SECTION 18: PERMIT AND TECHNICAL SERVICE FEES

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18.0 Definitions

For the purposes of assessing fees pursuant to Section 18, the following terms will be defined as follows:

(a) **"**Authority To Construct Certificate" means a certificate issued, after the review of a new or modified stationary source, which constitutes approval to commence construction or modification of such source.

(b) "Complex Source" means, for purposes of annual permit renewal fees, any source with a potential to emit greater than 25 tons per year for any regulated air pollutant or greater than 40 tons per year combination of regulated air pollutants and that does not qualify as a major stationary source as defined in Section 18.22(c). For the purposes of this Section, "regulated air pollutant" is defined according to its definition in Section 0.

(c) "Major Stationary Source" for the purposes of Section 18, shall be defined according to its definition in Section 12.2.2(ff), 12.3.2(y), or 40 CFR 70.2, as applicable.

(d) "Operating Permit" means a document issued and signed by the Control Officer, authorizing, with conditions, the operation of a stationary source that emits any regulated air pollutant.

(e) "Significant Source" means, for the purposes of annual permit renewal fees, any source with a potential to emit greater than 10 tons per year for any single regulated air pollutant and that does not qualify as a complex or major stationary source.

18.1 Operating Permit Issuance Fees:

18.1.1	Operating Permit issued pursuant to Section 12.1 or 12.11: This permit is issued for any new or modified stationary source that is not subject to the Part 70 Operating Permit requirements of Section 12.5 and is required to operate under a permit issued by the Control Officer.	$140.00
18.1.2	Operating Permit issued pursuant to Section 12.5: This permit is issued to any new or modified stationary source subject to the Part 70 program.	Free

18.2 Annual Emissions Unit and Annual Permit Renewal Fees:

These fees are assessed on each emissions unit and each Operating Permit each calendar year.

18.2.1	Each process equipment, except as otherwise listed in this section.	$238.00
18.2.2	Each storage silo.	$117.00
18.2.3	Each stationary tank, reservoir, or other container exceeding 40,000 gallons capacity containing any petroleum product having a vapor pressure of 1.5 pounds per square inch absolute or greater at standard temperature and pressure.	$318.00
18.2.4	Each gasoline storage tank equipped with Stage I Vapor Recovery or Stage II Vapor Recovery equipment at any Gasoline Dispensing Facility including bulk plants but excluding bulk terminals.	$56.00
18.2.5	Each Heated Asphalt Storage Tank.	$60.00

18.2.6 Each Stationary Internal Combustion engine, including microturbines up to 2.5MW, that meets the definition of a stationary source, except as required in subsection 18.2.7 shall pay the following fee:

35-350 HP	351-800 HP	801-1500 HP	1501 HP and up
$344.00	$690.00	$1,378.00	$2,067.00

18.2.7 Each Stationary Emergency Internal Combustion engine that has a brake horsepower rating greater than five hundred (500) that meets the definition of a stationary source shall pay the following fee:

500 to 1500 HP	1501 HP and up
$238.00	$690.00

18.2.8	Each fuel burning equipment not otherwise listed in this section that meets the definition of a stationary source.	$205.00
18.2.9	Each stationary printing press.	$394.00

18.2.10	Each commercial surface coating operation, including spray booths. In the event that spray booths are not applicable or required, the fee will apply to the coating process, e.g., spray gun, dip tank.	$394.00
18.2.11	Each electrical generating or compressor turbine with a rating of 2.5 megawatts or larger based on ISO standard operating conditions at 67°F, excluding equipment fueled solely on gas generated within Clark County by the decomposition of garbage in a landfill.	$4,130.00
18.2.11.1	Megawatt Equivalent Fee: (Megawatt Equivalent) x (Fee)	$140.00
18.2.11.1.1	Each Megawatt Equivalent based on a facility total megawatt output of all electrical or compressor turbines with a rating of 2.5 megawatts or larger plus all supplemental duct firing units and/or supplemental Heat Recovery Steam Generators (HRSGs), excluding equipment fueled solely on hydrogen, multiplied by the permitted annual hours of operation and divided by 8,760 hours per year. Megawatt ratings shall be based on ISO Standard Operating Conditions at 67°F.	
18.2.11.2	Each supplemental duct firing unit and/or supplemental Heat Recovery Steam Generator (HRSG), excluding duct-firing equipment fueled solely on hydrogen, or on gas generated within Clark County by the decomposition of garbage in a landfill.	$1,378.00
18.2.12	Nevada Department of Transportation (NDOT) subcontractors shall pay equipment fees at the time of permit issuance. The fees shall be for the duration of the project, prorated on a calendar quarter basis.	
18.2.13	Annual Permit Renewal Fees: If more than one fee schedule is applicable to a permit, the governing schedule shall be that which results in the higher fee.	
18.2.13.1	Each Major Stationary Source	$6,883.00
18.2.13.2	Each Complex Source	$5,507.00
18.2.13.3	Each Significant Source	$1,031.00

18.2.13.4	Baseline annual permit renewal applies to every permitted stationary source except those classified as Major, Complex, Significant, fee exempt, or covered in another section of the AQRs.	$69.00
18.2.14	Fee exempt	Free

18.3 Dust Control Permit Fee:

For construction activities including surface grading and trenching that are permitted pursuant to Section 94.

