

Amendatory Sections
Spokane Regional Clean Air Agency (SRCAA)
Regulation I, Article X: Fees and Charges, Sections 10.02, 10.04, 10.05
and 10.07.

SECTION 10.02 FEES AND CHARGES REQUIRED

- (A) Additional Fee for Failure to Pay. Any fee assessed under Article X shall be paid within forty-five (45) days of assessment. Failure to pay an assessed fee in full within ninety (90) days of assessment will result in the imposition of an additional fee equal to three (3) times the amount of the original fee assessed.
- (B) Revenues Collected per RCW 70.94.161. Revenues collected per RCW 70.94.161 shall be deposited in the operating permit program dedicated account and shall be used exclusively for the program.
- (C) Method of Calculating Fees in Article X. Invoice totals will be rounded-up to the nearest one (1) dollar, except for photocopy and postage public records fees per Section 10.05(A).
- (D) Periodic Fee Review. The Board shall periodically review all agency fees in the Fee Schedule and determine if the total projected fee revenue to be collected is sufficient to fully recover direct and indirect program costs. If the Board determines that the total projected fee revenue significantly exceeds or is insufficient for the program costs, then the Board shall amend the Fee Schedule to more accurately recover program costs. Any proposed fee revisions shall include opportunity for public review and comment.

SECTION 10.04 ~~RESERVED~~ FEE WAIVER (Repealed 10/7/10, Res. 10-15)

SECTION 10.05 GENERAL ADMINISTRATIVE FEES

- (A) Photocopy Public Records Fees. A fee of \$0.15 per page for photocopies shall be charged (RCW 42.56.120) The Agency charges the standard fees and costs authorized in RCW 42.56.120.
- (B) Postage. The actual cost of postage shall be charged for all material requested to be mailed [RCW 42.56.070(7)(a)].

(B) Other Services. For other administrative services requested and performed by Agency staff, which are not provided to the public generally, the Control Officer shall determine such charge as reasonably reimburses the Agency for time and materials expended in providing the service.

SECTION 10.07 APPLICATION AND PERMIT FEES FOR NOTICE OF CONSTRUCTION AND APPLICATION FOR APPROVAL (NOC) AND FOR NOTICE OF INTENT (NOI) TO INSTALL AND OPERATE A TEMPORARY STATIONARY SOURCE

(A) NOC and ~~Notice of Intent~~NOI Fees.

(1) NOC / NOI Class, Base Fee, Fee for Additional NOC / NOI Review Hours, SEPA Fee, and Fee Determination.

~~(a)~~For each project required by Regulation I, Article V, to file a NOC or a ~~Notice of Intent~~,the applicant-NOI application, the owner or operator shall must pay a base fee per the Fee Schedule. Base fee classes are listed below the following applicable fees in (b) through (d) below:

(a) NOC / NOI Class. Each NOC / NOI application will be assigned a Class, as follows:

1. Class I – ~~Notice of Intent. Notice of Intent~~NOI to install and operate portable stationary sources and temporary stationary sources include the following:

<u>Article IV Source / Source Category Description</u>	
<u>Asphalt plant</u>	
<u>Concrete production operation / ready mix plant</u>	
<u>Rock crusher</u>	
<u>Article IV Source/Source Category Description</u>	<u>Article IV, Exhibit R Category</u>
<u>Asphalt plant</u>	<u>15</u>
<u>Concrete batch plant / ready mix plant</u>	<u>22</u>
<u>Rock crusher</u>	<u>36</u>

2. Class II – ~~Simple NOC.~~Simple NOCs include the following:

<u>Article IV Source / Source Category Description</u>
<u>Coffee roaster</u>
<u>Degreaser / solvent cleaner (not subject to 40 CFR Part 63, Subpart T) subject to Article IV</u>
<u>Dry cleaner (non halogenated solvent)</u>
<u>Evaporator subject to Article IV</u>
<u>Gasoline dispensing facility with maximum annual gasoline throughput ≤ 1.5 million gallons</u>

Graphic art system, including lithographic and screen printing operation, subject to Article IV
Material handling operation that exhausts >1,000 and < 10,000 acfm to the ambient air
Organic vapor collection system within commercial or industrial facility that is subject to Article IV
Rock, asphalt, or concrete crusher
Spray booth / surface coating operation that exhausts ≤ 10,000 acfm to the ambient air
Sterilizer subject to Article IV
Wood furniture stripping operation subject to Article IV

