



New Air Quality Permitting Fees Effective July 2011

The Washington State Department of Ecology updated its rule that establishes permit fees for sources of air pollutants (Chapter 173-455 WAC, Air Quality Fee Regulation). This rule update changes the fee schedule for a broad range of industrial and commercial sources in Ecology's jurisdiction needing pre-construction review and approval of a project.

New requirements

The permitting fees in the table starting on page 2 apply beginning July 1, 2011. We are changing the way we do business, so keep these things in mind:

- You must include your initial fee with your application or request.
- An initial fee includes a set number of hours for Ecology staff to process your request. We will charge an additional fee for processing time beyond the number of hours included in a fee category. A flat fee covers all processing of your request.
- If your initial fee does not cover the cost of processing your request, Ecology will send you a bill at the end of the process. Please pay the bill within 30 days.
- You will receive your permit after you paid the final bill.

See the table starting on page 2 for the new fee structure.

If you need this document in a format for the visually impaired, call the Air Quality Program at 360-407-6800. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.



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New fee structure

The permitting fees in this table apply beginning July 1, 2011.

Action	Type		Initial Fee	Number of hours included with fee
Minor New Source Review				
New permit	Complexity level	Basic project	\$1,500	16
		Complex project ¹	\$10,000	106
Change existing permit ²	Change – no emissions increase	Administrative or simple change ³	\$200	3
		Complex change ⁴	\$875	10
	Modification – emissions increase	Basic project	\$1,500	16
		Complex project	\$10,000	106
Establish voluntary emissions limit in stand-alone regulatory order ⁵			\$500	6
Ecology will charge an additional fee for processing time spent beyond the number of hours included in a fee category.			\$95/hour	

Action	Type		Flat fee
Minor New Source Review			
WAC 173-400-114 action to replace or substantially alter control technology ⁶			\$350
Request for permit extension ⁷			\$100
General Order – application for coverage	Category A (existing) ⁸	If SEPA review is complete	\$500
		If SEPA review is required	\$785
	Category B (asphalt plant)	If SEPA review is complete	\$875
		If SEPA review is required	\$1,160
Relocation notice	You have an Ecology issued permit:	If SEPA review is complete	No fee
		If SEPA review is required	\$285
	You have an approval order issued by another air agency: ⁹	If SEPA review is complete	\$150
		If SEPA review is required	\$435



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Action	Type	Initial Fee	Number of hours included with fee
Major New Source Review			
PSD Program applicability determination ^a		\$500	6
New PSD permit	New application	\$15,000	158
	New application limited to GHG emissions ^b	\$7,500	79
Revise an existing PSD permit	Administrative revision ¹⁰	\$1,900	20
	All other revisions	\$7,500	79
	Major modification of major stationary source	\$15,000	158
Request for permit extension ⁷		\$500	Flat fee
Major New Source Review			
Nonattainment area major new source review	New application	\$15,000	158
	Administrative or simple change ¹¹	\$1,900	20
	All other changes	\$7,500	79
	Major modification of major stationary source	\$15,000	158
Plant-wide applicability limit	Establish limit	\$15,000	158
	All other actions	\$7,500	79
Other Fees			
Second tier review ¹²		\$10,000	106
Third tier review		\$10,000	106
Cost- reimbursement agreement		\$95/hour	By contract
Fee reduction for small business ¹³	1. The greater of 50% of regular fee or \$250		
	2. Extreme hardship fee must not be lower than \$200 ¹⁴		
Notification of intent to operate a non-road engine	Cumulative engine rating between 500 and 2000 BHP	No fee	
	Application for cumulative engine rating > 2000 BHP	\$95/hour	Hourly rate
Ecology will charge an additional fee for processing time spent beyond the number of hours included in a fee category.		\$95/hour	

^a PSD means Prevention of Significant Deterioration.

^b GHG means green house gas.

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More information

- 1 If you are uncertain whether your project should pay the basic or complex project fee, contact us. We will help determine whether your project is basic or complex. An application is basic unless it is complex. Ecology will determine if your application is complex based on one of these two pathways.

