than 25 tons of the air contaminants - $1,300.

c. source emitted more than 25 tons but not more than 50 tons of the air contaminants - $1,600.

d. source emitted more than 50 tons but not more than 80 tons of the air contaminants - $2,300.

e. source emitted more than 80 tons of the air contaminants - $3,000.

9. Is there a minimum Title V emissions fee? Yes If so, what is the amount? $900

The remaining questions apply to all respondents

10. Aside from emissions-based fees, what if any, other fees do you charge in support of your Title V program? Please indicate which fees you charge as well as the amount charged. (For agencies that do not charge emissions-based fees, your response may supplement or repeat information from your response to Question 4.)

    - Initial permit fees:
    - Permit modification fees:
    - Permit renewal fees:
    - Inspection and/or maintenance fees:
    - Public notice fees:
    - Hourly processing/review fees:
    - Administration fees:
    - Stack testing fees:
    - Others (please describe): In addition to the per ton fee, all Title V sources pay a base emission fee, based on the range into which their total emissions fall.

      Facilities pay additional fees if they are subject to one of the following federal regulatory program or industry categories.

      1. Maximum Achievable Control Technology (MACT)
      2. New Source Performance Standards (NSPS)
      3. Prevention of Significant Deterioration or Nonattainment Area New Source Review (PSD/NAA NSR)
      4. Non-public coal-fired electric generating unit (EGU)

      The details for the fees may be found on the following website: http://dnr.wi.gov/topic/AirPermits/AnnualFee.html

11. Are your Title V fees capped, and if so, at what level and/or amount? Please also describe the form of the cap, including whether it is by pollutant, by facility, by emission unit, etc. Yes. Actual emissions of any billable pollutant are billed per ton up to 5,000 tons. Any emissions in excess of 5,000 tons per pollutant may not be charged per ton fees. In addition, the additional fees mentioned in number 10 are only applied once per source.

12. Other than a cap, what, if any, Title V fee reduction adjustments do you employ? Please provide details. No other reduction adjustments.

13. By what process are your Title V emissions fees adjusted (*i.e.*, CPI/inflation adjustments, automatic increases, legislative approval, annual/biannual evaluation, etc.)? Legislative approval.

14. Are your Title V emissions fees sufficient to fully fund your Title V program? No, that is why we added the additional fees outlined in question 10.

    - If not, fees collected represent what percent of your Title V program costs? Emission fees represent 62% of program costs.

15. Over the past 3-5 years, has your total Title V fees collection gone up or down? Declining for the last 4 billing years.
    By what percentage?
    1% increase (2012-13); 16% decrease (2013-14); 20% decrease (2014-15); 30% decrease (2015-16).

16. Have you recently undertaken any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, etc.). We concluded a fee analysis indicating the need for increased fees and received legislative approval in the 2013-2015 state biennial budget. This is when we added the flat fees to our emission based fees.

    - If not, are you currently considering any Title V fee adjustments to make up for lost revenues? If so, please provide details (*i.e.*, timing, amount of adjustment, proposed baseline emissions fee per pollutant, etc.). We have just begun a fee analysis to determine if an adjustment may be needed in the future.

17. Does your state or locality charge any other fees to support the Title V program? No

18. Are there any innovative aspects to your emissions fee program that worked well and could be a model for other state/local agencies? If so, please provide details. See question 10. We established these fees to reflect the additional workload for Title V sources that are subject to other regulatory programs under the Clean Air Act (e.g., MACT). Also, since we do not charge the per ton fee on title V sources emitting less than 5 tons/year, but such sources still require inspections, renewals, etc., we added the minimum base fee so that all Title V facilities paid some fee.

19. Is there anything else you would like to add regarding your agency's Title V fees? No

20. Please provide link(s) to (or copies of) your agency's Title V fee laws, regulations, and guidance, if available (as well as any proposed regulations, if applicable).
    s. 285.69, Wis. Stats.: http://docs.legis.wisconsin.gov/statutes/statutes/285/VII/69
    s. NR 410.04, Wis. Adm. Code:
    http://docs.legis.wisconsin.gov/code/admin_code/nr/400/410/04
    WDNR website on annual fees: https://dnr.wi.gov/topic/airpermits/annualfee.html