Article IV Source/Source Category Description	Article IV, Exhibit R Category
Boiler and other fuel-burning equipment	27
Coffee roaster	20
Concrete batch plant / ready mix plant	22
Dry cleaner	23
Emergency generator	52
Gasoline dispensing facility	28
Lithographic printing / screen printing	9.e.5
Material handling that exhausts > 1,000 acfm	24
Rock crusher	36
Spray booth / surface coating operation	57
Stationary internal combustion engine	53
Sterilizer	9.e.8
Stump / wood waste grinder	54

3. Class III – ~~Standard NOC~~. Standard NOCs include the following:

Article IV Source / Source Category Description
Soil and groundwater remediation operation subject to Article IV
Bakery subject to Article IV
Bed lining or undercoating operation subject to Article IV
Boiler and other fuel-burning equipment with maximum per unit heat input < 100 MMBtu/hr
Brick and clay products manufacturing operations
Burn out, kiln, and curing oven
Chrome plating operation
Concrete production operation
Dry cleaner (halogenated solvent)
Gasoline dispensing facility with maximum annual gasoline throughput > 1.5 million gallons

Grain handling; seed, pea and lentil processing facility
Incinerator / crematory
Internal combustion engine used for standby, back-up operations rated \geq 500 bhp
Internal combustion engine, other than engines used for standby or backup operation rated \geq 100 bhp
Material handling operation that exhausts \geq 10,000 acfm to the ambient air
Metal casting facility / foundry
Metal plating or anodizing operation
Metallurgical processing operation
Mill; lumber, plywood, shake, shingle, woodchip, veneer operation, dry kiln, wood products, grain, seed, feed, or flour
Plastic and fiberglass operations using > 55 gallons per year of all VOC and toxic air pollutant containing materials
Spray booth / surface coating operation that exhausts > 10,000 acfm to the ambient air
Storage tank for organic liquid with capacity > 20,000 gallons
Stump / woodwaste grinder
Tire recapping operation

Article IV Source/Source Category Description	Article IV, Exhibit R Category
Soil and groundwater remediation operation	9.e.7
Burn-out oven	43
Chrome plating	35
Incinerator / crematory	31

4. Class IV – ~~Complex NOC~~–Complex NOCs include the following:

Article IV Source / Source Category Description
Asphalt plant
Boiler and other fuel-burning equipment with maximum per unit heat input \geq 100 MMBtu/hr
Bulk gasoline and aviation gas terminal, plant, or terminal
Cattle feedlot subject to Article IV
Chemical manufacturing operation
Composting operation
Natural gas transmission and distribution facility
Paper manufacturing operation, except Kraft and sulfite paper mills
Petroleum refinery
Pharmaceutical production operation

Refuse systems
Rendering operation
Semiconductor manufacturing operation
Sewerage systems
Wholesale meat/fish/poultry slaughter and packing plant

Article IV Source/Source Category Description	Article IV, Exhibit R Category
Asphalt plant	15
Composting operation	21
Refuse systems	48
Rendering operation	49
Sewerage systems	50

5.(b) For sources / source categories not listed in Section 10.07(A)(1)(a), [each NOC / NOI Notice of Intent and NOC application review](#) will be assigned to Class I, II, III or IV by the Control Officer on a case-by-case basis.

(b) [Base fee. A base fee must be paid to the Agency with the submission of each completed NOC / NOI application. The base fee applicable for each NOC / NOI Class is listed in the Fee Schedule.](#)

1. [For each NOC / NOI application, the base fee covers staff time spent in reviewing and processing the application up to the listed number of base-fee hours provided in the Fee Schedule for each class of NOC / NOI.](#)

(e)2. For sources with one or more emission points under one NOC application, as allowed in Article V, Section 5.02.G, a separate base fee applies to each emissions unit, or each group of like-kind emissions units, being installed or modified. A group of emissions units will be considered as like-kind if the same set of emission calculations can be used to characterize emissions from each of the emissions units.

