

## **PART V - FEES**

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### **RULE 501 FEES**

This Rule requires that fees be paid for:

- 1) Filing a permit application for:
    - a. Permit to construct (phase construction, demolition, etc)
    - b. Permit to operate
    - c. Temporary permit to operate
    - d. Modification of permit conditions
    - e. Variances
    - f. Revision or modification of permit or compliance plan
  - 2) Permits for:
    - a. Permit to construct
    - b. Permit to operate
    - c. Revision or modification of a permit or compliance plan
  - 3) Transfer of Ownership, Change of Source's Name or Change of Location of:
    - a. Permit to construct
    - b. Permit to operate
- A) Filing Fee**
- 1) Every applicant filing an application for a asbestos removal, lead content paint removal, structure demolition, variance applications, or construction phase permit shall pay a filing fee of \$100.00. The remaining sources, in addition, will pay the corresponding permit fee.

- 2) If an application for a permit or approval is canceled or denied by the Board, and such denial becomes final, the filing fee required herein shall not be refunded.

**B) Permit Fee**

- 1) An applicant who submits an application for any construction permit, approval or a modification to the permit to operate in regard to any source not covered by Part VI of these Regulations, shall pay a permit fee of \$10.00 per ton per pollutant.
- 2) The permit fee shall be deposited together with the application.
- 3) When an application for a permit or approval is canceled or denied by the Board, and such denial becomes final, the permit fee required herein shall be retained by the Board.
- 4) If the source received approval for the construction permit and applies for the operating permit during the first (12) twelve months after the effective date of approval of the construction permit, the operating permit's fee where the annual emissions are paid for the first year will be determined on a prorated formula based on the difference between the total annual fee minus the fee covering the period of the construction permit is valid. The source will pay the total annual emission fee as certified and has the option to pay the remaining four (4) years with the first payment.

**C) Renewal Fee:**

- 1) All permits to operate shall be renewable upon their expiration date. Sixty (60) days before such date, and together with the application for renewal of a permit to operate, the permittee shall pay a renewal fee as required by Rule 204.
- 2) The renewal fee for a permit to operate shall be pay at a rate of \$10.00 per ton per regulated pollutant emitted annually (except for CO).

**D) Fees relative to Transfer of Ownership, Change of Source's Name or Change of Location:**

Whenever an application is filed for a permit because the source has been moved to a new location and a permit or approval has previously been granted for such a source and no alteration or addition has been or is being made, the applicant shall pay a fee equivalent to 50 percent of the permit fee related with such permit. Whenever ownership has been transfer from one person to another or the source

changes its name and a permit or approval has previously been granted for such a source and no alteration or addition has been or is being made, the applicant shall pay only a fee equivalent to 50% of the filing fee related with such permit.

**E) Fees for Duplicate Permits or Approvals**

A request for a duplicate permit, approval, or assignment shall be made in writing by the permittee after the destruction, loss or defacement of a permit document. A fee of \$10.00 shall be charged for issuing a duplicate permit.

**F) Fees for Typographical Changes and Permit's Revisions**

For a request for typographical changes or a revision of a permit to construct, of a compliance plan, or of a permit to operate, the applicant shall pay fifty (50%) percent of the filing fee paid for the permit to be revised. This will not apply when the request is related with the incorporation of new sources in the actual permit. Such change is considered a modification.

**G. Requirements of permits in public Access Areas and School for asbestos abatement.**

**PERMIT APPLICATIONS**

- (1) No person shall commence an asbestos abatement project in schools or a public access area without first obtaining an air pollution permit from the Board.
- (2) Air pollution permits for asbestos abatement project in a single family residential does not required permit fees. Only the filing fee will be pay.
- (3) The permittee shall be assessed a fee for the air pollution permit. The fee schedule is as follow:

| Project Length | Fee      |
|----------------|----------|
| 1-30 days      | \$175.00 |
| 31-90 days     | \$450.00 |
| 91-365 days    | \$725.00 |

The permit fee includes the cost of routine site inspections in excess and the evaluation of the document by the Board.

- (4) Permits are valid for a maximum of one year. A new permit must be obtained for projects lasting longer than one year.

## H. Fees for Asbestos Training Schools

- 1- All schools that submit application for training personnel in asbestos management must comply with a fix filing fee of \$600.00 to cover schools facility EQB's inspection and documents evaluation. The authorization as certified asbestos management training schools will lapse for three years.
- 1- Registration's Fees in EQB's Asbestos Containing Material Management Register
  1. All person that shows evidence of having received a training in an EPA or EQB's Certified Asbestos Management Training School may register to work with such materials after paying the fee of \$40.00 for each category of training.

## RULE 502 EXCESS EMISSION FEE

- A) Each applicant for a variance shall pay, in addition to the filing fee required in Rule 501, an emissions fee of \$25.00 per ton based on the total amount of emissions discharged during the variance period in excess of that allowed by the applicable rules and regulations.
- B) Fee Determination
  1. The excess emission fees shall be calculated based upon the requested number of days of operation under variance, multiplied by the expected excess emissions, as set forth in Section A) above. The calculations and proposed fees shall be set forth in the application.
  2. The Board may adjust the excess emission fee required by sections A) of this rule based on evidence regarding emissions presented at the time of the application consideration.
- C) Adjustment of Fees

If after the term of a variance for which excess emissions fees have been paid, the applicant can establish, to the satisfaction of the Board, that emissions were actually less than those upon which the fee was based, a prorated refund shall be made.

