

**SYNOPSIS OF
THE PROPOSED AMENDMENTS TO THE RULES OF THE
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION
RELATING TO AIR QUALITY, CHAPTER 391-3-1**

Rule 391-3-1-.02(9), “Permit Fees,” is being amended.

Purpose: The Permit Fee provision is being revised to specify the dollar-per-ton rate and reference a fee manual for Calendar Year 2009 fees and to add provisions for administrative fees, transfer of ownership, and suspension or revocation of permits for cause.

Main Features: A line is added to the table in Subparagraph (9)(b) to specify the dollar-per-ton rate and to reference the fee manual for Calendar Year 2009 fees. The fee rates remain unchanged from the previous year. Subparagraph (9)(i) is added to specify an administrative fee of 0.05 percent of the total fee due for each calendar day in which the permit fee form is submitted after October 1st. Subparagraph (9)(j) is added to specify that, beginning with calendar year 2009 fees, the responsibility for paying past due fees become the responsibility of the new owner or operator when a transfer of ownership of a source occurs.

**STATEMENT OF RATIONALE
Rules for Air Quality Control**

Rule 391-3-1-.03(9) – Permit Fees

The basis of this paragraph is to specify the fee rate; the procedures for determining, reporting, and submitting permit fees; and other permit fee related requirements. The purpose of this revision is to specify the fee rate and reference a new procedures manual for Calendar Year 2009 fees (which will be due beginning September 1, 2009, and will fund state Fiscal Year 2010 fee-related activities) and to add provisions for administrative fees, transfer of ownership, and suspension or revocation of permits for cause.

This revision does not increase fees paid by affected entities except for those that do not submit fee reports as required by the permit fee rule and manual. There will be no increased costs to the public.