(c) [Fee for Additional NOC / NOI Review Hours. When the staff time hours spent reviewing and processing a NOC / NOI application exceeds the listed number of base-fee hours provided in the Fee Schedule for the applicable class of NOC / NOI, an additional fee will be charged. The additional fee is calculated by multiplying the total staff time spent in reviewing and processing the NOC / NOI application that exceeds the listed number of review hours \(rounded up to the nearest half-hour\) by the hourly rate as listed in the Fee Schedule.](#)

(d) SEPA Review Fee. Where submittal of an Environmental Checklist, is required per the State Environmental Policy Act (SEPA) Chapter 197-11 WAC is required in association with a NOC or a NOI, and SRCAA is the lead agency, the applicant must pay a SEPA review fee as listed in the Fee Schedule. The SEPA review fee must be paid with the submission of the Environmental Checklist to the Agency.

(e) Fee Determinations.

1. The base fee is calculated by multiplying the number of base-fee hours for the NOC / NOI class by the hourly rate listed in the Fee Schedule.

2. Hourly Rate. The hourly rate is calculated by:

$$\text{Hourly Rate} = \frac{\text{Total NOC and NOI Program Costs}}{\text{Total NOC and NOI Program Hours}}$$

3. Hourly Rate Revision. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal years out of the four (4) recent fiscal years, rounded-up to the nearest one (1) dollar.

(2) Fees for Replacement or Substantial Alteration of Control Technology and for Changes to an Order of Approval or Permission to Operate.

(a) The following NOC applications or requested changes to an Order of Approval or Permission to Operate must pay a fee as listed in the Fee Schedule. The fee will be assessed each time a request is submitted and will be invoiced to the owner or operator with the final determination.

1. NOC applications for replacement or substantial alteration of control technology under WAC 173-400-114.

2. ~~An owner or operator requesting a modification, revision, and/or change in conditions of an approved Order of Approval or Permission to Operate, under Article V, Section 5.10.C., shall pay a revision fee as listed in the Fee Schedule. The revision fee will be assessed each time a request is submitted and will be invoiced to the owner or operator, or both with the final determination.~~

(b) The ~~revision~~ fee is calculated by adding all the applicable fees described below:

1. Minimum Fee. The minimum fee, as listed in the Fee Schedule, will be assessed for all NOCs reviewed under WAC 173-400-114 and revision request reviews. The minimum fee includes the first three (3) hours of staff time spent in reviewing and processing the request; and
2. Hourly Fee. The hourly fee is calculated by multiplying the total staff time spent in reviewing and processing the request beyond the first three (3) hours covered in 10.07(A)(2)(b)1.

(rounded-up to the nearest half-hour), by the hourly rate as listed in the Fee Schedule.

(c) Fee Determinations.

1. Flat Fee. The revision flat fee is calculated by multiplying three (3) hours by the hourly rate listed in the Fee Schedule.
2. Hourly Rate. The hourly rate is calculated by:

$$\text{Hourly Rate} = \frac{\text{Total NOC and NOI Program Costs}}{\text{Total NOC and NOI Program Hours}}$$

3. Hourly Rate Revision. Revisions to the hourly rate are based on a three (3) year average of the three (3) most representative fiscal years out of the four (4) recent fiscal years, rounded-up to the nearest one (1) dollar.

~~(3) Additional Fees (for each application).~~

~~(a) SEPA Review Fee. Where review of an Environmental Impact Statement (EIS), Environmental Checklist, or an Addendum to, or adoption of, an existing environmental document per the State Environmental Policy Act (SEPA) Chapter 197-11 WAC is required, in association with a NOC or a Notice of Intent, the applicant shall pay a SEPA or EIS review fee per the Fee Schedule.~~

~~(b) Toxics Review Fee. For any new source of air pollution which requires review per Chapter 173-460 WAC, a toxic air pollutant review fee shall be paid. For sources with one or more emission points under one NOC application, as allowed in Article V, Section 5.02.G, a separate toxic air pollutant review fee applies to each emissions unit, or each group of like-kind emissions units, being installed or modified. A group of emissions units shall be considered as like-kind if the same set of emission calculations can be used to characterize emissions from each of the emissions units. The toxic air pollutant review fee shall be as follows:~~