### D) Excess Emission Fee Refunds

In the event that the application is withdrawn, or the variance is denied, the petitioner shall be entitled to a full refund of the excess emission fee or fees.

**E) Small Business**

- 1) A small business shall pay one-half of the fees required by section A).
- 2) A request for exception as a small business shall be made by the applicant, under penalty of perjury, on a declaration form provided by the Board which shall be submitted together with the variance application.

**RULE 503 TEST FEES**

- A) When the Board deems necessary, it may conduct a performance test of a source not covered by Part VI of this Regulation in order to determine the extent and amount of air pollutants being discharged into the ambient air, and the degree of compliance with permit conditions, and applicable rules and regulations.
- B) In such case, the Board shall notify the owner or operator of the source not covered by Part VI of this Regulation of its intentions, and shall request the facilities or appurtenances necessary for carrying out the test.
- C) The owner or operator of the source not covered by Part VI of this Regulation shall pay a fee for the performance test, in accordance with the schedule of fees in Table V-2, PROVIDED that when the results of such tests find the source in compliance with applicable rules and regulations, the test fee shall be 50 percent of the amount set forth in Table V-2.

**TABLE V-2**

| <u>Contaminant</u>                                    | <u>Basic Fee<sup>1/</sup></u> | <u>Surcharge for Each<br/>Additional Station</u> |
|---|-------------------------------|--|
| Particulate   | \$400.00                      | \$150.00   |
| Oxides of Sulfur                                      | 300.00                        | 130.00   |
| Special (such as hydrogen sulfide, acid mist, etc...) | 300.00                        | 130.00   |

1/ Includes one sampling station. "Sampling station" means a designated place or location from which a sample is extracted for measurement or analysis.

- D) After completing the test, the owner or operator of a source shall be notified in writing by the Board of the fees to be paid for such tests. Nonpayment of the test fees within 30 days of such notice shall result in cancellation of any application or permit to operate the source tested. Upon payment of such fees, the owner or operator shall receive one copy of the tested source report.

## **RULE 504 MODIFICATION FEE FOR SULFUR CONTENT IN FUELS**

These charge fees will be collected from sources not covered by Part VI of these Regulation.

- A) Whenever required by the Board, an applicant for a modification of the allowed percentage of sulfur in fuels shall pay a modification fee in the amount prescribed in section C) of this Rule.
- B) The modification fee required herein shall be deposited together with the application for modification of sulfur content in fuels, and it shall not be refunded, unless the application is withdrawn before the Board has initiated its consideration for modification, in which case the Board shall refund 75% of the deposited amount.
- C) Schedules for Modification Fee

Modification fees are based on air basis and on the nature of the application submitted.

1) Schedule I: Basic Grid Systems

- a) Any application for modification of the allowed percentage of sulfur shall be assessed according to the existing air basis basic grid system for the area in which the source is located:

| <b>BASIC GRID SYSTEM</b> | <b>BASIC FEE</b> |
|--------------------------|------------------|
| Aguada                   | \$ 400.00        |
| Aguadilla                | 400.00           |
| Aguas Buenas             | 400.00           |
| Aguirre                  | 6,000.00         |
| Arecibo                  | 1,500.00         |
| Arroyo                   | 400.00           |
| Barceloneta              | 1,600.00         |
| Bayamón                  | 2,000.00         |
| Caguas                   | 1,000.00         |
| Carolina                 | 1,000.00         |
| Cataño                   | 6,500.00         |
| Ceiba                    | 500.00           |
| Coamo                    | 500.00           |
| Comerio                  | 500.00           |
| Culebra                  | 800.00           |
| Dorado                   | 1,000.00         |
| Ensenada                 | 800.00           |
| Guayanilla               | 7,000.00         |
| Guaynabo                 | 1,000.00         |
| Guánica                  | 800.00           |
| Hatillo                  | 500.00           |
| Humacao                  | 800.00           |
| Isabela                  | 600.00           |



| <b>BASIC GRID SYSTEM</b> | <b>BASIC FEE</b> |
|--------------------------|------------------|
| Manati                   | \$ 1,800.00      |
| Mayaguez                 | 2,000.00         |
| Orocovis                 | 500.00           |
| Peñuelas                 | 800.00           |
| Ponce                    | 2,000.00         |
| San Juan                 | 2,000.00         |
| Santa Isabel             | 600.00           |
| Toa Baja                 | 600.00           |
| Vega Alta                | 600.00           |
| Vega Baja                | 1,200.00         |
| Yabucoa                  | 3,000.00         |
| Vieques                  | 500.00           |

- b) If the site of the source is not covered by the existing basic grid system, the Board shall notify the applicant of the modification fee within 30 days after the submittal of the application.
- c) The basic fee is on a per trial basis.