18.3.1	Dust Control Permit Fee - shall be determined on the number of acres or fraction thereof multiplied by the following: (Multiply fee by the sum of the whole number of acres plus 1.0 acre for any fraction of an acre.)	$151.00
18.3.2	Dust Control Permit Modification Fee: The fee is related only to the processing of any dust control permit which is modified from the originally issued permit as per AQRs. The modified permit will retain the expiration date of the original dust control permit.	$34.40
18.3.2.1	Modification in combination with additional acres: The dust control permit fee shall also apply, limited to the new acres.	
18.3.2.2	Modification in combination with additional acres where construction on the additional acreage commenced prior to submission of either a stand-alone dust control permit or the modification. The dust control permit late fee shall apply.	
18.3.4	Dust Control Class Card (Pursuant to Section 94): The dust control card will be valid for three years.	$41.40
18.3.5	Dust Control Permit Late Fee: This fee will be charged for any construction site which commences construction activity prior to submitting a complete dust permit application. This fee will be 1.5 times the dust control permit fee as specified in this Section.	$226.50 (per acre)

18.3.6 Dust Control Monitor Class: The minimum fee per person for dust control monitor class is $500. The minimum fee for the department to hold a dust monitoring training class is $5,000.00. Any individual or company requesting the department to conduct a dust control monitor class with less than 10 fee-paying trainees will be responsible for the balance of the cost between paying trainees and $5,000.00.

18.4 NSR [New Source Review and/or PSD] Application Review Fee:

Technical preconstruction review of proposed new or modified stationary sources requesting an Authority To Construct Certificate

18.4.1	NSR Application fee: All stationary sources	$355.00
18.4.2	Publication fee for Notice of Proposed Action: (if required)	Direct Cost
18.4.2.1	Direct cost shall mean the actual publication cost of the Notice of Proposed Action as invoiced by the newspaper.	
18.4.2.2	Notice of Proposed Action shall be initiated after the Control Officer receives full payment of all applicable fees from the applicant.	
18.4.3	NSR Application Review fee:	
18.4.3.1	NSR potential to emit (tons per year) fee shall be determined on annual total potential to emit for all regulated air pollutants multiplied by the following and rounded off to the nearest whole number:	$65.00
18.4.3.2	NSR emissions unit fee shall be determined on the number of emission units multiplied by the following:	$255.00
18.4.3.3	An Authority To Construct Certificate shall not be issued unless the Control Officer has received full payment of all applicable fees.	
18.4.3.4	The NSR Application Review Fee for Authority to Construct applications submitted by the NDOT shall be based upon the following:	
18.4.3.4.1	NDOT maintains the permit for the pit as a single emission unit and is charged for one emission unit review fee (E1).	

18.4.3.4.2	Subcontractors applying for an operating permit pursuant to the NDOT ATC shall pay review fees based on emission units (E1) and tons of emissions (E2), but need not pay the application fee.	
18.4.3.5	Relocation Fee: Portable source move notice submittal for a new operating location within Clark County.	$34.40
18.4.3.6	Acid Rain Permit: Associated with the requirements of Title IV of the 1990 Clean Air Act Amendments.	$140.00

18.5 Part 70 Application Review Fee:

Technical review of Part 70 Applications for new or existing stationary sources.

18.5.1	Application fee: Major Part 70 stationary sources	Free
18.5.2	Application fee: Non-Major Part 70 stationary sources	Free
18.5.3	Publication fee for Notice of Proposed Action (if required):	Direct Cost
18.5.3.1	Direct cost shall mean the actual publication cost of the Notice of Proposed Action as invoiced by the newspaper.	

18.6 Annual Emission Inventory and Emission Fee:

18.6.1 Annual Emissions Inventory:

18.6.1.1 The annual emissions inventory must be submitted to the department by March 31 of each calendar year.

18.6.1.2 Actual calendar year emissions will be determined by using emission factors consistent with permit conditions or performance testing (whichever is most recent), and documented emission control factors.

18.6.1.2.1 Each annual emission inventory shall be signed by a responsible official of the company attesting to the accuracy and completeness of the inventory.

18.6.2 Annual Emission Fee:

18.6.2.1 Failure by permit holder to submit an accurate and complete actual emissions inventory by March 31 of each calendar year will result in assessment of emission fees based on facility PTE.