- ~~1. Small Quantity Emission Rate (SQER). For a new source using WAC 173-460-080(2)(b), SQER, to demonstrate that ambient impacts are sufficiently low to protect human health and safety, as required WAC 173-460-070 & WAC 173-460, the applicant shall pay a SQER review fee per the Fee Schedule.~~
- ~~2. Dispersion Modeling. For a new source using dispersion screening models (e.g., EPA SCREEN or TSCREEN) under WAC 173-460-080(2)(a) to demonstrate that ambient impacts are sufficiently low to protect human health and safety, as required WAC 173-460-070, the applicant shall pay a dispersion modeling review fee per the Fee Schedule.~~
- ~~3. Advanced Modeling. For a new source using more refined dispersion models (e.g., EPA ISC3) under WAC 173-460-080(2)(a) to demonstrate that ambient impacts are sufficiently low to protect human health and safety, as required WAC 173-460-070; or for a new or modified source using a second tier analysis under~~

~~WAC 173-460-090 or a risk management decision under WAC 173-460-100 to demonstrate that ambient impacts are sufficiently low to protect human health and safety, as required WAC 173-460-070, the applicant shall pay the advanced modeling review fee per the Fee Schedule.~~

~~(c) — New Source Performance Standards (NSPS) Review Fee.~~

~~Applicants of any new air pollution source subject to WAC 173-400-115 (NSPS) and 40 CFR Parts 60 shall pay a NSPS review fee per the Fee Schedule.~~

~~(d) — National Emission Standard for Hazardous Air Pollutants (NESHAP) Review Fee. Applicants of any new air pollution source subject to WAC 173-400-075 (NESHAP) and 40 CFR Parts 61 and 63 shall pay a NESHAP fee per the Fee Schedule.~~

~~(e) — Best Available Control Technology (BACT) Review Fee:~~

~~1. — Generic BACT. Where no BACT review is required (e.g., the applicant demonstrates there is an established and/or recognized BACT standard for the source category type), a BACT review fee is not applicable.~~

~~2. — Non-Generic BACT Review. A non-generic BACT review is one where a generic BACT standard is not applicable and a top-down BACT review is not required. Applicants of any new air pollution source subject to a non-generic BACT review shall pay a non-generic BACT review fee per the Fee Schedule.~~

~~3. — Top-Down BACT Review (as described in EPA's Draft New Source Review Workshop Manual from October 1990 and as summarized here). A top-down BACT review requires the ranking of available control technologies in descending order of control effectiveness. Applicants of any new air pollution source subject to a top-down BACT review shall pay a top-down BACT review fee per the Fee Schedule.~~

(B) Payment of Fees.

(1) Upon Submission of Application. The base fee and SEPA fee (if applicable) ~~shall~~must be paid at the time the NOI / NOC application is submitted to the Agency. Review of the NOI / NOC application will not commence until the ~~applicable~~ base fee and SEPA fee (if applicable) is received.

(2) After Application.

(a) Complete Applications. The Agency will invoice the owner, operator, or both, for ~~all other applicable fees~~Fees for Additional NOC / NOI Review Hours, if applicable. The fees ~~shall~~must be paid whether the application is approved or denied.

(b) Incomplete Applications.

1. If an owner, operator, or both, notifies the Agency in writing that an application will not be completed or cancels the application; or the application remains incomplete for more

than three (3) months; the Agency will invoice the owner, operator, or both, for payment of applicable fees.

2. Applications not accompanied by the base fee [and SEPA fee \(if applicable\)](#) will be considered incomplete. If information requested by the Agency is not provided, the application will be considered incomplete and review of the application will be suspended. Review of the application will commence, or recommence, when all required fees and information requested by the Agency is received. An application will be cancelled if it remains incomplete for more than eighteen (18) months from initial receipt. For review of the cancelled application to resume, the applicant must pay all outstanding invoice fees, [\(if applicable\)](#), and resubmit the [applicable base fee and SEPA fee \(if applicable\)](#).

- (C) Compliance Investigation Fee. When a compliance investigation is conducted per Article V, Section 5.12, the compliance investigation fee shall be assessed per the Fee Schedule. The fee shall be assessed for each emissions unit, or group of like-kind emissions units, being installed or modified. A group of emissions units shall be considered as like-kind if the same set of calculations can be used to characterize emissions from each of the emissions units.