Pathway 1: An application is considered complex if the emissions associated with the application include at least one pollutant for which emissions increases are greater than the levels in the following table:

Emission Threshold Table (WAC 173-400-030)

Air Contaminant	Annual Emission Rate
Carbon monoxide	100 tons per year
Nitrogen oxides	40 tons per year
Sulfur dioxide	40 tons per year
Particulate matter (PM)	25 tons per year of PM emissions
	15 tons per year of PM ₁₀ emissions
	10 tons per year of PM _{2.5} emissions
Volatile organic compounds	40 tons per year
Fluorides	3 tons per year
Lead	0.6 tons per year
Sulfuric acid mist	7 tons per year
Hydrogen sulfide (H ₂ S)	10 tons per year
Total reduced sulfur (including H ₂ S)	10 tons per year
Reduced sulfur compounds (including H ₂ S)	10 tons per year

Pathway 2: Ecology may determine that a project is complex based on consideration of factors that include, but are not limited to:

- Number and complexity of emission units.
 - Volume of emissions, including toxicity of emissions.
 - Amount and complexity of modeling.
 - Number and kind of applicable state and federal requirements.
- 2 Your initial fee for a permit change reflects the project at the time you submit your application. Any application could become subject to a mandatory public comment period if someone requests this during internet posting. This will not change your initial fee category. Ecology will simply track the additional work against the three hours of staff time included in your initial fee. At the end of the process, Ecology will bill you for additional time at a rate of \$95 per hour.

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- 3 **Simple change:** An administrative or simple change to a minor new source review permit means all of the following are true:
 - A. The changes are not subject to a mandatory public comment period. [WAC 173-400-171\(3\)](#) lists 14 actions requiring a public comment period. Increasing emissions at a rate above the emission threshold rate (defined in [WAC 173-400-030](#)) or any increase in emissions of a toxic air pollutants above the acceptable source impact levels (found in [WAC 173-460-150](#)) are the most likely reasons for a permit change to initially require a mandatory public comment period.
 - B. The reissued approval order requires one hour or less of engineering evaluation and no physical modification of equipment.
 - C. Changes in permit conditions are based on actual operating conditions and the operating conditions require one hour or less of engineering evaluation and the change does not cause a change in allowable emissions.

- 4 **Complex change:** A complex permit change excludes an administrative or simple change and changes to an existing permit that result in an emissions increase. Examples of complex changes include, but are not limited to:
 - A. Changes requiring more than one hour of engineering review.
 - B. Consolidation of permits not allowed under simple change.
 - C. Request for review of a permit action that is exempt under WAC 173-400-110(5) (Emissions are above the Emission Threshold Table in footnote 1).
 - D. Changes requiring mandatory public comment under [WAC 173- 400-171\(3\)](#).

- 5 This fee applies when you request that Ecology establish a voluntary emissions limit as a condition in a stand-alone regulatory order. This fee does not apply when Ecology includes a voluntary emissions limit as one condition among many in a permit. Your permit fee covers this review.

- 6 A business that replaces, repairs, or substantially alters existing control technology equipment must file a notice of construction application. [WAC 173-400-114](#). Control technology changes that increase emissions or are broader in scope are beyond the limited applicability of this fee category.

- 7 An applicant must begin construction within 18 months of getting a permit. An applicant may request an eighteen-month extension of an approval to construct.

- 8 The 8 Category A General Orders are 1) [portable rock crushers](#); 2) [concrete batch plants](#); 3) [dry cleaners using perchloroethylene](#); 4) [stationary rock crusher](#); 5) [small water heaters and steam generating boilers](#); 6) [automobile body repair and refinishing shops](#); 7) [diesel powered emergency electrical generators](#); and 8) [gas powered emergency generators](#).

- 9 This fee applies to a source with an approval order from another air agency issued after July 1, 2010. The order must identify the emissions unit as a “portable source.” Refer to [WAC 173-400-036](#) for more details.

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- 10 [WAC 173-400-750\(3\)](#) defines administrative revision of a PSD permit as:
 - A. Change of the owner or operator's business name and/or mailing address;
 - B. Corrections to typographical errors;
 - C. Revisions to compliance monitoring methods that do not reduce the permittee's or ecology's ability to determine compliance with the emission limitations; or
 - D. Any other revision that does not reduce the stringency of the emission limitations in the PSD permit or the ability of ecology, the permitting authority, EPA, or the public to determine compliance with the approval conditions in the PSD permit.

- 11 [WAC 173-400-111\(8\)](#) applies when revising a nonattainment area permit.

- 12 Fee payment begins with submittal of the health impact assessment protocol. Refer to [WAC 173-460-090](#) for more details. Contact Ecology for guidance on developing this document.

- 13 A small business fee reduction is available for projects that are subject to the fees on page one of the fee table. To qualify for a [small business fee reduction](#), a business must employ fifty or fewer employees and be owned and operated independently from all other businesses. Contact your permitting staff if you are interested in applying for the small business fee reduction.

- 14 A small business that finds the fee reduction determined through Footnote 12 (small business fee reduction) imposes an extreme hardship may request an [extreme hardship fee reduction](#). The small business must provide sufficient evidence to support the claim. This may include: annual sales; labor force size; market conditions which affect the owner's ability to pass the cost of the fee through to customers; and average annual profits. Contact your permitting staff if you are interested in applying for the small business extreme hardship fee reduction.