18.6.2.1.1 In the event a PTE fee assessment is made and subsequently the actuals are discovered to be greater than the PTE, the department shall collect the unpaid fees as determined by the difference in emissions between actual and PTE multiplied by the pollutant fee rate in force at the time of the discovery.

18.6.2.2 Emission fees will be determined by the Control Officer.

18.6.2.3 In addition to the annual emissions unit fee, each major stationary source and each stationary source subject to federal performance standards, shall pay an annual Part 70 emission fee.

18.6.2.4 The annual Part 70 emission fee shall be based on the total number of tons of actual annual emissions for all regulated air pollutants (rounded off to the nearest whole number).

18.6.3 Actual annual emissions shall mean the following:

18.6.3.1 Measured emissions for any emissions monitored by a continuous emissions monitoring system (CEMS) over the previous calendar year, or

18.6.3.2 Estimated emissions for any emissions calculated based on annual facility production over the previous calendar year.

18.6.4 Annual Part 70 emission fees:

18.6.4.1 Annual Part 70 emission fee shall be determined on the number of tons (to the nearest tenth of a ton) of all regulated air pollutants, except as provided in Section 18.6.4.2, multiplied by the following fee: $53.00

18.6.4.2 For the Carbon Monoxide emissions portion, the annual Part 70 emission fee shall be determined on the number of tons (to the nearest tenth of a ton) of Carbon Monoxide multiplied by the following fee: $18.00

18.6.5 Exceptions:

18.6.5.1 The following shall not be subject to an annual Part 70 emission fee:

18.6.5.1.1 Any construction activity permitted pursuant to Section 94 of the AQRs,

18.6.5.1.2 Any Gasoline Dispensing Facility permitted pursuant to Section 12 of the regulations shall pay an annual emissions fee of $33.00 per ton of emissions, except for Carbon Monoxide, which shall be paid at $11.00 per ton. There will be no annual urban consumer price index fee adjustment. The fees assessed pursuant to Section 18.6.5.1.2 shall be reviewed every two (2) years, commencing in January 1999.

18.7 Certificate for Asbestos Removal: $690.00

Fee charged on all projects that require National Emission Standards for Hazardous Air Pollutants (NESHAPS) notification.

18.7.1 Post Abatement Inspection Fee: $344.00

Fee charged for post abatement inspection of all projects that require National Emission Standards for Hazardous Air Pollutants (NESHAPS) notification.

18.7.2 Inspection for Ongoing Asbestos Removal Projects: $344.00/wk

Fee charged on a weekly basis for one inspection per week on all projects that require National Emission Standards for Hazardous Air Pollutants (NESHAPS) notification and which meet or exceed the regulated amounts of Regulated Asbestos-Containing Material (RACM).

18.8 Certificate of Exemption (Initial): $344.00

Hearing Board filing fee (non-refundable). (This fee is assessed one time for an exemption granted pursuant to Section 44 of the regulations.)

18.9 Certificate of Exemption (Renewal): $140.00

Air Pollution Control Hearing Board filing fee (non-refundable). (This fee is assessed for each subsequent exemption renewal granted pursuant to Section 44 of the regulations.)

18.10 Transfer of a Stationary Source Operating Permit from One Person to Another: $140.00

18.11 Replacement of Each Lost or Destroyed Operating Permit: $34.40

18.12 Request for Hearing before the Air Pollution Control Hearing Board (fee is non-refundable): $140.00

Applicable to each variance, appeal or compliance schedule.

18.13 Any fees required pursuant to this section may be waived for each qualifying emissions unit owned and operated by local, state, and federal government agencies.

18.14 Blasting Fee: $140.00

A one-time fee for each dust permit issued with a blasting permit.

18.15 Implosion Fee: $13,767.00

18.16 Billing Procedures

18.16.1 Fee(s) shall be due within thirty (30) days of billing date.

18.16.2 After forty-five (45) days from billing date, unpaid invoices shall be assessed a 10% late charge.

18.16.3 Failure to pay any fee within ninety (90) days may result in a Notice of Violation (NOV) which may impose additional penalties and enforcement action up to and including permit revocation.

18.17 Emission Reduction Credit (ERC) Application and Transfer Fees

(a) **Application for Emission Reduction Credit:** Any application for ERCs shall be accompanied at the time of submittal of the signed application by a non-refundable application fee of $300.00.

(b) **Emission Reduction Credit Transfer Fee:** For any request to transfer ERCs pursuant to Section 12.7.7, a fee of $100.00 shall be paid in full prior to or upon submission of the ERC transfer request.

