

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT
Rule 2:11A Air Toxic "Hot Spots" Fees
Adopt 5/24/1994, Repealed/Adopted 6/27/1995

- 1 Applicability: This rule shall apply to any stationary source facility which commenced operation prior to January 1, of the year in which the fees are assessed pursuant to this rule, and which:
 - 1.1 Manufactures, formulates, uses, or releases any of the substances listed pursuant to Health & Safety Code Section 44321, or any other substance which reacts to form a substance so listed, and which releases less than 10 tons per year of total organic gases, particulate matter, sulfur oxides or nitrogen oxides and is included in any class listed in Appendix E of Title 17 of the California Code of Regulations (Emission Inventory Criteria and Guidelines Regulation), or
 - 1.2 Manufactures, formulates, uses, or releases any of the substances listed pursuant to Health & Safety Code Section 44321, or any other substance which reacts to form a substance so listed, and which releases 10 tons per year or greater of total organic gases, particulate matter, sulfur oxides, or nitrogen oxides.
- 2 Assessment of Fees: The operator of each stationary source facility which meets the criteria of Subsection [1.1](#) or [1.2](#) shall pay an annual air toxic assessment fee according to the following:
 - 2.1 Facilities shall pay an annual base fee of \$40.00 plus a proportional share of the district's cost attributed to each facility at the rate of \$40.00 per hour.
 - 2.2 Facilities shall pay a prorated share of the state's cost as specified in the states's Air Toxic "Hot Spots" Fee Regulation, Title 17, California Code of Federal Regulation, Sections 90700-90705.
 - 2.3 The operator of a stationary source facility which meets the criteria of Subsection [1.2](#) solely on the basis of the release of non-combustion related particulate matter shall be assessed a flat fee of \$100.00 per year if the facility demonstrates to the satisfaction of the Air Pollution Control Officer that the non-combustion related air release does not contain a substance listed pursuant to Health & Safety Code Section 44321 or a precursor to a listed substance.
- 3 Billings: The District shall notify and assess the operator of each stationary source facility subject to the requirements of this rule in writing of the fees due. The operator shall remit the fee to the District within 60 days after the receipt of the toxic assessment fee notice.
- 4 Penalties: Air toxic assessment fees not paid by the due date as specified in Subsection [3](#) shall be assessed a 50% late charge. If an operator fails to pay the fee within 120 days after the receipt of the initial fee assessment notice, the District may initiate permit revocation proceedings. If any permit is revoked, it shall be reinstated only upon full payment of the overdue fee plus any late penalty, and a reinstatement fee of \$50.00 to recover administrative costs of reinstating the permit.
- 5 Exemptions: Any facility meeting the criteria of Subsection [1.1](#) which was required only to complete a use and production survey (facilities listed in Appendix E-II of the Emission Inventory Criteria and Guideline Regulation),and was previously assessed, and has paid a fee, subsequent fees in future fiscal years shall be waived by the District if the District determines that there are insignificant costs with respect to said facility under the Act.
- 6 Annual Adoption of Fees: Unless it amends this rule, the District Board automatically re-adapt this fee rule annually by operation of law, in compliance with Title 17, California Code of Regulations, Section 90703.

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