



Fact Sheet

Air Program Regulatory Change Fee Revision for Operating Permit Application and Maintenance Fees Class II Surface Area Disturbance and Class II General Permits

Introduction

The NDEP Air Program is proposing a regulatory change to amend its fee schedule.

The change seeks to update the Program's approach to how fees are assessed, and to redistribute the fees across the regulated industry to reflect workload and resources required to implement NDEP's Air Program.

This fact sheet describes changes in fee schedule for facilities that hold a Class II General Air Quality Operating Permit or Surface Area Disturbance Permit. For a general description of all the changes in fee schedule, for a detailed description of the fee changes for other types of minor sources (Class II Operating Permits), or for a detailed description of the fee changes proposed for major and major stationary sources (Class I Operating Permits), please refer to the corresponding fact sheets.

Overview of Changes

If approved by the State Environmental Commission and Legislative Commission, the new fee schedule would be effective on January 1, 2020.

For Class II Surface Area Disturbance (SAD) Permits the Air Program is proposing to:

- Assess application and maintenance fees in proportion to the acres disturbed.

For both Class II General and Class II SAD Permits.

- Permit applications **will not be subject** to the 10% non-refundable fee to cover the costs associated with the completeness review process.
- Eliminate fees for replacement of a permit.

Proposed Fee Schedule

New and Miscellaneous Fees

Application (New)	Fee
Insignificant Activity Determination	\$1,000
Confidentiality Request	\$1,000
Applicability Determination	\$1,000

Application	Fee
Change of Location (per Emission Unit)	\$200 (currently \$100)
Administrative Amendment	\$1,000 (currently \$200)

Sources Holding Class II General Permits

Sources with a Class II General Permit will not see any change in the proposed maintenance and application fee schedule.

Permit Type	New Permit	Revision	Annual Maintenance Fee
Class II General for Temporary Stationary Sources	\$1,500	N/A	\$500
Class II General for Stationary Sources	\$500	\$250	

Sources Holding "standalone" Surface Area Disturbance Permits

Application and maintenance fees are based on the total disturbed area

Total Disturbed Area (acres)	New or Renewal of SAD (currently \$500)	Revision of SAD (currently \$200)	Proposed Annual Maintenance Fee	Current Annual Maintenance Fee
≥ 5 and < 20	\$1,000	\$500	\$1,000	\$250
≥ 20 and < 100	\$2,000		\$2,000	\$500 – 750
≥ 100 and < 500	\$3,000		\$3,000	\$1,000 – 2,000
≥ 500	\$5,000		\$5,000	\$5,000