18.18 Stationary Source Inspection Fees

The following stationary source inspection fee schedule (Table 18.18) outlines the fees associated with re-inspections for all stationary sources. These fees apply when a source fails an inspection, has an incomplete inspection, and requires re-inspection to determine compliance status or the inspector has to return to the source to verify completion/compliance status due to the fault of the source.

The initial and annual inspections are conducted with no charge (n/c) to the source.

Note: Only the highest applicable fee category shall apply for each source.

Table 18.18. Stationary Source Inspections Fee Schedule

Total PTE	De Minimus Permit	Less than 5 Tons	5 Tons or greater	NSPS/ NESHAPS	Major and Complex
Initial/Annual (included in annual fees)	0	* n/c	n/c	n/c	n/c
1st re-inspect	0	$69.00	$140.00	without device = $344.00; with Control Device = $205.00	$1,031.00
All subsequent re-inspects/per	0	$140.00	$275.00	without device = $690.00; with Control Device = $415.00	$2,067.00

* n/c = no charge.

18.19 Stationary Source Performance Testing Fees

The following stationary source performance test (P/T) fee schedule (Table 18.19) outlines the fees for all stationary sources. These fees apply when the source is required to conduct a performance test to determine compliance status. The associated fees are on a per protocol basis and shall be invoiced for all performance test(s) which is/are outlined in each of the required performance test protocol.

Performance test fees include the protocol and final report review and covers any on-site time by the department, if required.

Note: Only the highest applicable fee category shall apply for each source.

Table 18.19. Stationary Source Performance Test (P/T) Fee Schedule

Total PTE	De Minimus Permit	Less than 5 tons	5 Tons or greater	NSPS/NESHAPS	Major and Complex
Initial/Annual P/T (includes protocol/report review) (per protocol submittal)	0	$69.00	$140.00	$690.00	$2,067.00
1st re-test (on-site, problems/delays)	0	$69.00	$140.00	$344.00	$1,031.00
All subsequent re-tests/per (on-site, problems/delays)	0	$140.00	$275.00	$1,378.00	$4,130.00

18.20 CEMS/PEMS/RATA Fees

The following stationary source performance specification (PS) testing and continuous emissions monitoring system (CEMS) fee schedule (Table 18.20) outlines the fees associated for all stationary sources performance specification test (PS) and continuous emissions monitoring systems (CEMS), including predictive emissions monitoring systems (PEMS), and relative accuracy test audits (RATAs) where the source is required to conduct a performance test/audit to determine compliance status. The associated fees are on a per protocol basis and shall be invoiced for all performance tests/audits and include the QA/QC review for all CEMS/PEMS initial equipment review.

Performance Specification (PS) test/audit fees include the protocol and final report review and covers any on-site time by the department, if required.

Table 18.20. Stationary Source CEMS Performance Specification Tests (PS), PEMS, and RATA Fees

Test	Fee
Initial CEMS Certification Test (includes protocol/report and QA/QC document review) (per protocol submittal)	$2,067.00
1st re-test (on-site, problems/delays)	$1,031.00
All subsequent re-tests/per (on-site, problems/delays)	$2,067.00
Annual RATA/ PEMS (includes protocol/ report review) (per protocol submittal)	$690.00
1st re-test (on-site, problems/delays)	$344.00
All subsequent re-tests/per (on-site, problems/delays)	$690.00

18.21 Effective each January 20, all Section 18 fee rates except for the following shall be adjusted according to the relative percent change from the previous calendar year in the Urban Consumer Price Index (CPI-U), which is published by the U. S. Department of Labor, Bureau of Labor Statistics:

- Gasoline storage tank at Gasoline Dispensing Facilities
- Dust Control Monitor Certificate
- Hearing request before Hearing Board

18.21.1 CPI Calculation Example:

Assume last year's CPI average = 237.017
Assume previous year's CPI average = 236.736

The relative percent change (RPC) for current year is:

RPC = [(Avg CPI $_{\text{last year}}$/ Avg CPI $_{\text{previous year}}$)-1]*100
RPC = [(237.017/236.736)-1]*100
RPC = .1%

Assume current fee of a Permit is $151.00
New Fee = [Current fee x (1+RPC)]
New Fee = $151.00*1.001=$151.00

Note: Fees < $50 are rounded to nearest $0.10.
Fees > $50 are rounded to nearest $1.00.

History: Revised: September 25, 1980; September 3, 1981; April 23, 1987; November 15, 1990; July 25, 1991; May 28, 1992; August 26, 1993; September 28, 1995; December 19, 1996; April 24, 1997; December 14, 2000; January 21, 2003; June 3, 2003; July 1, 2004; January 20, 2005; January 20, 2006; January 22, 2007; January 22, 2008; January 27, 2009; January 25, 2010; October 5, 2010; February 14, 2011; February 10, 2012; February 11, 2013; February 5, 2014; February 2, 2015; February 2, 2016.